

## 'UNFINISHED BUSINESS' FOR SOUTH AFRICA TRC

**JOHANNESBURG:** South Africa's Truth and Reconciliation Commission was meant to be the healing balm for a nation traumatized by the horrors of apartheid. But 20 years later, hundreds of political crimes including murder, kidnapping and torture remain unpunished - and many blame the post-apartheid government for the delay. The commission's first public hearing on April 15, 1996 - two years after the end of white minority rule - was a solemn affair, met with both hope and apprehension.

In a packed town hall in the coastal city of East London, TRC chairman and Nobel peace laureate Archbishop Desmond Tutu lit a candle, and the shocking testimony of atrocities committed during apartheid began. Police hit-squads targeting government opponents, torture, gruesome executions, a student thrown from an aircraft: By the second day Tutu dropped his head in his hands and wept.

In exchange for full disclosure before the commission, police officers, soldiers and ministers could be granted amnesty for their political crimes. It was a revolutionary concept, devised to steer a country on the

brink of chaos away from civil war, and it has since been replicated in several other countries. Of the 7,000 amnesty applications received from 1996 to 1998, the TRC granted about 1,000.

More than 300 cases were recommended for prosecution when amnesty was denied. But two decades later, many of those remain untouched. "Less than a handful of these cases have been pursued," said Tutu later, decrying the commission's "unfinished business". "The fact that parents go to the grave without finding out what happened to their loved ones is unforgivable," lawyer Howard Varney told AFP. "The fact that a government that represented the force for liberation and democracy has turned its back on its own people is equally unforgivable."

### 'Government Betrayal'

Thembi Nkadimeng, whose sister Nokuthula Simelane was abducted and tortured in 1983, calls it a "betrayal by the government". Simelane's body was never found. When her family embarked on a mission to find out the truth behind her death, they hit repeat-

ed dead-ends - including the disappearance of the case file. "It was just one excuse after the next," said Varney. "From the outset when we were pushing for action to be taken, we were told there was an effective moratorium in place on these kinds of cases going forward. When they eventually did start to investigate, it then became a never-ending investigation."

Four former police officers who appeared before the TRC were finally charged with Simelane's murder this year, but only after a high court compelled the national prosecuting authority to make a decision on the matter. The trial is set to begin on July 25 and has sparked new hope among families of other victims, like that of Neil Aggett, a white doctor and trade unionist who died in 1982 after being tortured while in custody in a Johannesburg police station.

His alleged tormentor never applied for amnesty and, despite the TRC findings against him, has never been prosecuted. "What makes me so angry and upset is that 20 years after Neil's death, he was still running an incredibly successful business in Johannesburg," Aggett's sister Jill Burger said. — AFP



**BRUSSELS:** Belgian Minister of Mobility Jacqueline Galant speaks during a press conference yesterday. — AFP

## BELGIAN TRANSPORT MINISTER QUILTS OVER SECURITY FAILINGS

**BRUSSELS:** Belgium's transport minister resigned yesterday after being accused of ignoring EU reports of security failings at the country's airports that were laid bare by last month's suicide bombings. The resignation of Jacqueline Galant is the first political fallout from the attacks on March 22 that killed 32 people in Brussels, including 16 at the national airport. Belgium, a notoriously complex country divided along linguistic and political lines, has been accused of a lax security apparatus that was also exposed by a foiled attack on the high-speed train connection to Paris last August.

The little-experienced Galant was under fire after the damning reports were leaked to media. This followed the shock resignation of a top transport official on Thursday who accused Galant of incompetence and "Gestapo-like" behavior. "Transport Minister Jacqueline Galant has offered her resignation to the king, which was accepted," Prime Minister Charles Michel said after a cabinet meeting, according to a statement from the royal palace.

Two Islamic State attackers blew themselves up in the departure hall at Brussels airport in a first wave of coordinated attacks that also hit a Brussels metro station near European Union headquarters buildings. The EU reports only pertained to areas of the airport beyond security checks, but they pointed to "serious deficiencies" in security including an inadequate tracing of explosive devices. The latest report from April 2015 said Belgium was still "non-compliant, with serious deficiencies" in five areas based on spot checks at Antwerp airport.

Galant denied she was ever made aware of the reports that date back to 2008 and that also warn of an alarming lack of staff and funding at the airport authority. But a top official said he had clearly notified Galant and her office and even provided separate expertise drawn up in Jan 2015 after the attacks on the Charlie Hebdo satirical magazine in Paris. That report warned that a terrorist attack on Belgium's airports "was no longer hypothetical". — AFP

## GERMANY ALLOWS PROBE OVER COMEDIAN'S ERDOGAN SATIRE

### CASE HAS PUT MERKEL IN TRICKY POSITION

**BERLIN:** Chancellor Angela Merkel yesterday authorized criminal proceedings sought by Turkey against a German TV comedian over a crude satirical poem about President Recep Tayyip Erdogan that has sparked a bitter row over free speech. In a surprise decision that exposed rifts within Merkel's government, she said the German judiciary would now have to decide whether the popular comic, Jan Boehmermann, could be convicted under rarely enforced lese-majeste legislation.

"The government will give its authorization in the case at hand," Merkel told reporters in a hastily arranged statement broadcast live on national television. A probe under section 103 of the criminal code - insulting organs or representatives of foreign states - can only go forward with the approval of the federal government. The offence can carry a punishment of up to three years in prison.

Merkel said the government agreed it would scrap what many labeled an outdated statute by 2018 as a result of the embarrassing affair. Ankara this month filed a formal request for a criminal inquiry to be launched in Germany against Boehmermann, who accused Erdogan of bestiality and paedophilia in the so-called "Defamatory Poem". Boehmermann gleefully admitted he was flouting Germany's legal limits on free expression, but has kept a lower profile since the furore erupted. The comedian was reacting to Ankara's decision last month to summon Germany's ambassador in protest at another satirical song broadcast on German TV which lampooned Erdogan in far tamer language.

### Courts Have Last Word

Merkel - who had previously labelled Boehmermann's poem "deliberately insulting" - had pledged Turkey's request would be "very carefully" examined, even as she underlined the German constitution's guarantees of "freedom of expression, academia and of course the arts". On Friday she said her government, after heated internal debate, had concluded that only the judiciary should decide whether Boehmermann had committed a criminal offence. "In a



**BERLIN:** German Chancellor Angela Merkel addresses the press yesterday at the Chancellery in Berlin. Merkel approved a Turkish demand for German TV comedian Jan Boehmermann (inset right) to be prosecuted over a crude satirical poem about President Recep Tayyip Erdogan (inset left). — AFP

state under the rule of law, it is not a matter for the government but rather for state prosecutors and courts to weigh personal rights issues and other concerns affecting press and artistic freedom," she said.

Merkel stressed that Berlin's decision did not amount to a "prejudgement" on his legal culpability and that "prosecutors and courts" would have the last word. German prosecutors last week opened a preliminary probe against Boehmermann, 35, after complaints by dozens of viewers. The case comes at an extremely awkward time as Europe is relying on Ankara to implement a pact spearheaded by Merkel to curb the flow of migrants taking boats headed for the European Union from Turkey's shores. It exposed Merkel to criticism she was compromising basic values to win Erdogan's continued cooperation on the refugee issue.

German Foreign Minister Frank-Walter Steinmeier had opposed any criminal prosecution of Boehmermann on free speech grounds, and officials from his Social Democrats, junior partners in Merkel's government, slammed yesterday's announce-

ment. "I consider this decision wrong," SPD parliamentary group leader Thomas Oppermann tweeted, adding that prosecution based on lese-majeste did "not fit in a modern democracy".

Sahra Wagenknecht of the far-left opposition Die Linke called it "unbearable kowtowing" to the "Turkish despot Erdogan" at the "expense of press freedom in Germany". German commentators noted the irony that Erdogan - who is accused of becoming increasingly autocratic - has come in for fierce Western criticism over a crackdown on free speech in Turkey.

Turkey's most popular comedian, Cem Yilmaz, went on trial this month accused of insulting a provincial governor and could face two years in prison. US President Barack Obama warned that Turkey's approach towards the media was taking it "down a path that would be very troubling" after two leading opposition journalists were put on trial. In response Erdogan, who has dominated the Turkish political scene since 2003 as prime minister and then president, defiantly declared he would not take "lessons in democracy" from the West. — AFP