

## **MEDIA RELEASE**

### **JUSTICE FOR FAMILY OF SLAIN HEROINE NOKUTHULA SIMELANE**

**Johannesburg, 9 February 2016** – After 33 years in the relentless pursuit of truth and accountability the family of anti-apartheid activist Nokuthula Simelane will finally see justice done. On 8 February 2016, the National Prosecuting Authority (NPA) announced that it will charge four former apartheid security policemen with her murder and kidnapping. This is a significant and historic development which is welcomed by the Simelane family.

Although the Truth and Reconciliation Commission (TRC) recommended that more than 300 cases should be prosecuted, this is one of the only cases that has been pursued by the NPA, following High Court action launched by the family. It is the first prosecution of apartheid-era perpetrators since the 2007 plea bargain agreement was struck with former police minister, Adriaan Vlok and four senior police officers.

Nokuthula Simelane was abducted, tortured and forcibly disappeared by members of the Security Branch of the former South African Police in 1983. She was a 23 year old university graduate and acted as a courier for Umkhonto we Sizwe, the armed wing of the African National Congress, moving between Swaziland and South Africa. Her remains have never been found. The family has been denied the right to bury their daughter with the dignity she deserves.

In 1996, a police docket was opened and in 2001 the Amnesty Committee of the Truth and Reconciliation Commission (TRC) granted some of the perpetrators amnesty for Nokuthula's abduction, including certain police officers who the Committee found had lied about her brutal torture. This was notwithstanding the full disclosure requirement laid down in the TRC law. None of the perpetrators applied for amnesty for her murder.

Years of negotiations and correspondence with the NPA yielded no official action. Pleas for an inquest were denied and requests to institute criminal proceedings against the suspects who did not apply for amnesty were refused.

Left with no alternatives, Thembi Nkadimeng, sister of Nokuthula filed an application before the Gauteng Division of the High Court seeking to compel the National Director of Public Prosecutions (NDPP) to make a decision in respect of the 33 year old disappearance of her sister, struggle heroine Nokuthula Simelane. The family's application, which included supporting affidavits from former NDPP, Vusi Pikoli and a senior prosecutor, disclosed how the Simelane case, as well the other cases recommended by the TRC, were suppressed as a result of direct political interference.

While the NDPP and the Minister of Justice filed a notice of their intention to oppose, the launching of the case prompted the NDPP to re-open discussions with the family. The filing of papers in the civil case has been held in abeyance pending these developments.

Regrettably, the announcement made by the NPA does not acknowledge the 3 decade long struggle for justice by the Simelane family, nor does it disclose that, but for the investigations of the family and their High Court litigation launched last year, this case would have remained suppressed, as have all the other cases recommended for prosecution by the Truth and Reconciliation Commission.

Thembi Nkadimeng is being assisted by the Southern Africa Litigation Centre, and is represented by Advocate Muzi Sikhakhane SC, Advocate Howard Varney and Webber Wentzel Attorneys.

For further information contact:

Angela Mudukuti, International Criminal Justice Lawyer at the Southern Africa Litigation Centre

[Angelam@salc.org.za](mailto:Angelam@salc.org.za) +27 10 596 8538

Moray Hathorn, Attorney for the Simelane family, Pro Bono Practice Head, Webber Wentzel

[moray.hathorn@webberwentzel.com](mailto:moray.hathorn@webberwentzel.com) +27 11 530 5539

Thembi Nkadimeng, Executive Mayor of Polokwane

[nkadimeng.thembi@gmail.com](mailto:nkadimeng.thembi@gmail.com) Liesel (PA): 071 896 4344 / 015 902 103