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Independent Board of Inquiry Into Informal Repression

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REPORT OF THE INDEPENDENT BOARD OF INQUIRY INTO INFORMAL REPRESSION FOR THE PERIOD NOVEMBER 1990.

Introduction

After a down-turn in the intensity of township violence on the Reef during October, the violence was intensified again during November. A new pattern seems to be establishing itself in the violence.

The Board's investigations point to attacks by smaller groups of heavily armed attackers rather than the big impis armed with mostly "traditional weapons" that we saw during August and September, especially in attacks on squatter camps such as Zonk'Izizwe and Holomisa on the East Rand. Although these attacks are also ascribed to Inkatha as in the past, smaller groups are now attacking, usually armed with AK 47's and other firearms. In most cases investigated by the Board, the victims were shot rather than hacked with pangas as in the past.

November has also seen a new spate of blatant Rightwing attacks, especially in the Northern Transvaal. In one incident in Louis Trichardt, a number of children on a Sunday school picnic were attacked by Rightwingers. These attacks differ from previous propaganda style attacks where Rightwing organisations took credit for bombings. The Government does appear to be clamping down on known Rightwingers and a number of suspected Rightwingers have been arrested and charged with various counts during November. Order of Death members Cornelius Lottering and Fanie Goosen were sentenced to 24 and 13 years in prison respectively, for Rightwing activities. Lottering was found guilty of murder and both Lottering and Goosen were guilty of planting a bomb at the flat of Sunday Times columnist Jani Allen.

In the report of the Harms Commission which was released on the 13th November, Judge Harms found that the Civil Co-operation Bureau was responsible for a number of violent criminal acts. However, Judge Harms did not consider it his responsibility to make a finding on the political accountability of General Magnus Malan or any other Cabinet Minister.

Concerning the alleged Hit Squad of the South African Police, Judge Harms found that certain members of the SAP based at Vlakplaas were responsible for common law offences but that no official Hit Squad existed in the Police Force.

2 Township violence

Further violence occurred in a number of Reef townships, and the IBIIR has investigated attacks in Zonk'Izizwe and Katlehong.

2.1 Zonk'Izizwe

The Zonk'Izizwe squatter camp was erected on land provided by the Transvaal Provincial Administration for the homeless people of Katlehong and Thokoza. During the violence that erupted in this area during August and September a large number of people fled to the squatter camp of Zonk'Izizwe.

Due to the destruction of a number of hostels in Thokoza a large group of Inkatha supporters moved to the squatter camp. Tension has been growing between the Inkatha supporters and the original residents of the squatter camp since October. On Sunday 11th November a meeting was called to deal with the problems between the original squatters and the Inkatha supporters. The meeting evidently broke up amidst a flurry of blows. This served as a spark which ignited the violence which was to follow during the week. On the evening of Monday 12th a group of armed men attacked the squatter camp and apparently five residents were killed. They were all shot. Sporadic shooting continued throughout the week until Sunday the 18th November when a large group of men attacked the squatter camp. In this attack 11 people were killed. Most of the attackers were armed with firearms. In both attacks there are allegations that the police off-loaded the attackers or assisted them. Board employees had to go to Phola Park to take statements from the residents of Zonk'Izizwe as all non-Inkatha supporters have been driven out of the squatter camp. Zonk'Izizwe is now entirely ruled by Inkatha.

There are also allegations that the people of Zonk'Izizwe now living in Phola Park are continuously being harrassed by the police. One of the ex residents of Zonk'Izizwe who moved to Phola Park has been shot by the police. There are also allegations that two ex Zonk'Izizwe residents have been wrongfully arrested by the police, held for approximately 36 hours, and assaulted. The Board's attorneys are following this up.

2.2. Katlehong

The second incident involving attacks on squatter camps occurred on the evening of the Monday 26th November. This was at Holomisa squatter camp just outside Katlehong. Holomisa squatter camp was established by the Katlehong Civic Association for the ex residents of Crossroads squatter camp which was destroyed in the August\September violence. Residents of Holomisa squatter camp were attacked by a group fo armed men and approximately 11 people were killed.

Once again almost all of the victims had been killed by bullets and not by the "traditional weapons" of the past. Witnesses claimed that the men in the group of attackers wore red headbands.

2.3. Sebokeng

The Judicial inquest into the events of Sebokeng on September 4 is proceeding in Vereeniging. A number of witnesses have given evidence on the strength of statements collected by the Board. A police video showing footage of soldiers shooting at the crowd at the Sebokeng hostel on September 4 was shown at the inquest. Police witnesses said that they could not understand why the soldiers had shot at the crowd because they did not see anyone from the crowd throwing stones at them. A SADF witness, Commandant Stefanus Lombard was found to be a lying witness and Judge Stafford said that Commandant Lombard had prima facie committed perjury and that his evidence would be given to the Attorney General to consider further action. Judge Stafford also found that another SADF witness, Sgt Major Martinus Le Roux had given false evidence to the inquest. Police and SADF witnesses have testified that the soldiers started shooting at the crowd without giving them a warning to disperse.

The firing lasted for 22 seconds. The events of 4 September, involving an earlier attack by alleged Inkatha supporters and the SADF shootings left 42 people dead.

2.4. Township violence: general

According to the South African Institute of Race Relations, more than 3000 people have died this year in the country's worst ever political violence. However, this does not only include township violence.

After various newspaper reports, the South African Police admitted that they used false number plates in their vehicles "in special circumstances". It is believed that plain-clothed SAP members also use vehicles resembling mini-bus taxis. (Business Day 7\11\90).

In continuing fighting in Bekkersdal on the West Rand, more than 30 people have been killed this month. A dusk to dawn curfew was imposed in the township on Tuesday 6th November by Law & Order Minister Adriaan Vlok.

In Kagiso on the West Rand, two hostel dwellers were shot dead on Saturday 3 November.

In the Dobsonville area of Soweto, 13 people have been killed in separate attacks.

As has been pointed out in the introduction, attacks by alleged Inkatha supporters on township residents are now taking the form of more sophisticated attacks by smaller groups of people carrying guns, usually performed at night. Despite the numerous allegations of Inkatha complicity in these attacks and undertakings by senior Inkatha spokespeople to find a peaceful solution to the conflict, Inkatha turned down an invitation to meet with representatives of the other major political organisations in the country at the home of Archbishop Desmond Tutu in Cape Town on 29th November.

As the spiral of violence continues upward, it appears that political in-fighting is also turning violent between other groups such as the PAC and AZAPO. Differences between rival political factions seem to account for at least some of the violence in Bekkersdal and some other townships.

3. Vigilante activities

Suspected vigilante activities have been reported from GaRankuwa, Braklaagte, Lephoi (near Bethulie) and Odendaalrus.

A member of Umkhonto We Sizwe, Bachana Mokoena, who recently returned to South Africa on indemnity, said that he feared for his life after numerous visits to his home in GaRankuwa by people who claimed to be policemen. Another MK member, Mthunzi Nkosi, was taken from his home at around 3:30 on 5\11\90 by 15 men wearing balaclavas. The men, said to be 5 whites and 10 blacks, allegedly said that they were policemen but refused to produce identification. (The Star 6\11\90).

Residents of Welverdiend village near Braklaagte in the Western Transvaal are said to be living in fear of a vigilante group which has allegedly attacked several families and kidnapped prominent civic leaders. In statements made to lawyers, residents claimed that a group of about 25 men armed with pangas and axes raided homes and that several people were assaulted. The lawyers have written to the Bophuthatswana Commissioner of Police "making him aware of the seriousness of the situation. (Weekly Mail 9\11\90).

Fears of a vigilante hit squad are also mounting in the Free State township of Lephoi near Bethulie. A school teacher, Tiisetso Tsuelle disappeared after violent clashes between pupils and police during the week of 12 to 16 November. It is alleged that Tsuelle, who is Chairman of the local ANC branch, may have been abducted by the vigilantes. A Bloemfontein police spokesman, Lt J van der Merwe, said police were not holding him. (Weekly Mail 16\11\90).

Researchers from the Board have gone to Odendaalsrus to investigate the violence in Kutlwanong township. On 27\11\90 a fight broke out between N 1 Speedy Taxi Organisation and Muhahlawule Taxi Organisations. The Muhahlawule Taxi Organisation was assisted by a group of unemployed Sotho speaking people called "Russians". On 29\10\1990 the Muhahlawule Taxi Organisation with the help of the so called Russians attacked the members of the N1 Speedy Taxi Organisation and a number of people were injured. Three people were killed on that night and a number of them were injured. On 30\10\1990 a meeting between the Kutlwanong Civic Organisation, the police, Muhahlwule Taxi Organisation, the Vigilantes and the Russians was held at the Odendaalsrus police station in order to bring peace in the township.

On the same day at about 22:00 Mr Vakele Mayekiso's house was attacked by about 200 Russians. Mr Mayekiso and his family escaped uninjured but his house was severely damaged.

On 31\10\1990 the Russians attacked the shack dwellers at Mandela Park. Several people including a three year old child were injured in the attack. Several witnesses alleged that a number of whites were involved in the attack. They could not identify them because their faces were covered in red clay. On 4\11\1990 the so-called Russians attacked the Mandela Park residents. At or about 2 a m a number of bodies were found in the veld outside Mandela Park and a number of people were injured in the attack. On Thursday 8\11\90 a meeting between the Kutlwanong Civic Organisation and the Russians was held at a hotel in Virginia in an attempt to bring peace between the residents and the Russians. During the meeting the Russians threatened to shoot a member of the Kutlwanong Civic Organisation. On 14\11\90 the Kutlwanong Civic Organisation and the Russians held a meeting in which peace between the residents of Kutlwanong and the Russians was achieved. It was agreed at that meeting that the N1 Speedy Taxi Organisation and the Muhahlawule Taxi Organisation should also meet in order to initiate peace.

4. Rightwing

- 4.1. Order of Death member Cornelius Johannes Lottering (24) of Sandton, a former member of the AWB, was sentenced to an effective 24 years in jail after he was found guilty of murdering taxi driver Pototo Makgalomolo on 29 August 1989 and of exploding a bomb at Jani Allen's flat. Lottering said in mitigation that he committed these acts "for my people" and that he saw them as acts of war. Lottering admitted that the Order of Death had planned the "elimination" of black and leftwing leaders in South Africa and that he had killed the black taxi driver as a "test" to see whether he could do this. He did not see anything wrong with killing the taxi driver because he was a black man and thus his "natural enemy". Co-accused Fanie Goosen (29) was found guilty of malicious damage to property, illegal possession of arms and ammunition and other charges and sentenced to an effective 13 years in jail. Goosen,

a member of the Order of Death and former member of the AWB and of Aquila participated in exploding the bomb at Jani Allen's flat but was found not guilty of the Makgalomolo murder. The Order of Death, an extremist grouping that splintered off from the AWB, now appears to have disbanded and to have become part of the Ku Klux Klan which has recently established itself in South Africa. (Rapport 18\11\90).

4.2. Five suspected Rightwingers were arrested in connection with possession of illegal weapons and possible participation in recent acts of terrorism on the 1\11\90. They are Pieter Venter, Christo Niemand, Cornelius Allison, Stefan Terblanche and Michael White.

4.3. On Sunday 4\11\90 three black pedestrians and a black taxi driver were attacked by a group of white men in Potchefstroom. The blacks were allegedly attacked at random and hit with golf clubs and knobkerries by a group of four white men travelling in a white mini bus. Two white men aged 25 and 24 years were arrested in connection with the incident on 7 November. (Sowetan 8\11\90).

- 4.4. Three Rightwingers appeared in court on charges of illegal possession of explosives on 13\11\90. Warrant Officer Pieter Bekker (35), Mr Julian van Eeden (27) and Johan Godfried Heydenrych (27), all of Roodepoort, were arrested in August after a police raid. Their trial has been postponed to the 24 January.
- 4.5. Blacks visiting a public swimming pool in Ermelo in the Eastern Transvaal were allegedly assaulted by white men with sjamboks on Saturday 10\11\90. One of the people who allegedly chased the black bathers away was said to be Mr Hein Mentz, son of CP MP Moolman Mentz. A video tape recording the incident has been handed to the police. (Beeld 14\11\90).
- 4.6. Six Rightwingers, all members or former members of the World Apartheid Movement were arrested in connection with explosions at a taxi rank on 11 August and a parcel bomb explosion in Durban in October. Three of the men, Mark Singleton, Christopher Singleton and Henry Guy Mountain are British citizens. Three South African citizens, Adriaan Hendrikus Maritz, Lodewyk van Schalkwyk and Willem Jacobus Pretorius,

are held under Section 29 of the Internal Security Act. A Belgian citizen and World Apartheid member, Jean Bultot, was arrested and deported. Bultot was involved in training WAM members in arm warfare. The leader of the World Apartheid Movement, Koos Vermeulen, was detained on 26\11\90 and is also being held under Section 29 of the Internal Security Act.

- 4.7. It was reported that CP MP Koos van der Merwe and Boerestaat Party leader Robert von Tonder are members of the Rightwing "Church of the Creator", a quasi religious organisation that favours the expansion of the white race over other races that are seen as "mud races". Members of the Church of the Creator and other Rightwing movements attended a meeting called by the European Cultural Association in Pretoria. (Rapport 18\11\90).
- 4.8. A group of black children belonging to the Apostolic Mission Church attending a church outing in the Northern Transvaal town of Louis Trichardt, were attacked by a group of khaki clad white men on 24 November. A police spokesman blamed the Rightwing Blanke Beskermings Buro for the attack. By the end of the month no one had been arrested in connection with the incident.

4.9. Several mineworkers were admitted to hospital after they were attacked at the Union offices in Welkom by AWB members on 26 November. The National Union of Mineworkers said that about 50 AWB members wearing khaki uniforms arrived at the Union office armed with shotguns, batons, knives, sjamboks and pick handles. The men attacked mineworkers waiting for transport after a meeting. Among those injured was NUM Regional Chairman Jan Selepe.

5. Johannesburg City Council's Spy Ring

Town Clerk Manie Venter, who was named in the Hiemstra Commission report as a key player in the Spy Network of the Johannesburg City Council, announced that he was retiring with full pension fund benefits after being declared medically unfit. Venter previously said that he would go on long leave for a year before retiring. This latest move means that Venter will receive a lump sum of about R700 0000 as well as R13 500 monthly.

The man who was named as the head of the Spy ring, Frik Barnard, would continue in his post in the Security Department of the University of South Africa, the University announced. Unisa rector Professor Cas van Vuuren said that Unisa had entered into a legal contract with Mr Barnard and that the University would honour it. Unisa staff members had expressed disquiet at the fact that the assassination of academic Dr David Webster was repeatedly brought up at the HIemstra Commission and at allegations that two of Mr Barnard's former colleagues were involved in a plot to assassinate academic staff at the University of Transkei. The staff members protested against the continued employment of Barnard.

6. Other incidents

6.1. Jabulani Mthsali (19) was found guilty of assault with intent to do greivous bodily harm in the Johannesburg Regional Court following a panga attack on senior ANC member Penuell Maduna on 29 July this year in Diepkloof, Soweto. Passing sentence, Magistrate H Wolmarans found no political motive for the attack. Mthsali a well-known robber, was sentenced to four years imprisonment of which two years were conditionally suspended.

6.2. A Stellenbosch farm manager, Rudolph Rix (25) was sentenced to 18 months jail and a R250 fine for beating to death a labourer and assaulting another with a pickaxe handle. Paarl Regional Magistrate D Cronje released Rix on R500 bail pending the outcome of an appeal. The magistrate sentenced Rix to three years of which half was suspended for five years on charges of culpable homicide and assault with intent to do greivous bodily harm.

The magistrate found that the death of Charlie Thompson (36) had been the result of multiple injuries. Rix was fined R250 or 6 months for assaulting Johannes Beukes (78) who has cancer and tuberculosis.

- 6.3. An attempted coup, lead by Col Craig Duli, was successfully thwarted by the Transkei Defence Force on Thursday 22 November. Allegations made by the Chairman of the Transkei Military Council, Major General Bantu Holomisa, the day before the coup that the AWB was training about 800 dissidents to stage a coup against the Transkei on a farm near MaClear, were dismissed by the AWB. The organisation claimed that a braai held by its supporters in the MaClear area of the Eastern Cape had sparked the complaint. AWB Chief Secretary Kays Smit said that AWB commanders from the area had held a braai on a farm near MaClear and that some of those present had indulged in exercises including running. Newspaper reporters who went to the farm could not find any evidence of a training camp.

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ANNUAL REPORT OF THE INDEPENDENT BOARD OF INQUIRY INTO INFORMAL REPRESSTION: NOVEMBER 1990.

Introduction

The activities of the Board of Inquiry since its inception in late 1989, have increased dramatically.

The Board monitors acts of violence and informal repression, i e assault, assassinations, bombings, arson, harrassment, disappearances and vandalism, on a daily basis.

Apart from monitoring and general investigations, the Board has largely concerned itself with the Harms Commission, Rightwing activities and Township violence in the past year.

1. The Harms Commission

When the Harms Commission of Inquiry into certain murders and acts of violence was appointed in February this year, the Independent Board instructed lawyers to represent the Board at the Commission. The Board did continuous research and investigation following up leads and presenting new evidence to the Commission.

The result of these investigations was that the Board handed in more than 30 exhibits to the Commission, more than the Commission's own investigating team.

Among the documents handed in were:

- * Affidavits showing that a number of acts of violence which Almond Nofemela and Dirk Coetzee had testified to participating in, and the occurrence of which had been denied by council for the South African Police, had actually occurred as set out by the two witnesses;

- * Documents from Botswana, showing that Joe Mamasela, Almond Nofemela and Dirk Coetzee had crossed the Botswana border in 1981, on the same day that an attack occurred on an A N C activist's house in Botswana. Dirk Coetzee had earlier given evidence of this attack, and a statement taken from Joyce Dipale, at the time by the Botswana police and handed in by the Board, confirmed Coetzee's details in most material respects. Significantly, throughout the proceedings of the Commission, Council for the South African Police had denied that Joe Mamasela even knew of the existence of Dirk Coetzee in 1981.

The Board's sources were of such a nature that we concentrated on the alleged Vlakplaas Hit Squad of the South African Police for the purposes of the Harms Commission, but the Board constantly monitored all evidence and allegations regarding the activities of the Civil Co-operation Bureau of the South African Defence Force that came to light, and prepared a number of reports setting out this evidence and the structure of the C C B. Council for the Independent Board presented argument on both the S A P and the C C B at the Harms Commission.

The Board's resources and information on the Hit Squad allegations have been used extensively by Human Rights Organisations and the Press both locally and overseas. The Board is presently awaiting the release of the Harms Commission's interim report that has been handed to State President F W de Klerk, and will comment on the report upon its release.

2. The Rightwing.

The extreme Rightwing has shown alarming growth in the past year, especially since President de Klerk's February 2nd speech in which he announced the unbanning of the A N C, the S A C P and other political organisations and the release of Nelson Mandela and other political prisoners.

The Independent Board has kept a constant watch on Rightwing activities and has recorded all known incidents of Rightwing violence over the past year. The Board has prepared a comprehensive document on Rightwing Organisations and trends, the contents of which have been widely used by local and overseas press, embassies and organisations.

Advice offices and lawyers countrywide have been requested to convey any available information on Rightwing activities especially in the rural areas to the Board.

3. Township Violence.

Since violence broke out in the Reef townships at the end of July, the Board has been intensively involved in gathering information and investigating the causes of the violence by taking statements from township residents and journalists, following up press reports and consulting local and national civic, political and labour organisations.

The Board prepared a Memorandum on the violence at the end of August, which formed the basis for South African Council of Churches General Secretary Dr Frank Chikane's meeting with Minister of Law and Order Adriaan Vlok. The information contained in this memorandum was also used in discussions on the violence between ANC Deputy President Nelson Mandela and State President F W de Klerk.

Statements referred to in the abovementioned Memorandum, as well as statements taken subsequently and cartridges found on the scene of various attacks have been handed to the SAP Special Investigation team appointed by President de Klerk and headed by Major General Ronnie van der Westhuizen.

The Board has also prepared subsequent montly and ad hoc reports on the township violence, which have been distributed to the Press, Embassies, Human Rights organisations, and internal and external political and labour organisations.

The particular interest of the Board has been to investigate the role of elements within the police in the present violence and of allegations of unidentified white men being seen among Inkatha attackers.

More specifically, the Board has concentrated its efforts in the Vaal Triangle township of Sebokeng. It is the Board's opinion that the present spate of violence originated in Sebokeng, where an attack on the hostels occurred on July 22, leaving nineteen people dead. The township has been the scene of ongoing conflict ever since. The South African Police was forewarned of a possible attack on July 22 following an Inkatha rally in Sebokeng, by the Board's lawyers. Our lawyers also warned the SAP about the first of a spate of train attacks in Johannesburg.

The Board's researchers have taken more than fifty statements of township and hostel dwellers in Sebokeng, most of these concerning an attack on September 4 after which 137 Inkatha supporters, among them Inkatha Youth Brigade leader Themba Khoza, were arrested. In a subsequent incident on the same day, a number of people were shot dead by the South African Defence Force. Although it is not clear how many people were killed in each incident, at least 31 people were killed in Sebokeng on September 4.

Because of a deep seated mistrust in the Police, hostel residents have been unwilling to provide the police with eye-witness accounts of the attack. Statements taken by the Board and handed to the Police, have insured the prosecution of some of the suspects, among them Themba Khoza. A Judicial Inquest has also been ordered into the incident, where the Board will be represented.

4. The future role of the Board.

As South Africa moves into an uncertain pre-negotiation phase it is to be expected that politically inspired violence and informal repression, both on an organised and on a random scale, will increase.

Taking into account the events of the past year, the following possible areas of concern can be identified:

- * Clashes between rival political groupings;
- * Rightwing activities and growing militancy, both by Rightwing organisations and among Rightwing elements within the security forces;
- * The possibility of the continuation of violence perpetrated by State controlled organisations;
- * Former employees of the Security Forces, and particularly of the C C B, continuing acts of destabilisation.

An indication of the proven need of a body like the Independent Board, is that the Board was originally envisaged as a low level, temporary body employing one office administrator and one researcher. It has since become necessary to employ two more researchers and an additional employee for administrative work as more and more people and organisations depend on the Board's resources and information. It is expected that the Board's activities will increase even further over the next year.

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