UNITED STATES VETOES ANGOLAN ADMISSION TO THE UNITED NATIONS

The United States has vetoed the People's Republic of Angola's request for admission to the United Nations. In a crass demonstration of diplomatic power, the Ford administration stood alone in a Security Council vote on June 23 and opposed the Angolan application to the United Nations. All other members of the Security Council voted for Angola's admission except the People's Republic of China which declined to participate in the vote.

Although the People's Republic of Angola has now been recognized by 112 countries, the United States government continues to argue that the presence of Cuban troops in Angola is justification for both not extending US diplomatic recognition to Angola and now, in an apparent hardening of position, to stand alone before the world community and use its power to prevent Angola from taking its rightful place within the United Nations.

Some reports of behind the scenes maneuvering and negotiation which went on just before the vote stated that the United States asked that the vote be postponed until after the Republican convention in mid-August, intimating that the United States would not veto Angola's application at that time. However Angola's request for admission to the United Nations came on April 22 of this year. Consideration of the application has already been delayed once at the request of the United States which threatened to use the veto if the vote was taken before the Republican primaries were over. Given the US government hostility toward the MPLA government in Angola and the history of US efforts to destroy the MPLA, the Angolans certainly could not count on the United States not finding another reason to ask for a third delay after the Republican convention.

For a country to be admitted to the United Nations, the Security Council must make a positive recommendation to the General Assembly. If the US can be pressured into reversing its position before the General Assembly meets in September, the People's Republic of Angola will become a UN member. Of particular importance is Angola's concern that it become eligible as quickly as possible for the many kinds of technical and economic assistance that are available to UN members.

The MPLA Solidarity Committee deplores this hostile, unjust, and inhumane action by the United States government and asks that concerned groups and individuals exert whatever pressure they can on the United States government to reverse its vote on Angolan admission to the UN. Possible activities include writing letters to the editor of local newspapers, pressuring political candidates to take a strong position in support of Angolan admission to the UN, sending telegram to Secretary of State Kissinger at the State Department in Washington, D.C., and to William Scranton, US Ambassador at the US mission to the UN in New York City.

MERCENARY TRIAL IN ANGOLA: A special report from Mike Shuster

Luanda, Angola--"The Angolan prosecutor knows where the blame should be placed," the American defense lawyer Robert Cessner said in his final statement in the trial of 13 captured British and American mercenaries. "Time and time again he mentioned names of people who should be in the defendant dock." The prosecutor had stated in his final argument that the "empty places in the dock" should be occupied by Gerald Ford, Henry Kissinger, Mobutu Sese Seku, the president of neighboring Saire, and the others responsible for what has come to be known as the Angolan "Second War of liberation." The second war,
following almost a decade and a half of colonial war, was short, lasting less than a year. But it was very vicious. and when all else had failed, Western powers, including the US, Great Britain and South Africa, threw a hastily organized force of mercenaries into Angola in a final attempt to prevent an MPLA victory.

Despite their agreement on where the overall responsibility lies, the prosecution and the defense differed on what penalty the defendants should suffer. The prosecutor, long time MPLA militant Manuel Rui Monteiro, called for the penalty of death as a form of "both preventive as well as punitive" justice, as "new groups of mercenaries are forming right now to leave to fight in Zimbabwe."

But the British and the American defense lawyers argued that the defendants were "casualties of capitalism." If the Angolan People's Revolutionary Tribunal puts "all the blame on the thirteen" Robert Cessner, the American argued, "it will be saying that those others, the people and organizations responsible for their recruitment and financing, would not be culpable as well. But without the others the thirteen would never have been in Angola."

The five-person panel of judges that comprises the tribunal—in effect Angola's supreme court—was hearing its first case. Neither precisely military nor precisely civil, the tribunal sought to define itself in what the Minister of Justice Diogenes Bovida has called Angola's revolutionary context. But the court, convened less than two months ago, has neither the rigorous guidelines of extensive legislation nor the benefit of any precedent-setting case law to help it define its goals.

Of the thirteen individuals on trial, the case is the strongest against Tony Callan, the commander of British mercenaries and the only defendant who has admitted killing Angolans. When first called to testify Callan refused, saying only that all the others were his responsibility. "That's all I have to say," Callan declared belligerently, "I don't have to answer any more questions.

Twenty-five year old Callan appeared defiant and hostile throughout the proceedings. Then four days into the trial after he had threatened two of the other defendants, he was brought into the courtroom handcuffed. Gradually, though, Callan began to crack. In a surprising move after the prosecution had presented its final witness, the presiding judge, whose brother, a well-known commando in MPLA's army, died a year ago in fighting in Cabinda, asked Callan to come forward. The courtroom, except for the whirring of the movie cameras, was completely still.

"You are a soldier, are you not?" the judge asked.
"Yes sir."
"As a soldier, do you think you acted within the code of military honor and behavior?"
"No sir" was Callan's unexpected reply. He added that he nothing else to say in his own defense.

But Callan did speak before the court once more. Towards the very end of the trial Callan passed a note to the judge through his Angolan defense lawyer, the only woman lawyer to participate, saying that he wished to make a statement. On the trial's final day, Callan was the first of the defendants to speak.

"I'm prepared to take full responsibility no matter what the consequences," Callan reiterated. "I'm responsible for the actions of my men as their commander. I'm not proud of my actions. Any sentence you are prepared to give me I will accept. The truth is, I'm afraid of prison but I'm prepared to go to prison. No one wants to die, but I'm prepared to die."

Although Callan said he would answer the court's questions ("Just ask me straight, I will not lie"), he appeared not to be coherent enough to respond logically to the questions put to him. When questioned about the execution of other British mercenaries, he admitted to having killed one of his own men and to having given the orders to kill the other 13 who refused to fight.
The testimony of practically all the defendants revealed the extent to which authorities in Britain and the U.S. had at times openly aided the mercenaries on their way to Angola. All the British said that from London to Kinshasa, Zaire, with stops in Brussels and Athens, they never had to deal with customs officials.

Forty year old John Nemick said that after one large meeting of mercenary recruits in London in January organized by their recruiter John Banks, a group of thirty were picked up by the police. But the mercenaries were not questioned.

On the contrary they were released through the side door of the local police precinct to avoid journalists who had learned of the meeting and were seeking to interview the new recruits.

Gary Mark Acker, the 21-year-old American on trial, testified that Acker told the FBI about his involvement with Bufkin and that Bufkin had mentioned other mercenary recruiting "contracts" besides Angola--including hunting "bandits" in Venezuela and an attempt to break a Mafia figure out of a Mexico City prison.

But the FBI did nothing to stop Acker or Bufkin's activities. Apparently Bufkin is continuing his work. The tribunal received two telegrams from Bufkin which were read in court on the opening day. Bufkin wrote that he would accept all responsibility for Gary Acher and Daniel Gerhart, two of the Americans on trial. "I am also recruiter for U.S. forces in Rhodesia" Bufkin's cable stated.

A letter from Bufkin included in the possessions of the captured mercenaries provide a closer look at Bufkin's shadowy activities.

Apparently written sometime in January 1976, the letter states that, "All funds for the Angola contracts have run out," and goes on to tell how "hard core mercs" can still find work with the FNLA but the emphasis has now turned to possibilities in Rhodesia. "Presently there exists a long-term contract in Rhodesia," the letter states noting that there are at least four military groups in Rhodesia that Americans could join. They include the Regular Army, in which "you are taken in at the rank that you were discharged from the U.S. armed forces," the SAS (Special Air Service), similar to the U.S. Special Forces, the DEPO Police, and a mysterious unnamed fourth group. "We understand that you can only get into the fourth group currently unidentified, after having served in the SAS" Bufkin said. "They paint themselves black, speak the language and actually filter into the terrorist camps" across the Mozambique border.

Although the prosecution presented witnesses to establish criminal cases against all the individual defendants, testimony was generally weak. In fact, the court threw out the testimony of the one witness who said he saw some of the defendants shoot down Angolans in cold blood. The court said the witness, an FNLA soldier for seven and a half years, and presently in prison, had perjured himself.

All thirteen admitted crossing the northern border of Angola armed and in uniform but most argued that they had been led to believe that they would not fight but were there to train FNLA soldiers.

Twenty-one year old John Nemick told his British lawyer Peter Jones that at the time of his recruitment he had been unemployed for more than two years and was living off his mother's $30 a week state benefits. Nemick, whose father is an alcoholic, left school to enter the British army when he was 15. Living in a dreary working class housing project in London all his life, Nemick testified that when recruiter John Banks handed him $300 to sign up, he had never held as much money at any one time.

According to his own testimony he was put up in luxurious hotels with unlimited food and drink for almost a week before he was finally told to fly to Africa. Then he thought his fortunes had changed. He flew to Kinshasa, was armed, outfitted and flown to the northern Angolan town Sao Salvador where only 4½ days later, he was injured and captured.
Only the testimony of two Americans, Daniel Gerhart and Gustavo Mac Grillo, differed significantly from the others. Gerhart is the only mercenary who admitted to the court that he came to Angola out of political convictions. A Vietnam veteran, the only defendant who attended college, Gerhart advertised in several publications including "Soldier of Fortune," "Shooting Times," and "Shotgun News," that he wanted mercenary or other military related work.

Gerhart had also written to an organization in South Africa called the "Wild Geese Club" reported to be the ultra right wing recruiting organization of ex-convict mercenary Michael Ford. Gerhart claimed he came to Angola to study its people, ideas and everything about them, and said he wrote to the Wild Geese Club in search for this information. When asked by the presiding judge whether coming to Angola might have been a disguise for "something else" implying, it was generally felt, a link between Gerhart and the CIA, or other intelligence gathering organizations, Gerhart replied, "No, I came to stop what I thought was the Russian communist takeover of Angola. I wanted to help the Angolan people."

Only one defendant, the Argentina-born Grillo appeared completely frank as to his motivations. "I'm sure that anybody that came here was conscious of what they were doing," Grillo, who spent four years in the U.S. marine corps and two years in frontline combat in Vietnam, testified. "They want to tell you they were cooks and mechanics, but I don't go for this, I came here for money."

But, Grillo said, he began to see things differently after his capture. He said he only learned for the first time when he was recuperating from wounds in the MPLA military hospital in Luanda, that the soldiers of the MPLA had not come to fight for money, but, he said, for the freedom of all Angolan people.

Grillo said it was then that he began to understand the difference between American and Angolan society. "In the U.S.," Grillo testified, "if I have two shirts and you don't have any, I want 20 more and the hell with you." But he said that in Angola, "If you have two shirts and I don't have any, then one is mine."

Life in the United States is a "rat race," Grillo told the court, where "everything is basically money." He said it was logical that the CIA should finance mercenary activities, but he said that mercenary institutions like the CIA and the recruiting of mercenaries to fight in Africa should be stopped. The specific legal issues in the case are not at all clear. The prosecution cited resolutions by both the United Nations and the Organization of African Unity condemning the practice of being a mercenary and calling on all member countries to pass legislation outlawing the activity and recruitment of mercenaries as the basis of its legal case against the thirteen.

But the American defense lawyer argued that because both international organizations were not legislative bodies, their resolutions, although significant internationally, did not have the power of law. The defense argued that at the time mercenaries were operating in the north of Angola, during January and February 1976, it was not a crime, according to Angolan legislation, to be a mercenary.

"The idea was to judge the phenomenon of mercenaries, not just the thirteen in the dock," one Angolan commented after the trial. And if an editorial in the Journal d'Angola, one of Luanda's two daily papers is any indication, many Angolans are satisfied with the Tribunal's work.

"It was Kissinger, Ford and Harold Wilson; it was the CIA and the FBI that were in the defendant's dock. It was them that we judged and condemned" the paper declared. "It was their government and their societies that were judged by the Angolan people."

"Now it is less important what happens to a man named Grillo or Nemick," the paper continued. "From now on whenever another Banks or another Bufkin or any other criminal recruiter tries to rent or buy crooks to send to Africa, they will always hear the same warning: REMEMBER ANGOLA."