

Truth & Reconciliation Commission
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PO Box 3162
CAPE TOWN 8000

Truth & Reconciliation
Commission

AMNESTY COMMITTEE

From the Office of:
Adv. Martin Coetzee
Executive Secretary

Fax

Date : 27/7/98
To : ATNC TRUTH DESK
Attn : LINDE LWA
Fax : 011 - 330 7242
From : Phumza
Re : A.M. SOVENGA Amnesty App'n

Pages : 5 (including this one)

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error please telephone
24-5161 EXT. 2512

Committee Members: Judge H. Mall; Judge A. Wilson; Judge B. Ngoepe; Judge R. Pillay; Judge S. Miller;
Judge S. Ngcobo; Adv. C. de Jager; Adv. D. Potgieter; Adv. L. Gcabashe; Adv. N. Sindi;
Adv. J. Motata; Adv. S. Sigodi; Adv. F. Bosman; Dr. W.M. Tsotsi; Ms S. Khempepe;
W. Malen, I. Lax; J.B. Sibanyoni; J. Moko

AFFIDAVIT

I, the undersigned,

ANDRIES NOSENGA

do hereby make oath and say that : -

1. I am 23 years old and am presently serving a 16 year prison sentence for murder, at the Maximum B Prison in Leeuhof. I was convicted in February 1995. I have a standard one education.
2. I resided at 671 Numan Road in Evaton until 1990, when I left the township and went to live in the Kwa-Madala Hostel in Sebokeng. There I joined the Inkatha Freedom Party (IFP). Themba Khoza was the chairperson of the IFP in the Vaal Triangle. The IFP used Kwa-Madala Hostel as a base from which they would launch attacks on residents of the township.
3. I was part of the group from the hostel that went on the rampage in Boipatong in June 1992. Before we left the township, we performed various rituals. Just before we were about to leave, Sgt. Peens of the SAP came and gave Khetisi (Victor Kheswa) some money. Themba Khoza also took guns from Peens.
4. When we got out of the hostel onto the road, we were picked up by a police caspir driven by a White man, whose name I don't know. In the hippo there was Shaka of the Security Branch, a white policeman known to me as Rooikop, who had red hair, Peens and our driver. There were fourteen or fifteen IFP members inside the hippo. Others were walking alongside. Those that I remember were in the hippo were Gatheni, who had ordered us to get into the hippo, Ruben, Themba, Lucky, Makuka and Dondo.

Gatheni

#3

(Malote)

#7

Aupa
Thinus
Selai

- 2 -

5. I first started off in the township and then joined other IFP members in the Slovo Park. I killed 8 to 9 people on that night, and probably injured many more.
6. After the attack we went via Iscor and hid our weapons in the ceiling. Thereafter we had a ritual washing and Themba Khoza collected all our weapons. The people who were in charge of the attack were Mtwana and Gatheni.
7. Themba Khoza was an induna at our hostel. He attended meetings, briefings and de-briefings. He also delivered guns to the hostel on a regular basis, using his Sprinter.
8. The acts for which I have been charged and tried relate to two incidents in Zone 12, Sebokeng and Evaton. Our instructions came from Mtwana and he ordered us to shoot residents who were waiting for their taxi in Zone 12. Once we had done this, we overtook a bus with a trailer. As we were parallel with the bus we moved very slowly and shot the commuters inside. There were several of us who were involved in these incidents, namely, Khetsi, Zwee, Sello Hunter Ndlovu, Michael Ramakau, Nhlanhla Gqindi and myself. Only the driver was not carrying a weapon. **[Get further details]**
9. When I was first brought to court in Sebokeng and then in the Vereeniging Circuit Court I found that I was the only one on trial. I was also approached by Shaka and Peens, who told me that if I mentioned their names, I would be killed. I pleaded guilty and was defended by a pro-deo counsel.

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10. I now want to go before the Truth Commission and tell them about these incidents. I hope that in doing so, they will grant me amnesty.

THUS DONE, SIGNED SWORN to before me at JOHANNESBURG on this the
day of JUNE 1996, the Deponent having affirmed that he knows
and understands the contents of this affidavit, has no objection to taking this oath
and considers this oath binding on his conscience.

COMMISSIONER OF OATHS
FULL NAMES :
ADDRESS :

23-9.90

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CELLULAR SALES

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ANNEXURE

FORM 1

APPLICATION FOR AMNESTY IN TERMS OF SECTION 18 OF THE PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, 1995 (ACT NO. 34 OF 1995)

This form is also available in the other official languages at the address of the Committee on Amnesty mentioned hereunder.

To be completed in block letters, sworn to solemnly affirmed before a commissioner of oaths and returned to the Committee on Amnesty, P O Box 3162, Cape Town, 8000 (Please use a separate page if more space is required)

- 1. Surname NOSENGA
- 2. First names in full ANDRIES ~~NOSENGA~~ MATANZIMA
- 3. Address LEEUKOP PRISON (MAXIMUM)
Private Bag X 02
Brynston Postal Code 2021
- 4. Identity number/Passport number
- 5. Date of birth OCTOBER 1973
- 6. Place of birth EVATON
- 7. (a) If you are/were an officer/office-bearer/member/supporter of any political organisation/institution/body or liberation movement, state name thereof:
INKATHA FREEDOM PARTY
VEREENIGING BRANCH
- (b) State capacity in which you served in the organisation/institution/body or liberation movement concerned, if applicable, and membership number, if any:
ORDINARY MEMBER AND PART OF
AMABUTHO IN THE IFP YOUTH BRIGADE
- 8. (a) If you are/were an officer/officer-bearer/employee of the State or any former state or if you are/were a member of the security forces of the State

or any former state, state the department/division:

..... N/A

(b) State capacity and period in which you were in the service of the State or former state or served in the security forces, if applicable, and force number, if any:

..... N/A

9. (a) Furnish sufficient particulars of the act/s, omission/s or offence/s associated with a political objective in respect of which amnesty is sought, including date/s, place/s and nature thereof and the name/s of any other person/s involved:

(i) Act/s, omission/s or offence/s

MURDER OF ANC SUPPORTERS AT SEBOKENG
ATTEMPTED MURDER OF ANC SUPPORTERS
POSSESSION OF UNLICENSED FIREARM AND AMMUNITION

(ii) Date/s

1993

(iii) Place/s

SEBOKENG

EVATON

(iv) Nature and particulars

I together with people mentioned in a document annexed herewith were involved in killing ANC supporters in the Vaal Triangle. The first incident was in a shack which was next to a road, ANC supporters

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were known to frequent that place. We shot
at people outside the shack in Ewaton.
The second incident was in Sebokeng
Zone 12 where we shot at people who
were waiting for buses taxis (drive-by
shooting). Details of other incidences
attached herewith

(b) State whether any person was injured, killed or suffered any damage to
property as a result of such act/s, omission/s or offence/s:

(c) If so, state:

(i) The name/s of the victim/s

(ii) The occupation/s and address/es of the victim/s

(iii) The names and addresses of the victim's/victims' next of kin



This table consists of numerous columns and rows, but the content is largely illegible due to heavy noise or scanning artifacts. The structure appears to be a ledger or financial record with several distinct columns, possibly representing different categories of expenditure or accounting periods.

PRESS STATEMENT
BY
MANGOSUTHU BUTHELEZI, MP
MINISTER OF HOME AFFAIRS AND
PRESIDENT, INKATHA FREEDOM PARTY

PRETORIA : JANUARY 20, 1999

I am disgusted that every time a self-confessed murderer seeks to ingratiate the TRC in order to obtain an amnesty, my name is dragged in the mud. It has happened before, and over and over again those who tried to implicate me in their crimes have been proved to be liars of the worst order. On each occasion in which someone implicated me in his crimes during TRC hearings, the SABC and the other media gave sensational relevance to the news, but kept silent when the truth emerged or the credibility of the witnesses' story was demolished during cross-examination. The truth does not make news.

Yesterday, the SABC reported that an amnesty applicant in respect of the Boipatong massacre testified that I congratulated him after the fact for his criminal activities. This is a lie on two counts. First, I have never congratulated anyone for any crime, nor have I have ordered, authorised, ratified or condoned any gross violations of human rights.

Secondly, what the SABC reported is false. I have been advised that the amnesty applicants who deposed yesterday denied the very allegation that I was in any way involved in the Boipatong massacre, either before or after the fact, and, specifically, that I received or congratulated anyone who allegedly committed the massacre. Reportedly, these allegations were made by one Mr. Nosenga, whom I have never met or heard of. These allegations were put to the witnesses and were denied by them. The witness was a self-confessed perpetrator and alleged IFP supporter, but his statements never entered the news, which were entirely based on Nosenga's statement, who is reportedly an ANC supporter. I have instructed my lawyers to ascertain whether such reporting is not actionable.

The evidence contained in Nosenga's affidavit contradicts the evidence collected on the Boipatong case during the past five years. His affidavit was obtained by the TRC, which, reportedly, acted with unprecedented violation of ethical rules. The TRC itself solicited the affidavit rather than waiting for the applicant to come forward and in doing so ignored the applicant's own lawyer who was not informed or present when the affidavit was taken. No wonder that Nosenga stated what the biased TRC has wanted to hear for so many years, namely allegations against me. My lawyers are suing the TRC because there is no evidence to support its statements that I was in any way involved in gross violations of human rights, and it seems that the TRC is now going to the desperate extreme of fabricating such evidence itself.

The TRC produces monsters. It has nothing to do with a judicial process in which evidence and allegations can be tested and contradicted. Anybody can say what he or she wishes with impunity, especially if it is what the TRC wants to hear. I am at the end of my patience, having to tolerate allegations which I cannot contradict. If anyone is serious about making allegations against me he or she should have the guts and decency to do so in a court of law or outside the immunity granted by the TRC's hearings, where I can prove that he or she is a despicable liar.

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Goldstone Commission BOIPATONG ENQUIRY Records 1990-1999

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