

DIREKTORAAT VAN VEILIGHEIDSWETGEWING
DIRECTORATE OF SECURITY LEGISLATION

LÉER NR. 214/2113 7
FILE NO. 214/2113 7

LÉER NR. 214/2113
FILE NO. 214/2113

HOOFDREEKS
MAIN SERIES DEFENCE AND AID FUND

ONDERWERP
SUBJECT

LÉER
FILE

LÉER GEOPEN OP
FILE OPENED ON 24-1-68

LÉER GESLUIT OP
FILE CLOSED ON 16-7-73

BESKIKKINGSVOORSKRIFTE
DISPOSAL DIRECTIONS

SUBLÉER OF GEVAL
SUBFILE OR CASE

LÉER NR. 214/2113
FILE NO. 214/2113

DEEL
PART 7

Sy Edele die Minister van Justisie,
PRETORIA.

2/2/13
del 011

Geagte Minister,

BEREDDERING VAN DIE BATES EN LASTE VAN DIE "DEFENCE
AND AID FUND."

1. Die "Defence and Aid Fund" (hier-
onder die "Fund" genoem), is op 18 Maart 1966
ingevolge artikel 2(2) van die Wet op die Onderdrukking
van Kommunisme, 1950 (Wet No. 44 van 1950) tot 'n onwet-
tige organisasie verklaar. U het my ingevolge artikel
3(1)(b) van die Wet as beredderaar van die organisasie
se bates aangewys. Hiermee doen ek graag aan u verslag
aangaande die uitvoering en afhandeling van my taak.

2. Die eerste deel van my bereddering het bestaan
uit die opspoor en te gelde maak van die organisasie se
bates. Hierdie gedeelte van my taak is deur 'n verskei-
denheid van faktore bemoeilik. Ek ag dit nodig om u
volledig aangaande hierdie faktore in te lig:

(a) Daar was talle organisasies beide in die buiteland
en hier ter plaatse wat aan die "Fund"
gekoppel was of daadwerklik die doelstellings van die
"Fund" bevorder of help bevorder het.

In die buiteland was daar die volgende organi-
sasies:

- (i) "American Committee on Africa".
- (ii) "World Council of Churches".
- (iii) "Trades Union Congress".

(iv) "Christian Action", (waarvan "Defence and Aid" n integrale deel uitgemaak het).

(v) "International Confederation of Free Trade Unions (I.C.F.T.U.)".

In Suid-Afrika was die volgende organisasies:

- (i) "Human Rights Welfare Committee".
- (ii) Suid-Afrikaanse Instituut vir Rasseverhoudings.
- (iii) Nasionale Unie van Suid-Afrikaanse Studente.
- (iv) "90 Day Protest Committee".
- (v) "Detainees Relief Fund".
- (vi) "Dependants' Conference", Kaapstad.
- (vii) "State of Emergency Relief Fund".
- (viii) "Religious Society of Friends (Quakers)".
- (ix) "Treason Trial Defence Fund".
- (x) "South African Congress of Trade Unions".
- (xi) "The Christian Council of South Africa".
- (xii) "South West Africa National Union".
- (xiii) "Black Sash".
- (xiv) Die Kommunistiese Party van Suid-Afrika en die Suid-Afrikaanse Kommunistiese Party.

Die fondse wat van die verskeie instansies van die buiteland hier ontvang was, het heen en weer tussen die organisasies hier te lande gevloei. Buitelandse

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organisasies het dikwels hul bydraes nie deur die "Fund" gekanaliseer nie maar direk aan organisasies in Suid-Afrika gestuur, wat op hulle beurt weer met die "Fund" geskakel het.

Bogenoemde feite het die opsporing van bestaande balanse op 18 Maart 1966 (die datum van onwettigverklaring) onmoontlik gemaak. Bylaag "A" bevat voorbeelde van die skakeling wat daar was.

(b) Sekere bepalings in die Konstitusie van die "Fund" het soos volg gelui:

"Objects:

(i) To uphold, defend and protect by all lawful means Human Rights, and Civil Liberties especially the right to hold and express opinions.

(ii) To grant relief and assistance to compensate men and women and their dependants who suffer as a result of the loss of any of the said rights and liberties whether by process of law or otherwise.

(iii) To collect money to pay for the rendering of legal advice and assistance to persons in need thereof ...

Accounts:

Proper accounts shall be kept in respect of the finances of the Fund and shall be properly audited.

Trustees:

The Fund shall have not less than three and not more than seven Trustees whose function shall be to ensure that the funds are used and applied in accordance with the objects of the Fund."

Die bepalings van die konstitusie is nie by die aangaan van uitgawes nagekom nie. Daar is nie die

minste aanduiding dat die Trustees beheer oor die besteding van fondse uitgeoefen het nie. (Kyk bylaag "B").

(c) Dit was oor en oor beklemtoon dat die fondse van die "Fund" uitsluitlik gebruik was "to pay for the legal representatives of people facing political charges and where possible to aid families who are left destitute". Dat die fondse egter nie so gebruik en aangewend was nie blyk uit bylaag "C".

(d) Die bronne van fondsverkryging was oor die hele wêreld versprei. Alhoewel "Christian Action" die grootste bron was, was aansienlike bedrae ook van instansies in Amerika, Europa, Australië en Nieu-Seeland verkry.

In Suid-Afrika was bydraes minimaal in vergelyking met oorsese bydraes. Hier te lande was dit gepoog om fondse deur middel van etes, danse en musiekaande in te samel. Gereelde skenkers was daar nie in Suid-Afrika nie.

Domheer Collins wat aan die spits gestaan het van invorderings vir "Christian Action" het gereelde bedeladvertensies laat plaas in die Britse en buitelandse koerante waarin hy gebruik gemaak het van "human interest stories". Hierdie "human interest stories" wat die "Fund" in Suid-Afrika aan hom moes verskaf, was dan verwerk om op die publiek se gevoelens te speel en sodoende fondse te bekom. (Kyk bylaag "D").

Dikwels is bydraes vir die "Fund" ook van privaat persone uit die buiteland ontvang. Deurdát bydraes uit soveel verskillende lande en van verskillende instansies ontvang was en nie in een gekonsolideerde fonds gestort was nie, kon die ontvangste vir die "Fund" nie tot by moontlike bestaande bates nagespoor word nie.

(e) Die grondwet van die Suid-Afrikaanse "Fund" het deurgaans die indruk probeer skep dat dit 'n onafhanklike organisasie is. Uit die stukke vervat in bylaag "F" is dit egter duidelik dat dit 'n tak van "Defence and Aid" van "Christian Action" in Engeland was. Nie alleen was die geld vanaf Londen gereeld "earmarked" nie, maar die "Fund" moes beramings maandeliks aan Londen voorlê waarin die sake uiteengesit is en waarvoor toekennings dan deur Londen gemaak is. "Christian Action" het dan ook soms spesifieke gelde vir sekere sake voorgeskryf.

(f) Boekhouding:

Een van die bepalings van die konstitusie het, soos reeds aangedui, gelees:

"Proper accounts shall be kept in respect of the finances of the 'Fund' and shall be properly audited".

Die stelsel van boekhouding deur die "Fund" gebruik, was een van ontvangstes en uitgawes.

Die inskrywings in die boeke van die takke was, soos blyk uit die boeke waarop beslag gelê was, nie bygehou nie. Ouditering is, soos blyk uit bylaag "E(i)", nie gereeld uitgevoer nie.

Nie een van die takke, insluitende die Johannesburg-tak, het 'n deurlopende rekening van ontvangstes en uitbetalings gehou nie. Daar was deurgaans gebruik gemaak van die balanse soos deur die onderskeie banke verstrekk. Uit die boekhouding van die onderskeie takke kon dit op geen stadium bepaal word wat die totale ontvangstes en uitbetalings was nie.

Die bank moes aandui of die rekening 'n krediet- of debietbalans gehad het.

Die totale ontvangstes en uitbetalings van die "Fund" in Suid-Afrika kon nie bepaal word nie. Die bates van die "Fund" was oor die hele land versprei. Benewens die bates waarop beslag gelê is, is kontant bates aan die hand van inligting wat deur die Suid-Afrikaanse Polisie aan my verstrekk is, opgespoor en geïn.

'n Ander groot leemte in die administrasie van die fondse is die feit dat aan niemand eintlik verantwoording gedoen moes word nie. Niemand kon ook, as gevolg van gebrekkige en nalatige boekhouding, korrekte syfers verstrekk ten opsigte van ontvangstes en uitbetalings vir enige tak nie. Dit wil voorkom asof selfs domheer Collins

nie syfers van totale ontvangstes en uitgawes kon verstrekk nie.
(Kyk bylaag "E(ii)").

"Christian Action", wat honderde duisend rand na Suid-Afrika versend het, het nooit vir gedetailleerde state van hoe fondse bestee is, gevra nie. Niemand was aan enige persoon n verduideliking ver-skuldig nie.

In baie gevalle was fondse van "Christian Action" nie by die "Fund" gestort nie, maar direk aan prokureurs vir spesifieke sake betaal. Hierdie gelde was gelaat by die prokureurs en of daar op 18 Maart 1966 nog batige saldo's was, kon nie vasgestel word nie. (Kyk bylaag "E(iii)").

Dieselfde geld ook vir voorskotte aan prokureurs gemaak voor 18 Maart 1966. Dit was nie moontlik om vas te stel of die fondse opgebruik was al dan nie.

Vir die jaar eindigende 30 Junie 1965 was die "Fund" se inkomste R68,321.00, waarvan R32,000 van "Defence and Aid" in Londen gekom het en R4,621.00 plaaslik ingesamel was. Die balans het van ander instan-sies vanuit die buiteland gekom.

Die kleinkasboek van die Kaapse-tak was net tot 11 November 1965 opgeskryf sonder dat Novembermaand behoorlik afgesluit was. Daar was daarna ongetwyfeld nog uitbetalings maar geen inskrywings was gedoen nie. Die Johannesburg-tak se kasboek is opgeskryf vir n gedeelte van Oktober 1965 en alhoewel baie uitbetalings daarna gedoen is, is dit nie aangeteken nie. (Kyk bylaag "E(iv)"). Vanaf Julie 1965 is geen maand se inskrywings behoorlik afgereken nie.

Daar was deur die "Fund" ook nie afsonderlike rekeninge gehou va-prokureurs aan wie voorskotte gemaak was nie. As n prokureur sy be-raamde koste aan die "Fund" voorgelê het, was die bedrag ten dele of ten volle betaal, mits die fondse in die bank beskikbaar was.

Op 28 Desember 1965 is n tjek vir R3500 vanaf die Kaapstad-tak van die "Fund" aan Ruth Hayman (n Johannesburgse prokureur wat later

van Kommunisme, 1950, ingeperk is), gestuur. Sy het die tjek endosseer en op haar trustrekening op 21 Januarie 1966, inbetaal. Hierdie transaksie word nie in die Johannesburgse boeke van die "Fund" getoon nie. Meer as n maand na 18 Maart 1966 het Ruth Hayman die beredderaar telefonies meegedeel dat sy n halfgebruikte tjekboek van die "Fund" in een van haar kantoorlaaie gevind het. Sy was meegedeel om dit onmiddellik aan te stuur. Die tjeknommers van die boek het geloop van 247001 tot 247200. Tjekvorms Nrs. 247001 tot en met 247076 was reeds uitgeskeur en vermoedelik gebruik. Tjekvorm Nr. 247077 was volledig geteken deur Ruth Hayman en Hannah Jaff (wat tekenmagte gehad het) sonder dat n bedrag geld ingevul was. Tjekvorms Nrs. 247078 tot en met 247080 was reeds onderteken deur H. Jaff maar geen bedrag geld was ingevul nie. Vir betalings uit hierdie tjekboek aan die firma Hayman and Aronsohn kyk bylaag "E(iv)".

Op 20 September 1965 is die notule van die "Management Committee" van Johannesburg onderteken deur Ruth Hayman en een van die besluite lees soos volg:

"S. Neame Case. It was decided that the balance held by Hayman and Aronsohn for this account should be retained against costs of appeal". Geen bedrag word aangegee deur ðf Ruth Hayman ðf die "Fund" nie. Die saak het die "Fund" uiteindelik R5,500 gekos.

Aan die firma Crafford, Du Toit en Vennote, geektrooieerde Rekenmeesters van Pretoria was dit opgedra om uit die beskikbare boeke en dokumente n verslag voor te lê ten opsigte van die boekhouding van die "Fund". n Afskrif van die verslag verskyn in bylaag "E(v)".

3. Die vasstelling van die organisasie se verpligtinge het nie groot probleme opgelewer nie aangesien die onus op die krediteure was om eise in te dien en te staaf.

4. Die finale balansstaat het soos volg daar uitgesien:

Invorderings:

7.4.66	Durban-tak van die Fund	4.08
7.4.66	Standard Bank, Kaapstad	996.51
7.4.66	Veiligheidstak, Suid-Afrikaanse Polisie, Kaapstad	4.94
13.4.66	E.P. Bougenootskap, Port Elizabeth	74.88
18.4.66	Veiligheidstak, Suid-Afrikaanse Polisie, Port Elizabeth	106.40
21.4.66	Allan Solomon, Arderne & Flynn, Port Elizabeth	48.76
21.4.66	Allan Solomon, Arderne & Flynn, Port Elizabeth	436.11
4.5.66	Barclays Bank, Pretoria	6928.13
23.5.66	Reitz, Jacobson & Effune, Johannesburg	1474.55
25.5.66	Hayman & Aronsohn, Johannesburg	2780.14
9.6.66	Borgkwitansie Nr. 107467	20.00
14.7.66	Standard Bank, Kaapstad	19.77
22.8.66	Miller Weedon Travel	86.20
22.8.66	Borgkwitansie	250.00
22.8.66	Telefoon Terugbetaling R. Hodgson	11.43
29.9.66	Posseëls verkoop	.40
29.9.66	Posseëls verkoop	2.06
24.10.66	Borgkwitansie E. Loza	100.00
14.11.66	Staatsprokureur, Kaapstad	769.62
26.4.67	Geregsbode, Johannesburg	40.00

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28.4.67	Geregsbode, Kaapstad	97.65
8.5.67	Geregsbode, Port Elizabeth	34.25
8.5.67	Posseëls verkoop	1.05
1.6.67	Kerbel & Borman, Port Elizabeth	289.04
24.8.67	Aderne & Flynn, Port Elizabeth	100.00

14,675.97

Uitbetalings.

Christine Gibbs - Salaris Maart 1966	60.00
Napiers - Port Elizabeth - Skryfbehoeftes	1.65
Telefoon Rekening, Kaapstad	.75
Royal Dairy, Kaapstad	1.56
S. Urdang - Salaris Maart 1966	115.00
Vervoer - Geregsbode, Kaapstad	13.00
Sonnenburg, Hoffman & Galombik - huur	17.97
Abe Swersky - Kaapstad - Prokureursfooie	1500.00
Frank, Bernadt & Joffe, Kaapstad - Prokureursfooie	221.30
Segal & Seymore, Pretoria - Prokureursfooie	237.26
Solomon, Arderne & Flynn, Port Elizabeth, Prokureursfooie	800.33
Kerbel & Borman, Port Elizabeth, Prokureursfooie	1465.71
H.L. Schachat, Kaapstad, Prokureursfooie	518.25
M.S. Frank & Frank, Kaapstad, Prokureurs- fooie	618.34
Findlay & Tait, Kaapstad, Prokureursfooie	280.19
Hayman & Aronsohn, Johannesburg, Prokureurs- fooie	4043.27
Lubbe Recordings, Pretoria	125.80

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Grafford, du Toit & Vennote,
Pretoria - Fooie

300.00

10,320.38

Oorbetaal aan Vereniging van
Wetsgenootskappe

4,355.59

R14,675.97

D. P. WILCOCKS

BEREDDERAAR : DEFENCE AND AID FUND.

-5 -2- 1968

ORGANISASIES.

HUMAN RIGHTS WELFARE COMMITTEE.

Die volgende bedrae is deur die "Fund" aan bogenoemde geskenk:

R600 op 10 Februarie 1961.

R100 op 2 April 1962.

R200 per maand vir 3 maande (besluit deur"

Uitvoerende Komitee op 21 Januarie 1963).

R200 op 25 Januarie 1963 deur domheer Collins

direk oorbetaal aan organisasie.

SUID-AFRIKAANSE INSTITUUT VIR RASSEVERHOUDINGS.

Teen die end van 1964 het die "Fund" besluit om geen welsynswerk meer te verrig nie en bogenoemde organisasie het al die welsynswerk oorgeneem in Kaapstad.

Op 10 Desember 1962 skryf die Instituut aan die "Fund" te Kaapstad onder andere:

"I should like to appeal for assistance to help pay the costs of presenting evidence and watching the interests of Africans before the judicial Commission of Enquiry into the causes of the Paarl Riot on 22nd November, 1962. It is extremely important that the underlying cause of unrest be brought to light and for this purpose it is necessary that legal representation should be available particularly as the Police and the Paarl Municipality are being legally represented."

Die "Fund" het 'n bedrag van R800 bygedra. Op 18 Desember 1964 stuur die Instituut 'n bedrag van R1383 aan

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die "Fund" te Johannesburg en R2500 aan die "Fund" te Port Elizabeth.

The "American Committee on Africa" het ~~1000~~ 1000 aan die "Fund" toegesê wat eindelijk by die Instituut inbetaal is vir "Prison Education Fund".

Uit die notules van 'n spesiale vergadering van die Durban tak van die "Fund" blyk die volgende:

"Money had come from canon Collins and Trade Unions, there was now about R5000-00 in hand and Race Relations had been given R2500-00 for defence which it was hoped they would hand over."

Op 11 Augustus 1965 het die "Fund" weer 'n bedrag van R154-00 aan die Instituut oorbetaal.

NATIONALE UNIE VAN SUID-AFRIKAANSE STUDENTE.

Op 11 November 1964 skryf die prokureursfirma "Hayman and Aronsohn" aan die "Fund" te Johannesburg:

"We beg to advise you that several weeks ago we were instructed by N.U.S.A.S. to act on behalf of these persons (Choabe, Gawe and Saule) who were until recently 90 days detainees in East London. On the 26th October, 1964 these persons were charged under the Suppression of Communism Act We understand from N.U.S.A.S. that they are in a position to provide certain of the funds for defence of these persons but obviously they will not be able to cover all the fees involved..... There are four other students who are being detained in East London. Their names are H. Kani, E. Dhlala, Paul Modiba and Stanley Mabizela..... We wish to

/.....3.

make formal application for the assistance of Defence and Aid for these persons on the basis that N.U.S.A.S. will be able to provide portion of the fees."

90 DAY PROTEST COMMITTEE (KAAPSTAD).

Onder Voorsitterskap van J. Hamilton Russel het die organisasie funksioneer tydens die geldigheid van die 90 dae klousule. Na die herroeping van genoemde klousule is 'n bedrag van R1534.50 aan die "Fund" oorbetaal.

DETAINEES RELIEF FUND (DURBAN).

Voordat die "Fund" behoorlik in Durban gefunksioneer het, was dié organisasie aldaar in werking. Met die "Fund" se inwerkingtreding het hierdie organisasie verdwyn en was R634.42 aan die "Fund" oorbetaal.

DEPENDANTS' CONFERENCE (KAAPSTAD).

Hierdie organisasie tesame met ander organisasies het die welsynswerk in Kaapstad en omstreke oorgeneem toe die "Fund" na 1963 met welsynswerk opgehou het.

Die organisasie bestaan vandag nog en gedurende die jare 1964 en 1965 was 'n bedrag van R20,000 vanaf die "Defence and Aid International" ontvang.

STATE OF EMERGENCY RELIEF FUND.

Hierdie organisasie was tydens die noodtoestand van 1960 in die lewe geroep. Met die totstandkoming van die "Fund" het al die bates van die "Relief Fund" oorgegaan op die "Fund". Die bestuurskomitee van die "Relief Fund" het net so aangebly vir die Komitee van die "Fund". Aan die end van 1960 was 'n bedrag van R300,000 deur die "Relief Fund" spandeer en was nog R60,000 benodig om uitstaande ondernemings te finaliseer.

Gedurende 1960 is 'n bedrag van R2800 aan die "Relief Fund" deur die "Fund" betaal.

RELIGIOUS SOCIETY OF FRIENDS (QUAKERS).

Gedurende 1963 het die organisasie geld ingesamel en aan die "Fund" oorbetaal vir die verdediging van John Hlekani (n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950). Die bedrag oorbetaal is nie bekend nie. Op 9 September 1963 skryf dr. Ellen Hellman van die Johannesburgse tak van die "Fund" aan die Durbanse tak onder andere:-

"We give them (i.e. The Quakers) certain grants of money. We have as you likewise have, to be careful not to overstep our function which is to give compensation to people who are in difficulties by reason of the curtailment of the civil rights. Otherwise there is always the possibility of coming within the confines of the Welfare Organisation Act."

TREASON TRIAL DEFENCE FUND (T.T.D.F.).

Die fonds wat in 1956 in die lewe geroep is, het in 1960/63 oorgegaan op die "Fund".

R500. wat geleen was by die "Fund" was terugbetaal.

Op 10 Julie 1963 word die Standard Bank, Port Elizabeth as volg opdrag gegee:

"... will you please instruct the Standard Bank of South Africa to transfer the balance standing to the credit of the Treason Trial Defence Fund, to our account (i.e. the "Fund")."

Op 22 Januarie 1964 word ontvangs deur die "Fund" erken van n bedrag van R602. Die balans wat verskuldig bly is R392.21.

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SOUTH AFRICAN CONGRESS OF TRADE UNIONS (S.A.C.T.U.).

Op 16 November 1961 het die "Fund" R100 aan die organisasie geskenk.

THE CHRISTIAN COUNCIL OF SOUTH AFRICA.

Op 15 Desember 1961 word 'n bedrag van R1581.05 deur die organisasie aan die "Fund" oorbetaal.

Uit korrespondensie blyk dit dat die volgende bedrae deur dié organisasie by verskillende geleenthede aan die "Fund" betaal is:

R3000.00 aan Port Elizabeth.

R1000.00 aan Durban.

R1000.00 aan Kaapstad.

R200.00 aan Oos-Londen.

Op 26 Mei 1964 is 'n bedrag van 1000 dollars deur die organisasie aan die "Fund" betaal. Hierdie bedrag was ontvang van die "World Council of Churches".

SOUTH-WEST AFRICA NATIONAL UNION (.S.W.A.N.U.).

Gedurende September 1962 het die organisasie die "Fund" genader vir finansiële hulp en steun vir sake teen politieke oortreders in Suidwes-Afrika. Behalwe die R330.00 wat die "Fund" op dr. Abrahams spandeer het, was dit nie aktief in Suidwes-Afrika nie.

BLACK SASH.

Gedurende September 1965 het die Uitvoerende Komitee van die Kaapstad-tak van die "Fund" ingestem dat R200 wat aanvanklik deur die "Fund" aan die "Paarl Riot Commission" toegesê is, vir regskoste aangegaan deur die "Athlone Advice Office" (Black Sash) aangewend kan word.

DIE KOMMUNISTIESE PARTY VAN SUID-AFRIKA EN DIE SUID-AFRIKAANSE KOMMUNISTIESE PARTY.

'n Bantoelid van die Suid-Afrikaanse Kommunistiese Party het onder andere soos volg in 'n beëdigde verklaring gedateer 1 Oktober 1964 gesê: "The 'Defence and Aid Fund' which was at this junction (sic) already in existence, was extensively used for the purposes of the South African Communist Party. In turn cash advances towards the fund were made by the South African Communist Party. Who the persons were that served on this Fund' Committee I do not know, except that Rica Hodgson who was in fact a member of the Communist Party was also serving on this Fund's Committee."

Op 9 Januarie 1966 het 'n Blanke-lid van die Suid-Afrikaans

tevore 'n bedrag van R4000.00 vir gebruik vir doeleindes van die Kommunistiese Party ontvang het. In verband met die aanwending van die geld het hy onder andere gesê:

"All the money so withdrawn I used for purposes of the Communist Party, also to pay bail money at Defence and Aid and for relieving purposes of dependants of political prisoners ...".

Die volgende persone wat as kommuniste gelys is, het as ampsdraers van die die "Fund" opgetree:

- (1) Ruth Slovo
- (2) Rica Hodgson
- (3) Violet Weinberg
- (4) Bob Hepple
- (5) A.L. Sachs
- (6) Abram Fischer.

BUITELANDSE ORGANISASIES.

AMERICAN COMMITTEE ON AFRICA.

Teen die end van 1965 stuur die organisasie \$5500 aan die "Fund" met 'n versoek dat 'n verduideliking verstrek moet word waarvoor die fondse aangewend sou word.

Die antwoord gedateer 17 Januarie 1966 lui soos volg: "One of the 24 accused is from Port Elizabeth who have been awaiting trial since June, 1965. They are mostly young boys, who as far as we know had no particular part in any political movement. They probably belonged to the A.N.C. as did any African with any initiative and remained members after it was banned in 1961 ...".

WORLD COUNCIL OF CHURCHES.

Hierdie organisasie het sy bydraes grotendeels gestort in die kas van die "Christian Council of South Africa", maar het tog opdrag gegee dat sekere bedrae vir verdediging van politieke oortreders aangewend moet word. Die volgende bedrae is met tussenposes deur die "Fund" van die organisasie ontvang:

Kaapstad	\$8000	Port Elizabeth	R1790.67
	R4993.75		\$5000
	\$2500		\$5000

TRADES UNION CONGRESS (LONDON).

'n Bedrag van R13515 is direk aan die "Fund" in Suid-Afrika betaal sonder bemiddeling van Christian Action, Londen.

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CHRISTIAN ACTION (LONDON).

Dit is nie moontlik om die totale bedrag te bepaal wat die organisasie aan die "Fund" oorbetaal het nie. Volgens 'n publikasie wat deur die "Forum World Features" op 26 Februarie 1966 uitgegee is, het "Christian Action" toe alreeds 'n bedrag van R1,000,000 in die Republiek van Suid-Afrika laat spandeer op politieke oortreders en hul gesinne.

INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (I.C.F.T.U.)

Op 10 Februarie 1961 word 'n bedrag van R600.00 wat deur die "Fund" aan "Human Rights Welfare Committee" geskenk was deur die I.C.F.T.U. aan die "Fund" vergoed.

Op 10 Junie 1963 skryf dié organisasie aan die "Fund":

"We feel that in view of the increasing critical situation in South Africa, the time has come for the I.C.F.T.U. to show again in a tangible way its sympathy with the victims of the South African regime. It therefore gives me pleasure to announce that we have transferred a further sum of £750 with the request that as much as possible the claims of trade Unionists should be taken into consideration".

Op 16 Desember 1964 skenk die organisasie nog £1000 aan die "Fund".

BYLAAG "B".

UITOEFENING VAN BEHEER.

Geen enkele geval is teëgekome waar oorleg gepleeg is met die Trustees van die "Fund" voor uitgawes aangegaan is nie. Daar was ook nie n enkele vergadering van die Trustees om beleidsrigting neer te lê of die konstitusie aan korrekte vertolking te onderwerp nie.

Niemand was die verpligting opgelê om verantwoording te doen vir fondse wat spandeer word nie. Elke tak het spandeer solank fondse in die verskeie handelsbanke beskikbaar was. Daarna was fondse weer net aangevra.

In n memorandum deur die Johannesburg-tak versprei, moes die volgende vertolking aan die Konstitusie gegee word:-

"Defence and Aid renders neither legal assistance nor advice but merely provides funds to enable legal assistance and advice to be given by other persons. Defence and Aid is not a legal aid bureau and so does not render legal advice or assistance. It does not assist persons essentially as a matter of philanthropy but in furtherance of its main object to defend civil rights and liberties. The Fund is prepared to assist without distinction of race, colour, creed or opinion - it is concerned only with the object laid down by it's constitution and civil liberties and not with the policies of any organization, body or group of persons".

Telkens is die konstitusie by takke gewysig sonder om die ander takke te verwittig. Met soveel gemak was wysigings aangebring dat die notules net die volgende bevat:-
"The Constitution was read and amended in a number of places".
(Notules, Kaapstad se tak gedateer 18 Augustus 1965). Daar was geen aanduiding watter artikels gewysig was of wat die wysigings behels het nie.

Gelyste kommunis E.S. Sachs wat as organisierende sekretaris van "Christian Action" in Londen opgetree het, gee die volgende vertolking aan die oogmerke van die "Fund".

"The aims of our Defence and Aid Fund are to provide effective legal aid to victims of apartheid who are brought to court or deprived of their liberty by administrative action and also to help their families. Our Fund is pledged to a policy of non violence but in deciding whether we should provide defence and aid in any particular case, we are concerned with the motives and not so much with the acts or omissions; nor are we concerned with the political, religious or other beliefs of the person concerned. If the motive is not selfgain, but to further the interests of African freedom, he becomes entitled to our support even if the method employed by him, or the political beliefs he holds does not meet with our approval".

Op 22 April 1963 antwoord John Blundell, Voorsitter van die Kaapse-tak vir Sachs as volg: "... by now it will be clear to you that we are only too anxious to do all we can to find defence wherever and whenever it is required, even if some of us may not be motivated by quite such an unique interpretation of our constitution as you set out in your fourth paragraph.". (Hierbo aangehaal).

Na die promulgering van Wet Nr. 76 van 1962 (wat as die Sabotasiewet bekend staan), is die bepalinge van die Konstitusie nie meer as leidraad gebruik vir die aangaan van uitgawes nie. Vroeër was uitgawes aangegaan in die volgende tipe sake:

- (i) Sake waarin lede van verbode organisasies tereggestaan het.
- (ii) Verbreking van inperkingsbevele.
- (iii) Bevordering van verbode organisasies.

(iv) Fondsinsameling vir verbode organisasies.

(v) Enige sake met 'n politieke kleur waar geen geweld voorkom nie.

Dat die "Fund" vroeër nie sake van geweld verdedig het nie blyk uit die volgende briewe:

Alex Hepple, voorsitter, Johannesburg-tak aan J.D.F. Martin, "Amnesty International", Londen.

"..... For various reasons the Defence and Aid Fund decided not to handle cases involving Sabotage". (Brief gedateer 14 Augustus 1962).

Dr. Ellen Hellman, Johannesburg-tak aan J. Hill, ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), Durban-tak:

"... What is quite clear is that we do not assist in the defence of Sabotage itself ...". (Brief gedateer 15 September 1962).

Johannesburg se Uitvoerende Komitee besluit op 14 Mei 1962, onder andere:

"In terms of our constitution we do not handle cases under the Explosives Act". Toe Suliman Vallie egter tereg staan op 'n klagte van besit van plofstowwe het die "Fund" hom laat verdedig.

Op 20.9.63 besluit Durban se Uitvoerende Komitee: "..... We were asked to base our decision whether or not to defend on the question of whether or not the infringement of a civil right was involved. Sabotage did not fall within this definition".

Ten opsigte van die P.A.C. verhore te Durban besluit die Uitvorende Komitee:

"..... In accordance with a ruling from Headquarters (Johannesburg) that Defence and Aid Fund could only handle cases where there was a possibility of civil rights being infringed and that sabotage did not come within this definition we gave no financial assistance

through Defence and Aid".

Wat die voorgaande beleid betref, vra domheer Collins op 17 Oktober 1963 vir Johannesburg:

"Has your Defence and Aid Committee out there yet been able to settle the question of whether it will take on defence of those involved in Sabotage cases? ... It is therefore very important that we should know whether we can transmit money for this purpose through your committee or whether we should find some other way of helping them ...".

Die Johannesburg-tak van die "Fund" antwoord die domheer hierop soos volg:

"..... The problem of assisting in cases involving sabotage and violence has not yet been resolved. You will remember that it was decided some time ago that as a matter of principle our Fund could not undertake the defence of persons who embarked upon open acts of violence to compel political changes in this country However, there are numerous difficulties, technical and legal, apart from other objections ... meanwhile all are agreed that your best course in regard to the Rivonia trial would be to send funds directly to the instructing attorney, Mr. Joel Joffe, 204 Provident Assurance House, Commissioner Street, Johannesburg. I should also tell you that other mass trials of members of the banned A.N.C. and other Congress groups are pending in East London (106 accused), Port Elizabeth (35 accused) and Durban (19 accused).... It is possible that you will be asked to give direct assistance in those cases too"

Selfs plaaslike donateurs was gekant teen verdediging van saboteurs. So skryf G.E. Bevan van Pretoria

op 27 Junie 1963 aan die "Fund" te Johannesburg:

"....I should be glad to make another contribution ... I am not prepared to help defend such as those three members of the P.A.C. who were given life sentences recently for sabotage and planning the murder of Whites, the poisoning by black servants of their employers - I have no wish to assist in the promotion of an imitation Mau-Mau in South Africa".

Sonder formele wysiginge van die Konstitusie het die plaaslike takke een na die ander fondse gebruik vir Sabotasie- en ander sake van geweld. So skryf die Johannesburg-tak op 20 Oktober 1964 aan die Kaapse-tak van die "Fund": ".... It has been decided in principle that Defence and Aid should assist financially in the defence of the 2 sabotage trials in Cape Town ...", en op 29 Oktober 1964 aan "World Council of Churches":

".... A decision has been reached by the Committee to assist financially in the defence of sabotage cases ...", en op 30 Oktober 1964 aan "Christian Action" Londen: ".... Now that sabotage trials are starting at various centres in South Africa, there has been considerable discussion about the attitude of Defence and Aid. It has been decided that those cases should not be excluded ...". Na die instemming van die "Fund" in Suid-Afrika om sabotasiesake te verdedig, het domheer Collins 'n toespraak by die V.V.O. gelewer. Onder andere het hy die volgende gesê:

".... To put matters right in South-Africa requires political action on a big scale ... it seems probable that only external pressures and the threat of execution of internal revolution will bring about the desired result ... And of much importance, in my opinion,

is the fact that the contribution of Defence and Aid in this respect fosters the morale of the Internal Resistance ... it is the resistance movement in South Africa which alone can give South Africa the ability to become a non racial society ... By caring for their families we build their morale in gaol ... no political organization which seeks to change South Africa's racial policies can function properly in the open ... Those who wish to continue the struggle have to go underground. Nor have I touched upon the necessity to provide for the families and dependants of the underground resistance. But what man or woman can happily or easily undertake such dangerous work if he or she knows that, by doing so, the well being of the children and other dependants is at stake".

Die geld vir die Rivonia-saak was direk deur Christian Action, Londen aan die opdraggewende prokureur gestuur en het R34,000 beloop. Die koste van die Fischer-saak, wat deur die Fund betaal was, het R17,669 beloop.

As gevolg van die feit dat die Trustees van die "Fund" nooit geraadpleeg was nie en elke tak van die "Fund" selfstandig opgetree het, was dit onmoontlik om uit 'n enkele bron inligting te bekom.

"Christian Action" het direk aan Ruth Hayman 'n bedrag van R1,397.75 vir die Harris-saak betaal. Dit was nie moontlik om te bepaal of die bedrae van R34,000 en R1397.75 enige batige saldo gelaat het nie.

BYLAAG "C".

FONDSBESTEDING.

- (i) Prokureur L. Mtshizana ('n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme, 1950), 'n lid van die Uitvoerende Komitee, Oos Londen, wat in verskeie sake namens die "Fund" opgetree het, was later op verskeie klagtes van regsverdeling aangekla. Die "Fund" het R918 spandeer om die saak te verdedig. Hy is egter skuldig bevind en van die rol van prokureurs geskrap wat die "Fund" 'n verdere R300 gekos het.
- (ii) Dit het geen verskil gemaak watter oortreding gepleeg was nie maar as die oortreder 'n politieke agitator was, was hy verdedig. So is daar vir politieke agitators boetes wat deur die howe opgelê is, betaal, kapitaal verskaf om besighede mee te begin, versekeringspremies betaal, sakgeld verskaf tydens aanhouding en daarna, en vervoerkoste van meubels, Bantoebelasting en begráfniskoste betaal. Hierdie bedrae word in die boekhouding as "summary advances" aangetoon en word later afgeskryf of dit word teen welsynfondse gedebiteer. Die volgende tipe sake was ook deur die "Fund" verdedig: betreding, meined, moord, brandstigting, oortreding in gevangnisse, aanranding op bewaarders, bedrog, weier om getuieis af te lê, kwaadwillige saakbeskadiging en openbare geweld.
- (iii) Die Kaapse Komitee van die "Fund" het R10 per maand bestee om vir Sobukwe op Robbeneiland van grammofoonplate, tabak, sigarette, groente en blomsaad te voorsien.
- (iv) Aan Sonia Bunting (gelyste Kommunis No. 114) is met haar vertrek uit Kaapstad 'n "handwoven Morocian bedspread" as geskenk deur die "Fund" aangebied.
- (v) Op 4 Oktober 1965 skryf Dennis Scarr, voorsitter van Port Elizabeth-tak, aan Alan Paton:

"As you know I am endeavouring to start a library of court records to assist Counsel ... I believe you have some money available ... could you let me have R500 for this?".

Op 14 Oktober 1965 antwoord Paton:

"... Enclosed you will find a cheque for R500. Will you please write to me acknowledging the gift and ask for your thanks to be conveyed to the Presbyterian Church in America for their help. Please indicate briefly what the money is being used for but I think we should give some more human and immediate reason than the need for court records".

Op 27 Oktober 1965 antwoord Scarr:

"... Thank you very much for the cheque. Please convey the very sincere thanks of Defence and Aid Fund, Port Elizabeth to the Presbyterian Church in America. We intend to use these funds solely for furthering the welfare of awaiting trial prisoners, many of whom as you know are held for many months before appearing in Court". Van die biblioteek is niks gevind nie - ook nie wat van die R500 geword het nie.

(vi) Looksmart Solwandhla Ngudle was 'n 90-dae aangehoudene en tydens aanhouding het hy selfmoord gepleeg deur homself in sy sel op te hang. Met die geregtelike nadoodse ondersoek was regsverteenwoordigers vir die familie verskaf deur die "Fund". 'n Bedrag van R3,004 was hieraan bestee.

BYLAAG "D".

FONDSINSAMELING.

(i) In die saak van die Staat teen Vuyesile en andere was Vuyesile skuldig bevind aan moord en ter dood veroordeel. In 'n bedeladvertensie beweer die domheer dat Vuyesile gehang is omdat hy nie teen sy boesemvriend Wilton Mkwai wou getuig nie, maar Wilton Mkwai het toe alreeds gevlug na Basoetoland. So verwronge was die feite in "The Observer" in Londen weergegee dat hy deur Suid-Afrika Huis tereg gewys was en sy bedeladvertensie moes onttrek.

(ii) Op 24 April 1961 skryf Patrick van Rensburg van "Christian Action", Londen aan die "Fund" te Johannesburg: "...I am assuming that something is being done about Canon Collin's request for a new set of priorities and anticipating that the letter you said you are writing today (Monday) will deal with it. Can you do something further about this, incorporating the new priorities in a letter to the Editor of "The Observer". To carry on collecting we must use every trick in the book".

(iii) In Mei 1964 skryf "Bill Hoffenberg" (volgens die stukke dr. Raymond Hoffenberg wat Voorsitter van die bestuurskomitee te Kaapstad was toe die "Fund" onwettig verklaar is) uit Londen aan die Kaapse-tak van die "Fund": "... An interim report from the land of the free. Have spent many hours making myself very unpopular at the Defence and Aid Offices here.

/2....

1. Money. They sent £1000 to Johannesburg on 8th May. I told them about our misunderstanding re the £750 earmarked for the Alexander trial. They have agreed to send this amount straight to C.T.

Money is pouring in - largely the result of the Observer appeal. Some of this is earmarked for Rivonia, but there should be a lot due to us. Their allocations committee only meets in about 2 weeks time, but we will get a reasonable chunk. If we don't, we must make a big fuss, as I know what they've got in (spies!). Dr. Hellman must write, and John must write, stressing that we are turning down cases, while we believe that money is available in London. Stress urgent need for money now - we can't wait for committee meetings. Can't they short circuit things to make something available? Etc. Etc. I have used all the pressure I can. Collins is away, unfortunately, but John and Dr. Hellman must keep at them - give them details (harrowing) of cases turned down - make them up, if they don't exist. Ask Ruth Hayman to push the same line with them That's about all, except that we must not turn down cases, but take on all we can and throw the expense back at them. We're in quite a strong position vis-a-vis C.A. as D & A is wagging the whole concern at the moment and I think they need us quite badly."

(iv) Aan die Thubigen universiteit in Duitsland was 'n bedrag van R10,000 gekollekteer vir die verdediging van dr. Alexander wie vroeër 'n student was aan die universiteit. Die geld was in verskeie paaiemente aan die "Fund" betaal.

/3...

(v) Sowjet Rusland skenk die bedrag van R7,140.00 aan "Defence and Aid" Londen en skryf:

"... The Soviet Government has been guided by its fundamental position with regard to support for the national liberation movements of peoples struggling against colonialism and racism in all their forms and manifestations and the provision to them of moral, political and material assistance in that just struggle".

Hierdie skenking van die Sowjet Unie het veroorsaak dat twee lede van die Uitvoerende Komitee van die Kaapse-tak van die "Fund" bedank het en as volg opmerk:

Mev. Barbara Wilks:

"... I learn from the Cape Times that a sum of money has been allocated to the South African Defence and Aid Fund by Soviet Russia. If this report is true, and if the money has been, or is going to be accepted by the Fund I hereby resign, both from the Management Committee and the Defence and Aid Fund itself.

Should, of course, the report be untrue or the money refused out of hand, I shall be happy to continue serving on the committee ...".

"...Collins appears in his statement to have seriously misrepresented the work of Defence and Aid in this country. Soviet money was granted to assist the Anti-colonial struggle in this country. It might not be too strong therefore to say the money has been acquired by false means for false ends".

Adv. Donald Molteno:

"... That very appreciation on my part makes me regret that the reported donation by the U.S.S.R. to the London "Defence and Aid International" for the South

African Defence and Aid makes it impossible for me to have even such indirect connection with the administration of moneys from such a source as membership of the Cape Town Committee entails".

BYLAAG "E".

BOEKHOUDING.

(i) Die inhoud van n brief van die "Fund" vanaf Port Elizabeth aan Johannesburg, gedateer 8 Julie 1964, lui soos volg:-

"... How do the financial wizards feel? From our unkept books our past commitments are not clear. My predecessor thought we owed some people R500, but also implied we have this in the bank which we have not ...".

(ii) In Junie 1963 skryf D. Craighead (n ingeperkte kragtens die Wet op die Onderdrukking van Kommunisme) van Johannesburg tak aan Collins:

"... In regard to your suggestion that we advise the Society of Friends as to the amount of money received from 'Defence and Aid' London, since the Treason Trial, there is some difficulty as we do not have records of monies that have been sent direct for certain cases, nor do we have in Johannesburg full records of monies which have at times been sent to other centres ...".

In n memorandum van die "Fund" in 1963 kom die volgende voor:-

"... Because the records were not kept in a way to facilitate an analysis of all the cases handled total figures cannot be given ...".

Uit die "Interim Financial Report" van die "Fund" te Johannesburg op 17 Februarie 1964 kom die volgende:

"... Tabled are the unaudited Income and Expenditure Accounts and Balance Sheets for the years ended June, 30th 1962 and June 30th 1963."

(iii) Die volgende bedrae was direk aan prokureurs betaal:

- (i) 'n Bedrag van R1997.50 aan prokureurs Ress, Richman & Co., Kaapstad.
- (ii) 'n Bedrag van R500 aan prokureurs in Kaapstad vir die Isaacs and Others saak.
- (iii) 'n Bedrag van R1397.75 aan Ruth Hayman vir Harris Saak.
- (iv) 'n Bedrag van R34000 aan prokureur Joel Joffe vir Rivonia verhoor.
- (v) 'n Bedrag van R1000 aan prokureur Sing van Durban.
- (vi) 'n Bedrag van R1000 aan prokureurs Joach en Jankelowitz te Port Elizabeth.
- (vii) 'n Bedrag van R1156 aan prokureur H. Festenstein van Johannesburg.
- (viii) 'n Bedrag van 500 dollars aan Leo Marquard van die "Fund" Kaapstad - versend deur Benjamin J. Buttenweiser van Amerika.
- (ix) 'n Bedrag van 500 dollars aan dr. E. Helmann van die "Fund" te Johannesburg - versend deur George M. Hauser van Amerika.

Selvs in Engeland was dit deur die pers aan domheer Collins gevra om volledige state te publiseer in verband met die invorderings vir "Defence and Aid", Londen. Dit was beweer dat R600,000.00 alreeds gevorder was en dat die geld gebruik was vir doeleindes anders as aangedui. Die skrywer het voortgegaan:

/.....3.

".....The advertisement portrayed the case of a man who was convicted of murder and whose appeal was dismissed There was the case of the Williams family in April, 1964 when Christian Action collected £2,000 to aid a 'victim of apartheid'. Their own representative i.e. Defence and Aid in South Africa said there was nothing political about the Williams' affair and neither the Williams family nor I would be associated with any attempt to distort the facts of this matter and reflect adversely on South Africa."

Dit is onbekend of die domheer hierop geantwoord het.

(iv) Die volgende bedrae is uit die tjekboek aan Hayman and Aronsohn betaal:

19.7.65 - re Port Elizabeth	R2,000.00
20.7.65 - Cape Province and other Commitments	R2,000.00
27.7.65 - re C. Doyle	R100.00
30.7.65 -re J. Phahlamohlaka	41.30
3.8.65 - re C.P. cases	R2,000.00
12.8.65 - re J. Gqabi - 100 S. Neame - 1000 General Des. 155)	R1255.00
24.8.65 - Eastern Province	R1850.00.
24.8.65 - Sylvia Neame	R2,000.00.
13.9.65 - M. v.d. Berg	5.00.
30.9.65 - Viljoensdrift - 85 L. Makfote - 72.50 M. v.d. Berg - 105.00)	262.50.
30.9.65 C.P. Cases	R1000.00
26.10.65 Nine hundred Rand	R900.00.

18.11.65

Niks ingeskryf

R500.00.

Die laaste drie getekende en uitgereikte tjeks bevat geen aanduiding watter dienste gelewer was nie en dit verskyn ook nie in die uitbetalings register nie, want inskrywings was gestaak sedert Oktober 1965. Geen rekenskap kan van hierdie geld opgespoor word nie.

(v) Verslag van mnre. Crafford, du Toit en Vennote gedateer 8 Maart 1967:

"Soos deur u opgedra, het ons die boeke en rekords van die Defence and Aid Fund wat in u besit is, nagegaan en doen graag as volg verslag:

1. Inleidend:

Die boekhouding was klaarblyklik nie gesentraliseer nie en elke area het sy eie boekhouding waargeneem. Boeke en rekords, wat alle stukke is waarop die Polisie ten tye van die inbandoening van die Organisasie beslag gelê het, is ten opsigte van die volgende afdelings aan ons voorgelê:

- (a) Kaapstad
- (b) Johannesburg
- (c) Port Elizabeth
- (d) Durban

Die S.A. Defence and Aid Fund is vanaf Augustus 1965 in die lewe geroep. Die dokumente wat deur ons ingesien is, skep egter die indruk dat hierdie fonds maar slegs 'n voortsetting van die Defence and Aid Fund was en vir die doeleindes van ons ondersoeking is die twee fondse as een en dieselfde organisasie beskou.

Die boeke en rekords is op 18 Maart 1966 in beslag

geneem en op daardie datum was meeste van die afdelings se boeke slegs tot Oktober/November 1965 opgeskryf.

2. Konstitusie:

Dit was nie moontlik om vanaf die beskikbare rekords presies te bepaal of die konstitusies wat op lêer is, op 'n gegewe tydstip in alle opsigte met betrekking tot wysigings wat van tyd tot tyd aangebring is, aangesuiwer is nie. Die notules is ook nie altyd van waarde in diè opsig nie, byvoorbeeld Kaapstad vergadering van 18 Augustus 1965 bevat slegs diè woorde 'The Constitution was read and amended in a number of places' as aanduiding dat die konstitusie gewysig is.

3. Boeke en rekords:

(a) Dit is uiters moeilik om uit die boeke en rekords vas te stel of behoorlik rekenskap gegee is van alle gelde wat deur die fonds hanteer is. Dit is hoofsaaklik te wyte aan die feit dat fondse van oorsee nie konsekwent na 'n sentrale punt gestuur is nie, maar aan takke direk.

(b) Die boeke toon nie 'n oorsigtelike beeld van die bates en laste van die Fonds op die datum toe die organisasie in die ban gedoen is nie.

(i) Wat die bates aanbetref, is dit bv. vir u as likwidateur onmoontlik om te bepaal dat die gelde wat u van banke ontvang het, wel alle fondse wat daar moes gewees het, verteenwoordig. U is dus in die posisie dat u die banke se syfers moet aanvaar.

(ii) Wat die laste aanbetref is dit absoluut onmoontlik om uit die boeke vas te stel wat die fonds se aanspreeklikheid vir hangende hofsake is. Op dieselfde wyse is dit onmoontlik om te bepaal

of daar nie dalk krediete by prokureurs bestaan waarvan nog nie behoorlik rekenskap gegee is nie. Ons beweer dat die boekhouding en rekordstelsel van die Fonds in hierdie opsig gebrekkig is. Veral as in ag geneem word dat die grootste deel van die fonds se uitgawes aan regs-aksies bestee is, is dit uiters belangrik dat die boeke sou aantoon hoe die geld bestee is.

Na ons mening sou die minimum vereiste wees dat ten opsigte van elke saak wat verdedig is, die boeke 'n rekening vir die geval sou toon, met die bedrag of bedrae wat in verband met die geval aan die prokureurs betaal is. By ontvangs van die prokureur se staat sal kostes dan teenoor die deposito(s) teboek gestel word om te bepaal wat nog ten opsigte van die transaksie betaalbaar is of tot krediet van die Fonds staan. Op hierdie wyse sou dan kon bepaal word watter sake mee voortgegaan is, afgehandel is of hangende is en wat die totale regskoste beloop het.

In die boeke is betalings aan prokureurs bloot na 'n rekening vir regskoste gedebiteer en is geen verdere inskrywing in verband met die transaksie gedoen nie. Dit is dus vir u as likwidaatour onmoontlik om te bepaal of prokureurs behoorlik rekenskap gegee het van alle gelde deur hulle ontvang en of daar nie dalk krediete bestaan ten opsigte van bv. sake waarmee nie voortgegaan is nie. Ook sal u nie kan vasstel of die prokureurs se rekeninge aan u ten opsigte van hangende sake, korrek is nie. Teen die einde van die tydperk is byvoorbeeld glad nie meer op tjekteenblaai spesifiseer vir welke gevalle deposito's by Prokureurs gemaak word nie - slegs 'n ronde bedrag is oorbetal, wat in meeste gevalle op 'n aantal sake betrekking

gehad het.

Uit die stukke kon geen oorsigtelike beeld van die sake wat verdedig is, gevind word nie. Afgesien van die boeke wat nie 'n rekord van bepaalde gevalle aantoon nie, kon ook geen state van prokureurs gevind word waarin 'n volledige oorsig van alle gelde deur hulle ontvang en kostes daarteen gedebiteer, aangetoon word nie.

(c) Die boeke van die Johannesburgse tak is tot Junie 1965 geouditeer. Andersins is daar geen aanduiding dat boeke van takke aan oudit onderwerp was nie.

(d) Bewysstukke vir betalings is nie in alle gevalle beskikbaar nie.

(e) Finansiële beheer is in die volgende gevalle wat uit ons toetsoudit na vore gekom het, gebrekkig:

(i) 'n Tjek vir R3,500 wat op 28 Desember 1965 vanaf Kaapstad na Johannesburg oorgeplaas is, verskyn nie in die boeke van Johannesburg nie. Die tjek is endosseer deur Mej. Ruth Hayman namens S.A. Defence and Aid en inbetaal in die trustrekening van Hayman en Arohson op 21 Januarie 1966. Geen inskrywing vir hierdie transaksie kon in die boeke van Defence and Aid, Johannesburg gevind word nie.

(ii) 'n Tjekboek van die Johannesburg tak (wat volgens u mededeling deur mej. Ruth Hayman aan u oorhandig is) bevat tjeks wat in blanko deur die een ondertekenaar vooruut geteken is. Mej. Hayman het as komiteelid oor tekenmagte as tweede ondertekenaar beskik, en soos bekend, het sy ook as prokureur vir die fonds opgetree.

(iii) Slegs in die geval van Johannesburg is van gedrukte kwitansieboeke gebruik gemaak. Selfs hier is daar egter geen beheer oor die voorraad ongebruikte kwitansieboeke uitgeoefen nie. Ingeval van die ander takke is van kommersiële kwitansieboeke gebruik gemaak, wat natuurlik uiters swak beheer daarstel, aangesien enige persoon geredelik 'n dergelike kwitansieboek kan aanskaf.

4. Algemeen:

Indien enige sake in hierdie verslag genoem, nie vir u duidelik is nie, sal ons dit met graagte met u bespreek."

BYLAAG "F".

VERBAND TUSSEN DIE "FUND" IN SUID-APRIKA
EN SY TEENHANGER IN ENGELAND.

Met die totstandkoming van die "Fund" in Suid-Afrika het Domheer Collins, voorsitter van "Christian Action", hom as volg uitgelaat:

"... The management Committee and Trustees seem to be an admirable lot and should carry full confidence this end with the people from whom we are extracting money. It looks as though the terms of reference you have cover roughly the same as those we are working under this end so we ought to have no difficulty in passing money on to you for all the purposes for which we collect it ... the people are generally coming to regard the Defence and Aid Fund administered by Christian Action as the one National Fund for all purposes in regard to South Africa ... In the past I think there has been money sent from various people and organisations direct to South Africa in response to appeals not coming directly from the Treason Trial Committee or your new set up. I hope that this has now stopped and that in future money will be channelled through us ... Alan Paton some time ago told me that he thought it essential for the bulk of the money to be kept here in case at any point the South African Government should pass legislation by means of which they could take over any Fund held out there ... I understood from Ambrose Reeves that we had left over £6000, which we had sent out previously earmarked for the Treason Trial defence ...".

Op 2 November 1960 skryf Alex Hepple, Voorsitter van die

Johannesburg-tak van die "Fund", aan Domheer Collins:

"... On his return from London Mr. Lang delivered your verbal message in regard to the administration of the Defence and Aid Fund ... As we understand the message, certain difficulties have arisen in London and because of this you wish us to (i) radically amend our constitution and (ii) abolish our management Committee and replace it with a Board of five trustees."

"We are not clear in what respects objects should be changed ... If in addition to the present Management Committee, you know of other prominent people in South Africa who are willing to share in our work we would welcome their assistance ...".

Die aartsbiskop van Kaapstad was op 1 April 1961 genader om as President en Trustee van die "Fund" in Suid-Afrika op te tree. Hy laat hom as volg uit:

"... When we discussed the matter of Trustees this year it was agreed that reference should be made to Canon Collins to discover his wishes in the matter, in the hope that his ideas and those of Defence and Aid would coincide.

It is not quite clear whether this has been done and should like to be re-assured on this point before consenting to accept the invitation ...".

Op 10 April 1961 het die "Fund" die aartsbiskop as volg meegedeel:

"... We have had a good deal of correspondence with Canon Collins in connection with Trustees. It eventually became clear that he had two different ideas in mind. One

was the appointment of a board of Trustees to handle all Christian Action money sent to this country and virtually to act as his agents".

"... This was discussed by the management Committee and it was decided that it was not a matter for Defence and Aid, but for Christian Action alone to resolve ...".

Dr. E. Helmann van die Johannesburg-tak laat haar as volg uit teenoor Kaapstad op 6 Julie 1961:-

"... By the way Collins again stressed the great need for simple, human stories. He said that you sent him once an account of a man who had been in the same job for 17 years and lost it because he came up before the Courts on some charge. And this was a money wizard, money spinner ...".

As voorsittër van Christian Action het Domheer Collins hom op 8 Junie 1963 soos volg teenoor die "Fund" uitgelaat.

"... Realising how desperate and enormous the needs for defence and aid in South Africa are, we have been planning a number of campaigns on a national and international scale devoting special attention to the trade union in Britain (including national and branches), the U.S.A., Canada, Australia, New Zealand and possibly other countries ... there is of course not the slightest objection to the Defence and Aid Fund in South Africa receiving moneys direct and not through us ... my only concern is that you should get the maximum possible and I believe that this can best be achieved if the Trade Union movement this end is complimentary to our general

which is now both national and international. It also seems to me that it is better for money to be held in London and sent to you as and when you request it than to give you the problem of holding large balances which at any time the Government might decide to confiscate. I was wondering therefore whether your committee would consider writing to the General Council of the T.U.C. pointing out the benefits which would result for the folks in South Africa if all moneys went through our Defence and Aid Fund here in London ...".

Op 18 Junie 1964 skryf die Kaapse-tak aan Johannesburg-tak van die "Fund":

"... I received a letter from Mrs. Nuell, Secretary of Christian Action. She tells me that London has forwarded a further amount to you of which £750 is earmarked for the Alexander appeal ... I must explain that we are more or less acting as a conduit pipe between C.A. and the Friends of the accused as we did not make any appeals to C.A. for this case. The £750 was promised as a result of a private appeal, made to C.A.".

Domheer Collins het hom op 12 November 1964 as volg teenoor Leo Marquard van Kaapstad uitgelaat:

"... As you may be aware, the Defence and Aid Fund (International) has recently been approved as an agency of the United Nations ...".

"Three agencies have been chosen namely the Defence and Aid (international), Amnesty International and the Joint Committee for the High Commission Territories. We feel

we are best suited to administer such moneys ... We work through the South African Defence and Aid Committees and we have already collected and distributed an amount of £300,000 ...".

Op 16 Augustus 1965 deel Johannesburg die Kaapse-tak as volg mee:

"... London has informed us that they will be sending money at intervals and that R4,000 will be sent at a time. This has been coming through at more or less fortnightly intervals, and one can only presume that they have reason for this ...".

Mary-Louise Hooper van die "American Committee on Africa" het haar as volg uitgelaat teenoor die "Fund", Port Elizabeth:

"... You will soon, if you have not perhaps already, receive the sum of 1000 dollars from the International Defence and Aid, London, which was earmarked by us for your office, for relief of the families ... Our office is now affiliated with the International Defence and Aid so we will send money through them, from time to time ..."

Volgens n publikasie wat deur die "forum World Features" op 26 Februarie 1966 uitgegee is, het Christian Action alreeds n bedrag van R1,000,000 in die Republiek van Suid-Afrika op politieke gevangenes en hulle gesinne laat spandeer.

In die uitgawe van die publikasie "Christian Action" wat in die somer van 1964 verskyn het, lewer Aartsbiskop Joost de Blank n oorsig van die bedrywighede van "Defence and Aid" in Suid-Afrika en merk onder andere op:

"... It would be impossible to pay too high a tribute to the local Committee in South Africa".

Op n Uitvoerende Komitee Vergadering gehou te Kaapstad op 11 Augustus 1965 word die volgende besluit geneem:

"... It was resolved that the Secretary should write to Johannesburg asking them to ask London to send sufficient money at one time to cover our immediate commitments".

In die notule van n Uitvoerende Komitee vergadering te Kaapstad op 30 September 1964 is besluit om Londen as volg in te lig:

"... (a) that when making statements appealing for money and also when allocating money direct from England for defence costs in specific cases in South Africa, the name Defence and Aid should not be used.

(b) that as far as possible the local committees of Defence and Aid be entrusted with the allocation of money for cases in South Africa".

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INPERKING VAN DR. HOFFENBERG.

Inleidende Opmerkings.

Indien hulle wat my in hierdie Raad oor die Hoffenberg-geval aangeval het gemeen het dat hulle my sou laat dink het dat ek dalk verkeerd opgetree het deur hom te beperk, maak hulle n baie groot fout. Inderdaad het die aanval net die teenoorgestelde uitwerking. Dit het my opnuut oortuig dat die stappe nodig en geregverdig was. Ek maak hierdie stelling omdat die ondervinding geleer het dat telkens wanneer ons die kol behoorlik tref, daar n kabaal soos in hierdie geval opgeskop word. Daar word relatief dikwels teen persone wat kommunisme bevorder opgetree - by wyse van vervolgings in die howe of by wyse van optrede deur die Minister. Gewoonweg is daar min of geen reaksie nie. Maar sodra ons een van die groot visse skep, is daar die bohaai. Mnr. die Speaker, moet ek lede van die Raad herinner aan Abraham Fischer? Hy wat volgens algemene opvatting nie alleen n voortreflike advokaat was nie maar ook n ware heer in elke opsig! Onthou u hoe daar feitlik ten hemele geskree is toe ons die eerste maal die vermetelheid aan die dag gelê het om teen hom op te tree? En onthou u dat dit uiteindelik aan die lig gebring is dat hy n bloedige rewolusie in die Republiek beplan het?

Nou het ons weer n geval waaroor daar die vreeslike bohaai van stapel gestuur is en steeds voortgesit word.

Ons hoop, mnr. die Speaker, dat dit mettertyd moontlik sal wees om, soos in Fischer se geval gebeur het, Hoffenberg se bedrywigheede heeltemal vir u oop te vlek en aan almal bloot te lê. Intussen word ek egter aan bande gelê deur die feit dat ek nie gegewens wat die openbare belang kan skaad kan bekend maak nie. Ek het Hoffenberg dan ook in dier voege

neegedeel toe ek gevra is waarom hy beperk is maar ek het bygevoeg dat sy verbintenis met die onwettigverklaarde Defence and Aid Fund n oorweging was toe besluit is om teen hom op te tree. Ek is dus by magte om meer oor hierdie deel van sy bedrywighede uit te wei. Die Beredderaar van die Fund het intussen ook aan my verslag gedoen oor sy werksaamhede. Ek beoog om uit die verslag aan te haal en indien die Raad dit verlang en u, mnr. die Speaker, dit goedkeur, is ek bereid om die verslag ter tafel te lê.

My betoog kom grootliks daarop neer dat afgesien van die feit dat Hoffenberg n ampsdraer van die Fund was, hy homself in so n mate en op so n wyse met die Fund en sy moederorganisasies in Engeland, en die persone wat daardie organisasies beheer of gesteun het, geassosieer het, dat hy hom nie nou van die genoemde Fund of organisasies of persone kan distansiëer nie. Intendeel, hy moet bereid wees om medeaanspreeklikheid ten opsigte van hulle optredes te aanvaar.

Verlening van steun aan Sabotasie en Terrorisme.

Die Defence and Aid Fund is voorafgegaan deur verskeie soortgelyke organisasies in Suid-Afrika - die vernaamste een was die Treason Trial Defence Fund wat in 1956 sy kop in Suid-Afrika uitgesteek het. In 1960 is die kleiner organisasies geabsorbeer in een liggaam - die Defence and Aid Fund. Die Fund was as sulks bedrywig totdat dit op ¹⁸~~25~~ Maart 1966 as onwettig verklaar is. Die moederorganisasies was egter deurgaans Christian Action en die Defence and Aid Fund in Engeland wat onder leiding van domheer Collins gestaan het.

Mr. die speaker, ek hoef Collins nouliks aan die Raad voor te stel. Ek moet egter kortliks vir u voorlees uit n

toespraak wat hy in 1965 voor n V.V.O.-orgaan gelewer het en waarin hy die eintlike doel van die Fund op ondubbelsinnige wyse geskets het. Hy het gesê:

"... To put matters right in South Africa requires political action on a big scale ... it seems probable that only external pressures and the threat of the execution of internal revolution will bring about the desired result ... And of much importance, in my opinion, is the fact that the contribution of Defence and Aid in this respect fosters the morale of the Internal Resistance ... it is the resistance movement in South Africa which alone can give South Africa the ability to become a non racial society ... By caring for their families we build their morale in gaol ... no political organization which seeks to change South Africa's racial policies can function properly in the open ... Those who wish to continue the struggle have to go underground. Nor have I touched upon the necessity to provide for the families and dependents of the underground resistance. But what man or woman can happily or easily undertake such dangerous work if he or she knows that, by doing so, the well being of the children and other dependents is at stake".

Collins het dus openlik erken dat die Fund daarop gemik was om saboteurs, wat veral daardie tyd baie aktief in die Republiek was, te steun, en hulle dan ook op bedekte wyse selfs aangemoedig om voort te gaan.

Ook eerwaarde Michael Scott het die kat onlangs op ondubbelsinnige wyse uit die sak gelaat. In n brief gedateer

23 Oktober 1967 aan die Voorsitter van die Politieke Komitee
by die V.V.O. het hy gesê:

"Dear Sir,

I should be grateful if I could see you in connection with the question of fund raising and channeling of funds to Southern Africa with particular reference to South West Africa and Rhodesia, subjects at present under discussion in the Fourth Committee.

While I was being given a hearing by the Fourth Committee on South West Africa I heard that an appeal was being made for the United Nations to support 'directly or indirectly' the Defence and Aid Fund and the extension of its work to include Rhodesia and its proposed research committees on all the Southern African territories.

One of the pleas that I was making in the Fourth Committee at that time was that there should be an enquiry undertaken by the United Nations into the activities and mode of operation of various agencies some of them secret and conduits or channels whereby certain Governments exert their influence in Africa particularly Southern Africa. Fairly extensive investigations have been carried out in the United States by Committees of Congress and by some non governmental organizations such as the National Students Association members of which has approached me.

Some months ago I was also approached for help by Mr. Peter Benenson, the founder of Amnesty International

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and Mr. Sean McBride, Secretary General of the International Commission of Jurists in connection with a breakdown that occurred in the channelling of funds to Rhodesia during the 'Tiger talks' and a number of serious complications that arisen causing much distress to accused Africans and their families through the supposed use of Amnesty channels not only for the distribution of funds by the British Government but for other intelligence and counter-intelligence activities, in Africa and the Middle East. A great deal of damage was done to the excellent work of Amnesty as a voluntary organization, and it will even now take time before the position is fully restored and those who in the course of it resigned have been adequately replaced, including Mr. Benenson who is still suffering acutely from the effects.

The British Government is now using the Defence and Aid Fund as an undercover channel or conduit of funds through its President Canon Collins who addressed your Committee and appealed to the U.N. for support. And because of the possibility of a repetition of some of these anomalies in the event of negotiations with the Rhodesian regime I feel obliged to write to you. Of course there can be no objection whatever to the British Government advancing funds to pay the fees of lawyers, even those of lawyers unable to reduce their fees for fear of being considered in political sympathy with the accused. On the contrary, since the situation in Rhodesia and South West Africa is in large part the

responsibility of the British Government and Crown it is the very least that it can do. But it should be done openly and through its own channels with the Governor Sir Henry Gibbs and others loyal to it in Salisbury, just as in South and South West Africa member states of the U.N. could be asked to channel funds through their diplomatic missions. If other governments of member states are being asked to subscribe to a U.N. Fund or any other fund those governments should know and voluntary organizations also what proportion of the burden is being carried by the government which holds most responsibility. The Swedish Government has done perhaps more than its share, while others have held back believing it to be more Britain's responsibility to discharge legal costs and obligations than theirs.

There is another aspect of this matter which some of us who helped in starting what is now called the Defence and Aid Fund several years ago feel concerned about, namely the high proportion of funds raised for the purpose of opposing Apartheid which are taken up with legal defence and aid as compared with that devoted to organising effective political opposition to Apartheid outside the courts and inside and outside Africa. I fully appreciate the importance of legal defence, though the fund was originally started to support civil disobedience in South Africa; but other necessary work such as that of the Anti-Apartheid movements in different countries find it increasingly difficult to raise funds for their work in face of the vast expenditure by South Africa and

the South African Foundation and Friends of Rhodesia
etc.7

For this reason the Africa Bureau authorized me to attend the Kitwe Seminar at its expense and to put forward a proposal for the establishment of a Free Africa Foundation or similar trust to be managed by a panel of trustees acceptable to the African countries concerned having the frankly political purpose of countering the South African apartheid lobbies and representing the aspiration of African countries such as Zambia and Tanzania. This I did at the Kitwe Conference and though my contributions to the Seminar was inadvertently omitted from the report on it, this proposal is now being considered by the two Presidents of Zambia and Tanzania. I think it is my duty to write to you about this so that you are aware of the problems and proposals for dealing with it and the strong feelings which some of us have that the political opposition to apartheid and financial support for it should be Africa based and that this should be taken into account when appeals are directed to the United Nations. The Seminar was very clear about the importance of the role of the United Nations and the African peoples themselves. I enclose a copy of my statement to the seminar which Mr. Reddy kindly had typed for me when he found it had not been included in the report.

Yours faithfully,

Rev. G. Michael Scott."

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(NOTA: Die Departement stel voor dat die Minister net die gedeelte gemerk [.] lees).

Volgens n betroubare berig het Collins by n byeenkoms in Londen op die aand van 14 November 1967 ook gesê dat sy organisasie, wat tans die International Defence and Aid Fund heet, "in full sympathy" met terroriste in Suidelike Afrika is. Collins handhaaf dus steeds die mening dat Suid-Afrika desnoods op gewelddadige wyse oorgeneem moet word.

Collins se handlangers - en hierby sluit ek Hoffenberg in - kan nie maar net hulle hande in onskuld probeer was nie. Party persone verbonde aan die Fund het bedank sodra hulle bewus geraak het van die ware kleure van die organisasie (ek verwys later na n spesifieke geval) maar Hoffenberg het hom nie laat afskrik nie. Die rede vir sy houding is ooglopend.

Aanwending van Fondse vir ondermynende bedrywighede:

Dit blyk dan ook dat die doel wat die Fund volgens Collins nagestreef het en steeds nastreef wel deeglik in die praktyk uiting gevind het. In n persverklaring wat my voorganger tydens die onwettigverklaring van die Fund uitgereik het, is in die verband gesê:

"In n beëdigde verklaring wat hy op 1 Oktober 1964 afgelê het, het n lid van die Kommunistiese Party verklaar: 'Die 'Defence and Aid Fund' wat in hierdie stadium reeds bestaan het, is op uitgebreide skaal vir die doeleindes van die Suid-Afrikaanse Kommunistiese Party gebruik. Op sy beurt het die Suid-Afrikaanse Kommunistiese Party kontantvoorskotte aan die Fonds oorgemaak. Ek weet nie wie die persone was wat op die Fonds se

komitee gedien het nie, afgesien daarvan dat Rica Hodgson wat inderdaad n lid van die Kommunistiese Party was, op die komitee van hierdie Fonds was.'

n Persoon wat uit eie erkenning lid van die Suid-Afrikaanse Kommunistiese Party is, het in Augustus 1964 beheer oor die fondse van die 'Defence and Aid Fund' in Suid-Afrika oorgeneem. Sedertdien is net n klein deeltjie van hierdie fondse werklik ten behoewe van afhanklikes van gevangenes aangewend. Die grootste porsie is vir die politieke bedrywighede van die verbode 'African National Congress' en die Kommunistiese Party gebruik. Salarisse van amptenare van die Kommunistiese Party is ook uit hierdie fondse gedek."

Die Beredderaar se verslag verleen steun aan die verklaarings van die persone genoem in die persverklaring in die mate dat baie van die geld klaarblyklik vir doeleindes aangewend is wat nie deur die boeke geopenbaar word nie. In die verband kan die volgende genoem word:

- (a) Volgens die Fund se konstitusie, sou hy minstens drie en hoogstens sewe Trustees hê "to ensure that the Funds are used and applied in accordance with the objects to the fund". Die Beredderaar se verslag openbaar nou dat die bepalings heeltemal geïgnoreer is want geen enkele geval is gevind waar oorleg met die Trustees gepleeg is voordat uitgawes aangegaan is nie. Daar was ook nie n enkele vergadering van die Trustees om beleidsrigtings neer te lê of om die konstitusie aan korrekte vertolking te onderwerp nie. Dit blyk dat die plaaslike

komitees en individue meerendeels self op n arbitrêre manier oor die besteding van die fondse besluit het.

- (b) Die Fund se konstitusie bepaal ook dat "proper accounts shall be kept in respect of the finances of the Fund and shall be properly audited".

Die Beredderaar, gesteun deur n geoktrooieerde Rekenmeester wat die boeke nagegaan het, het bevind dat nie een van die takke n deurlopende rekening van ontvangste en uitbetalings gehou het nie. Die balans van fondse voor hande kon nooit uit die boeke bepaal word nie. Die takke het trouens deurgaans gebruik gemaak van die balanse wat deur die banke verstrekk is.

Op 8 Julie 1964 skryf die Port Elizabeth-tak bv. aan Johannesburg:

"... How do the financial wizards feel? From our unkept books our past commitments are not clear. My predecessor thought we owed some people R500, but also implied we have this in the bank which we have not ...". (Bladsy 1 van Bylaag E van die verslag).

Die verslag openbaar verder dat die boeke ook nie behoorlik geouditeer is nie.

- (c) Die Beredderaar se verslag wemel van voorbeelde van wanadministrasie van die Fund se geldsake. Dit blyk onder andere dat die Johannesburgse tak se kasboek net tot n gedeelte van Oktober 1965 opgeskryf is hoewel baie uitbetalings daarna gedoen is. Destyds was Ruth Hayman so te sê in

alleenbeheer van Fund-sake in Johannesburg. Sy het die tjeks geteken saam met H. Jaff. Onder die stukke waaroor die Beredderaar beskik het, was n tjekboek wat geloop het van No's. 247001 tot 247200. Hiervan was tjekvorms 247001 tot 247076 reeds uitgekeur en vermoedelik gebruik. Tjekvorm No. 247077 was volledig geteken deur Ruth Hayman en Hannah Jaff maar geen geldbedrag was nog ingevul nie. Tjekvorms No's. 247078 tot 247080 was reeds onderteken deur H. Jaff maar geen bedrae was ingevul nie. Volgens die teenblaai in hierdie selfde tjekboek wat Ruth Hayman blykbaar na hartelus kon gebruik, is tjeks aan die prokureursfirma Hayman and Aronsohn (Ruth Hayman was alleeneienaar) vir die volgende bedrae met slegs die besonderhede wat ek sal noem, uitgereik:

(i)	"re Port Elizabeth"	R2,000.00
(ii)	"Cape Province and other commitments"	R2,000.00
(iii)	"re C. Doyle"	R 100.00
(iv)	"re J. Phahlamahlaka"	R 41.30
(v)	"re C.P. Cases"	R2,000.00
(vi)	"re J. Gqabi - 100) S. Neame - 1000) General) Des. - 155)"	R1,255.00
(vii)	"Eastern Province"	R1,850.00
(viii)	"Sylvia Neame"	R2,000.00
(ix)	"M. v.d. Berg"	R 5.00

(x)	"Viljoensdrift - 85	}	R 262.50
	L. Makfote - 72.50		
	M. v.d. Berg -105.00)"		
(xi)	"C.P. Cases"		R1,000.00
(xii)	"Nine Hundred Rand"		R 900.00
(xiii)	Niks ingeskryf		R2,000.00
(xiv)	Niks ingeskryf (Bl. 3 - 4 van Bylae E van die verslag).		R 500.00

Ek herhaal. Die Beredderaar se verslag bevat afdoende getuienis dat party van die geld in kanale beland het wat nie in die boeke aangeteken is nie. Die gevolgtrekking waartoe reeds voorheen geraak is, nl. dat n deel van die geld vir ondermynende bedrywighede aangewend is, word deur hierdie getuienis onderskraag. En ook in hierdie verband kan Hoffenberg nie nou hande in die lug gooi en verklaar dat hy niks van die dinge af weet nie.

Assosiasie met Kommunisme:

Indien agbare lede van die Raad die Beredderaar se verslag lees, en ek nooi u uit om dit te doen, sal hulle met my saamstem dat daar ook oor n ander aspek geen twyfel kan wees nie en dit is dat die Fund baie nou met die Kommunisme geskakel het en klaarblyklik ook maar nog n frontorganisasie daarvan was. Hierdie mening word gesteun onder andere as gelet word op die name van organisasies en van individue wat die Fund in die buiteland en in die Republiek beheer of gesteun het. As n mens bloot daarop let dat n man soos Solly Sachs in Londen as fondsinsamelingsekretaris opgetree het, weet jy dadelik hoe die wind waai. Dit blyk ook uit die verslag dat selfs Rusland so in sy skik met die Fund was dat hy R7,140.00 aan

Defence and Aid in Londen gestuur het met die volgende mededeling:

"... The Soviet Government has been guided by its fundamental position with regard to support for the national liberation movements of peoples struggling against colonialism and racism in all their forms and manifestations and the provision to them of moral, political and material assistance in that just struggle".

Hierdie skenking het selfs geharde lede van die Fund in Suid-Afrika laat skrik. Advokaat Donald Molteno, wat niemand as n simpatiseerder van my regering sal bestempel nie, se oë het so groot oopgegaan dat hy as lid van die Kaapse komitee bedank het met die woorde:

"... That very appreciation on my part makes me regret that the reported donation by the U.S.S.R. to the London "Defence and Aid International" for the South African Defence and Aid makes it impossible for me to have even such indirect connection with the administration of moneys from such a source as membership of the Cape Town Committee entails". (Bl. 3 - 4 van Bylae D van die verslag Hoffenberg het hom egter nie laat afskrik nie. Waarom nie? Ek dink u weet self wat die antwoord hierop is.

Hoffenberg se karakter:

Tot dusver het my betoog hoofsaaklik op Hoffenberg se bedrywighede betrekking gehad. Ek doen dit nie gewoonlik nie maar ek is verplig deur diegene wat namens hom praat om ietwat nader aan hom as persoon te skuif. Van die begin af is die

vertoë namens hom gekoppel aan sy karakter wat dan so buitengewoon onkreukbaar is en aan sy goeie werk wat hy as geneesheer en navorser gedoen het. n Man se karakter of beroep is natuurlik nie ter sake by oorweging van die vraag of hy beperk moet word of nie; al wat die Minister moet oorweeg is of hy gelys is of kommunisme bevorder. Die vertoë was dus deurgaans gegrond op oorwegings wat van geen belang is nie maar terwyl dit so pertinent in die gedrang gebring is wil ek graag iets daaroor sê. Dit blyk dat Domheer Collins gereeld bedeladvertensies in die Britse pers laat plaas het en gebruik gemaak het van wat onder hom en sy mense as human interest stories bekend staan. Die stories is deur die Fund in Suid-Afrika verskaf en is dan verwerk ten einde op die Britse publiek se gevoelens te speel en hulle sodoende te oorreëde om bydraes te maak. Hierdie gedramatiseerde stories het ons land natuurlik baie skade aangedoen en doen dit nog. As die stories slegs n basis van waarheid gehad het, dan sou ons nie juis kon kla nie maar dikwels is uit-en-uit leuns opgedis.

Ek lees nou uit Bylae D van die Beredderaar se verslag voor:

"In Mei 1964 skryf 'Bill Hoffenberg' (volgens die stukke dr. Raymond Hoffenberg wat Voorsitter van die bestuurskomitee te Kaapstad was toe die "Fund" onwettig verklaar is) uit Londen aan die Kaapse-tak van die "Fund":
'... An interim report from the land of the free. Have spent many hours making myself very unpopular at the Defence and Aid Offices here.

1. Money. They sent £1000 to Johannesburg on 8th May. I told them about our misunderstanding re the £750 earmarked

for the Alexander trial. They have agreed to send this amount straight to C.T. ...

Money is pouring in - largely the result of the Observer appeal. Some of this is earmarked for Rivonia, but there should be a lot due to us. Their allocations committee only meets in about 2 weeks time, but we will get a reasonable chunk. If we don't, we must make a big fuss, as I know what they've got in (spies!). Dr. Hellman must write, and John must write, stressing that we are turning down cases, while we believe that money is available in London. Stress urgent need for money now - we can't wait for committee meetings. Can't they short circuit things to make something available? Etc. Etc. ... I have used all the pressure I can. Collins is away, unfortunately, but John and Dr. Hellman must keep at them - give them details (harrowing) of cases turned down - make them up, if they don't exist. Ask Ruth Hayman to push the same line with them ... That's about all, except that we must not turn down cases, but take on all we can and throw the expense back at them. We're in quite a strong position vis-a-vis C.A. as D & A is wagging the whole concern at the moment and I think they need us quite badly."

Ek vestig veral u aandag op die woorde "... give them details (harrowing) of cases turned down - make them up if they don't exist". Hoffenberg is dus nie alleen bereid om die Britse publiek te bedrieg nie maar hy skroom nie om sy land deur middel van infame leuens te laat beswadder nie!

Is dit die optrede van n man met n onkreukbare karakter?

Die Beredderaar se verslag bring ook aan die lig dat Hoffenberg en sy handlangers die publiek bedrieg het deur voor te gee dat die geld benodig word om persone wat van "politieke oortredings" aangekla word mee te verdedig en om hulle afhanklikes te onderhou terwyl sekere bedrae openlik vir heeltemal ander doeleindes aangewend is (dit is afgesien van die geld wat vir ongeopenbaarde bedrywighede gebruik is). So byvoorbeeld is R918 spandeer om n prokureur van Oos Londen op verskeie aanklagte van regsverrydeling te verdedig. Die prokureur is skuldig bevind en van die rol van prokureurs geskrap. Dit het die Fund n verdere R300 gekos. Volgens die Beredderaar "is daar vir politieke agitators boetes wat deur die howe opgelê is, betaal, kapitaal verskaf om besighede mee te begin, versekeringspremies betaal, sakgeld verskaf tydens aanhouding en daarna, en vervoerkoste van meubels, Bantoebelasting en begrafniskoste betaal". Die Beredderaar meld ook dat die Fund sake laat verdedig het waar die aanklagte onder andere die volgende was: betreding, meined, moord, brandstigting, bedrog, weier om getuienis af te lê, kwaadwillige saakbeskadiging en openbare geweld; voorwaar almal goeie voorbeelde van wat die Fund alles as politieke oortredings beskou het. Laastens het die Fund aan Sonia Bunting (gelyste kommunist) met haar vertrek uit Kaapstad, wat in hulle stukke beskryf word as n "handwoven Moroccan bedspread" as n geskenk aangebied.

Die volgende korrespondensie illustreer ook heel treffend die mense se integriteit. Ek lees uit Bylae C van die Beredderaar se verslag:

"Op 4 Oktober 1965 skryf Dennis Scarr, voorsitter

van Port Elizabeth-tak, aan Alan Paton:

'As you know I am endeavouring to start a library of court records to assist Counsel ... I believe you have some money available ... could you let me have R500 for this?'

Op 14 Oktober 1965 antwoord Paton:

'... Enclosed you will find a cheque for R500. Will you please write to me acknowledging the gift and ask for your thanks to be conveyed to the Presbyterian Church in America for their help. Please indicate briefly what the money is being used for but I think we should give some more human and immediate reason than the need for court records'.

Op 27 Oktober 1965 antwoord Scarr:

'... Thank you very much for the cheque. Please convey the very sincere thanks of Defence and Aid Fund, Port Elizabeth to the Presbyterian Church in America. We intend to use these funds solely for furthering the welfare of awaiting trial prisoners, many of whom as you know are held for many months before appearing in Court". Van die biblioteek is niks gevind nie - ook nie wat van die R500 geword het nie."

~~Die voorgaande wat Hoffenberg en sy makkers se persoonlike integriteit betref. Ek wil egter ook iets vir u noem om aan te toon wat Hoffenberg se houding ten opsigte van sy werk was.~~

~~Ek beskik oor n afskrif van n brief wat hy in 1964 aan een van sy politieke uitgewekenes in Londen geskryf het. Die brief beslaan drie bladsye en handel oor politieke bedrywighede van n geheime en agterbakse aard. Slegs in een~~

sinnetjie verwys Hoffenberg na sy werk as geneesheer en dit lees soos volg:

"Otherwise, life goes on, though I must admit I have big problems trying to concentrate on work".

Die "onbaatsugtige navorser" se politieke bedrywighede het dus so n omvang aangeneem dat hy nie meer op sy werk kon konsentreer nie! En moenie vergeet nie, sy salaris word grootliks uit Staatsfondse betaal.

Mnr. die Speaker, ek wil ook graag aanhaal uit n voorskrif wat Komintern leier Georgi Dimitrov reeds in 1938 uitgereik het aangesien dit duidelik aantoon waarom persone soos Hoffenberg gebruik word om die Kommunisme se belange te bevorder ten spyte daarvan dat hulle nie lede van die Party is nie. Die voorskrif lees:

"Let our friends do the work. We must always remember that one sympathizer is generally worth more than a dozen militant communists. A University Professor, who, without being a party member, lends himself to the interests of the Soviet Union, is worth more than a hundred men with party cards".

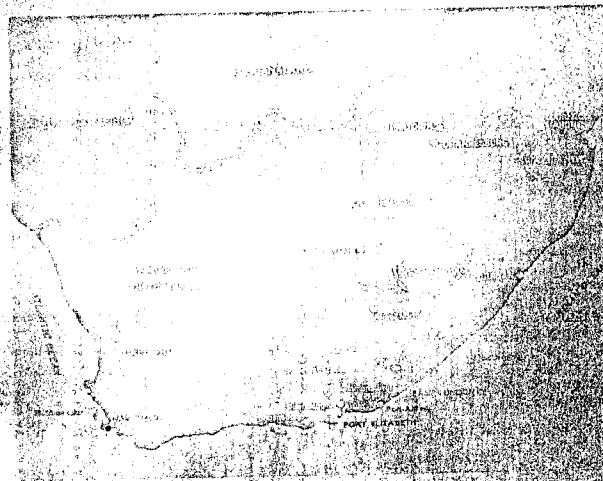
Slotopmerkings:

.Soos aan die begin van my toespraak gesê, mnr. die Speaker, kan ek ongelukkig nie al my kaarte op die tafel plaas nie. Daar is nog baie van Hoffenberg se soort wat beveg moet word en ek kan nie nou iets doen wat die effektiewe funksionering van die masjinerie wat ons gebruik om die geveg voort te sit in gevaar stel nie. Ek vertrou egter dat dit

wat ek wel kon sê en gesê het u n beter begrip sal gee van die oorwegings wat my genoop het om teen Hoffenberg op te tree.

Ten slotte, mnr. die Speaker, wil ek herhaal wat ek sowel as my voorgangers reeds dikwels verklaar het, naamlik dat die Regering hom nie deur proteste soos die wat in Hoffenberg se geval opgegaan het sal laat afskrik nie. U is bewus van die aanvalle wat teen ons geloods word en die Regering is beslis in sy voorneme om daardie aanvalle, in watter vorm ookal, meedoënloos te beveg. n Man wat hom aan die kant van ons vyande skaar, hetsy openlik of, soos Hoffenberg en sy trawante gedoen het, onder die dekmantel van n organisasie wat oënskynlik onskuldige oogmerke nastreef, moet verwag en aanvaar dat ons sal terugslaan. Die feit dat so iemand n professor of advokaat is of n ander vername posisie beklee, kan klaarblyklik nie afbreuk doen aan die Regering se plig om op te tree nie. Inderdaad moet so iets as n verswarende faktor beskou word want diesulkes behoort beter te weet.

THE PURGE
OF THE
EASTERN CAPE



A FACTUAL REPORT FROM SOUTH AFRICA

Price One Shilling and Sixpence

THE PURGE OF THE EASTERN CAPE

In South Africa today there is no overt violence. It is a time after violence and many fear that it may be a time before violence. But there is, ceaselessly, the legalised violence of an authoritarian State used to maintain its power and to enforce its ideology in all areas.

Nowhere is this legalised violence more cruelly administered or more ruthlessly enforced than in the Eastern Cape. Already during the past two years the Security Police have arrested over 1,000 people. A few have had charges withdrawn, 101 by one means or another have been reduced to becoming State witnesses, over 500 have been sentenced and the rest are still awaiting trial. The sentences range from one to twelve years for offences no more serious, in the main, than attending a meeting or two of the banned African National Congress, or, in a minority of cases of the Pan Africanist Congress, distributing a leaflet or contributing a few shillings towards African National Congress funds. Regularly there are more arrests.

Port Elizabeth is the worst hit centre of this repression, and, at first, it may be difficult to understand why this should be. Port Elizabeth is a thriving industrial port with considerable British and American investment. Durop, Ford, Firestone and many other companies have big factories there - but most white South Africans would regard it as a provincial backwater.

Things are different, however, when we look at the history of the Africans in the Eastern Cape, for these people have a proud record. Some 130 years ago Victorian missionaries began to establish schools and colleges, some of them multi-racial. Lovedale, then Healdtown have produced generations of well-educated Africans, professional men and intellectuals, and for years, Fort Hare was the finest African University on the whole continent. In this area qualified Africans voted on the common roll until Herzog and Smuts deprived them of this right in 1936. "The Eastern Cape is the region in which Africans at one time enjoyed more rights and opportunities than in any other", wrote the Editor of the *Rand Daily Mail*. Professor Z. K. Matthews, himself a distinguished African leader and intellectual, now working for the World Council of Churches in Geneva, said: "It is no accident that many of the Africans' foremost leaders came from this region—Jabavu, Xuma, Mandela, Mbeki and Sisulu".

It was leaders like these who helped to found and build up the African National Congress which pursued a policy of non-violent

1. African National Congress—the major political organisation of the African people, formed in 1912.
2. Pan Africanist Congress—formed in 1959 by a group which broke away from the African National Congress on the crucial question of co-operation with other racial groups.

This pamphlet has been prepared from Court records, newspaper reports, and interviews and personal experiences. All facts have been carefully checked.

STOP PRESS

While this pamphlet was being printed the South African Defence and Aid Fund has been declared an unlawful organisation, possibly because the Fund exposed the conditions described in this pamphlet. The African National Congress and the Defence and Aid Fund, London and the International Defence and Aid Fund will continue their work by every legitimate means.

pressure for nearly 50 years. Traditionally the African townships, especially New Brighton and Kwazakale outside Port Elizabeth, have been the main strongholds of the African National Congress. Many of the local leaders have been activist Christians and this whole area has made a militant contribution to the struggle for liberty.

Now it is the aim of the Security Police to purge the Eastern Cape of any support or loyalty for the African National Congress and its offshoot, the Pan Africanist Congress. And the purge goes further: it is aimed at the very heart of this society, at the qualities of independence, self-respect and mutual trust, without which human beings become corruptible.

These arrests and subsequent trials have been going on for nearly three years, sporadically during 1963-1964, but ceaselessly from October 1964 until June 1965. After a lull the arrests have begun again. This extraordinary concentration of police activity was barely reported even in the local press until the London *Observer* sent a correspondent to cover the trials in June 1965; a *Rand Daily Mail* correspondent then followed, as well as one from the *New York Times*. Even then, the *Rand Daily Mail's* sober reports of these sensational events aroused no visible interest in South Africa.

The Pattern of the Trials

One trial is very much like another—arrest, followed by interrogation, which may be accompanied by torture, incarceration for many months, the formality of a trial, savage sentence, and then Robben Island. . . . Even that is not enough. As sentences draw to an end fresh charges are laid, and the whole wearisome pattern begins again, and ends with yet more years to serve on Robben Island.

The Arrests

Arrest is often made in the most humiliating way; in the small hours of the morning people have been dragged from their beds and taken to the police station in their nightwear, or half dressed, even in winter. Men have alleged brutal handling during arrest or during subsequent interrogation, but few dare make a formal affidavit. Arrested women often leave behind babies and small children and are given no opportunity to make arrangements for their care. In some cases, both parents have been arrested at the same time.

Here is a particularly bad story told by a wife. The family, father, mother, and eight children lived in a two-roomed house. The wife alleges that the Security Police came at 1 a.m. and smashed in the door of the house. The husband barely had time to put on his overalls; the police dragged him out into the middle of the room, threw him on the floor and began kicking and beating him. The wife gathered the children and tried to shut them away in the other room.

She returned to find her husband held down by one policeman and being viciously kicked by three others. Her little boy of four ran screaming into the room, and one of the policemen kicked him out. When the husband was completely unconscious, they picked him up by the feet, and dragged him 200 yards or so over stone and rubble to the police van. A day or two later they returned his overalls, stiff and caked with blood. Seven months later he was still receiving hospital treatment for his injuries. Her younger children still scream hysterically at the sight of a policeman.

Awaiting Trial

After arrest, men and women are taken to the gaols. And it appears that the police are able to detain people awaiting trial for as long as they wish. Some have been held for up to 22 months, others for 13 months and it is commonplace to be held for five months. Bail is so rarely granted to political prisoners that there are few applications for it. In any case, what money is available is required for defence and for the families.

Prison regulations lay down that prisoners awaiting trial may receive two visits a week, but these people in the Eastern Cape are lucky if they get one, or if it lasts more than five minutes. Some wives are said to have queued outside a gaol from 6 a.m. until 11 a.m. and then only to have seen their husbands for a few minutes. The prisoners are people with families, often large families, dependant on them. Yet, under wretched conditions, they wait in gaol for the investigating officer to get round to them, and the investigating officers are in no hurry. Sister Mpendu, a middle-aged African woman was imprisoned for 16 months before being brought to court. During her trial when Sergeant du Preez, a member of the Security Police, was cross-examined he said, "This is perhaps not too long, I am busy investigating hundreds of cases". The *Johannesburg Star*, a conservative newspaper, commenting on Sergeant du Preez' evidence, said: "The Courts can help stop the practice of arresting in haste and collecting evidence at leisure".

Ironically, the *Star*, when it talked about "collecting evidence at leisure", did not realise how close it had come to the truth; for, at the time that they make their arrests, the Security Police do not know whether their prisoners are to be witnesses or accused. Those who crack up under the strain of imprisonment with prolonged interrogation, which may include threats and assaults, and who agree to give the kind of evidence required, become witnesses. Those who refuse, become the accused. It is one of the ironies of South African justice today that, as often as not, both the accused and the witnesses who are to testify against them are kept in the same gaol. The witnesses know that if their evidence does not satisfy the prosecution,

it is not difficult for their status to be changed from that of witness to accused.

The Charges

Eventually the police sort out who are to be the accused and who are to be the witnesses, and begin to frame charges. All cases which involve acts of violence are heard in the Supreme Court in Grahamstown, where the minimum sentence which must be imposed on those found guilty, is five years' imprisonment. All other cases go to the Regional Courts. The charges are framed under the Suppression of Communism Act, that all-embracing Act, which is seldom used against Communists, but which has been moulded by legislation to make it applicable to any opponent of the Nationalist Government. Fanatical anti-Communists are charged under it, together with liberals, devoted Christians and Church workers, a few genuine Communists, and, in the main, members of the African National Congress and the Pan Africanist Congress. As a result, although the cases have nothing to do with communism, newspaper headlines frequently label them as such - for example: "28 CHARGED UNDER RED ACT", or, "RELATIVES PACK COURT TO SEE 200 IN 'RED' CASES".

In theory, the jurisdiction of the Regional Magistrates is limited to three years' imprisonment, but this difficulty has been overcome by splitting up one set of facts to constitute several separate charges. The magistrate can impose three years' imprisonment in respect of each charge. Thus an African who attends a meeting of the African National Congress and subscribes a small sum to its funds can be convicted of (a) membership of the African National Congress, (b) attending an unlawful gathering, (c) furthering the activities of the African National Congress and (d) contributing to the funds of the African National Congress.

As a result of this breakdown by the prosecution, a striking feature has become the severity of the sentences. Whereas in Johannesburg three alleged members of the *Central Committee* of the unlawful Communist Party were sentenced to five years' imprisonment, scores of rank and file members of the African National Congress in the Eastern Cape have been sentenced to seven or eight years' imprisonment, and some to as much as twelve. To pursue the comparison, whereas admitted rank-and-file members of the Communist Party, found by the Court to have collected subscriptions, distributed leaflets, painted slogans and attended more than twenty cell meetings, were sentenced to two years' imprisonment (all these activities being framed under two counts), an African in the Eastern Cape, found by the Court to have subscribed to the African National Congress, to have allowed his house to be used for meetings and to have distri-

buted three leaflets, was sentenced to ten years' imprisonment (these activities being framed under 5 counts - each leaflet a separate count). On appeal, financed by the Defence and Aid Fund, the sentence was reduced to six years. (Appeals add greatly to the costs of the cases).

To mention only one other case: Mr. Barnett Chezi, an African schoolmaster, was sentenced by a Magistrate to three years' imprisonment for allowing his choir to perform at a concert in aid of the African National Congress. On appeal to the Supreme Court, again financed by the Fund, his sentence was reduced to one year.

Frequently the charges refer to actions committed three or four years ago, so that it becomes almost impossible to prepare a defence or prove an alibi. Sometimes men have already been fined or imprisoned for the same offence; but this does not prevent their being recharged.

A particularly flagrant example of this is the case of the employees of the Bay Transport Company, Port Elizabeth. These men, bus-drivers and conductors, went on strike for better pay and conditions in 1961. The non-white public supported them and operated a 40-day bus boycott. At that time the workers were arrested, charged with taking part in an illegal strike, convicted and fined £7 10s. 0d. each. The Company lent them the money to pay the fines.

The dispute was settled by an independent Tribunal, presided over by Ex-Chief Justice of South Africa, the Hon. Mr. de Sandt Centlivres who made an award in favour of the workers which gave them increased wages, free protective clothing and sick benefits. They all returned to work with the Company and it was assumed that the matter had been satisfactorily settled.

But three and a half years later, while still employed by the same Company, several of these workers were re-arrested. Ten were charged with "furthering the aims of the banned African National Congress", it now being alleged that the strike had been organised by the African National Congress. They were in prison for more than a year awaiting trial and have now been sentenced to four and a half years' imprisonment. Five other busmen, in another trial, were sentenced to four years' imprisonment for arson alleged to have been committed at the time of the strike and bus boycott in 1961.

A study of the charge sheets tells a sorry tale of the depths to which South African justice has plunged. These charge sheets are designed for mass trials and the dispensation of mass justice. They comprise standard cyclostyled forms setting out standard charges, with the occasional gap here and there for the name of the accused and the date upon which he is alleged to have committed the offence. The charges themselves are so vaguely and widely drawn as to make it impossible to prepare a defence properly. Yet, when requests for

Amplification of the charge sheets are made, these are often opposed by the prosecutors and the Courts seldom seem disposed to assist the defence.

brought to Trial

After months of delay the Security Police suddenly decide that the trials must take place. Then, remarkably, it becomes a matter of the greatest urgency that they should be heard without any delay at all. The convenience of the defence has too often been treated as irrelevant, and requests by the accused for postponements in which to prepare defence, or arrange for counsel to attend, are opposed by the Security Police who seem to regard the desire of the accused for lawyers as obstructive. The Minister of Justice, Mr. Vorster, complained in Parliament on 3rd June, 1965, "One political case (in Cape Town) has taken six months - this is due to the fact that the Legal elements of Defence and Aid leave no stone unturned not only to waste as much time as they can in connection with these cases, but they do everything they possibly can to obstruct the smoothly functioning of our administration of justice". This is exactly the view of a member of the Security Police about the intervention of the Defence and Aid Fund in the Eastern Cape. He professed that previously some 500 Africans had been tried without any argument, unnecessary delay or trouble between the State and the defence". According to the *Road Daily Mail* of 4th August, 1965, which quoted his statement, he went on to say that as one case finished the next began, and that it was not necessary to give the defence much notice - twenty-four hours was enough.]]

The Courts

Virtually all the trials are held in Regional Courts set up in villages remote from Port Elizabeth which is usually the home area of the accused. These Courts are situated in Humansdorp, Somerset East, Cradock, Graaff-Reinet, Addo and Port Alfred, hundreds of miles apart. The official explanation is that this prevents demonstrations and avoids clogging Port Elizabeth court-rooms.

One effect is that the defence has difficulty in finding counsel who can go to these out of the way places, often for many weeks at a time. Another, that the Press can seldom afford to send reporters to any of all these Courts, so that some trials are poorly reported by inexperienced journalists and in others not even the sentences are reported.

Often it is not known when a particular case is likely to be heard and requests by the defence for definite dates are sometimes ignored.

The Defence and Aid Fund over £1,000 per month to bring and maintain advocates from Johannesburg and Cape Town to defend the accused in the Eastern Cape.

Under these circumstances, the extreme difficulty of providing properly prepared defence can be easily imagined. To take one example—the case of the ten men in the bus strike. They were arrested in May 1964, but did not come to trial until July 1965, in Cradock. After a week of evidence, the case was postponed until 7th September. It came up again in Port Elizabeth and was remanded to 22nd November. It was resumed in Uitenhage, the next day it had moved back to Port Elizabeth, and three days later it appeared in Addo.

As if not enough of the basic concepts of justice are offended, there is yet another which has gone overboard, that of an open trial. The procedure is always the same. Just before the first State witness enters the witness box, the prosecutor rises and announces that the police fear for the safety of the witness if it should be generally known that he is giving evidence. It appears not to matter that the same witness has given evidence for the State on previous occasions, nor that everyone knows this. With monotonous regularity the application is made for the case to be heard *in camera* and with equal regularity it is granted. The Security Police clear out all spectators, and the Court remains cleared until the State closes its case.

Another factor unique to the Eastern Cape has been the enforced exclusion even of the Press from two trials when Mr. Govan Mbeki⁴ was brought from Robben Island to give evidence for the defence. Early in 1965, in a very similar trial in the area, the Press had been allowed in Court to record Mbeki's evidence, and it was reported at length in a Port Elizabeth newspaper. The inevitable assumption is that, as a result, the State has come to fear Mbeki's influence in the area and therefore suppresses his evidence. The suppression was the more ironic because shortly afterwards, when he gave evidence in a case in Durban, he was fully reported.

The effect of holding the trials *in camera*, in remote villages, is that the accused are deprived of the comfort and moral support of family and friends throughout this crucial experience. It is hard to convey the dreadful pall of anonymity that settles over most of these trials, and the painful loneliness of the accused.

The Witnesses

The State, for its evidence, relies mainly on police-traps, informers, policemen and on State witnesses. These State witnesses are often drawn, as has already been described, from among the many

4. Sentenced to life imprisonment at the Rivonia Trial in 1964, together with Nelson Mandela, Walter Sisulu and other leading members of the African National Congress and their allies, for sabotage in terms of the General Law Amendment Act of 1963.

terrified suspects picked up by the Security Police. But any potential witness may be detained in solitary confinement. In 1963, the law permitting such people to be held for 90 days was passed. This was suspended in January 1965, but was replaced about eight months later by the 180-day law now in operation. In a test case on the 90-day law, where a detainee had appealed to the Courts on alleged maltreatment by the Police, Mr. Justice Snyman ruled that . . . the interruption of the detention, by giving detainees access to the Courts, could frustrate the purpose of the detention and that the Act specifically excluded access by the detainees to the Courts and transferred the power of protecting citizens—normally the province of the Courts—to the Minister of Justice, Commissioner of Police and his commissioned officers. A test case on the 180-day law is now going forward.

If by the end of one period of detention a prisoner has not given the police the evidence they require, he can be condemned to a further 180 days; or if, on being brought to Court, he should refuse to give evidence, he is liable to a year's imprisonment. Such sentences have already been imposed, and the South African Minister of Justice, Mr. B. J. Vorster, has threatened that he may increase the penalty from one to five years' imprisonment.

It is difficult not to sympathise with the State witnesses. They may be held for months in solitary confinement, they are subjected to repeated interrogation, they may be told false stories—that their children or relatives are seriously ill, and that if they will give evidence, they may be released to go home, or that some friend or relative has made a full confession which implicates them in numerous plots—they may be threatened, and they may be offered bribes. Some allege they are beaten up, sometimes so badly that bones are broken and injuries are permanent. They may be subjected to electric shocks, and, more recently, to the "statue torture". One witness alleged that he had had to stand for three consecutive days and nights, and that every time he collapsed he was revived with cold water and propped up again.

After such treatment men can be driven to give absurd evidence. A witness in the Rivonia Trial, by the name of Cyril Davids, was held in solitary confinement for several months. By the time he came to Court he was so eager to placate the police that he denied that any pressure had been exerted upon him at all, and eventually told the Court that he had enjoyed his solitary confinement, that he was a man who liked the quiet and peace of gaol, that he had not missed his wife, although he did concede that, after a time he had rather missed his children.

Marvellously there are men and women who are brave enough to refuse to give evidence for the State. And when they refuse they are

gaoled for contempt of Court, and each refusal merits a separate sentence.

But there are many unfortunates like Cyril Davids in the Eastern Cape. There is another type of witness constantly used by the State, and referred to by the defence as the "travelling witness". Such a man travels from court to court giving whatever evidence is required of him in any particular case in order to convict that particular accused. That his evidence directly contradicts what he has said in a previous case is a matter of no consequence to him, nor to the State. He gets away with it, save where Counsel for the defence have transcripts of his previous evidence in which event he is disbelieved as a witness in that particular case. But even the fact that he is disbelieved by the Court in one case does not deter the police from calling him to give evidence in subsequent cases. In other countries it would be inconceivable that a discredited witness should be called to testify in another court, without the State disclosing to the court that the witness had been previously disbelieved. In South Africa, and more particularly in the Eastern Cape, it is not only conceivable but habitual.

Of significance also is the view taken by the State of perjury when committed by a witness trying to assist the prosecution, in contrast to their attitude towards anyone who is not giving the evidence they require. In the first case, the fact that the witness is doing his best to assist the Security Police seems sufficient to purge him of any offence, and to ensure that he will not be prosecuted. In the latter instance, the smallest departure from the witness's first statement, the slightest lapse of memory, lead to his immediate arrest and prosecution for perjury, and maximum sentences are sought and given.

It is difficult to have confidence in the kind of justice meted out in cases where witnesses are informers, policemen or accomplices held in solitary confinement. As one witness after another troops into court, testifying in minute detail to events that happened some four or five years ago, one cannot help but grow more and more cynical about the value of their evidence. As one journalist put it, to listen to such witnesses is like "hearing parrots come to court".

The Case of Sylvia Neame

Miss Sylvia Neame, a young white postgraduate student, was among those to plead guilty in 1965 to having joined the illegal Communist Party in 1963, and she was sentenced to two years' imprisonment. Recently she was taken from prison and brought to Port Elizabeth to face a charge of having attended an African National Congress meeting in Grahamstown in 1961. Defence evidence was led that at the time she was alleged to have attended this African National Congress meeting in Grahamstown, she was in Cape Town and, far

from being involved with the African National Congress, was then an ordinary member of the Liberal Party⁵.

Defence evidence was also led that at that time her political activity consisted in a Sharpeville Mourning poster demonstration on the steps of the Grahamstown Cathedral, and multi-racial sit-ins at restaurants in Cape Town. However, four State witnesses gave evidence of a small, secret and illegal meeting of executive members of the African National Congress into which this unknown young white woman was alleged suddenly to have been introduced. One witness stated that he saw nothing foolish in discussing very secret matters with an unknown white woman; someone they knew had introduced her as "comrade", so naturally they trusted her. These State witnesses corroborated each other in such fantastic detail as to who was at the meeting, and what was said, that the Defence Counsel commented that there was nothing in human psychology that could explain how four men could be found with such remarkable and identical memories. The Defence went on to elicit the fact that these same witnesses had given evidence in an earlier trial about this very meeting that Miss Neame was supposed to have addressed; but on that occasion not one of them had mentioned her presence, nor any discussion of violence.

A study of the Court record in the Neame trial is fascinating, and would in parts be hilarious, if it did not involve precious years in a young woman's life. One of the State witnesses declared that the African National Congress, the Pan Africanist Congress and the Liberal Party were virtually the same. When asked if he knew of any white member of the African National Congress he replied that Patrick Duncan was one. In fact, the African National Congress had never accepted white members and, Patrick Duncan had been one of its strongest critics.

At one point this witness, when asked to repeat his earlier evidence about the introduction of Sylvia Neame to the meeting said, "I am trying to repeat it word perfect so that there should be no argument". Subsequently he recited out the names of the men who had gone to the meeting, in the identical order that he had originally given. The defence questioned this, to which he replied with pride—"Word perfect. Word perfect".

The magistrate elicited from this witness that he had been together with two other State witnesses in a cell with "a certain Gaza . . . you know the one who watched us". Sergeant Gaza is the African Security policeman in charge of many investigations.

Defence asked: "And he is with you all the time?"

⁵ The Liberal Party of South Africa is a multiracial party which aims at bringing about changes through Parliamentary pressure. It is not connected with the African National Congress.

Witness: "All the time".

Defence: "When he goes to the toilet he takes you with him".

Witness: No reply.

Defence: "No answer to that?"

Witness: "No, there is an answer. There is an answer."

Defence: "Yes?"

Witness: "Yes, there must be an answer. Each and every question has to have its answer."

This witness gave his evidence with an air of intense self-satisfaction, then suddenly volunteered that the aims and objects of the African National Congress' New Plan were "to bring about political, industrial, economic and social change within the Republic of South Africa, and to overthrow the legally constituted Government of South Africa by means of violence, sabotage, bloodshed and destruction".

Now this statement came word for word from the charge sheet in the trial, accessible only to the Court, the prosecution, defence and the police.

When the Defence asked the witness who had given him this information he said "Mini"⁶. Another State witness had given evidence that Mini had never mentioned violence.

The Defence asked why he suddenly volunteered evidence about the policy of violence of the African National Congress.

Witness: "Out of necessity".

Defence went on: "Have you seen the charge sheet in this case?"

Witness: "No - I'm, that is a very funny question. Honestly that is".

Other Witnesses

There are witnesses who, although completely clear on events in 1961, are unable under cross-examination to name even the month in 1964 during which they were arrested; there are others who identify documents under oath, but, when questioned, admit that they cannot read. One person described by the Defence as a "professional witness" has given evidence against more than sixty people. Of another, Defending Counsel said, "he has the history of a man who is in the pay of the police and who enjoyed some guarantee of immunity". In 1963 he was the highest official of the African National Congress in the Eastern Cape—he went to Johannesburg where at Rivonia, he met other leaders, such as Walter Sisulu. Two weeks later, when the Rivonia arrests took place, he too was arrested but was held for only three days. He returned to Port Elizabeth where he continued to live normally, going to work every day for more than

⁶ Vuyisile Mini, a member of the African National Congress, executed, with two others in 1964, for complicity in the murder of a State witness.

a year. He did not try to get away and he was not arrested again". In a subsequent trial, this man gave evidence for the State.

All this goes on within the law. How is it that a witness can know off by heart a quotation from a document limited to the Court, to Counsel and to the police? How is it that witnesses suddenly change evidence after adjournments? Why do witnesses in trial after trial come out with the same stock replies? When the defence asks them how they came to make a statement to the police incriminating the accused, they reply almost automatically, "I just wanted to tell the truth", and they add, "Nobody forced me".

The evidence of State witnesses is often patently false but, as there may be many State witnesses giving similar evidence, it takes patient, prolonged cross-examination to expose their lies and contradictions. And when the evidence of State and Defence witnesses simply conflicts, the evidence of the State witness is normally preferred by the Court.

Evidence of Violence?

During the Treason Trial 1957-1961 the State spent four years trying to prove that the African National Congress policy was one of violence. It tried, for instance, to prove that the African National Congress was behind riots which occurred in the New Brighton township in 1952, when several people were killed. When the Court eventually gave judgment, after carefully scrutinising and considering the enormous mass of evidence submitted to it, it came to the conclusion that there was no evidence to justify these allegations. On 29th March, 1961, Mr. Justice Rumpff, the Presiding Judge, announced that the accused were acquitted and discharged, the verdict being unanimous. The alleged policy of violence attributed to the African National Congress, he said, was the cornerstone of the case for the prosecution; if this case failed it must fail against the other organisations of the Congress Alliance.⁷

He went on: "The evidence shows that all these organisations have been working together to replace the existing form of State with a radically different one based on the demands set out in the Freedom Charter. It has, however, not been proved that such a form of State would be a Communist one; the Prosecution has failed to show that the accused have personal knowledge of the Communist doctrine of violent revolution or that they have propagated this doctrine. It is impossible for the Court to come to the conclusion that the African

7. The Congress Alliance consisted of the African National Congress, the Coloured People's Congress, the South African Indian Congress, the Congress of Democrats and the South African Congress of Trade Unions. These organisations all subscribed to the Freedom Charter, the blue-print for national liberation.

National Congress policy is to overthrow the State by violence

But in 1964 and 1965, witnesses for the State have given evidence about the policy of violence advocated by the African National Congress, even before it was outlawed in 1960.

Thus a perverse twist is given to the history of the African National Congress which, since its formation in 1912 pursued a policy of non-violence. When the Congress was outlawed in 1960 and the leaders were imprisoned during the post-Sharpeville emergency, they worked out what was called the *New Plan* in order to preserve their organisation in the new conditions; this plan was never concerned with violence, only with preserving the underground African National Congress.

Writing about these Eastern Cape trials in the *Rand Daily Mail* of 22nd July, 1965, Allister Sparks says: "The point at issue in this case, as in many others, was the New Plan adopted by the African National Congress in 1961. Accomplices giving evidence for the State said the New Plan involved violence; the defence claimed that it was only an organisational device for working underground and that violence was limited to an elite multi-racial corps in the *Umkhonto we Sizwe*⁸ (Spear of the Nation) sabotage movement. The defence also produced court records from other cases, including the Rivonia trial, to support its claim that the same State witnesses had previously described the New Plan without mentioning violence".

But State witnesses in the Eastern Cape have been dutifully trying to prove that it was the New Plan that involved far-reaching violence and murder, and only when it is possible to brief Defence Counsel knowledgeable in the facts of African politics is their evidence discredited.

The Neame trial was one in which witnesses kept saying that the New Plan meant violence. It was as if, Defence Counsel remarked, "violence was stuck on like cherries on to a cake". The State evidence, he added, "almost borders on contempt for one's intelligence".

A study of these Eastern Cape trials reveals that a great deal of time is taken up with State witnesses alleging talk of violence, and newspaper headlines and reports reflect this. The impression is highly inflammatory, and builds up a general atmosphere among the white people, who, because they are frightened, accept without question, the activities of the Security Police.

Sister Mpeudu's Trial

An example of this talk of violence is to be found in the trial of

8. *Umkhonto we Sizwe* should not be confused with the *A.R.M.* (African Resistance Movement) formed independently by young white liberals, many of them students. The *A.R.M.* also planned acts of sabotage against property not persons.

Sister Mpendu. She is a nursing sister, a member of several welfare committees, a woman respected in the African townships. She spent 18 months in custody before she was even brought to trial. An eye witness, who sat in on her trial wrote:

In the Addo Regional Court—when it is not adjourned because shouting trains drown its proceedings, or because of failures in electricity—a middle-aged African nursing sister sits, tired-looking and lonely, on a long, backless wooden bench. After studying these trials, I confess to profound distress about this case. Early in 1965, when Sister Mpendu came up for remand with 60 or more other awaiting trial prisoners, the Prosecutor declared that she was the "most dangerous" of them all. But when Sergeant du Preez was questioned during her trial about why she had been kept imprisoned by his time for 18 months, he said, "There were others who were more important who waited longer".

When Sister Mpendu came to trial the prosecutor announced that the case centred on the disposal of a motor van. Her defending counsel pointed out that she was being charged with a different set of facts from those on account of which she was originally arrested. "It is irregular, it is unusual, it amounts to persecution", he said.

Sister Mpendu had taken over the sale of the van when a man who lived in her house was sentenced to imprisonment in 1963 on charges relating to the African National Congress. The van was alleged to be African National Congress property, and the charges against her included African National Congress membership, holding an African National Congress meeting in her house and—through the sale of the van—soliciting funds for the African National Congress as well as stamping a receipt with an African National Congress sign.

Various State Witnesses alleged that Sister Mpendu had told them that the money from the sale of the van was to be used not only for rifles, revolvers and machine guns, but also for petrol bombs and other explosives. One witness said she told of plans to bomb certain houses, including that of Sergeant Gaza.

One morning the prosecutor interrupted the proceedings to say he had just learned by telephone of a plot to murder a State witness. The Magistrate agreed to an embargo in the press on any facts that might identify a witness. There was already an embargo on mentioning names, for the trial was as usual *in camera*. Nothing more was heard of the "plot". But a local press headline read: "MURDER OF WITNESS 'PLOT'—TRIAL OF NURSE".

The Magistrate, in finding Sister Mpendu guilty, said she had been an evasive, hesitant witness; not frank with the Court. Mpendu is a first offender and has been found guilty of being a member of the African National Congress; but, at the same time, the

evidence shows that she solicited subscriptions for an organisation which had turned to violence against the State. That, no court in any civilization can allow".

Sister Mpendu was sentenced to 18 months for membership, 12 months for soliciting subscriptions, six months for allowing a meeting in her house, and 12 months for stamping the receipt, a total of 4 years. Part of the sentences to run concurrently and, as the Magistrate took into account the 18 months spent in prison, she will serve another 2½ years.

Before her arrest, Sister Mpendu had applied for a passport to go to Britain to study paediatrics. She still hopes upon release to continue with this study.

The Sentences

The severity of the sentences imposed in the Eastern Cape has already been mentioned. Sylvia Neame was sentenced to four years after being found guilty of briefly attending one African National Congress meeting, and of contributing 30/- for petrol for some of those present. Even if she were guilty—which she denied (her case is going on appeal)—this is double the sentence imposed on her in her earlier trial for far more extensive activities as a member of the illegal Communist Party. The Magistrate said: "To sentence you is by no means an easy task. This Court passes sentence with a prayer in its heart. The Court hopes that this period of imprisonment which the Court is to impose will give you time for meditation".

It is illuminating to compare these Eastern Cape sentences with those imposed by Mr. Justice Viljoen in the Supreme Court of Johannesburg in November 1965 on four young white men. One evening, these youngsters decided to go out to "hunt kaffirs". They came across an African walking with his girl friend. The "hunt" began with a vicious assault on the African man which resulted in his requiring hospital treatment; it ended with each of the four men in turn raping the African girl in the street. The men were found guilty of assault and rape. Judge Viljoen delivered a little homily on the evils of drink, advised the men to join a good club, and sentenced them to six strokes of the cane.

An African who rapes a white woman usually receives the death penalty.

Imprisonment and After

Almost all the Africans sentenced in the Eastern Cape are sent to Robben Island; the rest, including the women, go to prison on the mainland.⁹ Up to date, most political prisoners have been in the

⁹ Prison conditions in South Africa are described and documented in the Christian Action pamphlet *Prisoners of Apartheid*, price 2/-.

lowest category of offenders. They are allowed one visit every six months, and may write and receive one letter every six months. Unlike criminals, political prisoners receive no remission of sentence for good behaviour.

As sentences draw to an end one of two things frequently occurs. Prisoners are charged with additional offences, allegedly committed several years before they were sent to gaol, or they are charged again with a similar or even the same offence, for which they have just served a gaol sentence, but which retrospectively, in terms of legislation passed while they were in gaol, carries heavier penalties.

In addition, men and women who are released after serving their sentences may be immediately re-arrested and recharged, as often as not on a variation of the original offence.

Those who are acquitted by the Courts, or those against whom it is not found possible to lay further charges, can be banned or house-arrested or both. These banned and house-arrested people lead lives of an almost inconceivable frustration: they are cut off from their friends, from their interests, from all normal social intercourse, and it is exceedingly difficult for them to find work as they are forbidden to enter factories, and most firms fear to employ them. The bans or house-arrest orders, against which there is no appeal to a Court of Law, last for 5 years and can be renewed at the end of this period if the Minister so decides.

The Story of Mr. Tommy Charlieman

However much you may feel that you have been the victim of injustice in the Eastern Cape, it is never wise to complain. This is illustrated by the story of Mr. Tommy Charlieman, a trade-unionist aged about 60.

He was kept in custody in four different gaols for a total of 19 months, then in December, 1964, was released without any formal charge being put. In January, 1965, Mr. Charlieman wrote to the Minister of Justice claiming damages for loss of health and wages. Soon after this he was re-arrested and was charged with African National Congress membership, with allowing his house to be used for an African National Congress meeting, with soliciting subscriptions and with furthering the aims of African National Congress. All the counts emerged from a meeting in November, 1962. He was found guilty and sentenced to 8 years' imprisonment.

The Families

Around Port Elizabeth it is estimated that there must be at least 700 families of political prisoners involving between 3,000 and 4,000 women and children. At present the Welfare Committee has only been able to track down and care for just over 300 of these families.

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It pays their rents and provides a little fortified milk and soup powder, and beyond that it can only afford to pay out £3 per family per month. It has been scientifically estimated that the minimum amount required to keep an African family above the breadline is £24 a month. Often the Welfare Committee is a family's sole means of support because, even if the wives are able to leave their children, it is very difficult for them to find work. Factory owners have been warned by the Security Police not to employ them, and private people are afraid to do so.

In theory, once a man has been convicted and sent to prison his family is eligible for State assistance at the rate of 30/- per month. In practice, this is hardly ever paid and, in any case, the families are terrified to approach the authorities. More than anything else they fear being endorsed out—that is, sent hundreds of miles away to the Transkei or the Ciskei where there is no work and little food. Once a man has been convicted and imprisoned he and his family may lose any right they may have had to live in an urban area, and enough families have already been endorsed out of KwaZakhele and New Brighton to ensure that no other family will approach the authorities, however desperate its need. Allister Sparks, writing in the *Rand Daily Mail* of 23rd July, 1965, described the plight of some of these families:

"There is 21 year-old Josie Nonyaniso who was left to look after five small brothers and sisters when her parents were jailed (her father for eight years and her mother for 4½) earlier this year. Josie's husband died in March and she has a baby of her own.

"There is Mrs. Philemon Khunge who alone has to care for 11 children. Her mother (sentenced to 4½ years) left her with nine; her husband (nine years) left her with two. The only sister who might have been able to help is also in jail for being a member of the African National Congress.

"The catalogue of hardship, even among people accustomed to hardship, is long. And the tales of tragedy are becoming more frequent—such as the one Grandfather Mali told last month. His son, Freddie, had been sentenced to eight years last November, and Freddie's wife got 7 years in April. They had four children aged 11, 9, 7 and 3, whom the grandparents took into their home at New Brighton. But the cost of supporting the children proved too heavy for the ageing grandparents and they fell behind with their rent. They were evicted from their home and had to send the children to relatives in Somerset East. Soon after they arrived there, the three-year-old fell ill and died."

In these conditions it is a struggle even to keep the people alive. There is no money for extras, no money to pay fares to visit husbands on Robben Island, and no money to pay for children's school fees,

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school clothing and textbooks (white children get most of their text books free, other races must pay). Unless something can be done for them, these children will soon become a terrible social problem.

But the Africans do not only struggle with material destitution, they face also the pitiless, deadly destruction of human integrity. Any well dressed man or woman seen walking about in the day-time is suspected of being in the pay of the police. Once sold to the Security Police, informers depend for their existence upon continuing to incriminate others. Fear and treachery are the air the Africans must breathe. As one woman put it, "You cannot trust your own reflection in the mirror".

The Future

The terror continues, and no one can predict when it will end nor how many more victims it will claim.

One case follows another in a seemingly never-ending series. Although the Government has virtually complete totalitarian powers, it prefers to act within the framework of the law in an attempt to perpetuate the myth, its own myth, that South Africa is not a police state. Thus, in the Eastern Cape the trappings of justice are there, the court does sit, evidence is led, judgment is given and appeals are permitted; but, in fact, this facade cloaks a procedure which all too often is the antithesis of justice.

At the moment the Security Police virtually rule the Courts; the Security Police decide who can attend court, who may visit awaiting trial prisoners, who may be given food and who may not. They supervise the press attending the court, and most certainly they supervise the prosecutors telling them who is to be charged, who is to give evidence and how the cases are to be conducted.

This is what is happening in the Eastern Cape to a community that might have led Africa, and even the world, with an example of harmonious race relations and shared responsibilities. Once upon a time there were multi-racial schools there, and once upon a time the races voted and worked together. Such hopeful possibilities are now cruelly extinguished. Liberty was lost long ago. Now the Eastern Cape is being slowly purged of justice, honesty, integrity and compassion. The white people of Port Elizabeth devote themselves to business and to sport, they prefer not to notice what is going on around them—they, too, are afraid of the Security Police. They fear even to give their cast-off-clothing to the naked starving families of the political prisoners, they fear to lend their cars to help distribute dried food in the townships.

But under every tyranny are to be found people whose humanity is undiminished and whose integrity is unbroken. The oppressors hate these people, for they are a perpetual accusation to them, and

a guarantee that their purposes can never be finally achieved. Such people are the bearers of comfort and hope and, though few in number, they can restore to shocked and suffering men and women their belief in themselves and in each other.

There are still people like these in the Eastern Cape. There are the men and women of all races who in spite of every pressure continue to refuse to give evidence for the State; there are convicted men who come from prison to give evidence for the defence, knowing that such action may expose them to fresh prosecution and further victimisation. And there is the handful of white people who run the Defence and Aid Fund and Welfare Committees that try to care for the prisoners and their families. These people are brave enough to defy the Security Police and the suspicion of their neighbours, to risk being labelled communists and traitors, to risk banning, house-arrest or perhaps worse. One of them writes: "Where is the conscience of this Christian country that we live in? I do not believe that people are unaware of this terrible situation, but rather that they choose to ignore it. . . I consider it vital that these families and the world at large be continually shown that there are people in South Africa who do care about them and are concerned with their welfare".

At present the future looks dark, and the latest information from the Eastern Cape is still more depressing and horrifying. 41 political trials will begin in March, involving 162 persons. The accused are all in prison; between 1963 and 1964 they were sentenced on various charges relating to membership of the African National Congress. They were defended by Defence and Aid lawyers and their terms of imprisonment are nearing completion. Now the original charges are to be reframed. Already one such isolated case has been tried. *On the day set down for his release*, the accused was sentenced to a further period of seven years' imprisonment. This is more than three times the length of his original sentence for membership of an illegal organisation. Since the 162 who are to be brought to trial face similar charges, it can only be presumed that they may share a similar fate. It is quite certain that they will share this fate, unless the Defence and Aid Fund can find enough money to contest their cases at every point and to take them on appeal. Our information is that, given enough money, the attorneys believe that they might halt the operations of this merciless grinding police machine.

Already the men in prison must wonder whether they will ever be released to join their families. And what of the families themselves, who have been waiting two and three years for the day of release so that they could settle down to a normal family life? Now, for them the bitterness of disappointment is cruelly rubbed in to the bitterness of poverty, hunger and loneliness. Money subscribed to Defence

and Aid Fund could at least bring some alleviation of their material distress, and the hope that one day the persecution may end. In this affluent, free world, that draws so much of its wealth from trade with, and investment in, South Africa, it should surely not be impossible to find even the very large sums of money that may be required. If justice and compassion are not to go by default, then help must come to the Eastern Cape, and it must come quickly.

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2 Amen Court, London, E.C.4.

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ADDRESS: *(in capitals)*.....

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GEHEIM

Die Sekretaris
Kommissie van Onderzoek
na Sekere Organisasies
Privaatsak X81
PRETORIA

DEFENCE AND AID : U NO. 22/13/4/3 GEDATEER 11 JULIE 1973

Die Minister van Justisie het goedgekeur dat die betrokke twee verslae by die Kommissie ingehandig word. Mnr. C.M. van Niekerk, Ondersekretaris (Regsproses), sal die nodige getuienis gee.

J. D. DU BRUYN

SEKRETARIS VAN JUSTISIE

J.D.B.
16/7/73

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Tel. No. 48-2931x 343



Lêer No. 22/13/4/3
File No.

KOMMISSIE VAN ONDERSOEK NA
SEKERE ORGANISASIES

COMMISSION OF INQUIRY INTO
CERTAIN ORGANISATIONS

PRIVAATSAK X81
PRIVATE BAG X81

PRETORIA

11-7-73

GEHEIM

Die Sekretaris van Justisie
Privaatsak X81
PRETORIA

DEFENCE AND AID

1. Soos u bewus is het die Minister van Justisie gedurende 1966 kragtens artikel 17 van die Wet op die Omdrukking van Kommunisme, 1950 (Wet No. 44 van 1950) 'n Komitee aangestel om 'n feiteverslag ten opsigte van Defence and Aid op te stel. Nadat Defence and Aid tot 'n onwettige organisasie verklaar is, is 'n beredderaar aangestel wat aan die Minister van Justisie verslag ge=doen het oor die fondse van Defence and Aid.

2. Vir u vertroulike inligting wil ek meld dat ek van voorneme is om getuienis aan bovermelde Kommissie voor te lê dat die Instituut vir Rasseverhoudings 'n aktiewe rol gespeel het met die ontvangs en besteding van Defence and Aid se fondse - trouens dat die twee organisasies hand aan hand gewerk het. Uiteraars belangrike getuienis in die verband word in die verslae van die beredderaar en die Komitee wat die Minister aangestel het gevind. Getuienis van watter oorsese organisasies met Defence and Aid en dus ook met die Instituut hier geskakel het kom ook in die verslae voor.

3. Ek verneem graag of u enige beswaar het -

- (a) Dat 'n beampste van u Departement die twee verslae by die Kommissie inhandig; en
- (b) dat ek gedeeltes van die verslae aan getuies stel.

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4. Paragraaf 3(b) is nie van wesenlike belang nie en
hoef nie noodwendig gedoen te word nie. Paragraaf 3(a)
is egter van wesenlike belang.

5. Dit is my voorneme om die formele getuienis voor
die Kommissie gedurende die week vanaf 16 Julie 1973
te lei en indien moontlik sou ek graag 'n beampste van u
Departement op 16 Julie 1973 wil roep om die verslae in
te dien. Sy getuienis sal formeel wees en vrae oor die
inhoud sal nie aan hom gestel word nie.

L. P. Heine
SEKRETARIS: KOMMISSIE VAN ONDERSOEK
NA SEKERE ORGANISASIES

ASR

Net die Riviër bespreek.
Geen bewys dat was in alle geval
Vetslae wat volgens wetlike bepalinge
Dro opgestel is.

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Oed. 12/7/73

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GEHEIM
SECRET

VERSLAG VAN KOMITEE DEUR DIE MINISTER VAN JUSTISIE
KRAGTENS ARTIKEL SEVENTIEN VAN DIE WET OP DIE
ONDERDRUKKING VAN KOMMUNISME, 1950 (WET NO. 44 VAN
1950), AANGESTEL.

1. Dit het Sy Edele die Minister van Justisie behaag om kragtens artikel sewentien van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950), die ondergenoemde komitee saam te stel om 'n feiteverslag aan hom ten opsigte van die organisasie bekend as The Defence and Aid Fund voor te lê:

- (a) Mnr. D.P. Wilcocks - Voorsitter.
- (b) Mnr. G.M.J. Swart - Lid.
- (c) Mnr. J.A. van Dam - Lid.

2. Die Minister se opdrag aan die komitee is om feite in te samel wat betrekking het op The Defence and Aid Fund en daardie feite saam te vat en aan hom vir oorweging voor te lê.

3. Spesifieke feitebevindinge:

Die volgende feite word deur die komitee bevind. (n Volledige uitsensetting van die feite word in die bylaag hiervan vervat):

A. Die Suid-Afrikaanse Defence and Aid Fund is slegs 'n plaaslike komitee van die Defence and Aid Fund of Christian Action met hoofkantoor te Engeland.

(Par. VIII, Bylaag).

B. Die Defence and Aid Fund is deur die Britse organisasie, Christian Action, in 1956 in die lewe geroep.

(Par. VI, Bylaag).

C. Christian Action is geaffilieer met The Movement for Colonial Freedom, 'n Britse organisasie wat ten nouste saamwerk met twee ander organisasies, t.w. die Africa Bureau en die Anti-Apartheid Movement.

(Par. II, III en V, Bylaag).

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- D. The Movement for Colonial Freedom en die Anti-Apartheid Movement geniet albei die steun van die Britse Kommunistiese Party.
(Par. IV, Bylaag).
- E. Die Defence and Aid Fund geniet die steun van die Kommunistiese Party. (Par. VI en IX, Bylaag).
- F. Die Defence and Aid Fund is n aktiewe ondersteuner van die sg. vryheidsbeweging in Suid-Afrika.
(Par. X(a), Bylaag).
- G. Die Defence and Aid Fund beoog n politieke, sosiale en ekonomiese verandering in Suid-Afrika.
(Par. X(b), Bylaag).
- H. Die politieke, sosiale en ekonomiese verandering moet deur middel van geweld teweeg gebring word.
(Par. X(c), Bylaag).

D. P. Wilcocks
.....
VOORSITTER.

G. M. J. Swart
.....
LID.

J. A. van Dam
.....
LID.

DATUM. 16 Februarie 1966

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BYLAAG.

I. Inleiding.

n Onderzoek na die ontstaan, oogmerke en aktiwiteite van die Suid-Afrikaanse organisasie, bekend as The Defence and Aid Fund, kan alleenlik geskied aan die hand van n ontleding van die Britse organisasie bekend as Christian Action. Alvorens daar tot sodanige ontleding oorgegaan word, is n kort oorsig oor drie ander Britse organisasies, die Movement for Colonial Freedom (M.C.F.), die Anti-Apartheid Movement (A.A.M.) en die Africa Bureau noodsaaklik.

II. The Movement for Colonial Freedom.

Die organisasie is op 12 Maart 1954 in die lewe geroep. In sy eerste beleidsverklaring is o.a. soos volg verklaar:

"Most of the Colonial Peoples have lost confidence in Britain. Millions of them are denied political rights and are left in poverty and disease. They are landless, ill-housed, ill-clothed. Their children go hungry; they are denied education. They are sacrificed to the interests of white settlers and foreign investors."

Dan word verder verklaar dat die M.C.F. "must create a psychological revolution throughout the colonies."

Die volgende persone is o.a. lede van die Nasionale Uitvoerende Komitee:

- (a) Fenner Brockway - Voorsitter.
- (b) Julius Silverman - Ondervoorsitter. Hy is n lid van die Uitvoerende Komitee van die Society for Cultural Relations with the U.S.S.R.
- (c) Johnny James. Hy was vroeër lid van die Britse Kommunistiese Party. Tans is hy n aktiewe lid van die Committee for the Defeat of Revisionism, n organisasie "adopting the Peking line".

- (d) Jack Woddis. Hy is n voormalige voorsitter van die Britse Kommunistiese Party en dié Party se deskundige op die gebied van Afrika aangeleenthede.

Christian Action het gedurende 1954 met die M.C.F. geaffilieer. Op sy beurt is die M.C.F. weer geaffilieer met die World Council for Colonial Liberation en die International Council for Social and Economic Co-operation.

III. The Anti-Apartheid Movement.

Dié organisasie is in 1960 met die volgende oogmerke gestig:

- "(a) to inform the people of Britain and elsewhere about apartheid and what it means to the people of South Africa;
- (b) to campaign for international action to help bring the system of apartheid to an end;
- (c) to co-operate with and support South African organizations campaigning against apartheid."

Die A.A.M. werk in noue samewerking met die M.C.F. en Christian Action. Gedurende 1963 het die A.A.M. n hulp-organisasie, die World Campaign for the Release of South African Political Prisoners, in die lewe geroep.

Daasgenoemde organisasie geniet die steun van die nuusblad The African Communist. Die fondse wat deur dié liggaam ingesamel word, gaan na die Defence and Aid Fund van Christian Action. Die volgende persone is o.a. tydens die stigting van die hulporganisasie tot komiteelede verkies:

- ✓ (a) Roselynde Ainslie, n lid van die Britse
Kommunistiese Party. *seen t middel 1958*
- (b) Leon Levy, n voormalige president van die
South African Congress of Trade Unions
✓ (S.A.C.T.U.). Dié organisasie is geaffilieer
met die World Federation of Trade Unions
✓ (W.F.T.U.), n internasionale kommunistiese
frontorganisasie.
- (c) Sonia Bunting, n Suid-Afrikaner wat ingevolge
die bepaling van die Wet op die Onderdrukking
van Kommunisme, 1950 as lid van die Kommunistiese
Party van Suid-Afrika gelys is.

IV. Die M.C.F. en A.A.M. geniet albei die steun
van die Britse Kommunistiese Party.

✓ In n artikel in die nuusblad The African Communist,
Vol. 2, No. 4 July-September, 1963 verklaar John Gollan,
algemene sekretaris van die Britse Kommunistiese Party
soos volg:

"Our Party which ever since its birth has consistently
fought against the oppression of the African peoples, and
which at its recent 28th Congress adopted a special
Emergency Resolution in solidarity with the struggling
people of South Africa will do everything possible to arouse
the people of Britain to redouble their efforts in support
of the call for 'No British arms for South Africa'. We will
give full support to the efforts of the Anti-Apartheid
organization, The Movement for Colonial Freedom, and all
other bodies campaigning for this aim and against colonialism
and racial discrimination."

V. Die Africa Bureau.

Hierdie organisasie is gedurende Maart 1952 gestig. Twee van die stigterslede was eerw. Michael Scott en Colin Legum. Eerw. Michael Scott is die Direkteur van die organisasie. Hy was n lid van die Kommunistiese Party. Tydens sy verblyf in Suid-Afrika was hy in verbinding met die plaaslike Kommunistiese Party. Hy was verantwoordelik vir die verfilming van die rolprent "Civilization on Trial", waarvan die inkomste ter stuwing van die fondse van die Defence and Aid Fund van Christian Action aangewend is.

Colin Legum is n korrespondent van die nuusblad Observer en beywer hom vir die omverwerping van die bestaande Suid-Afrikaanse regering deur geweld, indien nodig. Hy en sy vrou, Margaret Roberts, was die gesamentlike skrywers van "South Africa: Crisis for the West". Die tema van die boek is dat die V.V.O. sanksies teen Suid-Afrika moet toepas. Hulle is ten gunste van n grootskaalse vlootblokkade.

"The Africa Bureau has played an active part in organizing opposition to the Republic of South Africa, the Federation of Rhodesia and Nyasaland, and the Portugese African territories, and more recently Rhodesia, and to this end works in co-operation with the Anti-Apartheid Movement and other organizations concerned with Southern Africa." (The Puppeteers: Harold Soref & Ian Greig, bls. 68).

VI. Christian Action.

Christian Action, met eerw. L. John Collins as president, is in 1946 te Oxford, Engeland, in die lewegeroep. Die organisasie beskik oor n amptelike nuusorgaan getiteld "Christian Action". Volgens dié publikasie is die organisasie "A fellowship of Christians and of all who respect

the life and teaching of Jesus, whose common aim is to serve God as citizens by translating their faith into action in public as well as in private life."

Christian Action is derhalwe met 'n lofwaardige doel gestig. In werklikheid, egter, "the Communists have for a long time recognized that emotional 'do-gooder' organizations have soft underbellies which can easily be penetrated. Many such organizations travel long distances before it dawns upon them that they are unconsciously being used as fellow-travelers. Thus, Christian Action, which strived to bring a Christian way of life into the world of practical affairs, acquired a 'left of centre' reputation by 1953, and this, on the admission of Cannon Collins himself." (The Puppeteers, bls. 30).

Christian Action het in Desember 1956 'n fonds met die naam Defence and Aid Fund in die lewe geroep. Hierdie fonds moes voorsien in die verdedigingskoste van die 156 beskuldigdes in die Hoogverraadsaak. Die doelstellings van die fonds word soos volg omskryf:

"DEFENCE AND AID FUND

A FUND TO SAFEGUARD FREEDOM AND HUMAN DIGNITY
IN SOUTHERN AFRICA.

To aid, defend and rehabilitate the victims of unjust legislation, oppressive and arbitrary procedures.

To support their families and dependents.

To assist in the development of a non-racial society based on a democratic way of life.

To keep the conscience of the world alive to the issues at stake."

Die Defence and Aid Fund is tans n goedgekeurde agenskap van die V.V.O. In n brief gedateer 6 November 1964 het domheer Collins soos volg aan David Craighead, voorsitter van die Defence and Aid Fund te Johannesburg, geskryf: "We are very pleased to tell you that the Defence and Aid Fund (International) has been accepted as an approved agency of the United Nations Three agencies have been chosen, namely, Defence and Aid Fund (International), Amnesty International and the Joint Committee for the High Commission Territories ,..... The fact that we have United Nations approval as a recognised agency for relief gives us a tremendous potential income which we must make a reality and we are eager to have the National Committee established as soon as possible in South Africa. We are sure that it will lift a great burden from existing Defence and Aid Committees"

Solly Sachs is die "~~fund-raising secretary~~" van die Defence and Aid Fund van Christian Action. Hy is ingevolge die bepalings van die Wet op die Onderdrukking van Kommunisme, 1950, as lid van die Kommunistiese Party van Suid-Afrika gelys.

VII. The Defence and Aid Fund van Suid-Afrika.

Tegelyk met die totstandkoming van die Defence and Aid Fund van Christian Action, is daar n organisasie met die naam Treason Trial Defence Fund in Suid-Afrika gestig. Laasgenoemde organisasie is as welsynsorganisasie geregistreer met die volgende oogmerke:

"This organisation has been found generally to meet the needs of persons who had or might be charged of the crime of High Treason or such other crimes as this organisation shall consider to be within its scope by raising funds by collecting donations of money or goods and dealing with or distributing them for the purpose of -

- (a) Making grants or loans to such persons or their dependants for their subsistence or household expenses.
- (b) Paying all or part of the rent payable by such persons or their dependants.
- (c) Offering bail on behalf of such persons.
- (d) Providing legal assistance and advice to such persons or their dependants."

Ten einde egter die kring van werksaamhede van die Treason Trial Defence Fund uit te brei, is die aktiwiteite daarvan deur die Defence and Aid Fund oorgeneem. "The work done by the Treason Trial Defence Fund showed just how much could be achieved despite the heavy odds against those who opposed the South African Government. But it dealt with only one aspect of the many that called for action in South Africa. It soon became clear that there was a great deal more to do, and, even while the Treason Trial continued, the title of the Fund was changed to the Defence and Aid Fund. Its aims and its terms of reference were expanded to cover a wider range of activity and to enable it to help South Africans in many situations which confronted them, and in which they needed help." (Report of the Defence and Aid Fund of Christian Action: December 1956 - June 1963, bls. 16).

Volgens 'n berig in die Rand Daily Mail van 3 Maart 1962 is die Defence and Aid Fund in Suid-Afrika tydens die Noodtoestand van 1960 in die lewe geroep.

Volgens die konstitusie van die Suid-Afrikaanse Defence and Aid Fund is die doelstellings van die organisasie soos volg:

- "(a) To uphold, defend and protect by all lawful means Human Rights and Civil Liberties especially the right to hold and express opinions.
- (b) To grant relief and assistance to compensate men and women (and their dependants) who suffer as a result of the loss of any of the said rights and liberties whether by process of law or otherwise.
- (c) To collect money to pay for the rendering of legal advice and assistance to persons in need thereof as a result of the loss of any of the said civil rights and/or liberties whether by process of law or otherwise.

3. Area of operation.

The Defence and Aid Fund shall operate within the Republic of South Africa and South West Africa."

Takke van die fonds bestaan in Johannesburg, Kaapstad, Port Elizabeth, Oos-Londen en Durban.

Die Defence and Aid Fund van Christian Action "works in close co-operation with the Defence and Aid Fund in South Africa which counts among its sponsors Chief Albert Luthuli, the Archbishop of Cape Town, the well known writer Alan Paton, the former Parliamentary Leader of the Labour Party Mr. Alex Hepple."

VIII. Die Defence and Aid Fund van Suid-Afrika is slegs n tak van die Defence and Aid Fund van Christian Action.

Alhoewel die konstitusie van die Suid-Afrikaanse Defence and Aid Fund die indruk skep dat dit n selfstandige organisasie is, is dit slegs n plaaslike komitee van die Defence and Aid Fund van Christian Action en word dit deur laasgenoemde organisasie beheer. Die volgende feite dien ter staving van hierdie stelling:-

- (a) In die tydskrif "Christian Action - Summer 1964" het eerw. Joost de Blank n oorsig gegee van die Defence and Aid Fund se bedrywighede in Suid-Afrika en o.a. soos volg verklaar: "So the work goes on, and so South Africa still needs your help. It would be impossible to pay too high a tribute to the local Committee in South Africa" (Bl. 17).
- (b) "The Defence and Aid Fund in London would in future act as a central co-ordinating committee, and all funds, in whatever country they were raised, would be channelled through it." (The Puppeteers, bl. 30).
- (c) Op 26 November 1964 het domheer Collins soos volg aan die Defence and Aid Fund in Suid-Afrika geskryf: "We would appreciate it if you would write to all countries suggesting to them that in future all monies that they raise should be sent through the London Defence and Aid office as in turn this money is sent to you for distribution to all centres in South Africa."

Volgens n "Report of the Defence and Aid Fund of Christian Action: December 1956 - June 1963" is n bedrag van £251,323.13.3 reeds ten bate van politieke oortreders in Suid-Afrika ingesamel.

Op 19 Augustus 1964 het die volgende berig in die Australiese dagblad "Courier-Mail" verskyn: "The Australian Fund is affiliated with the British Defence and Aid Fund which, since it was established in 1956, has raised over £300,000 for legal aid and assistance for dependants of prisoners. This Fund works in co-operation with the Defence and Aid Fund within South Africa which is sponsored by such men as Albert Luthuli and Alan Paton. A branch of the Fund recently formed in Norway has contributed over £1000 in the last few months."

IX. Die Defence and Aid Fund geniet die steun van die Kommunistiese Party.

- (a) Soos reeds in paragraaf VI aangetoon is die moederliggaam, Defence and Aid Fund van Christian Action, n organisasie wat die steun van die Kommunistiese Party geniet.
- (b) Bartholomew Nory Hlapane, n Bantoelid van die Suid-Afrikaanse Kommunistiese Party, het op 1 Oktober 1964 in n beëdigde verklaring soos volg verklaar:
- "The Defence and Aid Fund which was at this junction already in existence, was extensively used for the purposes of the South African Communist Party. In turn cash advances towards the fund were made by the S.A. Communist Party. Who the persons were that served on this fund's committee, I do not know, except that Rica Hodgson who was in fact a member of the Communist Party was serving on this fund's committee."

X. Die ware oegmerke en bedrywighede van die Defence and Aid Fund.

- (a) Die Defence and Aid Fund vereenselwig hom met die sogenaamde vryheidsbeweging in Suid-Afrika, soos blyk uit die volgende feite:
- (1) Met verwysing na die hulp wat aan die Hoogverraad-beskuldigdes verleen is, word verklaar:
- "Perhaps more important than any of these is the fact that the Fund made it clear to the accused that they did not stand alone in their beliefs." (Report of the Defence and Aid Fund of Christian Action, bls. 15).

- (2) Op 19 April 1963 het eerw. Collins, voorsitter van Christian Action, n brief aan Walter Sisulu geskryf waarin hy o.a. sê: "I am indeed only too aware of the terrible situation which grows worse and worse in your Country. I have Solly Sachs working with me now on the Defence and Aid Fund and he keeps me well informed of everything that is happening, as far as we can discover this end. On my behalf he is now managing the appeal for the Defence and Aid Fund and I am glad to say there is, once again, a growing response. We shall certainly do everything we can to go on helping until the liberation movement succeeds in it's purpose."

Hierdie brief is tydens die Rivonia verhoor as bewysstuk ingehandig.

- (3) Violet Weinberg, n lid van die Kommunistiese Party van Suid-Afrika, het gedurende Augustus 1964 die beheer van die fondse van die Defence and Aid Fund in Suid-Afrika oorgeneem. Sedertdien is slegs n geringe gedeelte van die fondse vir die welsyn van afhanklikes van politieke gevangenes aangewend. Die grootste gedeelte van die gelde word tans gebruik vir die politieke bedrywighede van die onwettigverklaarde African National Congress en Kommunistiese Party. Salarisse van ampsdraers van laasgenoemde Party, o.a. Bram Fischer, is ook uit die fonds betaal.

- (4) Die Australiese Defence and Aid Fund het op 12 November 1964 n vergadering te Sydney gehou. Die voorsitter, mnr. Edward St. John, Q.C., het die vergadering toespreek en verklaar dat n vreedsame oplossing vir Suid-Afrika se probleme nie meer moontlik is nie.

12/...

Die enigste uitweg is om die ondermynende elemente in die Republiek te steun en om hulle metodes te help bevorder deur die insameling van fondse. Die feit dat hierdie ondermynende elemente deur die kommuniste beïnvloed word, doen geen afbreuk aan die komitee se steun nie.

- (5) In reeds genoemde verslag van die Defence and Aid Fund van Christian Action word verklaar: "We conclude with a recent message received by Canon Collins from Mr. Nelson Mandela among the accused in the Rivonia trial.

'A few years ago you launched a massive campaign in Britain to mobilise assistance for South African freedom lovers who were facing a charge of treason. In the course of that Treason Trial campaign, Christian Action emerged as one of our strongest and most reliable allies in the struggle for a democratic South Africa; a South Africa free from the evils of racial discrimination and oppression. Your stand in connection with the present trial is in conformity with belief in democratic values with which Christian Action is associated'" (Bl.28).

- (5) Die volgende berig het op 4 November 1965 in die nuusblad Eastern Province Herald verskyn:
"The Soviet Government has decided to contribute R7,140 to the British-based Defence and Aid Fund for 'the victims of apartheid in the Republic of South Africa', it was disclosed here.

Dr. Nikolai T. Fedoranko, the Chief Soviet delegate, announced the decision in a letter to U Thant, the Secretary-General.

In taking this decision, he said, 'the Soviet Government has been guided by its fundamental position with regard to support for the national liberation movements of peoples struggling against colonialism and racism in all their forms and manifestations and to the provision to them of moral, political and material assistance in that just struggle.'

- (b) Die Defence and Aid Fund beoog n sosiale, ekonomiese en politieke verandering in Suid-Afrika. Op 7 Junie 1965 het die V.V.O. se "Special Committee on the Policies of Apartheid of the Government of the Republic of South Africa" sy 62ste sitting gehou. Domheer Collins, voorsitter van die Defence and Aid International Fund, het die komitee seos volg toegespreek: "By its concern about human rights in South Africa and other parts of Southern Africa, the United Nations Organisation has given encouragement and hope both to the victims of racist policies in that unhappy part of the world, and also to organizations such as the one I now represent in their efforts to relieve the oppressed and to bring about changes of policy I believe it would be wrong to suppose that the work done by the Defence and Aid Fund is no more than a palliative. I think that, as well as bringing aid to the persecuted victims of unjust legislation and oppressive and arbitrary procedures, and relief to their families and dependents - and that thoroughly worthwhile job we have done now for many years, and will continue to do until the non-whites in South Africa are politically,

socially and economically free men and women - the Defence and Aid Fund has played, and continues to play, a vital role in bringing about these political changes so desired by all the people of goodwill."

- (c) Die politieke, sosiale en ekonomiese veranderinge in Suid-Afrika moet deur middel van geweld bewerkstellig word. In dieselfde toespraak waarna hierbo in paragraaf (b) verwys is, het domheer Collins verklaar: "..... there is little if any likelihood of effecting the necessary political changes by normal, democratic, internal political processes. In such a situation it seems probable that only external pressures and the threat or execution of internal revolution will bring about the desired result. And of much importance, in my opinion, is the fact, that the contribution of Defence and Aid in this respect fosters the morale of the internal resistance; for, if the necessary political changes are to be brought about with the minimum of violence - and no sane person could wish otherwise - it is the resistance movement inside South Africa, the front line of the struggle for freedom, which alone can give to South Africa the ability to become a non-racial society based upon a free and democratic way of life. I am encouraged in this opinion by the constant emphasis placed by the non-white South African political organizations upon the importance of the Defence and Aid Fund in their struggle."

2/2/13

transvaler

S.A. een groot tronk, 8/5/73 sê John Collins

STOCKHOLM — Suid-Afrika is een groot tronk sê kanonnik John Collins. Hy het die jaarvergadering van die Defence and Aid Fund oortegesprek en is bekies as voorsitter van die fonds.

Die vergadering het 'n beroep gedoen vir wereldwye optrede om politieke gevangenes in Rhodesie te bevry en 'n veldtog begin om 'n

vir die verbetering van toestande waaronder politieke gevangenes in Suid-Afrika aangehou word, asook hulte vrylating te bevwer.

Op die vergadering is bevestig dat daar sommige swart gevangenes is wat teeds vir meer as nege jaar sonder verhoor aangehou word.

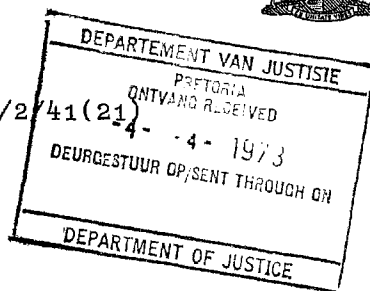
— (Sapa-R.)

REPUBLIEK VAN SUID-AFRIKA



REPUBLIC OF SOUTH AFRICA

V.P.
Verw./Ref. No. 136/241(21)
Tel. No.

DEPARTEMENT VAN BUITELANDSE SAKE
DEPARTMENT OF FOREIGN AFFAIRS

Privaatsak/Private Bag X141

PRETORIA

2-4-1973

THE SECRETARY FOR JUSTICE
THE COMMISSIONER OF THE SOUTH AFRICAN POLICE
THE SECRETARY FOR STATE SECURITY

SOUTHERN AFRICA DEFENCE AND AID FUND:
MR PETER BOYD

File
SPH/73

I wish to inform you that Mr Peter Boyd, Deputy Secretary in Australia of the Southern Africa Defence and aid Fund, appeared before the U.N. Special Committee on Apartheid on 5 February 1973 and gave the following evidence:

" Mr BOYD (Southern Africa Defence and Aid Fund) thanked the Special Committee for granting him a hearing. He read out two documents concerning matters of interest to the Special Committee and SADAF.

The first was a letter from the World University Service of Australia and SADAF to the Prime Minister of Australia, concerning the arrest and detention of Mr Alexandre Moumbaris in South Africa. The letter informed the Prime Minister that Mr Moumbaris was an Australian citizen of French extraction, who had apparently been arrested and detained, together with five other persons, in connection with charges under the Terrorism Act. It added that the Rand Daily Mail report of the case had mentioned that the court appearance had been attended by Mr A.H. Vaisutis, a cultural attaché of the Australian Embassy and that Mr T.B. Wilson, a Johannesburg attorney, was appearing for Mr Moumbaris at the request of the Australian Embassy. The letter then went on to ask the Prime Minister to ensure that Mr Moumbaris' interests as an Australian citizen were properly protected. It added that his case should be kept under close scrutiny, especially in view of the fact that Australian citizens had been detained for long periods in the recent past. The World University Service and SADAF had then asked to be kept informed of the nature and details of the steps already taken by the Australian Government and of any further steps it intended to take. They further asked whether it would be possible for the Australian Government, as a matter of principle, to send an observer from its Embassy to sit in at all political trials, whether or not Australians were involved. Such a move would serve two purposes: first, it would serve as a warning to the South African Government that the world was watching; and, second, it would give a feeling of solidarity to the accused. So far there had been no reply to the letter, but he would

shortly be in Canberra and would do his best to find out what the situation was.

The second document he read out described the past history, present activity and future projects of SADAF.

According to the document SADAF had been formed in 1962 in Sydney, Australia. The first movers had been post-Sharpeville, anti-apartheid refugees from South Africa seeking to continue, in their new country, the first fight against apartheid in which they had been involved before leaving South Africa. Organized anti-apartheid activity had not previously existed in Australia. Therefore, in order to launch a viable organization, they had sought the support and advice of a few Australians known to be both sympathetic and informed. Early consultations had led them to the conclusion that the prevailing attitude in Australia towards South Africa was one of disapproval of the undemocratic, totalitarian nature of Nationalist Party rule which, Australians felt, would doubtless be corrected if the people of British descent regained control of South Africa from the people of Boer descent. While that attitude could hardly be considered as fertile a field in which to work for the end of the rule of racism in South Africa as, for example, the attitudes prevailing in the United Kingdom or Scandinavia, it had seemed worthwhile to establish an organization to promote anti-apartheid feelings in Australia. Accordingly, the South Africa Defence and Aid Fund in Australia had been formed. A number of prominent Australians had been invited to sponsor the Fund and registration as a charitable organization in the State of New South Wales had been applied for and granted. Affiliation with the British Defence and Aid Fund had been quickly achieved and in due course SADAF had become the Australian affiliate of the International Defence and Aid Fund. In order to extend its geographical area of operation, SADAF had subsequently changed its name from South Africa Defence and Aid Fund to Southern Africa Defence and Aid Fund.

In the 10 years of its existence, SADAF had followed a programme of fund raising. The money it raised was invariably channelled through the International Defence and Aid Fund so as to enhance the status of the international operation and make use of its well-established network for the distribution of funds. In addition to fund raising, SADAF had pursued an educational role. That had involved issuing several newsletters each year, providing speakers to schools, universities and community groups and distributing anti-apartheid literature.

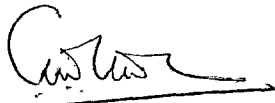
The Executive Committee of SADAF had always consisted of between eight and 14 volunteers. The personnel had changed several times over the years, but continuity had always been maintained and a consistent course of action pursued. There had been attempts from within the Executive Committee to shift SADAF's direction, sometimes towards more conservative paths and sometimes towards more radical paths, but SADAF had always returned to the middle road. That might be one reason why SADAF had succeeded in doing more effective sustained work than other ventures in anti-apartheid in Australia.

/...

It was probably true to say that when SADAF had been formed, a subterranean racism pervaded Australia. Most white Australians had never encountered any black people and had no desire to do so. They lived with the basic assumption of white superiority, but wished blacks well. In some outback areas, the early colonial history of extermination and degradation of the indigenous blacks still prevailed. The remnants of the Aboriginal population had lived in desperation and poverty, unnoticed by the vast majority of the whites or by the world at large.

Having persistently impressed the values of non-racialism upon the Australian people over a long period, SADAF could probably claim a fair share of credit for preparing the country for the change in racial attitudes history was now demanding of it. It might be justly claimed that the highly successful and unprecedented wave of anti-apartheid protest associated with the visit of the South African Rugby team in 1971 might never have reached such massive proportions without the painstaking groundwork done by SADAF over the preceding years. The football protests had heralded the dawn of political self-consciousness among Australian blacks.

The new Prime Minister of Australia and several members of his Cabinet had always been sponsors of the Fund. Without a doubt, SADAF's role under the new Government would assume new and stronger dimensions. Continued co-operation between SADAF and the Special Committee would enhance the already vital activity going on in Australia."



(SECRETARY FOR FOREIGN AFFAIRS

[An extract from the Accountants register
and the appropriate files, 1/6/53/13.]

LEGAL REPRESENTATION IN CRIMINAL CASES WITH A "POLITICAL" BACKGROUND.

STATE VERSUS	ADVOCATE APPOINTED	YEAR PAID	AMOUNT PAID	
A. Bell and others	G.M. Hardie J. Foxcroft S. Selikowitz	1966	R609.00 R609.00 R567.00	
J.P. Mkuzo and others	G. Randell		R 70.00	
M.D. Piti and others	M.P. Jennett		R 70.00	
E. Vara	C.T. Howie		R130.00	
N. Dhlamini	R.S. Douglas		R165.00	
D.A. Zondi	A.S.K. Pitman		R 40.00	
M.E. Mbhele	R.S. Douglas		R 50.00	
S. Motsepe	F.N. Kentridge		R 52.00	
Bo' le and others	D.P. Kent		1967	R1290.00
D. Fuyane	F. Kroon		1966	R 65.00
M. Beleni and another	J.D.R. van Gend M. Seligson	1966 1966	R609.00 R588.00	
J.H. Saliwa	F. Kroon	1966	R 81.55	
N.P.R. Mtshelwa and others	B. Law	1966	R350.00	
S. Nangu	W.F. Maritz	1966	R 40.00	
B.A. Nxasana and another	D.F.L. Thompson	1967	R250.00	
A. Nikela and another	J.W. Jones	1967	R 70.00	
S.V. Pokela	F. Kroon	1967	R340.00	
J. Kunene	⊗ Attorney D. R. Snaier	1967	R 90.50	
J. Mozamana	F. Kroon	1967	R250.00	
K.R. Jantjies and others	F. Kroon			
P.J. Motsoemeng	C. Cubitt	1968	R390.00	
P. Maduma and others	C. Cubitt	1969	R1292.67	
J.J. Hermanus and others	W.F. Maritz P.R. Botha	1969 1969	R425.00 R425.00	
S. Magugulwa and others	J.W. Jones	1967	R 90.00	
	TOTAL		<u>R9008.72</u>	

⊗ Only attorney.
Others all advocates.

1966: R4095.55
1967: R2380.50
1968: R 390.00
1969: R2142.67

File
26/10/70.

HW

2/8/13.

Die Transvaal Defence and Aid se rol as 1972

van Currie Venter

SALISBURY — Wat is die rol van die Britse Defence and Aid Fund in die huidige onrus in Rhodesie? Kom daar geld van hierdie organisasie af om sekere elemente finansiële te steun? Hierdie vrae word nou in sekere kringe in Rhodesie gestel.

Die teenstelling met Suid-Afrika waar die inoortredings kommissie van Britse doeleindes in buitelandse bronne te ontvang is dit in hierdie oor-treding nie.

Die inoortredings kringe hier word die vrees nou veesiel waar geskik vir die velding teen skikking voorstelle vand aan kom. Inva-ransie in Suid-Afrika het geleer vir wat in doekandes hierdie stude a mes aangewend kan word om vir hulle te oordeel daarvan kan word. Die oortredings word die hulle van die Britse staatskerk die Afrikaanse kerk geadm-inistreer.

Hoë dit bok al sy na die naweek se maatsvertoon was dit

speel die Britse Defence and Aid Fund in Rhodesie? Kom daar geld van hierdie organisasie af om sekere elemente finansiële te steun? Hierdie vrae word nou in sekere kringe in Rhodesie gestel. Daar was in daardie klein in-sidente van kringdoers in Har-burgh en swam in konbuurt in Salisbury. Andersins is Rhode-sie so stel soos Nabyomspruit op die reenerige Sondagmiddag.

Die stryd woed nou op baie stiler en subtile vlak in Kon-servatiewe groep Roomse Kato-olie het die kerkowerheid die stryd aangese en dit wil die indruk skep dat die Roomse Ka-tholie kerk dalk op 'n trasse fondasie verdeel kan word.

Oor die werklike uitslag van die meningspeiling heers daar verdeeldheid.

Daar is diegene wat geheel en al teen die kommissie gekant is en glo hulle moet onmiddellik hulle toe gaan in uitsonderlike gevalle is daar ook weer van hierdie mense aan regerings-kant. Meer gematigde persone meen dat die Pearcekommissie eerder onmiddellik na die aan-vaarding van die skikking voor-waardes hul taak moes kom-pleet.

Wat egter baie seker is, is dat daar bes moontlik 'n negatiewe bevinding deur die kommissie kan wees, of dat die kommissie nie tot 'n slotsom kan kom nie. Dit kan die hele skikking tor-pedeer.

#11

The Star 7/5/71

2/2/13 ?

Amnesty group in 27 countries

The Star Bureau

LONDON. — In narrow office quarters near Fleet Street, the men and women of Amnesty International pore over the letters and documents that arrive each morning.

The correspondence is about "prisoners of conscience" — a teacher in Mexico, a trade union leader in Greece, a Russian intellectual, a Rhodesian nationalist.

"We work for prisoners who are being held for their political or religious beliefs," said Dr. Zbyněk Zeman, a Czech-born historian who heads the research staff.

"It is, for us, a question of vigilance, of pressure, of helping these people's families, of intervening for these prisoners of conscience."

Celebrating its 10th anniversary this month, the sometimes controversial British-based organization has burgeoned in 27 countries to include 18 000 to 20 000 members whose principal job is the undramatic one of sending postcards and letters to governments about specific political prisoners.

In turn, Amnesty has been involved in the release of more than 3 000 prisoners and the relief of 1 000 prisoners in countries ranging from South Africa to North Korea.

"The basic element of amnesty is the adoption of individual prisoners by groups of five to 20 persons who pressure to release the prisoner or help him," said Dr. Zeman, a former Oxford lecturer and author.

"By inquiry, persistent reminders and the presence of international observers at trials, amnesty can succeed and act as an international ombudsman for these prisoners."

The group, supported by such well-known emigres as Mr. Andre Deutsch and Mr. George Weidenfeld, defined "prisoners of conscience" as anyone who is physically prevented by imprisonment from expressing their opinions, providing they do not advocate violence.

MINISTERIE VAN VERKEER EN
VERVOER

Nr. 250/67(P)

25 -8-1967

PERSVERKLARING DEUR SY EDELE DIE MINISTER
VAN JUSTISIE : MNR. P.C. PELSER.

RK

MINISTER OF JUSTICE AND
CORRECTIONS

(Vir onmiddellike vrystelling)

DEPARTEMENT VAN INLIGTING
22 1 1968
DEUR SY EDELE DIE MINISTER
VAN JUSTISIE

Die Defence and Aid Fund is op 18 Maart 1966 by Proklamasie No. R.77 van 1966 tot 'n onwettige organisasie verklaar. 'n Beampste is as beredderaar van die organisasie aangewys. Hy het al die Fund se bates te gelde gemaak en sy geldelike verpligtinge vereffen. Daarna het daar 'n oorskot van R4255.59 gebly.

Kragtens artikel 4(3) van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950), het ek die Vereniging van Wetsgenootskappe van die Republiek van Suid-Afrika aangewys as die organisasie waaraan hierdie oorskot oorbetaal moet word. Die Vereniging het onderneem om die geld by 'n regshulpfonds wat hy beoog om mettertyd te stig in te betaal. Sodoende sal die geld aangewend word vir die doel waarvoor die oorspronklike bydraers dit beoog het, naamlik die verlening van regshulp aan behoeftige persone.

UITGEREIK DEUR:

Departement van Inligting,
P R E T O R I A.

23 Augustus 1967

Ek sertifiseer dat 'n groot hoeveelheid dokumente van die onwettige "Defence and Aid Fund" op 4 Februarie 1971 deur die afdeling Binnelandse Veiligheid van die Departement van Justisie aan my oorhandig is.

... *A. J. ... 137295 & B/S/...*
HANDTEKENING.

Alle dokumente wat voorhande is, is deur my oorhandig. Indien die Departement die dokumente weer nodig sou kry, moet Maj. du Preez by Kompol genader word.

... *A. 4/2/71* ...
V/A.

Die stukke word deur die Veiligheidspolisie, Johannesburg benodig in verband met die saak teen French-Beytaqh.
P. 4/2/71

*Bere.
11/7/70.*

2/2/13(HV)

9-7-1970

PER HAND.

Die Direkteur van
die Regshulpraad,
Privaatsak 81,
PRETORIA.

Meneer,

BEREDDERING VAN DIE BATES EN LASTE VAN DIE
"DEFENCE AND AID FUND".

Dit word bevestig dat Sy Edele die Minister van Justisie op 23 Augustus 1967 gelas het dat die oorskot van R4,355.59 wat daar na vereffening van die bogemelde organisasie se skulde was, aan die Vereniging van Wetsgenootskappe van die Republiek van Suid-Afrika oorbetaal word. Dit is op 1 September 1967 gedoen. Die Vereniging het onderneem om dié geld by 'n destydse beoogde regshulpfonds in te betaal.

Op 24 Oktober 1969 het die genoemde Minister goedgekeur dat 'n verdere bedrag van R6,448.32 van die Organisasie se bates wat toe aan die lig gekom het, aan u Raad oorbetaal word. Hierdie bedrag is ingesluit by die bedrag van R56,134.92 wat op 13 Maart 1970 in u Raad se bankrekening gestort is.

Die uwe,

H. J. W. LUKAARD

SEKRETARIS VAN JUSTISIE.

DECLASSIFIED

2/2/13

VERTROULIK.

H/F DEUR O/S(R).

BEREDDERING VAN DIE BATES VAN DIE
"DEFENCE AND AID FUND".

1. 'n Bedrag van R6448.32 wat van die Standard Bank, Port Elizabeth ontvang is, is op 18 Augustus 1969 op u ^{alwas} ~~deposits~~-rekening gestort. [A].
2. Die Minister het op 24 Oktober 1969 goedgekeur dat hierdie bedrag aan die Regshulpraad oorbetaal moet word. (Memo). Dit sal gevolglik waardeur word indien die geld tesame met die Staatsubsidie aan die Raad oorbetaal kan word wanneer die Raad gereed is om dit te ontvang. Dit Raad sal u mettertyd daarvoor nader.

28/10/69

H. T. T. 28/10/69

S. S. v. d. M. 28/10/69

DECLASSIFIED

DECLASSIFIED

FILE No. 2/2/13

DEPARTEMENT VAN JUSTISIE/DEPARTMENT OF JUSTICE

DIE SEKRETARIS / DIE EN
THE SECRETARY / MINISTERG E H E I M .

24 -10- 1969

BEREDDERING VAN DIE BATES EN LASTE VAN
DIE "DEFENCE AND AID FUND".

1. 'n Verdere verslag van die Beredderaar is hieronder gevlag "A".
2. Ingevolge artikel 4(3) van die Wet op die Onderdrukking van Kommunisme 1950 (Wet No. 44 van 1950), kan enige oorskot wat daar mag wees nadat die skulde van 'n onwettig verklaarde organisasie vereffen is, aan een of meer liefdadigheids- of wetenskaplike organisasies wat deur die Minister aangewys word, oorbetaal word.
3. Die skulde van die "Defence and Aid Fund" is reeds vereffen. ("Vorige verslag" bl. 8).
Die Minister het ook gelas dat die oorskot van R4355.59 wat daar op 23 Augustus 1967 was, aan die Vereniging van Wetsgenootskappe oorbetaal word. Die Vereniging het onderneem om die geld by ^{in bespreking} ~~die~~ regshulpfonds in te betaal. ("X")
4. Die Departement is van mening dat die bedrag wat nou aan die lig gekom het ook vir regshulp aangewend behoort te word. Aangesien die verskaffing van regshulp egter voortaan deur die Regshulpraad, wat deur die Wet op Regshulp, 1969 (Wet No. 22 van 1969)

/2...

DECLASSIFIED

DECLASSIFIED

in die lewe groep is, beheer sal word, is die
Departement van mening dat die huidige oorskot aan die
Regshulpraad oorbetaal moet word.

Mo 21.10.69

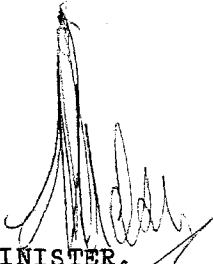
.....
SEKRETARIS VAN JUSTISIE.

Ru/10/69
20/10/69

Sudu
21/10/69

DIE SEKRETARIS.

Die bedrag van R6448.32 moet aan die Regshulpraad
oorbetaal word /


MINISTER.

24/10/69

DECLASSIFIED

2/2/13.

74 -10- 1969

Sy Edele die
Minister van Justisie,
PRÉTORIA.

Geagte Minister,

BEREDDERING VAN DIE BATES EN LASTE VAN
DIE "DEFENCE" AND AID FUND".

1. Ter opvolging van my finale verslag in bovermelde verband aan u voorgelê op 5 Februarie 1968 wens ek u mee te deel dat 'n verdere bedrag van R6448.32 nou ontvang is vanaf die Standard Bank te Port Elizabeth.

2. Hierdie bedrag van R6448.32 moet nou mee gehandel word in terme die bepalinge van artikel 4(3) van Wet No. 44 van 1950.

D.P. Wilcocks.
D.P. WILCOCKS.

BEREDDERAAR : DEFENCE AND AID FUND.

3-198

THE

~~13th~~ December 1965

STANDARD BANK OF SOUTH AFRICA LIMITED

NEWTON PARK, PORT ELIZABETH (CAPE)

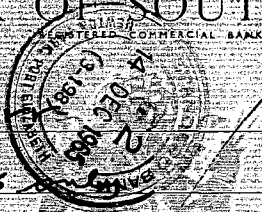
49690

Pay D. M. G. Scott

or Bearer

the sum of Six Rand

R6-00



Handwritten signature



BO 42

DEFENCE & AID FUND

THE 30th November 1965
STANDARD BANK OF SOUTH AFRICA LIMITED
REGISTERED COMMERCIAL BANK

NEWTON PARK, PORT ELIZABETH (CAPE)

49685

Pay T. Beard order or Bearer

the sum of Three hundred Rands only R300 — 00



RD 87

Haskell N. Lawrence
T. Beard
DEFENCE & AID FUND.

THE 30th November 1965
STANDARD BANK OF SOUTH AFRICA LIMITED
REGISTERED COMMERCIAL BANK

NEWTON PARK, PORT ELIZABETH (CAPE)

49686

Pay C. R. Janketowitz order or Bearer

the sum of Two hundred and fifty Rands only R250 — 00



RD 87

Haskell N. Lawrence
C. R. Janketowitz
DEFENCE & AID FUND.

THE 10th December 1965
STANDARD BANK OF SOUTH AFRICA LIMITED
REGISTERED COMMERCIAL BANK

NEWTON PARK, PORT ELIZABETH (CAPE)

49689

Pay Cash or Bearer

the sum of Fifty four Rands sixty cents R54 — 60



RD 87

Haskell N. Lawrence
T. Beard
DEFENCE & AID FUND.

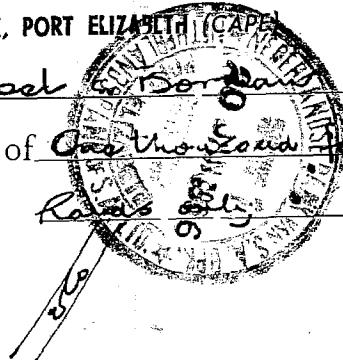
3-198
THE 18th January 19 66
STANDARD BANK OF SOUTH AFRICA LIMITED
REGISTERED COMMERCIAL BANK

NEWTON PARK, PORT ELIZABETH (CAPE)

49691

Pay Kertel & Dordani order of Bearer

the sum of One thousand four hundred & ninety R1490-00



[Signature]
DEFENCE & AID FUND

3-198
THE 18th January 19 66
STANDARD BANK OF SOUTH AFRICA LIMITED
REGISTERED COMMERCIAL BANK

NEWTON PARK, PORT ELIZABETH (CAPE)

49694

Pay Cash or Bearer

the sum of Ten Rand R10-00



[Signature]
DEFENCE & AID FUND

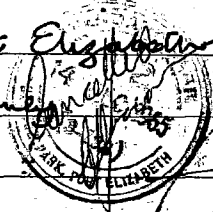
3-198
THE 10th December 19 65
STANDARD BANK OF SOUTH AFRICA LIMITED
REGISTERED COMMERCIAL BANK

NEWTON PARK, PORT ELIZABETH (CAPE)

49688

Pay The Postmaster Port Elizabeth order of Bearer

the sum of Five Rand only R5-00



NOT NEGOTIABLE
NIE VERHAND SAAR NIE

[Signature]
DEFENCE & AID FUND

3-198

THE 26th January 1966
STANDARD BANK OF SOUTH AFRICA LIMITED
NEWTON PARK, PORT ELIZABETH (CAPE) REGISTERED COMMERCIAL BANK

Pay Kerbel & Borman 49695
order or Bearer
the sum of Five hundred Rand only R500-00



BD AP

[Signature]
He [Signature]
DEFENCE & AID FUND

3-198

THE 18th January 1966
STANDARD BANK OF SOUTH AFRICA LIMITED
NEWTON PARK, PORT ELIZABETH (CAPE) REGISTERED COMMERCIAL BANK

Pay HAYMAN & ARONSOHN 49693
Hayman & order or Bearer
the sum of Eighty eight Rand only R88-00



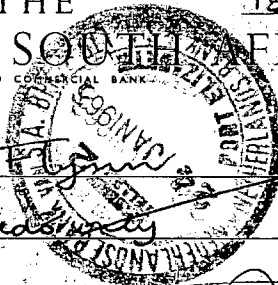
BD AP

[Signature]
[Signature]
DEFENCE & AID FUND

3-198

THE 18th January 1966
STANDARD BANK OF SOUTH AFRICA LIMITED
NEWTON PARK, PORT ELIZABETH (CAPE) REGISTERED COMMERCIAL BANK

Pay Solomon Ardener & [Signature] 49692
order or Bearer
the sum of One hundred Rand only R100-00



BD AP

[Signature]
[Signature]
DEFENCE & AID FUND

3-198
14th February 1966
THE STANDARD BANK OF SOUTH AFRICA LIMITED

REGISTERED BANK
NEWTON PARK, PORT ELIZABETH (CAPE)

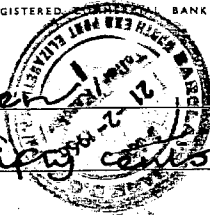
49700

Pay Zartzy & van Kerken order or Bearer

the sum of Ten Rands fifty cents R10-50



80 AP



Henry M. Lawrence
DEFENCE & AID FUND

3-198
2nd February 1966
STANDARD BANK OF SOUTH AFRICA LIMITED

REGISTERED BANK
NEWTON PARK, PORT ELIZABETH (CAPE)

49697

Pay Cash or Bearer

the sum of Fifty five Rands eighty R55-83



80 AP



three cents
Henry M. Lawrence
DEFENCE & AID FUND

3-198
31st January 1966
THE STANDARD BANK OF SOUTH AFRICA LIMITED

REGISTERED BANK
NEWTON PARK, PORT ELIZABETH (CAPE)

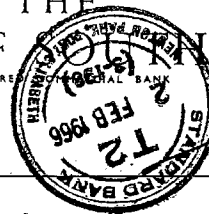
49696

Pay Cash or Bearer

the sum of Fifty nine Rands sixty cents R59-60



80 AP



Henry M. Lawrence
DEFENCE & AID FUND

3-198
14th February 1966
THE STANDARD BANK OF SOUTH AFRICA LIMITED
REGISTERED COMMERCIAL BANK

NEWTON PARK, PORT ELIZABETH (CAPE)

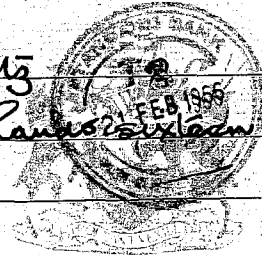
49698

Pay C. R. Jankelowitz order of Bearer

the sum of Forty one Rand six pence R41-16



RD & P



Harold Foreman
T. M. Foreman
DEFENCE & AID FUND

~~Full signature to alternative requested~~
3-198
14th February 1966
THE STANDARD BANK OF SOUTH AFRICA LIMITED
REGISTERED COMMERCIAL BANK

NEWTON PARK, PORT ELIZABETH (CAPE)

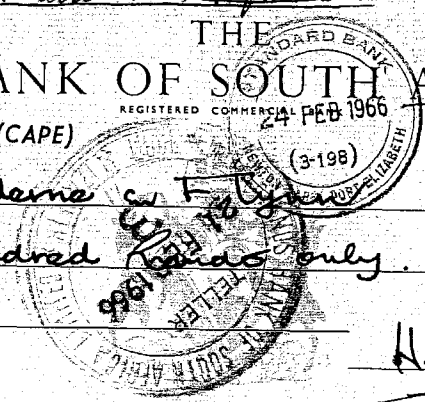
49699

Pay Solomon Ardema order of Bearer

the sum of Five hundred Rand only R500-00



RD & P



Harold Foreman
T. M. Foreman
DEFENCE & AID FUND

3-198
23rd February 1966
THE STANDARD BANK OF SOUTH AFRICA LIMITED
REGISTERED COMMERCIAL BANK

NEWTON PARK, PORT ELIZABETH (CAPE)

57701

Pay Cash or Bearer

the sum of Two hundred and three Rand seven cents R203-07



RD & P



Harold Foreman
T. M. Foreman
pp Defence & Aid Fund

THE DIE STANDARD BANK OF SOUTH AFRICA LIMITED.
 (REGISTERED COMMERCIAL BANK / GEREISTREDE HANDELSBANK)

FORM/VORM 6
1967

Acc. No.

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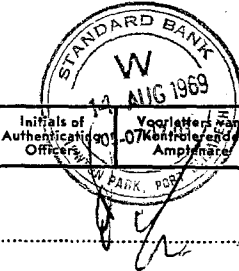
 Rek. Nr.

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DEBIT
DEBITEER

Defence & Aid Fund.

14-8-1969



*To balance of account
 forwarded to the liquidation
 of Department of Justice,
 Pretoria in terms of Government
 order notice R485 of 25/3/66*

6448 32.

A. N. F. 65.

THE STANDARD BANK OF SOUTH AFRICA LIMITED
 NEWTON PARK, PORT ELIZABETH (CAPE)
 16th March 1966
 3-198
 57706

Pay *Cash*

or Bearer

the sum of *One hundred and eight Rand*

R108-00



B.D. & P.

Harold A. Borman
 DEFENCE & AID FUND

THE STANDARD BANK OF SOUTH AFRICA LIMITED
 NEWTON PARK, PORT ELIZABETH (CAPE)
 23rd February 1966
 3-198
 57702

Pay *Kerbel w Borman*

or Bearer

the sum of *One thousand Rand*

R1000-00



B.D. & P.

Harold A. Borman
 PP Defence & Aid Fund

STATEMENT/STAAT

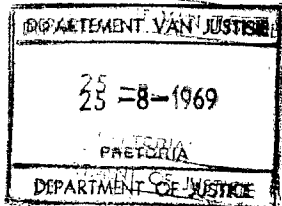
NAME/NAAM
ADDRESS/ADRES

The Liquidator,
Defence & Aid Fund,
c/o Department of Justice,
Private Bag 81,
PRETORIA.



ACCOUNT REKEN: **STANDARD BANK OF SOUTH AFRICA LIMITED.**
(REGISTERED COMMERCIAL BANK) (GEREGISTREERDE HANDELSBANK)
NEWTON PARK, PORT ELIZABETH.

DATE. DATUM.	DEBIT. DEBIT.	CREDIT. KREDIT.	DATE. DATUM.	BALANCE. BALANS.
1967				FORWARD OORGEBRING 1,024.77*
DEC 7 LF		1.75 -		1,023.02 *
DEC 14	690	6.00 -		
DEC 14	689	54.60 -		
DEC 14	685	300.00 -		
DEC 14	686	250.00 -		412.42 *
DEC 24	688	5.00 -		407.42 *
JAN 12			1,776.83	2,184.25 *
JAN 17			1,420.95	3,605.20 *
JAN 21	694	10.00 -		
JAN 21 CM		3.00 -	1,500.00	5,092.20 *
JAN 24	691	1,490.00 -		3,602.20 *
JAN 26	692	100.00 -		3,502.20 *
JAN 28	693	88.00 -		
JAN 28	695	500.00 -		2,914.20 *
FEB 2	696	59.60 -		
FEB 2	697	55.83 -		2,798.77 *
EB 22 CM		8.20 -	1,422.48	
			4,100.00	8,313.05 *
EB 23	700	10.50 -		8,302.55 *
EB 24 CB		2.00 -		
EB 24	701	203.07 -		
EB 24	699	500.00 -		
EB 24	698	41.16 -		7,556.32 *
VR 2	702	1,000.00 -		6,556.32 *
MAR 17	706	108.00 -		6,448.32 *
JG 14 69 TR		6,448.32 -	AUG 14 '69	.00 **



FORWARD
OORGEBRING

MEANINGS OF ABBREVIATIONS/BETERENISSE VAN AFKORTINGS:—

- | | | | |
|--|---|---|--|
| B. or AC. BD. (BILL TRANSACTIONS.
of BC. BE. (WISSELSYNSAKSIES. | DV. (DIVIDEND OR INTEREST.
DIVIDEND OF RENTE. | LF. (LEDGER FEES.
GROOTBOEKSELDE. | TR. (MAIL OR TELEGRAPHIC TRANSFER
OR CHARGES THEREON.
CORSENDING PER POS OF TELEGRAM
OF KOSTE IN VERBAAD DANKKEE. |
| CB. (CHEQUE BOOK.
TJEBOEK. | EC. (ERROR CORRECTED.
FOUT REGGENAAR. | PT. (STOP ORDERS, ETCETERA.
AFTREKORDERS, ENSVOORTS. | UN. (CHEQUE OR BILL UNPAID.
ONBETAALDE TJEB OF WISSEL. |
| CM. (COMMISSION OR OTHER CHARGES.
KOMMISSIE OF ANDER KOSTE. | IN. (INTEREST ON OVERDRAFT.
RENTE OF OORTREKING. | SL. (SUPPLEMENTARY LIST.
AANVULLENDE LYS. | |
- NOTE:—No abbreviation is used against amounts deposited over the counter or by letter.
LET WEL:—Tegenoor bedrae oor die toonbank of per brief gedeponeer, word geen afkorting gebruik nie.

FEDERAL C.T.

STATEMENT/STAAT

NAME/NAAM
ADDRESS/ADRES

The Liquidator,
Defence & Aid Fund,
c/o Department of Justice,
Private Bag 81,
PRETORIA.



ACCOUNT REKENING
STANDARD BANK OF SOUTH AFRICA LIMITED.
VAN SUID-AFRIKA BEPERK.
(REGISTERED COMMERCIAL BANK) (GEREGISTREERDE HANDELSBANK)
NEWTON PARK, PORT ELIZABETH.

DATE DATUM.	DEBIT. DEBET.	CREDIT. KREDIET.	DATE. DATUM.	BALANCE. BALANS.
1967				
			FORWARD OORGEBRING	1 024.
DEC 7 LF		1.75 -		1 023.
DEC 14	690	6.00 -		
DEC 14	689	54.60 -		
DEC 14	685	300.00 -		
DEC 14	686	250.00 -		412.
DEC 24	688	5.00 -		407.4
JAN 12			1 776.83	2 184.4
JAN 17			1 420.95	3 605.2
JAN 21	694	10.00 -		
JAN 21 CM		3.00 -	1 500.00	5 092.2
JAN 24	691	1 490.00 -		3 602.
JAN 26	692	100.00 -		3 502.2
JAN 28	693	88.00 -		
JAN 28	695	500.00 -		2 914.2
FEB 2	696	59.60 -		
FEB 2	697	55.83 -		2 798.7
B 22 CM		8.20 -	1 422.48	
			4 100.00	8 313.05
B 23	700	10.50 -		8 302.55
B 24 CB		2.00 -		
B 2	701	203.07 -		
B 24	699	500.00 -		
B 24	698	41.16 -		7 556.32
R 2	702	1 000.00 -		6 556.32
MAR 17	706	108.00 -		6 448.32
G 18 69 TR		6 448.32 -		
			AUG 14 '69	.00

DEPARTEMENT VAN JUSTISIE
25-8-1969
PRETORIA
DEPARTMENT OF JUSTICE

FORWARD
OORGEDRA

MEANINGS OF ABBREVIATIONS/BETEKENISSE VAN AFKORTINGS.—

B. OR AC. BD. {BILL TRANSACTIONS. OF BC. BE. {WISSELTRANSAKSIES.	DV. {DIVIDEND OR INTEREST. DIVIDEND OF RENTE.	LF. {LEDGER FEES. GROOTBOEGSELDE.	TR. {MAIL OR TELEGRAPHIC TRANSFER OR CHARGES THEREON.
CB. {CHEQUE BOOK. TJENBOEK.	EC. {ERROR CORRECTED. FOUT REGGEMAAK.	PT. {STOP ORDERS, ETCETERA. AFTREKORDERS, ENSOVOORTS.	UN. {CHEQUE OR BILL UNPAID. ONBETAALDE TJEK OF WISSEL.
CM. {COMMISSION OR OTHER CHARGES. KOMMISSIE OF ANDER KOSTE.	IN. {INTEREST ON OVERDRAFT. RENTE OP OORTREKING.	SL. {SUPPLEMENTARY LIST. AANVULLENDE LYS.	

NOTE.—NO ABBREVIATION IS USED AGAINST AMOUNTS DEPOSITED OVER THE COUNTER OR BY LETTER.
LET WEL.—TEENOOR BEDRAE OOR DIE TOONBANK OF PER BRIEF GEDEPONEER. WORD GEEN AFKORTING GEBRUIK NIE.

FEDERAL. C.T.



126/53/2

DEPARTEMENT VAN JUSTISIE
PRETORIA
ONTVANG/RECEIVED
2 - 9 - 1969
BESTUUR OR/SENT THROUGH ON
2-9-69
DEPARTMENT OF JUSTICE

Defence & Aid

FA-57



28-8-1969

DEPARTEMENT VAN BUITELANDSE SAKE
DEPARTMENT OF FOREIGN AFFAIRS

*Die Sekretaris van
Justisie.*

Met die komplimente van die
Sekretaris van Buitelandse Sake

vir u inligting

With the Compliments of the
Secretary for Foreign Affairs

28/8/28.



21/1/13
8/2/2024 53/2
PERMANENTE SUID-AFRIKAANSE MISSIE
PERMANENT SOUTH AFRICAN MISSION

114, RUE DU RHÔNE
1204 GENÈVE

29 Julie 1969.

Die Sekretaris van Buitelandse Sake.
(Afskrif aan Bern)

DEFENCE AND AID FUND: NEDERLAND EN DIE
SWITSERSE "PARRAINAGE SCOLAIRE" PROGRAM.

In antwoord op u diensbrief 1/11/3 IOS van 22 Julie, 1969, heg ons hierby aan Bulletin No.9 van die plaaslike Anti-Apartheidsbeweging wat die "Parrainage Scolaire" program uiteensit. 'n Kopie en 'n vertaling van hierdie bulletin is tesame met 'n verslag oor 'n Anti-Apartheids vergadering onder dekking van ons enersge-nommerde brief aan u op 10 Junie, 1968 gestuur.

Die bulletin beskryf die werking van die program en dit stem min of meer ooreen met die weergawe van die Nederlandse stigting. U sal merk dat die komitee staan onder die beskerming van 'n aantal gesiene persoonlik-hede in Genève, o.a. 'n lid van die Staatsraad van die Kanton van Genève, Gilbert Duboule.* Die noue verband tussen die program, die Defence and Aid Fund en die Anti-Apartheid beweging word steeds beklemtoon.

Dit is o.i. ongetwyfeld waar dat hierdie program sterk inslag in Switserland kan vind met sy lang tradisie van hulp aan vlugteling. Switserland verskaf vandag 'n veilige oord aan baie vlugteling veral aan Tsjegge, en Tibetaanse Nedersettings is in verskeie plekke in die berge van Switserland opgerig. 'n Program wat dus voorgee om slegs onderwys fasiliteite aan kinders te verskaf en dus bloot humanitêr te wees behoort dus aanvaarbaar te wees vir die algemene publiek van Switserland wat ookal hulle houding teenoor Suid-Afrika mag wees. Dit is nie aan ons bekend hoeveel welslae met die program behaal is nie, maar die syfer van £1,022 genoem in die Nederlandse pamflet is seker nie ver verkeerd nie.

PERMANENTE VERTEENWOORDIGER.

* d.w.s. die kabinet. Mnr. Duboule is ook die huidige President van die Kanton van Genève.

MOUVEMENT ANTI-APARTHEID DE GENÈVE

COMMISSION DE PARRAINAGE SCOLAIRE

affiliée à International Defence and Aid Fund-London

126/50/a

Adresse : Case postale 182
1211 Genève 12
Tél. : (022) 35 46 79
Versements : Lloyds Bank
European Ltd

5 - 0 - 1969
N.V.C.
5/8
Tirage à part du

BULLETIN N. 9

Ce texte parut en décembre 1967 lors du lancement de la campagne de parrainage qui connut d'emblée un grand succès.
Nous le rééditons sous la forme actuelle pour les besoins d'une information plus étendue.

Campagne de parrainage d'enfants de prisonniers politiques

On estime à 8.500 le nombre de prisonniers politiques noirs en Afrique du Sud. Cela représente non seulement une somme de souffrances pénible à imaginer mais encore une grande masse de familles plongées dans la misère, et une multitude d'enfants privés d'éducation. En effet l'école n'est pas ouverte aux petits Noirs miséreux : pour être admis les Noirs doivent payer une taxe d'écologie et porter un uniforme d'écolier en bon état.

Un fonds de secours ("Defence and Aid Fund") présidé à Londres par le chanoine Collins, a organisé depuis une dizaine d'années l'assistance aux familles de détenus. C'est avec sa collaboration que le Mouvement anti-apartheid de Genève ouvre aujourd'hui une campagne de parrainage en faveur de l'éducation des enfants de prisonniers politiques en Afrique du Sud.

Deux membres de notre Comité, Madame Alain Perrot et Madame Aimée Stitelmann ont mis en oeuvre une

Commission de parrainage

qui travaille sous le haut patronage de personnalités genevoises:

Messieurs André Bieler, pasteur
Gilbert Duboule, avocat, conseiller d'Etat
Père Jean de la Croix Käelin, O.P.
Jean Piaget, directeur de l'Institut des Sciences de l'Education
Raymond Uldry, directeur de l'Office Cantonal de la formation professionnelle.

pasteur
conseiller d'Etat
Käelin, O.P.
de l'Institut des sciences de l'éducation
de l'Office cantonal de la formation professionnelle

UNE AIDE INDISPENSABLE

La répression en Afrique du Sud

A l'heure actuelle, l'Afrique du Sud n'offre pas le spectacle de manifestations de violence ouverte. Le temps des massacres est passé, mais nombreux sont ceux qui craignent que cette accalmie n'engendre de nouvelles manifestations de violence. Même si, pour l'heure, elle ne descend pas dans la rue, il n'en demeure pas moins que la violence légalisée est l'instrument dont un État tyrannique use en permanence pour asseoir sa puissance et pour imposer son idéologie, quel que puisse être le prix qu'il doit payer pour parvenir à ses fins.

Dans la province orientale du Cap, rien qu'au cours des deux dernières années plus de mille personnes ont été appréhendées par les organes de police de sûreté. Quelques unes d'entre elles ont été relâchées, cent une sont devenues des témoins d'État à la suite de diverses pressions, plus de cinq cents ont été condamnées et les autres attendent encore de passer en jugement. Les peines prononcées vont d'une année à douze ans de prison pour des délits aussi bénins que le fait d'avoir assisté à une ou deux rencontres du Congrès national africain déclaré illégal par le gouvernement, ou, dans une minorité des cas, au Congrès panafricain, ou encore pour avoir distribué des tracts ou pour avoir versé quelques cents au Fonds du Congrès national africain. Or, le nombre des arrestations ne cesse de croître.

L'indigence frappe les familles opprimées

Les prisons ne sont pas assez grandes pour contenir tous ceux que le gouvernement voudrait y voir. C'est pourquoi d'autres sortes de peines ont été inventées qui permettent de mettre les prévenus à l'écart de toute activité subversive et les privent pratiquement de ressources.

Citons :

- le travail forcé dans une ferme-bagne
- le banissement des territoires blancs (exil dans les réserves)
- l'arrêt au domicile
- les interdictions d'enseigner (pour un instituteur), d'écrire (pour un journaliste), etc..

Ces peines peuvent être prononcées pour plusieurs années, elles plongent en général la famille dans la misère ; elles sont utilisées comme une torture morale.

Les plus à plaindre sont bien sûr les enfants qui souffrent alors de malnutrition et ne peuvent recevoir d'éducation.

Enfants sans avenir

En effet les écoles primaires et secondaires ne sont entièrement gratuites que pour les Blancs (le gouvernement a dépensé en 1962 : 870 Fr. par élève blanc et 73 Fr. par élève noir).

Pour s'instruire les Noirs doivent donc payer une taxe d'écolage, acheter du matériel scolaire, des vêtements, payer des transports et parfois une pension.

Un prisonnier condamné pour dix ans s'est exprimé ainsi : "je ne demande rien pour moi mais faites en sorte que mon enfant reçoive une instruction."

Apporter une aide à ces familles durement frappées par l'injustice assurer un avenir à leurs enfants en leur permettant de suivre l'école, voilà ce qu'a entrepris "International Defence and Aid Fund".

INTERNATIONAL DEFENCE AND AID FUND

Historique

Dès 1952 Canon Collins, fondateur et président de "Christian Action" fut amené à se préoccuper du problème de l'apartheid. En 1953 "Christian Action" versa des sommes importantes aux familles de Sud-Africains arrêtés pour leur opposition aux lois injustes du gouvernement. En 1956, lors du procès de trahison intenté à 156 Sud-Africains de toutes races et qui se termina par l'acquiescement de tous les accusés, "Christian Action" créa le "Treason Trial Defence Fund," qui assura la défense des accusés, aida leurs familles privées de soutien et réhabilita les accusés qui avaient pour la plupart perdu leur travail.

Il apparut dès lors clairement qu'un Fonds permanent était indispensable et le "Defence and Aid Fund" fut créé en Afrique du Sud, puis un autre semblable à Londres. Au cours des années le problème de l'apartheid trouva audience auprès de pays étrangers toujours plus nombreux et en 1964 apparut l'"International Defence and Aid Fund" présidé par Canon Collins, dont le siège est à Londres. En 1966, en vertu de la loi sur la suppression du communisme, le "Defence and Aid Fund" fut déclaré illégal en Afrique du Sud. Mais l'"International Defence and Aid Fund" subsista malgré de virulentes attaques.

Organisation

Comité exécutif : un président, trois vice-présidents (USA,NL,DK)

Conseil international de responsables : (recrutés dans les pays suivants :

Australie, Danemark, France, Grande-Bretagne, Norvège, Suède, USA)

Comités nationaux affiliés : (Australie, Danemark, France, Irlande,

Nouvelle Zélande, Norvège, Suède, Suisse, USA)

Objet

- 1) Aide, défense et réhabilitation des prisonniers politiques
- 2) Soutien aux familles des victimes de l'apartheid

But

Développer une société non raciale basée sur la démocratie en complet accord avec la Charte des Nations Unies et la Déclaration des Droits de l'Homme. La Commission de parrainage que le Mouvement anti-apartheid de Genève vient de créer est affiliée à l'"International Defence and Aid Fund".

ORGANISATION DE LA CAMPAGNE DE PARRAINAGE

Une liste de familles de prisonniers politiques nous a été communiquée par "International Defence and Aid Fund". Cette liste, qui peut être consultée chez nous, ne peut être publiée, pour raison de sécurité.

Il ne faut pas perdre de vue que l'attention des autorités sud-africaines ne doit pas être attirée sur les bénéficiaires, qui risqueraient d'être soustraits à notre aide.

Cette liste établie sur place avec le plus grand soin comporte des informations du type :

.....Famille No X

Cause de l'indigence : le père a fait trois ans de prison de 1963 à 1966 pour avoir appartenu à une organisation interdite. A sa libération il a été banni des zones urbaines et condamné aux arrêts à domicile pour 5 ans. Il est donc dans une zone de chômage et ne peut se déplacer.

Frais scolaires :

Fillette de 8 ans
Ecolage + manuels + vêtements + bus = 96.-- Fr.
Garçon de 13 ans
Ecolage + manuels + vêtements + pension = 360.-- Fr.

.....Famille No Y

Cause de l'indigence : le père a fait 18 mois de prison pour avoir appartenu à une organisation illégale ; arrivé au terme de sa détention il fut rejugé sur un changement de l'accusation et condamné à 3 ans de prison où il se trouve actuellement.

Frais scolaires :

garçon de 7 ans : 96. Fr.
garçon de 13 ans : 356. Fr.
fille de 14 ans : 360. Fr.

La liste que nous avons présentée sur la page rose compte 265 enfants.

Nous cherchons donc de nombreux parrains/marraines qui puissent se charger de tout ou d'une partie de ces frais scolaires en effectuant des versements annuels, trimestriels ou mensuels.

Dès réception du premier versement, un enfant sera attribué au parrain/marraine qui recevra une description de la situation familiale.

Pour les raisons de sécurité mentionnées, aucune correspondance ne pourra être échangée entre les enfants et les généreux donateurs.

Comme vous le constatez votre argent va directement à la banque Lloyd et les fonds seront intégralement retirés à Londres par "International Defence and Aid Fund" qui se charge de leur acheminement.

Plusieurs dizaines de personnes à Genève et aux alentours ont déjà accepté les parrainages que nous proposons. Nous espérons que cette campagne connaîtra un grand succès et nous nous appliquerons à en faire parler le plus largement possible dans la presse.

Epilogue

Quand on regarde l'histoire avec un peu de recul on s'aperçoit qu'en bien des occasions un point critique est atteint où la destinée d'un peuple s'écrit brusquement en toute lumière.

Aujourd'hui les peuples du monde sont tous solidaires à un certain degré, ils sont tous liés par les fils entrelacés de l'économie, des relations monétaires, des ambitions politiques, presque toujours ils aspirent à un même humanisme. Et leur propre destinée ils ne la voient clairement que dans les yeux des autres. L'Angleterre par exemple, cherche sa route dans le miroir à six facettes de l'Europe. Il s'agit là de relations étroites et proches mais il ne faut pas croire que ces miroirs de l'histoire perdent leur acuité avec la distance, bien au contraire.

Le gouvernement sud-africain est fort inquiet des subventions que verse la Suède à l'"International Defence and Aid Fund", non pas seulement à cause de leur chiffre mais parce que ce fait, dégagé de toute contrainte, trace devant ses yeux le courant de l'histoire.

Qu'un homme ou une femme situé à huit mille kilomètres consacre plusieurs jours de son travail ou de son salaire à soutenir une cause juste, voilà ce qui donne de la force à l'idée de justice, voilà de quoi inquiéter mille consciences racistes, voilà encouragés prisonniers et opprimés, voilà ce qui permet à un peuple de rencontrer son destin.

C. Bovet

Quoi ? Participez à l'éducation des enfants de prisonniers politiques en remplissant le bulletin de chèque ci-joint, qui vous engage pour un an.

Vous pouvez faire un versement :

Comment ? annuel
 trimestriel parrain/marraine
 mensuel
 occasionnel membre soutien

Voici la liste des frais scolaires qui nous a été communiquée par "International Defence and Aid Fund - London" (les chiffres entre parenthèses sont les enfants déjà parrainés le 31.1.1968) :

	nombre d'enfants	âge	prix annuel/trimestriel/mensuel		
	130 (13)	6-8	96.--	24.--	8.--
	39 (12)	9-12	180.--	45.--	15.--
	16 (3)	12	240.--	60.--	20.--
	25 (5)	13	300.--	75.--	25.--
	16 (1)	13-15	336.--	84.--	28.--
	3 (1)	13-15	360.--	90.--	30.--
	11 (2)	14	454.--	114.--	33.--
Combien ?	13 (2)	14-16	468.--	117.--	39.--
	4 (1)	15	480.--	120.--	40.--
	6 (2)	15	589.--	147.--	49.--
	2	15	600.--	150.--	50.--

Si vous avez atteint l'une de ces cibles vous êtes parrain/marraine à part entière

Tout versement d'au moins 50.-- Fr. par an fera de vous un/e parrain/marraine conjointement avec d'autres donateurs

Les versements occasionnels sont utilisés pour financer la campagne de parrainage ou compléter une somme destinée à un enfant.

Après ? Dès qu'elle aura reçu votre versement la Commission de parrainage vous enverra une description de la situation familiale de l'enfant que vous éduquez.

Pour toute correspondance :

Commission de parrainage
Case postale 182
1211 Genève 12

Je soussigné désire

- devenir parrain
- recevoir des textes à distribuer parmi mes connaissances
- recevoir plus d'informations
- vous envoyer les adresses de personnes intéressées.

NOM (lisible) :

ADRESSE :

DECLASSIFIED



TEL. 36 78 03

VERTROULIK

Verw. no.: 11/11/3 2/16
1201/17-3/2-
8/2/2.

PERMANENTE SUID-AFRIKAANSE MISSIE
PERMANENT SOUTH AFRICAN MISSION

114 RUE DU RHÔNE
1204 GENÈVE

13 Augustus 1969.

15 -8- 1969

19/8
19/8

DIE SEKRETARIS VAN BUITELANDSE SAKE.
(Afskrif na BERN)

"PARRAINAGE SCOLAIRE" PROGRAM

Met verdere verwysing na u diensbrief 1/11/3 IOS van 22 Julie 1969, heg ons hierby aan n lys van verenigings soos versprei deur die Geneefse Aksie Komitee vir die Deklarasie van Bern beweging. U sal u herinner dat die Deklarasie van Bern beweging hulle beywer om 3% van die inkomste van sy lede aan te wend ten behoeve van die „Derde Wêreld“. Die Geneefse Aksie Komitee van die beweging het die aangehegte bykomstige lys versprei van verenigings wat vir hierdie lande werksaam is en wat dus deur lede van die beweging ondersteun kan word. Die „Parrainage Scolaire“ Komitee van die Anti-Apartheids-Beweging van Genève is een van die verenigings wat aanbeveel word.

Handwritten notes:
Lussemburg
se brief (we)

Handwritten notes:
S.A.P. Trust
Ples...

PERMANENTE VERTEENWOORDIGER.

DECLASSIFIED

LISTE COMPLEMENTAIRE (ET INCOMPLETE) D'ORGANISATIONS DE GENEVE
TRAVAILLANT POUR LE TIERS MONDE

- ACTION CATHOLIQUE OUVRIERE (A.C.O.) ccp 12-15.846
Eveil et formation de travailleurs dans les pays du tiers monde et aide et appui aux mouvements qui réalisent cette formation. Eveil de la conscience du monde ouvrier suisse en vue d'un effort de solidarité avec ces pays. (Fonds international ACO)
Mlle C. Chatton 20, rue Caroline 1227 Genève tél. 43.75.04
- AIDE SUISSE AUX REFUGIES DU MOYEN-ORIENT ccp 12- 1.455
Restauration d'une ferme modèle et centre de formation professionnelle à Jéricho. Faire connaître en Suisse la situation des réfugiés palestiniens. tél. 32.26.42
M. G. Vaucher 10 bis, ch. Frank-Thomas 1208 Genève
- AMIS D'HAITI (Nouveau Collège Bird et écoles soeurs) ccp 12-14.784
Parrainages d'étudiants du Collège modèle du Cap-Hattien et de l'Ecole normale rurale, à Frères. tél. 35.18.36
M. J.-L. Loutan 17, av. de l'Amandolier 1207 Genève
- ASSOCIATION ACCUEIL TIERS MONDE ccp 12- 1.939
Accueillir et faciliter le séjour à Genève de personnes du tiers monde qui désirent prendre contact avec les institutions suisses ou internationales, publiques ou privées, pour une période de courte durée. tél. 41.45.10
Case postale 527 1211 Genève 3 ou 24.62.34
- ASSOCIATION DE COOPERATION SUISSE-PEROU (A.S.E.P.) ccp 12-17.926
Promotion humaine et développement économique des populations péruviennes défavorisées : santé, enseignement, agriculture, coopération, industries, planification. cpte bancaire
2, place Longemalle 1204 Genève c/o U.B.S. tél. 24.64.70
- ASSOCIATION MONDIALE DE LUTTE CONTRE LA FAIM (ASCOFAM) ctes bancaires
Déclencher, soutenir, diffuser, entreprendre les études, recherches, initiatives et actions de nature à faire connaître, diminuer ou éliminer, directement ou indirectement, la faim du monde. Informe, coopère, coordonne. c/o S.B.S. et
1, rue de Varembe 1202 Genève c/o B.P.S. tél. 34.12.69
- ASSOCIATION SUISSE-ALGERIE ccp 12- 5.563
Aide médicale et formation professionnelle. tél. 42.10.86
M. M. Anspach 19, rue du Vieux-Moulin 1213 Onex
- ASSOCIATION SUISSE DE BOULANGERIE COOPERATIVE CAMEROUNAISE (A.S.B.O.C.A.) cpte bancaire
Equiper d'une école de boulangerie à Douala, en vue de recherches pour l'utilisation de produits locaux permettant un meilleur équilibre alimentaire. c/o U.B.S. :
M. J.-C. Genecand 29, av. Pictet-de-Rochemont 1207 Genève ccp 12- 2.048 tél. 36.99.35
- FEDERATION GENEVOISE DE COOPERATION AVEC LE TIERS MONDE ccp 12- 1.186
Groupe et coordonne le travail de 19 associations ayant leur siège à Genève tél. 44.45.72
M. D. Vaucher 6, rue des Délices 1203 Genève

t.s.v.p.

GRUPE DE REFLEXION ET D'ACTION TIERS MONDE tél. 26.11.20
Prise de conscience des phénomènes économiques et politiques actuels facilitant une exploitation du tiers monde par les pays riches, recherche d'action sur les structures.
Mlle J. Pittard 5, rue Pictet-de-Bock 1205 Genève

COMMISSION DE PARRAINAGE SCOLAIRE cpte bancaire
du Mouvement anti-apartheid de Genève c/o Lloyds Bk
Assure la scolarité d'enfants de prisonniers politiques non-blancs en Afrique du Sud. Europe Ltd. :
Case postale-182 1211 Genève 12 ccp 12- 2.348
tél. 25.98.55

MOUVEMENT POUR LA COOPERATION INTERNATIONALE ccp 12- 1.901
Information, en Suisse, sur les réalités brûlantes du tiers monde; bourses pour étudiants; étude en vue d'agir sur les structures de notre société; mini-projet de soutien à une équipe pédagogique congolaise à Lubumbashi (Katanga). tél. 53.16.26
M. Chenaux ch. de Merdisel 1212 Satigny

SOCIETE RELIGIEUSE SUISSE DES AMIS (QUAKERS) ccp 30-15.284
Action d'assistance technique et éducative en collaboration avec la population, à Ouacif (Kabylie), reconnue "commune pilote" par les autorités algériennes, auxquelles l'oeuvre sera remise dès que la relève sera assurée. Berne; mention "Kabylie"
Mlle E.-S. Nussbaum 20, rue Et.-Dumont 1204 Genève tél. 24.30.59

SOLIDARITE DE LA FAMILLE HUMAINE (S.F.H.) ccp 12- 3.435
Mise à disposition des personnes assumant des responsabilités dans divers groupements, sociétés ou mouvements, d'une information régulière et facilement utilisable, leur permettant d'accroître dans leur groupe le nombre de ceux qui sont prêts à soutenir toute initiative privée officielle en faveur du tiers monde. tél. 43.42.21
Case postale 145 1211 Genève 4

Le but de cette liste complémentaire est de rendre service à ceux et celles qui cherchent une organisation à soutenir financièrement et/ou un groupe d'information et d'étude sur le tiers monde, en vue d'une action efficace.

Le bulletin d'engagement peut être :

- expédié à l'adresse indiquée dans le prospectus, ou
- adressé au Comité d'action genevois de la "Déclaration de Berne"
p.a. Mme E. Magnenat 17, av. des Grandes-Communes
1213 Petit-Lancy (tél. 43.33.43) ou
- déposé sous enveloppe auprès d'une centrale de récolte.

mai 1969

2/2/13

18-8-1969

The Manager,
The Standard Bank of South
Africa Limited,
P.O. Box 7164,
Newton Park,
PORT ELIZABETH.

Dear Sir,

CURRENT ACCOUNT : DEFENCE AND AID FUND.

I wish to acknowledge receipt of your letter dated the 14th August, 1969, and the cheque for R6448.32 attached thereto.

Yours faithfully,

D. J. PIETERSE
LIQUIDATOR : ACT NO. 44 OF 1950.

THE STANDARD BANK OF SOUTH AFRICA LIMITED

(REGISTERED COMMERCIAL BANK)

TELEGRAPHIC ADDRESS:
TELEPHONE:
IN REPLY PLEASE QUOTE

P.O. BOX 7164,
NEWTON PARK,
Port Elizabeth,
14th August, 1969.

Your Ref:- 2/2/13

The Liquidator,
Defence & Aid Fund,
C/O Department of Justice,
Private Bag 81,
PRETORIA.

Dear Sir,

DEFENCE AND AID FUND - CURRENT ACCOUNT.

As instructed in your letter dated the 6th August, we
enclose our cheque for R6448 - 32 which represents the balance
of the above-mentioned account in our books.

Yours faithfully,

H.E. Bolton

H.E. Bolton.

MANAGER.

G.P.-S: J768085

REPUBLIEK VAN SUID-AFRIKA.

UITGAWEKWITANSIE.



REPUBLIC OF SOUTH AFRICA.
EXPENDITURE RECEIPT.

82/6648 (Z. 283A).

Datumstempel.
Date Stamp.

Ontvang van
Received from

Die Standard Bank, Port Elizabeth

die bedrag van
the sum of

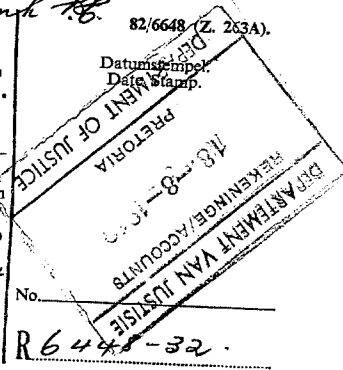
Seesduisend vierhonderd vyf en twintig RAND

twie en derhig sent. Vir *Saldo van 'Defence and*

Aid Fund cents. Being

No.

met. R6448-32.



A. Q. DAVIES. * H. C. DRAYTON. LIEF...
IAN HACKENZIE, D.S.O. DR. A. J. NORVAL * W. M. ROBSON. J. R. RODERICK. A. R. ...

A. COOPER.
J.M.G., K.C.B.
SH SUBJECTS

2/2/13

16-8-1969

The Accountant,
The Standard Bank of
South Africa Ltd.,
P.O. Box 7164,
Newton Park,
PORT ELIZABETH.

Dear Sir,

CURRENT ACCOUNT ; DEFENCE AND AID FUND.

Underneath

With reference to your letter dated the 25th July, 1969, I wish to draw your attention to the provisions of Government Notice No. R.485 of the 25th March, 1966, a copy of which is attached.

It is suggested that you immediately comply with the directions of the Government Notice.

Yours faithfully,

H. A. TALJAARD

LIQUIDATOR : ACT NO. 44 OF 1950.

R. 16/8/69

<p>van persoon beseer of gedood en os l of verpleeginrigting of plek r behandel is, indien bekend. of person injured or killed and of pital or nursing home or place (if known) where treated.</p>	<p>Datum en plek van ongeluk. Date and Place of Accident.</p>	<p>Naam en adres van geregistreerde maatskappy. Name and Address of Registered Company.</p>
<p>Mthimkulu.....</p>	<p>27/4/63, Springs.....</p>	<p>*Parity Insurance Co., Ltd. (in Liquidation), P.O. Box 3711, Johannesburg. (Claim No. A/64/1773—H. P. Kemp.)</p>
<p>Idima (Livingstone Hospital).....</p>	<p>21/2/64, Ntshokisa Street, New Brighton...</p>	<p>*Parity Insurance Co., Ltd. (in Liquidation), P.O. Box 3711, Johannesburg. (Claim No. A/64/50618/4—A. T. Yeko.)</p>
<p>Dr. Johannes Greyling (National Hospi- Bloemfontein)</p>	<p>18/5/63, cor. of St. Andrew's and Aliwal Streets, Bloemfontein</p>	<p>*Parity Insurance Co., Ltd. (in Liquidation), P.O. Box 3711, Johannesburg. (Claim No. A/64/40012/3.)</p>
<p>Dr. J. L. R. Desai (Transvaal Provincial Hospitals)</p>	<p>15/8/64, cor. of Frates and Michael Brink Streets, Villieria, Pretoria</p>	<p>*Parity Insurance Co., Ltd. (in Liquidation), P.O. Box 3711, Johannesburg. (Claim No. A/64/2475/3—Insured A. S. S. van Wyk.)</p>
<p>Dr. J. L. R. Desai (Transvaal Provincial Hospitals)</p>	<p>12/7/63, Intersection of Paarlshoop Road and Belona Bridge, Homestead Park, Langlaagte</p>	<p>*Parity Insurance Co., Ltd. (in Liquidation), New Plaza Centre, cor. of Jeppe and Rissik Streets, Johannesburg.</p>
<p>Dr. J. L. R. Desai (Transvaal Provincial Hospitals)</p>	<p>5/4/62, Cordelfos Road, Iscor, Pretoria....</p>	<p>*Parity Insurance Co., Ltd. (in Liquidation), New Plaza Centre, cor. of Jeppe and Rissik Streets, Johannesburg. (Claim No. A/65/ 4182.)</p>
<p>Dr. (Phivani) Mkize (Edendale Hospital, Durban)</p>	<p>8/7/64, Main Road, Edendale.....</p>	<p>*Parity Insurance Co., Ltd. (in Liquidation), New Plaza Centre, cor. of Jeppe and Rissik Streets, Johannesburg. (Claim No. A/65/ 4182.)</p>
<p>Dr. J. L. R. Desai (Transvaal Provincial Hospitals)</p>	<p>3/10/64, Wandersers Street, Johannesburg..</p>	<p>*Parity Insurance Co., Ltd. (in Liquidation), New Plaza Centre, cor. of Jeppe and Rissik Streets, Johannesburg. (Claim No. A/65/ 4495.)</p>
<p>Dr. van der Merwe.....</p>	<p>2/9/62, Howick, Natal.....</p>	<p>*Parity Insurance Co., Ltd. (in Liquidation), New Plaza Centre, cor. of Rissik and Jeppe Streets, Johannesburg. (Claim No. A/63/ 35052—Insured R. M. Lloyd.)</p>
<p>Dr. Johannes Marais (Brenthurst Kliniek)</p>	<p>21/6/62.....</p>	<p>*Parity Insurance Co., Ltd. (in Likwidasie), New Plaza Centre, hoek van Jeppe- en Rissikstraat, Johannesburg. (Eis Nr. A/62/5351/2.)</p>
<p>Dr. Joan du Plessis (Johannesburg General Hospital)</p>	<p>4/3/64, cor. of Smit and King George Streets, Johannesburg</p>	<p>*Parity Insurance Co., Ltd. (in Liquidation), Third Floor, New Plaza Centre, cor. of Rissik and Jeppe Streets, Johannesburg. (Claim No. A/64/70203/4.)</p>

As the Parity Insurance Company, Limited, is in Liquidation, the above advertisement must not be understood to mean that any payments will be made in full; in due course, the company's liability, if any, will be discharged by the payment of a dividend in respect of amounts owing by it in accordance with law.

GOEWERMENSKENNISGEWING.

DEPARTEMENT VAN JUSTISIE.

No. R. 485.] [25 Maart 1966.
**ANWYSING AS BEREDDERAAR VAN DIE BATES
VAN THE DEFENCE AND AID FUND.**

Hierby word vir algemene inligting bekendgemaak dat Mr. David Petrus Wilcocks, Senior Landdros, ingevolge paragraaf (b) van subartikel (1) van artikel drie van die Wet op die Onderdrukking van Kommunisme, 1950 (Wet No. 44 van 1950), aangewys is as beredderaar van die Bates van The Defence and Aid Fund, wat by Proklamasie No. R. 77 van 18 Maart 1966 tot 'n onwettige organisasie verklaar is (hieronder genoem die „Beredderaar” en die „Fund”, na gelang van die geval). Die adres van die beredderaar is Kamer No. 401, Veritasgebou, Fonteinan, Pretoria.

Ingevolge genoemde paragraaf (b) van die Wet het alle eiendomme (met inbegrip van alle regte en dokumente) wat op die „Fund” besit, of wat op naam van enige persoon in voordele van die „Fund” gehou word, met ingang in 18 Maart 1966 op die Beredderaar oorgegaan.

Van enige persoon wat sodanige eiendom hou, word hierby vereis dat hy onverwyld volle besonderhede in verband met sodanige eiendom aan die Beredderaar verkaf ten einde hom in staat te stel om besit daarvan te neem. Eiendomme soos geld en verhandelbare dokumente wat per pos versend kan word, moet onverwyld aan die Beredderaar gestuur word.

Enige persoon wat 'n eis teen die „Fund” het, moet lit so gou doenlik by die Beredderaar indien.

GOVERNMENT NOTICE.

DEPARTMENT OF JUSTICE.

No. R. 485.] [25 March 1966.
**DESIGNATION AS LIQUIDATOR OF THE ASSETS
OF THE DEFENCE AND AID FUND.**

It is hereby notified for general information that Mr. David Petrus Wilcocks, Senior Magistrate, has, in terms of paragraph (b) of sub-section (1) of section three of the Suppression of Communism Act, 1950 (Act No. 44 of 1950), been designated as liquidator of the assets of The Defence and Aid Fund which was declared an unlawful organization by Proclamation No. R. 77 of the 18th March, 1966 (hereinafter referred to as the „Liquidator” and the „Fund”, as the case may be). The address of the Liquidator is Room No. 401, Veritas Building, Fountain Lane, Pretoria.

In terms of the said paragraph (b) of the Act all property (including rights and documents) held by the Fund or by any person for the benefit of the Fund vested in the Liquidator as from the 18th March, 1966.

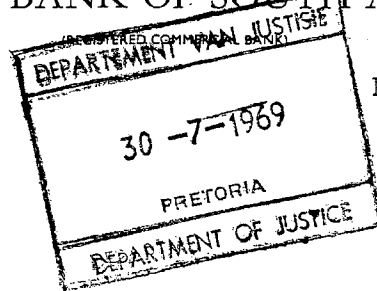
Any person holding such property is hereby required to furnish, without delay, full particulars thereabout to the Liquidator to enable him to take possession thereof. Property such as money and negotiable instruments which can be transmitted by post shall be sent to the Liquidator forthwith.

Any person having a claim against the Fund shall lodge it with the Liquidator as soon as practicable.



THE STANDARD BANK OF SOUTH AFRICA LIMITED

TELEGRAPHIC ADDRESS:
TELEPHONE:
OUR REFERENCE
YOUR REFERENCE:
ALL CORRESPONDENCE SHOULD BE
ADDRESSED TO "THE MANAGER".



P.O. BOX 7164,
NEWTON PARK,
Port Elizabeth,
25th July, 1969.

The Liquidator,
Defence and Aid Fund,
C/O The Secretary for Justice,
Veritas Building,
Private Bag 81,
PRETORIA.

Dear Sir,

CURRENT ACCOUNT - DEFENCE AND AID FUND.

In terms of a directive from the South African Police, Head Office Pretoria dated 18th March, 1966 (NO 7/18 Gen) the assets of the above-mentioned Fund were frozen in our books.

The account reflects a creditor balance of R6448-32 and shall be pleased if you will advise us whether any progress has been made towards taking custody of the assets.

Yours faithfully,

O.T. Shaw,
ACCOUNTANT.

DECLASSIFIEER

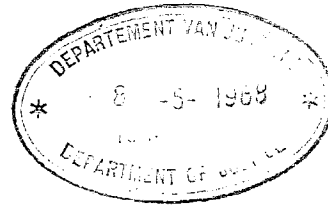
GEHEIM.

2/2/13.

KAAPSTAD/PER LUGPOS.

DIE SEKRETARIS.

DEFENCE AND AID FUND.



1. U druktelegram No. K.11/261/68 van 3 Mei 1968 verwys.
2. Twintig afskrifte van Bylaag E van die Afrikaanse teks wat die bestaande Bylaag E in sy geheel vervang en twintig vervangingsbladsye vir bladsye 2 en 3 van Bylaag E van die Engelse teks is aangeheg.

*SRK 6/5/68
fresh.
6.5.68.
to 6.5.68.
7/5/68*

*Ann S.
ook die Afrikaanse se
afskrif ook*

*Mo
8/5/68*

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Rk. E.A. 42.

DECLASSIFIED

126/53
126/53/1

DEPARTEMENT VAN JUSTISIE
 PRETORIA
 ONTVANG/RECEIVED
 23 2 1968
 OORRECHTSRUIM OPBENT THROUGH
 23.2.68 L.J.R.
 DEPARTMENT OF JUSTICE

REPUBLIEK VAN SUID-AFRIKA.
REPUBLIC OF SOUTH AFRICA.

DEPARTEMENT VAN BUITELANDSE SAKE,
DEPARTMENT OF FOREIGN AFFAIRS,
Private Bag 141,
PRETORIA.

CONFIDENTIAL

23-2-1968

THE SECRETARY FOR JUSTICE

Possible connection between the
British Government and Amnesty
International and Defence and
Aid Fund

✓ With further reference to your minute
2/2/13 of 10th January, 1968, I attach a copy of
minute 9/1/12 dated 15th February, 1968, received from
the South African Permanent Representative in New York.

[Signature]
SECRETARY FOR FOREIGN AFFAIRS

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126/5
126/5



9/1/12

PERMANENT SOUTH AFRICAN MISSION
TO THE UNITED NATIONS
17TH FLOOR-300 EAST 42ND STREET
NEW YORK, N. Y. 10017

15 February 1968

Confidential:

SECRETARY FOR FOREIGN AFFAIRS:
(in duplicate)

Possible connection between the
British Government and Amnesty
International and Defence and Aid
Fund

Your minute 126/53:126/53/1 of 23 January and
our minute 9/1/12 dated 8 February 1968 refer.

As transcribed from the tape recording of the
Fourth Committee's 1699th meeting on 23 October 1967, the
Rev. Scott's remarks regarding the Defence and Aid Fund
were as follows -

"One of the things which has worried some
of us who helped to start the fund for
Defence and Aid several years ago, ironically
it was started first to assist the people
engaged in civil disobedience, but one of our
concerns is the very large proportion of
funds raised altogether to fight against
apartheid. There has been going into lawyers
fees, very expensive lawyers also in
Rhodesia and in South Africa, because I think
in the case of Rhodesia lawyers there do not
see their way often to accepting lower fees than
the normal; because to do so would lay them
open to the charge of being politically
sympathetic or adherence to the same political
organization as the accused, and that could
bring them under the law of this mysterious
regime themselves, so that they dare not accept
lower fees in the case of political prisoners.

"Sir, the question arises whether it would
not be possible for, not only the United
Kingdom but other member states of the United
Nations to channel funds through their embassies
and missions in southern Africa and for this
question of defence to be put on a more stable
basis and at a Governmental level. This would
obviate many of the difficulties that have
arisen over channeling funds through people who
are under threat of sentence if they are caught
distributing these funds. There is another
advantage that would seem to me to come from
the United Kingdom employing its share quite open;
not through voluntary bodies such as the Defence
and Aid Fund and that is that it would give other
States, other Members of this Organization, a
feeling of greater encouragement. Many have
expressed reluctance to contribute to something
they regard as the legal responsibility of the
British Government, and if it were known that

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the British Government is itself accepting a fair share of the burden, this would encourage and stimulate other States to do the same. It is for these reasons, Mr. Chairman, that I felt it important to raise these questions so that they can be clarified with the Organization such as those represented here for instance from South West Africa and other African liberation movements".

The passage quoted above is covered in the third and fourth paragraphs of the summary of Scott's reply to a question put by the representative of Syria (document A/C.4/SR.1699, pp. 11 - 12). A further copy of the summary record is attached for your convenience.

F. D. TOUVAL

PERMANENT REPRESENTATIVE

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Afgestuor op

U NO. K11/75/68.

Adjunk-staatsprokureur, Kaapstad het op 3 April 1967
kennis gekry. n Afskrif van die kennisgewing is op 5
April 1967 deur die Staatsprokureur ontvang.

GOEDGEKEUR

S. Renke

H/R.
8.2.1968.

FRANK, BERNADT & JOFFE
SOLICITORS — PROKUREURS
NOTARIES PUBLIC — NOTARISSE
CONVEYANCERS — TRANSPORTBESORGER

ADMINISTRATORS OF ESTATES
ADMINISTRATEURE VAN BOEDEL

HIMAN BERNADT
HARRY MAX JOFFE
JOHN ANTHONY PRESTON
HENRY JACK BROWN

*Op 5/4/67 deur Staatsprokureur
hier ontwaag*

TELEGRAPHIC ADDRESS: "FRANKSURE"
P.O. BOX 252

TELEPHONE *45-3608

*Netherlands Bank Building,
85. St. George's Street,
Cape Town.*

HB/JJ.

3rd April, 1967.

The Deputy State Attorney (Cape),
7th Floor Garmor Building,
Plein Street,
CAPE TOWN.

Dear Sir,

re: ACTION: S. A. DEFENCE AND AID FUND AND R. HOFFENBERG vs.
THE MINISTER OF JUSTICE CASE NO. 659/66. YOUR REF. 1391/66/CC/1

We are in receipt of your letter of the 29th ultimo and note contents.

Unfortunately owing to the complicated and unprecedented issues relating to discovery and the subsequent pre-trial conference, it became impossible for this matter to be set down for trial and completed within the statutory period of 12 months and reluctantly we have to agree with your view that the Court no longer has jurisdiction to decide upon this matter and the action must accordingly be regarded as having come to an end.

We refer you to our letters of the 18th November, 1966 and 13th January, 1967 wherein we claim payment of our taxed bill of costs of R135-03 in respect of the exception.

Will you kindly arrange to let us have payment of this amount which is long overdue against which we will hand you the bill of costs as taxed.

Yours faithfully,
FRANK, BERNADT & JOFFE.

PER: 
H. BERNADT.

COPY/FN.

1391/66/CC/1.

9001

29th March, 1967.

Messrs. Frank, Bernadt & Joffe,
Attorneys,
Netherlands Bank Building,
85, St. Georges Street,
C A P E T O W N.

Gentlemen,

re: ACTION : S.A. DEFENCE AND AID FUND AND
R. HOFFENBERG VS. THE MINISTER OF JUSTICE
CASE NO. 658/66.

Your HB/JJ refers.

I am instructed to direct your attention to the provisions of Section 3(2) of Act No. 44 of 1950 as amended, and to advise you that it is Defendant's contention that, as more than twelve months have expired from the date of the Proclamation, the Court no longer has jurisdiction to pronounce upon the validity thereof and the action must therefore be regarded as having come to an end.

Kindly advise me by return whether you agree with this contention.

Yours faithfully,

H.J.P. SCHUTTE.

for: DEPUTY STATE ATTORNEY (CAPE)

HJPS/VC

AFGESTUUR OP 19.2.69

NO. 59

U K11/78/69.

DIE STUK IS HIER. WORD VANDAG PER LUGPOS AFGESTUUR.

GOEDGEKEUR.
S.S. VAN DER MERWE.
H/V.

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2/2/13

GEHEIM

2 -1- 1968

VIR AANDAG: MAJOOR W.J. SMITH.

Die Kommissaris van die
Suid-Afrikaanse Polisie,
Privaatsak 302,
PRETORIA.

DEFENCE AND AID FUND : U NO. S.13/155
VAN 17 DESEMBER 1968.

Die Notuleboek van die Oos-Londen tak van bogemelde
organisasie is sangeheg soos deur u versoek.

G. GELDERBLOM
SEKRETARIS VAN JUSTISIE.

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NO. 58.

U K.11/76/68.

MINI IS OP 16 MAART 1964, NA 'N VERHOOR SAAM MET MKABA EN KHAYINGO, SKULDIG BEVIND AAN 9 AANKLAGTE VAN SABOTASIE, EEN AANKLAG VAN DIEFSTAL, EEN AANKLAG VAN MOORD (SONDER VERSAGTENDE OMSTANDIGHEDE) EN DRIE AANKLAGTE VAN OORTREDING VAN ARTIKEL 11(A) VAN WET NO. 44 VAN 1950 EN TER DOOD VEROORDEEL. DIE HOF HET OP AL DIE AANKLAGTE SLEGS DIE EEN VONNIS OPGELE EN GESE DAT DIT + IN RESPECT OF ALL THE OFFENCES+ WAARAAN MINI EN DIE ANDER TWEЕ SKULDIG BEVIND IS, SAL WEES. IN SY VERSLAG AAN DIE STAATSPRESIDENT HET DIE DESTYDSE MINISTER EGTER DAAROP GEWYS DAT DIE DOOSTRAF NIE 'N BEVOEGDE STRAF OP AL DIE AANKLAGTE WAS NIE EN GESE: +FOR THE PURPOSE OF THIS REPORT, THEREFORE, THE COURTS STATEMENT WILL NOT BE TAKEN AS MEANING THAT THE DEATH PENALTY WAS IMPOSED AS PUNISHMENT FOR ANY OF THE OFFENCES OR CRIMES OF WHICH THE PRISONERS HAVE BEEN CONVICTED OTHER THAN THE CRIME OF MURDER+. DIE OMSTANDIGHEDE VERBONDE AAN DIE ANDER AANKLAGTES IS DUS NIE IN DIE VERSLAG OORWEEG NIE. DIE HOF HET BEVIND DAT AL DIE MISDRYWE GEPLEEG IS AS DEEL VAN 'N VELD TOG WAT DEUR UMKONTO WE SIZWE AANGESTIG IS. DIE AANKLAG VAN MOORD HET BETREKKING GEHAD OP DIE DOOD VAN 'N SEKERE MANGO. MANGO WAS LID VAN 'N GROEP VAN SES WAT GEPOOG HET OM 'N HUIS AAN DIE BRAND TE STEEK (DIE GEBEURE HET AANLEIDING GEGEE TOT EEN VAN DIE AANKLAGTES VAN SABOTASIE TEEN MINI EN DIE ANDER TWEЕ) . MANGO EN ANDER PERSONE IS IN HEGTENIS GENEEM EN 'N AANKLAG VAN SABOTASIE IS TEEN DRIE VAN DIE GEARRESTEERDES INGEBRING. MANGO HET BESLUIT OM VIR DIE STAAT TE GETUIG. MINI, MKABA, KHAYINGO EN 'N SEKERE MDWAYI WAS DESTYDS DIE LEDE VAN DIE STREEKKOMITEE VAN UMKONTO WE SIZWE TE PORT ELIZABETH. TWEЕ VAN DIE DRIE BESKULDIGDES WAT OP DIE BOGENOEMDE AANKLAG VAN SABOTASIE MOES VERSKYN, IS OP BORG VRYGELAAT EN HET AAN KHAYINGO RAPPOORTEER DAT MANGO TEEN HULLE SOU GETUIG. OP 'N VERGADERING VAN DIE STREEKKOMITEE WAARBY AL VIER LEDE

TEENWOORDIG WAS, HET KHAYINGO DIE NUUS MEEGEDEEL EN IS DIT
DEUR MINI BEVESTIG. NA N BESPREKING HET DIE KOMITEE EENPARIGLIK
BESLUIT DAT MANGO OM DIE LEWE GEBRING MOES WORD VOORDAT HY KON
GETUIG. DIE MOORD SOU DEUR LEDE VAN UMKONTO WE SIZWE ONDER LEIDING
VAN MDWAYI GEPLEEG WORD EN DAAR IS BESLUIT DAT DIT GEPLEEG SOU
WORD MET N PISTOOL WAT DEUR KHAYINGO GELEEN WOU WORD. MDWAYI
HET N SEKERE DAWETI DIENOOREENKOMSTIG OPDRAG GEGEE EN DAWETI
HET DIE PISTOOL VAN KHAYINGO GEKRY. LATER HET DAWETI RAPPORTEER
DAT DIE OPDRAG NIE UITGEVOER KON WORD NIE OMDAT NOG HY NOG
SY MANSKAPPE VIR MANGO GEKEN HET. OP N VERDERE VERGADERING VAN
AL VIER LEDE VAN DIE STREEKKOMITEE IS BESLUIT DAT ENE DUBASI WAT ~~OMDE~~
LEIDING VAN MINI GESTAAN HET EN DRIE ANDER DIE MOORD MOES POEEG.
OP VERSOEK VAN MINI IS DUBASI DEUR MDWAYI MEEGEDEEL DAT HY NA
KHAYINGO SE HUIS MOES GAAN WAAR HY DIE PISTOOL SOU KRY EN
DAT HY IN MEDEWERKING MET DIE ANDER DRIE VIR MANGO MET DIE
PISTOOL MOES VERMOOR VOORDAT MANGO NA GRAHAMSTAD KON GAAN OM
GETUIENIS TE GEE. OP 11 JANUARIE 1963 HET DUBASI EN DIE ANDER
DRIE, GEWAPEN MET DIE PISTOOL, GEDURENDE DIE NAG NA MANGO SE
HUIS VERTREK. HULLE HET ONGEVEER 1 VM. DAAR AANGEKOM EN IN
OPDRAG VAN DUBASI HET DIE ANDER DRIE AAN MANGO SE DEUR GAAN
KLOP. TOE MANGO DIE DEUR OOPMAAK IS HY SONDERMEER OP N KORT
AFSTAND BOKANT SY REGTER WENKBROU GESKIET. HY IS DIE ~~VOLGENDE~~
DAG OORLEDE. DUBASI HET LATER AAN KHAYINGO RAPPORTEER DAT
DIE SENDING VOLTOOI IS.

GOEDGEKEUR
C.R. D.W. WESSELS A/S(A) 8.2.68

8. BEPERKINGS: VERSLAPPING OF OPHEFFING VAN.

In die geval van N.C. Thusi het die Minister op 10 Augustus 1966 soos volg opgemerk:

"As een van die persone wie se beperkings opgehef word hom weer skuldig maak moet baie drasties opgetree word.". (Sien lêer 2/1/1526).

Op 15 Desember 1967 het die Minister opdrag gegee dat Kompol 3 maande voor enige inperkingsbevel verstryk verslag moet doen en ook n aanbeveling moet verstrek of die inperkingsbevel hernu moet word al dan nie. (Sien lêer 2/1/998 D.C. Thompson).

Op 30 Januarie 1968 het die Minister na aanleiding van die geval van Yetta Barenblatt en ander gevalle wat onlangs aan hom voorgelê is, versoek dat Kompol stappe moet doen om in elke geval waar hy besluit het om bestaande inperkingsbevele nie te hernu of te verleng nie so na as moontlik aan die datum waarop die bevele verstryk die betrokke mee te deel dat die Minister besluit het om, solank hy/sy hom/haar stil gedra nie die inperkings te hernu nie. Die Minister het verder versoek dat Kompol, met die oog op moontlike toekomstige optrede, in elke geval verslag moet doen dat dit gedoen is. (Sien lêer 2/1/263 Y. Barenblatt).

Geheim

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INPERKING VAN DR. HOFFENBERG.

Inleidende Opmerkings.

Indien hulle wat my in hierdie Raad oor die Hoffenberg-geval aangeval het gemeen het dat hulle my sou laat dink het dat ek dalk verkeerd opgetree het deur hom te beperk, maak hulle n baie groot fout. Inderdaad het die aanval net die teenoorgestelde uitwerking. Dit het my opnuut oortuig dat die stappe nodig en geregverdig was. Ek maak hierdie stelling omdat die ondervinding geleer het dat telkens wanneer ons die kol behoorlik tref, daar n kabaal soos in hierdie geval opgeskop word. Daar word relatief dikwels teen persone wat kommunisme bevorder opgetree - by wyse van vervolgings in die howe of by wyse van optrede deur die Minister. Gewoonweg is daar min of geen reaksie nie. Maar sodra ons een van die groot visse skeep, is daar die bohaai. Mnr. die Speaker, moet ek lede van die Raad herinner aan Abraham Fischer? Hy wat volgens algemene opvatting nie alleen n voortreflike advokaat was nie maar ook n ware heer in elke opsig! Onthou u hoe daar feitlik ten hemele geskree is toe ons die eerste maal die vermetelheid aan die dag gelê het om teen hom op te tree? En onthou u dat dit uiteindelik aan die lig gebring is dat hy n bloedige rewolusie in die Republiek beplan het?

Nou het ons weer n geval waaroor daar die vreeslike bohaai van stapel gestuur is en steeds voortgesit word.

Ons hoop, mnr. die Speaker, dat dit mettertyd moontlik sal wees om, soos in Fischer se geval gebeur het, Hoffenberg se bedrywigheide heeltemal vir u oop te vlek en aan almal bloot te lê. Intussen word ek egter aan bande gelê deur die feit dat ek nie gegewens wat die openbare belang kan skaad kan bekend maak nie. Ek het Hoffenberg dan ook in dier voege

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meegedeel toe ek gevra is waarom hy beperk is maar ek het bygevoeg dat sy verbintenis met die onwettigverklaarde Defence and Aid Fund n oorweging was toe besluit is om teen hom op te tree. Ek is dus by magte om meer oor hierdie deel van sy bedrywighede uit te wei. Die Beredderaar van die Fund het intussen ook aan my verslag gedoen oor sy werksaamhede. Ek beoog om uit die verslag aan te haal en indien die Raad dit verlang en u, mnr. die Speaker, dit goedkeur, is ek bereid om die verslag ter tafel te lê.

My betoog kom grootliks daarop neer dat afgesien van die feit dat Hoffenberg n ampsdraer van die Fund was, hy homself in so n mate en op so n wyse met die Fund en sy moederorganisasies in Engeland, en die persone wat daardie organisasies beheer of gesteun het, geassosieer het, dat hy hom nie nou van die genoemde Fund of organisasies of persone kan distansiëer nie. Inteendeel, hy moet bereid wees om medeaanspreeklikheid ten opsigte van hulle optredes te aanvaar.

Verlening van steun aan Sabotasie en Terrorisme.

Die Defence and Aid Fund is voorafgegaan deur verskeie soortgelyke organisasies in Suid-Afrika - die vernaamste een was die Treason Trial Defence Fund wat in 1956 sy kop in Suid-Afrika uitgesteek het. In 1960 is die kleiner organisasies geabsorbeer in een liggaam - die Defence and Aid Fund. Die Fund was as sulks bedrywig totdat dit op ¹⁸25 Maart 1966 as onwettig verklaar is. Die moederorganisasies was egter deurgaans Christian Action en die Defence and Aid Fund in Engeland wat onder leiding van domheer Collins gestaan het.

Mnr. die speaker, ek hoef Collins nouliks aan die Raad voor te stel. Ek moet egter kortliks vir u voorlees uit n

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toespraak wat hy in 1965 voor n V.V.O.-orgaan gelewer het en waarin hy die eintlike doel van die Fund op ondubbelsinnige wyse geskets het. Hy het gesê:

"... To put matters right in South Africa requires political action on a big scale ... it seems probable that only external pressures and the threat of the execution of internal revolution will bring about the desired result ... And of much importance, in my opinion, is the fact that the contribution of Defence and Aid in this respect fosters the morale of the Internal Resistance ... it is the resistance movement in South Africa which alone can give South Africa the ability to become a non racial society ... By caring for their families we build their morale in gaol ... no political organization which seeks to change South Africa's racial policies can function properly in the open ... Those who wish to continue the struggle have to go underground. Nor have I touched upon the necessity to provide for the families and dependents of the underground resistance. But what man or woman can happily or easily undertake such dangerous work if he or she knows that, by doing so, the well being of the children and other dependents is at stake".

Collins het dus openlik erken dat die Fund daarop gemik was om saboteurs, wat veral daardie tyd baie aktief in die Republiek was, te steun, en hulle dan ook op bedekte wyse selfs aangemoedig om voort te gaan.

Ook eerwaarde Michael Scott het die kat onlangs op ondubbelsinnige wyse uit die sak gelaat. In n brief gedateer

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23 Oktober 1967 aan die Voorsitter van die Politieke Komitee
by die V.V.O. het hy gesê:

"Dear Sir,

I should be grateful if I could see you in connection with the question of fund raising and channeling of funds to Southern Africa with particular reference to South West Africa and Rhodesia, subjects at present under discussion in the Fourth Committee.

While I was being given a hearing by the Fourth Committee on South West Africa I heard that an appeal was being made for the United Nations to support 'directly or indirectly' the Defence and Aid Fund and the extension of its work to include Rhodesia and its proposed research committees on all the Southern African territories.

One of the pleas that I was making in the Fourth Committee at that time was that there should be an enquiry undertaken by the United Nations into the activities and mode of operation of various agencies some of them secret and conduits or channels whereby certain Governments exert their influence in Africa particularly Southern Africa. Fairly extensive investigations have been carried out in the United States by Committees of Congress and by some non governmental organizations such as the National Students Association members of which has approached me.

Some months ago I was also approached for help by Mr. Peter Benenson, the founder of Amnesty International

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and Mr. Sean McBride, Secretary General of the International Commission of Jurists in connection with a breakdown that occurred in the channelling of funds to Rhodesia during the 'Tiger talks' and a number of serious complications that arisen causing much distress to accused Africans and their families through the supposed use of Amnesty channels not only for the distribution of funds by the British Government but for other intelligence and counter-intelligence activities, in Africa and the Middle East. A great deal of damage was done to the excellent work of Amnesty as a voluntary organization, and it will even now take time before the position is fully restored and those who in the course of it resigned have been adequately replaced, including Mr. Benenson who is still suffering acutely from the effects.

The British Government is now using the Defence and Aid Fund as an undercover channel or conduit of funds through its President Canon Collins who addressed your Committee and appealed to the U.N. for support. And because of the possibility of a repetition of some of these anomalies in the event of negotiations with the Rhodesian regime I feel obliged to write to you. Of course there can be no objection whatever to the British Government advancing funds to pay the fees of lawyers, even those of lawyers unable to reduce their fees for fear of being considered in political sympathy with the accused. On the contrary, since the situation in Rhodesia and South West Africa is in large part the

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responsibility of the British Government and Crown it is the very least that it can do. But it should be done openly and through its own channels with the Governor Sir Henry Gibbs and others loyal to it in Salisbury, just as in South and South West Africa member states of the U.N. could be asked to channel funds through their diplomatic missions. If other governments of member states are being asked to subscribe to a U.N. Fund or any other fund those governments should know and voluntary organizations also what proportion of the burden is being carried by the government which holds most responsibility. The Swedish Government has done perhaps more than its share, while others have held back believing it to be more Britain's responsibility to discharge legal costs and obligations than theirs.

There is another aspect of this matter which some of us who helped in starting what is now called the Defence and Aid Fund several years ago feel concerned about, namely the high proportion of funds raised for the purpose of opposing Apartheid which are taken up with legal defence and aid as compared with that devoted to organising effective political opposition to Apartheid outside the courts and inside and outside Africa. I fully appreciate the importance of legal defence, though the fund was originally started to support civil disobedience in South Africa; but other necessary work such as that of the Anti-Apartheid movements in different countries find it increasingly difficult to raise funds for their work in face of the vast expenditure by South Africa and

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the South African Foundation and Friends of Rhodesia
etc.7

For this reason the Africa Bureau authorized me to attend the Kitwe Seminar at its expense and to put forward a proposal for the establishment of a Free Africa Foundation or similar trust to be managed by a panel of trustees acceptable to the African countries concerned having the frankly political purpose of countering the South African apartheid lobbies and representing the aspiration of African countries such as Zambia and Tanzania. This I did at the Kitwe Conference and though my contributions to the Seminar was inadvertently omitted from the report on it, this proposal is now being considered by the two Presidents of Zambia and Tanzania. I think it is my duty to write to you about this so that you are aware of the problems and proposals for dealing with it and the strong feelings which some of us have that the political opposition to apartheid and financial support for it should be Africa based and that this should be taken into account when appeals are directed to the United Nations. The Seminar was very clear about the importance of the role of the United Nations and the African peoples themselves. I enclose a copy of my statement to the seminar which Mr. Reddy kindly had typed for me when he found it had not been included in the report.

Yours faithfully,

Rev. G. Michael Scott."

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(NOTA: Die Departement stel voor dat die Minister net die gedeelte gemerk [.] lees).

Volgens n betroubare berig het Collins by n byeenkoms in Londen op die aand van 14 November 1967 ook gesê dat sy organisasie, wat tans die International Defence and Aid Fund heet, "in full sympathy" met terroriste in Suidelike Afrika is. Collins handhaaf dus steeds die mening dat Suid-Afrika desnoods op gewelddadige wyse oorgeneem moet word.

Collins se handlangers - en hierby sluit ek Hoffenberg in - kan nie maar net hulle hande in onskuld probeer was nie. Party persone verbonde aan die Fund het bedank sodra hulle bewus geraak het van die ware kleure van die organisasie (ek verwys later na n spesifieke geval) maar Hoffenberg het hom nie laat afskrik nie. Die rede vir sy houding is ooglopend.

Aanwending van Fondse vir ondermynende bedrywighede:

Dit blyk dan ook dat die doel wat die Fund volgens Collins nagestreef het en steeds nastreef wel deeglik in die praktyk uiting gevind het. In n persverklaring wat my voorganger tydens die onwettigverklaring van die Fund uitgereik het, is in die verband gesê:

"In n beëdigde verklaring wat hy op 1 Oktober 1964 afgelê het, het n lid van die Kommunistiese Party verklaar: 'Die 'Defence and Aid Fund' wat in hierdie stadium reeds bestaan het, is op uitgebreide skaal vir die doeleindes van die Suid-Afrikaanse Kommunistiese Party gebruik. Op sy beurt het die Suid-Afrikaanse Kommunistiese Party kontantvoorskotte aan die Fonds oorgemaak. Ek weet nie wie die persone was wat op die Fonds se

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komitee gedien het nie, afgesien daarvan dat Rica Hodgson wat inderdaad n lid van die Kommunistiese Party was, op die komitee van hierdie Fonds was.'

n Persoon wat uit eie erkenning lid van die Suid-Afrikaanse Kommunistiese Party is, het in Augustus 1964 beheer oor die fondse van die 'Defence and Aid Fund' in Suid-Afrika oorgeneem. Sedertdien is net n klein deeltjie van hierdie fondse werklik ten behoewe van afhanklikes van gevangenes aangewend. Die grootste porsie is vir die politieke bedrywighede van die verbode 'African National Congress' en die Kommunistiese Party gebruik. Salarisse van amptenare van die Kommunistiese Party is ook uit hierdie fondse gedek."

Die Beredderaar se verslag verleen steun aan die verklaarings van die persone genoem in die persverklaring in die mate dat baie van die geld klaarblyklik vir doeleindes aangewend is wat nie deur die boeke geopenbaar word nie. In die verband kan die volgende genoem word:

- (a) Volgens die Fund se konstitusie, sou hy minstens drie en hoogstens sewe Trustees hê "to ensure that the Funds are used and applied in accordance with the objects to the fund". Die Beredderaar se verslag openbaar nou dat die bepalinge heeltemal geïgnoreer is want geen enkele geval is gevind waar oorleg met die Trustees gepleeg is voordat uitgawes aangegaan is nie. Daar was ook nie n enkele vergadering van die Trustees om beleidsrigtings neer te lê of om die konstitusie aan korrekte vertolking te onderwerp nie. Dit blyk dat die plaaslike

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komitees en individue meerendeels self op n abitrêre manier oor die besteding van die fondse besluit het.

- (b) Die Fund se konstitusie bepaal ook dat "proper accounts shall be kept in respect of the finances of the Fund and shall be properly audited".

Die Beredderaar, gesteun deur n geoktrooieerde Rekenmeester wat die boeke nagegaan het, het bevind dat nie een van die takke n deurlopende rekening van ontvangste en uitbetalings gehou het nie. Die balans van fondse voor hande kon nooit uit die boeke bepaal word nie. Die takke het trouens deurgaans gebruik gemaak van die balanse wat deur die banke verstrekk is.

Op 8 Julie 1964 skryf die Port Elizabeth-tak bv. aan Johannesburg:

"... How do the financial wizards feel? From our unkept books our past commitments are not clear. My predecessor thought we owed some people R500, but also implied we have this in the bank which we have not ...". (Bladsy 1 van Bylaag E van die verslag).

Die verslag openbaar verder dat die boeke ook nie behoorlik geouditeer is nie.

- (c) Die Beredderaar se verslag wemel van voorbeelde van wanadministrasie van die Fund se geldsake. Dit blyk onder andere dat die Johannesburgse tak se kasboek net tot n gedeelte van Oktober 1965 opgeskryf is hoewel baie uitbetalings daarna gedoen is. Destyds was Ruth Hayman so te sê in

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alleenbeheer van Fund-sake in Johannesburg. Sy het die tjeks geteken saam met H. Jaff. Onder die stukke waaroor die Beredderaar beskik het, was n tjekboek wat geloop het van No's. 247001 tot 247200. Hiervan was tjekvorms 247001 tot 247076 reeds uitgekeur en vermoedelik gebruik. Tjekvorm No. 247077 was volledig geteken deur Ruth Hayman en Hannah Jaff maar geen geldbedrag was nog ingevul nie. Tjekvorms No's. 247078 tot 247080 was reeds onderteken deur H. Jaff maar geen bedrae was ingevul nie. Volgens die teenblaaie in hierdie selfde tjekboek wat Ruth Hayman blykbaar na hartelus kon gebruik, is tjeks aan die prokureursfirma Hayman and Aronsohn (Ruth Hayman was alleeneienaar) vir die volgende bedrae met slegs die besonderhede wat ek sal noem, uitgereik:

(i)	"re Port Elizabeth"	R2,000.00
(ii)	"Cape Province and other commitments"	R2,000.00
(iii)	"re C. Doyle"	R 100.00
(iv)	"re J. Phahlamahlaka"	R 41.30
(v)	"re C.P. Cases"	R2,000.00
(vi)	"re J. Gqabi - 100) S. Neame - 1000) General) Des. - 155)" }	R1,255.00
(vii)	"Eastern Province"	R1,850.00
(viii)	"Sylvia Neame"	R2,000.00
(ix)	"M. v.d. Berg"	R 5.00

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(x)	"Viljoensdrift - 85)	
	L. Makfote - 72.50)	R 262.50
	M. v.d. Berg -105.00)"	
(xi)	"C.P. Cases"	R1,000.00
(xii)	"Nine Hundred Rand"	R 900.00
(xiii)	Niks ingeskryf	R2,000.00
(xiv)	Niks ingeskryf	R 500.00
	(Bl. 3 - 4 van Bylae E van die verslag).	

Ek herhaal. Die Beredderaar se verslag bevat afdoende getuienis dat party van die geld in kanale beland het wat nie in die boeke aangeteken is nie. Die gevolgtrekking waartoe reeds voorheen geraak is, nl. dat n deel van die geld vir ondermynende bedrywighede aangewend is, word deur hierdie getuienis onderskraag. En ook in hierdie verband kan Hoffenberg nie nou hande in die lug gooi en verklaar dat hy niks van die dinge af weet nie.

Assosiasie met Kommunisme:

Indien agbare lede van die Raad die Beredderaar se verslag lees, en ek nooi u uit om dit te doen, sal hulle met my saamstem dat daar ook oor n ander aspek geen twyfel kan wees nie en dit is dat die Fund baie nou met die Kommunisme geskakel het en klaarblyklik ook maar nog n frontorganisasie daarvan was. Hierdie mening word gesteun onder andere as gelet word op die name van organisasies en van individue wat die Fund in die buiteland en in die Republiek beheer of gesteun het. As n mens bloot daarop let dat n man soos Solly Sachs in Londen as fondsinsamelingsekretaris opgetree het, weet jy dadelik hoe die wind waai. Dit blyk ook uit die verslag dat selfs Rusland so in sy skik met die Fund was dat hy R7,140.00 aan

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Defence and Aid in Londen gestuur het met die volgende mededeling:

"... The Soviet Government has been guided by its fundamental position with regard to support for the national liberation movements of peoples struggling against colonialism and racism in all their forms and manifestations and the provision to them of moral, political and material assistance in that just struggle".

Hierdie skenking het selfs geharde lede van die Fund in Suid-Afrika laat skrik. Advokaat Donald Molteno, wat niemand as 'n simpatiseerder van my regering sal bestempel nie, se oë het so groot oopgegaan dat hy as lid van die Kaapse komitee bedank het met die woorde:

"... That very appreciation on my part makes me regret that the reported donation by the U.S.S.R. to the London "Defence and Aid International" for the South African Defence and Aid makes it impossible for me to have even such indirect connection with the administration of moneys from such a source as membership of the Cape Town Committee entails". (Bl. 3 - 4 van Bylae D van die verslag Hoffenberg het hom egter nie laat afskrik nie. Waarom nie? Ek dink u weet self wat die antwoord hierop is.

Hoffenberg se karakter:

Tot dusver het my betoog hoofsaaklik op Hoffenberg se bedrywighede betrekking gehad. Ek doen dit nie gewoonlik nie maar ek is verplig deur diegene wat namens hom praat om ietwat nader aan hom as persoon te skuif. Van die begin af is die

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vertōë namens hom gekoppel aan sy karakter wat dan so buitengewoon onkreukbaar is en aan sy goeie werk wat hy as geneesheer en navorser gedoen het. n Man se karakter of beroep is natuurlik nie ter sake by oorweging van die vraag of hy beperk moet word of nie; al wat die Minister moet oorweeg is of hy gelys is of kommunisme bevorder. Die vertōë was dus deurgaans gegrond op oorwegings wat van geen belang is nie maar terwyl dit so pertinent in die gedrang gebring is wil ek graag iets daaroor sê. Dit blyk dat Domheer Collins gereeld bedeladvertensies in die Britse pers laat plaas het en gebruik gemaak het van wat onder hom en sy mense as human interest stories bekend staan. Die stories is deur die Fund in Suid-Afrika verskaf en is dan verwerk ten einde op die Britse publiek se gevoelens te speel en hulle sodoende te oorreed om bydraes te maak. Hierdie gedramatiseerde stories het ons land natuurlik baie skade aangedoen en doen dit nog. As die stories slegs n basis van waarheid gehad het, dan sou ons nie juis kon kla nie maar dikwels is uit-en-uit leuns opgedis.

Ek lees nou uit Bylae D van die Beredderaar se verslag voor:

"In Mei 1964 skryf 'Bill Hoffenberg' (volgens die stukke dr. Raymond Hoffenberg wat Voorsitter van die bestuurskomitee te Kaapstad was toe die "Fund" onwettig verklaar is) uit Londen aan die Kaapse-tak van die "Fund":
'... An interim report from the land of the free. Have spent many hours making myself very unpopular at the Defence and Aid Offices here.

1. Money. They sent £1000 to Johannesburg on 8th May. I told them about our misunderstanding re the £750 earmarke

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for the Alexander trial. They have agreed to send this amount straight to C.T. ...

Money is pouring in - largely the result of the Observer appeal. Some of this is earmarked for Rivonia, but there should be a lot due to us. Their allocations committee only meets in about 2 weeks time, but we will get a reasonable chunk. If we don't, we must make a big fuss, as I know what they've got in (spies!). Dr. Hellman must write, and John must write, stressing that we are turning down cases, while we believe that money is available in London. Stress urgent need for money now - we can't wait for committee meetings. Can't they short circuit things to make something available? Etc. Etc. ... I have used all the pressure I can. Collins is away, unfortunately, but John and Dr. Hellman must keep at them - give them details (harrowing) of cases turned down - make them up, if they don't exist. Ask Ruth Hayman to push the same line with them ... That's about all, except that we must not turn down cases, but take on all we can and throw the expense back at them. We're in quite a strong position vis-a-vis C.A. as D & A is wagging the whole concern at the moment and I think they need us quite badly."

Ek vestig veral u aandag op die woorde "... give them details (harrowing) of cases turned down - make them up if they don't exist". Hoffenberg is dus nie alleen bereid om die Britse publiek te bedrieg nie maar hy skroom nie om sy land deur middel van infame leuens te laat beswadder nie!

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Is dit die optrede van n man met n onkreukbare karakter?

Die Beredderaar se verslag bring ook aan die lig dat Hoffenberg en sy handlangers die publiek bedrieg het deur voor te gee dat die geld benodig word om persone wat van "politieke oortredings" aangekla word mee te verdedig en om hulle afhanklikes te onderhou terwyl sekere bedrae openlik vir heeltemal ander doeleindes aangewend is (dit is afgesien van die geld wat vir ongeopenbaarde bedrywighede gebruik is). So byvoorbeeld is R918 spandeer om n prokureur van Oos Londen op verskeie aanklagte van regsverydeling te verdedig. Die prokureur is skuldig bevind en van die rol van prokureurs geskrap. Dit het die Fund n verdere R300 gekos. Volgens die Beredderaar "is daar vir politieke agitators boetes wat deur die howe opgelê is, betaal, kapitaal verskaf om besighede mee te begin, versekeringspremies betaal, sakgeld verskaf tydens aanhouding en daarna, en vervoerkoste van meubels, Bantoebelasting en begravniskoste betaal". Die Beredderaar meld ook dat die Fund sake laat verdedig het waar die aanklagte onder andere die volgende was: betreding, meined, moord, brandstigting, bedrog, weier om getuienis af te lê, kwaadwillige saakbeskadiging en openbare geweld; voorwaar almal goeie voorbeelde van wat die Fund alles as politieke oortredings beskou het. Laastens het die Fund aan Sonia Bunting (gelyste kommunist) met haar vertrek uit Kaapstad, wat in hulle stukke beskryf word as n "handwoven Morocian bedspread" as n geskenk aangebied.

Die volgende korrespondensie illustreer ook heel treffend die mense se integriteit. Ek lees uit Bylae C van die Beredderaar se verslag:

"Op 4 Oktober 1965 skryf Dennis Scarr, voorsitter

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van Port Elizabeth-tak, aan Alan Paton:

'As you know I am endeavouring to start a library of court records to assist Counsel ... I believe you have some money available ... could you let me have R500 for this?'

Op 14 Oktober 1965 antwoord Paton:

'... Enclosed you will find a cheque for R500. Will you please write to me acknowledging the gift and ask for your thanks to be conveyed to the Presbyterian Church in America for their help. Please indicate briefly what the money is being used for but I think we should give some more human and immediate reason than the need for court records'.

Op 27 Oktober 1965 antwoord Scarr:

'... Thank you very much for the cheque. Please convey the very sincere thanks of Defence and Aid Fund, Port Elizabeth to the Presbyterian Church in America. We intend to use these funds solely for furthering the welfare of awaiting trial prisoners, many of whom as you know are held for many months before appearing in Court". Van die biblioteek is niks gevind nie - ook nie wat van die R500 geword het nie."

Die voorgaande wat Hoffenberg en sy makkers se persoonlike integriteit betref. Ek wil egter ook iets vir u noem om aan te toon wat Hoffenberg se houding ten opsigte van sy werk was.

Ek beskik oor n afskrif van n brief wat hy in 1964 aan een van sy politieke uitgewekenes in Londen geskryf het. Die brief beslaan drie bladsye en handel oor politieke bedrywighede van n geheime en agterbakse aard. Slegs in een

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sinnetjie verwys Hoffenberg na sy werk as geneesheer en dit lees soos volg:

"Otherwise, life goes on, though I must admit I have big problems trying to concentrate on work".

Die "onbaatsugtige navorser" se politieke bedrywighede het dus so n omvang aangeneem dat hy nie meer op sy werk kon konsentreer nie! En moenie vergeet nie, sy salaris word grootliks uit Staatsfondse betaal.

Mnr. die Speaker, ek wil ook graag aanhaal uit n voorskrif wat Komintern leier Georgi Dimitrov reeds in 1938 uitgereik het aangesien dit duidelik aantoon waarom persone soos Hoffenberg gebruik word om die Kommunisme se belange te bevorder ten spyte daarvan dat hulle nie lede van die Party is nie. Die voorskrif lees:

"Let our friends do the work. We must always remember that one sympathizer is generally worth more than a dozen militant communists. A University Professor, who, without being a party member, lends himself to the interests of the Soviet Union, is worth more than a hundred men with party cards".

Slotopmerkings:

Soos aan die begin van my toespraak gesê, mnr. die Speaker, kan ek ongelukkig nie al my kaarte op die tafel plaas nie. Daar is nog baie van Hoffenberg se soort wat beveg moet word en ek kan nie nou iets doen wat die effektiewe funksionering van die masjinerie wat ons gebruik om die geveg voort te sit in gevaar stel nie. Ek vertrou egter dat dit

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wat ek wel kon sê en gesê het u n beter begrip sal gee van die oorwegings wat my genoop het om teen Hoffenberg op te tree.

Ten slotte, mnr. die Speaker, wil ek herhaal wat ek sowel as my voorgangers reeds dikwels verklaar het, naamlik dat die Regering hom nie deur proteste soos die wat in Hoffenberg se geval opgegaan het sal laat afskrik nie. U is bewus van die aanvalle wat teen ons geloods word en die Regering is beslis in sy voorneme om daardie aanvalle, in watter vorm ookal, meedoënloos te beveg. n Man wat hom aan die kant van ons vyande skaar, hetsy openlik of, soos Hoffenberg en sy trawante gedoen het, onder die dekmantel van n organisasie wat oënskynlik onskuldige oogmerke nastreef, moet verwag en aanvaar dat ons sal terugslaan. Die feit dat so iemand n professor of advokaat is of n ander vername posisie beklee, kan klaarblyklik nie afbreuk doen aan die Regering se plig om op te tree nie. Inderdaad moet so iets as n verswarende faktor beskou word want diesulkes behoort beter te weet.

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TRIAL UNDER THE TERRORISM ACT

In view of the United States Government, the nature of the Terrorism Act and the obligations which this Organization has toward the inhabitants of the Territory require that we call upon the Government of South Africa to halt these prosecutions and cease application of the Terrorism Act in South West Africa. South Africa must respect the international status of South West Africa.

U.S. Ambassador to the United Nations
Eugenie Anderson, September 12, 1967

You are receiving this memo at the same time that 37 South West Africans are on trial for their lives in a South African court. This trial ranks in importance with the famous South African "Treason Trials" and the Rivonia Trial. But it is also of unique importance because the case is a direct concern of the United Nations. This derives from the U.N.'s declaration of responsibility for the administration of South West Africa, and therefore its responsibility to the people of the territory.

The trial began on September 11. On one level the trial is simply one more in the long history of South African "witch hunts" against so-called enemies of the State; but on another plane it involves fundamental legal, moral and international questions for the future of South African-South West African relations. The implications of this trial include the issues of South Africa's relation to the internationalization of the South West Africa (that is South Africa's "right" to try South West Africans) and the legality of the Terrorism Act as it applies to South West Africa. Therefore, this trial, which has not received publicity in the American press, demands the attention of the international community.

The trial of the 37 symbolizes the South African Government's complete defiance of international opinion as represented at the U.N. The action taken by South Africa in bringing these men to trial is based on the presumption of her legal jurisdiction over the territory of South West Africa, a presumption negated by the international community. South Africa's jurisdiction was historically founded on the League of Nations mandate system which granted to South Africa the mandatory power over the former German colony of South West. But the mandate was declared terminated by the U.N. General Assembly on October 27, 1966 in Resolution 2145. This resolution (South Africa and Portugal cast the only two negative votes) states that "henceforth South West Africa comes under the direct responsibility of United Nations." Therefore, according to international opinion, the South African system of law and its enforcement officers do not have the right to function in the "international" territory of South West Africa. In essence, then, the South West Africans' case is one in which the accused were seized by agents of a "foreign" power (South Africa), transported into a "foreign" country to be tried by an alien court—all beyond the pale of international jurisdiction.

The accused Africans have been charged under the above mentioned Terrorism Act, and two alternative charges under the Suppression of Communism Act. The State has filed a 41 page indictment which lists specific names, dates and places of so-called "terrorist" activities committed by the accused from June, 1962 through May, 1967. The charges are that they entered South West Africa in order to create a violent revolution and take over the Government; that 18 of the accused received training in "terrorist" tactics in Africa (Egypt, Algeria, Ghana, and Tanzania) and abroad (Russia); that they set up camps in Ovamboland (the northern area of SWA) and trained people in guerilla tactics; and finally that they attacked white and African government officials and farmers.

The Terrorism Act is a fantastic piece of legislation which flouts at every turn the very foundations of western law. It was passed by this year's South African (all-white) Parliament and promulgated on June 21, and is retrospective to July 27, 1962 when the Sabotage Act was passed. The Act calls for a minimum sentence of at least five years imprisonment and a maximum death penalty (hanging). It defines Terrorism as acts committed "anywhere" with the intent to endanger the maintenance of law and order in South Africa and South West Africa. It considers any training with the intent to endanger the maintenance of law and order as illegal, as well as possessing explosives, weapons, armaments, ammunition and concealing, assisting or harboring "terrorists." Certain provisions of the Act define "participation in terroristic activities" in a manner obviously designed to enable the South African Government to convict anyone for almost any activity it does not desire. For example, the accused can receive the death penalty for causing "substantial financial loss to any person or the State" or embarrassing "the administration of the affairs of the State." Under the Act the accused may be arrested without a warrant and held in solitary confinement; detained indefinitely for the purposes of interrogation; and denied access to lawyers or family. A court may not intervene and the Minister of Justice does not have to inform Parliament or the family of the accused of his arrest. The trial is prescribed as by judge alone and without jury, and finally the onus of proving one's innocence beyond a reasonable doubt rests with the accused himself.

The 37 South West Africans were held, each in solitary confinement for at least 200 days, until the Terrorism Act was passed, and formal charges were issued against them the day after its promulgation. The accused, in accordance with a provision of the Terrorism Act, are being tried in South Africa—a thousand miles away from their own homes; this made it extremely difficult for them to obtain counsel, witnesses etc. The defense counsel, who requested a postponement of the trial in order to consider whether the Terrorism Act was applicable to South West Africa and to consult with his clients (some of whom speak only the Ovambo language), attempted to prove that the South African law is invalid for South West as it was passed by the South African Parliament. The defense also offered a special plea that the court uphold a point of international law relating to the League of Nations, South Africa's mandate and acceptance of the Covenant, the United Nations' role as successor to the League, and therefore the legality of the U.N. resolution revoking the mandate. The court dismissed these pleas, therefore establishing the trial on its own terms.

The men on trial come from many different occupational backgrounds including 21 laborers or "unemployed" persons; 4 peasants, 3 farmers, 2 teachers, 1 mechanic and 1 clerk. Some of the accused are members of the Executive Committee of the nationalist South West Africa People's Organization (SWAPO) including Mr. Nathaniel Maxuiriri, Acting President; Mr. John Otto, Acting Secretary General; and Mr. Jason Mutumbulua, Secretary of Foreign Affairs; in addition to the Regional Secretary of the North, Mr. Toivo ja Toivo.

This memo need not examine the history of South West Africa and the system of *apartheid* in order to understand the oppression to which these men, as non-white South West Africans, have been subjected all of their lives. It is enough to quote the International Commission of Jurists:

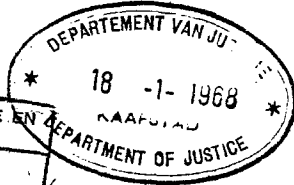
The attention that has been focused on the legal and technical arguments involved [in the South West Africa issue before the World Court and the U.N.] has pushed into further obscurity the actual social and material conditions of the non-white majority of the people of South West Africa, who, during forty-five years of South African rule, have been reduced systematically to a state of degradation and misery of which most of the world remains unaware.

This "degradation and misery" continue with the trial in Pretoria. The U.N. has proclaimed the right of freedom and self-determination for all South West Africans—South Africa has denied them this right.

The defense of these men will cost a minimum of \$60,000.00. The defense counsels, who might under more normal circumstances work on the case for greatly reduced fees, cannot do so because the controversial nature of the trial makes anyone identified with the accused suspect. They must protect themselves by accepting full fees. This in itself is a commentary of the police state mentality in South Africa. Each day in court (20 days a month) costs the defense in legal, printing, paper expenses between \$600.00 and \$1,000.00. And the trial is expected to run into the year 1968. These funds are not available in South Africa, especially since the South African Defense and Aid committees were declared illegal ("banned") in March, 1966. Thus outside funds must be found!

Additional copies available at 5¢ each from the American Committee on Africa, 211 East 43 Street, New York, N. Y. 10017.

29 -1- 1968



1/6/53.

STAD.
MINISTER VAN JUSTISIE EN VAN BEVANGENISSE
VERTROUWLIK
DIE SEKRETARIS/MINISTER.
MINISTER OF JUSTICE AND OF PRISONS

DECLASSIFIED

REGSHULP.

27
Zesprake
as h.
VB 31/1/68
R/19
Sodis die
Ds A van der
ijed Parlement
Ter Tafel gele
is meet
in afsluiting
aan buitelandse
Sodis gaan.
29/2/68

1. Die Nederlandse Ambassadeur wat onlangs op n vyf week lange besoek aan sy tuisland was, het op 16 November 1967 n besoek aan n beampste van die Departement van Buitelandse Sake gebring om die indrukke wat hy tydens sy besoek ^{CONSEC} opgedoen het, oor te dra.

2. Die enigste aspek van die gesprek tussen die Ambassadeur en die betrokke beampste wat op die werksaamhede van die Departement (en die Minister se ander Departement) betrekking

het, is n navraag oor die vordering wat gemaak is met die beoogde verbetering ⁱⁿ van die funksionering van regshulpburo's. Volgens die Ambassadeur heers daar aansienlike belangstelling in die verband onder ingeligte kringe in Nederland en indien verbeterings wel aangebting sou word, kan inligting in verband daarmee as teenvoeter gebruik word vir moontlike eise deur Sosialistiese kringe in Nederland vir groter bydraes tot die V.V.O. Voogdyfonds. Die Ambassadeur deel mee dat aansienlike druk vir verdere bydraes tot genoemde fonds deur domheer Collins en andere uitgeoefen word. (REDACTED).

3. Dit blyk dat genoemde Ambassadeur ook by n ander geleentheid klem ~~teen~~ gele het op die belangrikheid wat in regsringe in Nederland aan n verbeterde regshulpskema geheg word om as teenvoeter te dien vir veldtogte wat skynbaar reeds deur anti-Suid-Afrikaanse bewegings op tou gesit is vir n verdere bydrae deur die Nederlandse Regering tot die V.V.O. Voogdyfonds vir Suid-Afrika. Die Ambassadeur het in die verlede persoonlike/2...

DECLASSIFIED

-2-

like belang vir die probleme wat hier te lande in verband met die verlening van regshulp ondervind word aan die dag gelê. Die Departement van Buitelandse Sake meld dan ook dat hy die Ambassadeur graag van skietgoed sou wou voorsien wat hy (die Ambassadeur) op sy beurt aan kontakte in Nederland wat n verdere bydrae tot genoemde V.V.O Fonds teenstaan, beskikbaar kan stel. Die Departement van Buitelandse Sake meld voorts dat die Ambassadeur ten volle ingelig is oor wat in verband met regshulp gedoen en beoog word. Indien daar egter n gunstige besluit in verband met n verbeterde regshulpskema verwag kan word, behoort n aankondiging daarvoor so spoedig doenlik gedoen te word. (██████████). *(U sal onthou dat ons die Ambassadeur ook - met Buitelandse Sake se goedkeuring - van stulke oor regshulp voorsien het).*

4. Die Nederlandse Ambassadeur is Suid-Afrika skynbaar goedgesind en dit sal dus n goeie doel dien om hom in te lig oor hoe daar deur Defence and Aid Fund met fondse wat onder andere uit sy land afkomstig was, gewerk is. Daar word dus voorgestel dat indien die Minister sou besluit om die Beredderaar se verkorte verslag oor Defence and Aid Fund ter tafel te lê, n afskrif daarvan aan die Departement van Buitelandse Sake gestuur word met n voorstel dat dit aan die Ambassadeur beskikbaar gestel word. Selfs al sou die betrokke verslag nie ter tafel gelê word nie word daar aan die hand gedoen dat die Ambassadeur later, deur tussenkoms van die Departement van Buitelandse Sake, insae daarin verleen word.

5. Die Departement van Buitelandse Sake is intussen meege-deel dat die onderhandelings oor regshulpburo's nog voortduur. (██████████).

3/...

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6. Voorgelê ter inligting en vir oorweging asseblief van die voorstelle in paragraaf 4 vervat.

SR 12/1/68
12.1.68.

Om 18.1.68.

DIE SEKRETARIS.

Voorstelle in paragraaf 4 goedgekeur / *het goedgekeur*
vir die Kapittelvergadering

MINISTER.

SR 1/1/68

Sekretaris
Bestuurshand. 19/1/68

H/1/1/68
3/1/68

AS/R
30/1/68

(S.A.)

Om 23.1.68.

30.1.68

82931 x 230

1/6/53

- 5 - 1 - 159

The Secretary for
Foreign Affairs,
PRETORIA.

DISCUSSION WITH NETHERLANDS AMBASSADOR.

With reference to your unnumbered minute dated 22nd November, 1967, and your minute No. 136/11/3/29 dated 13th December, 1967, I wish to inform you that the negotiations in regard to the proposed legal aid system have as yet not been finalised. The views expressed in the final paragraph of the latter minute will be kept in mind.

P. J. COETZER

SECRETARY FOR JUSTICE.

*Perd (see my
note d.d. 6.1.68).*



LUGROS.
DEPARTMENT OF JUSTICE

18 12 1967

DEPARTMENT OF JUSTICE THROUGH

18.12.67

DEPARTMENT OF JUSTICE



REPUBLIEK VAN SUID-AFRIKA.
REPUBLIC OF SOUTH AFRICA.

FA. 37.

136/11/3/29

1/6/53/1

RU 14-12-67

H.R.
RJA
Approved a.u.s.
Author
21/10/67

DEPARTEMENT VAN BUITELANDSE SAKE,
DEPARTMENT OF FOREIGN AFFAIRS,

PRETORIA

THE SECRETARY FOR JUSTICE

18-12-1967

Legal Aid to so-called Political Prisoners

On two occasions since his return to the Republic from his recent visit to the Netherlands, the Dutch Ambassador has emphasized the importance attached in legal circles in the Netherlands, to the establishment of a more practical and effective system of legal aid in South Africa, as a means of combating political moves which are apparently afoot amongst anti-South African elements in the Netherlands to induce the Netherlands Government to agree to make a further contribution to the U.N. Trust Fund for South Africa.

You will be aware that the Netherlands Ambassador here has displayed a great personal interest in the problems of legal aid, and if we could assist him in providing "ammunition" for his contacts in Holland who are opposed to any further Netherlands contribution to the U.N. Trust Fund, we should be glad to do so.

The Ambassador does possess full details of the present legal aid scheme and is aware that a revised legal aid scheme is under consideration. He has also been told that the issue of a monograph entitled "The South African Judicial System" is being planned for next month, and that this monograph will contain full details of the current legal aid system. In the monograph it is stated that "An amendment of the present legal aid scheme is now being considered which may result in the establishment of a legal aid fund (subsidised by the State) from which practitioners will be remunerated for services rendered to the scheme."

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2.

It appears to us that if a favourable decision on the revised legal aid scheme can safely be expected, it would be desirable to make an announcement about this as soon as possible.

D. B. Ke
) SECRETARY FOR FOREIGN AFFAIRS

UNITED NATIONS
GENERAL
ASSEMBLY



PROVISIONAL
A/C.4/SR.1699
26 October 1967
ENGLISH
ORIGINAL: FRENCH

Twenty-second Session

FOURTH COMMITTEE

PROVISIONAL SUMMARY RECORD OF THE ONE THOUSAND SIX HUNDRED AND
NINETY-NINTH MEETING

Held at Headquarters, New York,
on Monday, 23 October 1967, at 3.25 p.m.

CONTENTS

Requests for hearings (A/C.4/694 and 695)

Question of South West Africa: hearing of petitioners
(A/C.4/692 and Add.1-4)

<u>Chairman:</u>	Mr. TOMEH	Syria
<u>Rapporteur:</u>	Mr. DASHTSEREN	Mongolia

Corrections to this record should be submitted in one of the three working languages (English, French or Spanish), preferably in the same language as the text to which they refer. Corrections should be sent in triplicate within three working days to the Chief, Conference and Meetings Control, Office of Conference Services, Room 1104, and also incorporated in mimeographed copies of the record.

AS THIS RECORD WAS DISTRIBUTED ON 26 OCTOBER 1967, THE TIME-LIMIT FOR CORRECTIONS WILL BE 31 OCTOBER 1967.

Publication of the final printed records being subject to a rigid schedule, the co-operation of delegations in strictly observing this time-limit would be greatly appreciated.

67-74055

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Mr. JOURJANI (Syria) asked what possibilities of legal defence were available to the South West African leaders who were imprisoned, and what the relevant procedures and costs were.

The Reverend Michael SCOTT (International League for the Rights of Man) said he had sent a letter on that subject to the Chairman of the Special Political Committee. In that letter, he urged the United Nations to contribute towards the defence of the imprisoned leaders by establishing a fund which could also take charge of the defence of persons put on trial in Southern Rhodesia. Furthermore, he had no doubt that the liberation movements would make arrangements for the defence of their members.

In the United Kingdom, dismay had been caused by the failure - due to many difficulties - of the arrangements made for remitting funds for the defence of accused persons in Southern Rhodesia and South Africa. In his opinion, the Government of the United Kingdom should assume responsibility for the defence of Southern Rhodesian residents prosecuted by the illegal régime, and for the upkeep of their families; and it should do so openly through the channels of communication which it maintained with Salisbury, rather than through voluntary organizations. The Government of the United Kingdom should also assume responsibility for defending the South West African leaders imprisoned at Pretoria, since South Africa had withdrawn the Territory of South West Africa from the jurisdiction of the British Crown by unilateral action, thus depriving the population of United Kingdom protection. Some of the laws that were being applied in South West Africa today, and particularly those governing testimony and evidence, would not be acceptable in the United Kingdom. South African legislation admitted the unverified statements of accused persons, whereas the Privy Council of the United Kingdom did not accept evidence supplied by persons who had been subjected to prolonged imprisonment and intense pressure.

Concern had also been caused by the high proportion of the funds collected for the fight against apartheid which had to be used for paying large lawyers' fees. That necessity was due to the fact that Southern Rhodesian and South African lawyers did not dare to take low fees for such cases, for fear they should be suspected of sympathy with the accuseds' political position. He suggested that the United Kingdom and other States Members of the United Nations should

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(The Rev. Michael Scott, International
League For the Rights of Man)

supply funds for those purposes through their embassies and missions, so that the matter could be dealt with at the governmental level. In that connexion, he expressed his gratitude to the Government of Sweden, which had contributed generously to the defence of accused persons in Southern Rhodesia and South Africa.

The task of fighting apartheid had changed into a political struggle against European and American pressure groups which were squandering millions of pounds a year to promote South African interests. For carrying on that struggle, it was necessary to establish a political organization, such as a "Free Africa Foundation", which would discharge an openly political function. For the same purpose, it had been suggested that the United Nations should set up a committee to investigate the extent of the influence of secret services, espionage services and financial foundations and trusts on the voluntary organizations working in Africa and on the new generations of African leaders.

Mr. EILAN (Israel) asked that the petitioners' statements, or at least summaries of them, should be distributed as soon as possible, so that representatives could comment on them.

The CHAIRMAN said that the Secretariat would note that request and make the necessary arrangements.

Mr. CHIDZANJA (Malawi) deplored the fact that one of the petitioners had made charges against the Government of Malawi; and he observed that it was not to attack Governments that petitioners resorted to the Committee, but to present petitions on behalf of their peoples. As to the problems of southern Africa, Malawi had adopted a position different from that taken by other African States, because it considered that the use of force would not give the African population of South Africa its freedom, but would impede its progress. The people of Malawi fully supported their brothers of South Africa, but thought that a peaceful solution to their problem should be sought.

The petitioners withdrew.

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