

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 MOISITSI

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.

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Dear Sir,

RE : ANDRIES MONTOEDI MOLEBATSJ

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

July 1992

FRESS 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

information and allegations contained in this Memorandum.

1.18 The Memorandum is divided into the following sections :

1.18.1 Police Actions in Boipatong preceding the Massacre;

1.18.2 Prior warning to the police about an impending attack;

1.18.3 A general description of the attackers;

1.18.4 The arrival of the attackers at the southern end of Boipatong;

1.18.5 The rampage along Moshoeshoe, Majola and Bapedi Streets to Slovo Park;

1.18.6 The massacre in Slovo Park;

1.18.7 The rampage from Slovo Park along Bafokeng, Tugela and Hlubi Streets;

1.18.8 The return of the attackers to Kwa-Madala.

2. Police Actions in Boipatong preceding the Massacre

2.1 Between approximately 19:00 and 21:00 the SAP moved around the township dispersing youths who were on patrol as part of the Self Defence Units.

2.2 The police dispersed youths patrolling along the length of Amatola Street.

2.3 Police in Nyala 18 shot birdshot at youths in a Self Defence Unit at the North East end of the township, near Slovo Park.

2.4 Police also fired birdshot to disperse groups of youths patrolling at the corner of Seeiso and Tugela Streets and at the corner of Batswana and Mthembu Streets on the West end of the Township.

2.5 Police in an armoured vehicle used teargas to disperse groups of youths patrolling outside the shops at the corner of Lekoa and Bapedi Streets and at the corner of Lekoa and Bafokeng Streets.

2.6 Armoured vehicles dispersed other groups of youths at the corner of Baralong and Thaba Bosiu Street, at all the intersections along Amatolo Street and on Mzimvubu Street.

2.7 Witnesses saw caspirs driving along Tugela Street between 7.30p.m and 8.30p.m.

3. **Prior Warning of the Massacre**

3.1 Between 19:14 and 19:44 on the night of 17 June 1992, the Rev. Paul Verryn received two phone calls from residents of Zone 11, Sebokeng and Bophelong warning that there was going to be violence in the Vaal that night.

3.2 At 19:44 Rev. Verryn spoke to Col. Gouws in Johannesburg. He reported the warnings to Col. Gouws and indicated that they had come from opposite ends of the Vaal. Col. Gouws assured him that the police would attend to the matter.

3.3 At 21:00 on the night of 17 June 1992, Meshack Theoane started his shift at the Trek filling station at the corner of Noble and Frikkie Meyer Boulevards. With him at the filling station was a security guard. Approximately thirty minutes later he saw groups of armed men crossing Frikkie Meyer Boulevard from the direction of Kwa-Madala Hostel, approximately 100 metres south of the intersection with Noble.

3.4 Theoane rang the alarm at the filling station which is connected to SAP Vanderbijlpark. Shortly thereafter, two white policemen arrived at the filling station in a van and asked Theoane why he had rung the alarm. He explained that there was a group of armed men entering the township from Kwa-Madala, but they seemed uninterested in this information and left the area.

3.5 The security guard then radioed his employers to report the movement of the armed men. Two white security men arrived at the filling station a few minutes later and apparently called the police on their radios. A different two white policemen then arrived at the filling station and spoke to the white security men. The security men then said that the police had instructed them to take Theoane and the security guard away from the filling station because it was not safe.

4. General Description of the Attackers

4.1 The following paragraphs record details which are confirmed by numerous witnesses

4.2 The attackers consisted primarily of black men speaking Zulu and chanting Zulu slogans (eg "Usuthu"). Many of them wore overcoats and white headbands. They carried

a range of weapons, including spears, shields, kieres, axes and guns.

4.3 The attackers smashed windows at almost every house they passed. They entered some houses, assaulting and murdering residents.

4.4 The attack was indiscriminating and extraordinarily violent. An overwhelming majority of the murder victims (24 of the 39 we have identified) were women and children. Included in this number were a pregnant woman, a nine month old baby, a 4 year old child and 4 women over the age of 60. Most victims received multiple stab and axe or panga wounds. Some were also shot.

4.5 There was large scale looting of the township and mindless destruction of property. Television sets, music systems, videos, blankets, watches, jewelry and cash were stolen. Mirrors, crockery, cupboards, doors, tables and chairs were smashed with sticks, spears and axes. There are instances of stoves, television sets and videos being destroyed with spears and axes.

4.6 There is no apparent explanation which accounts for the identities of the victims. They were for the most part

politically unaffiliated, and included Zulu, Sotho, Xhosa and Venda speakers.

5. **The Arrival of the Attackers at the Southern end of Boipatong**

5.1 A large group of the attackers appear to have entered Boipatong on Lekoa Street at the southern entrance to the township at the intersection with Moshoeshoe.

5.2 From the intersection, the attackers split into two groups, one going up Lekoa Street in a Northern Direction, the other going East along Moshoeshoe Street.

5.3 The attackers killed Samuel (23) and Benjamin (51) Motsoetsa of 660 Moshoeshoe Street. They killed 70 year old Paulina Dlamini and her 21 year old granddaughter Maria Dlamini at 1110 Lekoa Street. Maria Dlamini was stabbed to death with an assegai as she lay on the ground trying to protect her two month old baby.

5.4 There were some white men seen among the attackers, and a white man participated in the murderous attack on 660 Moshoeshoe Street.

- 5.5 A witness saw the attackers emerge from armoured SAP vehicles at the corner of Lekoa and Moshoeshoe Streets.
- 5.6 Two more witnesses saw armoured SAP vehicles move off with the attackers up Lekoa and down Moshoeshoe Streets.
- 5.7 Other witnesses saw SAP vehicles moving near the intersection of Lekoa and Moshoeshoe Streets approximately fifteen minutes after the attack had taken place.
6. **The Rampage along Moshoeshoe, Majola and Bapedi Streets to Slovo Park**
- 6.1 By charting the houses with broken windows and the eyewitness accounts in our statements, we can conclude that one group of attackers travelled to Slovo Park, moving East along Moshoeshoe Street. Another group travelled North along Lekoa Street, turning East into Bapedi Street, then North into Senqu Street and East into Batswana Street before entering Slovo Park along the corridor behind the AME Church or turning North up Sekhukhune Street and back towards Kwa-Madala along Bafokeng and Tugela Streets.

6.2 It must be stressed that the preceding paragraphs and subsequent paragraphs describing the routes of the attackers record only the apparent major routes of the attackers. Almost every houses on these routes was attacked in some way or another. There are, however, several houses not on these routes which were also attacked. It appears that smaller groups of attackers made isolated sorties off the major routes before rejoining their fellow attackers.

6.3 At 666 Moshoeshoe Street Anna (48) and Percival (28) Sebolai were murdered. Anna was stabbed repeatedly in her shoulder, arm and spine after the attackers found her lying under a bed. Percival received multiple stab wounds and had half of his face blasted away by a shotgun fired from close range.

6.4 Just across Moshoeshoe Street at 1183 the attackers murdered a 63 year old woman, Nellie Kubu. She was stabbed repeatedly in the upper thighs and shot three times. 22 year old Dorothy Kubu received multiple panga wounds in her back, neck and hand, but survived the attack by lying on the ground, pretending to be dead.

6.5 62 year old Belina Lerobane of 45 Majola Street died after receiving multiple stab wounds and being shot

four times in the neck. The attackers left the house with a VCR after destroying a television set, music system, telephone, clock and some crockery.

- 6.6 Violet (39), Michael (15), Sibusiso (7) and Ronnica (15) Msibi were hacked to death at 625 Bapedi Street. The latter, a fifteen year old girl, was stabbed in the chest with an assegai which went right through her back.
- 6.7 At 194 Senqu Street the attackers looted the house of Mrs. Maria Letsoko while she hid under her bed, and hacked to death her son, Andries (30), her daughter, Anna (28) and her son-in-law, Richard Jim (35).
- 6.8 Prior to the attack on 194 Senqu Street, a witness saw attackers merging from a caspir on Senqu Street.
- 6.9 White men participated in the attack on 101 Bapedi Street (at the corner of Senqu).
- 6.10 Witnesses report the presence of police vehicles in close proximity to the attackers along Majola and Bapedi Streets (an armoured vehicle with "T2" on the back door), and at the intersection of Thabo Bosiu and Bapedi Streets.

6.11 When the attackers were at the corner of Lekoa and Moshoeshoe Streets, a witness ran to the Boipatong Police Station, where he reported the attack. In his presence a policeman immediately radioed other policemen and asked them to send in reinforcements. The policeman reported to him later that reinforcements were unavailable.

6.12 Shortly after 10, while the attackers were in Bapedi Street, the police in Vanderbijlpark and Sebokeng were called to report the attack.

7. The Slovo Park Massacre

It has been somewhat difficult to ascertain where the attackers entered Slovo Park and their subsequent movement as the police map with the shack numbers has not been made available to us. The numbers of the shacks are completely arbitrary. What is clear is that hardly a shack remained untouched. Slovo Park was also the scene of the most horrifically brutal attacks.

7.1 Many of the attackers reached Slovo Park on foot along the routes described in the previous section. In addition, it appears that some attackers were brought to the squatter settlement in vehicles. Armoured

vehicles were seen off-loading people in the road behind the shacks and at the south end of the settlement. Other attackers were seen emerging from mini buses in Bakwena Street.

7.2 A witness in Amatolo Street reports that at about 10 o'clock 2 caspirs were moving towards Slovo Park, along Amatola Street. One stopped to pick up a group of armed men and proceeded in the direction of Slovo Park.

7.3 As in the entire area, the nature of the attacks seems to have been particularly vicious and arbitrary. In almost every instance windows were broken and shacks were smashed. In some cases shacks were completely destroyed. The horrific incidents included the following:-

7.3.1 9 month old Aaron Mathope was shot dead at shack 109. His mother died in hospital after being shot and stabbed in the stomach during the attack.

7.3.2 The pregnant Maria Mlangeni was stabbed in the breast near shack 81.

7.3.3 The inhabitants of shack 19 were hacked with

pangas. Pule Lekabe (36) tried to flee but died from his wounds just outside the shack. His 3 year old daughter, Mita, was stabbed in the head and is presently in hospital, waiting to undergo brain surgery.

7.3.4 Anna Mbatha's neighbour, Mantshidi, came running into their shack, number 93, for shelter. She was carrying her 9 month old baby. Mantshidi was injured and the baby had been hacked. The baby died on a bed at shack 93.

7.3.5 Solomon Malindi died in shack 23 after being stabbed repeatedly in his back and spinal cord. His 4 year old daughter, Agnes, was also stabbed to death. His wife, Elizabeth and their other daughter, 10 year old Francis, survived with multiple stab wounds.

7.3.6 Zefres Sibisi and his family were attacked in shack 21. He fled from the shack after sustaining assegai wounds from which he ultimately died. His wife, Jane Mbongo and their 2 year old daughter, Victoria survived stab wounds in the arm and chest respectively

7.3.7 The attackers stabbed to death Simon (32) and Maria (52) Ramalotsi after finding them hiding in a kennel in the yard outside shack 97.

7.3.8 At shack 46 the attackers broke down the door and shot dead 12 year old Julia Latha and 45 year old Samuel Ncokoto. Jeremia Latha was shot as she fled from the shack and died in hospital the following day.

7.4 It is primarily in Slovo Park that residents place whites participating in the attack. In the other areas, caspirs were seen at the scene of attacks, but there are few reports of direct white involvement. In Slovo Park most of the statements allege some form of involvement by whites. Most of the witnesses described whites as carrying firearms while blacks were carrying cultural weapons. The whites were wearing balaclavas. Witnesses make the following specific allegations:-

7.4.1 Witnesses saw whites moving along Bakwena Street, carrying arms. One of these men entered the yard of 153 Bakwena Street and started to shoot;

7.4.2 White men were seen participating in the

attacks on shacks 93, 96, and 133 in and at a shack in Slovo Park directly opposite the AME church.

7.4.3 Whites took part in the murderous assaults on the Latha and Ramoeletsi families at shacks 45 and 97 which are described above.

7.4.4 Several witnesses record the presence of armed whites outside shacks which were being attacked. Others heard whites speaking Afrikaans while the attack was in progress.

7.5 Witnesses from Slovo Park also place security force vehicles in the vicinity of the attackers near the dumping ground, at the north end of Bakwena Street, moving along Sekhukhune Street and at the north end of Bakwena Street. An armoured vehicle was seen dropping off and assisting a group of attackers on Bakwena Street.

8. The Rampage from Slovo Park along Bafokeng, Tugela and Hlubi Streets

8.1 From Slovo Park, the attackers appear to have moved onto Sekhukhune Street via Amatolo Street and then in a

Westerly direction back towards Kwa-Madala along Bafokeng and Tugela Streets. At the intersection with Lekoa Street, some attackers turned South into Lekoa before turning West into Hlubi which runs into Bafokeng close to the West end of the township.

8.2 At 544 Bafokeng Street the attackers chopped open the front door with an axe. They hit the pensioned Mr. Monokoane with an axe, robbed him at gun point, stabbed his daughter in the back and his daughter-in-law fifteen times in her left side as she lay under a bed with no other part of her body exposed.

8.3 The attackers broke down the front door to 696 Bafokeng Street with an axe and killed Mrs. Julia Mgcina (42) as she tried to flee out of her kitchen door.

8.4 At the intersection of Bafokeng and Hlubi Streets the attackers butchered Lina (47) and Andries (5) Manyeke in house No. 734. Witnesses who saw the corpse of Lina Manyeke reported that there were too many wounds to count. The attackers smashed an electric stove before they left.

8.5 Across Bafokeng Street at number 722, 16 year old Mathilda Hlubi was stabbed to death. Popo and Elizabeth Hlubi survived an attack after they were

found hiding in a cupboard. Popo received seventeen stab wounds. The attackers looted clothes, money, television set, hi-fi set, meat and dishes on their way out of the house.

8.6 The attackers fired shots at 754 Lekoa Street. A witness identified one of the attackers as Zulu, the man who had been his group leader in tribal dancing.

8.7 At 805 Bafokeng Street Victor Mncwana and his family survived the attack by moving into a rear bedroom and barricading the door and windows with all the furniture in the room. After the attackers departed, Mncwana emerged to find the following damage:

8.7.1 the sitting room windows had been smashed completely;

8.7.2 the front door had been broken down;

8.7.3 the upholstery on a chair had been slashed open, apparently with a panga;

8.7.4 the wall unit in the sitting room had been broken;

8.7.5 from the wall unit the attackers had removed

a portable television set, a large colour television set, a video cassette recorder, a dinner service, numerous ornaments and some food from a locked cupboard which had been forced open;

8.7.6 there was a bullet hole in the dining room wall;

8.7.7 from the dining room the attackers had removed a grandfather clock, the Disa telephone and some food which was in a sideboard which had been broken open;

8.7.8 the door between the dining room and the kitchen was smashed;

8.7.9 all the food in the fridge had been stolen;

8.7.10 in the main bedroom the attackers had smashed the windows and removed blankets, duvets, pillows, linen, shirts, shoes an overcoat and numerous other items of clothing;

8.7.11 the doors to the bedroom and the bathroom had been broken.

- 8.8 At 761 Lekoa (corner of Hlubi) the attackers shot and killed Mrs. Flora Mashope (65) and Mrs. Flora Nakala (46). Two houses away at 765 Hlubi Street, they shot and killed Mrs. Martha Nonjoli and hacked to death her minor children, Ndo and Ntombfikile. One of the children had been shot as well.
- 8.9 A few minutes after the attack on 761 Lekoa an armoured police vehicle reversed through the fence at No. 761 and parked in the yard of No. 761. Witnesses report seeing white policemen in camouflage uniform taking a television set, a hi-fi set and other property out of house number 761 and into the armoured vehicle which then drove away.
- 8.10 Witnesses saw some of the attackers in an armoured police vehicle on Tugela Street.
- 8.11 A witness saw a caspir apparently escorting the attackers out of the township along Hlubi Street.
- 8.12 Witnesses also place armoured police vehicles in the vicinity of the attackers along Tugela and Bafokeng Streets, on Lekoa Street between Hlubi and Bafokeng Streets and on Hlubi Streets, near the intersections of Bafokeng and Mthembu Streets.

- 8.13 Whites participated in the attack on 722 Bafokeng Street.
- 8.14 A witness saw attackers emerging from the west side of the township, carrying tv sets and other items and being escorted by 2 hippos.
- 8.15 Other witnesses report seeing police vehicles following approximately ten minutes after the attackers had left their houses.

9. **The Return of the Attackers to Kwa-Madala**

- 9.1 Cape Gate workers attempting to return to the township after their shift ended at 22:00 were shot at by the attackers along Seiso and Thaba Bosiu Streets. The workers returned to the factory. Other residents, including wounded victims of the attackers sought refuge at the Cape Gate factory on Noble Boulevard.
- 9.2 While the attack was still in progress, an SADF bakkie was stopped by Cape Gate workers on Noble Boulevard and asked to intervene. The soldiers in the bakkie stated that their vehicle was not armoured and that they could therefore not enter the township, but that they would call for help.

9.3 The bakkie returned shortly with two armoured SADF vehicles. One of the vehicles was driven by Pienaar, a Cape Gate worker and citizen force member. The workers asked Pienaar why the SADF was not arresting the attackers in the township. He said that only the SAP could do that. He claimed that the SADF had no authority to enter the township, and could only escort the attackers back to Kwa-Madala Hostel. While this conversation took place, the sounds of gunshots could regularly be heard in the township.

9.4 The SADF then proceeded to seal off Frikkie Meyer Boulevard at the intersection of Noble Boulevard while the attackers, still carrying their weapons and their loot, left the township, crossed the veld, crossed Frikkie Meyer Boulevard in full view of the soldiers and returned to Kwa-Madala Hostel.

9.5 It must be noted that GN R1291 of 30 April 1992 which declared the magisterial district of Vanderbijlpark to be an unrest area specifically prohibited the carrying of dangerous weapons in public and gave all members of the security forces wide powers of arrest to combat public disturbance, disorder, riot and public violence.

9.6 The departure of the attackers from the township lasted approximately thirty minutes and was a staggered

process. While the first attackers were moving through the veld, other attackers were still firing gunshots in the township. A factory worker at Metal Box asked some soldiers why they were not apprehending the attackers, but they ignored him.

9.7 Some of the attackers passed very close to the SADF vehicles and seemed to get lifts on the vehicle while others were escorted by the SADF vehicles back to Kwa-Madala.

9.8 Standing on the roof of his house, Mr. Baloyi, saw 2 armoured police vehicles parked in the veld just west of Mthembu Street. The attackers passed by these vehicles on their way back to Kwa-Madala. Shortly thereafter, the 2 hippos and another 2 hippos from within the township followed the attackers back to Kwa-Madala.

COMMISSION ON THE PREVENTION OF PUBLIC VIOLENCE AND
INTIMIDATION

BOIPATONG

A F F I D A V I T

I, the undersigned,

SALLY SEALEY,

do hereby make oath and say :

1. (a) I am employed as a Senior Researcher by the Independent Board of Inquiry, Braamfontein, Johannesburg, and have held that position since January 1991.

- (b) My work involves investigations of complaints, distress calls and incidents of violence, particularly in black residential areas, and in this capacity I have investigated many incidents of political and other incidents of violence which have occurred throughout the Reef and Vaal Triangle during the past 1½ years.

- (c) Prior to January 1991, my history is as follows:

Sally Sealey
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- (i) I acquired an Honours Degree in Industrial Sociology at the University of the Witwatersrand in 1984;
 - (ii) In 1985 I taught at a school in Eldorado Park;
 - (iii) In 1986 I worked at the Educom Library at the Witwatersrand University;
 - (iv) In 1987 I joined The Star newspaper as a journalist, where I remained until June 1989 when I joined the Weekly Mail, and worked on a publication called S.A. Barometer, which is a fortnightly journal of current affairs and statistics under the auspices of the Weekly Mail. I was the editor of that publication.
- (d) Since January 1991 I have worked full-time for the Independent Board of Enquiry.
- (e) In this capacity, I have previously given evidence before the abovementioned Commission, more particularly in regard to the incidents at

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Phola Park, and my curriculum vitae is already on record before this Commission.

2. THURSDAY, THE 18TH JUNE 1992

- (a) On the morning of the 18th June 1992, the massacre at Boipatong having taken place the previous night, I went to Boipatong with the late Floyd Mashile in my capacity as researcher with the Independent Board.
- (b) When we arrived there, we found the situation to be chaotic and it became clear that it would not be possible, at that stage, to take statements from people. Although I had worked in Boipatong before and knew certain people there, I found that that morning I could not really speak to anyone.
- (c) I accordingly spent my time walking through various houses which had been damaged in the raid or where people had been killed or injured, and I also went to the hospital where I managed to take a few names of injured people.

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- (d) The houses I went into were in Moshoeshoe Street and in Slovo Park where I managed to speak to some people.
- (e) We were in Boipatong for most of the day, but during this period the whole area was teeming with Press, television crews, representatives of various organisations and some police officers.

3. MONDAY, THE 23RD JUNE 1992

- (a) I did not return to Boipatong until Monday, the 23rd June, on which day I went there with two of my colleagues from the Independent Board, Chris Orr and Nathi Gaisa.
- (b) On the 18th I had arranged with a person I knew in Boipatong that I would return on the 23rd and that if people wished to furnish statements to us, he should ask them to meet us at the school on Monday, the 23rd.
- (c) When we arrived on that day, however, there was no one there and we were then taken by the Secretary of the local branch of the ANC to Slovo Park where we spoke to various people, who told



us that they would be prepared to come the following day and furnish statements to us. We also spoke to other people who would not be able to come to the school, and we agreed to fetch them.

- (d) I also told one Shaka Radebe to make an announcement at the stadium where a mass meeting was in progress, that anyone who had anything to tell us about the night of the massacre and who wished to make statements to us, should come to the school on the following day.
- (e) On the 23rd, we also measured the distance from Slovo Park to the Kwa Madala Hostel, travelling by car, and found it to be approximately 2,4 kilometres.
- (f) We measured the distance, by car, from the squatter camp to Zone 11 Sebokeng, and found it to be approximately 12,4 kilometres. We measured this distance because the police had said that they had responded to a call in Zone 11.
- (g) We were not able to take any statements on the Monday.

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4. TUESDAY, THE 24TH JUNE 1992

- (a) The three of us arrived at the school in the morning and found people waiting to talk to us. I knew some of these people, but most of them were unknown to me. Many of them were old ladies.
- (b) We took statements solidly until approximately 2.30 to 3.00 p.m. and managed to deal with all the people who had come to the school to furnish statements.
- (c) Before taking statements, we explained to each person where we were from, why we had come there, and that we hoped to place statements before the Goldstone Commission. We found that most of the people were quite happy to make statements to us, but they did not want their names disclosed in newspapers. Whilst they were not reluctant to talk to us, we found that, without exception, they were not prepared to speak to the police and when asked why not, they would tell us that they believed that the police were involved in the massacre in some way.

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5. WEDNESDAY, THE 25TH JUNE 1992

- (a) We again returned to Boipatong and continued taking statements. I should say that the method employed in taking a statement was that I would write while the deponent was speaking. If the deponent did not speak English, then I would use an interpreter from the community or someone I knew to interpret for me.

- (b) After writing the statement, I would read to the deponent what I had written. In some cases, the deponent would sign, but in others, where the deponent could not write, he/she would place a cross on the statement.

- (c) While I was taking the statements I would question the deponents and would not simply record what I was told. I would probe their answers where necessary, not in order to test the veracity thereof, but in order to elucidate what they were telling me.

- (d) At the time that I took statements, I did not have a map of Boipatong with me and could not

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therefore relate each of the statements to a specific street, house number or location in Boipatong.

6. THE NATURE OF THE ATTACK

(a) In carrying out our investigations in Boipatong, we tried to establish the nature and pattern of the attack; where the attackers came from, how they moved through the township, and where they left the township. This pattern was established, not only from the statements taken by us, but from our own observations of the rows of houses damaged by the attackers, the nature of the damage, the streets along which the attackers moved, and the condition in which they left the contents of many of the houses.

(b) It appeared to me that the attack followed a fairly random pattern, and it did not look as if the attackers were seeking out any particular houses or persons to attack. In fact, I gained the firm impression that they had attacked and killed many people who had not run away. People were mainly attacked in their houses and in a number of instances whilst they were cowering and

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attempting to hide from their attackers. Included amongst those killed or injured were a number of old and sick people and also a number of children. There was tremendous destruction of property, ranging from innumerable broken doors and windows, to wanton and pointless destruction of furniture and personal possessions in houses. There was also widespread theft of various items from homes.

- (c) From the information obtained from witnesses, it appears that the attackers used mainly pangas and spears, although some people were also shot.

7. INVOLVEMENT OF SECURITY FORCES

- (a) A number of people to whom we spoke and from whom we obtained statements, referred to the presence of Caspirs in the township at the time of the attack. My impression of the witnesses who referred to the presence of Caspirs was that they were honest and had not been influenced to furnish that information to me. From my experience of working in black townships and of taking statements from people affected by situations such as this, and from my general

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communication and contact with people in an area such as Boipatong, I felt satisfied that the witnesses were speaking the truth when they said that police vehicles had been seen in the township that night. Although it is difficult to establish precisely when they were present, the general perception of people interviewed by us who claimed to have seen police vehicles that night, was that there were some vehicles present and moving around during the attack.

- (b) From the persons I spoke to, I did not gain the impression that members either of the Police Force or the South African Defence Force as such were identified as having actively participated in the killings and assaults, but I was left with no doubt, from the information which I obtained, that security forces vehicles were seen to be present in the township at the time and seemingly did nothing to prevent the massacre.
- (c) A lot of the people who made statements to this effect were elderly township residents, whose statements I believe to have been reliable.

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8. THEFTS COMMITTED BY THE ATTACKERS

- (a) As I have indicated above, a lot of goods were stolen from houses that night. These goods included items such as television sets, a stove, radios, video cassette recorders, blankets, clothes, shoes, crockery, kettles.
- (b) In addition to stealing many items, the attackers broke many personal possessions for no apparent reason other, presumably, than to vent their anger and some grudge which they were harbouring against the township residents.
- (c) A few days after the attack, the police brought some of the stolen items to the township and asked people to identify their goods and redeem them. It appears that the police said that they had found some of the stolen goods abandoned in the veld and these were apparently the items so abandoned.
- (d) By and large, however, the township residents who had lost items as a result of the thefts, were not prepared to reclaim the goods because they did not know where the goods had come from.

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(e) Some people had made statements to us or to other researchers about seeing some of the stolen items being placed into police Caspirs and being transported away from the township. I can only say, from my own observations of the area the terrain and the distances involved, that it would have been extremely difficult for the attackers to carry some of these items all the way back to Kwa Madala, and it is quite possible that some of the larger items may have been transported away in police vehicles as described by some of the residents.

9. TUESDAY, THE 30TH JUNE 1992

This was the last occasion on which I went to Boipatong. On that day, I spent my time preparing a schedule, as far as I was able to do so in one day, of the victims of the attack and of the damage to homes and property. That schedule is annexed to this affidavit and gives an indication of the magnitude and extent of the damage to and destruction of property and the completely random, wanton, and undirected attacks on people.

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10. (a) During one of my visits to Boipatong, I received reports from two people concerning visits which they had received from white men subsequent to the massacre. In each case, the men were not identified but, having regard to the nature of the visits, I suspect that they may well have been members of the security forces.
- (b) In the one case, my informant was visited at his home by a white man who told him to hand over cartridge cases which he, my informant, had picked up outside his house after the massacre. The man was in plain clothes and he informed my informant that he was from the "Goldstone Commission" and that my informant had to hand to him all the cartridge cases which he had picked up. The white man did not furnish his name or any identification, was dressed in plain clothes, and was insistent that my informant was not entitled to keep any of the cartridge cases which he had found. They were all then handed to this man, who left and has not been seen since.
- (c) In the other case, the visitor, also a white man who, from my informant's description, could well have been the same person who visited the other

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informant, told my informant that he was on the National Executive Committee of the ANC and that he had been sent to fetch and remove all the cartridges which my informant had picked up. He also made enquiries about a police ID that may have been left on the premises. My informant knew nothing about such an ID, but handed to this man all the spent cartridge cases which he had picked up. The man was insistent that he had to have the cartridge cases immediately because the ANC National Executive Committee meeting was taking place at 4 o'clock that day to discuss Boipatong. My informant did not know who this person was, was none the wiser as to his identity, accepted that he was there in good faith, and handed to him the cartridge cases, whereupon the man left and has not been seen since.

- (d) It seems that both these informants (whose names I have but whose identities at this stage I do not wish to disclose in their own interests) must have been seen collecting cartridge cases outside their houses after the massacre. Whether the visitors were in fact policemen is not certain, but it is perhaps significant that in the one

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instance the man was seeking a police ID document.

11. (a) I have made this affidavit in order to place before the Commission such information and impressions as I have been able to obtain and form relating to the events of the 17th June, and because I will be leaving for overseas on Saturday, the 1st August and will be away for approximately six weeks. I will accordingly not be available to give viva voce evidence before the Commission.

(b) For reasons of security and to protect the various persons from whom I have obtained statements, I have not disclosed, in this affidavit, the identities of any of these persons. The statements and identities are in the hands of the attorneys acting on behalf of the Vaal Council of Churches and the ANC PWV region. Without specific authority from each of these informants to make such disclosure, I am advised that, in the interests of safety and security, I am not obliged to do so.

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(c) I should mention that on my visits to Boipatong, I took a number of photographs which might be of assistance to the Commission in evaluating the nature and extent of the attack on the 17th June, and these photographs are also in the hands of the said attorneys and will be made available to the Commission.

Malcolm Vincent Oakes Bal

I CERTIFY that the deponent has acknowledged that she knows and understands the contents of this affidavit, which was signed and sworn to by her before me at JOHANNESBURG on this 29th day of ~~JUNE~~, 1992.
JULY

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COMMISSIONER OF OATHS

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