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VAAL COUNCIL OF CHURCHES

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Room 501 Trevor Building
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Fax No. 21-4426

THE MANAGER
ISCOF
BOX
VANDERBIJLPARK

Dear Sir

RE: THE HABOURING OF ENEMIES OF PEACE AND LIFE AT
KWA MADALA.

The Women's Ministries of the Vaal Council of Churches, comprising women of various denominations in the Triangle, is perturbed by the violence which has engulfed the area since the 22nd July 1990. The level of this violence has increased tremendously in the past weeks specially with regard to Boipatong. This violence has claimed more than hundred lives, caused injury to many men, women and children and has resulted in huge damage to property. We and our kin live constantly under threats, intimidations and abductions. We also draw your attention to the following :

1. The delegations of our spiritual leaders, late last year, did draw your attention to the use of KWA MADALA AS A SPRING BOARD for terroristic attacks on the residents of our townships.
 - 1.1 You then promised, that if atleast one the culprits (terrorists) is found to be residing at Kwa Madala, you'll be having reason enough to order all the occupants of the complex out - which you never did up to now.
 - 1.2 We want to know why are you insensitive to the use of Kwa Madala as base for dangerous weapons and attacks on human life?
2. On various occasions were people, including our children, abducted and kept at Kwa Madala for various periods against their and our will.
3. The education of our children is suffering as a result of threats and attacks made by Kwa MADALA residents at schools, e.g. Lebohang Secondary School in Boipatong.
4. Residents of Kwa Madala enjoy making us widows and orphans by killing our husbands and our breadwinners.

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LISTED SUPPLIER
OELYSTE VOORSIEMER
BABS 01.57 (RBO 8002)



ISCOR LTD
YSKOR BPK
VANDERBIJLPARK

Reg. No. 86 / 02164 / 06

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OUR REF
ONS VERW

YOUR REF
U VERW

1991-08-19

Madames

THE HARBOURING OF ENEMIES OF PEACE AND LIFE AT KWAMADALA

Your letter delivered by hand on 1991-08-15, refers.

IsCOR Management strongly denies your allegations that we are insensitive to the Kwamadala issue.

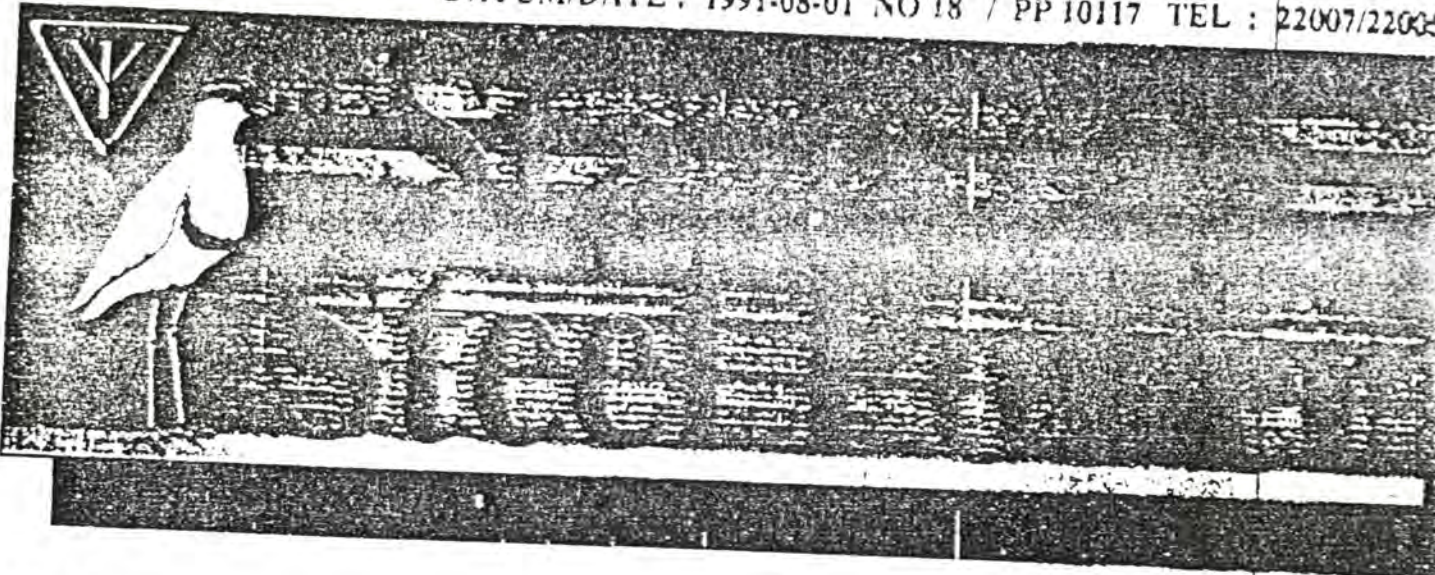
I am informed that you are already in possession of the policy statement on Kwamadala made by us on 91-08-01. From your letter however it appears that you do not accept our bona fides in this regard, or are still not clear as to our real position.

In the light of the above assumptions, I propose a meeting to exchange further information and clarify our respective positions. We await your reply as to your acceptance of our proposal and a suitable date.

I attach an official copy of our policy statement on Kwamadala issued on 91-08-01 and wish to assure you of our sincere intentions to contribute towards bringing peace to our region.

Yours faithfully

GM HOFFMANN
GENERAL WORKS MANAGER



KWAMADALA - ISCOR POLICY

Recent press reports regarding "The housing of Inkatha war lords, vigilantes and criminals in Iscor's KwaMadala hostel where violence is planned and executed and from where members of the ANC are attacked", refers.

Recent raids by the SAP, no evidence was found of illegal occupants. All the occupants of KwaMadala are Iscor employees. The visitors found during the raids were all properly signed in by the Iscor employee/KwaMadala occupant.

Iscor's management strongly denies these allegations and points out that:

In the light of the above and the fact that other preventative steps have been taken, such as buses carrying employees to and from work are escorted by members of the security forces. Iscor is convinced that the request to inter alia, demolish KwaMadala and force those employees to return to KwaMasiza against their will, can not be considered.

* All the allegations have been thoroughly investigated by Iscor and no evidence could be found to convince management that the KwaMadala hostel should be managed differently to that of Iscor's other hostel, KwaMasiza.

It is Iscor's objective to treat all employees objectively and on an equal basis and the company will continue to do everything possible to ensure the safety and wellbeing of all its employees.

* Iscor even agreed to investigate the allegations with the interested parties and a mediator, but at their request the investigation was called off as it was felt that the differences between the inhabitants of the two hostels should be resolved by the two groups themselves.

Iscor's standing invitation to all interested parties to bring specific instances of misconduct to its attention, still stands, and as in the past, will receive serious attention and corrective action will be taken where necessary.

* The same procedures regarding visitors are followed at both KwaMasiza and KwaMadala. During two

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24 SEPTEMBER 1991

TO : ISCOR MANAGEMENT

M E M O R A N D U M

The VAAL COUNCIL OF CHURCHES is a representative of different churches across denominations, makes an earnest appeal to the Iscor management to become genuine about the talks concerning the Kwa-Madala problem. We appeal that we must work collectively to normalise the situation in our region of the Vaal. We urge all of us to look forward with confidence to the day when all who work for good-will will be one with no thought to their separateness as Whites and Blacks, or any other distinctions.

This will be the day when we bring into full realization of the present South African dream of the envisaged....."New South Africa" a dream as yet unfulfilled. A dream where every man will respect the dignity and worth of the human personality. That is a dream....

We like to bring awareness to Iscor management that the Churches, people are very crossed with the way the management have dealt with the Kwa-Madala matter. And thus reflects that the management is or has never been serious about the matter. The true reflection of this concerns is the company recent published overnight policy document that almost justifies the legal and officialise stay of inmates at Kwa-Madala old compound.

We like to remind the management that there have been some elements of hypocrisy in the past talks between them and our delegation because all that is currently mentioned in the policy paper is extremely in contrast with what they said during our December 1990 talks. " They said, they discussed the matter with their head office in Pretoria and certainly the complex

will be closed as it was not reopened officially by the management. These people have occupied the structure illegally and officially. The complex is recorded been closed". When did you officially after these meetings opened these complex as place of residence?

To add on this, you swore that there are no strangers living in the compound, but what is the situation there? We remind you once more that...your ultimate measure should not be where you stand in moments of confort and convenience as it is your case presently, but where you will stand at times of challege and controversly. During the time we were presenting the memorandum on 15/07/91 the company management Mr. J. Viljoen reflected his entire willingness to resolve the problem amicably as a matter of urgency. We were disgusted to receive a negative response, faxed to our office stating that our concernes as a Church are unfounded and untrue.

We have witnessed terrible things in our area, Boipatong, and Sebokeng and its hostel complex, dear lives were lost and families lost their members, children became orphans and left destituted for life. This must stop as a matter of fact and urgency. As much as we can deplore violence, but there is one evil that is worse than violence itself, and that is cowardice, the cowardice that might or certainly have cought up with you, because you seemed to be afraid to do justice to this problem. The fact remains now, that, we are now faced with the fierce urgency of now. In this unfolding conundrum of life there is such a thing as being late. We ask you to act before is too late.

A peace treaty was signed recently and we hope that you will not be a party to destroy it. We appeal to your company not to be a passive object for manupulation but, to be an agent of our history.

We proclaim that the Church will not be afraid even if the earth is shaken and mountains fall into the ocean depths, even if the seas roar and rage, and the hills are shaken by the violence (Psalms 46).

DEPARTMENT OF SOCIAL MINISTRY



" S "

VAAL COUNCIL OF CHURCHES

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CHURCH INTERVENTION DURING THE FUNERAL OF AN ALLEGED INKATHA MEMBER

On the 17th November 1991 according to the report, an alleged Inkatha member the late Mr. Tombi Vilakazi was attacked and killed in Sharpeville by a group of youth allegedly subscribing to the (ANC).

Due to the then looming fear in the community of Sharpeville, a special meeting was fixed with the South African Police in Sharpeville to arrange the security issue on the day of the funeral - 24th November 1991.

The meeting was chaired by the local station commander Mr. Seaba. We indicated to him that because of the fear in the community, it will be better if Inkatha members would n't be allowed to carry their traditional weapons because that will serve as a recipe for conflict. The station commander indicated to us that our appeal is genuine but very difficult to fulfill due to the pending discussion between the government, ANC, and Inkatha movement concerning the carrying of the so-called traditional weapons.

However, he told us that, he met with the members of Inkatha recently discussing about the funeral of their member and the

possible outbreak of violence. The group promised that if there won't be any fight whatsoever, they will remain peaceful. He further explained that the mourners have promised that they will use buses to and from the graveyard. That, in a way, brought relief to us. After some deliberations, we persuaded the station commander to disarm the mourners in order to prevent confrontation. telephonically, he discussed this with his white senior officers who bluntly refused our request. The man on the line told the station commander that disarming Inkatha members would result into violence.

We promised the station commander that we will try our level best to stabilize the situation and appeal to the community to remain calm during the funeral proceedings.

* On Friday 23rd November 1991 in the afternoon, myself and Mr. Shelly Papane issued out pamphlets, appealing to the members of the community to remain calm and keep indoors in order to avoid confrontation with mourners as it was alleged.

On the day of the funeral - 24th November 1991, I was awoken by the noise of panicking people. I moved out of the house and saw a group of armed Inkatha members marching down in Sobuza street towards the home of the bereaved. There were

presence of the police. They arrived latterly in carspire and drove awa, again. I did not know what to do because tension was mounting up. I appealed to the onlookers to remain into their yards and by God's grace, they took my advice. Later on the station commander arrived and we had hot exchange of words due to the absence of police force as per agreement. He promised me that he will organize his men immediately. I tried my level best to calm down the fearful bystanders and fortunately, they lessoned to me and also talked to Inkatha members who were driving in a metallic brown Toyota corona that they also must try pursue their members to restrain from inciting the bystanders.

To the graveyard I walked alongside the mourners together with the station commander, trying to keep the bystanders away. This happened from an area named "putswa-steen" to an area named "Rooi-steen", here, a sinister thing occurred. I saw some mourners picking up stones attempting to throw the bystanders. Fortunately, there was one disciplined marshal who tried to stop his unruly members. I highlighted this incident to the station commander and he rebuked it. Again, the same incedent happened next to the community hall and the station commander interceded.

At the section called "Vukasenzele" hell broke loss. Like in other sections, I approached the people who were at the shopping complex asking them to move away and, while talking to them, stones hovered over my head. I turned around to see who was the people pelting me with stone. The stones I

women were thrown by the uncontrolled mourners who were running amok. They were charging towards my direction. They stabbed one man with a spears and, I interceded.

The SADF members arrived. I asked them to station at the shopping complex to wait for the mourners from the cemetery. While I was there, I learned that one man was attacked in the morning by Inkatha members the time they arrived in SHARPEVILLE. The man was in his yard watering the lawn. He was killed by spear-brandishing Inkatha members.

OUR THEOLOGICAL RATIONAL IN OUR MISSION OF INTERVENTION

*Ethically, we affirm that people are equal, made with the image of God, all are equal in their dignity which is given and guaranteed by God. We like to bring awareness to our people that the unity of humanity comes into being by means of human diversity. The fact that all people were created with the image of God and declared equal in human dignity does not mean that does not mean that they are alike. It is unfortunate that we seemed to be subjected to ideologies which are not capable to appreciate the significance of this variety. Always people who do not subscribe to this view of human diversity readily see people who are different as a threat. The ideologies of exclusiveness divide people into

5.

opposing groups.

We in South Africa need to accept the true and positive meaning of human diversity. We must as a Church need to encourage our people to learn from the Christian message that diversity is a gift. Even more than this, people have to learn that diversity is not only a gift, but above all is a prerequisite for human unity.

* Thou shalt not kill...thou said the Lord (EXODUS 20:13).

* Love your neighbour as you love yourself (MATTHEW 22:39).

We should teach people to respect these important commandments.

Peter .M. Moerne (Field Worker)

DEPARTMENT OF JUSTICE & SOCIAL MINISTRIES.

" T "

EVENTS RELATING TO THE KILLING OF ANDRIES MONTOEDI MOLEBATSJI AND DOCTOR ELLIOT MOISITSI

1. On Sunday the 1 March 1992, and at Sharpville, Andries Montoedi Molebatsi was fatally shot by Constable Shuta Marumo at approximately 5.15p.m.

The Commission is referred to the affidavits of Saso Tshabalala and the late Doctor Motitsi in relation thereto, enclosed herewith marked "A" and "B".

2. On Monday the 2nd March 1992, school students in Sharpville marched to the Sharpville Police Station to protest the killing of Andries Montoedi Molebatsi.

3. On the same day attacks were carried out on certain houses in Sharpville, the addresses of which are unknown to the writer hereof. In the early hours of Tuesday the 3rd March 1992, 13 students from Sharpville were arrested.

4. In response to the arrests of the 13 students, the school students of Sharpville again failed to attend school.

5. On the 5th March 1992, the South African Police and the PWV Region of the African National Congress agreed to hold a meeting, chaired by IMSSA, relating to the

events since the 1st March 1992, in an attempt to avoid an escalation of conflict. Also invited to the meeting were the Vaal Council of Churches, Peace Action and the Vaal Civic Association.

6. The meeting was held at the Vereeniging Police Station at 2p.m. on the 5th March 1992.
7. The representatives of the community organisations and the African National Congress put forward, inter alia, the demand that Constable Skuta Marumo be arrested and suspended.
8. The police stated at the meeting that they were of the view that Constable Marumo had acted in self-defence and they alleged that the deceased, Andries Montoedi Molebatsi had attacked Constable Marumo with a hand-grenade.
9. Representatives from the African National Congress - PWV Regional Office, stated that they had taken affidavits from three witnesses whose evidence directly contradicted the version of events according to the police. They stated that the evidence of the three

witnesses they had interviewed was that there had been no attack whatsoever on Constable Marumo by Andries Molebatsi or anyone else in his company. The witnesses also contradicted the allegations of the police that Andries Molebatsi was carrying a hand-grenade.

10. The police responded by calling on the community and ANC representatives to submit the evidence to them and thereupon they would investigate the charge against Constable Marumo. The ANC and community delegation understood the police's undertaking to mean that they would, on receipt of the affidavits, arrest Constable Marumo, alternatively suspend or transfer him.
11. As one of the witnesses was present at the meeting, she was able to sign and swear to the contents of her affidavit. The remaining two witnesses were however not present and their affidavits remained unsigned.
12. The writer hereof handed the handwritten affidavit of the witness present to Col. Du Pont, the Divisional Commissioner of Police for the Region. On handing the affidavit to him, I informed him that I had read the unsigned affidavits of the other two witnesses and that their evidence was not hearsay evidence, and, that I

would attend to the typing and signing of the affidavits and would forward them to him at the earliest opportunity. The writer hereof unfortunately does not have a copy of the affidavit handed to Col. Du Pont and request that the Commission obtain the affidavit from him directly.

13. On Friday the 6th March 1992, the writer hereof agreed to meet Saso Tshabalala and Doctor Motsitsi at the NGK Church in Sharpville, in order to take further statements from them and in order for them to sign the affidavits already drafted by Simon Tsotetsi of the ANC, PWV Region. Before the writer hereof was able to meet with them, a police vehicle stopped next to my car and advised that I should leave the township. They informed me that they would like me to do so as they "believe there was going to be trouble". I proceeded to the NGK Church, but had missed the witnesses, who had already left.

14. An appointment was then set up for the 10th March 1992, at 9a.m, in order for Saso Tshabalala and Doctor Motsitsi to sign their affidavits.

15. On the 10th March 1992, I received a telephone call

from Floyd Mashele of the ANC Regional Executive Committee, who informed me that Doctor Motsitsi had been killed.

16. Later that day, I attended on the home of his grandmother at 7510 Sharpville. She informed me that at approximately 6a.m. on the morning of the 10th March 1992, she was called outside by a neighbour. She discovered the body of her grandson, Doctor Elliot Motsitsi next to the gate of her yard. She reported that his face had wounds in both cheeks and that his hands were mutilated. She further reported that none of the neighbours or anyone from her house had seen the body being dropped off during the course of the night.
17. The grandfather of Doctor Elliot Motsitsi reported that he had seen a gold bullet cartridge of approximately 6cm in size next to the body. He also reported that there had been a letter with the body.
18. They further reported that an investigating officer from the Sharpville Police Station by the name of Molwatsi had attended on the house and that the cartridge and the letter had been forwarded to him.

19. The writer hereof then forwarded the unsigned affidavit of Doctor Elliot Motsitsi to Col. Du Pont and re-stated the demand of the African National Congress and the Vaal Council of Churches for the arrest and suspension of Const. Skuta Marumo. A copy of that letter is enclosed herewith, marked "C".

20. On Thursday the 12th March 1992, the writer hereof attended on Saso Tshabalala in Heilbron, whereupon he signed his affidavit, as well as a supplementary affidavit thereto. These affidavits were then telefaxed to Col. Du Pont at 2.43 p.m on the 12th March 1992. The telefax is enclosed herewith marked "D".

21. The original affidavits were handed by the writer hereof to the Vereeniging Police Station to be forwarded to Col. Du Pont. The letter confirming same is attached hereto marked "E".

22. On the 28th March 1992, I was telephoned by Col. Du Pont, who informed me that the investigating officer appointed to investigate the case against Constable Skuta Marumo is warrant officer Denne.

23. I telephoned w/o Denne to enquire what progress had been made in the investigation against Const. Marumo. He informed me that he had taken a further statement from the woman eye witness.
24. He requested an opportunity to interview Saso Tshabalala. I replied that Saso was no longer living in the Vaal, but that he would be willing to attend a consultation with w/o Denne and myself in order to supplement the affidavits already submitted to the police.
25. I enquired as to why no action had yet been taken against Const. Skuta Marumo in light of the fact that the police had been in possession of two eye witnesses' accounts of the killing of Andries Montoedi Molebatsi. He replied that different considerations applied to policemen and that a policeman cannot be arrested until the docket has been forwarded to the Attorney-General and the Attorney-General had given his instruction therein. I pointed out that this practise was contrary to the practise for other suspects who are arrested and thereafter the docket is forwarded to the Attorney-General for a decision on a prosecution.

Warrant Officer Denne informed me that the position relating to policemen was different.

26. I informed w/o Denne that I would immediately make contact with Saso Tshabalala and call him back as to the time when and place where he could consult with Saso Tshabalala.

A F F I D A V I T

I, the undersigned,

DOCTOR ELLIOT MOTSEI

do hereby make oath and state that : -

1. I am a male of 20 years of age and a scholar at Thuto Lori Secondary School in Sharpville. I reside at Stand 7510, Sharpville.

2. The facts herein contained are within my personal knowledge and to the best of my belief are true and correct.

3. On the 1st March 1992, I attended the birthday party of Andries Molebatsi's brother's child. Andries Molebatsi had requested a mutual friend, Saso Tshabalala, and myself to accompany him to his home at approximately 5.15.p.m.

4. On our way to Andries' home we met a certain person, whom I believe to be a policeman as he is always with police. He is known as "Skuta". He asked

Andries to wait for him. We duly stopped. Skuta insisted on conversing with Andries alone. We then left a distance between them and us.

5. I was unable to hear what they were discussing.

6. Skuta took out his gun. I saw a bullet falling from the gun. Andries picked up the bullet and returned it back to him. There was no sign of conflict.

7. I then saw Andries leaving the company of Skuta. When he was a short distance away, Skuta shot at Andries and he fell. Immediately thereafter, Skuta pointed a gun at us and fired three shots in our direction. Fortunately, none of the bullets struck us.

8. Skuta stated to us that he vowed that we were going to follow the deceased. I took this to mean that he is going to kill us.

9. Thereafter, he returned to the police station which is not far from where we were.

10. The deceased was taken to hospital by one of the residents who is also a policeman, known to me as Mr. Tshatsha.

DEPONENT

I certify that the Deponent has acknowledged that he knows and understands the contents of this declaration, that he has no objection to taking the oath, that he considers it to be binding on his conscience and has in due form sworn that the contents are to the best of his knowledge true and correct.

COMMISSIONER OF OATHS
FULL NAMES :
ADDRESS :

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Your Ref

Our Ref
3089/13/92/BS/dk

Date
11/3/92

Dear Sir,

RE : ANDRIES MONTOEDI MOLEBATS

We act for the African National Congress and for the Vaal Council of Churches.

We note with regret that despite the fact that the South African Police have been in possession of an affidavit from an eyewitness to the killing of Andries Montoedi Molebatsi by Constable Skuta Marumo since Thursday 5th March 1992, no action has been taken against Constable Marumo.

We are in possession of two further affidavits which confirm the account of the affidavit in your possession, namely that Andries Molebatsi made no attack whatsoever on Constable Marumo.

I enclose herewith an unsigned copy of the affidavit of Doctor Elliot Motsitsi. The writer hereof had an appointment with him for 9 a.m. on 10th March 1992 in order for him to swear to and sign the affidavit.

At 6 a.m. on 10th March 1992 the body of Doctor Elliot Motsitsi was found at the gate of 7510 Sharpeville, the home of his relatives. His relatives reported that he had bullet wounds on his face and wounds on his hands.

I draw your attention to Paragraph 7 of Doctor Motsitsi's affidavit wherein he stated that at the time of the initial shooting Constable Marumo threatened to kill him.

I also refer you to the request made at the meeting held at Vereeniging Police Station on 5th March 1992 by members of the Regional Executive of the African National Congress to ensure the safety of witnesses to the killing of Andries Molebatsi.

Our clients are shocked and dismayed that one of the key witnesses to the killing has been killed and they hold the suspicion that his death was a result of the fact that he was prepared to come forward to testify against Constable Skuta Marumo.

Our clients therefore wish to repeat the request made at the meeting on 5th March 1992, that Constable Skuta Marumo be arrested or suspended without any further delay.

Yours faithfully

Barbara Sudano

BARBARA SUDANO

NICHOLLS, CAMBANIS,

KOOPASAMMY AND PILLAY

c.c. Col.Gouws

01 July 1992

PRESS STATEMENT OF THE BROAD FORUM

"U"

RE: INDEFINITE STAY-AWAY AND CONSUMER BOYCOTT IN THE VAAL TRIANGLE

The Broad Forum of all organisations of the oppressed met in Boipatong, NG Kerk yesterday-30 ~~June~~ 1992 between 14h00 and 18h00. Present at the meeting were representatives of COSATU, ANC, AZAPO, SACP, VCA, Vaal African Chamber of Commerce, Roshnee Civic Association and the Vaal Council of Churches.

The meeting was to consider a range of issues including an indefinite stay-away, consumer boycotts and other forms of action to be taken in response to the rampaging violence against the people of the Vaal.

The stay-away and the indefinite consumer boycott was discussed in conjunction with a letter from Iscor addressed to NUMSA. In brief Iscor have agreed to close down Kwamadala Hostel and is at the mean time looking for alternative accommodation for its employees presently residing at the notorious hostel.

After a long debate the organisations present decided to take the following steps;

1. To continue with the indefinite stay-away and consumer boycott. Both these actions will be re-evaluated on Friday 03 July 1992.

2. COSATU to consult with shop-stewards and workers in particular those who had been on a stay-away since the 18th June 1992, to discuss with them terms of Kwamadala's closure and other forms of action to be taken.

3. COSATU and NUMSA to urgently ask for a meeting with representatives of Iscor to discuss the closure of Kwamadala hostel.

4. To evaluate progress made on the meeting held with Iscor and on the 03 July 1992 either by calling a press conference or by means of a rally announce as to whether the indefinite stay-away and consumer boycott continues or is called off.

Between today and during the procession of these actions we call for maximum unity amongst our people. We are disturbed by the stoning of cars at main roads next to our townships and other undisciplined actions and atrocities being carried out against people including hijacking of cars. We call on all those elements involved in such acts to immediately stop these acts which will sow division amongst us and discredit our just struggle for our liberation. Discipline does not mean that people must not remain vigilant. We call on the people to remain vigilant as long as the possibility remains that they can be attacked. We however appeal for more community involvement in the defense mechanisms, the street committees, the block committees and other community committees who must begin to address the defense of residents in the township.

ISSUED BY:

ZWELINZIMA VAVI
COSATU ORGANISING SECRETARY

IN THE COMMISSION ON THE PREVENTION OF PUBLIC VIOLENCE AND
INTIMIDATION

in re : BOIPATONG MEMORANDUM

MEMORANDUM ON EVENTS OF THE BOIPATONG MASSACRE OF 17 JUNE 1992

1. Introduction

- 1.1 The massacre at Boipatong and Slovo Park which occurred on the 17th June 1992 left at least 41 people dead, many more people injured, widespread destruction of and damage to houses and personal possessions. There was also very extensive looting and theft from homes.
- 1.2 The attack was extremely violent and was carried out by assailants using pangas, spears, knives, kieries and, in some cases, firearms. Most of the people who were killed and injured were hacked or stabbed, but some also sustained bullet wounds.
- 1.3 The attackers appear to have followed several routes and caused damage to many of the houses which they followed through Boipatong and in Slovo Park. We have made an attempt to plot the course of the rampage through Boipatong and annex hereto a map on which is marked the approximate routes followed by the attackers

as far as we have been able to ascertain them from statements obtained from residents and from personal observation.

1.4 We also annex to this Memorandum a schedule prepared by Sally Sealey, a Senior Researcher employed by the Independent Board of Inquiry, whose affidavit is also annexed hereto, in which an attempt has been made to provide details, as far as it has been possible to ascertain them, of deaths, people injured and damage caused to homes and property and items of property stolen from houses. Although this schedule may not be totally comprehensive, it does give some indication of the nature and extent of the devastation and savagery of the attack.

1.5 The purpose of this Memorandum is to provide the Commission with as broad and comprehensive picture as possible of the massacre itself and the events leading up to and following the massacre. The basis for the information contained in this Memorandum is : -

1.5.1 statements taken mainly from residents of Boipatong and Slovo Park by various legal representatives, para-legal assistants and other researchers;

1.5.2 personal observations of legal representatives and other researchers and interviewers who spent time in Boipatong and Slovo Park after the massacre.

1.6 There are approximately 100 statements in all, taken at random from residents of the particular areas which were attacked. The majority of the witnesses were approached simply because they happened to live on the routes taken by the attackers in Boipatong and Slovo Park. By and large, they were not people who appeared to be politically active or involved, but were ordinary township residents and were representative of the general township population. Many of these witnesses were elderly men and women.

1.7 There are obviously many more persons who were witness to and/or themselves the victims of the attack, but in the time and with the resources available to us, it has not been possible to obtain more than approximately 100 statements. Nevertheless, the statements obtained, and which form the main basis of this Memorandum, represent a fair cross-section of the experiences, observations and perceptions of township residents.

1.8 Whilst the witnesses were, generally, prepared to speak freely to the interviewers and to make statements which

might be placed before the Goldstone Commission, many of them asked for their names to be withheld from statements which might find their way into the hands of the police. It was found, without exception, that the residents had a profound mistrust of and feeling of alienation towards the police; their perceptions were, generally, that they were not prepared to make statements to the police because they believed that the police were, in some way, involved in the attack, and they feared that to make statements to the police might endanger their lives. We believe that their fears in this regard were also based upon past experience and the hostility towards the police which has arisen over many years. They also feared further attacks from the residents of Kwa-Madala and many were concerned that their names should not be made known for this reason.

1.9

By the very nature of the attack and the circumstances under which it occurred, witnesses were, with a few exceptions, unable to identify by name any of the individual attackers. The attack occurred at night, suddenly, swiftly and with incredible ferocity and savagery. People were naturally terrified and their only concern was to protect themselves and their families and, if possible, to hide or flee from their assailants.

1.10 Nevertheless, witnesses were generally able to describe certain common features of the attackers and these will be dealt with in this Memorandum. There is absolutely no doubt in anyone's mind, however, that the assailants were from the Kwa-Madala Hostel.

1.11 A number of the witnesses interviewed, particularly those from Slovo Park, made reference to the participation of "white men" in the actual attacks on residents. None of these whites were identified as policemen, but there are numerous statements which confirm the presence of security force vehicles in the area during the massacre; in some instances, these vehicles were perceived as accompanying and possibly assisting the attackers. In this respect, it should be pointed out that many witnesses use the words "Casspir", "Hippo" and "Nyala" almost interchangeably, as generic terms for any armoured (security force) vehicle, and many witnesses are unable to distinguish between SAP and SADF vehicles. Thus, where reference is made in statements to "Casspirs" (the general description used) for example, the witnesses might simply be indicating security force vehicles of some kind.

1.12 In dealing with the crucial question of whether security force vehicles were present in Boipatong and

Slovo Park at the time of and during the massacre, it is, of course, important to attempt to establish the time when the attack occurred. It has been difficult to determine this with any degree of precision, but a general analysis of the statements and discussion with township residents suggests that the attack took place between approximately 9.30 and 11 p.m. that night. A number of the witnesses were able to establish the commencement of the attack by reference to a television programme called "King" (a programme about Martin Luther King), which televised between 9 and 10 p.m. that night.

1.13 We submit that The Commission cannot properly understand, investigate and evaluate the attack on Boipatong and Slovo Park on the 17th June 1992, in vacuo. This tragic incident must be viewed against the background of :

1.13.1 the history of violence, unrest and instability in the Vaal Triangle, of which Boipatong and Slovo Park are part;

1.13.2 the history of the Kwa-Madala Hostel as a source of danger and trouble and as a threat to the residents of Boipatong and Slovo Park, and the complaints and entreaties which had

been directed to the authorities in regard to this hostel for more than a year prior to the massacre;

1.13.3 the innumerable complaints of people living in the Vaal Triangle that policing in the area was totally inadequate to protect the local population from the violence which has been endemic in that area for a number of years, and the apparent unwillingness or inability of the police to prevent or reduce the level of such violence. This has been a constant source of concern of the residents in the Vaal Triangle and was certainly the case at the time of the massacre on the 17th June.

1.14 This background and historical picture has been dealt with in separate memoranda which are being presented to the Commission as part of our case.

1.15 In addition, and in support of this Memorandum, we hope to be able to place before the Commission : -

1.15.1 certain video material taken in Boipatong and Slovo Park on the day following the massacre;

1.15.2 statements of a number of journalists who went into the area shortly after the massacre and who made observations, took photographs and videos, spoke to people and wrote articles for their respective newspapers and publications at the time.

1.16 We shall also place before the Commission an affidavit from the Reverend Paul Verryn, who was on duty for Peace Action that day and who made the initial telephonic report to Col. Gouws concerning the reports that he had received that trouble was anticipated somewhere in the Vaal that night. He was not able to be precise as to where or when it would occur but simply placed such information as he had received in the hands of Col. Gouws.

1.17 As far as the +/- 100 statements are concerned, it is not proposed to annex these to the Memorandum, but, the names of witnesses willing to give evidence will be furnished to Counsel acting on behalf of the Commission. Some of these witnesses may only be willing to testify in camera. Others from whom we have taken statements may not be willing to give evidence at all. There will, however, be sufficient evidence, either through oral testimony or written statements which can be disclosed to the Commission, to support the

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