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END THE USE OF EXCESSIVE FORCE BY SAPS AND SANDF AND PROSECUTE THOSE RESPONSIBLE FOR EXCESSIVE AND LETHAL FORCE AGAINST RESIDENTS IN TIMES OF COVID-19

Your Excellency, Mr. President Cyril Ramaphosa,

In regard of the excessive violence by SAPS and SANDF forces, which has already caused several deaths, I hereby urge you to take the necessary measures to ensure that these crimes can be thoroughly investigated and those responsible must be charged.

Several cases of excessive violence by security forces came to public attention. The following examples describe only some of the many incidents of excessive force used against residents:

On 27 March 2020, police forces used water cannons to disperse residents in the streets of Hillbrow. On several other occasions, water cannons have been used to disperse people in the streets.

According to several sources, SAPS forces, furthermore, used batons and rubber bullets against homeless people at the Strandfontein Sports Grounds. It is alarming, that the police use excessive force towards people who are already vulnerable. While it is urgent and important to ensure that people adhere to the lockdown, the police should not use excessive force against residents.

However, rubber bullets have also been fired to disperse around 300 residents in Yoevielle who were queuing in front of a Shoprite supermarket.

On 29 March 2020, the murder of a 41-year-old man in Vosloorus, committed by a police officer and a security guard, gained world-wide attention. The man was shot on his home's veranda during COVID-19 lockdown enforcement. The police allegedly fled without bothering to call an ambulance. The directorate said that other people injured during the shooting were children aged 5, 6 and 11-years-old.

Statements claimed that the man was part of a group of people who were drinking alcohol at a nearby tavern from where he and the others were chased by the police. I acknowledge that, according to the lockdown rules, members of the public cannot congregate in groups nor consume alcohol publicly. However, the law also protects members of the public from excessive police force. The police man and the security guard have been arrested for murder. It is necessary now to ensure that appropriate investigations are carried out and those responsible are brought to justice.

On the weekend of Easter another brutal case came to the fore. A man was lethally assaulted by SANDF-forces in Alexandra. He was caught drinking a beer on his veranda, thereby breaking the non-liquor rules. After the military then searched his house and found a bottle of beer in his refrigerator, the security forces beat up the man and his brother-in-law. The man succumbed to his injuries the same day. Several sources provide a detailed description of the course of events.

On 18 May 2020, Paul Nthoba, editor and owner of Mohokare News, was beaten up by at least four police officers in Meqheleng, in Free State province. The reason was that he had been photographing them while they were on patrol, enforcing the area's COVID-19 lockdown. When Nthoba approached the officers, one slapped him across the face while three others punched and kicked him, saying he did not have permission to photograph them. According to Nthoba, he does possess a permit, but police never asked to see it.

After the attack, Nthoba went to the Ficksburg police station to file a complaint against the officers. The same officers arrived at the station while Nthoba was giving a statement and the officers proceeded to slap, punch, and kick him in the presence of a senior officer at the station, after he tried to resist the officer's attempt to confiscate Nthoba's phone. Sontaga Seisa, the spokesperson for the Independent Police Investigative Directorate, confirmed via messaging app that the office had received a complaint against the Ficksburg police and had started investigating. The police, however, had pressed a charge against the journalist for failing to produce a COVID-19 work permit.

Authorities must do the right thing and immediately drop the charge against Paul Nthoba, who was insulted and gratuitously assaulted by police for simply chronicling them at work.

These are only a few examples of many cases of excessive force used by SAPS and SANDF-forces. At minimum eight cases of assaults by security forces resulted in the death of the victims. According to your law, anyone breaking the lockdown-rules can be punished with imprisonment for up to one month or with a fine. Resorting to force must only be done when it is strictly necessary and proportionate.

Demands:

- ◆ Security forces must act within the law at all times and should adopt an educational approach, rather than using excessive force against the people, to sensitise anyone who is not complying with the rules of the lockdown. Security forces must stop using excessive force against residents.
- ◆ Cases of excessive violence committed by security forces must be thoroughly investigated and the perpetrators must be brought to justice.
- ◆ Investigations by the Independent Police Investigative Directorate (IPID) must be transparent and must take national and international human rights laws and standards into account. Further to this, all investigative reports into incidents must be made available to the public.
- ◆ Everyone is equal before the law, and should be treated as such, whether homeless, a refugee or a person living in poverty, whether in a township or the suburbs.

Sincerely,