

*The Reality of*  
***Farm Tortures***  
*in South Africa*

*26 June 2014*

**International Day in Support of Victims of Torture**

***A report by AfriForum***

*For the attention of the*  
**International Rehabilitation Council for Torture Victims**

Compiled by  
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On this International Day in Support of Victims of Torture, we express our solidarity with, and support for, the hundreds of thousands of victims of torture and their family members throughout the world who endure such suffering. We also note the obligation of States not only to prevent torture but to provide all torture victims with effective and prompt redress, compensation and appropriate social, psychological, medical and other forms of rehabilitation. Both the General Assembly and the Human Rights Council have now strongly urged States to establish and support rehabilitation centres or facilities.

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**—United Nations Secretary-General Ban Ki-moon 2012<sup>1</sup>**

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<sup>1</sup>Secretary-General's Message for 2012, *International Day in Support of Victims of Torture*

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# 1. Introduction

AfriForum is a civil rights organisation operating in South Africa with particular focus on the promotion and protection of the rights of minority communities. The organisation was founded in 2006 and has been blessed with growth at an exponential rate. At the time this report was drafted, the organisation had more than 95 000 individual members, the majority of whom represent families.

AfriForum is a multi-issue, non-governmental organisation and therefore the organisation drives multiple campaigns simultaneously. However, one of AfriForum's core campaigns is the prioritising of farm murders.

South Africa has been plagued by farm murders, especially in the past 20 years. The worst of the matter is not the fact that South African farmers are being attacked and killed, but rather the disproportionate numbers that are involved, the extreme levels of brutality that often accompany these crimes, and the fact that the South African government has largely been in denial about the problem since 2007.

On 17 June 2014, during the annual State of the Nation Address, state president Jacob Zuma said that the government expected the agricultural community to create one million jobs by the year 2030. Although AfriForum agrees that poverty and job creation are one of South Africa's major challenges, the organisation expresses concern that the state president's ambitions will not be realised as long as job creators in the agricultural community are being murdered and even tortured at an alarming rate. Fifteen years ago, South Africa had about 100 000 commercial farmers. This number has declined to about 36 000 today.<sup>2</sup> If the crisis of farm murders and tortures is not addressed, it will impact negatively not only on the agricultural community, but on South Africa as a whole.

About a month before the finalisation of this report, a new South African government was elected. Together with this, a new minister of police was appointed. Most of the information in this report is based on interaction with previous

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<sup>2</sup> *Loss of commercial farmers 'worrisome'* News24, 24 March 2013.

ministries of police (who were of the same political party as the new minister) and national police commissioners.

Only days after the inauguration of Nkosinathi Nhleko as the new Minister of Police, Martin Coetzee (82) was attacked and tortured on his farm near Belfast in the province of Mpumalanga. Upon discovering and confronting intruders on his farm, Coetzee was tied up and repeatedly beaten with blunt objects, breaking his arm. From this particular case it transpired that there was a relationship between the attackers and the local police, as the attackers called the police to the scene. The police arrived shortly after the summons, only to engage in discussion with the attackers while ignoring Coetzee, who was still on the scene, tied up and severely injured.

This report will be presented to the International Rehabilitation Council for Torture Victims (IRCT), but also to the new South African Minister of Police, Nkosinathi Nhleko.

After several calls for the prioritisation of farm murders had fallen on deaf ears, AfriForum decided in 2013 to internationalise its campaign as a way of raising awareness about the matter and obtaining support. With this report, AfriForum intends strengthening communication with the IRCT in order to learn from best practices how the phenomenon of farm murders can best be addressed, while supporting the victims who have been tortured, or who have lost loved ones during these attacks.

The case studies in this report were compiled using various resources and articles published in the media. All resources are available on request. As is stated elsewhere, limited resources were available regarding the more sensitive details of some of the attacks mentioned in this report.

## 2. Defining torture

The most widely accepted definition of torture internationally is set out by Article 1 of the United Nations Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (UNCAT).

*'... "torture" means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions.'*

The International Rehabilitation Council for Torture Victims further explains that torture is often used to punish, to obtain information or a confession, to take revenge on a person or persons or to create terror and fear within a population. Some of the most common methods of physical torture across the globe include beating, electric shocks, stretching, submersion, suffocation, burns, rape and sexual assault.

### 3. Day in support of victims of torture

26 June is a day of particular importance when it comes to the issue of torture. The day is dedicated to support of victims of torture on the United Nations' calendar. On the 26<sup>th</sup> of June 1987, the United Nations Convention Against Torture came into effect. Furthermore, the Charter of the United Nations, which is the foundational treaty of the United Nations, was signed on the 26<sup>th</sup> of June 1945. The Charter states in article one that the United Nations intends to take effective collective measures to the suppression of acts of aggression (among other).

The General Assembly of the UN officially decided to dedicate the day to support of victims of torture at the proposal of Denmark, which houses the *International Rehabilitation Council for Torture Victims (IRCT)*. Since then, nearly 100 organisations across the globe organise events, celebrations or campaigns on the said day.

The purpose of this day is to speak out against violent crime, to raise awareness about incidents of torture worldwide and to support victims of torture. Victims are limited to those who have been tortured and who were fortunate enough to survive, but also those whose loved ones were tortured and killed.



## 4. Farm tortures in the South African context

Although torture may occur during a variety of violent crimes, with different purposes and in various circumstances, it is particularly evident during farm attacks (the focus of this report). The true extent to which torture may occur in these cases is difficult to determine, as information on this subject is limited for a variety of reasons, including:

- The victims succumbed to the injuries inflicted during the attack and the exact details of the ordeal are not known and cannot be relayed in witness testimonies
- Because of the ongoing investigations, only limited details and facts are often released to the press and the public
- The extent of the violence used on victims is often just too horrendous to be released
- The families of the victims need to be respected and should be spared any additional pain and sadness that facts about the attack may cause
- The South African Police Service (SAPS) does not release any information on the topic and has refused to engage with civil society on the topic in recent years

It is clear that attacks in which torture occurs are loaded with emotion and intent. In numerous cases the attackers may have had ample opportunity to target the homestead when the inhabitants were not at home or were elsewhere on the property, thereby reducing their chances of being caught. The crime changes from theft to robbery, and from robbery to torture. What makes an assailant then choose to use extremely violent and unnecessary means to inflict pain and torture if the sole motive was monetary gain?

During the attack, the attackers are in complete control of the situation and have the power or authority over the victim's lives. In stark contrast to the torturer, the victim (or tortured) has absolutely no control due to being physically restrained and frightened about the uncertainty of the situation and whether they will come out of it alive. It is disturbing that a group of assailants chooses as a collective to disregard the morality and moral fibre that are part of every human being (another subject entirely) and to inflict such extreme, brutal and

cruel suffering on another human being. One cannot deny the complexities of group dynamics and the authority of the leader of the group, leaving other members afraid to confront him in such a loaded situation. However, this subject will not be dealt with here.

Nevertheless, these extreme measures are used for the purpose of gaining information regarding the whereabouts of the keys to the safe, the safe itself or the location of other valuables. The contents or the value of the possible loot is at this stage still unclear in the majority of cases, and torture may have been unnecessarily inflicted for a meagre R40.<sup>3</sup>

It is apparent in some cases that monetary gain was not the motive for the attack. Attackers may have tortured their victims in order to instil fear, not only in the victims but also in the general farming community. Torturing to such an extent may also have been used to send a message and to let the victims know that they were and still are being watched, instilling extreme fear.

Michael Davis<sup>4</sup> writes that torture can be undertaken or used for any of at least six reasons (of which the UC Convention identifies four):

- To obtain a confession – ‘judicial torture’
- To obtain information – ‘interrogational torture’
- To punish – ‘penal torture’, and
- To intimidate or coerce the sufferer or others to act in certain ways – ‘terroristic’ or ‘deterrent torture’
- To destroy opponents without killing them – ‘disabling torture’ and
- To please the torturer or others – ‘recreational torture’.

Any of these reasons still seem unconceivable to the rational mind. Even though the victims are physically helpless and restrained, the torture is as much on an emotional as a mental level. Regardless of the possible motive for gaining information from the victim, the victim is left to face severe pain and possibly death.

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<sup>3</sup> 40 South African rands are roughly the equivalent of 3,74 US dollars or 20,54 Danish krone.

<sup>4</sup> Davis, M. 2005. The Moral Justifiability of Torture and other Cruel, Inhuman, or Degrading Treatment, *International Journal of Applied Philosophy*, 19(2): 161-178.

What does a victim think about when being tortured for hours on end? Obviously the safety of their spouse or family, and inevitably the tortured person's own life. Weighing up possible scenarios, negotiating with the torturer, pleading for the torture to end are but a few possibilities of what a victim may have to face during hours of torture.

Davis<sup>5</sup> also discusses the duration of such an event. The torture may not necessarily end when the information is given and the victim's life may be taken regardless of their having provided the correct information. The natural limit of torture or stopping point of the suffering is ultimately death, when the victim is physically not able to endure or withstand the suffering and dies as a direct result of wounds inflicted.

In the case studies included in this report, the variety of the methods of torture is clear. One method that stands out and is often used is burning the victim with a hot clothes iron. This not only shows malicious intent but the torturers expect this method to provide them with the desired results. The use of an iron or warming up of an object to use to burn a victim also indicates the time the assailants have to complete an attack. They are comfortable in taking their time, often helping themselves to food and drinks, trying on clothes and looking for valuables throughout the house while torturing the restrained victim in the meantime. There is no fear of being caught on the scene due to the isolation of the property.

In the context of farm tortures in South Africa, the focus appears to be more on the creation of terror and fear within the population than on obtaining information, as will be evident from this report.

It should be noted that, historically, there has been political tension between South African farmers and South Africa's ruling African National Congress (ANC). Portions of minority communities believe that farm tortures carry with them an element of revenge on the white population as a result of South Af-

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<sup>5</sup> Davis, M. 2005. The Moral Justifiability of Torture and other Cruel, Inhuman, or Degrading Treatment, *International Journal of Applied Philosophy*, 19(2): 161-178.

rica's history of racial segregation. Many believe that there is also a political element, as the military wing of the African National Congress<sup>6</sup> historically defined farms as 'legitimate ware zones' in which soft targets could also be attacked and killed.<sup>7</sup> Farmers are still frequently the targets of verbal political attacks by senior members of the ruling party. Furthermore, AfriForum recently filed a complaint of hate speech against the ANC for its continued use of the so-called struggle song, entitled Shoot the Boer.<sup>8</sup> Another popular struggle song entitled Kill the Boer, kill the farmer was declared to be hate speech by the South African Human Rights Commission in 2003.<sup>9</sup>

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<sup>6</sup> Currently the ruling party in South Africa.

<sup>7</sup> At the ANC General Conference in Kabwe, Zambia in 1985, a resolution was adopted that soft targets could be killed during actions of armed struggle.

<sup>8</sup> See *AfriForum v Malema* (2011).

<sup>9</sup> See *Freedom Front v South African Human Rights Commission* (2003).

## 5. The extent of farm attacks in South Africa

When the South African government made a decision to deprioritise farm murders in 2007 (see *The deprioritisation of farm attacks in South Africa* later in this report), its own commission of enquiry found that at least 6 122 farm attacks and 1 254 farm murders had taken place between 1991 and 2001. The rate at which farm murders were committed more than doubled from 1991 to 1998.

Since 2007 no official statistics on farm murders have been made available and it is left to civil society to compile statistics. In the same year that the government decided to deprioritise farm murders, murders on commercial farmers (excluding their families and employees) were calculated at 98,8/100 000. That was more than three times higher than the general South African murder rate and fourteen times higher than the world average.<sup>10</sup>

During 2011 the murder rate on police officers was calculated at 51/100 000, half the murder rate on farmers four years previously. In contrast to the situation with farmers, the government's reaction to this issue was to organise a national conference and formulate a counter-strategy.

During 2013 the murder rate on farms was recalculated by the South African Institute for Security Studies (ISS). Using newer data, the rate at which South African farmers were murdered annually was estimated at 120/100 000.<sup>11</sup>

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<sup>10</sup> Johan Burger 'From Rural Protection to Rural Safety: How government changed its priorities' in Report by the Solidarity Research Institute An overview of farm attacks in South Africa and the potential impact thereof on society November 2012, page 62.

<sup>11</sup> *Boere het meer risiko's as polisie* Beeld, 24 October 2013.

## 6. The characteristics of farm attacks

In November 2012 the Solidarity Research Institute compiled a report entitled *An overview of farm attacks in South Africa* and the potential impact thereof on society.<sup>12</sup> The report included the characteristics of a farm attack, which provided an overview of the nature of an attack and what it may include. The following factors and characteristics were identified as predominant in farm attacks<sup>13</sup>:

- Some attacks are more *organised* and planned than others, like with any other crime. Firearms, tools to break into a house, wire or cables used to restrain victims or a getaway car brought with the perpetrators to the targeted property indicate the offender's *intent* in pre-meditating and planning the attack in advance.
- Perpetrators who have already selected their target often stake out the property weeks in advance, sometimes trying to *gather information* from farm labourers about the comings and goings at the homestead and the general layout of the farm and the house.
- There is usually *more than one attacker committing* the crimes. Having someone to work with, restrain victims, collect the loot or keep watch allows the attack to be completed in a shorter time period.
- There are cases where at least one of the attackers was *known to the victim*, in other cases the attackers were complete strangers.
- The initial contact with the victim can occur in various ways. Some attackers *ambush* their victims by either waiting or hiding inside their homes or at the farm gates to overpower the unsuspecting victims arriving home. Others *surprise* the victims inside their homes by gaining access to the home through windows, or confront them somewhere else on the property. Attackers may also lure the *victims* outside the house on the pretence of buying cattle or products, looking for a job or even by setting the grass *outside the home* alight. This allows the attacker to overpower the victims, leaving them powerless and with phones or firearms out of reach.

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<sup>12</sup> The full report was published in the second edition of *Treurgrond*, published by Kraal Publishers.

<sup>13</sup> Claasen, L. 2012. The significance of the level of brutality and overkill in *An Overview of Farm Attacks in South Africa and the potential impact thereof on society*.

- The *victims of the attacks* are not limited to the farmer and their spouse or family but also include domestic workers and farm labourers. Most victims are *overpowered, assaulted and restrained* upon initial contact with the attackers. There are cases where the victims fought back in self-defence, often shooting the perpetrators and causing them to flee.
- Victims are mostly *restrained* with shoe laces, telephone wires or electric cables tied around their hands and legs.
- Victims may be harmed with various objects during attacks. Attackers assault victims with *steel pipes, pangas<sup>14</sup>, axes, knobkerries<sup>15</sup>, shovels, pitchforks, broomsticks and knives*, or by kicking, beating, slapping and hitting the victims.
- Victims are often *threatened* in order to gather *information* about the whereabouts of the safe, the keys to the safe and the location of money, firearms and other valuables. Threatening to kill them or their spouses or cause them serious physical harm, or pouring methylated spirits over the victims may force the victims to give the information that the attackers demand.
- Various victims are horrifically tortured by pulling out their nails, pouring *boiling water* over their bodies, burning them with electric irons, breaking their fingers, pulling them behind a moving vehicle, or repeatedly hitting them with objects before they are ultimately murdered.
- The attackers ransack the house, looking for valuables and loot.
- Female victims are sometimes *raped* during the attack.
- Victims are *shot*, sometimes fatally, when they try to resist the attack, try to *defend their families*, shoot at the attackers and much too often for no apparent reason at all.
- The attacker's *loot* may, if anything, include firearms, money, vehicles, jewellery, electronic devices, clothes, shoes or farming equipment.
- Attackers either flee the *scene* on foot, in a getaway car ready for the escape or in the farmer's own vehicles. It is concerning that in numerous cases the vehicle stolen is left *abandoned* a short distance from the farm or property where the attack occurred.

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<sup>14</sup> *Panga* is a South African term used for a machete-like tool.

<sup>15</sup> A *knobkerrie* is typically a traditional weapon used for hunting or for clubbing an enemy's head. It typically consists of a wooden stick with a large knob on the one end.

## 7. The deprioritisation of farm murders

A significant problem in determining the extent of farm murders is the fact that the South African government, and the department of police in particular, is refusing to release any statistics on this crime.

**1997**

The government says it seems as if farmers are being targeted in a unique manner in violent and murderous attacks. Statistics on farm murders are released annually and the government appoints a task team to draft a plan against farm attacks.

**1999**

**2007**

President Thabo Mbeki announces that the commando system (which focuses primarily on protecting farmers) is being abolished. Mbeki undertakes to replace the commando system by a structure that is controlled by the police. However, this never happens.

Farm attacks increase by almost 25%. The government announces that no further statistics on farm attacks or murders will be released. Despite this increase and the government's earlier undertakings farm murders are no longer a priority.

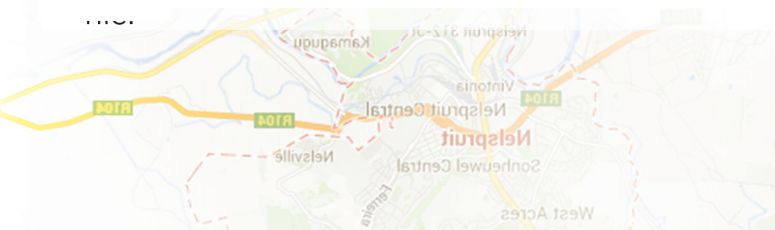
**25%**

**2012**

A victim whose father and brother were murdered on their farm in the past month submits a volume to the office of the minister. The volume contains letters from 100 victims of farm attacks and requests the prioritisation of farm murders. The minister responds to this by calling the victims' attempt to communicate with him a publicity stunt that should not be taken seriously.<sup>17</sup>

AfriForum releases a report indicating that farm murders are not investigated by the police with the necessary seriousness.<sup>18</sup> The minister's spokesperson calls the report racist and indicates that the minister will not read it.

**2013**





Where the government admitted in the past that farmer murders are particularly savage and that it is a crisis that should be addressed, the magnitude of the crisis is to a great extent denied today. The irony is that the government's reaction to farm murders has declined as rapidly as the magnitude of the problem has increased.

The Joint Operational and Intelligence Structure Priority Committee is appointed to handle rural safety as a national priority.



**2001**

A committee of enquiry on farm murders is appointed by the government.



**2003**

The department of police prohibits victims whose relatives were murdered on farms from holding a protest march to its offices. AfriForum representatives are blackmailed by a representative of the minister. A complaint is submitted to the Public Protector (PP).<sup>16</sup>

The high court gives permission for the march to continue. The march takes place on 1 December, but the minister refuses to accept the memorandum and the police fail to delegate officers to regulate traffic and ensure the safety of the marchers.



<sup>16</sup> More information is available from AfriForum on request.

<sup>17</sup> The full statement by the office of the minister of police is available from AfriForum on request.

<sup>18</sup> The full report, highlighting police negligence with respect to the investigation of farm murders, is available from AfriForum on request.

## 8. The lasting effects of torture

Torture undoubtedly leaves severe physical and emotional scars if the victim survives. This also applies to the family of the victim. Witnessing the scene of the crime or the injuries inflicted on a loved one may leave a person severely traumatised, racked with guilt about not being able to help or save the victim, and overwhelmed by the aftermath of the crimes committed. Dealing with or handling farm activities and duties for which the victim may have been responsible puts enormous pressure on the family and friends left behind.

Victims and their families may be subjected to severe emotional stress and trauma by having to recount events to the police or for insurance purposes. The inability to cope with the aftermath may lead to depression, anxiety, substance abuse and thoughts of suicide. Withdrawing from friends and family, from daily farm duties and responsibilities and constantly living in fear of re-victimisation may leave victims and their families in desperate need of the necessary assistance and guidance to adapt to their changed lives.

Even though we cannot bring loved ones back or remove physical and emotional scars and pain, AfriForum aims to help the victims and their families left behind. By providing assistance and attending to basic needs and by providing support wherever we can, we can use that same moral fibre mentioned earlier to do good, to help and to support those left behind.

Ultimately the effects of experiencing such a violent event and being tortured are far-reaching and incomprehensible. In an attempt to explain further, Bennoune wrote the following in an article entitled Terror/Torture<sup>19</sup> :

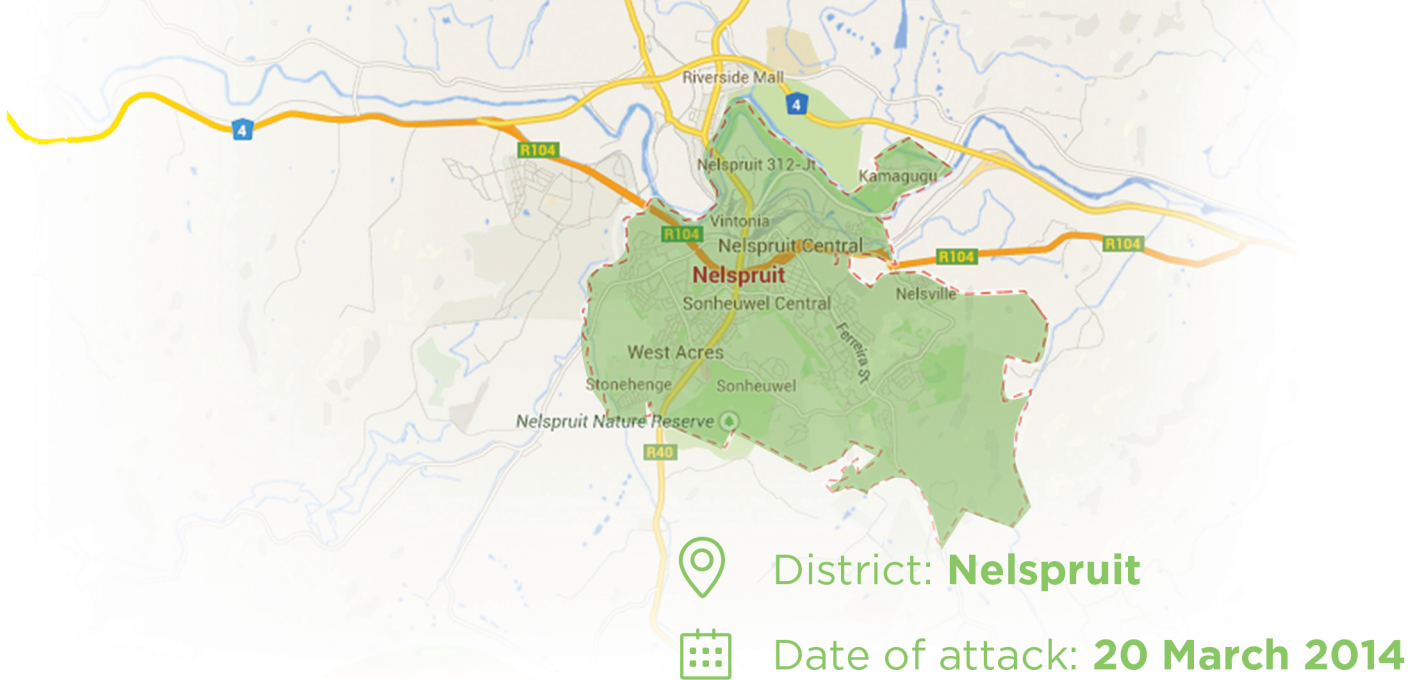
*'The similarities between the practices of terror and torture are significant and defining. These include the visitation of severe pain on victims, the intentionality of doing so, and the tremendous fear deliberately provoked in victims, survivors and those around them. Terrorism and torture both share some characteristics with*

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<sup>19</sup> Bennoune, K. 2008. Terror/Torture. Berkeley Journal of International Law, 26:1-61.

*hate crimes. Both torture and terror involve the infliction of extreme suffering, often on a victim chosen on a basis which may include discriminatory motives, often with a message intended for a broad audience and meant to impact the lives of many..*

*'... Ultimately, the concrete results of what is called torture and what is called terrorism are often experienced as much the same: the devastation of the bodies and minds of those targeted by these practices; grave physical and psychological injury to many with profound and lasting sequelae for survivors, some of which may be invisible to the eye; and the spread of fear among many others of falling victim to the same fate.'*



## CHRISTINE OTTO

Age: 75

Mrs Christine Otto was walking to her car on her way to a funeral when she was ambushed. At 09:00, three males dragged her inside her home and tied her to the shower. Her home was plundered as the attackers searched for the keys to the safe. The attackers took the bag which contained her late husband's ashes and strewed it over her bed, saying that they knew he was dead and that she was alone.

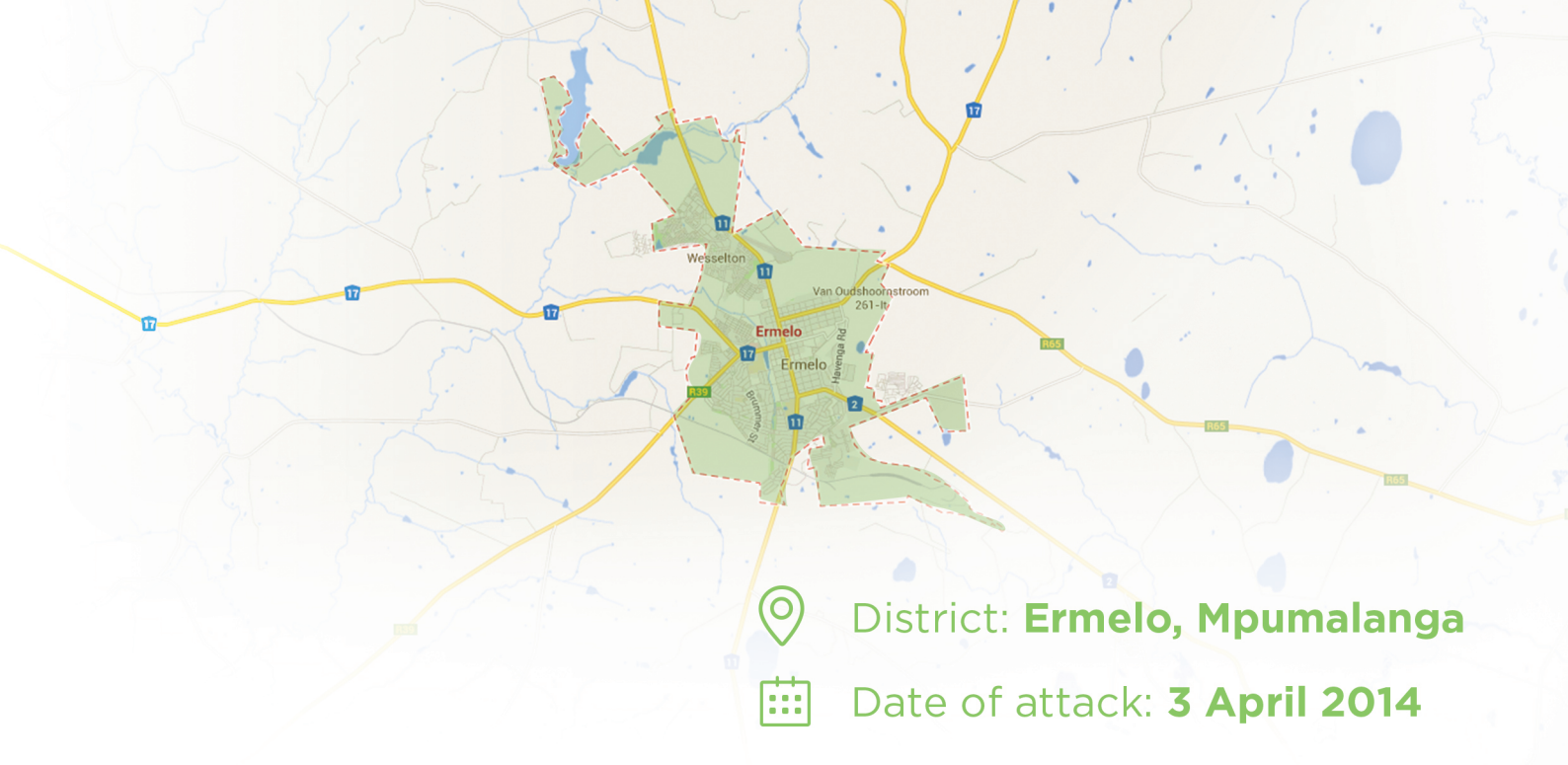
The attackers proceeded to assault Mrs Otto by repeatedly beating her, burning her with a hot clothes iron on her legs and hitting her with a rope with nails attached to it. They demanded the keys to the safe. After enduring the torture for four hours, Mrs Otto disclosed the location of the keys.

They fled with Mrs Otto's vehicle, a blue Kia Picanto, after collecting their loot of three firearms, a DVD player and cash. Mrs Otto managed to cut herself loose and alert a security company in Nelspruit. She was found at 18:00 that evening.

The vehicle was found abandoned near White River two weeks after the attack.

The three suspects, Thulani Nonyana (38), Senzo Maseko (27) and Lucky Msibi (44), were apprehended in different townships outside White River on 3 June and briefly appeared in the Nelspruit Magistrate's Court soon thereafter. A shotgun, pistol, cellphone and binoculars were recovered during the arrest.

TORTURED



## EDWARD AND INA DE VILLIERS

Age: 76 and 73

Mr and Mrs De Villiers were overpowered in their bedroom by three armed men at approximately 02:30 on a Thursday morning. The men demanded money and the keys to the safe. The attackers tied up the couple and poured boiling water over them in an attempt to gain information regarding the location of the keys to their safe. Mrs De Villiers was then taken to an outside room where she was burned with a hot clothes iron on her chest for the same reason. After failing to find the keys, they broke the safe out of the wall to which it was fastened and fled the scene with the couple's vehicle.

The farmer managed to free himself and called for help. A neighbouring farmer noticed the couple's vehicle being driven by the attackers on a road outside Ermelo and followed them. The attackers shot at the farmer and he returned fire. The men fled the scene on foot.

The vehicle and the safe were recovered.

The De Villiers couple were taken to the hospital, as Edward had suffered burns to his head and face, and Ina was reportedly in a serious condition and had severe injuries caused by the hot clothes iron.

TORTURED



District: **Thornville, Pietermaritzburg**



Date of attack: **30 August 2013**

## **LENA-MARIA JACKSON**

**Age: 62**

Mrs Jackson was confronted and overpowered by a group of three men in her home at approximately 24:00. Her hands were tied with rubber bands. The attackers demanded money and were extremely agitated when she revealed that she had only R40. She was then stabbed with knives and tortured with a hot clothes iron on her back. Even though the lights of the room were kept off to protect the attackers' own identities and they shone a flashlight directly into her eyes, Mrs Jackson managed to turn on the light, which set the alarm off. This upset the attackers even more.

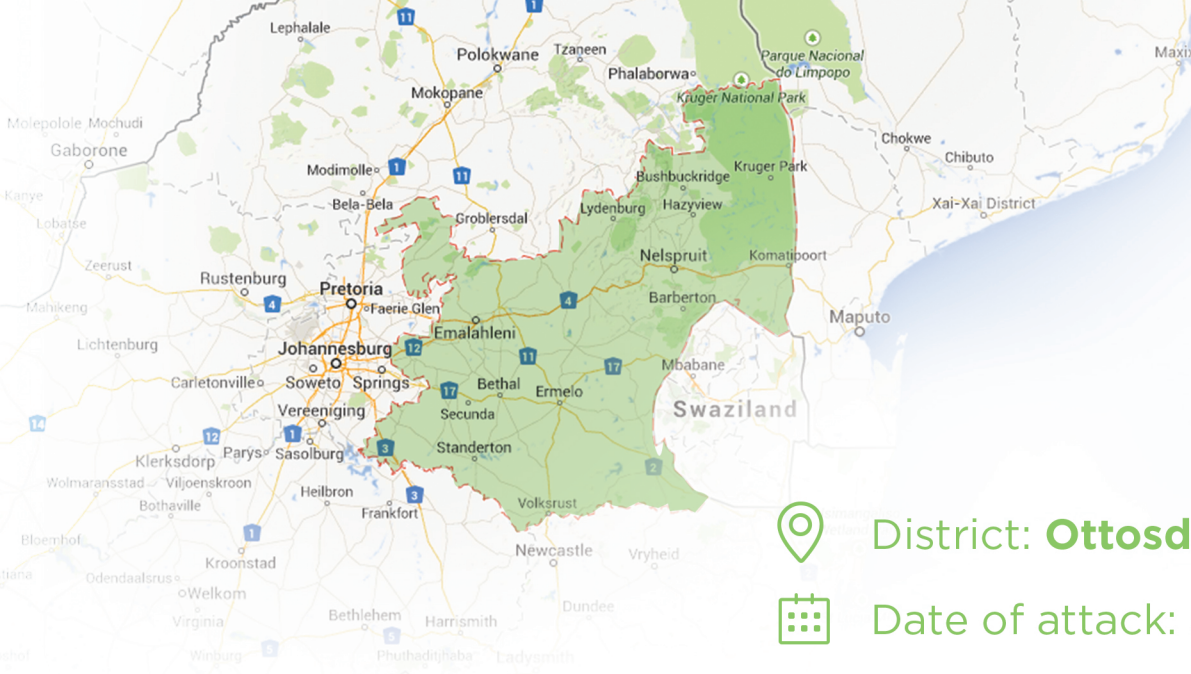
Mrs Jackson revealed that the most painful experience during the attack was that the attackers found a little box with her late husband's ashes and carelessly scattered the contents in her living room, walking all over it.

The contents of the house were thrown out while the attackers looked for valuables. They fled the property in her light delivery vehicle with their loot of two cheap cellphones and her shotgun. The vehicle was found abandoned in a nearby township, Isipingo.

Mrs Jackson was able to alert a farmworker after freeing herself.

Two suspects were arrested in November 2013 in connection with the attack on Mrs Jackson. They were apprehended at two informal settlements in Durban and charged with house robbery with aggravating circumstances, motor vehicle and firearm theft.

**TORTURED**



District: **Ottersdal, Mpumalanga**



Date of attack: **30 April 2011**

# ANDRE VAN DER MERWE

Age: 49

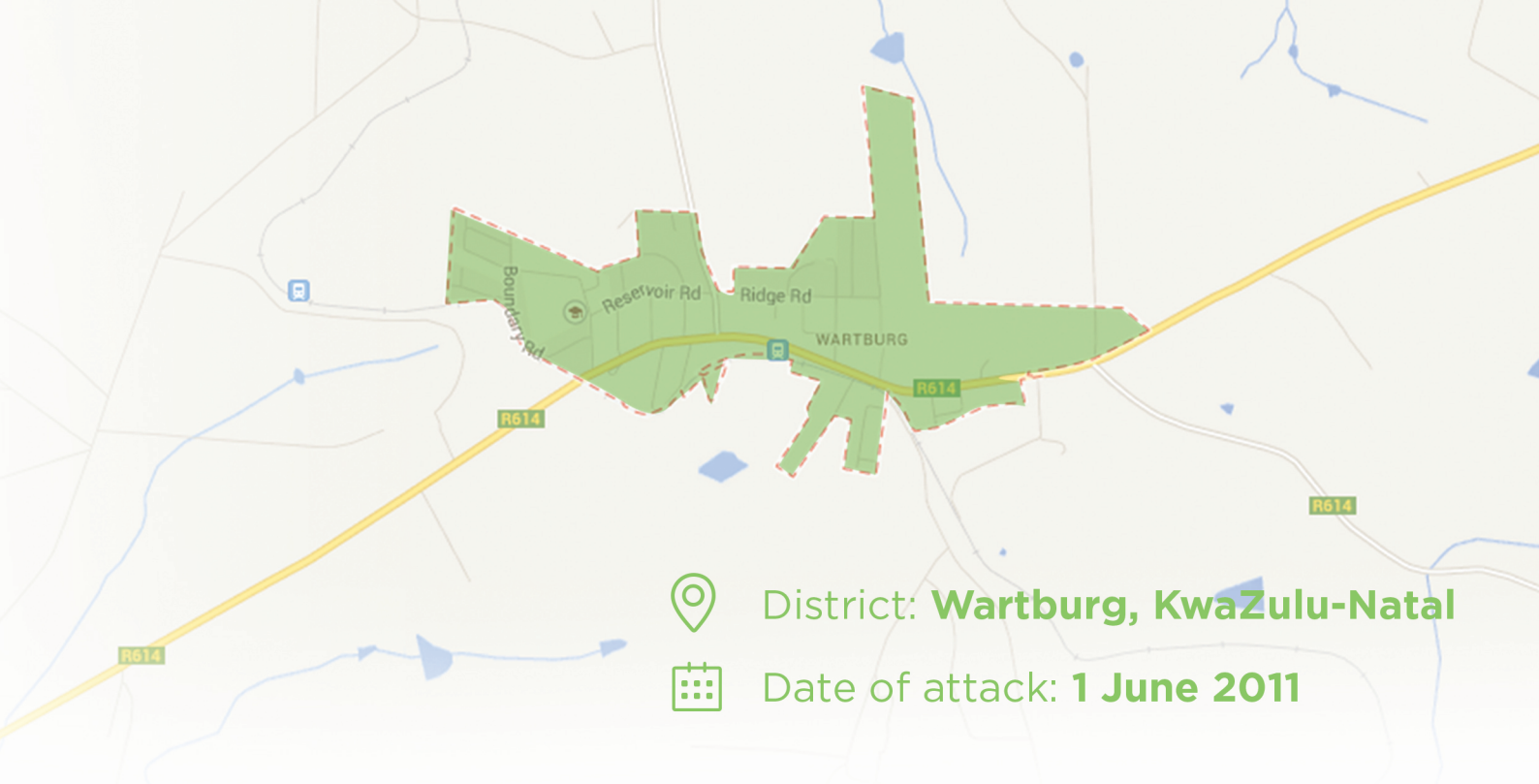
Mr Van der Merwe went outside at around 20:00 to inspect a noise when he was held at gunpoint by three men. He was shot in the chest, the back and head. His house was then ransacked and the loot (food, money, a cellphone, clothes and shoes) loaded onto his light delivery vehicle. Mr Van der Merwe, still alive, was then tied to his own vehicle with wire around his feet and dragged for approximately 1,5 km until the vehicle overturned. Two attackers managed to flee the scene.

The police found the body of Mr Van der Merwe, still tied to his vehicle, on the Ottersdal-Delareyville road.

According to reports, one of the alleged murderers was arrested on the scene after having been knocked unconscious in the accident, and he led the authorities to his two accomplices.

Thabo Matlhoko (24), Shadrack Thapelo Smith (31) and Diphapang Paul Kwa-Kwa (29) were arrested the morning after the attack and convicted of the murder of Mr Van der Merwe in the Mahikeng High Court on 13 March 2013. Judge S Gura stated in the ruling that the attack had been cruel. The men were sentenced to life in prison and an additional 20 years on other charges, which included robbery.

**TORTURED**



📍 District: **Wartburg, KwaZulu-Natal**  
📅 Date of attack: **1 June 2011**

## **BARBARA WORTMANN AND ETCEL WORTMANN**

**Age: 76 and 45**

Mrs Wortmann and her son survived a brutal attack on their lives when they were surprised in their home by six armed men at approximately 18:30. The attackers reportedly demanded money and proceeded to assault and torture both their victims. Knobkerries and handguns were used as weapons, they were asphyxiated with plastic bags and boiling water was thrown over the victims.

The attackers fled with the Wortmann's vehicle, a .22 rifle and a shotgun, which they took from a safe.

The victims were found and taken to the hospital.

**TORTURED**





District: **Winterton, Kwazulu-Natal**



Date of attack: **12 December 2013**

## **MOHAMMAD AND RAZIA ENGER NONHLANHLA GUMEDE (31) RAZIA ENGER'S MOTHER (82)**

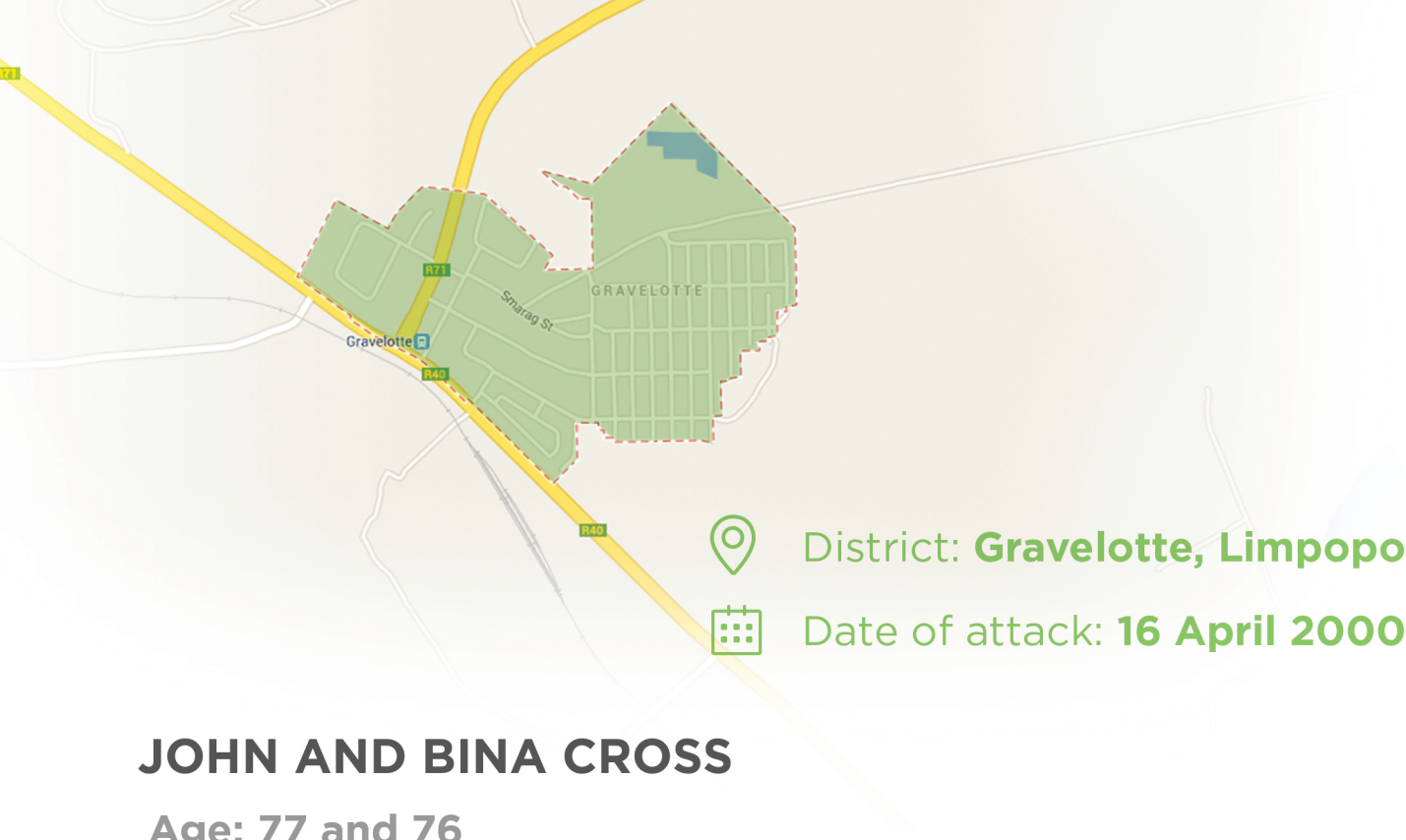
**Age: 67 and 56**

A gang of five armed males overpowered Mr and Mrs Enger in their home while they were sleeping. The attackers demanded money and valuables. Mr Enger was beaten, stabbed and tortured with a hot iron. His wife, Razia, sustained burns to her legs and a stab wound to her back. A worker who stayed on their property, Nonhlanhla Gumede, said she was woken by Razia's screams. Gumede was suddenly confronted by the attackers and threatened with a gun in her face. She was forced to tie up Razia's elderly mother and gag her. She was then forced into the room where the Enger couple was held but was moved to another room where she was threatened with rape.

The Enger couple's home was ransacked and the attackers fled with only cellphones, clothing, a CCTV recording machine and a vehicle, which was later recovered.

The attack lasted around two-and-a-half hours. It was reported that Mr Enger was covered in blood and that the lower part of his legs had no skin left. Mr Enger succumbed to his injuries two days after the attack.

**TORTURED**



District: **Gravelotte, Limpopo**



Date of attack: **16 April 2000**

## **JOHN AND BINA CROSS**

**Age: 77 and 76**

Mr and Mrs Cross were ambushed by two men waiting for them on their return home from church on a Sunday. The men broke into their home at approximately 08:30 and the couple only returned at 15:15. Mrs Cross was shot three times – through her knees and back. She did not immediately die of her wounds and bled out after some time had passed. While she was still alive, the attackers poured boiling water from the kettle over her body.

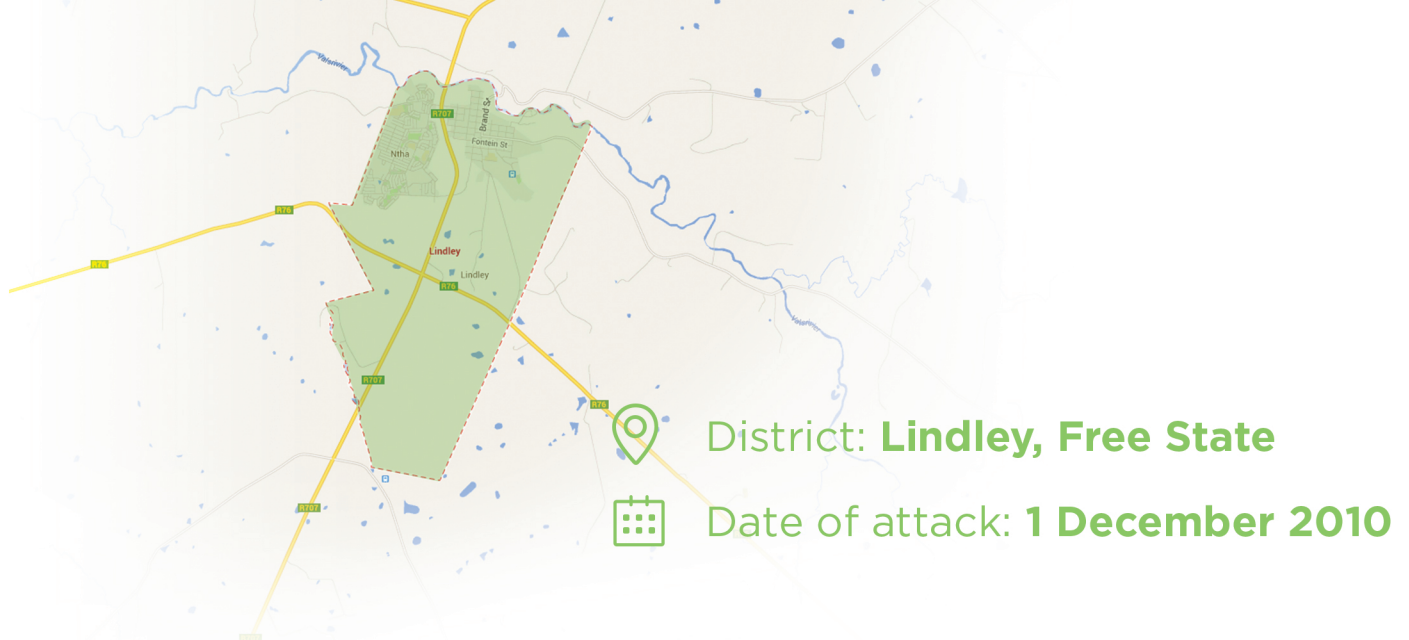
Mr Cross suffered gunshot wounds to his kidneys and was dragged around his home with a noose tied around his neck. Mr Cross was tied up in the bathroom and put in the bath. The attackers took the shower nozzle and forced it down his throat with the hot water running. After hours of torture Mr Cross was shot in the head at close range with a shotgun. The post-mortem examinations revealed that his internal organs had been burned and that his stomach was filled with water.

The attack lasted six hours.

The attackers fled with various household items, clothes, cash and firearms.

Ephraim Mokwena and Michael Malamela were arrested days after the attack on the Cross couple. Mr Cross's rifle and watch were found in their possession. They are currently serving sentences of 50 years each.

**TORTURED**



## **ATTIE, WILNA AND WILMIEN POTGIETER**

**Age: 40, 36, 2**

The Potgieter family was brutally and senselessly murdered on their farm by five men.

Mr Potgieter was tortured to death outside his house and received 151 stab and cut wounds across his body, inflicted with a panga and knives. He was reportedly found with a garden fork still through his neck. The Free State pathologist Dr Robert Book testified that there were 51 head and face wounds and 84 lacerations on his body. Only 14 of these wounds had the potential of being fatal.

Mrs Potgieter was found inside the home where she had been shot execution style and had suffered deep lacerations to her head.

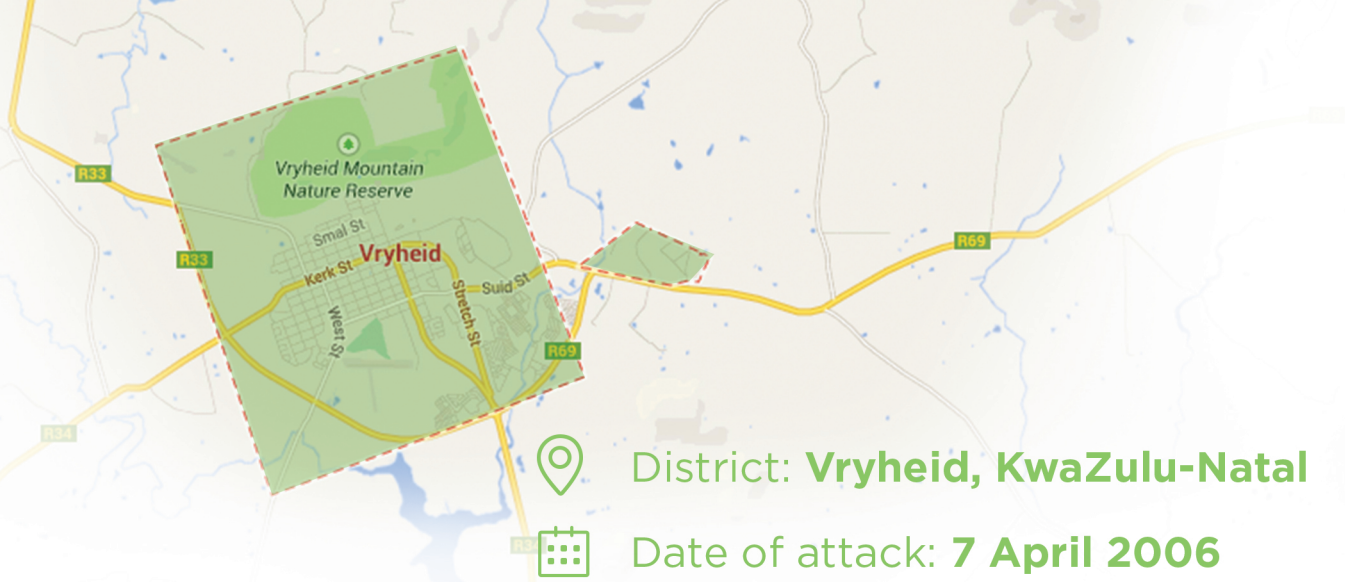
Wilmien was shot in the back of the head execution style at close range in an outside room after she had run to where her father lay. She was thrown in a box head first and her father's blood dried on her little feet.

The attackers fled the scene with R3 300.

Six men were arrested for the crimes committed against the Potgieter family. Two farm workers and three of their accomplices were found guilty of murdering Attie, Wilna and Wilmien Potgieter. A sixth man, Klaas Mofokeng (34), was accused and found guilty of robbery with aggravating circumstances along with the other five men, for sharing in the loot after the attack. Paulus Khumalo (23), Stemmer Mofokeng had worked for Mr Potgieter on the farm. Tshekolo Letlala (19), Telleko Seekoei (20) and Diphapang Motaung (18) were found guilty of murder and sentenced to life imprisonment.

Judge George Wright referred to the autopsy report of Mr Potgieter and stated that it was one of the cruellest and most barbaric cases the court had faced.

**TORTURED**



District: **Vryheid, KwaZulu-Natal**

Date of attack: **7 April 2006**

## **KOOS AND TINA VAN WYK**

**Age: 82 and 57**

Five armed men surprised Mr and Mrs Van Wyk on a Friday evening by breaking down the kitchen door and entering their home through the windows. Mrs Van Wyk screamed that they were being attacked and the couple rushed to their bedroom and tried to close the door, when the attackers overpowered them. Mr Van Wyk was hit in the face with an AK-47 and both the victims were tied up with rope so tightly it cut through their skin.

The attackers then moved Mrs Van Wyk to their living room and took Mr Van Wyk to the bathroom. Mr van Wyk was put into the bath, which was filled with extremely hot water, and tape was used to gag him and prevent him from making any noise or alarm. He suffered severe burns to his feet and buttocks.

Two other assailants went to Mrs Van Wyk and told her that they had killed her husband. They threatened to cut her eyes out if she would not tell them where the keys to the safe were. She was then grabbed by her feet and dragged through the house towards the bedroom. She was told by one of the attackers that he would make her feel like a 'special woman' that night, but they then left her lying in the hallway, where all the men stepped on her breasts, legs and stomach.

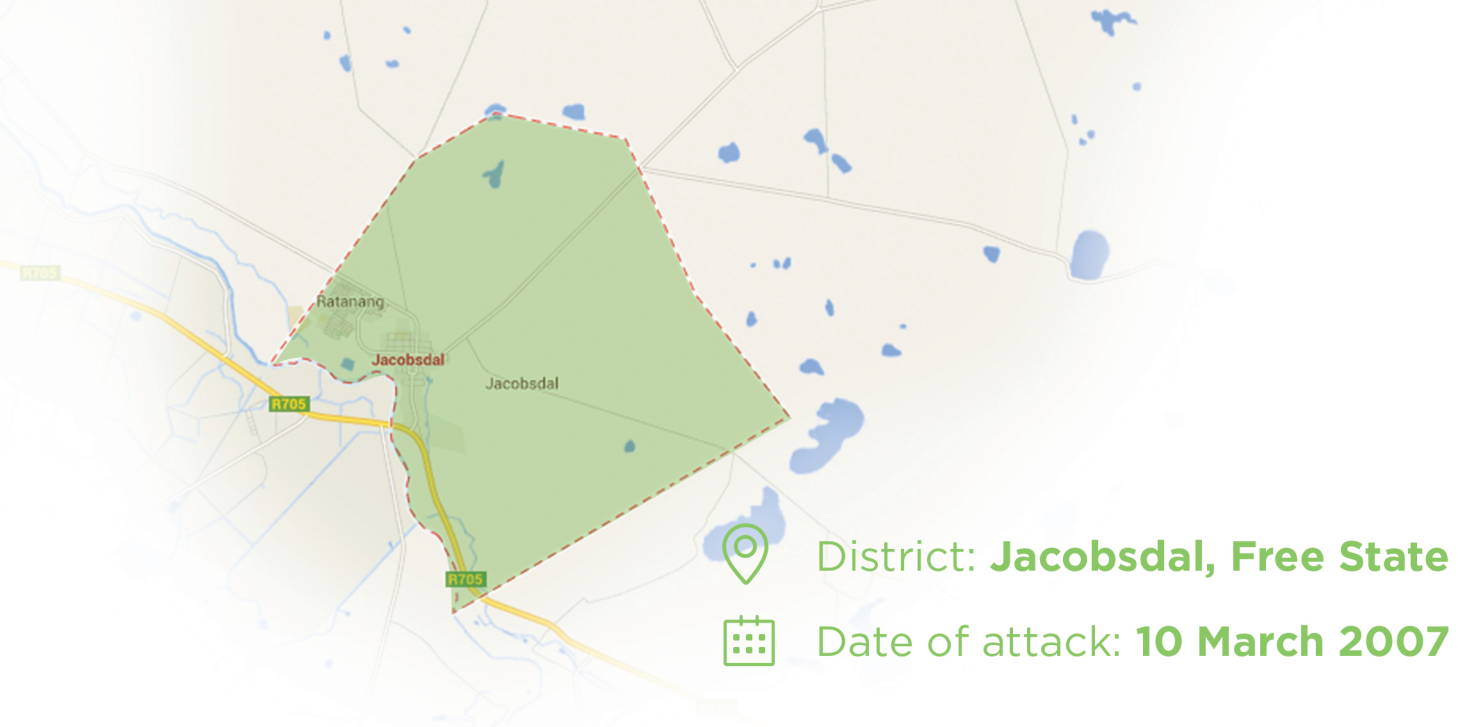
They found only R250<sup>16</sup> and ransacked the house. The attackers eventually fled with the couple's 4x4 vehicle loaded with a television, two sewing machines, money, firearms and jewellery.

Mrs Van Wyk was able to crawl to her husband, free them from their restraints and phone a friend to alert the police.

Mr Van Wyk was treated for severe burns and Mrs Van Wyk sustained severe internal injuries and suffered a heart attack while still in the hospital as a result of the injuries inflicted.

The attackers left the soles of Mr Van Wyk's feet, burned off, on the dining-room table.

<sup>20</sup>Roughly the equivalent of 23,68 US dollars or 129,57 Danish krone.



## FANUS BADENHORST AND MARINA MARITZ

Age: 27 and 33

Mr Badenhorst and Mrs Maritz woke up during the night when their three month old baby girl started crying. Four men surprised Mr Badenhorst when Mrs Maritz tended to their baby. Mr Badenhorst immediately shouted to her to lock the door where she and their baby were. A struggle ensued outside the bedroom door and Mr Badenhorst was shot in the chest. He collapsed in the living room and was tied up with electrical cords. Mrs Maritz phoned the police from inside the locked room.

The assailants then kicked the bedroom door open and tied Mrs Maritz up. She was burnt with boiling water and beaten with a broomstick to force her to reveal the location of the keys to the safe.

Shortly thereafter, the Jacobsdal SAPS arrived and fired shots at the fleeing men.

Mr Badenhorst died at the scene moments after his parents arrived to say their last good-byes. Mrs Maritz was treated for her burns and was left severely traumatised.

The baby was thankfully left unharmed.

The four attackers were arrested shortly after the attack. Boetie Benjamin Geduld (21) and two 17 year old males appeared briefly in court and the fourth suspect (24) committed suicide when the police arrived at his home to arrest him.

**TORTURED**

## 10. Conclusion

The horror experienced during farm tortures is almost incomprehensible. The well-known 'blood sisters' from the South African company Crimescene-cleanup have rightly indicated that, in their experience, farm tortures are by far the most horrific acts of violence in South Africa. They are of the opinion that the term 'farm murders' is misleading and that the terms 'farm terror' and 'farm tortures' are more suitable.

Although there are many aspects to the farm attacks, a matter of particular concern is the romanticising of violence towards white farmers in particular by high-profile politicians, combined with a large degree of denial about the true extent of the problem.

The fact that the South African government has effectively deprioritised farm attacks, despite the increase in this phenomenon, is probably the greatest cause for concern.

Given the complexity of the matter, the reality is that there is no silver bullet and that this phenomenon cannot be solved with one single action. A multifaceted approach should be followed.

### **Steps that the International Rehabilitation Council for Torture Victims can take:**

- 1.** Acknowledge of the crisis
- 2.** Further engage with AfriForum and other role players about the crisis
- 3.** Initiate a fact-finding mission to South Africa
- 4.** Communicate with the South African government about the problem
- 5.** Assist AfriForum regarding the support of torture victims in South Africa

**Steps that AfriForum will take:**

1. Conduct further research on the topic with experts in the field
2. Communicate further with the IRCT
3. Engage further with the South African Police Service
4. Launch a national awareness campaign regarding the safety of farmers
5. With the assistance of the IRCT, establish a network to support victims of farm tortures more efficiently