TO: Goler Teal Butcher, Esquire
and Interested Parties

FROM: Southern Africa Project

RE: Death Sentences Imposed by the Republic of South
Africa in the SWAPO Trial in Swakopmund, Namibia.

DATE: May 13, 1976

Death sentences were imposed under the Terrorism Act against two defendants in a political trial involving members of SWAPO, the major political party in Namibia and the leading spokesman for Namibian self-determination. Two other defendants received prison sentences of five and seven years, respectively.

The charges against the defendants generally related to the death of a pro-South African Government tribal chief, and the South African Government's attempt to demonstrate that SWAPO members or sympathizers were somehow involved in that death. None of the defendants, however, was charged with having direct responsibility for the death. Hence, it had been widely suspected that the South African Government was using the trial as a pretext for outlawing SWAPO as a violent, terroristic organization.

The sentences are significant in that: (1) this is the first time that death sentences have been handed down for charges brought under the Terrorism Act, which was enacted in 1967 and (2) application of the Terrorism Act, as well as other South African Statutes, within Namibia is clearly illegal, in view of the United Nation's 1966 withdrawal of South Africa's mandate over Namibia.
The defendants are:

Mr. Aaron Mushimba, said to have given R380 ($440) and a radio to a man said to have advocated the overthrow of the Administration of South West Africa; said to have also been involved in the purchase of a Land Rover, sentenced to death.

Mr. Hendrik Shikongo, charged with giving transportation to three people who are said to have been implicated in the death of a tribal chief, sentenced to death.

Ms. Rauna Nimbinga, said to have given R10 ($12) to people advocating the overthrow of the Administration of South West Africa; with meeting people said to advocate the same; and with giving a dress, soap and a sanitary napkin to a woman said to be associated with persons advocating the same; sentenced to 7 years imprisonment.

Ms. Anna Ngaihondjwa charged with giving R10 ($12) to a man who gave it to a group of persons said to advocate the overthrow of the Administration of South West Africa, sentenced to 5 years imprisonment.

Mr. Andreas Nangolo, said to have been involved in the purchase of a Land Rover, given to a man who in turn gave it to persons said to advocate the overthrow of the Administration of South West Africa; released.

Ms. Naimi Nombowa, also charged with giving R10 ($12) to a man who gave it to a group of persons said to advocate the overthrow of the Administration of South West Africa; released.
Trial in Namibia

SWAKOPMUND, Namibia—Two men belonging to the black nationalist Southwest Africa People's Organization were sentenced to death on charges related to the assassination last year of tribal chief, Filemon Elifas.

Two women belonging to the organization were given jail terms on the same charges—aiding in terrorist activities.

In Rhodesia, a white member of Parliament, Fergus Blackie, was slightly injured by a mine while on temporary military service during action against black nationalist guerrillas. Rhodesian military authorities said 34 persons have been killed in the last six days of fighting.

Washington Post
May 13, 1976