

# GENERAL COUNCIL OF THE BAR OF SOUTH AFRICA

*Admitted at The Hague on 21 August 1948  
as a full member of the International Bar Association*

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## **PRESS RELEASE - MUGABE'S OPERATION DRIVE OUT THE FILTH**

The General Council of the Bar associates itself with those who call on the nation states of Africa to openly condemn the dehumanisation of over 1 million people living in Zimbabwe as a result of Mugabe's self-styled "*Operation drive out the filth*".

The code name for the operation reveals a contempt for those reduced to poverty or forced to eke out an existence for themselves and their children as a consequence of one destructive socio-economic experiment after another. The Government's loathing of those subject to removal is evident by the Government's failure to forewarn, failure to provide suitable housing or adequate sanitation and failure to provide basic community structures including clinics. The next step is reputed to be holding camps for men, women and children.

Without regard for the rule of law, Mugabe has effected the forced removal of million people, has destroyed homes, livelihoods, removed children from classrooms and those in need from local clinics and other support structures.

The plight of those who have already been removed cannot be ignored. The removals without lawful sanction - even the pre 1994 Courts of South Africa, limited as they were by draconian laws, confirmed that illegal squatter camps could not be bulldozed without Court sanction. They exacerbate, amongst an already vulnerable

population, the incidents of malnutrition. Aids and other disease and the risk of a winter's death for the young and infirm through cold and inadequate shelter. The speed with which the demolitions were executed resulted in people losing most of their meagre possessions.

If there is a request by the Zimbabwean legal fraternity or NGO's from assistance, we will be more than willing to provide advocates to challenge the forced removals.

But the lot does not only fall on the legal fraternity.

During the very weeks that we have celebrated Youth Day and the Freedom Charter, and during which there was a re-affirmation by President Mbeki of respect for the rule of law, fellow human beings were identified by their Government as vermin, deserving of inhumane treatment reminiscent of the beginnings of the purger in Yugoslavia a decade ago and the removal of Jews and other so called undesirable communities over half a century ago whilst Europe shamed itself with its silence and Chamberlain type diplomacy.

The freedoms we have fought for and now cherish are not the exclusive prerogative of South Africans. We share these common values with our neighbours. Our Government together with others in Africa as signatories to the African Charter, accepted the obligation to protect and promote human and peoples' rights and freedoms on the Continent. The African Charter is not a document expressing idle sentiment.

The establishment of the African Court with its seat in South Africa recognises that violations of basic human rights are not an "*internal*" matter, but are matters for which we can hold Governments such as that of Mugabe accountable. It is worth

repeating the words of Albert Camus, as editor of the French Resistance newspaper during the second world war : *“if you keep on excusing, you eventually give your blessing to the slave camp, to cowardly force, to organised executioners, to the cynicism of great political monsters; you finally hand over your brothers”*. We would understand the commitment by Governments to the principles of the African Charter are indeed intended to curb and prevent abuse of power.

**NORMAN ARENDSE SC  
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