

***The following report pertains to the South Africans detained in Mauritius. We invite friends, families and detainees, past & present to submit similar experiences in other foreign countries. It is not our direct intention to name and shame but in the interests of basic Human Rights, the Rights of South African Citizens and fundamental Morality, if we have to, we will weed out those who obstruct true justice.***

***All reports submitted to Locked Up must be verifiable and you must have proof of your allegations; film, voice recordings, letters, etc. We treat every case with confidentiality therefore anyone submitting a report is asked to be completely honest and in return, we will respect your anonymity on request. Please contact us if you have something to say. The more people who speak out, the better for all those concerned.***

## CRIME AGAINST HUMANITY

21 February 2007

Through my experience I have come to realize that there are many captives in Mauritius, people without a voice, hope or means to freedom as human rights are non-existent. Being the only source of hope to some of these people I have vowed to tell the world what I have seen and heard. People make mistakes but there is always hope for redemption.

I will try and tell you our story as briefly as I can:

In August 2005 my son was detained in Mauritius for importation of drugs even though they did not find any drugs in his possession. We were notified by South African Foreign Affairs and were told to give them any information that we had to this regard. After a month we had still not been contacted by the South African Organized Crime Drug Unit or Interpol, we started asking questions. I contacted Foreign Affairs to find out when we would be contacted about the investigation only to be told that they do not investigate and we must not investigate on our own as this could be very dangerous as we could be killed by the syndicate.

By going into a Mauritian news papers website and searching through their media reports we made the following discovery:

- \* There are plus minus 29 South African in their prison system. Most of them are still awaiting trial; some have been waiting up to as long as 5 years. Most of them are young women.
- \* None of them were stopped at the Airport in South Africa. (Airport Authorities involvement)
- \* The same syndicate is mentioned by almost everyone detained there.
- \* The Mauritian Police ADSU (Anti Drug Smuggling Unit) awaits their arrival at the airport in Mauritius. The South African Organized Crime Drug Unit notifies ADSU beforehand of their

arrival.(South African Organized Crime Drug Squad involvement.)

Once they are arrested they are written off by the South African Government, because if you ask questions about the South Africans detained in Mauritius all the doors slam shut. We decided to go to organized crime in George and asked if they could investigate this matter on our behalf. We later in 2006 acquired the services of a private investigator to assist in the investigation.

In October 2005 I flew to Mauritius to see my son. I decided to pay ADSU a visit and asked them if Interpol was investigating. They told me that Interpol is not notified and does not investigate these matters. Deputy Supt Padiachy however informed me that the information was given to his friend an Officer at the Organized Crime Drug Unit in Pretoria, Supt Rehder. Deputy Supt Padiachy also told me that all the South Africans are connected to the same syndicate and that the police will never catch them because this has been going on for 7 years. I then told him that he must never say never. I also told him that if they were caught we would know who is involved on both sides.

Friday 25th November 2005 I contacted Supt Rehder. I introduced myself and told him my son was detained in Mauritius to which he replied - there are many such cases. I told him that I was given his cell no by Deputy Supt Padiachy in Mauritius. The phone went quiet on his side and I thought he had hung up. He then said that he could not talk to me as he was not in the office. I asked if he would be in the office on the Monday and if I could call him then. He said that I could.

Monday 28th November 2005 I called him around 10 o' clock. When he answered his cell and heard it was me he shouted, "what do you want from me?" I told him I was phoning to get information regarding my son's case and was told "it has nothing to do with me". When I asked him who does he work for, Interpol? He replied "I don't have to tell and I won't tell you."

After placing an article in a local newspaper in South Africa I was asked to contact Interpol as they do not have a single file of any South Africans detained in Mauritius. Snr Supt Tummi Golding contacted me and stated that they had contacted the Mauritian Authorities twice to request the files of the South Africans and had received no response. She asked me to contact the families that I had contact with to come make statements concerning the detainees. They were to meet us in Cape Town to take our statements. After I had faxed a confirmation of when I would be in Cape Town to meet with Interpol I received a call telling me that they did not want a statement from me or any of the other family members as they do not investigate any of the cases. Officers that I spoke to at Interpol are Taylor, Rodgers, Mendes and Tummi Golding and each confirmed the above.

When I asked the question in Mauritius about who investigates the South African cases in South Africa. The High Commissioner Mr. Bramdeo and our Adv Gavin Glover confirmed that Interpol was not investigating and that their Authorities report these cases to the Organized Crime Drug Squad in Pretoria.

I met with the Commissioner of Prisons Mr. Bill Duff and the Deputy Commissioner of Police Mr.

Jean Bruneau who both told me to approach Mr. Mbeki and the South African Government to sign the prisoner transfer treaty. Because Mauritius and South Africa are part of SADC a prisoner transfer treaty can be signed. Mauritius has signed the treaty with Tanzania, Kenya, India, and Uganda.

Tuesday 13 December 2005 I contacted a senior staff member of Foreign affairs working at the Mauritian desk, regarding the entrapment of my son. He told me I have no rights and then he proceeded to tell me if I made any complaints about the South African detainees receiving their money late he would stop my son from receiving his money. [We deposit money monthly into Foreign Affairs account to be given to the detainees to buy essentials e.g. soap, toilet paper etc.]

Tuesday 20th December 2005 we faxed a document to Deputy Sue van der Merwe in Cape Town. We received email from Foreign Affairs in Pretoria saying that the document was in their possession. I phoned the office in Cape Town and asked Mr. Gogi under whose authority he was acting to remove the document that was personally addressed to the Deputy Minister who was in Cape Town at the time. He told me he was instructed from Pretoria.

At the end of February 2006 the Minister of Education in the Western Cape was able to give it to her.

At the end of March I returned to Mauritius to visit my son. On the 3rd April 2006 I had a meeting with the High Commission Mr. Bramdeo at the South African Embassy. I told him that it was a human rights violation that the South Africans were being detained for years before their cases went to trial. He became extremely angry with me and said that all the cases would be lodged by July 2006 and that he detests it when someone insinuates that they sit on their backsides. In November 2005 a South African committed suicide. The Mauritian authorities said he died of natural causes. His body was only cremated the second week in April 2006 after I let the Embassy know that we were aware his body was still lying in Mauritius.

Tuesday 11th April 2006 I had a meeting with ADSU Deputy Supt Padiachy and he informed me that the investigation of my sons case on the South African side was completed and that they just could not catch anyone. After remaining silent he said "I did give you his name Supt Rehder, he says that you have never contacted him." (A blatant lie as no cases were ever investigated)

Wednesday 10th May 2006 I phoned Supt Rehder who denied having any case files of the South Africans. He then informed me that because of the document that we had sent to the Deputy Minister there was to be an investigation. He also told me that it was Interpol who was given the case files. Inspector Martin van der Merwe at Organized Crime in George and Ludwig Odendaal from Bloemfontein who we asked in October 2005 to investigate after we realized that there had never been any investigation involving the detainees in Mauritius were told that they were to travel to Mauritius to investigate and they would take statements from all the South Africans.

Wednesday 10th May 2006 I phoned Deputy Supt Padiachy in Mauritius and he had also

changed his story that they had given the case files to Interpol.

11th July 2006 I went to Mauritius and Inspector van der Merwe was waiting to hear when they would be traveling. On the 23rd July 2006 another South African was caught in Mauritius and I phoned Supt Rheeder from Mauritius and asked him what they are doing to stop this as it was again the same syndicate and Cape Town International Airport. He told me never to phone him again.

Tuesday 25th July 2006 Senior Supt Naiker, Supt Rheeder and Supt Oppalt (not clear on the spelling) from Organized Crime Drug Unit Pretoria arrived in Mauritius without Insp van der Merwe and Ludwig Odendaal.

Thursday 27th July 2006 my son [whom we were able to get out on bail in April 2006] and I went to the South African Embassy to meet with the 3 Officers. Supt Rehder must have told me at least 5 times that we got off on the wrong footing and that he thought I was the syndicate. They said the main purpose of their visit was to build ties with Mauritius. When I asked why now after 7 years do they want to investigate. They said the files were either lost, filed or there is involvement of corrupt police. Supt Rehder immediately followed in saying to me "You think I am the corrupt policeman." They were in Mauritius from the morning of 25th July 2006 till 29th July 2006 and stayed in a 5 star hotel at a resort. They only spoke to 6 of the 29 detainees and did not take a single statement. If these corrupt Officers took statements there would have been a mandate to investigate and then they would have been exposed.

1st August 2006 I phoned Commissioner Johan de Beer, Organised Crime Pretoria, to arrange an appointment with him to discuss what Rehder, Naiker, and Oppalt had done on their recent visit to Mauritius. I told his personal assistant it about the South Africans detained in Mauritius. Within 10 minutes I got a call from Director van Wyk, he said he was told to call me and arrange an appointment. After meeting he said he would get back to me but this was passed to Director Ntshinga who said that Senior Supt Naiker would give me a report.

Wednesday 20th September 2006 I had a meeting with Asst Comm Lebeya at Watchhuis. Paul van Rensburg [Private Investigator] and Senior Supt Naiker were also present at this meeting. In the meeting they tried to discredit the investigator and I was then told I had no rights to discuss the other detainees with them.

Thursday 28th September 2006 I met with Minister Ramatlekane [Safety and security Minister of the Western Cape]. He said he would get back to me. He never did.

Monday 16th October 2006 I had a meeting with Comm Mlazi at Police Headquarters. In all my correspondence to various ministers I had never contacted him and I found it strange that he knew about me. I again took our private investigator with to the meeting and again they tried to discredit the investigator. Comm Mlazi was not interested in anything that I had told him regarding the detainees. He wanted to know what information I had. When I told him that I don't really have information, he became angry and said "I do not know what you want from me and I do not know why you came to me." He then accused the investigator of recording the conversation of him.

In May 2006 Richard Bremmer, a Methodist Minister, who was going to visit family in Mauritius came to hear of the plight of the South Africans detained in the media. He contacted me as he wanted to obtain permission to visit our loved ones in prison in a spiritual capacity and also as some of them has not seen any family in more than 5 years. He was denied access. I have all the correspondence on this matter.

### **WHEN CAUGHT IN MAURITIUS.**

- \* You are told that if you plead not-guilty, you will get 45 years.
- \* There is no jury or public prosecutor.
- \* The South African Embassy staff visit the detainees once in 6 months due to the families investigating. The Embassy is 5 to 6 km from the prison.
- \* There is no parole for foreigners.
- \* Most of our detainees are awaiting trial, some up to 5 years. This time spent in prison awaiting trial is not subtracted from your sentence.
- \* Foreign prisoners cannot make phone calls. The prisons where they are held have no public phones. Since we have been investigating they have put in cell phone jammer's to prevent information coming out of the prison.
- \* There are +/- eight South African women being held in a basement for the past 11 months, not seeing sunlight.
- \* Almost all of the detainees have no prior criminal record and it had been the first time they have traveled overseas. Most of these South Africans were in there early twenties and are gullible and naïve.
- \* They sit all day doing nothing. There are no rehabilitation programs.
- \* There is no urgency concerning the funds that the families pay in for there loved ones, to be paid in on time into their prison accounts.
- \* I was told by Foreign Affairs Mr. Naidoo that if I laid one complaint about my son receiving his money late HE WILL STOP HIM FROM RECEIVING ANY MONEY.
- \* Not a single employee at Foreign Affairs was willing to meet with me. ( What are they hiding)
- \* When our son was caught, he had no drugs on him.
- \* He was put in a holding cell for 21 days.
- \* The one cell had no window or electricity, only a little light came through the door.
- \* The other cell had a window covered by a metal sheet with small holes so that a little light can come in
- \* He was told that he would stay there until he signed the confession.
- \* There was no member of the Embassy present when he made his confession even though he requested to meet with them.

Another South African was put into solitary confinement for more than 3 months over a "incident about the food served". He was taken to another prison in the night and hung up by his wrists for 2 days without clothes, food, water and told "this is the punishment of CHRIST" On another occasion he was beaten by 10 prison wardens, he was on his way to the gymnasium when he was called by police officers and told to go back to the cell to change a sleeveless T-shirt he was wearing. He refused and they started beating him severely with metal sticks. At the time of the visit from the Embassy his neck was supported by a neck brace as "it was stiff". He dropped

the charges after the then Commissioner of Prisons told him to behave or face the consequences and that he must note that his fate depends on him.

Many of these detainees have not seen any family as the trip to Mauritius is expensive. They held positions in Information Technology, Graphic Designing, Secretaries etc, but were conned into a romantic island holiday. They never received any money. They are definitely not MULES or COURIERS.

The South Africans detained in Mauritius were DECOYS as the amount of drugs that they were caught with are all less than 1kg and in the words of Captain Johan Smit "its common knowledge that they are often used as decoys. We are given a tip-off and while we're concentrating on the one sacrificial lamb, another walks through with a large amount of illicit drugs "

When the South Africans are sentenced, the Mauritian Police tell the court that the case was investigated in South Africa and they were not able to arrest anyone. I have proof to this effect.

19th January 2007, an Advocate from South Africa flew to Mauritius to represent and assist our son. On arrival in Mauritius on the Saturday morning the ADSU was awaiting for him. They knew everything about him and that he was going to be there for our son. He was questioned for more than 3 hours. The main reason being to see what information he had about our investigations on the corruption of both sides. He was denied access to meet with our son, as they knew that if he obtained a statement their cover would be blown. (Rehder, Naiker and Oppalt and Interpol)

### **I was told by someone that: □**

- \* Jackie Selebi gave Senior Supt Naiker orders to discredit the private investigator.
- \* Supt Rehder will sink my son and that he sinks all the South Africans.
- \* Supt Rehder and Senior Supt Naiker say I ask too many questions.
- \* Commissioner Johan de Beer nearly had a heart attack when I called to ask for a meeting with him.
- \* Supt Rehder and Senior Naiker when in Mauritius met with all the detainees. I was then asked "Have you thought to give the information that you have to the 2 officers. I replied "why should I as you have just confirmed that they had met with every single detainee in Mauritius.
- \* Supt Rehder said to me "You just never stop, you must be careful as these people are dangerous and are capable of anything." [Quote "Jy is knaend jy hou net nooit op nie, jy moet versigtig wees want hierdie mense is gevaarlik en hulle is tot enigiets in staat."]
- \* I have been told by the staff of Foreign Affairs and a member of the staff at the South African Embassy in Mauritius that I must be careful as these syndicates are dangerous and are capable of anything.

### **This is a list of Ministers and Deputies whom I have approached: ( Only Ms Sue van der Merwe showed a little interest.)**

- \* President Mr Thabo Mbeki

- \* Deputy President Ms phumzile Mlamba-Ngcuka
- \* Ms Sue van der Merwe
- \* Dr Nkosazana Dlamini Zuma
- \* Mr Nelson Mandela
- \* Mr Hilton Dennis – Secret service
- \* Mr Charles Nqakula
- \* Ms Brigitte Mabandla
- \* Mr Ngconde Balfour
- \* Ms Loretta Jacobus
- \* Commissioner Mr Jackie Selebi (President of Interpol International )
- \* Adv Johnny de Lange
- \* Mr Aziz Pahad
- \* Mr Ronnie Kasrils
- \* Ms Nosiviwe Mapisa Nqakula and others.

We have given information to the Scorpions and NPA [Western Cape] and they can also be contacted for information. We have recordings and proof of what we have stated in this document.

**“Our lives begin to end the day we become silent about things that matter.”**

Sincerely,  
Patricia Gerber & Johann Gerber  
South Africa