

money.

But isn't this the man who was meant to be in Tanzania? -- Yes, it is the man who was in Tanzania. I think they had known each other from long ago.

You mean Solly and Bokwe? -- Yes.

So you told him that you did not have any money or that you had not been given money. So what did he say? -- He then told us that they know that he has got no money there and that he is using his own money.

That Solly has got no money there? -- Yes. (10)

BY MR HAASBROEK: Did you sleep there that particular night? -- Yes, we did.

What happened the next morning? -- When we woke up in the morning, Solly Ndlovu told us to get ready and also that we would leave to go and report to the police; that we should tell the police that we are PAC students and we are on transit. We left together with Solly Ndlovu, went to the police, where we reported. The police asked us where we came from and we told them that we are from South Africa.

BY THE COURT: What else did they ask you? -- They did not ask us any other thing. (20)

What did you tell them? -- We told them that we are from South Africa, we have only come to report and we are on our way to Tanzania; we are going to school.

MR HAASBROEK: Was that all? -- Yes, and we also told them that we would like to have vaccination certificates.

Were they satisfied then? -- No, they were trying to refuse but Solly Ndlovu came and spoke to them.

BY THE COURT: What did he tell them? -- And they subsequently fixed everything for us. (30)

What did he tell them? Or weren't you present? -- They were/...

were talking about the vaccination certificates and also that we were on our way to school. I did not hear all the conversation.

Did you tell them or did they ask you where you were going to school? -- No, we only told them that we were getting to Tanzania.

Did they ask you the name of the school? -- No, they did not ask us anything.

Did they not ask you where in Tanzania the school was? -- No, they did not ask. (10)

Did they ask you what you were going to study? -- They did not ask us what we were going to study. They were known to Mr Solly Ndlovu.

These police were they Black or White? -- Black.

Was this the police station in Gaborone - I beg your pardon, Francistown? -- Yes.

The policeman you spoke to, did you see whether he had any rank? -- He was in civilian clothes.

Is this a big police station? -- I do not know whether it is a big police station or not; it is the only police station I know in Francistown. (20)

Did Solly take you to the room where you had to go? -- Yes, we were with him there.

He took you there to this room? -- Yes.

Yes, anyway, eventually you say Solly got things right and then did you get a certificate or did you get a vaccination or what is the position? -- We were vaccinated and given vaccination certificates.

Were you vaccinated at the same place, at the police station? -- No, we were taken to another place not far from the police station. (30)

MR HAASBROEK: And then after that did you return to Solly's house? -- Yes, we returned to his house.

And how long did you stay there? -- We stayed there for about 2 days and then Mr Solly Ndlovu left for town and when he came back he had a large envelope with him. He told us that our tickets, air tickets which we were to use are in the envelope. He also told us that he could not get bookings for a plane.

BY THE COURT: So then what happened? -- We stayed there for the whole of that week and on the following week he went (10) to town again. When he came back from town he told us that he could get a booking and that we would leave on the following day.

Did he say where you were going to go to? -- He only told us that we were getting to Tanzania.

Yes and then what happened?

MR HAASBROEK: What happened the next morning? -- We took our belongings on the following day and went with Solly Ndlovu to the airport. Along the way Mr Solly Ndlovu told us to come back after getting the training because many people who go abroad do not come back again, they just end up there. We (20) stayed at the airport and after the plane had arrived, Mr Solly Ndlovu got clearances for us and we were asked for passports and we said that we had no passports and we produced our vaccination certificates.

BY THE COURT: You had a passport, didn't you? Or a travel document. -- It was a South African travel document.

I see, you produced your vaccination certificates, then what happened? -- Mr Solly Ndlovu told them that we were his boys and that we were going to school. We then went out to a waiting-room and we were subsequently called to the (30) plane.

MR HAASBROEK: And did you then depart? -- After greeting, we left for Zambia.

And when did you arrive there? -- During the day between 1 and 12 o'clock.

At what place? -- At the airport in Zambia. I have forgotten the name.

Near which town? -- I do not know the town.

BY THE COURT: Before you left by plane, did Solly tell you what was going to happen in Tanzania or who would meet you or what the arrangements were there? -- Yes, he said that (10) there are people who would meet us at the airport in Tanzania.

Did he tell you anything else about the arrangements there in Tanzania? -- No, he told us nothing else about the arrangements.

Yes, you say you got to the airport in Zambia and then? -- We stayed at the airport, we were asked for our passports at the airport and we only said that we are on transit and that we are getting to Tanzania. We did not say that we had no passports.

Yes, go on. -- They told us that a plane for Tanzania (20) would leave at 4 in the afternoon and we were then taken to the transit lounge. The plane arrived and then we left in the plane for Tanzania.

And did you arrive in Tanzania? -- Yes, we arrived.

Yes, what happened in Tanzania? -- We were met by Mr P.K. Leballo in Tanzania.

Was this at the airport? -- Yes. He is the acting president of the PAC and he was with another man who is unknown to me. P.K. Leballo introduced himself to us when he came to meet us. (30)

Yes, then what happened? -- He got clearances for us at the/...

the airport and he then also told us that we cannot go out into town but that we should stay at the airport because we had no visas.

Yes, and then what happened? -- He told us that we would proceed for Uganda. He also said that he would make arrangements for tickets and then we would get a plane on the following day for Uganda. He also made arrangements for food, we were given food and we slept in the airport for the night. He left us there.

Did you discuss among yourselves now why you were going (10) to Uganda and not getting your military training in Tanzania? -- We did not discuss anything.

Did you ask Leballo why you were going to Uganda? -- No, we did not ask him, but he told us that we would meet him in Uganda. He said that he would follow us.

So then what happened? After you had slept the night, the next morning what happened? -- He came to us on the following day and gave us tickets. He also got clearances for us and we then went for the plane which was then already waiting. We went to Uganda via Kenya. We arrived in Uganda on that same (20) day in the evening.

MR HAASBROEK: Where in Uganda? -- At the airport there.

At what place? -- I do not know what the name of the airport is, but we were taken from the airport to a town, Kampala.

BY THE COURT: Were you met at the airport? -- We only told them at the airport that we are PAC students. We were told this by Mr P.K. Leballo.

So when you told them at the airport that you were PAC students, did they arrange for transport for you? -- Yes, the Foreign Minister came in a Combi and we were taken into (30) town.

MR HAASBROEK: Where did you stay there? -- At the Equatorial Hotel.

Yes, what happened there? -- We stayed there and after about 3 days we were notified by the receptionist that one of our leaders has arrived and he would like to see us.

Who was he? -- This was Mr P.K. Leballo.

BY THE COURT: So you saw him? -- Yes, we saw him. We went into a room with him and had a discussion with him. He asked us if we were students or workers. We told him that we were not students and not even workers. (10)

Yes, go on. -- He then told us that we were to proceed to Libya where we would get training.

MR HAASBROEK: What type of training? -- He said that we would get a commando training which would take 12 months. He also told us that the hotel in which he stays is Antler's Inn which is not far from the Equatorial Hotel.

Go on please. -- He gave us pocket-money and also gave me money to get a paper, 'Daily News', every day and take it up to him. He also took our names and our ages and also told us that he would make arrangements for our tickets so that we could (20) proceed to Libya.

BY THE COURT: Yes, what else did he say? -- We parted with him.

THE COURT ADJOURNS.

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THE COURT RESUMES ON THE 12th MAY, 1978.

DILIZA SIBANYONI: still under oath:

BY THE COURT: You were in Kampala the last time at the Equatorial Hotel. Is that right? -- Yes.

And we got to the stage where Labello took your names and said he would make arrangements for your tickets to go to Libya. -- Yes.

FURTHER EXAMINATION BY MR HAASBROEK: Yes, will you proceed from there on? -- I kept on taking a newspaper for him to the hotel, the Antler's Inn, as he had asked me to do. We (10) were in that hotel for about 2 weeks.

BY THE COURT: Is that the Equatorial Hotel? -- Yes.

Do you know what they charged per day there? Did you ever find out? -- I do not know. All the arrangements were being made by Mr Leballo.

Yes? -- On our last day there he came with the tickets and said that we would leave on that day.

MR HAASBROEK: Yes, go on. -- He also told us to prepare ourselves to leave that evening and then he came in a Combi in the evening. We then went to the airport and waited there for (20) the plane. The plane subsequently arrived, we got into the plane and left for Egypt.

BY THE COURT: Before you go on, you say you were there a couple of weeks at Kampala. -- Yes.

Now you have told us I think - who was there? It was you? -- Yes.

Who else? Thomas? -- Thomas Mazibuko, Abel Eazy Mokuni, Vusi Kodisang, Abel Tjale and Frank Sohleho Tshwahedi.

You, No. 12, Eazy Mokuni, is that right? Thomas. -- Yes.

And Frank, who was that? -- Sohleho Tshwahedi. (30)

Yes, Frank, is that correct? -- Yes.

And/...

And then it was, you said, Timothy Williams? -- Timothy Williams returned at Francistown.

And Thibedi? -- He also returned at Francistown.

You, No. 12 and Thomas and Frank and Eazy Mokuni and was there someone else you mentioned? -- Abel Tjale.

Now where had he joined you?

MR WILSON: He said he went to Solly Ndlovu and he told us this was Able Tjale who was from South Africa and he introduced us to Abel Tjale.

BY THE COURT: That is right. So Abel Tjale was there with (10) you, he joined you at Solly's house. Is that correct? -- Yes.

But the other two, Thibedi and Timothy Williams, they went back, did they? They stayed behind, they did not go with you to Zambia. -- Yes, they returned from Francistown to Gaborone.

How many rooms did you have at this hotel? -- Three rooms and we stayed in two in each room.

Do you remember who was with you in your room? -- Yes.

Who was your roommate? -- Abel Eazy Mokuni.

Do you remember who were in the other two rooms or don't you know who were the roommates of the other two rooms? -- (20) Yes, I remember.

Who were the roommates in the other two rooms? -- Vusi Kodisang stayed with Thomas Mazibuko.

And then that presumably leaves - who was in the third room? -- Abel Tjale and Frank Tshwahedi.

How did you spend your time there, these two weeks? Did you go round the town? Did you go and see sights? What did you do? -- We went into town for sight-seeing.

Did you go out of the town to any place to see any sights?

-- No, we only went around town because P.K. would not (30) allow us to leave the town.



When you used to take P.K. Leballo his paper, did you ever talk to him about what you were going to do in Libya or anything like that? -- No, we did not talk. I only took his paper to him and then I would go back to my hotel.

You then got on this plane and you were going off then to Egypt. -- We arrived in Egypt on the following morning. There was a girl, an Arabian girl on the plane with whom Vusi had discussions.

Yes, what were these discussions? -- I do not know, I think they were talking about love. Her name is Ada. (10)

Yes, and what happened about her do you say? -- There was a quarrel between Abel Tjale and Vusi when we alighted at the airport. Abel Tjale was saying to Vusi we are not allowed to talk to people, but you have been having discussions with a girl.

Yes, what did Vusi say then? -- They exchanged words, but we tried to quieten them and then a policeman at the airport came to us and they, the police, demanded passports, our passports.

What language did he speak? Could you understand? -- They spoke English in the airport.

So he asked for your passports and then what happened? (20) -- We then told him that we are in transit. And they only insisted that they wanted our passports and that they have nothing to do with our being in transit.

Then what happened? -- They asked us where we were getting to. We said that we are on our way to Libya. They said that they only wanted our passports, that we cannot go past that place without passports. We then said that we have been sent by the Ugandan Government. And right then policemen who were clothed in white clothes then came to us and said that he would take us to a VIP room. That is where we would wait for (30) our plane. We then took our luggage and followed him. He led us into/...

into a room which we found to be in a dirty condition. We turned back and said but where are you taking us to, this is not a VIP room. We had a quarrel with him. They were pushing us to go forward into the room and we resisted. Another policeman who was in civilian clothes then came. He then spoke to us and said that they would take us to a VIP room, that is where we would wait for our plane and that nothing would happen to us. We went to that room.

Is this now a different room or the dirty room? -- It is just a big building with many rooms, dirty rooms; we were (10) put into a room which was also dirty.

You were put in there, yes, and then? -- We found in that room an Arabian girl who was with her child.

MR HAASBROEK: How long did you stay in that particular room? -- We stayed for 4 days in that room.

BY THE COURT: For 4 days? -- Four days.

That must have been a bit uncomfortable. -- Yes, it was.

MR HAASBROEK: What happened the next day?

BY THE COURT: You mean after the four days?

MR HAASBROEK: No, the following morning. -- There was a (20) policeman who was watching us. There came a policeman on the following day, he was in civilian clothes and he told us that he is a Security police in Egypt.

BY THE COURT: Yes, and what else? -- He asked us where we were getting to and we told him that we are on our way to Libya. He asked us for our passports and we told him that we had no passports but that we have been sent by the Ugandan Government to Libya. He asked us what we were going to do in Libya and we said that we were going to school. He asked if the Libyan Government knows about us and we said yes. He then left (30) us after saying that he would see us again.

Did you tell him that you had come from South Africa? -- No, we did not tell him that we were from South Africa because we had been told to tell anybody who may ask us, that we are students sent from Uganda to Libya.

Yes, and so he went off. -- On our last day there one of the policemen at the airport came to us. He was clothed in white clothes. He then took us to another place where there were many other people who were also waiting for a plane. He escorted us to the plane and we were then told that we are being taken back to Uganda. The plane left and we were (10) taken back to Uganda where we arrived on the following day in the morning. On arrival at the airport we told the authorities there that we have been sent back from Egypt and we would like to see Mr Leballo. We asked them to phone the Antler's Inn. A Combi came there afterwards and we were taken to Kampala to the Equatorial Hotel where we had stayed. We met Mr P.K. Leballo and told him that we have been sent back by the people in Egypt and that they had kept us there for four days. We also told him that they wanted our passports, saying that we cannot go past this place without passports. He then said (20) that he knew that we were going to meet trouble in Egypt. He also told us that he is not used to sending people by that route. He again made arrangements for us in that hotel and we stayed there again. He also told us not to worry, that he will make the necessary arrangements for us and also get visas for us. We had arrived in this hotel on a Sunday morning and we stayed there until Friday morning. P.K. then came to us and told us that he had made all the necessary arrangements, we must prepare ourselves to leave in the evening. He came in a Combi in the evening and then we took our luggage, got into the Combi (30) and went to the airport. At the airport he gave us a white envelope/...

envelope in which there was a paper with our names on it and the rest was written in Arab. We did not understand the language. He told us that this is our visas. There was a man in the airport who was a Ugandan ambassador at Sudan. He was talking to Mr P.K. Leballo. Mr Leballo introduced us to him and this man was Mr Brown.

Did he speak English? -- Yes.

Yes? -- P.K. told us that Mr Brown would get clearances for us at the Sudan airport. The plane arrived and then we left for Sudan. Mr Brown got clearances for us in Sudan. We (10) discovered that there would be no plane on that day for Libya. We were then taken into town. We put up in town that night.

Who took you into town? -- The workers in the airport took us by their staff bus.

Yes, go on. Where did you put up? -- In a hotel in town. I do not know what the hotel's name is. An Egyptian air hostess came to us on the following day. She asked us for our names which we gave her. She then told us to prepare ourselves and also that we would leave that evening. We were then taken to the airport in the evening. (20)

How did you pay for the hotel? -- We did not pay, we were taken to the hotel by the workers in the airport.

So you did not pay the next day for staying there? -- No, we paid nothing.

So then you say you went to the airport that evening. Is that correct? -- Yes.

These airport workers that you had met, that helped you to get in, that put you up, did they just take pity on you and help you out? -- No, but I think this is their arrangement for people who are going past whenever there is no plane, then (30) they would make arrangements for accommodation and food.

I understand that, yes. So you went to the airport that evening. Yes? -- Yes. We got into a plane which pulled off for Egypt. The plane was in Egypt for about 30 minutes.

Did you land again in Egypt? -- Yes, for about 30 minutes it was there, but we did not alight. It then proceeded to Libya.

Do you know the name of that town in the Sudan where you stayed? -- No, I do not know it.

So then you got to Libya, did you? -- Yes.

Yes, when you had landed, what happened? -- We went (10) to the airport Tripoli. We were asked for our passports. We produced the white envelope which we handed to them.

Who had kept the white envelope? Do you remember? -- I cannot remember.

Yes? -- We were then taken to a place where we stayed after everything had been fixed.

Was this at the airport or did you have to go in a bus or something? -- This was at the airport.

Yes, you stayed. -- An Arabian came to us while we stayed there and asked us if we are the people from Uganda. We (20) agreed and then he took us away from the place in a Combi to a town, Tripoli. We were taken to a hotel, Banglashi.

Is that where you stayed? -- We stayed there.

Yes? -- After about 3 days of our stay there one Victor Mayekiso arrived. He is the PAC representative in Libya. He introduced himself to us and asked us if we have been sent by P.K. We said yes and afterwards he bought cigarettes for us.

This person, had you known him before in South Africa, Victor? -- We did not know him, we found him there for the first time. (30)

What language did he speak? -- He spoke Zulu.

Anyway/...

Anyway, he bought you some cigarettes, and then? -- He asked us if we had any communist documents.

What is communist in Zulu? -- (M'Lord, he has used the word 'communist'.)

In English. -- Yes. (The witness says that these documents he is talking about are books, M'Lord, reading books.) He told us that if we had such books we could be arrested because it is in that place unlawful to possess such books.

Didn't you know that before you went there? -- We knew nothing. (10)

Did you know who ran that country, Libya? -- No, we did not know.

Go on. So he asked you if you had books and he told you that it was illegal to possess them in that country. Did you have any books? -- We told him that we had no books with us. He told us that PAC literature would be sent for us from the camp and he also told us that we would go for training where the camp is, in Banghazi.

Banghazi? -- Yes. He told us that we would get a commando training which will take a year. He also said that there (20) are people in the camp who are only waiting for us so that we could start. Thereafter he left us, having said that he would come and see us again. We stayed in this hotel for about 12 to 13 days.

What did you do? -- We were doing nothing. We would only go out and walk around in front of the hotel.

Didn't you walk around the town and sight-seeing? -- We did, but we did not go far.

So after 12 or 13 days? -- Victor Mayekiso came and told us we would leave on that day. There was also a bus. We (30) got into the bus, but Victor Mayekiso remained behind. He had told/...

told us that he would meet us at Banghazi in the camp.

Did this look like a public bus? -- It is an army bus.

What I mean, it may have been an army bus, but were there other people on it besides you? -- Yes, there were.

Yes, then what happened? You were in the bus, then did you go off? -- Yes, we left for Banghazi.

Now I am not quite certain. Was this in the morning or in the evening? -- Just before noon, it was in the day.

You drove off, did you? -- Yes. We arrived in Banghazi on the following day in the morning about four. (10)

Yes? -- We were with an Arabian man who was in civilian clothes. He is a member of the Security Police in Libya.

Is that what he told you? -- Victor Mayekiso told us this. When we arrived in the camp we were met by a soldier who then took us to a building which was the dormitory where we would stay.

While you were in Tripoli, did you buy a map to see where you were or where you were going? -- No.

Anyway, he took you to this dormitory. -- We met people who had already been there whom Victor had told us about (20) and they were 14.

MR HAASBROEK: Where were they? -- They were also from South Africa.

Were you introduced to them? -- Yes, we introduced ourselves.

Can you remember a few of their names? -- Yes. Stephen who was from Pietersburg, I have forgotten his surname. There was also one, Conclusion Motshela and one Mfundo, I have forgotten his surname. Justice whose surname I do not know.

The others I have forgotten. (30)

BY THE COURT: Had you seen any of these people or known any of these/...

these people or known any of these people in South Africa? --No.

Were they going to sleep or stay in the same dormitory as you? -- We found them staying there. We were given blankets and mattresses by the sergeant and we slept there. It is a big dormitory. We slept until the morning and then we got up. The other group which we found there, put on their clothes and left for the parade.

What did their clothes look like? -- Green shirt, green trousers, boots - black boots, a green cap and grey stockings.

Were they long trousers or short trousers? -- Long. (10)

And then they all went off to the parade. What did you do? -- We stayed behind and we were looking at them while they had a drill.

Yes? -- We were also called to go and get our clothes. We were given 2 green shirts, two green pairs of trousers, one green cap and a belt, one pair of black boots, two pairs of grey stockings. We went back to our dormitory and tried on our clothes.

THE COURT ADJOURNS.

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(20)



THE COURT RESUMES ON THE 15th MAY, 1978.

DILIZA SIBANYONI: still under oath:

BY THE COURT: My last note was that they got their clothes from the quartermaster, they went back to try it on. Is that correct? -- Yes.

FURTHER EXAMINATION BY MR HAASBROEK: Yes, will you continue from there please? -- The kit was fitting us well and then we went outside to bask in the sun and we were there until these other colleagues of us who were having a drill, came back. When they had come back, we had a conversation with them. (10) Amongst other things we asked them what the procedure is there. They told us that we would get a training that would last for six months. We then said to them that Victor Mayekiso had told us about a commando training that would last for 12 months. They then said that Victor Mayekiso had also told them about the commando training. There were two camps: one for the commando training and another one for the infantry. We were in that one.

BY THE COURT: The last one? -- Yes.

Yes, and then what happened? -- We were there until (20) the next day and we all in the morning went for the parade.

MR HAASBROEK: And what was the arrangement in connection with salaries? -- We were also promised a salary which would be £14 and we would get this at the end of the month.

BY THE COURT: Who told you about the salary? -- We were firstly told by the other people we had found in the camp that they are being paid £14 a month.

MR HAASBROEK: By whom? I am sorry. -- We were also told by a lieutenant that we would be given £14 a month.

BY THE COURT: Who would pay you? -- The Libyan Government (30) would pay us.

So/...

So you all fell in for parade, did you? -- Yes, on the following day.

MR HAASBROEK: Was accused No. 12 still with you then or not? -- We were still together.

BY THE COURT: So you fell in for parade. What happened? -- We went into an area, he called the area a square, where we would not just normally go and walk unless we are going for a drill.

And what happened there? -- The others had their drill on one side. Those that had been there before us went to a (10) place of their own. We were given an instructor who would be in charge of us and teach us how to drill.

What was his rank? Do you know? -- He had something that is V-shaped and has two lines. I do not know what that rank is.

On his shoulder? -- Yes, on his upper arm.

MR HAASBROEK: It must be a corporal.

BY THE COURT: Well it sounds like a corporal. Yes, anyway, so how many were you now being taught by this instructor, how many new people? -- We were six.

Who were they? -- Myself, Thomas Mazibuko, Frank (20) Tshwahedi, Jerome Vusi Kodisang, Abel Eazy Mokuni and Abel Tjale.

What did the instructor teach you? -- He taught us the drill in Arab.

How did he teach you the drill in Arab? That is what I would like to know. -- We were to stand in two rows of three on each row. We were also to stand in this manner as I now demonstrate.

What did he call that? -- I have forgotten.

Yes, and what else did he teach you? -- Then he said (30) 'hack bad(?)' we would do what I am now demonstrating.

You/...

You had to bring your feet together. -- No, we would stand in this manner.

Then what else did he teach you? -- And then they would say 'ra'.

What would you do? -- We would then relax our chests.

What else? Just a moment please, this is not funny, although the accused may think so. -- They would again say 'hack bad' and then we would do what I did formerly and then thereafter 'esta head' and we would stand in this manner with our feet together. (10)

Stand at attention.

MR HAASBROEK: Did you receive any practice with rifles and firearms? -- We did this drill for about 2 weeks.

Yes, go on. -- And then we said but we are now tired of this drill, we can drill now.

BY THE COURT: We can? -- Drill now.

But he said he was tired of this drill? -- That is right.

What did he mean 'we can drill now'? You mean you can drill now? -- We are now able, we know how to drill.

Yes, and what did the instructor say? -- They went (20) to report to Lieutenant Adi Hali, the Arabian lieutenant. He has two stars on his shoulder. He came to us and told us that we would start now on our programme with firearms.

Tell me, in this two weeks did you learn marching movements I do not know what the latest translation for a marching movement is. Did you learn how to march and to turn? -- Yes.

All that on the square. -- Yes.

Did you learn how to salute? -- Yes.

How did you salute? -- In this manner.

Anyway, he said you could start with your programme (30) with firearms. Is that correct? -- Yes.

Incidentally/...

Incidentally, this two weeks or so that you were learning this marching and various manoeuvres, did you - any of you get into trouble? -- He would sometimes kick our feet because some of us would not walk properly.

How he demonstrated. -- Yes.

The same arm was going out with the same leg. -- The left leg had to go with the right arm and some of us would make the left leg to go with the left arm.

So what then did you do with the programme with firearms? -- The lieutenant told us about somebody else who is the (10) deputy station commander, he has three stars on his shoulder. Lieutenant Adi Hali also said that he and the deputy station commander would assist us in the programme with firearms because they are the only two who can speak English.

THE COURT ADJOURNS FOR TEA.      THE COURT RESUMES.

DILIZA SIBANYONI: still under oath:

BY THE COURT: You said that the lieutenant said that he and the station commander would assist in the programme of firearms because they were the only ones who spoke English. -- Yes.

So then what happened? -- We later went to the (20) square and a short Arabian man had to assist us. Because of his dark colour we nicknamed him Uncle Mkize.

What does that mean, Mr Interpreter, Mkize? -- (Mkize is a name, M'Lord.)

Yes, you nicknamed him Uncle Mkize. What did he teach you? -- We went to a storeroom where the rifles are kept and each one of us there took an FN rifle.

And then? -- We were shown how to handle the rifles and we marched to the square with the rifles. Uncle Mkize also had a rifle; we were shown how to dismantle the rifle and (30) he explained to us what each part of the rifle is.

How/...

How did he explain this to you? Was he talking in Arab or what was he doing? -- Yes, he spoke in Arab and we could not understand him.

So then when he had shown you all that what happened? -- We could also on our own dismantle the firearms and put its parts together again.

Yes, and then what else did he teach you? -- We did this dismantling and putting together of the firearm parts for some time and during those days we were taken into a classroom. Lieutenant Adi Hali, who could speak English, came into the (10) classroom. He dismantled a rifle, showed us its parts and explained in English what each part is. We did this for about 2 weeks being taught the parts of one rifle. We later told him that we are tired of being told about this one rifle, we know it now.

Then what happened? -- A machine-gun, an FNG was then brought. We were taught to dismantle it and put its parts together again and then subsequently a general purpose machine-gun was brought. After that a Klashinkov was brought, a Russian made rifle. (20)

MR HAASBROEK: How do you spell it, Klashinkov? -- K-l-a-n- ..

Is it a Russian name? -- It is Russian made.

Is it more or less Klashinkov or how do you pronounce it?

BY THE COURT: Have you got a name there?

MR HAASBROEK: K-l-a-s-i-n-k-o-v.

BY THE COURT: Is that a Russian rifle or what is it? -- It is a Russian made rifle.

So that you had to put together and dismantle. -- Yes.

MR HAASBROEK: What else? -- An RBJ.7 was also brought.

BY THE COURT: What is that? -- A rocket launch. (30)

A rocket launcher? -- Yes, a rocket launcher.

Yes/...

Yes, what did they teach you about that? -- They taught us how it is used and also showed us its trigger mechanism.

MR HAASBROEK: What else? -- Also a Mortar 81.

BY THE COURT: Is that a mortar? -- Yes, they said it is a mortar.

What did they teach you about that? -- They taught us how to use it. We were also taught how to use a pistol, the ,38.

MR HAASBROEK: What else? -- We also did map reading.

BY THE COURT: These various guns and mortars and rocket launchers, apart from teaching you how to put them together and take them apart, and the parts, did they teach you how to (10) fire them? -- They showed us how one has to lie, how it is to be handled.

But did they actually or did it come later that you shot with these things on a range? -- When we had finished with the rifles and the RBJ.7 we went out to shoot.

Where did you go out to shoot? -- In Banghazi, outside in a place that appeared to be a desert, that is where they do the target shooting.

MR HAASBROEK: Did you see any hand grenades there or not? -- We did that as well. (20)

BY THE COURT: Do you mean they taught you how to use a hand grenade? -- Yes.

Well how was your shooting on the rifle range? Good or bad? -- It was not bad. I was beyond 5, between 7 and 8. We used to be given 10 cartridges for each rifle.

What sort of thing did you shoot at? What sort of target? -- There are boards with a person's picture, a person who is running away.

Is that what you had to shoot at? -- Yes, each one of us had his board. (30)

What distances? -- 100 metres. This was for rifles and for/...

for the FNG's 50 metres.

When you say you got 7 and 8, do you mean you got 7 and 8 hits? -- For each rifle one had 10 cartridges, like for instance the FN rifle. With 7 cartridges I would hit the target and miss with about 3.

Who was the best shot amongst your six people, your group? -- I cannot say because we were many.

When you went out to the rifle range it was more than just the six of you? -- We were then many; others had also arrived.

Didn't they ever tell you who was the best? Didn't (10) they have competitions? -- No, they did not tell us. There was often trouble between us and these people because the programme was not clear. They were doing everything just to get it through so that we would leave.

MR HAASBROEK: Was accused No. 12 still with you then? -- Yes, we were with him.

Did he at all participate in the practice and training? -- Yes.

And did you get along well with your instructors? -- No, we often had trouble. (20)

BY THE COURT: He said they had trouble because the instructors were just trying to get them through and get rid of them.

MR HAASBROEK: And what happened then? -- When we finished with our programme, we were called by Lieutenant Adi Hali and he gave us our wages, £14.

BY THE COURT: Was that £14 per month? Did you get that every month? -- We were not given the money in the beginning. They were telling us that things have not as yet been arranged at headquarters.

Yes, well, how much did you get from him then? Only (30) £14? -- Yes, but during that time the people we found at the camp/...

camp were receiving their £14.

Do you mean regularly? -- Yes.

But not you. -- Yes, not me and my group.

Anyway, you say at the end they gave you £14. -- Each one of us £14.

And then what happened? -- We went into town with our £14 to buy clothes.

MR HAASBROEK: Were you satisfied with your physical training? -- We were not because we had trouble with these people. They would sometimes give us an instructor who would grow tired (10) when we had to run. We complained to Lieutenant Adi Hali by telling him that the people who are to be our instructors or our instructors are lazy and that they are not training us properly.

BY THE COURT: Yes, what did he say? -- He said we should have brought our own instructors.

Anyway, you say you went into town with your money. -- Yes.

And what did you do there? Was that Banghazi? -- Yes.

Yes? -- I bought a pair of jeans, a levis, for £4, a polo-neck jersey for £3, a pair of underpants - 3 underpants for £3, shoes and I cannot remember if they were £3 or (20) what.

Did the others also buy clothes of your group? -- Yes, they did.

Then what did you all do? -- We went back to the camp and we were told that we are to leave. We were told to put our uniform together and leave it on the beds we had been using. It was also said that we would not take that with us. We were also told that we would leave on the following day.

Can you remember now about how long had you been in that camp? -- Yes. (30)

About how long was it? -- Six months.

So/...



So you were there 6 months. -- Yes.

Can you remember when all this was, what year? -- We arrived there in the beginning of September, 1975. We left the camp on the 22nd February, 1976.

MR HAASBROEK: And during that period did any other groups arrive there for training? -- Yes.

How many people more or less? -- 200.

BY THE COURT: From where? -- They were also from South Africa. There were also elderly men who had been in the camp in Tanzania. There were 9 of them. (10)

MR HAASBROEK: Did they belong to the PAC or not? -- Yes, they were members of the PAC.

BY THE COURT: Who? The 9 people or who? -- The 9 people.

MR HAASBROEK: Was that more or less a PAC camp or did other groups also do training there? -- There were also other groups.

BY THE COURT: At Banghazi? -- Yes.

MR HAASBROEK: From South Africa or not? -- Some were from South Africa. There were also Thailand.

BY THE COURT: You say - I just want to make clear - the people who came from South Africa, how do you know whether they (20) were PAC people or other people, ANC or any other name? -- Only PAC people were trained there. There was no mention made about ANC.

But you say there were other groups - you said Thailand. -- Yes.

MR HAASBROEK: Did you come across a man called Ntalintali there? -- Yes.

BY THE COURT: How do you spell it?

MR HAASBROEK: N-t-a-l-i-n-t-a-l-i.

BY THE COURT: Who was he? -- He is the commander-in-chief (30) of the PAC.

Do you know where he came from? Was he at the camp all the time or did he come there occasionally to meet you or what happened? -- We started knowing him at the camp when he had come to see us. He was from Tanzania.

When he came there what did he say, what did he do? -- He told us that he had difficulty at Tripoli when he was on his way to come and see us. He also said that Victor Mayekiso who is the PAC representative in Libya was not at Tripoli and hence he is not known there.

What else did he tell you? -- He said that he stayed (10) there for about 2 weeks.

Where? -- At Tripoli. But that he had ultimately been given permission to see us.

MR HAASBROEK: Was anything said about salaries then?

BY THE COURT: What did he want to see you about? What did he tell you? -- He only came to see how we are progressing.

Where did he see you? Did he call a meeting or did he address you on the square? How did it come about? -- He called us into a large room.

Who do you mean by 'us'? -- All the trainees in Libya. (20)

Is that at that camp? -- Yes.

How many about were there when he spoke to you? -- We were not more than 56.

What else did he tell you? -- He asked us how we were getting on there. We told him that we have had trouble with these people and that we are not satisfied with the programme they have given us. We also told him that some of us do not get money. He told us that he would arrange all that with the authorities at the camp. In connection with our dissatisfaction with the programme, he said that they are busy making (30) arrangements in other countries like Ghana and that they are trying/...

trying to get ..(intervenes)

Didn't he mention Nigeria? -- Yes. He also said that they are trying to get a place where we could be trained. He told us that he himself, Victor Mayekiso and Leballo have also been trained. They were trained in countries like Egypt and Ghana. When he was about to leave us, we reminded him of a promise that was made, namely that school certificates and passports would be made available for us.

What did he say about that? -- He said they would make arrangements for all that. (10)

MR WILSON: M'Lord, I have an idea he said a promise made in Uganda. I do not know if I misheard him. -- He said that this would be arranged or would be fixed for us when we get to Uganda.

BY THE COURT: What promise were you referring to? You said you reminded him of a promise that school certificates and passports would be made available. What were you referring to there? Where had that promise been made to you and by whom? -- A promise by the leaders, Victor Mayekiso in Libya and P.K. Leballo while we were on our way to Libya.

Anyway, he said that would be fixed up in Uganda. -- (20)  
Yes.

Yes? -- These passports and school certificates would be fixed for us, that is myself, Vusi Kodisang, Thomas Mazibuko, Abel Tjale, Frank.. (intervenes)

The six of you? -- Yes. Because we had no passports. The certificates and the passports we would produce on our way from Uganda back home whenever we were asked for passports. Then we would say that we are from school. This would be at the airports.

Did he only come once to the camp? -- Yes, he came (30)  
once.

You/...

You had not seen him before? -- Yes, we did not know him but Mufundu and Justice knew him.

Who was Mufundu and who was Justice? -- They are some of the people we found at the camp. Mr Ntalintali then left us and on our last day a bus arrived in the morning at the camp.

I want to get something clear. Can you remember when about this Ntalintali came? Was it in the beginning when you arrived there or in the middle of your stay there or was it towards the end? Do you remember? -- It was towards the end of our stay there. (10)

So anyway, they told you on your last day, you were going to go by bus, did you say? -- The bus arrived in the morning. We got into the bus, greeted the other people, Lieutenant Adi Hali gave us money to buy cigarettes along the way.

Who actually got into the bus? -- We then left Banghazi for Tripoli.

Who got in the bus? Can you remember? Was it your group, the six of you? -- Yes.

And who else? Were there other people as well? -- Yes.

About how many? -- We were 56. (20)

Something I wanted to ask you. You remember that when you arrived at the camp first of all, you met some people there and they went out to drill, to parade. -- Yes.

Now those people had got there before you obviously. -- Yes.

Did they stay as long as you did or did some of them go off by bus when they had finished their course? -- No, we left together. We started the programme with them.

But you told me they were there before you because you saw them going out onto the parade that first day. -- Yes.

Well, did you know how long they had been there? -- (30)

No, I do not remember how long they had been there. All they were/...

were doing there was just having the drill, they had not started with the firearms.

I see, so then when you finished your drill and you started the firearms, did they start as well? -- Yes, we started together.

Then you were all together. -- Yes.

So you went off to Tripoli, did you, in the bus? -- It was in the morning when we left the camp by bus and we arrived in Tripoli at night. We were taken to a place that looked like a hotel where tourists stay. We stayed there for about 2 (10) weeks and we used to go a restaurant where we had our meals. And on the day just before our departure a Security policeman in Libya came to us and told us that we would leave on the following day. We made preparations and on the following day at 7 in the morning a bus arrived. We got into the bus and went to the airport. At the airport a Security Policeman in Libya gave us tickets and a big passport, a community passport.

Was it a big piece of paper? -- With all our photos onto it. It had pages and photos appearing onto it with our names.

So then? -- We got into the plane and left for Rome. (20)

Yes?

MR HAASBROEK: Was accused No. 12 still included in your group?

-- Yes.

Yes, go on. -- The Libyan Security policeman was with us in the plane. We alighted from the plane in Rome, went to the airport where the Security policeman cleared us and then he told us that our plane would leave at 12,30 in the night. We stayed in the airport and those of us who had money bought what they wanted and at 12,30 the plane arrived. We left Rome for Uganda. We arrived in Uganda at about 6 in the morning. (30) There we alighted from the plane and went into the airport. We

told/...

told them that we are students of the PAC.

BY THE COURT: You know that Libyan policeman had he gone back or was he still with you? -- He greeted us and went back at the airport in Rome.

So you told them you were students of the PAC and then what happened? -- We asked there to see Mr P.K. Leballo. We were then taken to a VIP room in the airport. While we waited there for Mr Leballo, another man came to us. I have just forgotten his name, but he is a PAC representative in Uganda.

Yes, go on. -- He greeted us and introduced himself to (10) us as the representative of the PAC in Uganda. He then asked us where we were coming from and we told him that we were from Libya. He was shocked to hear this and then said that we were not to alight in Uganda but to proceed to Tanzania where the PAC camp is.

Do you know why he was shocked or surprised, whatever the word is? -- According to my observations he was not expecting people from Libya but people from South Africa who would be getting to - only that, he was not expecting people from Libya but people from South Africa. (20)

And then what happened? -- He then told us that he would make arrangements for tickets and we would then get a plane to Tanzania.

Yes? -- We then told him that we had been promised passports and school certificates and also told him that these would be given to us in Uganda. He said that he knew nothing about that but that he will make arrangements for us to leave for Tanzania. We then said to him that he should not worry, but that we only would want to see Mr P.K. Leballo. He then said that he does not know what to do seeing that we do not (30) want to leave, but he will give Mr Ntalintali in Tanzania a ring and/...

and that Mr Ntalintali would come there. He then left us in the airport. While we were in the airport, the Minister of Foreign Affairs came to us. He told us not to worry, but that he will make arrangements for transport so that we can be taken to our hotel in Kampala.

Then what happened? -- At about 5 in the late afternoon, a bus came and we were taken to Kampala. We were taken to the Equatorial Hotel where we had been accommodated when we were getting to Libya.

THE COURT ADJOURNS FOR LUNCH.      THE COURT RESUMES.      (10)

DILIZA SIBANYONI: still under oath:

FURTHER EXAMINATION BY MR HAASBROEK: You went to the Equatorial Hotel, you testified before the adjournment. -- Yes.

BY THE COURT: You booked in there. -- Yes.

Then what happened? -- We stayed in the Equatorial Hotel and stayed two in each room. Mr Ntalintali came on the following day. We were called together and met Mr Ntalintali.

Did you all stay at this hotel, all of you, 56? All at the one hotel? -- Yes.

Yes, so Ntalintali got you together and then what did (20) he say? -- After greeting us, he said that he has been told that we refused to proceed to Tanzania. We said that this is true and then also said that they had promised to give us passports and certificates in Uganda.

School certificates. -- Yes.

Yes, what did he say? -- While we were in the camp in Libya we had conversations with the 9 elderly men. They told us that the camp is in Mbeya, that is the PAC camp in Tanzania. And that it is at a distance of about 500 miles from Dar-es-Salaam. That they had stayed in that camp, they were in (30) fact people who left South Africa in about 1956 - in the late

fifties/...

fifties. They also told us that they had stayed for quite a time in that camp and also that while they stayed in that camp the PAC leaders stayed in town in Dar-es-Salaam.

MR HAASBROEK: Did he say who provided them with the necessary funds? -- I will come to that.

BY THE COURT: Anyway, this is what you heard from these 9 people in the camp in Libya. -- Yes.

You are telling me about that. -- Yes.

Yes, go on. -- They told us that there are pigs in the camp, that these pigs belong to the PAC. They also told (10) us that they used to leave the camp and go to the rural area, helping sick people. They also told us that some of them who stayed in the camp would sometimes become ill and some of them would die, but that the PAC leaders did not provide them with money even though they claimed money from organisations like the World Council of Churches. Also said that this organisation, the World Council of Churches, used to send clothes to these people, the leaders; that these leaders would take some of the clothes and sell them and some clothes the leaders would give to them. They told us that the people who stayed in (20) the camp would, when having gone to the villages, sell some of the clothes given to them by the leaders. They did this to get money for drinks.

So that is what you heard about this camp from these people in Libya. -- Yes.

This is what they told you about this camp at Mbeya. --Yes.

So anyway, you told Ntalintali that you were not happy about this, was it your passports and your school certificates. Is that right? -- Yes.

So what happened then? What did he say? -- He told us (30) that there is nothing they can do for us in Uganda because their offices/...



offices are in Tanzania.

And then? -- We then told him that P.K. had promised us that we would get all these things in Uganda, but he then said that P.K. knows nothing, he also knows well that the offices are in Tanzania, that nothing can be done in Uganda. We said to him that we will not go to Tanzania, we are not going to leave Uganda. Also said that we want to go straight to Botswana where we came from, when we leave Uganda. He asked us one by one, saying those who want to go to Botswana stand one side, those who are willing to go to Tanzania, one side. (10)

When he said that what happened? Did you go to one side, one side? -- Yes, each one of us came forth and said that he does not want to go to Tanzania. Ntalintali would then ask what his reasons are for refusing to go to Tanzania and we would all voice our feelings.

Yes, and then what happened? -- We told him that we were not prepared to go to Tanzania because we know what is happening in the PAC camp in Tanzania. We also said that many people have grown old staying in that camp and some have died. (20) That they only stay in town.

That who? -- The leaders. They are not in the camp.

So what happened then? -- He then said that he is not going to talk further with us, but that he will phone our leader, Bokwe Mafuna and that Bokwe Mafuna would come to Uganda. Bokwe was at the time in Tanzania.

Was that what you understood from Ntalintali? -- Yes. We stayed there until the following day when Bokwe Mafuna arrived.

Just tell me something: did no one then from your group then go to the one side and say he wants to go to Tanzania/... (30)

Tanzania, of the 56? -- We were mixed. There were PAC recruits and our group which was from Botswana.

Yes, but what I want to know is when he said I want those who want to go to Tanzania one side and those who want to go to Botswana other side. Did anyone say they wanted to go to Tanzania? -- Yes.

There were some? -- There were, yes.

Is that of the 56? -- Yes.

Now can you remember approximately how many went on the Tanzanian side? I do not want you to be exact, I do not (10) want you to give me an exact figure. Half, quarter? The most? -- The most which were PAC recruits were willing to go to the camp.

MR HAASBROEK: Were you also included? -- No, I was not.

BY THE COURT: Well, I want to know. You said most of them were prepared to go on the Tanzanian side to the camp. -- Yes.

What about your small group from Botswana? What of them? What did they decide? -- We wanted to go to Botswana, but one of our group was willing to go to Tanzania.

Who was he? -- Frank Sohleho Tshwahedi. (20)

There was trouble now. Then you say Bokwe arrived the following day. -- Yes.

Then what happened? -- We greeted each other and I was seeing Bokwe for the first time then. Bokwe Mafuna first had discussions with Mr Ntalintali. I do not know what they were talking about. He afterwards came to us, that is the group which wanted to go to Botswana. He wanted to know what had happened and then we told him that we have been told to go to Tanzania but we do not want to go to Tanzania and that we were promised to get passports in Uganda and what we want to do (30) is to leave for Botswana, straight for Botswana from Uganda.

Yes/...

Yes? -- The arrangements with the leaders in Botswana were that we would be trained by the PAC and then go back to Botswana after the training.

Yes, so what did he say? -- What I have just said was said by Bokwe to us. Some of us who were from Libya, people who had been long with the organisation also knew about this arrangement.

What happened with all this argument? -- We afterwards all met with Mr Ntalintali in the presence of Bokwe and then Bokwe said in our presence: These young men do not want to go (10) to Tanzania. Ntalintali then said that they can do nothing for us in Uganda. He is asking us to go to Tanzania where everything would be fixed for us. And then we would go to Botswana. We were refusing, saying to him that we will not go to Tanzania. Mr Ntalintali then said that he has spoken to us, what he is going to do next is to book us out of the hotel, clear us at the airport and that if we do not want to leave we shall not stay in Uganda, otherwise we will be arrested. Those of us who wanted to go to Botswana, met and we decided to go to Tanzania and see what would happen there. (20)

Now, Vusi, No. 12, was he one of these people who wanted to go straight to Botswana or did he want to go to Tanzania, or what was the position? -- He was in our group which wanted to go to Botswana.

So then you decided to see what would happen in Tanzania. -- Yes.

So? -- He said he would make arrangements for our tickets.

Ntalintali? -- Yes. And then he will notify us of when we would leave. He then left us. On the following day he came back and told us that we would leave in the evening and all (30) go to Tanzania.

Yes/...

Yes, and then what happened? -- We then made preparations and in the evening the bus arrived . We were then taken to the airport. Mr Ntalintali cleared us at the airport, then we went in and went to the transit lounge.

Yes, and then? -- We waited there for our plane which was to leave on that evening but the plane was delayed and we spent the night in the airport until the following morning at five. We all left for Tanzania via Kenya. We parted with Mr Ntalintali in Kenya. He remained there.

What happened to Bokwe? -- We were with Bokwe. (10)

So then you went to to Uganda, did you? -- To Tanzania from Uganda.

Sorry, you went on to Tanzania from Uganda. -- Yes. We were separated, those that had to go to the camp, went to the camp and those that had passports and who were from Botswana, proceeded to Botswana. A small jeep of the PAC arrived with Victor whose surname I have forgotten and Glen Mpukane and we who had no passports were taken into town.

Is this in Tanzania? -- Yes.

Now, I just want to get clear. When you got to the (20) airport in Tanzania and you landed there, you say those that decided to go to the camp, they were put one side. Did they then go to the camp? -- Yes, but we were separated in Kenya.

You were separated at the Kenya airport? -- Yes.

Now you say you were separated; those that were going to go to the camp, were they taken away? -- We were separated with those who were going to Botswana who had passports. They proceeded to Botswana and those that would go to the camp proceeded to Tanzania with us.

Those that had passports, did you then leave them at (30) the Kenya airport? -- They proceeded and left us in the airport

at/...

at Kenya.

And then the rest of you went on to Tanzania. Is that correct? -- Yes.

And at the airport is that when the small jeep came in Tanzania? -- Yes.

And they took, you say, those that had no passports? -- Yes. Into town? -- Yes.

Now how many was that then? -- We were five.

Frank had decided to go to the camp, had he? -- Yes.

So then you were taken into town. Yes? -- We were (10) taken to a hotel, Imperial Hotel. We stayed in that hotel and after two days Glen Mpukane and Victor came with forms. They told us to complete these forms and that those are the passports. Passport forms and we completed them.

Then what happened? -- They then left us and came back after 2 days and then they took us to a studio where we took photos.

Yes and then? -- Then they took us back to the hotel and left us again.

Who was paying for all these hotels you were staying in? -- The PAC. (20)

Where did the PAC get all this money from? -- We heard that they are being supported by the Ugandan Government and the Libyan Government.

Yes, well then did Victor eventually come back to you with some passports or something? -- Yes, after 2 weeks. They came after dinner and told us to prepare ourselves, that we would leave at 4 o'clock on that day and then we made preparations. After telling us this they left and came back again at 4 in a small jeep. They told us to take our belongings, then (30) they booked us out at the hotel and then we asked them where the passports/...

passports are. They showed us an envelope and said that everything was in the envelope. We wanted to see these passports and keep them with us, but Glen would not give them to us, he had the envelope and he only said that we must get into the jeep because the plane would leave soon. We then left for the airport. On arrival at the airport they rushed us, saying: Run, there is the plane, it is about to leave, and they then also cleared out of the airport. The plane was about to leave. Then they gave us the passports, still saying: Run, the plane is leaving. We were then the only people who had not got (10) into the plane and we then ran to the plane. The plane left for Zambia and we arrived in Zambia at dusk. Each one of us had his passport with him and when we looked into the passports we found that the names appearing in the passports are forged names and not our proper names. On arrival at the airport in Zambia we were asked for our passports which we produced and the passports there were stamped visa stamps and also a stamp for cancellation. We were then ordered to stand one side. The authorities in the airport took us to a police station and then they wrote on forms and we were then arrested. We stayed (20) there for four days, this is in the airport and we were staying in the transit lounge. We were provided with blankets, but we kept on talking to these people telling them that we want to leave.

Well, when they had you at the police station or when they were looking at your passports, did you tell them that those were forged names or did you hope they would not find out? -- We did not tell them that.

Did you tell them that you had been doing military training in Libya at Banghazi? -- No. (30)

What did you say about yourselves? -- We only told them tha

we/...

we are students, that we are from Tanzania where we attended school, we are getting to Botswana to see our parents.

Did they ask the name of the school? -- They did not. We only told them that we are from the university in Tanzania.

Did they ask to see any of your certificates that you got there or anything like that? -- They did not ask us for the certificates. We were also not given certificates in Tanzania, but only the passports.

Anyway, you say you stayed there 4 days. -- Yes.

Yes, and then? -- We had arguments with these people, (10) we were asking them to release us so that we could proceed, just to go and see our parents in Botswana.

Yes? -- We had Mr Ntalintali's telephone number in Tanzania. And we were told in the airport that we cannot proceed to Botswana with passports that had no visas. They then took us to the authorities in the airport. There we spoke to a man and told him that we were only going to Botswana to see our parents, that we would come back again. And we also told him that the schools are closed. I had gone to this person with Vusi Kodisang. He phoned into town, I think to his superiors (20) in town and then he asked us if there is anybody at the school whom he can talk to. He also said even if it can be a lecturer in the university.

So what did you say then? -- We gave him the telephone number of Mr Ntalintali and said he can phone this number and talk to this lecturer. He tried to phone but he could not get through.

He tried to phone? -- Yes. There was at the time a plane which was found for Botswana. They then released us and put us into the plane which was for Botswana. We then went to (30) Botswana and landed in Francistown. From Francistown we went

to/...

to Gaborone, that is where we would alight.

Do you mean you went by plane from Francistown? -- Yes.

Yes? -- We went to the airport after alighting from the plane and there we were given forms which we had to complete. After completing these forms, we produced our passports.

What name did you put on the forms? -- The names that appeared on the passports.

Yes, you gave your passports. -- The passports were examined and it was discovered that there are no visas. And then they said that we cannot get into Botswana without visas. The (10) airport authorities phoned into town, I think it was to their superiors and then a European thereafter came and said that we will be taken back to Tanzania.

Yes, and then? -- There was at the time no plane for Tanzania, but the plane we had come in was proceeding to Johannesburg. We were then told that we would be permitted to go into Gaborone but that we must on the following day in the morning at seven report at the Immigration Office. We then got into a staff bus at the airport and went into town and we had to pay 30 cents each. We did not have money to pay for the bus. (20) Some of us knew a lady who was employed in the President Hotel. She lent us money and we could then pay for the bus and then we were left at the President Hotel.

What did you do then? -- We went back to the camp from the President Hotel.

What camp is this? -- The refugee camp where we had stayed before when we were going to Libya.

Is that that house you talked about? -- Yes.

So you went there. Yes? -- We found Bokwe and others there.

MR HAASBROEK: Bokwe Mafuna? -- Yes. (30)

BY THE COURT: I just wanted to ask you. The last time you had seen/...



seen Bokwe he was on the plane with you from Kenya to Tanzania?

-- Yes.

Then how did he get to the place before you? What happened to him? Do you know? -- He left us in Tanzania and went to Botswana.

MR HAASBROEK: Bokwe Mafuna and who else was there?-- Bokwe alone - no, I am sorry. The people we found in the camp were Bokwe Mafuna, Jeff Baqwa, Steve Setshaba Mtemkhulu, Thibedi, Puso, Greg and others.

BY THE COURT: So then what happened? -- They were happy to (10) see us, we greeted each other. We then said to them here are the passports given to us with false names. We told them that we had been arrested in Zambia at the airport. They only said that it does not matter, they are only happy to see us back in Botswana.

MR HAASBROEK: Was accused No. 12 also there with you? -- Yes.

Yes, please go on. -- We slept there for the night and got up early on the following day. I am sorry, we also told them that the authorities in the airport wanted to send us back and that they have instructed us to report at the Immigration (20) Office on the following day.

BY THE COURT: Anyway, in the early morning what happened? -- We took exercises, went into the veld, running, and then came back later. Then we had a wash. The five of us then left with Bokwe Mafuna and Jeff Baqwa. We went to the president's office. At the president's office we went into one, Mr Makgetsi's office.

MR HAASBROEK: Who is he? -- He is the High Commissioner of Police in Botswana.

BY THE COURT: Yes, and then what happened? -- Jeff and Bokwe spoke to Mr Makgetsi. According to my observations I (30) realised that they knew each other. They were talking as though

I do not know what they were saying.

MR HAASBROEK: Yes, go on please. -- They were talking about us - but not talking as though - I had wrongly understood him; he said: They were talking about us.

BY THE COURT: They were talking about you. -- Yes. Bokwe Mafuna and Jeff Baqwa then took us to the Immigration Office after the discussion. We were given forms in the Immigration Office and we applied for political asylum.

MR HAASBROEK: What was the reason for that? -- We were no longer going back to Tanzania and we had told them that we (10) want to go back to South Africa - we told them that we wanted to stay in Botswana, that we are no longer belonging to the PAC. After completing these forms we went to the Central Police Station to the Botswana Security Police. The passports were taken from us and we were instructed to report at the police station every day. We subsequently went back to the camp and stayed there again and we had a meeting during those days. They were trying to fit us in again in the house programme. We continued with the house programme and reported every day at the police station. (20)

BY THE COURT: Do you know why you had to say that you no longer belonged to the PAC? You know when you were filling out these forms when you applied for political asylum. -- This we did not write in the forms that we no longer belonged to the PAC.

Did you just tell them that or what? -- We just told them that.

Did they ask you that? -- They only asked us where we came from and we told them that we were from Tanzania and that we belonged to the PAC. (30)

Why did you think it necessary to tell them that you no longer belonged/...

belonged to the PAC? Were you frightened they would not let you stay there if you told them you still belonged to the PAC? -- We were frightened that they would send us back to go and stay in Tanzania.

Oh, I see the point, yes.

MR HAASBROEK: Yes, go on please. -- There was a brown Volkswagen Beetle in the camp. We had found it there and it was used by anyone of us the refugees. We went about in this Volkswagen and then we went to a village on one night, that was myself, Greg and Easy Mokuni. There was a party at the (10) village where we had gone to. There were girls at the party, namely Nomsa Zanele, Nosi who was staying with us, Nosi. She was also a refugee.

BY THE COURT: Yes, there were these girls there and then what happened?

MR HAASBROEK: Did you enjoy yourselves there then at the party? -- There was also another White girl.

BY THE COURT: What is her name? Do you know? -- I have forgotten it. Zanele is Jeff Baqwa's girlfriend who was from Oslo. She is a doctor, she had divorced her husband in Oslo and (20) then she came with her children to Botswana where she stayed.

MR HAASBROEK: Was any politics discussed there that night or not? -- We were only enjoying, we had no discussion.

And when did you return then to the camp? -- I went to sleep with Nomsa, and went to the camp on the following morning.

Did you receive any money in Botswana? -- We got money from the Botswana Council of Churches, a sum of R20 per month while we stayed in Botswana.

And what did you do with that money? -- We gave this money to Jeff Baqwa because he was our treasurer. We used this (30) money in buying food, paying rent and paying for the electricity and/...

and water.

BY THE COURT: You then stayed there for how long? -- We stayed there for quite a time until there was trouble. I then left and went to stay in Lobatsi. I will come to that.

Yes? -- While we stayed in this house, meetings were being held.

What sort of meetings? -- We did not know what meetings these were; that is myself, Vusi, Abel Eazy and Abel Tjale.

MR HAASBROEK: Did you also attend those meetings? -- We did not attend these meetings, that is now the four I have (10) mentioned. The only person who attended the meetings is Thomas Mazibuko. We asked Thomas Mazibuko what is being discussed in the meetings. He said that he will not tell us, they do not want to tell us, they do not trust us because we go about.

Yes, go on please. -- They continued with these meetings. What we discovered is that there is a central committee and a sub-committee.

What were they about? -- I do not know what they were about but when I asked about these meetings, I was asking Puso. He told me that these are criticism meetings, the people like (20) Bokwe Mafuna and Jeff Baqwa are being criticised.

Yes, go on. -- And also some of us like Kenny Molefe and Modise who would not share their clothes with us and were hiding their clothes.

BY THE COURT: Were they also being criticised, Kenny and Modise? -- Yes.

Yes, what happened then? -- We were told there that we will share our clothes that anybody can use my clothes. I asked Puso why they were not including us in these committees because we also would want to know what is discussed. He told me (30) not to worry, but that things would be safe, we will be put

either/...

either in the Central Committee or the sub-committee.

When you say 'we' would be put, when he told you, did he mean yourself and these others that were left out, Vusi and Abel Eazy and Abel Tjale? Those people would be put in the committees, is that what you mean? -- Yes, all of us.

Yes, and then what happened? -- I had a quarrel with Puso on one night when I wanted the key to the car and he was refusing to give it to me.

Yes, and what happened? -- He struck me with his fist on my mouth and I had a knife with which I wanted to stab (10) him. But then Bokwe separated us and said that we are not to fight. He also said that we are like brothers in that place. This is how I had trouble with Puso. I was also annoyed by the others who would not want us to use their clothes while our clothes were being used by any other person there. There was another man, Johannes, whose surname I have forgotten. He was from Pretoria. He was also a refugee and he stayed in Lobatsi. Johannes stayed with his uncle, Marengwa, who was running buses from Lobatsi to Gaborone. I befriended Johannes.

You mean you made friends with him? -- That is right, (20) I made friends with him. He had a two-roomed house there in Lobatsi. I suggested that I go and stay with him. He agreed and then I took my belongings.

Only you? -- Yes. I went to stay with Johannes. There was also Charles Pandora and Tshepho Aphiri who stayed with us in Johannes's house. We were four.

MR HAASBROEK: Did you receive any money while staying in that house? -- Yes, the BCC money which I used to fetch at the offices of the BCC in Gaborone.

R20? -- Yes.

(30)

Yes, go on. -- Whenever I went to the BCC offices to get money/...

money at the end of the month, I would also go to the camp to get clothes. I then met Kenny who wanted to know why I had left and he wanted to assault me. He wanted to assault me because of my leaving the camp and also because they were afraid I would meet people outside and tell them where I had come from.

BY THE COURT: You mean come from Libya or come from the camp in Gaborone? -- That I had come from Libya where I was trained. I said to him that I am not prepared to tolerate what is happening in the camp, that I am right in staying in Lobatsi. While we stayed in the camp we made food or (10) prepared food in turns and the one who was to prepare food was given R2 every day to buy meat for lunch. He would use R1 and then R1 for meat again for supper.

For how many people? -- For 25 people. We often had quarrels about this when some would say the person who had to prepare meals was using the money for food.

For himself you mean? -- That is right. Because there was not enough meat. There was often trouble and then Saki whose surname I do not know, but who had stayed in Robben Island for 10 years, left us. He went to stay with another uncle, Tefo. (20) Vusi Jerome Kodisang went to stay with a friend of his, one Eddie. He, Eddie, stayed in Botswana, he was also from South Africa. I stayed in Lobatsi.

MR HAASBROEK: Before you continue, whilst you were still staying in the camp, who woke you up for physical training the next morning? -- Bokwe Mafuna used to wake us up every morning. He would swear at us and say: get up, why are you still sleeping at this time. You say you want to go and fight the Boers in South Africa, but you are still sleeping at this time. People are waiting for you in South Africa, they are (30) waiting for you to liberate them and you are sleeping here.

What/...

What else did he say about South Africa? -- He once said to me: you are not necessarily going to kill all Whites in South Africa because there are some who are also suffering.

Yes? -- And he also said to me the people with whom we are fighting are those in parliament, but they are protected by the soldiers and therefore we must start with the soldiers.

Yes? -- Now whilst we stayed in Botswana, there was also a friend of mine whom I knew from South Africa who had gone there to visit and he stayed with a friend of his, one Olive.

BY THE COURT: Is that Lawrence? -- Lawrence, yes. (10)

Is that the friend, his friend? -- Yes, our friend.

Yes? -- He came while we stayed in the camp and he was in the company of either Vusi or Eazy, I cannot remember now. We were happy to meet. He later left us. We sometimes did see him in town. He subsequently came back to South Africa.

MR HAASBROEK: Did h e participate in any politics? -- No.

THE COURT ADJOURNS.

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THE COURT RESUMES ON THE 16th MAY, 1978.

DILIZA SIBANYONI: still under oath:

FURTHER EXAMINATION BY MR HAASBROEK: You testified about Lawrence yesterday. -- Yes.

Now how long did you stay on with Johannes? -- I stayed with him for quite a time because I left the refugee camp in May and I stayed with him until in October.

What year? -- 1976.

And what did you do in October then? -- I went to Gaborone and met Vusi there. (10)

Accused No. 12? -- Yes. We had been meeting and having conversations. Lawrence had told us that he stays in Durban. He told us this when he was in Botswana.

Yes? -- When I met Vusi I told him that I would now like to leave Botswana. I told Vusi that I wanted to go back home and that I would leave on the following day. Vusi wanted to go with me, but he said that he will wait for Lawrence because he wanted to go with him to stay with him in Durban. I asked him not to tell anybody that I was going back home, and also said that I will see him again later - no, not that. I only told him that he must tell nobody that I am going back home. I then went back to Lobatsi and spent the night there. I got up in the morning, that is the following day, and left for the border between Zeerust and Lobatsi. (20)

Did you tell anything to Johannes? -- I told Johannes I am going back home. I walked over mountains until I reached the border.

Were you alone? -- Yes. I went across the border and footed it until I came to the Zeerust Location. I then started asking for lifts. A German minister then came, a minister of religion, he gave me a lift up to the Zeerust town. I walked that/...



that is now Zeerust town, still hiking. A European then came and he gave me a lift. He left me in Rustenburg. I walked again. After I had left the Rustenburg town a newspaper truck for Banners News Agency came along and I was given a lift by the people in that truck.

Yes, and where did you arrive eventually? -- In Johannesburg at ..(?) There I got a lift up to Diepkloof Township and I then went to my girlfriend.

And did you meet your girlfriend eventually? -- She was not home when I got there, only her sister and parents were (10) in. They were happy to see me again. Then they asked me where I had been and I told them that I was in Botswana. I asked my girlfriend's sister to go to my parents and tell them that I am at her parents' home and that they must come and see me there. My girlfriend's sister then left and then my parents came later. It was my father, my mother, my aunt from Witbank and my younger sister, and also a cousin of mine from Witbank.

Yes, and you had discussions with them. -- Yes, we had discussions with them.

Yes, go on. -- They asked me where I was from and I (20) told them that I had gone to Botswana and that I am also from Libya where I got military training.

Yes, and what transpired there then? -- I then told them also that I have seen places like Uganda, Tanzania, Kenya and all those other countries.

You told them everything in other words. -- Yes.

Yes, and then? -- My father wanted to know why I did not tell him about all this before I left. I did not reply. He also told me that while I was away, police came to my home and then took him to Protea. That the police asked him if he (30) knew where I was. He told them that he did not know; that I

had/...

had just disappeared. That the police asked him to take me to them if I should happen to turn up. He then agreed to do that. He then also said that he will have to take me to the police, but I refused. He said that he has made an agreement with the police to take me to them, but I said that he cannot do it because the police will lock me up. I first wanted to get my reference book in order and then get employment.

Yes, and how long did you stay there with your girlfriend's people? -- I stayed for 2 weeks.

Yes, and what did you do afterwards? -- I then went (10) home, stayed there for 3 days. Subsequently I went to my aunt in Witbank.

And how did it come about that you were arrested eventually? -- I spent the Christmas holidays in Witbank, then went back home, after I had fixed my reference book.

BY THE COURT: How did you fix it? -- I had lost my reference book. I did not know what my identity numbers are. The office in the township was burned out during the riots and I could not find my parents' file at home. This is not a file at home, but my home file that was kept in the office, that was where (20) I could find my identity numbers.

Yes, so? -- I was referred to the Labour Bureau and I was told at the Labour Bureau that they cannot find my record and then I was referred to New Canada. I was told at New Canada that they do not know anything about me. I eventually went to Backteld(?) where I had been employed. That is where I found my identity numbers.

MR HAASBROEK: How did it happen then that you were arrested? -- I left on a Tuesday morning.

BY THE COURT: From? -- From my home, for my aunt's place (30) in Witbank. I spent that night there and the police arrived during/...

during the night. They were in the company of my father.

Was that the beginning of 1977? -- Yes, on the 9th February.

MR HAASBROEK: Were you still associated with the PAC at the time of your arrest? -- No, I had left everything.

What was the reason for that? -- I had seen the suffering and hunger in places like Uganda and Tanzania, places where there are no Whites and I realised that there is so much suffering in places where there are no Whites.

So you changed your mind then? -- I have. (10)

And what is your attitude about fighting the people in South Africa? -- I am not prepared to fight.

There is only one remaining matter. There is a photograph here. Can you have a look at it please. Do you recognise the person on the photograph? -- Yes.

Who is he? -- It is Saki.

I hand it in as EXHIBIT 000.

BY THE COURT: You mentioned a person, Uncle Mkize. -- Yes.

Was that in Libya, was it? -- Yes.

Why did you call him Uncle Mkize? -- He was an elderly (20) man, an Arabian, who was black like we are. We nicknamed him Uncle Mkize.

Was there meaning attached to the nickname Mkize? -- No. This is just a surname.

Is there some other Uncle Mkize that you know? -- There are many Mkizes in the township.

It is just a nickname you gave him? -- Yes.

Where was the house called the refugee camp? Was that Gaborone? -- Yes, in Gaborone.

Now according to my notes then you applied on this (30) big, long form, for political asylum. You completed the form, your/...

your passports, such as they were, were taken from you and you were instructed to report once a day to the police station.

-- Yes.

When you went to Johannes in Lobatsi, how did you organise this reporting or did you just not do it? -- I no longer reported

Didn't they do anything about it, the police, or come and try and find you or anything like that? -- No, we usually met in town and we would greet each other and they would ask how I was going on and I would just say it is going on O.K.

Who would meet? -- We would meet the police in town. (10)

When you were in Libya doing all this training and so forth, did they ever tell you or discuss with you what you would do back in South Africa? -- Who?

The instructors or the lieutenant or the captain? -- No, they told us nothing.

And when you were with Ntalintali, this commander of the PAC, did he discuss with you at all how you would go about killing all the Whites in South Africa or all the soldiers or whatever it was? -- He had no time to talk about many things with us. This he did not discuss with us. He was given (20) a short period of time to talk to us and he would then be taken away.

Well now, you went up there to do your military training with a particular purpose in view. You have told me that it was to come back here and kill people. Now was it ever discussed there with anyone, Leballo or anyone, what you were actually going to do and how you were going to do it? -- No, we did not discuss.

What were you going to do then? -- They had not told us what we would do. (30)

Who was going to tell you what you were going to do when you/...

you got back here? As you understood it. -- The leaders would tell us.

Who were the leaders? -- We were under Bokwe and Jeff.

Were you thinking or expecting that they would tell you now how to go about it in South Africa and do what you had to do? -- I did not think that because they were also not satisfied with our training.

Do I understand you then that when you got back to Botswana, you did not really have any idea of what was going to happen or what you were going to do? That is you (10) personally. -- Yes, I did not have an idea.

THE COURT ADJOURNS.

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THE COURT RESUMES ON THE 17th MAY, 1978.

DILIZA SIBANYONI: still under oath:

CROSS-EXAMINATION BY MR PITMAN: You said in your evidence-in-chief that, as I understood it, you became tired of life in Botswana and you wanted to go home. -- Yes.

And did it appear to you that accused No. 12, Vusi, also wanted to go home? -- Yes.

And at that time, as I understand it, you had given up the idea of wanting to fight. -- Yes.

And did it appear to you that accused No. 12 had also (10) given up the idea of wanting to fight? -- Yes.

Now, is it the position that you and your group never at any stage had any arms with which to fight? I am excluding the arms that you trained with at the Libyan camp. -- Yes, we never had arms.

When you and your group were in Uganda, when you were coming back, will you just direct your mind to that period? Now at that stage you and your group wanted to go to Botswana. -- Yes.

Now, .. (intervenes) (20)

BY THE COURT: That includes No. 12. -- Yes.

MR PITMAN: Now, at that stage what did you and your group intend to do in Botswana when you got back there? -- We would stay in Botswana until we hear from our leaders what the arrangements are.

And as I understood it from one of the answers you gave to His Lordship, you yourself had no idea of what you were going to do. -- Yes.

Now I just want to turn to the camp in Libya, at Banghazi. That was in fact a Libyan army camp. -- Yes. (30)

And the people that were training there came from many places/...

places in the world. -- Yes.

I think you said there were some from Thailand. -- Yes.

And were there in fact some people from Lesotho? -- I do not know, but there were Sotho speakers. I only do not know where they came from. All I knew was just that they came from South Africa.

BY THE COURT: There were people who spoke? -- Southern Sotho.

MR PITMAN: Was one of them called Hape?

BY THE COURT: Can I just get it, did he say Southern Africa or South Africa? -- (M'Lord, he used South Africa.) (10)

Well, is there a difference in your language between Southern and South? -- (No, M'Lord).

There is quite a difference. Southern Africa is one thing, South Africa is another. How would you convey that in your language? -- (M'Lord, we normally use the one word only, unless when we talk to learned people who can differentiate.)

The word he used either means Southern Africa or South Africa. -- (Yes, M'Lord.)

MR PITMAN: And actually these people who spoke Southern Sotho, you did not know precisely what part of the country they came from. -- Yes, I did not know. (20)

And were there some people at that camp from an Arab State? I am referring to some people who had beards. -- I do not know.

BY THE COURT: Were there some people with beards there? Not amongst your people but just generally when you were walking around, were there some people with beards? -- I used to see people with beards outside in town but the soldiers did not have to keep that.

So you mean you did not see anyone with a beard who was a soldier in the camp? -- No, except that amongst us, that is now with people who were from South Africa, there were those (30)

who/...

who kept beards.

MR PITMAN: I want to go back to one point, I sidetracked myself. Did you know a person there called Hape? -- Yes, there was such a person.

And was there a person there called Maphefane? -- Mabefani, not Maphefane.

And do you know was he one of the people who spoke Sotho? -- He spoke Xhosa, Zulu and Southern Sotho.

Let me be clear about this. Among the soldiers training there, some of them were Arabs? -- Yes, there were Arabs. (10)

And do you know that there were some people there from South Sudan, training? -- I do not know anybody who was from South Sudan, but I know about Arabs who were there, some of whom were from Tripoli and others from Banghazi.

Do you remember a person called Mokoena one evening approaching your group there and trying to persuade you and your group to fill in forms to join the PAC? -- I do not know about the forms, but he came to us, called us together and spoke to us, about joining the PAC. He was saying we must join the PAC.

Now is the position that you did not join the PAC? -- (20) Yes, we did not join the PAC.

And that includes accused No. 12 as far as you know.-- Yes. Because we were five, it was myself, - we were six, Frank Sohleho Tshwahedi, myself, Eazy Abel Mokuni, Vusy Jerome Kodisang and Thomas Mazibuko and Abel Tjale.

And is the position that none of you, so far as you know, at any stage ever joined the PAC? -- Yes, except that on our way back Frank went with the PAC recruits to their camp.

BY THE COURT: Do you mean that was the one down at Mbeya? --Yes.

MR PITMAN: Now, just for a moment I want to go back to (30) Uganda on your return from Libya.



BY THE COURT: Can I just get clear was this Mokoena, when he came to you people was this at Libya, Banghazi? -- Yes.

MR PITMAN: In Uganda on the last occasion that you were there, you stayed again at the Equatorial Hotel. -- Yes.

Could you just tell us what was the food like at the Equatorial Hotel? Was it good? -- It was not bad because we were served with bananas for breakfast, coffee and milk, brown sugar.

THE COURT ADJOURNS FOR A FEW MINUTES. THE COURT RESUMES.

DILIZA SIBANYONI: still under oath: (10)

BY THE COURT: You had bananas for breakfast and coffee. -- Milk, brown sugar and we would sometimes be served with a piece of fried fish.

FURTHER CROSS-EXAMINATION BY MR PITMAN: Wasn't your favourite thing called steamed matoka? -- Yes, we were served with this in lunch and supper.

And what was steamed matoka? -- Banana that is not ripe would be taken, peeled and then cooked. Then it would taste like sweet potato, but it is bitter.

But you liked it. -- Yes, I liked it because the other (20) food was too light for my stomach, unlike the matoka.

But the Antler's Inn that was a better hotel even than yours, wasn't it? -- Yes.

Is that a three star hotel? -- How?

BY THE COURT: Anyway, that was a much more luxurious hotel. -- Yes.

That is where Mr Leballo stayed. -- Yes.

MR PITMAN: Now just one final aspect. When you left South Africa in the first place, when you left the country and went to Botswana, can you remember what month of the year that (30) was? -- It was in 1975 the end of July.

And/...

And you left South Africa with a passport, a travel document. -- Yes.

And it was definitely July and not December that you left?  
-- Yes, it was in July.

MNR. SAAIMAN VRA DIE HOF OF HY VRAE MAG VRA MET VERLOF VAN DIE HOF

DIE HOF WIL WEET OF HY ENIGE INSTRUKSIES IN DIE VERBAND HET

MNR. SAAIMAN DEEL DIE HOF MEE DAT HY GEEN INSTRUKSIES HET NIE

DEUR DIE HOF: Nee, ek gaan dit nie toelaat nie, tensy daar op die gewone manier dat daar iets is van jou kliënt se kant wat in stryd is met hierdie man se relaas. (10)

MNR. SAAIMAN: Nee, die enigste wat ek wou gevra het is, met u verlof.

DEUR DIE HOF: Nee, ek gaan dit nie toelaat nie.

RE-EXAMINATION BY MR HAASBROEK: You stated that you never joined the PAC. -- Yes.

Did you ever hear anything about the PAC before arriving in Libya? -- Like?

I am asking you. Did you hear anything about the PAC, the name of the PAC or anything in connection with the PAC. -- Yes. When we arrived in Francistown I came to know that Mr Solly Ndlovu, the representative of the PAC in Francistown. And I came to know that Mr P.K. Leballo is the acting president of the PAC. This was when we arrived in Tanzania. And when we arrived in Libya, I came to know that Mr Victor Mayekiso is the representative of the PAC in Libya. I also came to know that Mr Ntalintali is the commander-in-chief of the PAC. This was in Libya. (20)

Anything else you want to say? -- I only was about to say that when we came to Tanzania I came to know that Glen Mpukane is the representative of the PAC in Tanzania. (30)

Were you at all aware of the fact that the military training/...

training you received was under the auspices of the PAC? -- Yes.

The camp in Botswana where you arrived finally before you went to Johannes's house, to what political group did th at camp belong? Do you know? -- SASM.

BY THE COURT: Is that the house? -- Yes.

In Francistown? -- In Gaborone.

MR HAASBROEK: South African Students Movement apparently.

BY THE COURT: Is that what it is? -- Yes.

MR HAASBROEK: And were there a number of PAC there in that particular camp or don't you know? -- What I had heard is (10) that Saki belonged to the PAC.

Anyway, is it correct, you saw Saki there? -- Yes, I saw him there.

And any other leaders of the PAC in that particular camp? -- No, I saw nobody. I do not know of any.

BY THE COURT: Tell me that person, I think I have got the name somewhere before, the one you mentioned, Mr Pitman, Mokoena. Did you tell me in your evidence yesterday something about Mokoena? You know, you said Mokoena came to you in Libya at Banghazi and he asked the people there to join the (20) PAC and all that. -- Yes.

Now who was Mokoena? -- Mokuni.

Now who was he? -- Mokuni?

Yes, Mokoena Mokuni, is that the man who came in Libya at the camp and asked you to join the PAC? -- That is Abel Eazy Mokuni who was in our group. Mokoena came afterwards and this was when we were already in the camp and he had then come with a new group which was brought there for training.

Now I am sorry, I have got confused. Had you seen this person Mokoena before? Who was he now? Did you know him (30) before? -- I did not know him before.

Now/...

Now, this person Saki that you met there did he tell you he had been in Robben Island for 10 years, I mean down at the camp in Botswana? -- I was not told by him in person, but I got this in the camp; I only cannot remember who told me this.

What was he doing there, Saki, was he staying there or did he come and go? -- He was staying there.

At the house? -- Yes.

What was he meant to be doing there? -- I cannot know, but as far as I could observe, Saki, Bokwe Mafuna, Jeff Baqwa and Teboho held high positions in that organisation. (10)

What organisation? -- In SASM.

Did they appear to be sort of in charge of you people there? -- Yes.

And then it was Solly Ndlovu was in Francistown. Is that correct? -- Yes.

You saw him only after you had gone from this camp to Francistown by train. Is that right? -- Yes. And it was when we arrived at his house in Francistown.

That is right.

NO FURTHER QUESTIONS.

(20)

THE COURT ADJOURNS.

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THE COURT RESUMES ON THE 18th MAY, 1978.

LAWRENCE SITHOLE: sworn states: (Through Interpreter)

MR HAASBROEK ASKS THE COURT TO WARN THE WITNESS AS AN ACCOMPLICE.

THE COURT WARNS THE WITNESS IN TERMS OF SECTION 204 OF THE CRIMINAL PROCEDURE ACT.

THE WITNESS INDICATES THAT HE UNDERSTANDS THE WARNING.

MR HAASBROEK: M'Lord, the evidence of this witness will be against accused No. 12 in particular and of course against the others in general.

EXAMINATION BY MR HAASBROEK: What is your occupation? -- (10)

A teacher.

Where? -- At Inkomazi High School.

Where is that? -- It is in the district Komatipoort.

BY THE COURT: How long have you been a teacher? -- Two years.

What were you before you were a teacher? -- I was employed by the Johannesburg Licensing Department.

How old are you?-- I am 27.

This Inkomazi School is that the only school you taught in?

-- No.

What other schools did you teach in? -- I also taught (20) at the Orlando West Junior Secondary School.

MR HAASBROEK: Do you know a man called Vuyisile Madikiza? -- Yes, I do.

How did it come about that you know him? -- We were together at school.

BY THE COURT: How do you mean together at school? Do you mean teaching or learning? -- We attended school together.

As students? -- As students.

What school was that? -- At Bethal College in the Transkei.

Is that a training college? -- Yes, that is a training (30) college. It is a teachers' training college, it is also

a theological college for ministers, it also has a secondary school and a high school.

When did you go to that one? -- I went to Bethal in 1966.

MR HAASBROEK: And when did he leave school more or less, Vuyisile? -- In 1969.

BY THE COURT: Was he also training? -- He was in the secondary school in Form 2.

And he left in 1969 you say? -- Yes.

MR HAASBROEK: And did you see him afterwards, after he left school? -- Yes, I did. (10)

BY THE COURT: When did you leave Bethal? -- In 1971.

When did you see Vuyisile and where? -- I saw him in the township, Orlando West Township where I stayed. He was staying at Dube Township then.

MR HAASBROEK: Were you friends? -- Yes.

And do you know a man called Vusi Kodisang? -- I do know him.

Do you see him here? -- Yes, I do see him.

Which one is it? -- No. 12.

How did it come about that you met him? -- I was (20)  
introduced to accused No. 12 by Vuyisile.

MR WILSON: M'Lord, may I disturb the proceedings for a moment. I was informed by the investigating officer this morning that accused No. 2 is not well and he was going to make arrangements na I understand that he could be seen by a doctor immediately. I understand that this evidence does not concern him.

THE COURT EXCUSES ACCUSED NO. 2 TO GO AND SEE THE DOCTOR.

BY THE COURT: You were introduced to him. -- I was introduced to accused No. 12 by Vuyisile.

MR HAASBROEK: Did you see a lot of each other then subsequently? -- Yes. (30)

Where did you work at the time? -- I was then teaching at the Orlando West Junior Secondary School.

When was that more or less? -- This was during 1975.

BY THE COURT: Was the young accused No. 12, was he a scholar then or was he working? Did you know? -- I have no idea whether he was still attending school or working at the time.

What I mean, he was not at your school. -- Not at my school.

MR HAASBROEK: Did you at all see accused No. 12 regularly when you were teaching at Orlando West? -- Yes. (10)

Where did you see him most of the time? -- We would meet say after school along the road in the streets or at the place where we usually met.

BY THE COURT: Well, where did you - did you ever have a particular meeting place in a cafe or a house or did he come to your place, to school or what? -- We used to meet in a certain house. We used to go there and meet each other.

Whose house was that? -- At the house of Colin Ramusi.

MR HAASBROEK: Did other people also meet each other there with you? -- Yes. (20)

Who were they? -- Vuyisile Madikiza, Vusi Kodisang, one Radi - I do not know his surname - and one Diliza.

BY THE COURT: Are those some of the people who used to sit there and meet? -- Yes. Another one, Tom.

MR HAASBROEK: Anyone else? -- I have forgotten the others. Matume is his name, another one Silayelo.

What are the surnames of these two? -- Both of them Ramusi.

Are they related to each other? -- Yes, Matume was a cousin of Silayelo.

And where were their parents at the time? -- Colin (30)  
Ramusi was then the Minister of Interior of the Lebowa  
Government/...

Government. I am told the mother is in England. At the time I was told the mother was in England at the time.

BY THE COURT: Yes, you all used to meet there from time to time. -- That is so.

MR HAASBROEK: Did you have any discussions during these meetings? -- Yes, we used to have discussions.

BY THE COURT: What discussions? -- We used to discuss things from newspapers such as the Sunday Times, the Star, Daily Mail, The World.

MR HAASBROEK: What were they about? -- It would depend on (10) what the paper had for the day.

Yes, but what subjects can you remember that you discussed? -- About soccer, politics.

What was discussed in connection with politics? -- About the independence of the homelands such as the Transkei, Bophuthatswana.

Yes, what else was discussed? -- We used to discuss communism as well and many other subjects.

And who was the most enthusiastic about these subjects during the discussions? -- Most outspoken was the group (20) where Vusi and Silayelo, Vusi, Ramusi and Silayelo. This is because these two were studying law and this had to do with their courses.

BY THE COURT: What did they get all heated up about? -- They used to discuss things that pertain to their studies. I am interested in science. I do not know much about law.

MR HAASBROEK: Was anything at all discussed about leaving the Republic? -- Yes.

Yes, what was it all about? -- The treatment of the Blacks in South Africa was discussed. (30)

Yes? -- It was also further said we are to go out to undergo/...



undergo military training and later come back.

BY THE COURT: And do what? -- Come back and fight.

Fight who? -- Fight the people who are governing us.

MR HAASBROEK: Did you all agree with this or not? -- Well, verbally, yes, we agreed.

And was accused No. 12 at all present or not? -- I would not be able to say he was present that day, because we did not keep a register.

What was his attitude in connection with these discussions? -- I would not be able to say, I do not know one's attitude (10) would be, I do not know how he thinks about it.

BY THE COURT: Did he ever raise an objection to going.

MR WILSON: M'Lord, he said he cannot say he was there when this was discussed.

BY THE COURT: Was this discussed, the question of the treatment of Blacks, only on one occasion? -- I said we used to discuss this issue if it happened to be in the papers or if they had read about it in their books.

Well what is your recollection? Was it discussed often? -- It depended on our meetings. There are times when (20) two would meet and discuss over a certain subject.

What I want to know is this question of the treatment of the Blacks, was that discussed often by you at these meetings or not? -- This was discussed but I am not able to say how many times it was discussed because we used to discuss various subjects.

MR HAASBROEK: Were certain people arrested? -- Yes.

Who were they? -- Vusi Kodisang, Silayelo, Radi and Vuyisile. That is all.

Apart from that, did some of you at all leave the (30) Republic at one stage? -- Yes, I heard that some of us left.

Yes/...

Yes, what did you do? -- I went to Cape Town.

Well tell your story in your own words. -- From Cape Town I went to Durban.

BY THE COURT: When did you go to Cape Town and why? -- It was during the school holidays in June when I went to Cape Town.

Was it just for a holiday? -- Yes. From Cape Town I went to Durban. From Durban I went to Botswana.

MR HAASBROEK: For what purpose? -- For a visit.

And when was that more or less? -- This was in May, 1976.

Who did you go to visit? -- I visited a friend, we (10) were together at school, his name Oliver Manoa.

Where was this? -- He is in Gaborone in Botswana.

And did you go to the Holiday Inn there at Gaborone? -- Yes, I did.

When was that more or less? -- It was during that time, during May.

Yes, and did you meet somebody there? -- Yes.

Who? -- I met Diliza.

Yes? -- Diliza then asked me if I was not interested in seeing other boys who were also from Johannesburg. I said (20) I was interested.

Yes? -- He took me to where he stayed.

And did you see any of the others? -- I did.

BY THE COURT: Who did you see? -- I saw Vusi Kodisang, I saw Tom, the two and others.

What were the people's names? -- To me unknown.

MR HAASBROEK: Where did you see them? -- It was in a certain house, a house in which they stayed.

What was it called? -- Just an ordinary house. It did not have a name. If it had a name then I am not aware of it, (30) I did not know what the name was.

BY THE COURT: What did they tell you they were doing there? --  
I was told that/<sup>was</sup>where they are staying.

Staying for what? -- They stayed and (inaudible)

Why? -- I do not know.

Did they not tell you? -- They did not tell me.

Did you not ask them? -- It was a house similar to other houses, there was not a reason, the necessity did not arise for me to ask them why they were there, what they were doing.

You did not think it peculiar? -- One peculiar thing was that there did not seem to be any grown-up persons staying (10) with them.

MR HAASBROEK: Was anything at all said about military training? -- Discussed by?

BY THE COURT: Anyone there. -- The person who took me around was Vusi Kodisang, he is the person who took me around Gaborone and he is the person with whom I had discussions.

And what were your discussions? -- We were just discussing generally. This is because it had been quite a long time I had not seen him.

MR HAASBROEK: Did he at all tell you where he had been? (20) -- Yes, he did.

What did he say? -- The discussion started when he told me he met an air hostess on the plane Air Zambia. Then I asked him where he had been. He told me he was from Libya.

What did he tell you about Libya? -- He told me that is where he received military training.

BY THE COURT: What else? Tell us all he told you. -- About military training.

Everything he told you in the discussion. -- We were also discussing about the show that was on. Letta Khambula (30) .. (inaudible) .. we discussed about her.

What/...

What did he tell you about his military training and his trip to Libya? -- He told me he had undergone military training in Libya.

MR HAASBROEK: And did he mention any weapons? -- He told me, they were taught how to handle hand grenades and some other things.

What other things? -- He told me about rifles such as the K.47.

Yes, what else? -- And how they lived there, that they used to take exercise. (10)

What type of exercise? -- They used to run, what is generally known as road work.

Did he say anything else about Libya or not? -- No, from there he did not tell me anything further.

Did you at all ask him what he was going to do? -- I did not ask. He further said he was going to learn further but the learning I did not know whether he meant learning about militarily or about education.

Was he in his sound and sober senses when he told you these things? -- He was in his sound and sober senses. (20)

And did he speak to you freely? -- Yes, this was said freely, we were discussing.

And what happened afterwards there? -- Well, we just lived there like any other person.

BY THE COURT: Did you stay with your friend? -- Yes, my friend, Oliver Manoa.

And he stayed at this other house. -- Yes.

MR HAASBROEK: And did you meet Vusi and Diliza regularly? -- Yes, we met regularly in town.

And how long did you stay on there in Botswana? -- (30)  
About a month.

Was anything said about anybody about the place where Vusi lived there? -- I do not remember.

And when did you leave for the Republic again? -- About the 29th, just before month end I came back to the Republic, this is May.

To Durban? -- Yes, I went back to Durban.

But after your visit which you have described, did you go to Botswana again? -- I did.

Yes, and did you see your friends again there? -- I did.

BY THE COURT: What did you go there again for? -- I was (10)  
just cruising, just visiting.

Did you go to your friend again? -- Yes, Oliver Manoa.

MR HAASBROEK: And did you see Kodisang there again? -- Yes, I saw him.

And Diliza? -- Diliza as well.

And did any of those two at all indicate to you they wanted to get back to the Republic or not? -- Vusi, yes. He indicated h e wanted to come back to the Republic and he wanted to come back with me.

Yes, what was your reaction? -- I did not agree to (20)  
this.

Why not? -- I had gone there in a car and he did not have a passport. He wanted to go across the border with me and him without a passport.

You then refused? -- I refused.

And you returned to the Republic. Is that correct? -- I did so.

And have you been to Botswana since? -- No.

When were you arrested? -- I was arrested on the 22nd September last year. (30)

THE COURT ADJOURNS FOR A FEW MINUTES.

THE/...

THE COURT RESUMES

LAWRENCE SITHOLE: still under oath:

CROSS-EXAMINATION BY MR PITMAN: M'Lord, as a matter of fact I wish to ask the witness no questions, but may I just ask the Interpreter to tell Your Lordship what word was used in the Zulu language in one answer in his evidence-in-chief. If I may do that, may I ask him. It is the point where this witness said that No. 12 said he was 'going to learn further'. Now what was the Zulu word used for the word 'learn'? --(The Zulu word used for 'learn' was 'funda'. If I may explain (10) further, M'Lord, it has a very broad meaning. Anything that one is capable of learning in Zulu is 'funda'.)

BY THE COURT: Yes, we have a word very similar to that.

MR PITMAN: Just one more question. The word that he used when he was talking about training, military training, the word that you in fact used in clarification with the witness was 'ceceshwa'. --(That is correct, 'ceceshwa'.)

BY THE COURT: What does that mean? -- (That means this is a word generally used, M'Lord, for training. It may be training, militarily, academically or otherwise.) (20)

RE-EXAMINATION BY MR HAASBROEK: No questions.

BY THE COURT: Tom who was it? -- I do not know Tom's surname. Diliza, do you know his surname? -- I do not know his surname either.

NO FURTHER QUESTIONS.

THE PREVIOUS TWO WITNESSES ARE EXCUSED.

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MR ACKERMANN APPLIES FOR AN AMENDMENT OF SCHEDULE 6.

NO OBJECTIONS BY COUNSEL.

BY THE COURT: The amendment is allowed. (30)

DOUGLAS MATSOGE: sworn states: (Through Interpreter)

MR ACKERMANN ASKS THE COURT TO WARN THE WITNESS AS AN ACCOMPLICE

THE COURT WARNS THE WITNESS IN TERMS OF SECTION 204 OF THE  
CRIMINAL PROCEDURE ACT.

THE WITNESS INDICATES THAT HE UNDERSTANDS THE WARNING.

EXAMINATION BY MR ACKERMANN: M'Lord, this evidence will pertain to Schedule 2, paragraphs 16 and 19; Schedule 6, paragraphs 1 and 2 as well as Schedule 7 in general. When and where were you born? -- 28th February, 1954 is my date of birth. I was born in Moroka Township, Soweto in Johannes- (10) burg.

Did you grow up in Soweto? -- I grew up in Soweto.

Am I correct if I say that by the time of your arrest last year you were busy studying for your Form 5, which is the equivalent for matric? -- That is correct.

At which school were you studying? -- At the Sekanontoana High School.

Whereabouts is that? -- It is in Senoana Township in Soweto.

Do you know a certain person by the name of Sammy (20) Kau? -- Yes.

In December, 1976, you received a visit by this Sammy Kau? -- That is correct.

Was it early or later in December, 1976, when you received this visit? -- The beginning of December.

Where was your house, the place where he visited you? -- At No. 463 Tladi Township.

And where was Sammy Kau staying at that time? -- He was also staying at Tladi.

What happened during this visit? What was the (30) reason for his visit? -- He came to tell me that he knows a gentleman/...

gentleman called Ganya, a member of the PAC organisation. ln

Yes? -- He told me further that he has been asked by Mr Ganya to help in the taking out of children from South Africa to undergo training militarily in Tanzania.

BY THE COURT: Yes, and what else? -- He asked me to help him in acquiring people who would be sent out for this military training. I agreed with him.

MR HAASBROEK: Was anything said at that stage whether this military training stood in relation to any organisation? -- Yes, it was mentioned, the name of the PAC. (10)

Yes? -- He concluded by saying he would be happy if I would go with him to meet Mr Ganya.

BY THE COURT: So then what happened? -- This was the end of the discussion that day.

Did you say you would go with him? -- Yes, I agreed.

So then what happened after all that? -- This was on a Monday - I am sorry, this was on a Saturday. He later came to me, took me, we went to a certain house.

Do you know whether that was the same day? -- The day we had the discussion was a different day, but the day on which he came to fetch me was on a Saturday. (20)

Was on a Saturday? -- On a Saturday. We went to a certain house in Mndeni Township.

MR HAASBROEK: What did you find on your arrival there at that home or that house? -- On arrival at Mndeni Township with Sammy Kau we found a woman in the kitchen, an old lady. We proceeded into the sittingroom. There I saw a male person who was not known to me. He was there in the company of about 10 young men. Amongst the boys I knew the following: Joseph Tsoue, Oupa Mareka - I am sorry about the surname, it is not Mareka but Maja. (30)



BY THE COURT: Joseph and Oupa. Did you see anyone else you knew there that you can remember? -- I saw Mareka as well, Monty Solomon Ramatlotlo and one called Boy-Boy.

Yes, you saw those people you knew. Was Mr Ganya there? -- Yes, he was.

MR HAASBROEK: Was he introduced to you? -- Yes, he was introduced to me.

And if you look around today in court do you see this Mr Ganya here today? -- Yes, I see him.

BY THE COURT: Where is he? -- No. 2. (10)

So then what happened? -- Mr Ganya then introduced himself to us as a member of the PAC. He told us the organisation, the PAC stands for the Black people. He told us that the organisation was taking out young men out of the Republic to Tanzania where they would be taught the use of arms in order to come back to the Republic to come and fight the White man's government.

Yes, so what happened? -- He told us further that the PAC was only composed of Blacks and people of no any other colour.

And people of no other colour. -- No other colour. (20)

Yes? -- He also told us the difference between this organisation and the ANC. He told us that he was once arrested and sent to Robben Island and that on his discharge from prison that he was told by one Joe Makwanazi to return to the Republic of South Africa so that he can send young men out of the Republic. He told us further that he believes in the government of one person one vote one gun. He told us further that at the time he was involved in the taking out of young men for the purpose - I am sorry, what I want to say is, that he was not employed, his work was solely to take out young men for training in Tanzania. (30)

Yes/...

Yes? -- He told us that he started with this work after the disturbances in Soweto.

MR HAASBROEK: Did he mention any names of people cooperating with him or collaborating with him? -- Yes, he mentioned Dr Ntshuntsha, Michael Khala, Jim Xebe. These are the three he mentioned.

Did anyone arrive there? -- I will put it this way: we went outside where we had further discussions with Mr Ganya. Outside a motor vehicle, a Cortina powder-blue in colour, stopped. A man came out of this car, came into the yard. (10) This gentleman called Mr Ganya aside. They had a conversation there, I did not overhear what they were saying. It was after this conversation that they came to us. It was the gentleman I did not know, who asked who of the young men there were interested for going for training in Tanzania. The group I found there said they were the people interested.

BY THE COURT: And you? -- Me and Sammy Kau said we were not leaving because we will help Mr Ganya in acquiring people who would be sent over. He also had a discussion with us thereafter. (20)

MR HAASBROEK: And was he at that stage introduced to you? -- No, he was not introduced.

And did they say anything else to you? That is to you and Sammy Kau? -- Yes.

What? -- This unknown man told us he was arrested by the police. He told us he was arrested for taking out children out of the Republic for training in Tanzania and that the treatment by the police was bad, that he was assaulted. To confirm these allegations he showed us his hands, showing us certain marks on his hands, but there was nothing I could detect, (30) there was nothing I saw on his hands.

What/...

What happened the following Monday after this Saturday?

THE COURT ADJOURNS FOR TEA.

THE COURT RESUMES.

DOUGLAS MATSOGE: still under oath:

BY THE COURT: He told you that he had been arrested and he told you the treatment was bad. -- Yes.

MR HAASBROEK: Yes, then it ended there and he was about to tell what happened during the following Monday. -- If I may correct that. After he had showed us the marks, he left.

Yes. -- He left us there. It was after he had left that Mr Ganya told me the person we had been talking to is Dr (10) Ntshuntsha.

What happened the following Monday? -- The following Monday me and Sammy went back to that house at Mndeni.

The same house? -- The same house.

Yes? -- We found the same group of boys we found the other day, together with Mr Ganya. They were eating when we arrived there. We also helped in the eating. After the meal Joseph Tsoue told us that they were going to take a trip to Swaziland.

Was that in the presence of accused No. 2? -- Yes, it was in his presence. He said they were taking a trip to (20) Swaziland on that day.

And did you see Dr Ntshuntsha coming there on that specific occasion? -- Yes, he came.

Tell us about it. -- He arrived there, told Mr Ganya that transport was ready, he left thereafter. It was after 2 hours that he came back. He was accompanied by another vehicle driven by a male person which was a light delivery vehicle with a canopy at the back. It was dark green in colour. He came into the house and called us. The boys who were leaving took their luggage, their possessions along. We all went into (30) the light delivery van. It was driven off. We drove up to

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