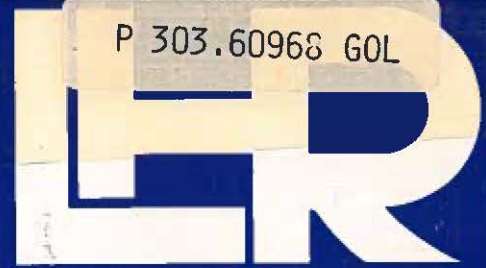


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**Goldstone Commission
of Inquiry**

Public Violence & Intimidation

Role of South African

Defence Force

LAWYERS FOR HUMAN RIGHTS

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GOLDSTONE COMMISSION OF INQUIRY

REGARDING PREVENTION OF PUBLIC VIOLENCE & INTIMIDATION

A. INTRODUCTION

1. This memorandum was prepared by Advocate David Soggot SC and Advocate Paul Kennedy, representing Lawyers for Human Rights, the Weekly Mail, Media Defence Trust, African National Congress and COSATU for submission to the Goldstone Commission of Inquiry regarding the prevention of Public Violence and intimidation. It sets out in broad terms the nature of the information obtained in the course of ongoing investigation by staff of the WEEKLY MAIL into the phenomenon of urban violence. The evidence uncovered in this investigation emanates from a number of sources. Certain sources have requested that their identities be kept anonymous out of fear for their safety and the safety of their families. This confidence has been respected. It is unlikely that such witnesses would be prepared to testify before the Commission unless appropriate arrangements regarding the secrecy of their identities be made. Other evidence is in the form of documents which can be made available to the Commission.

2. In considering this memorandum, it is important to realise that the team of journalists involved in the investigation are not vested with statutory powers and have had to piece together the evidence from diverse sources. In the description that follows, the source of information has been identified where appropriate.

3. In the course of research by members of the WEEKLY MAIL staff information has been uncovered relating to the involvement of the SOUTH AFRICAN DEFENCE FORCE [SADF] in the organisation of violent groups in the Republic of South Africa. This involvement has been executed in pursuance of a strategic plan targeting the Republic, Namibia [South west Africa as it was then] and other countries in Southern Africa including Mozambique and Angola.

4. Evidence will be submitted that the strategy was implemented in Namibia in the 1980's in particular during the period prior to the holding of the monitored elections there thus providing further evidence of the evolution of this strategy. The ultimate purpose of the strategy was the destabilisation of the SOUTH WEST AFRICAN PEOPLE'S ORGANISATION [SWAPO], the undermining of SWAPO support and the fostering of anti-SWAPO groupings in favour of the DEMOCRATIC TURNHALLE ALLIANCE [DTA] and other anti-SWAPO parties to the advantage of South Africa. The strategy included the following techniques:
 - (a) The covert funding of political parties opposed to SWAPO.
 - (b) The use of hit squads such as the CIVIL CO-OPERATION BUREAU [CCB] with a view to the assassination of members of SWAPO leadership with the aim of creating divisions in the organisation and intimidating its members.
 - (c) The use of front organisation, agents and firms to boost the image of the anti-SWAPO parties.

(d) The implementation of a Media Campaign which involved the use of local and international media to discredit SWAPO. This also incorporated the dissemination of "disinformation".

(e) The formation and fostering of vigilante groups and informal "hit squads" to undermine SWAPO's political infrastructure and included, for example, the training of Ovambo youths in the use of violent techniques and subjecting such youths to highly emotional anti-SWAPO propaganda portraying SWAPO as evil and satanic and as part of a Marxist Communist onslaught against Namibia.

5. Fundamental to the thinking underlying the aforesaid strategy was the notion of contra-mobilisation involving the mobilisation of groups and sections of the population, their support and funding in order that such groups and persons should be in a position to attack targeted forces or organisations such as SWAPO in Namibia and the ANC and the UDF and their allies in the Republic thereby relieving the security forces of much of the burden of containing such organisations.

6. Evidence of the implementation of the strategy in the Republic will be presented to the Commission. Such evidence would include the following facts:

(a) Some time in 1986 approximately 200 "handpicked" Inkatha supporters were flown in an SADF aircraft, to an airstrip in Caprivi. They were there given training in military and allied skills at a base named "HIPPO" in the Caprivi Strip by members of the SADF and one GUY BOARDMAN. The skills included the following:

- (i) The handling of weapons including pistols, assault rifles, hand grenades, limpet mines, mortars and rockets.
- (ii) Training in urban guerrilla warfare and demolition.
- (iii) Techniques relating to the kidnapping of targeted individuals and/or their assassination.
- (iv) Techniques of unarmed combat.
- (v) Techniques of winning support of local populations designed to be part of a process of winning the hearts and minds of a population.
- (vi) Techniques of identifying ANC and/or UDF or other targeted elements in a community.
- (vii) Techniques of persuading members of local populations to become hostile and/or aggressive towards members of the ANC and/or the UDF and similar elements.

(viii) Instruction in how to carry out the role of bodyguards.

[b] After receiving the training described above, the aforementioned trainees were taken from the Caprivi and housed at a camp in Zululand at Amatigulu. They were thereafter taken to the Mkuze Camp in a remote area of Zululand. At these camps they received further training and were further subjected to intense ideological instruction which included highly emotional anti-ANC/UDF propaganda portraying the ANC and their allies as communistic, evil, brutal and anti-Christian who were deserving of no mercy. The trainees from Caprivi [hereinafter referred to as "the trainees"] were referred to as "the boys on the project". Their training and their purposes were kept strictly secret. It was furthermore common knowledge amongst the trainees that certain of their members subsequent to receiving training went into action against members of the ANC and UDF in Natal, and:

That MANDLA MCHUNU had carried out numbers of assassination attacks on ANC and UDF members in New Hanover, Pietermaritzburg, Umzumbe and Clermont and had to go into hiding.

That CYRIL QEDUKWAZI NGEMA killed a number of ANC/UDF persons and was charged in 1991 with the murder of two ANC supporters from Kwa Makutha. He was released on bail and disappeared.

That DALUXOLO LUTHULI has been responsible for a number of murders against the ANC in the greater Pietermaritzburg area as also at Mpumalanga and Wesselton. [On one occasion MBONGEWI KHUMALO, a member of the Inkatha Central Committee, was ordered by M.Z. KHUMALO, personal assistant to Dr. MANGOSUTHU BUTHELEZI, to hand over to LUTHULI a motor car in substitution of a vehicle, NUB 2857, which had been damaged by bullets].

That LUTHULI has also been involved in the training in military skills of Inkatha supporters from Wesselton. This training took place at Mkuze. The trainees, once returned to Wesselton, then carried out murderous attacks on pro-ANC persons.

That ZWELI DLAMINI another trainee has been implicated in criminal trials as having been involved in acts of murder. ZWELI also shot dead a student at the University of Zululand who was pro-PAC.

[c] From the outset the training and instruction of trainees was arranged and organised and funded by members of CREED CONSULTANTS CC including GUY BOARDMAN, a firm of consultants acting in collaboration with and on behalf of a Pretoria firm, ADULT EDUCATION CONSULTANTS [AEC] and the SADF. Others who worked for CREED included MIKE DAVIS and GREG DAWSON. CREED paid the salaries of the trainees through to 1989 at which stage they were formally absorbed into the KWA ZULU POLICE [KZP] but carried on the same activities. Vehicles used by the

trainees were funded by CREED. Payments made to the trainees were drawn only from a secret account in Durban. This account did not form part of the Inkatha accounts. The cheque book to this account was kept personally by M.Z. KHUMALO. Only M.Z. KHUMALO and Dr. BUTHELEZI had signing powers. The said Special Account was maintained under the name of Inkatha at the Smith Street, Durban branch of First National Bank. The SADF and Inkatha originally denied the existence of the 200 trainees. Subsequently, after the revelations relating to the government's funding of Inkatha, President De Klerk admitted that they had been trained by the SADF claiming that the trainees were to provide security for VIPs in Kwa-Zulu.

[d] Members of CREED were instrumental in suggesting the establishment of an Inkatha newsletter. This was done and was funded by CREED.

[e] Members of CREED would, as a matter of strict practice, only have dealings with M.Z. KHUMALO and MBONGEWI KHUMALO in their dealings with Inkatha. Pamphlets were also printed by the SADF Natal Command on behalf of M.Z. KHUMALO acting on behalf of Inkatha. On at least two occasions, MBONGEWI KHUMALO personally picked up such pamphlets from the Natal Command. These were Inkatha propaganda pamphlets directed against the ANC and the Mass Democratic Movement [MDM], an organisation allied to the ANC. Inkatha cars were used to distribute such pamphlets in the townships in and around Durban.

[f] Members of CREED also participated in the presentation of courses and lectures at Mkuze Camp and also in the Transvaal for Inkatha members in the Transvaal. [The latter courses took place in November 1990]. Lectures at Mkuze were given to the trainees as also to Inkatha members and the youth. In the course of these lectures a positive image of Inkatha would be projected. The ANC would be depicted as murderers and evil-minded. The effect of such inflammatory lectures which were often prolonged was to instill in the minds of the audience considerable hostility to the ANC and their associates; at the end of lectures when the audience would be asked what is to be done now, the answer was often to go out and silence or kill them. The contents of lectures were pro-government. The lectures usually insisted on an eye-for-an-eye approach. The audiences were psychologically prepared by suggestions that the ANC wishes to eliminate Inkatha, that they were terrorists and their Xhosa organisation was determined to dominate the Zulus. Members of CREED also went into various areas in Kwa-Zulu making contact with various chiefs and arranging for the presentation of courses in local areas which courses were in fact conducted at camps over weekends.

[g] Members of CREED were aware of the deployment of the Caprivi trainees in action against the ANC and UDF members. Some time in 1989, GUY BOARDMAN telephoned MBONGEWEI KHUMALO and requested him to warn a former trainee, LUTHULI, to hide. On another occasion, GUY BOARDMAN telephoned M.Z. KHUMALO to pass on a message to

one NYONI HLONGWANE who was then sought by the South African Police to go into hiding. This HLONGWANE did so by going into hiding at the Mkuze Camp.

- [h] Some time in 1990 a Central Committee Meeting was addressed by GUY BOARDMAN and DR. LOUIS PASQUES, the head of AEC. PASQUES offered R11 million to Inkatha with a view to starting an organisation to be called THE CHRISTIAN DEMOCRATIC ALLIANCE aimed at bringing together moderate Black leaders including Reverend MAQINA of AMA-AFRIKA and homeland leaders, such as BRIGADIER GOZO of the Ciskei. Dr. PASQUES said, however, that MANGOSUTHU BUTHELEZI was not to be the leader otherwise the organisation would appear to be another Inkatha affair. The proposal was strongly opposed by BUTHELEZI and was not accepted.
- [i] Shortly before his assassination in 1991, ANC Chief MHLABUNZIMA MAPHUMULO claimed that LUTHULI and one KASPER MAKHAYE, another trainee, were operating in the area.
- [j] SAMUEL JAMILE, an Inkatha Central Committee member was convicted of murder last year. Caprivi trained, VELA MCHUNU is wanted by the South African Police in connection with two of the murders carried out by JAMILE. MCHUNU is said to be a member of an Ulundi based hit squad under the command of a certain Captain HLENGWA and is wanted in connection with the murder of three BTR-SARMCOL workers in Mpumalanga.

7. Wesselton [Ermelo]. Caprivi trainees and Inkatha members have been and still are involved in leading and/or arming and/or training members of a group known as "THE BLACK CATS" in Wesselton. During 1990 tension existed between the ANC aligned Civic Organisation known as The Wesselton Action Committee which opposed the Town Council of Wesselton and certain members of the Town Council whose number included some Inkatha members. There was also tension between the members of the BLACK CATS who were mostly youths who originally organised themselves as vigilantes but then became involved in conflict with the Wesselton Action Committee who wanted to stop their illegal activities. Certain Inkatha leaders including the local Inkatha chairperson, NOAH MQHOBOKAZI - a member of the Town Council - and the head of the Inkatha Youth Brigade, CHRIS NGWENYA, became directly involved in organising the carrying out acts of violence with members of the BLACK CATS gang. NGWENYA also became the leader of the BLACK CATS.

8. During the middle of 1990 certain of the trainees from Caprivi went to Wesselton on various occasions and were involved in acts of political violence against the ANC aligned residents. It was during this period that they made contact with members of the BLACK CATS. Thereafter in about October 1990 certain of the Caprivi trainees travelled from Ulundi to Wesselton and recruited approximately thirty-two young men and women primarily from the BLACK CAT Gang. It was from these thirty-two that a selected group of twenty-two was put through an intensive course of training inter alia, in

the handling of AK47's, the use of handguns and shotguns and subjected to ideological and propaganda lectures as described above.

9. The Black Cats have been responsible for many attacks in which many people have been killed or injured. These include machine gun attacks on two funeral processions of ANC supporters carried out by Inkatha gunmen brought in from Zululand and Soweto and members of The BLACK CATS.

10. When the BLACK CATS trainees returned to Wesselton they then proceeded to recruit a further group offering training and use of firearms at the house of CHRIS NGWENYA. Some of the recent acts of political violence carried out by members of the BLACK CATS and Inkatha members include the following:
 - (a) July 1991. ZINI SHONGWE, a member of the Civic Organisation, the Wesselton Action Committee which was aligned with the ANC. Her house was bombed and she was shot dead by SUGAR, a KZP policeman [an Inkatha member] and one CHINA, a BLACK CAT.

 - (b) August/September 1991. Mr. "DECEMBER", an ANC supporter, was shot dead by SUGAR referred to above and one MDU MOTAU.

 - (c) In December 1991 various attacks on a hostel against ANC members were carried out by approximately ten BLACK CATS including SUGAR, one MTHUNZI MOTHA and OBED NHLABATHA. One man was killed and many were injured.

(d) On the 25th December 1991, JABU MASEKO was stabbed to death at his house by Black Cat members, MTHUNZI MOTHA and one MANDLA NGOZA. Apart from the above recent acts there is a general ongoing intimidation, for example, the stripping from people of ANC garments or garments of ANC colours and the destruction of such garments. Such Persons found by members of the Black Cats out of doors after 21h00 have in fact been whipped by them - the Black Cats carry black whips - and have also been attacked with pangas.

11. Part of the information relating to Wesselton has been provided by two former members of the Black Cat Gang one of whom was trained at Mkuze. Both fear for their safety and that of their families and wish to conceal their identities.

12. The firm operating under the name CREED was but one firm acting secretly as a front together with other similar firms on behalf of the SADF under the guidance and control of AEC, a firm directed in Pretoria by Dr. LOUIS PASQUES. Their fundamental purpose was expressed as the effective mobilisation of different groups in Southern Africa in a process of contra-mobilisation designed to achieve the Republic's national security. Some of the other firms in respect of which information is available include:

- * EDUGUIDE CC in Port Elizabeth
- * DYNAMIC TEACHING CC in Port Elizabeth
- * BETTER TOEKOMS PERSONEEL KONSULTANTE CC
[Betapers] in Louis Trichardt
- * GO HIGH in Cape Town
- * JOSET HOUSING AND MANAGEMENT SERVICES in
Kimberley
- * LABOREL ADVISORY SERVICES IN JOHANNESBURG
[later Tsoja Enterprises, Bryanston]
- * TOPMAN BESTUURSDIENSTE BK which appears to
have carried out the overall financial and
administrative management of the above-
mentioned firms.

Another similar organisation, CENTRAL CO-ORDINATED CAPITAL CONTROL SERVICES, was formed in March 1988 by one STEPHEN VICTOR. On the information available, these organisations have channelled an estimated R165 million in secret funds and had at one stage over a hundred employment posts. Their purpose was to identify individuals, groups and organisations that the State could co-operate with in the townships, help such individuals and organisations to be formed and developed to enter into conflict with ANC aligned organisations with a view to de-stabilising and/or silencing them. In pursuance of this purpose, such groups or organisations or individuals were offered where appropriate advice, money, resources, guidance and training and military skills. Interest was also taken in vigilante groups. Lectures and seminars which included highly inflammatory material such as outlined above were presented to members of the public as well as to the groups or organisations that the aforementioned firms had set out to foster. R60 000,00 paid to Reverend EBENEZER MAQUINA,

the leader of the AMA-AFRIKA organisation as well as the supply of motor vehicles, office equipment and provisions. On information available two training camps were established at Stutterheim and Louis Trichardt in addition to the one situated at Mkuze. Evidence is available that the sound of shooting in the Stutterheim camp has been heard recently. Many more may have been established in the R.S.A. Great care was taken to hide from public scrutiny the fact that the aforementioned front organisations were acting on behalf of military intelligence. That the SADF were the principals and the funders behind the operations is indisputable. For example, General "WITKOP" BADENHORST [former Chief of Military Intelligence] entered into a written agreement with Dr. CONRADIE in February 1991 in his capacity as representative of AEC and the SADF [Intelligence Section]. In Namibia Major NICO BASSON acted on behalf of the SADF in terms of a written contract between him and his company on the one hand and the SADF on the other. The front organisations furthermore acted closely in collaboration with the command structure of the SADF.

13. In pursuance of SADF policy Dr. CONRADIE acting through EDUGUIDE was instructed to work closely with the aforementioned Reverend MAQINA with a view to promoting the AMA-AFRIKA organisation in terms of a secret project code named "HENRY". Dr. CONRADIE was also instructed to work with the MEMESIS, a group at Somerset East and the KEKANAS in Cookhouse. These groups were hostile to the ANC and the UDF. In the course of time bloody conflict developed. For example,

in and during 1987 in the Kwanobuhle Township in the Eastern Cape, followers of Reverend MAQINA violently attacked members of the UDF.

14. The following front organisations still operate:

- * DYNAMIC TEACHING in Port Elizabeth
[East London office closed in December];
- * BETAPERS in Louis Trichardt;
- * CREED CONSULTANTS in Durban;
- * MONTAGE in Cape Town [formerly GO HIGH];
- * DIA/PLUS BESTUURSKONSULTANTE in Kimberley
[formerly JOSET];
- * TSOJA ENTERPRISES in Johannesburg
[formerly LABOREL].

SUBMISSION

15. It is manifest that the information available to the WEEKLY MAIL is only partial. It is, however, submitted that the available evidence justifies an intense investigation by the Commission into the role of the SADF in the purpose and funding of:

- (a) the front organisations; and
- (b) the political organisations and/or groups fostered by them.