STATEMENT BY ARCHBISHOP DESMOND TUTU ON HIS APPOINTMENT TO THE TRUTH AND RECONCILIATION COMMISSION

November 30, 1995

It is a very great privilege and honour to have been appointed as the head of the Commission, and I am deeply humbled.

The membership of the Commission appears to represent a fair spectrum of South African society, and comprises people who have special gifts to bring to the sensitive task of contributing to the healing process in our country.

I appeal to South Africans and people around the world to uphold members of the Commission in their prayers, because the healing and reconciliation of a deeply traumatised and wounded people is a deeply spiritual exercise.

I hope that the work of the Commission, by opening wounds to cleanse them, will thereby stop them from festering. We cannot be facile and say bygones will be bygones, because they will not be bygones and will return to haunt us. True reconciliation is never cheap, for it is based on forgiveness which is costly. Forgiveness in turn depends on repentance, which has to be based on an acknowledgement of what was done wrong, and therefore on disclosure of the truth. You cannot forgive what you do not know.

The purpose of the Commission in terms of the act which establishes it is to assist in the process of healing and reconciliation. The Commission needs to be geared towards the victims of human rights abuses rather than the perpetrators. I would like us to concentrate on the rehabilitation of victims and restoration of their dignity, emphasising restitution rather than retribution and reprisal.

I hope very much that people, especially those who have not previously had the opportunity of doing so, will come to the Commission to tell their stories. I would appeal to churches and NGOs to make available their resources to provide counselling to such people before, during and after they appear before the Commission.

A great deal is going to depend on the spirituality of the commissioners. We will be needing counselling, times for refreshment, and opportunities to rebuild our own spiritual resources, because hearing the harrowing stories that are likely to come before the Commission will be testing.

The Commission must do its work as quickly as possible so that we can close a horrendous chapter in the life of our nation. We need to turn over a new page and seek to live out our rich diversity of culture, religion, political views and ethnic backgrounds.

I will be in touch with the Minister of Justice and Dr Alex Boraine about arranging the first meeting of the Commission so that we can plan our work as expeditiously as possible.
December 12, 1995

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRMAN OF THE TRUTH AND RECONCILIATION COMMISSION

“The vice-chairman of the Truth and Reconciliation Commission, Dr Alex Boraine, and I met this afternoon to prepare for a meeting tomorrow with the Minister of Justice, Mr Dullah Omar, and officials of his department.

“Matters which we discussed included:

“– The possibility of convening a preliminary meeting of the full Commission. We hope to convene such a meeting at Bishopscourt, Cape Town, before the end of the year.

“– The seat of the Commission. While the legislation provides that the President will determine where the Commission will sit, we envisage that the full Commission will make recommendations to the President.

“– Appointments to the various committees of the Commission, as well as staffing. We held a very preliminary discussion on the spread of membership of the committees, but I am anxious that the Commission should operate by consensus, so we would like the full Commission to convene as quickly as possible to discuss these and other matters.”
December 16, 1995

ARCHBISHOP DESMOND TUTU'S ADDRESS TO THE FIRST GATHERING OF THE TRUTH AND RECONCILIATION COMMISSION

The following is the full text:-

PREAMBLE

It is a very great privilege to have been asked to chair such a distinguished group of eminent persons with a proven track record and outstanding professional ability. I thank God that I have been asked to captain such a brilliant team.

I want to express deep appreciation to Dr Alex Boraine for all the very hard work he has put in to get us going. He has been involved from the onset, assisting the Department of Justice in drafting the legislation which has brought the Commission into being. He has worked like a Trojan, as all of you will know, in making arrangements for this first meeting. He is a gifted organiser. A perceptive journalist has remarked that perhaps the Archbishop will be like a President whilst Dr Boraine will be something like a Prime Minister. That would not be too far off the mark.

Thanks too, to the Minister of Justice and his Department for their unstinting help.

May I say in a kind of parenthesis that my style of operation as a leader is through consensus and delegation. I like to play to the strengths of my team, letting each person blossom by doing the sorts of things at which they are good and feel confident in doing. That way one ends up almost invariably with a winning side and you are always perceived to be a good captain when you captain a winning side. And I know I have been given precisely such a team. By and large, remarkably so, the composition of this Commission has found general and favourable acceptance. It means we have credibility and we must do all we can to enhance that credibility. We hope through some of the appointments to the Committee on Human Rights Violations and the Committee on Reparation and Rehabilitation to make the Commission even more representative and inclusive.

DELICATE AND CRITICAL TASK

Everyone is aware that we have been assigned a delicate task whose execution, successful or otherwise, will have critical and far-reaching consequences for our land and nation. It is an awesome responsibility.

It is important to bear constantly in mind the title of the act that has brought us into being – the Promotion of National Unity and Reconciliation. What a happy coincidence, how providentially significant, that our very first meeting takes place on the day designated in our calendar as the Day of Reconciliation. Absolutely central to our concern in the work of our Commission is helping our land and people to achieve genuine, real and not cheap and spurious reconciliation. Some view the Commission with considerable misgiving and indeed suspicion and even hostility because they have convinced themselves that the Commission is going to degenerate into an Inquisition, a witch-hunt hellbent on bringing miscreants to book and the assumption is that it would be miscreants from one side only.

We must scotch that rumour or suspicion from the outset. We are meant to be a part of the process of the healing of our nation, of our people, all of us, since every South African has to some extent or other been traumatised. We are a wounded people because of the conflict of the past, no matter on which side we stood. We all stand in need of healing.

We on the Commission are no superhuman exceptions. We too need forgiving and to forgive. I hope that our churches, mosques, synagogues and temples will be able to provide liturgies for corporate confession and absolution.

We are privileged to be on this Commission to assist our land, our people to come to terms with our dark past once and for all. They say that those who suffer from amnesia, those who forget the past, are doomed to repeat it. It is not dealing
with the past to say facilely, let bygones be bygones, for then they won't be bygones. Our country, our society would be doomed to the instability of uncertainty – the uncertainty engendered by not knowing when yet another scandal of the past would hit the headlines, when another skeleton would be dragged out of the cupboard.

We will be engaging in what should be a corporate nationwide process of healing through contrition, confession and forgiveness. To be able to forgive one needs to know whom one is forgiving and why. That is why the truth is so central to this whole exercise.

But we will be engaging in something that is ultimately deeply spiritual, deeply personal. That is why I have been appealing to all our people – this is not something just for the Commission alone. We are in it, all of us together, black and white, coloured and Indian, we this rainbow people of God. That is why I have appealed to our different communities of faith (Christian, Muslim, Jewish, Hindu etc) to uphold the Commission in fervent prayer and intercession that we may be showered with the divine blessings of wisdom, courage and discernment.

That is why I have asked religious communities of monks and nuns around the world to soak our Commission and its deliberations in fervent volumes of prayer. That is why I want to suggest that all our activities should be started if not by prayer then by a substantial silence, and that we should start our work with a retreat together for the replenishment of our spiritual resources. Our work is going to be harrowing and demanding. We will need counselling periodically to recoup.

**INDEPENDENCE AND LACK OF BIAS**

To be able to do our work well and to achieve the goals that we have been set it is of paramount importance that we are totally independent and seen to be independent and autonomous, not subject to any undue influence from any quarter whatsoever. Chapter 7 of the Act is quite insistent about this matter of independence:

Page 38:

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36 (1) The Commission, in its commissioners and every member of its staff shall function without political or other bias or interference and shall, unless this Act expressly or otherwise provides, be independent and separate from any party, government, administration, or any other functionary or body directly or indirectly representing the interests of any such entity.

(5) Every commissioner and member of a committee shall â€” (a) notwithstanding any personal opinion, preference or party affiliation, serve impartially and independently and perform his or her duties in good faith and without fear, favour, bias or prejudice; “(6) No commissioner or member of a committee shall â€” (a) by his or her membership of the Commission, association, statement, conduct or in any other manner jeopardise his or her independence or in any other manner harm the credibility, impartiality or integrity of the Commission;”
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Most persons, for instance, make a distinction in the moral quality of violent acts according to the motive of the one who commits them. For instance if a woman resists her rapist, killing him, her violence would not be considered to be culpable. Whereas we would all condemn roundly a car hijacker who killed the owner. That homicide would be culpable universally. We must stress that the Act under which we operate makes no such moral distinction. Those who apply for amnesty are judged to qualify for the granting of that amnesty or not only by whether they satisfy the criteria laid down – did the offence happen in the appropriate time frame, i.e. March 1960 to December 1993, was it politically motivated and consonant with the policies of either the then State or a liberation movement and has a full disclosure been made? If these criteria are met, then amnesty must be granted. No judgment about the morality of the offence is required or expected. The political affiliation of the applicant is an irrelevance. He/she might have been a state employee belonging to any or no political party. All applicants, it is required by the Act, would be treated even-handedly and without bias.

Equally in the matter of reparation a victim would be someone, anyone, who has suffered harm as a result of actions arising from the conflicts of the past, who has suffered a gross violation of human rights.
CODE OF CONDUCT

We are going to be in the spotlight. I know we can depend on all of you to be discreet and circumspect, beyond reproach like Caesar's wife. The Act lays down some specific terms in an explicit manner with regard to our conduct and frowns on anything that would bring the Commission into disrepute or which would undermine its credibility and integrity. We believe we will need the wisdom of Solomon in dealing with the media which will rightly be interested in the goings-on in the Commission and I think that is quite right, but it will be like living in a fishbowl. You will be, even more than ever before, public property with scant privacy. I hope so very much that the media will realise they have a quite critical role to play in the work of our Commission and that we will evolve an amicable relationship. We want to be open and transparent (you wondered when I was going to use the blessed word).

I have no intention of gagging any of you. You are mature adults who know the score. But I want to state that only the Vice Chairman and I or those we designate specifically will be able to speak officially for the Commission. The law is quite strict about confidentiality. That is why we are going to swear oaths or make affirmations. You are free to speak to the Press, but do know what you are taking on. We don't want to be embroiled in pseudo- controversies that deflect from the purpose of the Commission. If you are able to say the Act provides such-and-such, it will get you out of most potentially awkward situations. It would be wise to avoid speculation, e.g. why so-and-so was not appointed. It is pointless. The law says the President shall appoint after consultation with the Cabinet. It will be wise not to think aloud and to confine oneself to the facts. A great deal of our information will be privileged unless the Commission makes it public and many of the rules that apply in a court of law apply in the case of a commission, e.g. the sub judice rule making it an offence punishable by law to comment on matters being dealt with by the commission in a way designed to influence the finding of the commission or to anticipate its conclusions.

Given the levels of remuneration we shall be receiving and which will become public when they are tabled in Parliament, and given your Chairperson's acquaintance with a certain mode of transportation, it would be odd in the extreme if the media were to pretend that there was no potential scoop somewhere. I raise it here so that we know it is bound to be an issue which we should get out of the way right at the beginning as likely to affect the credibility of our Commission. Our circumstances are different. Many of you are professionals used to large pay packets and who may be going to take a cut in your pay by being a commissioner. I am not going to be holier than thou. I just want us to remember the kind of people who may come before us needing reparation and the amounts we may be able to recommend in relation to our own remuneration. You don't yet know what it is. I have discussed my situation with Leah and we have agreed what we want to do, which I will announce at the Press Conference and share with you in the closed session. You will need to do your thing when you are ready.

CONCLUSION

We have seen a miracle unfold before our very eyes and the world has marvelled as South Africans, all South Africans, have won this spectacular victory over injustice, oppression and evil. The miracle must endure. Freedom and justice must become realities for all our people and we have the privilege of helping to heal the hurts of the past, to transcend the alienations and the hostilities of that past so that we can close the door on that past and concentrate in the present and our glorious future.

We have it in us as South Africans to become a scintillating success. God bless us in our high calling.
January 23, 1996

STATEMENT FROM THE TRUTH AND RECONCILIATION COMMISSION

The Truth and Reconciliation Commission received extensive briefings today (Tuesday) on the law stipulating its activities and on proposals for how its constituent committees and investigative unit will operate.

Briefings on the law included:

- An analysis of how the Promotion of National Unity and Reconciliation Act governs each of the Committees of the Commission – the Committee on Human Rights Violations, the Committee on Amnesty and the Committee on Reparation and Rehabilitation;

- An explanation of the provision in the Act which determines that decisions by the Committee on Amnesty cannot be reviewed by the full Commission;

- Information on the nature of the prescribed forms and standard letters that will need to be drawn up for various types of applications coming before the Commission;

- Guidelines on the regulations governing the detailed operation of the Commission and its constituent parts that have to be drafted and promulgated;

- An explanation of the provision in the Act which allows the Commission, in consultation with the appropriate Attorney-General, to request a court to postpone proceedings before it after the receipt of an application for amnesty;

- Consideration of steps to be taken in respect of applications to have criminal records cleared;

- An explanation of the channels through which the cases of victims of human rights violations will be referred to the Committee on Reparations and Rehabilitation;

- An outline of the provisions of the Act enabling the Committee on Reparation and Rehabilitation to make recommendations on issues such as measures to provide reparation for victims;

- An outline of the powers of the Commission to conduct actions such as inspections in loco, the seizure of articles, and the issue of subpoenas;

- The manner in which the Act governs relations between the Commission – which is independent – on the one hand and Parliament and the Executive on the other;

- Consideration of administrative issues, such as employment contracts, procedures and policies.

The Commission also received proposals on the setting up of an investigative unit and on methods of collecting, analysing and presenting information to the Committees of the Commission.

The briefings were given by Mr Steve Kahnovitz and Mr Vincent Saldanha of the Legal Resources Centre, Cape Town, Mr Paul van Zyl of the Centre for the Study of Violence and Reconciliation, Johannesburg, Mr Howard Varney of the Investigative Task Unit in kwaZulu-Natal and Mr Patrick Ball, an American expert in human rights databases.

Archbishop Tutu said at the end of today's proceedings: “The Commission has an enormous amount of work to do in preparation for public hearings.

“We have to recruit the right staff, have regulations governing our work promulgated and establish the infrastructure that is necessary for hearings.
“There was a real sense of urgency among Commissioners. We are all resolved that it is quite critical to get cracking so that hearings can begin as quickly as is humanly possible.”

Tomorrow (Wednesday) the Committees of the Commission will meet separately for most of the day. Among matters to be considered will be the nomination of further members of two of the Committees. The Committee on Amnesty will hold its first meeting.
January 24, 1996

STATEMENT FROM THE TRUTH AND RECONCILIATION COMMISSION

Today's meeting of the Truth and Reconciliation Commission focussed on the practical measures which need to be implemented to enable the Commission to begin its work.

Two of the Commission's constituent committees, the Committee on Human Rights Violations and the Committee on Reparation and Rehabilitation, have decided on Gauteng as their main seat. However, they will also operate from the regional offices of the Commission. Regional offices will be set up in Johannesburg, Durban, East London and Cape Town.

The Committee on Amnesty will be based in Cape Town and will decide later on whether regional offices are necessary. Next week some members of the Committee on Amnesty will scrutinise the approximately 2,000 representations concerning amnesty which have already been collected for the Commission. Applicants for amnesty are required by the law setting up the Commission to make applications on a prescribed form, and progress was made towards preparing a draft form for submission to the Government with a view to promulgation in the Government Gazette. The law stipulates that applications for amnesty must be made within a year of the formal establishment of the Commission. (This took place on December 15 last year.)

There was also detailed discussion of how written information from victims of human rights violations who approach the Commission will be collected, verified, co-ordinated and analysed in preparation for public hearings. The Commission envisages establishing a sophisticated computer database, with the capacity for extensive cross-referencing, to help it to piece together a comprehensive picture of the pattern and detail of human rights violations.
The Committee of the Truth and Reconciliation Commission charged with drawing up proposals on reparations for victims of human rights violations will hold its first consultative meeting with community organisations in kwaZulu-Natal early next month.

Further meetings in other regions of the country will follow, the chairperson of the committee, Ms Hlengiwe Mkhize, announced today.

The commission's Reparation and Rehabilitation Committee will meet the organisations in Port Shepstone on February 7. Organisations wanting to join the consultations should fax the committee at fax numbers 031-906-6657 or 021-683-3068.

The full text of Ms Mkhize's statement announcing the meeting follows:

“The Reparation and Rehabilitation Committee of the Truth and Reconciliation Commission will be meeting in kwaZulu-Natal on February 7 and 8. The first day will be spent in Port Shepstone, consulting with various community organisations. The purpose of the consultations will be to identify existing and potential community resources which the committee could draw upon in its work, and to be assisted in the formulation of recommendations on a reparation policy and a rehabilitation strategy. The second day will be spent on internal committee business.

“The function of the Reparation and Rehabilitation Committee is to make recommendations to the President on both urgent interim relief and long-term reparation and rehabilitation for the victims of gross human rights violations during the period under review, March 1, 1960 to December 5, 1993.

“The kwaZulu-Natal meeting will be the first of a number of consultative meetings to be held in various regions across the country.

“Organisations wishing to participate in the consultations on February 7 should fax 031-906-6657 or 021-683-3068.”
January 26, 1996

STATEMENT BY ARCHBISHOP DESMOND TUTU AND DR ALEX BORAINE

1. Before the Commission is able to begin its work, it has to be more fully constituted. To achieve this, we have devoted a substantial part of the week to consideration of the names of additional members of two of our committees, the Committee on Human Rights Violations and the Committee on Reparation and Rehabilitation. (The Committee on Amnesty was fully constituted when the President appointed judges to fill the remaining places on it last week.)

We can appoint an extra two members of the Committee on Reparation and Rehabilitation, and an extra 10 to the Committee on Human Rights Violations. We are not able to announce the names today, because not all of those agreed upon have been consulted. However, the following are examples of what we are trying to achieve with our proposals for additional members of the committees:

– We are trying to achieve more representation in areas, such as the North-West Province, which are inadequately represented;

– We are improving representation of women from the Eastern Cape and kwaZulu-Natal;

– In considering further names from kwaZulu-Natal, we are anxious to appoint people broadly trusted across the spectrum;

– We want to fill the gap in representation of the Dutch Reformed churches and the Jewish community.

2. Apart from constituting the Commission, we needed to put the Commissioners in a position in which they can, with confidence, begin their work. As a result we devoted considerable time in the early part of the week to briefings on the content of the law.

We also needed to move quickly to set up offices, employ staff and – of special importance – get our regional operations running. It is to the regional offices that victims of human rights abuses who want to tell their stories need to be referred in the first instance. The Commission has split the country into four areas: (1) North-West Province, Northern Province, Mpumulanga and Gauteng; (2) kwaZulu-Natal and the Free State; (3) the Eastern Cape and (4) the Western and Northern Cape.

Although regional offices will be in Johannesburg, Durban, East London and Cape Town, their mandate is to provide a service for all the people in the areas in which they are based. It appears likely that Commissioners will do a substantial part of their work based in regional offices. Locations for regional offices have already been identified in Johannesburg and East London.

You are already aware that the committees on Human Rights Violations and on Reparations and Rehabilitation will be based in Johannesburg, although they will of course operate in all regions. The former has its next meeting on February 5, and, as already announced, the latter is to hold the first of a series of nation-wide consultations with NGOs in Port Shepstone on February 7. Commissioners stressed continually during this week's meetings that NGOs will play a critical role in facilitating the Commission's work.

You will also know from news releases earlier in the week that the Committee on Amnesty will be based in Cape Town and that some members of that committee will scrutinise next week the approximately 2,000 representations concerning amnesty which have already been collected. A prescribed form which applicants for amnesty have to fill in will be published in the Government Gazette soon. It needs to be re-emphasised that the law stipulates that applications for amnesty must be made within a year of the gazetting of the Commission, which took place on December 15 last year.

Advertisements for key Commission staff have already appeared and shortlisted candidates for the post of Chief Executive Officer will be interviewed next Wednesday. Advertisements for media liaison officers are due to appear this weekend and on Monday more staff advertisements will appear.
Among a host of other matters we covered were the following:

– The establishment of the investigative unit. This is an essential prerequisite for the Commission's work. We have to be able to verify submissions made to the Commission before public hearings, for example.

– The setting up of a highly sophisticated data base to help with the collection, analysis and cross-referencing of information. We have benefitted greatly in this field from expertise developed in investigative operations in Haiti, El Salvador and Ethiopia.

3. Our target date for the Commission's first public hearing is late in March or in April. We have taken a conscious decision that we should not hold our first hearing in one of the major urban areas of the country. At this stage we are aiming to have the first hearing in the Eastern Cape.

4. The Commission resolved earlier this week that the two of us should seek meetings with the country's political leaders.

When we received a request yesterday, therefore, that we should meet with the country's two Deputy Presidents today, we readily agreed. The two of us met with Deputy Presidents de Klerk and Mbeki this morning, after the Commission had finished its business and discussed ways in which political parties represented in Parliament might assist the Commission to carry out its functions in terms of the law which governs our work. These were informal and exploratory talks and we shall be reporting on them to the Commission's Executive within the next two weeks, and thereafter to the full Commission at its next meeting on February 12 and 13.

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January 30, 1996

STATEMENT BY ARCHBISHOP DESMOND TUTU AND DR ALEX BORAINE

Archbishop Desmond Tutu and Dr Alex Boraine, chairperson and vice-chairperson of The Truth and Reconciliation Commission, last night held discussions with General Constand Viljoen and Senator J R de Ville of the Freedom Front.

The meeting, one of a series planned with leaders of all political parties, was arranged in response to an offer by Dr Boraine when he appeared on a radio programme with General Viljoen recently. Last week Archbishop Tutu and Dr Boraine meet Deputy Presidents Thabo Mbeki and F W de Klerk.

Last night's meeting was also attended by Dr Frederik van Zyl Slabbert, Professor Braam Viljoen and Mr Jurgen Kogl.
February 8, 1996

NEWS RELEASE FROM THE TRUTH AND RECONCILIATION COMMISSION

Archbishop Desmond Tutu met yesterday with leaders of the Pan Africanist Congress in one of a series of discussions with political leaders about the Truth and Reconciliation Commission.

He and Dr Alex Boraine, vice chairperson of the commission, have also met recently with General Constand Viljoen and Deputy Presidents Thabo Mbeki and F W de Klerk.

The full text of a statement by Archbishop Tutu follows:

“As part of a series of discussions with political leaders about the work of the Truth and Reconciliation Commission, I met yesterday (Wednesday) with Mr Clarence Makwetu, Mr Gora Ebrahim and Mr R K Sizani of the Pan Africanist Congress.

“We discussed a number of concerns which the PAC had, including the issue of how political parties will relate to the Commission. The Commission plans to continue consultations with these and other political leaders.”
February 12, 1996

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON, AND DR ALEX BORaine, VICE-CHAIRPERSON.

An application form for persons wishing to apply to the Truth and Reconciliation Commission for amnesty has been promulgated by the Government.

The promulgation of regulations including the form opens the way for people to apply for amnesty “in respect of any act, omission or offence on the grounds that it is an act associated with a political objective...” (Section 18(1) of the Promotion of National Unity and Reconciliation Act.)

The Committee on Amnesty of the TRC has asked for the form to be printed and distributed to magisterial offices and to organisations such as human rights groups and church bodies. This will be done as quickly as possible so that the form can be made widely available.

The form asks applicants to supply full details of the organisations or institutions with which they served. It also asks for the dates, places and particulars of actions in respect of which they are applying for amnesty.

Applicants are also asked to state whether anyone was injured, killed or suffered as a result of the action, for details of what political objective was sought, and for the justification for regarding an act, omission or offence as one with a political objective.

It asks further whether an applicant benefitted financially as a result of the action, and whether it was approved, ordered by, or carried out on behalf of an organisation or institution. It also seeks the names and addresses of those who gave orders or approvals.

The law governing the Commission's operations requires applications to be made by December 14 this year.

Applications will be dealt with by the TRC's Committee on Amnesty, comprising Judge Hassen Mall of KwaZulu-Natal (chair), Judge Andrew Wilson, Judge Bernard Ngoepe, Ms Sisi Khampepe, a Johannesburg attorney, and Advocate Chris de Jager of Pretoria.

The Committee is bound by the law to give priority to applications from persons in custody. It has asked that the approximately 1,200 prisoners who have already applied for indemnity under previous legislation should be informed that they now need to apply for amnesty on the newly-promulgated form.

The law provides for the Committee to hold hearings, unless it is satisfied that the act, omission or offence to which an application relates does not constitute a gross violation of human rights. In such a case, it can decide on an application without a hearing.
February 14, 1996

STATEMENT BY THE CHAIRPERSON, ARCHBISHOP DESMOND TUTU, AND THE VICE-CHAIRPERSON, DR ALEX BORAINÉ

The Truth and Reconciliation Commission has given attention at its current meeting in Cape Town to how it can secure maximum co-operation from all sectors of society in going about the awesome task of assembling as much information as possible about the human rights abuses of the past 30 years.

After in-depth discussions, we have decided today to issue an open invitation to political parties, non-governmental organisations, community-based organisations and other institutions across the spectrum of South African society to apply either to present written submissions and/or to appear before the Commission.

This decision does not alter the Commission's determination to maintain the primary focus of its work on victims and survivors of human rights abuses. It is aimed at helping us to fulfil the mandate laid down in the law governing our operations, which is to establish as complete a picture as possible of the nature, causes and extent of human rights violations committed between 1960 and 1993.

Written submissions should be sent to the Commission at PO Box 3162, Cape Town, 8000, or delivered to its head office at 106, Adderley Street, Cape Town.
February 23, 1996

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION, ON BEHALF OF THE EXECUTIVE COMMITTEE OF THE COMMISSION

An application for amnesty was handed to me at the Commission's offices in Cape Town today by the applicant's attorney. As the attorney handed me the application, he made a serious verbal allegation against Advocate Chris de Jager, a member of the Commission. However, in the application itself, no reference was made at all to this verbal allegation. Advocate de Jager was, however, named in the application as a member of a conservative secret organisation, Toekomsgeprek.

Since this event occurred during a regular meeting of the Commission's Executive Committee, it was discussed by the Committee, following which I asked Mr de Jager to travel urgently to Cape Town. The Committee has been assured by Mr de Jager that the verbal allegation has no foundation whatsoever. In addition, he has never been a member of Toekomsgeprek or any other secret organisation. This has been independently corroborated to my satisfaction.

In terms of Section 19(8) of the Act governing the Commission's operations, amnesty applications are confidential until the Commission decides to release information about them or they are dealt with in a public hearing. The Commission will not at this stage release further information about the application in question.
February 27, 1996

STATEMENT FROM THE TRUTH AND RECONCILIATION COMMISSION

A delegation of the Truth and Reconciliation Commission, led by Archbishop Desmond Tutu, met the Attorney-General of the Transvaal, Dr Jan D'Oliveira, and members of his staff today.

The following statement was issued by the Commission's chairperson, Archbishop Desmond Tutu:

“The purpose of today's meeting was to discuss the relationship between the Attorney-General's office and the Commission, given that there is an inherent conflict of interest between certain of an Attorney-General's duties and aspects of the Commission's work. On the one hand, an Attorney-General's duty is to ensure that justice is done by bringing to trial persons against whom there is evidence of a criminal offence. On the other, the mandate of the Commission's Committee on Amnesty is to grant amnesty in respect of offences which are associated with a political objective.

“After preliminary discussion on these issues, the meeting resolved that further attention needed to be given to defining the working relationship between Attorneys-General and the Commission, and the Commission has already taken the initiative in asking for a meeting all the country's Attorneys-General.”
March 4, 1996

STATEMENT FROM THE TRUTH AND RECONCILIATION COMMISSION

A number of key positions in the TRC senior management structure have been finalised, enabling the commission to move into top gear during the next month.

The position of Chief Executive Officer (CEO) will be taken up on Tuesday, March 5, 1996, by Dr Biki S.V. Minyuku, a specialist in strategic planning, management and development. Minyuku holds an MBA from LaSalle University in Philadelphia and a Ph.D. in Interactive Management and Social Systems Sciences from the Union Institute Graduate School in Cincinnati. Since his return to South Africa in 1995, he has been Registrar of the University of the North. Minyuku has been involved in several community, fundraising and mediation programmes in both South Africa and the United States of America. From 1987 to 1994 he held the position of ANC vice-chairperson in America.

Prof Charles Villa-Vicencio, currently holds the chair in Religion and Society at the University of Cape Town, has been appointed Director: Research. His responsibilities include coordinating a team of researchers, social scientists and report writers, located throughout the country. He will commission specific pieces of research and will produce the commission's final report.

Ms Sandra Arendse has been appointed as the Director: Human Resources. She is a graduate of the University of the Western Cape (UWC), with extensive experience in the field. The Director: Finance is Mr Kariem Hoosain, a chartered accountant, from the audit practice, Moores Rowland, where he had been an audit manager. He is also a UWC graduate.
April 16, 1996

STATEMENT BY THE CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION, ARCHBISHOP DESMOND TUTU

A witness due to appear before the Human Rights Violations Committee today, Mrs Joyce Mthimkhulu, whose son Siphiwo disappeared in 1982, indicated to us that she wished to name alleged perpetrators of human rights violations.

The alleged perpetrators were informed by the Commission of the possibility that they would be named and given 30 days in which to submit representations. They yesterday filed papers in the Supreme Court, Cape Town, seeking documentary evidence in our possession and asking that the hearing be postponed to enable them to prepare a response.

The Commission will oppose their application and a hearing has been urgently arranged for next week at which we will have an opportunity to present full argument on the matter. We are grateful for the opportunity of an early hearing and have accordingly decided to delay hearing the evidence until the court has made a ruling. Had we insisted on hearing Mrs Mthimkhulu this week, we might have faced an application for an interim interdict at which we would not have the chance to present our case fully.

Mrs Mthimkhulu will now be testifying during our first sitting in Port Elizabeth.

ends

Note: The section of the Promotion of National Unity and Reconciliation Act which is at issue in the matter reads as follows (Section 30 (2)):

"If during any investigation by or any hearing before the Commission -- (a) any person is implicated in a manner which may be to his or her detriment......, (b)......, (c)......, the Commission shall, if such person is available, afford him or her an opportunity to submit representations to the Commission within a specified time with regard to the matter under consideration or to give evidence at a hearing of the Commission."

ends note
April 18, 1996

NEWS RELEASE FROM THE TRUTH AND RECONCILIATION COMMISSION

The first Cape Town hearings will begin on Monday, 22 April 1996 at 09:00 in the Nico Malan Indian Nurses Training College Hall in Klipfontein Road, Heideveld.

The original intention to hold the hearings in the T.R.C. town office has been changed in order to provide larger accommodation for the public and the media, as well as better facilities for witnesses and Commission staff.

Altogether 23 cases of gross human rights violations in the Western Cape will be heard from Monday 22 April to Thursday 25 April 1996.

Tickets for the public can be obtained from Thursday, 18 April 1996 between 12:00 -14:00 (but also a day ahead of each day's sitting) by phoning Melani Burts or Lillian Mofojane at (021) 245-161.

For more information please contact: Christelle Terreblanche: Media Liaison Officer
Tel. no: (021) 245-161
Cell no.: 082 458 8461

IMPORTANT ADVISORY! All journalists including those already accredited in East London please fax details of name, telephone, fax numbers, position and employer to Christelle or Khumbula before Friday, 19 April 1996 at (021) 245-225.

Accreditation will take place at the T.R.C. Head Office between 17:00 - 19:00 on Sunday, 21 April 1996 at 7th Floor, Old Mutual Building, 106 Adderley Street, Cape Town 8000.
April 22, 1996

STATEMENT FROM THE TRUTH AND RECONCILIATION COMMISSION

One of the Commission's objectives, laid down in the Promotion of National Unity and Reconciliation Act, is to establish the fate and whereabouts of victims of gross violations of human rights. Last week, the widows of the PEBCO Three specifically appealed to the Commission to help them find out what had happened to their husbands.

Against that background, the Investigation Unit of the Commission has taken particular note of the public disclosures made by Mr Joe Mamesela in a television programme broadcast last night regarding the fate of the PEBCO Three.

We are aware that Mr Mamesela has provided the office of the Attorney-General of Gauteng, Dr Jan D'Oliveira, with information regarding this and other matters. The Investigation Unit, as a matter of urgency, today began a special investigation into the matter and will be seeking the co-operation of the Attorney-General of Gauteng. We will issue appropriate statements in due course.

The Commission welcomes any information which will help it to establish the truth about gross violations of human rights between 1960 and 1993, and we appeal to those who have knowledge about any violations, including those mentioned in evidence in the current round of hearings, to approach our Investigation Unit in any of our regional offices.

ends
April 23, 1996

STATEMENT FROM THE TRUTH AND RECONCILIATION COMMISSION

Senior members of the Commission's staff held a meeting today with the Attorney-General of Gauteng, Dr Jan D'Oliveira, following the statements of Mr Joe Mamesela about his and the security forces' role in the disappearance of the PEBCO Three.

The Attorney-General's investigation into this matter is currently at an extremely advanced stage and we have been assured that a decision on the question of prosecution is imminent.

The TRC's Investigating Unit is also continuing to investigate the matter. In terms of Section 31(2) of the Act governing the Commission, we are bound to consult with the Attorney-General before compelling any person who appears under subpoena to answer questions which may be incriminating. Consultations with the Attorney-General on this matter will continue.

ends
STATEMENT FROM THE AMNESTY COMMITTEE OF THE TRUTH AND RECONCILIATION COMMISSION

The Committee on Amnesty of the Truth and Reconciliation Commission today began its consideration of whether applications for amnesty meet the requirements of the Promotion of National Unity and Reconciliation Act.

The Committee will meet for two days in Cape Town and hopes to give consideration to some 60 or 70 applications.

The process in which the Committee is engaged at this meeting is governed by, inter alia, Section 19 of the Act. (Attached to the statement for ease of reference.)

If the papers covering an application are in order, the Committee will examine its merits. It may ask for further investigation of a matter, and it may afford applicants the opportunity to make further submissions.

However, it is conceivable that decisions to grant or reject applications could be made this week. Such decisions will not be announced by the Committee, but will be forwarded to the full Commission for it to announce at its discretion and in terms of the Act.

The Committee has not yet reached the stage of holding hearings. In terms of Section 19(4) of the Act, hearings will be held when applications relate to gross violations of human rights as defined in the Act. In such cases, all interested parties will be notified. Announcements on hearings will be made in due course.

ends
April 29, 1996

TRUTH AND RECONCILIATION COMMISSION KWAZULU-NATAL/ORANGE FREE STATE FIRST HEARINGS

INTER-FAITH SERVICE FOR TRUTH COMMISSION

On the eve of the Truth Commission's first hearings in KwaZulu-Natal, a special interfaith church service will be held in Durban to pray for the success of the commission's work and also to pray for families of victims of gross human rights violations, some of whom will be appearing before the commission next week.

The service will be organised by the KwaZulu-Natal Church Leader's Group and the Durban Chapter of the World Conference on Religion and Peace.

This very important service will take place at the Durban City Hall on Sunday 5 May and will START at 2.30pm. The service will be led by Muslim, Jewish, Hindu and Christian Leaders. The address will be given by the Bishop Stanley Mogoba, who is the head of the Methodist Church in Southern Africa.

Premiers of both KwaZulu-Natal and the Orange Free State, KZN cabinet ministers, all the mayors of the Durban Functional Region, 17 judges of the KwaZulu-Natal bench and members of the consular corps have been invited and are amongst dignitaries expected to attend the service. Members of the public are also invited and seating for the public will be on first come first served basis.

REGIONAL HEARINGS

The long-awaited hearings of the Truth and Reconciliation Commission in the KwaZulu-Natal/OFS region, which will be held over a period of four days, next week, kick off on Tuesday May 7 at 10am and continue daily up to Friday May 10.

The hearings which will be open to the media and to the public will be held at the Mahatma Ghandi Memorial Hall in Lorne Street, Durban.

PUBLIC ACCESS TO HEARING VENUE

Due to the very limited seating space in this hall which has been set aside for members of the public, it has been decided that tickets will be issued to people who have interest in attending the hearings. Admission to the hall will strictly be allowed only to those who produce such tickets at the door.

These tickets will be freely available at the offices of the Truth and Reconciliation Commission and will be given away on a first come first served basis. People who do not have these tickets, are advised not even bother to come to the venue as they will surely be barred from entering and security will be extremely tight.

The admission tickets for the public will be available at the TRC offices on Friday, March 3 from about 9am. The commission offices are on the 9th Floor, Metlife Building, at number 391 Smith Street, DURBAN. Our telephone number is 3076767 and fax number is 3076742.

MEDIA ACCREDITATION

All media representatives who will be covering the commission proceedings would have to notify the commission in good time, either by letter or fax, so that they can be properly accredited for the four-day event.

Accreditation will entitle radio, print, journalists and television crews to use the Media Centre which has been set up at
the venue, and will also enable access to areas reserved for the media.

While everything possible will be done by the truth commission's media liaison team to help journalists in their work, it must be stressed that the Commission is obliged in terms of the law, and intends on its own volition, to create a climate during the period of the hearings in which the dignity of victims and survivors of human rights abuses is respected by members of the media.

APPLICATIONS FOR ACCREDITATION

Applications for accreditation on a letterhead should be faxed to the TRC Media Liaison Officer, MDU LEMBEDE, on fax number (031) 307 6742, phone 307 6767 and 307 6745 or cellular phone number 082 45 88464.
April 30, 1996

CHANGE OF VENUE FOR THE KWAZULU-NATAL/ORANGE FREE STATE FIRST HEARINGS

The KwaZulu-Natal Truth and Reconciliation has unexpectedly changed the venue of its first hearings that will be held in Durban over four days next week, from Tuesday, May 7 to Friday May 10. The new venue is now going to be the JEWISH CLUB, which is situated at the top end of Old Fort Road, towards the Beachfront. The Jewish Club is about a block away from the SABC offices and the UNISA's Durban campus.

Initially the hearings were scheduled to be held at the Mahatma Ghandi Memorial Hall in Lorne Street, Durban. However, security and fire authorities felt that this venue was totally unsuitable for such an event, and advised the commission to seek an alternative venue.

The Truth Commission will highly appreciate it if you could publicise this sudden change of venue as widely and as often as is humanly possible.

From MDU LEMBEDE TRC Media Spokesman - KZN-Natal
May 3, 1996

STATEMENT FROM THE COMMITTEE ON AMNESTY OF THE TRUTH AND RECONCILIATION COMMISSION

The Committee on Amnesty of the Truth and Reconciliation Commission has scheduled its first hearing to begin on Monday May 20.

Those applying for amnesty are Christopher Makgale, who is serving a 15-year prison sentence, and Boy Diale, serving a 12-year sentence. They were convicted in October 1991 of the murder of Mr Glad Mokgathle in the former Bophuthatswana. It is contended that the crime was connected to political conflict within Bophuthatswana at the time.

The Committee intends to hold the hearing in the Rustenburg area. Final confirmation of the date is subject to establishing communication with interested parties.

ends
CAPE TOWN - Archbishop Desmond Tutu today publicly apologised to Dr Mangosuthu Buthelezi, President of the Inkatha Freedom Party, for remarks he made about Dr Buthelezi's alleged reluctance to meet leaders of the Truth and Reconciliation Commission.

Archbishop Tutu said he was distressed that his "facetious remarks" had caused distress.

During questioning by journalists after a hearing in Durban last week, Archbishop Tutu said the TRC would not give up attempts to arrange a meeting with Dr Buthelezi. He added that Dr Buthelezi was an Anglican and said he "may try to pull rank" to persuade Dr Buthelezi to meet his archbishop.

At the same news conference, Dr Alex Boraine, vice chairperson of the TRC, noted that he and the archbishop had been away from Cape Town for some weeks, making it difficult to set a date for meeting Dr Buthelezi.

In today's statement, Archbishop Tutu said he learned with consternation that Dr Buthelezi had taken umbrage at his remarks. They had been "tongue in cheek" and he apologised for them.

The full text of Archbishop Tutu's statement follows:

"I learn with consternation that the President of the Inkatha Freedom Party, the Honourable Mangosuthu Buthelezi, has taken umbrage at comments I made at a press conference in Durban last week. These were tongue-in-cheek, relating to invoking my authority as Archbishop and referring to what journalists felt was his reluctance to meet Dr Boraine and myself.

"I am distressed that these facetious remarks have caused offence and I apologise."

ends
May 24, 1996

NEWS RELEASE FROM THE TRUTH AND RECONCILIATION COMMISSION

The Human Rights Violations Committee of the Truth and Reconciliation Commission will seek to clarify the rights of alleged perpetrators of human rights violations after two divisions of the Supreme Court expressed conflicting opinions on the issue.

A meeting of the committee, held in Johannesburg today, resolved to take legal steps to resolve differences over how much notice alleged perpetrators have to be given if victims want to name them at commission hearings.

Pending clarification being obtained, the committee adopted procedures aimed at giving persons proper, reasonable and timeous notice of hearings if evidence detrimentally implicating them is heard.

The Cape Supreme Court last month ordered the commission to give "proper, reasonable and timeous notice". However, in a judgment on another matter in Port Elizabeth this week, the South Eastern Cape Division of the Supreme Court disagreed with the Cape Town judgment. Mr Acting Justice R G Buchanan said he did not believe prior notice need be given to someone detrimentally implicated.

The Human Rights Violations Committee also took note of today’s order from the Cape Supreme Court requiring that it should give two retired police officers at least 30 days’ notice of a hearing at which they would be named. The committee will abide by the ruling. It will, however, oppose the confirmation of the order when the court hears full argument on the matter on June 13. It will also contest the allegation that it acted in contempt of last month’s court order.

ends
NEWS RELEASE FROM THE TRUTH AND RECONCILIATION COMMISSION

The Human Rights Violations Committee of the Truth and Reconciliation Commission plans to hold nearly 50 public hearings in more than 35 towns throughout South Africa before the end of the year.

Hearings lasting between two and five days will take place in areas ranging from Nelspruit to Namaqualand and from Hermanus to Pietersburg.

Hearings have been provisionally scheduled for 28 of the 31 weeks between June and December. On some days, two or three hearings will take place simultaneously in different parts of the country. The total number of commission hearings will increase when Amnesty Committee hearings are announced.

Also still to be scheduled are hearings for political parties, non-governmental organisations and other institutions. A number of submissions from NGOs have already been received after a special appeal was made earlier this year to interested organisations in South African society.

The TRC operates from four regional offices, and commissioners and staff in each regional office have been split up into teams to arrange hearings.

The Human Rights Violation Committee’s hearings schedule for June follows:

June 10 and 11 - Kimberley June 18 and 19 - George June 18-20 - Umtata June 24-26 - Worcester.

Details of hearings from July will be released when dates and venues are confirmed.

ends
May 31, 1996

STATEMENT BY THE EXECUTIVE COMMITTEE OF THE TRUTH AND RECONCILIATION COMMISSION

The Executive Committee of the Truth and Reconciliation Commission resolved today to ask its investigating unit to call upon a number of individuals to appear at investigations aimed at obtaining further information about alleged human rights violations.

The Commission will if necessary use its powers under Section 29 of the Promotion of National Unity and Reconciliation Act to summon the individuals to the investigations. The Commission will not at this stage release the names of those to be approached.

The Act provides that Section 29 investigations are confidential until the Commission decides to release details, or until there is a public hearing. Should it emerge at a Section 29 investigation that people have relevant information, public hearings may well follow.

A number of members of the executive committee yesterday had consultations with South Africa's Attorneys-General. It was agreed at the meeting that the Commission should liaise with Attorneys-General to minimise the potential for conflict between Commission investigations and those carried out by the offices of Attorneys-General.

ends
June 5, 1996

HUMAN RIGHTS VIOLATIONS OUTREACH PROGRAMME

Issued by: Truth and Reconciliation Commission

The TRC's Western and Northern Cape Region starts preparations tomorrow (Thursday) for it's next round of Human Rights Violations hearings, due to start in August. A meeting will be held with NGO's, local government representatives and other role players in Beaufort-West, to start the process of statement-taking that will lead up to public hearings between 12 and 14 August 1996 in the Karoo region.

The first regional phase of the commission's efforts to reach out to communities in the outlying areas, started in April with statement-taking in the Boland, South Cape and Northern Cape. This will culminate from next week in three hearings, one in Kimberley, one in George and one in Worcester - during this month.

In the meantime, the teams are also moving out in the Karoo, Tygerberg and Helderberg areas and the West Coast/Namaqualand area to prepare for hearings during August.

Tomorrow's meeting will be addressed by Commissioners Mary Burton and Dr Mapule Ramashala. They will inform the attendants about the work of the commission, and ask for volunteer statement-takers and other support from the area, to enable the commission to document and hear accounts of gross human rights violations in the Karoo during the Apartheid era.

A public meeting will be held on June 20, this year in Beaufort-West to inform the public about the process after which statements will be taken across the Karoo region.

KIMBERLEY HEARINGS:

Altogether 18 cases of gross human rights violations will be heard at the Kimberley hearings which will be held from Monday, June 10 to 11. The commission's statement-takers took about 150 statements from witnesses in the Northern Cape area during the last six weeks. Many witnesses have however, elected to stay anonymous and their statements will be investigated and passed on to the Reparations and Rehabilitation Committee.

ends
June 12, 1996

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

The Truth and Reconciliation Commission is concerned at the possible implications for the Commission's work of reports that the ANC is to ask its members to consult the party before approaching the TRC.

We are particularly concerned that the publicity around the matter might discourage ANC members from approaching the Commission without prior clearance from the party.

We find it impossible to believe that a political party would seek to muzzle its rank-and-file members by vetting their statements before they approach the Commission, and we intend seeking clarification on the ANC's position.

The Commission continues to urge all parties to encourage their members to approach the Commission. We are an independent institution, our doors are open to all South Africans, including members of all political parties.

ends
CAPE TOWN June 14, 1996

STATEMENT BY COMMISSIONER ADV. DENZIL POTGIETER

WESTERN AND NORTHERN CAPE OFFICE

I have taken note of the press release dated 11 June 1996 issued by the Attorney-General of the Northern Cape in regard to the evidence of a witness, Mr Walter Smiles, at the recent sittings of the Human Rights Violations Committee in Kimberley.

I do not wish to enter into a media debate regarding the merits of evidence presented to the Commission or matters I have handled in the past in my professional capacity. That is highly improper. I merely wish to point out that the Attorney-General's version relating to the criminal trial of D. Nkohla & Another contains various factual inaccuracies.

I must however express my astonishment at the attack launched against me by the Attorney-General and his view that I acted highly improperly in forming part of the panel which conducted the sittings in Kimberley. This view clearly results from a defective understanding of the process of the Truth and Reconciliation Commission and a misreading of the applicable provisions of the Promotion of National Unity and Reconciliation Act, 34 of 1995.

The panel which received evidence during the Kimberley sittings is a sub-committee of the Human Rights Violations Committee which acted in terms of Section 14(1)(a)(ii) of Act 34 of 1995. Its sole function was to gather information and receive evidence concerning victims of gross human rights violations. It is not called upon to make any findings. Moreover, this fact was made abundantly clear during his opening remarks on the first day of the sitting, by the Chairperson of the Commission who presided on the first day.

Any matter coming before the Human Rights Violations Committee, whether dealt with at a public hearing or not, is subjected to investigation and all the relevant facts are established and information collected. Thereafter a finding is made by the full Committee as to whether a gross human rights violation has been committed and who the victim is. In the case in question, that of Mrs Mokone, the sole question is whether the death of her son in the hand grenade attack amounts to a gross human rights violation. This is the question which the full Committee must eventually decide upon. The Committee does not decide any issues relating to the perpetrators or the two persons previously convicted for the incident.

It is therefore clear that the criticism of the Attorney-General is devoid of any merit and that no weight can accordingly be attached to his views that I acted improperly or as "the judge in my own case". It is simply ludicrous. Besides, the fact that a legal representative acts in a particular matter, does not mean that the matter becomes the legal representative's "own case". The legal representative acts on the instructions of his client. The Attorney-General ought to know this. There is accordingly no need, for example, for the Attorney-General to defend his own decision to proceed with the prosecution against the two persons who were eventually convicted, in the light of the evidence presented to the Truth Commission. Such a decision is taken in a professional and not a personal capacity.

I regard the attitude of the Attorney-General in negatively commenting on the evidence of Mr Smiles in the media as extremely unfortunate, particularly in view of the fact that such evidence was never tested in a Court. He significantly chose to deal with the matter in a media release without raising the matter with the Commission. This is moreover against the spirit of recent discussions which took place between the Truth Commission and all Attorneys-General. The alleged "full police investigation" or the evidence of a "marshall" which he seemingly relies upon does not justify such attitude. The "marshall" incidentally also testified at the Truth Commission sitting and alleged that the police coerced him into testifying at the criminal trial and that he never saw who threw the hand grenade. The Attorney-General significantly failed to deal with this evidence in his media release.

I may add that the Attorney-General's attempt to ascribe the evidence given by Mr Smiles to intimidation, is patently baseless, speculative and would fail to impress any reasonable person.

One hopes that the Attorney-General shares the concern of the Commission to establish the truth and would adopt a
much more constructive attitude in regard to the numerous cases of human rights violations heard at the Kimberley hearings, than to target the evidence of one witness for public criticism and one of the Commissioners for personal attack.

ends
DURBAN June 19, 1996

KWAZULU-NATAL HEARINGS

From: MDU LEMBEDE - TRC Spokesman

After the highly successful human rights violation hearings that were held at the Jewish Centre in Durban last month, the KwaZulu-Natal/Orange Free State Region of the Truth and Reconciliation Commission is to hold a series of hearings in various parts of the two provinces that the regional TRC covers.

It will kick-off by holding the next hearings for victims of gross human rights violations in Bloemfontein. These hearings will be held over three (3) days, from July 2 to July 4, at the town's City Hall on the corner of Voortrekker and President Brand streets.

The Bloemfontein hearings have all the hallmarks of being a major event. The TRC intends to accord them the same high-profile status that it gave all other first victim hearings that were held in different provinces. Both the chairman of the TRC, Archbishop Desmond Tutu and his deputy, Dr Alex Boraine, will officiate on the first day of the Bloemfontein hearings.

NB: The Bloemfontein Hearings will be preceeded by a special inter-faith church service at the City Hall on Sunday June 30, From 1pm - to pray for victims + their families.

Among cases of human rights abuses that will be heard over the three-day period, will be cases of torture, murders, disappearances, massacres, excessive ill-treatment etc.

These hearings will be followed by yet another victim-hearing which will be held at the Pietermaritzburg City Hall over three days, from July 23 to July 25. It will be remembered that the bulk of gross violations, especially in the 80's, took place in the Natal Midlands in general and Pietermaritzburg in particular.

The Maritzburg hearings will unfortunately coincide with the very first regional Amnesty hearings, where perpetrators are expected to pour their hearts out, and confess to the world their evil deeds, in the hope that they would subsequently be granted amnesty.

The regions first amnesty hearings will be held in Kroonstad in the Free State from July 22 to July 26. These hearings will be held at the Mphohadi College of Education in Maokeng Township in Kroonstad. Some of the most interesting cases are scheduled to be held during these hearings.

Apart from victim hearings and amnesty hearings that are scheduled to be heard, this region is also planning to hold a series of what is now known as EVENT HEARINGS, in which events of gross human rights violations against whole communities and or groups of people will be brought to life.

Event hearings that the region has targeted, include the Trust Feed Massacre, The A-Team reign of terror in Bloemfontein, the "7-Day War" in Pietermaritzburg, Richmond attacks that left scores dead and thousands displaced and a host of other cases.

ATTACHED, FIND THE KWAZULU-NATAL/FREE STATE REGION FROM JUNE 1996 TO MARCH 1997. I will notify you in time in case of any changes that may have to be schedule.

Kwa-Zulu-Natal - Free State Region

Hearing Schedule

May 1996
29:Briefing in Bethlehem
30: Briefing in Bloemfontein
31: Statement taking training in Free State

June 1996
1: Statement taking training in Free State
4-7: Statement training workshop in Pietermaritzburg

July 1996
2-4: Hearing in Bloemfontein
23-25: Hearing in Pietermaritzburg

August 1996
1-2: Hearings in Durban
12-13: Hearings in Port Shepstone
29-30: Hearing in Durban

September 1996
11-12: Hearings in Newcastle
25-27: Event Hearings in Durban

October 1996
10-11: Hearings in Free State
22-23: Event Hearings in Durban

November 1996
6-7: Hearings in Empangeni
19-21: Event Hearing in Pietermaritzburg: 7 Day War

December 1996
4-5: Hearings in Free State
17-18: Hearings in Durban

January 1997
16-17: Hearings in Estcourt
29-30: Hearings in Durban

February 1997
11-12: Hearings in Kokstad
27-28: Hearings in Durban

March 1997
12-13: Hearings in Free State

The promotion of National and Unity Reconciliation Act was passed into law on July 27, 1995.

The law flowed from the injunction in the interim constitution that Parliament should provide a mechanism to grant amnesty to people on both sides of the apartheid struggle who committed gross violations of human rights.

The purpose of the TRC, as stated in the preamble to the act, is to establish as complete a picture as possible of the nature, causes and extent of gross violations of human rights committed between March 1960 and December 5 1993. (The earlier date is seen as the start of the armed struggle against apartheid while the latter was the date on which the National Party handed over power to the multi-party Transitional Executive Council.

The commission is also charged with establishing the fate of victims of the apartheid conflict, affording these victims an opportunity to relate their stories in public and recommend measures Parliament can take to grant reparation and some
form of rehabilitation to victims.

The act gives the commission 18 months from its establishment last November to complete its task and another three months to write its final report. These deadlines could be extended by 6 months by Parliament.

The commission has been divided into three subcommittees THE HUMAN RIGHTS VIOLATION COMMITTEE (HRV), THE REPARATION AND REHABILITATION COMMITTEE (R&R) and the AMNESTY COMMITTEE (AC).

The TRC is composed of a team of 17 commissioners supplemented by 12 other selected committee members functioning within the above-mentioned 3 standing committees and one (1) INVESTIGATIVE UNIT (IU).

Through its HRV Committee, the TRC shall amongst others hold victim-friendly public hearings to give the victims, survivors and perpetrators of gross human rights violations an opportunity to tell their stories. Through its IU the TRC is able to search and investigate reported acts of violations, including torture, death in detention, severe ill-treatment etc. Through the R&R the commission shall clamour to provide immediate interim reparative measures to victims and survivors of human rights violations and recommend policy directions to the President to help prevent similar and future acts of violations. Through the AC the commission holds public hearings to consider amnesty applications from perpetrators upon their full disclosures and acknowledgement of the committed acts.

COMMITTEE ON REPARATION AND REHABILITATION

The main function of this committee is to consider the plight of victims referred to it by the other two committees. Any person who is of the opinion that he or she has suffered harm as a result of a gross violation of human rights may apply to the committee for reparation. After investigating the claim the committee may recommend appropriate reparation to the victims. The commission always uses the world "reparation" rather than "compensation" because it realises that it would never be in a position to be able to fully compensate victims, financially or otherwise, for the harm they suffered.

ends
WORCESTER June 25, 1996

STATEMENT BY ARCHBISHOP DESMOND TUTU

The following statement was read by Archbishop Desmond Tutu into the record of the TRC hearing being held in Worcester, Western Cape, this morning.

As a consequence of the various news reports circulating this morning about a letter received by the Commission last Friday, I will read a brief statement on the situation.

A lawyer representing 22 members and ex-members of the South African Police has written to me saying that his clients are prepared to approach the Commission with amnesty applications. He has told me their actions are supported by Mr Vlok and various former generals of the SAP, who will accept, where applicable, collective responsibility and who may also apply for amnesty. The lawyer has also provided us with a list of incidents to be covered by the proposed applications.

No amnesty applications have been received yet. Reports that the generals themselves have written to us are not correct, and it is also incorrect that 20 generals are involved.

The Commission will not at this stage provide any further details of the letter. The lawyer who wrote to us had not yet had a reply when the news emerged -- which we regret -- and we would prefer to conduct discussions directly with lawyers and not through the media.

We are determined to handle this matter carefully and correctly, and we will of course be consulting with the Chairperson of the Amnesty Comittee, Judge Hassen Mall. The potential amnesty applicants will be treated in the same way as any other amnesty applicant, namely in a dispassionate and even-handed manner.

ends
July 4, 1996

STATEMENT BY DR ALEX BORAINE

Issued by: Truth and Reconciliation Commission

Dr Alex Boraine, Deputy Chairperson of the TRC, issued the following statement after a meeting which he and Commissioner Dumisa Ntsebeza held this afternoon with the Gauteng Attorney-General, Dr Jan D'Oliveira, senior members of his staff, and Mr Joe Mamasela.

"We held very constructive discussions at two meetings today.

"We first met separately with Dr D'Oliveira and senior members of his staff, where we discussed at length the respective roles of the Attorney-General's office and the Commission. We agreed that in spite of the fact that we have different functions under the law, it is the task of both institutions to establish the truth, and that we should co-operate with one another, as we are obliged to do in terms of the Act which created the Commission.

"In a subsequent meeting, during which we were joined by Mr Mamasela, we assured him that we were not on a witch-hunt, nor were we targeting him specifically. Our major concern was to collect all available information which could be of help to the Commission in fulfilling its mandate.

"We were given a considerable amount new information during the meeting, including information about the killing of the PEBCO Three. This comprised details of how, by whom and why they were killed. The information was obtained in terms of the powers given to the Commission in Section 29 of the Act, which means it will remain confidential at this stage of our investigations. However, we can say it will help us enormously.

"Additional information was given to us by the Attorney-General which will help with investigations relating to so far unsolved incidents allegedly perpetrated by Third Force elements.

"We will report fully on the meeting to the Chairperson and the full Commission.

"Decisions on what use we will make of the information we gained, as well as any decision to subpoena Mr Mamasela or other individuals will be made by the full Commission."

ends
STATEMENT FROM THE COMMITTEE ON AMNESTY OF THE TRUTH AND RECONCILIATION COMMISSION

Issued by: Truth and Reconciliation Committee

The Amnesty Committee of the Truth and Reconciliation Commission will hear amnesty applications later this month from six prisoners serving sentences of between 13 and 20 years for crimes including murder.

The Committee holds its next round of hearings in Pretoria, at a venue provided by the CSIR, between July 15 and 19.

The six applicants were tried in two cases in the Transvaal Provincial Division of the Supreme Court:

Hendrik Gerber and Johan Andre van Eyk were convicted of the murder of Mr Samuel Kganakga and sentenced on February 19, 1993. Gerber was jailed for 20 years and Van Eyk for 15 years.

Four brothers and alleged AWB supporters - Adriaan van Straaten, Willem Jacobus van Straaten, Gideon van Straaten and Dawid Petrus van Straaten - were convicted of murder and robbery, and sentenced on May 14, 1991. They did not disclose their victim's name in their amnesty applications. Willem Jacobus van Straaten was sentenced to 15 years' imprisonment, and his brothers to 13 years.

The Amnesty Committee moves to Kroonstad in the week beginning July 22, where it will hear applications from prisoners serving sentences in the nearby prison. The names of these applicants will be released later.

ends
July 10, 1996

STATEMENT FROM ARCHBISHOP DESMOND TUTU, CHAIRPERSON, AND DR ALEX BORAINE, DEPUTY CHAIRPERSON

Issued by: Truth and Reconciliation Commission

Following requests from a number of political parties, the Commission today reluctantly decided to postpone its plans to receive submissions from the parties on Friday July 12. A new date for the submissions will be negotiated with the parties.

The Commission was told by the parties concerned this morning and early this afternoon that:

- The ANC did not want to present submissions on Friday because of President Mandela's State visits overseas;

- The Pan Africanist Congress was not yet ready to hand in its submission; and

- The Freedom Front had reconsidered its position because it was formed after the period covered by the Commission's mandate, and did not want to present a submission until it had consulted with other right-wing parties.

In addition, the Inkatha Freedom Party had not yet indicated whether it would make a submission.

The National Party was told of these developments at lunchtime today. It was ready to make its submissions but decided that because other major parties would not attend, it would delay its presentation. The Commission decided to postpone Friday's arrangements when it became apparent that no major party would make submissions.

Negotiations on the new date still need to take place. The ANC has asked that it be after July 29, on the grounds that President Mandela will be back in the country. Its motivation is that it would be invidious for the President to be faced with questions relating to his party's submissions while he is overseas on official business representing all South Africans.

ends
STATEMENT FROM THE COMMITTEE ON AMNESTY OF THE TRUTH AND RECONCILIATION COMMISSION (TRC)

Issued by: Truth and Reconciliation Commission

An amnesty application by two members of an organisation called the National Socialist Partisans (NSP) will be heard by the Amnesty Committee of the Truth and Reconciliation Commission in Pretoria next week.

The applications are from Cornelius Johannes van Wyk, serving sentences of life imprisonment on three counts of murder, and Jean Prieur du Plessis, who is serving 12 year's imprisonment for crimes including robbery, the theft of weapons from the SA Defence Force and illegal possession of firearms.

Van Wyk was convicted of the murder of Ms. Makoarela Dobani, Mr. Wilson Dobani and Mrs. Maria Claudine Roux at Cloud's End, Louis Trichardt, in October 1991. Du Plessis was acquitted on these counts at their trial, but both men were convicted on seven other charges arising out of their activities.

The men were sentenced in the Transvaal Provincial Division of the Supreme Court in September 1994.

Two other members of the NSP, Johannes Jurgens Grobbelaar and Jurgen Matthews White, died after being pursued in a stolen car by the South African Police at Noenieput, near Upington, in November 1991.

(Mr. Grobbelaar's mother gave evidence at a hearing of the Commission's Human Rights Violations Committee in Johannesburg in April, where she raised questions about the manner of her son's death.)

ends
AMNESTY HEARINGS IN KROONSTAD

Issued by: Truth and Reconciliation Commission

The killing - execution style - in February 1992, of one most feared man in and around Kroonstad, George "Wheety" Ramasimong, the boss of the notorious "R3 MILLION GANG", and the subsequent slaying of some of his top lieutenants is to feature very prominently during the amnesty hearings in Kroonstad next week.

Out of the nine applications for amnesty that the amnesty committee is going to process, at least five have to do with murder of members of the R3 MILLION GANG.

The seven-member Amnesty Committee of the Truth and Reconciliation Commission, made up of three Supreme Court judges and four advocates, will spend five days listening to the testimony of the applicants, at the Mphohadi College of Education in Moakeng township.

The amnesty hearings at this venue will be held from Monday July 22 to Friday July 26. The hearings will commence each day at 9 in the morning.

An alleged former commander of the Self Defence Unit in Kroonstad, Roland Roy Petrus, who is serving a 14-year prison term for the murder of Ramasimong has applied for amnesty ad will be appearing before the committee.

Other who have applied for amnesty on the grounds that they killed members of this gang, include Johannes Paseka Mpondo who is serving an eight-year term for the murder of gang member, Tsietsi Leboko in Moakeng in, May 1991.

Machabe Petros Thulo who is serving a 10-year term for the murder of gang member Masusu Ngema in Gelukwaarts in February 1991. Nthabeleng Simon Bothetsa who is serving 9 years in prison for the murder of gang member Buti Sekotome in Phomolong township on Christmas Day in 1991, also has applied.

The R3 MILLION GANG a notorious criminal gang that was reportedly adopted by security forces and used extensively by the police to wipe out all the opponents of the state in the area, is reputed to have been responsible for a series of brutal murders, rapes, extortion and robberies. Its work for the police set it on a collision course with activists who were fighting apartheid at the time.

Other applicants for amnesty include Sebolai Justice Segopa who is serving a 27-year term for the murder of three white men and a woman who were killed and set alight in their car near Odendaalsrus in September 1990. Tsediso Ephraim Moalosi serving 11 years for murder of a policeman in Ventersberg. David Thamsanqa Jackson, serving 12 years for the murder of Oupa Petrus Dithebe in Theunissen Joseph Molefe Tshukudu sentenced to 14 years for killing a man in Moakeng township during a consumer boycott and Mandelakapheli Dlamini sentenced to 27 years for murder and arson committed in 1990.

MEDIA ACCREDITATION

All members of the media who will be covering these hearings need to be properly accredited and would therefore have to notify the TRC in time so that we know the numbers we need to cater for.

ends
STATEMENT FROM THE COMMITTEE ON AMNESTY OF TRC

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation is scheduled next week to hear separate amnesty applications from Kwane Sebe, son of former Ciskei leader Lennox Sebe, and from 12 Mdantsane residents who necklaced four alleged gang members.

The applications will be heard by the five-member Committee at hearings in East London.

Sebe, 38, the former commander of the Elite Unit of the Ciskeian Police, is serving 21 years in prison for the bombing of a bottlestore and a house belonging to his former second-in-command, Mr Zandisile Ngwanya.

Court evidence was that a six-man unit of the Ciskeian Defence Force blew up the Keiskammahoek bottle store with military explosives in May 1989. Sebe was convicted of malicious damage to property and jailed for nine years on this charge. In a later trial, he was jailed for 12 years after being convicted, again of malicious damage to property, for the bombing of a house in Peddie in December 1989.

The Mdantsane applicants are serving terms of imprisonment ranging from 10 to 23 years after being convicted of murdering four alleged members of the Killer Boys' gang in Mdantsane in February 1987.

The applicants are: Bonakele Horatius Jwambi, 48; Luyanda Kana, 34; Mzwabantu Patrick Katsi-Katsi, 33; Mseki Mbusi, 38; Bangikhaya Petros, 27; Xolile Edgar Nkukwana, 30; Mandlenkosji Jabavu, 35; Mbuyiselo Klaas, 29; Raymond Monwabisi Kana, 39; Mabongo Jamela, 33; Thando Kana, 31; and Soyiso Zuzani, 30.

They murdered Mr Folie Bushula, Mr Mpumelelo Mbinqo, Mr Mkhuseli Yellem and Mr Archie Booi Swartland. They were sentenced in the Bisho Supreme Court on June 6, 1989. They have declared themselves in their amnesty applications to be members or supporters of the African National Congress.

ends
**July 25, 1996**

**MEETING BETWEEN TRC AND MEMBERS OF THE NGK**

Issued by: Truth and Reconciliation Commission

A meeting between members of the Moderamen of the Western Cape Synod of the Dutch Reformed Church (NGK) and members of the TRC took place on Wednesday, July 24, in Cape Town.

A number of issues were discussed with a particular focus on the role of the churches may play in the TRC's long-term goal of reconciliation. The meeting explored various ways of encouraging members of the white community to participate in this process.

The necessity of evenness in the approach of the TRC was also emphasized.

The meeting was chaired by the moderator of the NGK (Western Cape), Dr. Frits Gaum, and it was also attended by Dr. Coenie Burger, Prof. Pieter Coertzen and Rev. Christo Alheit of the NGK. The TRC delegation consisted of Mary Burton, Pumla Gobodo-Madiki Zela, Piet Meiring and Wilhelm Verwoerd.

ends
CAMERAS IN TRUTH COMMISSION HEARINGS

The Truth and Reconciliation Commission is experiencing increasing problems as a result of the use of cameras in its hearings.

This appears to be a result of a lack of awareness, specifically among photographers and camera crews newly assigned to the TRC, of the history of negotiations around the decision to allow cameras. Those responsible for assigning staff are asked to bring this advisory to the attention of those covering the TRC, in particular those who have not covered hearings before.

1. PRINCIPLES

The TRC's intention is to run its hearings with the decorum and dignity of court proceedings. South African courts do not allow cameras in hearings, but the TRC, after examining guidelines from Canada, Scotland and the USA and in discussion with broadcasters, has adopted a policy which allows video cameras under carefully controlled conditions. These conditions are designed to ensure that cameras and lights are unobtrusive and that the dignity of victims and survivors of human rights abuses is respected.

Increasing numbers of photographers and camera operators new to TRC hearings arrive expecting to operate on the same basis as they would at a public meeting. The TRC's policy does not allow for this.

2. STILLS PHOTOGRAPHERS

We are not aware of any courts which allow stills photographers to operate during hearings. At TRC hearings, the Commission's media liaison officers arrange a photo opportunity at the beginning of each hearing, before the hearing convenes.

Other photo opportunities, if any, are to be agreed in advance with the TRC media liaison officer at the hearing. Media liaison officers have discretion to decide on further photo opportunities, taking into account factors which determine whether they can happen in an unobtrusive and controlled manner. If stills photographers are admitted to hearings, they are generally not permitted to move around.

3. VIDEO AND FILM CREWS

These crews are admitted to hearings on the basis of guidelines which are available from TRC media liaison officers.

The positioning of cameras and lights is subject to the approval of the TRC. Cameras should not be obtrusive and must retain fixed positions during hearings. Lights should not be shone directly onto the faces of participants. Those admitted to hearings are required to make a feed available to the TRC to be distributed to other broadcasters and journalists. If the cameras of only one broadcaster can be accommodated, other broadcasters can be required to take a feed.

4. GENERAL ADVICE

Early planning and consultation with TRC staff and sound contractors can avoid many of the problems broadcasters have been experiencing.

ends
August 6, 1996

PORT SHEPSTONE AND DURBAN HEARINGS

Issued by: Truth and Reconciliation Commission

Monday 12 to Thursday 15 August

HUMAN RIGHTS VIOLATION HEARINGS

The Inkatha Freedom Party (IFP) will feature prominently for the very first time when many of its members appear before the Truth and Reconciliation Commission in two simultaneous sittings in KwaZulu-Natal region next week.

The commission will hold its human rights violation hearings in Port Shepstone from Monday August 12 to Wednesday August 14 where survivors and families of victims will relate stories of gross violation of their human rights.

The hearings will be at Marburg Haven, a well known civic facility very close to the Port Shepstone city centre.

Among about 30 cases that will be heard by the panel of two commissioners and four committee members, will be that of 11 victims of a brutal massacre of IFP-aligned youths on September 4 in 1992, an incident that shattered and changed the lives of people of Nsangwini village near Port Shepstone in the KwaZulu-Natal South Coast.

The youths, all huddled in a hut at the home of local IFP leader, waiting for a bus that was to take them to a weekend conference in Ulundi, were unexpectedly cornered by unknown gunmen and massacred. Other cases due to be heard by the commission include those of murder, torture, massacres arson and kidnappings, allegedly perpetrated mainly by security forces and IFP members and officials.

AMNESTY HEARINGS

Meanwhile, the very first amnesty hearings in Durban will coincide with the human rights hearings in Port Shepstone.

The amnesty hearings in Durban will be held at the Recreational Hall at the Westville Prison, from Monday August 12 to Thursday August 15. The prison Hall is easily accessible to members of the public and the hearings will be open to everyone and entry is free of any charge. The event will be fully covered by television, radio and other media. The hearings start at 9 each morning and last the entire day.

Three members of the AWB including the commandant of the Orde Boerevolk in Richards Bay, who killed seven passengers who were traveling in a bus near KwaMashu in October 1990 have applied for amnesty and will appearing before the commission in the Durban hearings. The three men were sentenced to death, which was late commuted to 25 years imprisonment. The forth applicant for amnesty is former Empangeni murder and robbery unit detective, an alleged member of the IFP, who killed two badly injured suspects he claimed were ANC members.

MEDIA ACCREDITATION

All members of the media who will be covering both hearings need to be properly accredited and would therefore have to notify the TRC in time so that we know the numbers we need to cater for. Applications for accreditation, in a letterhead, stating name and title of applicant should be forwarded as soon as possible.

ends
August 7, 1996

NAMES AND DETAILS OF APPLICANTS FOR AMNESTY

Issued by: Truth and Reconciliation Commission

Monday 12 to Thursday 15 August

NAMES AND DETAILS OF APPLICANTS FOR AMNESTY

The Amnesty Committee of the Truth and Reconciliation Commission which will sit in KwaZulu-Natal for the very first time next week, is scheduled to hear amnesty applications from three members of the AWB and the Orde Boerevolk who killed seven passengers in an early morning attack on a bus traveling near KwaMashu in October 1990.

The Amnesty Committee's four day sitting, from Monday 12 August to Thursday 15 August, will be at the Recreational Hall at the Westville Prison. The hall is easily accessible to members of the public and the four-day amnesty hearings are fully and freely open to all.

Apart from the three AWB members, the committee will listen to an unrelated fourth application from a former officer of the murder and robbery unit in Empangeni and alleged member of Inkatha Freedom Party (IFP), Hendrik Jacobus Steyn (34), who killed and injured suspects he had detained and attempted to kill another. He now claims both men were his political opponents.

Steyn is currently serving an 18-year prison term for the crimes he committed in the KwaMbonambi district in August 1992.

The three AWB members are David Petrus Botha (51) formerly the Richards Bay commandant of the Afrikaner Weerstandsbeweging (AWB) and a cell leader of the Orde Boerevolk (OB) and two of his cell members Adriaan Smuts (44) and Eugene Steyn (33).

The three men were sentenced to death in December 1992 for the bus attack. They subsequently had their sentences commuted. Botha is serving a 30-year sentence and Smuts and Marais 25-year sentences.

The men attacked the bus on October 9 1990. The trial court was told at the time that they were avenging an attack upon pedestrians who had been attacked and some stabbed the previous day in the Durban city centre by a group of youths wearing Pan Africanist Congress T-shirts

The three were convicted of seven murders and 27 counts of attempted murder.

MEDIA ACCREDITATION

All members of the media who will be covering amnesty hearings need to be properly accredited and would therefore have to notify the TRC in time so that we know the numbers we need to cater for.

Applications for accreditation, on a letterhead, stating name and title of applicant should be forwarded as soon as possible.

ends
ACCREDITATION TO COVER POLITICAL LEADERS SUBMISSIONS

Issued by: Truth and Reconciliation Commission

ACCREDITATION TO COVER POLITICAL LEADERS SUBMISSIONS TO THE TRUTH AND RECONCILIATION COMMISSION

Political leaders will make their submissions to the Truth and Reconciliation Commission in Cape Town during the week beginning Monday August 19.

Space for journalists will be at a premium during the TRC sessions. Apart from regular TRC correspondents, indications are that political staff will be assigned to the TRC. The submissions coincide with a Parliamentary briefing week, so there may be a number of visiting foreign correspondents.

Thirty writers will be accommodated in the hearing venue. As many others as possible will be accommodated in extra rooms with TV monitors, but there will be a limit on overall numbers. The SABC will have cameras in the hearing, and the Commission's sound contractors will provide audio and video distribution amplifiers for other broadcast journalists.

Those wishing to cover the hearings should fax details as soon as possible, but no later than Wednesday August 14, to the TRC Media Liaison Office, 7th Floor, at Cape Town fax number (021) 24-5225.

Those already accredited to cover TRC hearings also need to fax details again.

A further advisory on accreditation arrangements will be sent out when we have assessed the demand for places.

The schedule for submissions is as follows:

Monday August 19: Freedom Front, ACDP
Tuesday August 20: PAC
Wednesday August 21: NP
Thursday August 22: ANC

ends
August 13, 1996

TRC POSTPONES PORT ELIZABETH HEARING

Issued by: Truth and Reconciliation Commission

ADVISORY NOTICE

The Amnesty Committee of the Truth and Reconciliation Commission has postponed indefinitely the hearing planned for Port Elizabeth next week, beginning August 19.

The submissions by political parties in Cape Town are now the only TRC public hearings planned for the week.

ends
SPECIAL HEARINGS FOR WOMEN

Issued by: Truth and Reconciliation Commission

JOHANNESBURG -- The Truth and Reconciliation Commission today approved a proposal that special hearings dedicated to women's testimony should be arranged in different parts of South Africa.

A full meeting of the Commission, held in Johannesburg, also resolved that "women need to be encouraged to speak out" about human rights violations which they have suffered. "There is a need to break the silence," the Commission said. "There is a lot of evidence of abuse of women in a political context, but this is in the private domain."

The Commission also noted that the presence of male Commissioners on TRC hearings panels may inhibit women in their testimony, and suggested that the composition of panels be negotiated with witnesses.

The full text of a report on the "TRC and Gender", as adopted by the Commission, follows:

"The mandate of the Truth and Reconciliation Commission is to establish as complete a picture as possible of the cases, nature and extent of the gross violations of human rights which were committed during the period March 1960 and December 1993. The antecedents, circumstances, factors and the contexts of such violations, as well as the motives of such violations, as well as the perspectives of the persons responsible for committing such violations should be established.

"The Commission, in response to a submission by Beth Goldblatt and Dr Sheila Meinjies, tasked Commission Yasmin Sooka and Glenda Wildschut to advise the Commission on how to respond to the submission.

"The submission was prepared following a workshop on Gender and the Truth Commission. A detailed analysis of women's experience of repression over the 33 years of the mandate of the Commission informed the very solid recommendations in the report.

"The report also draws attention to the issues of amnesty, reparations and gender-specific violence perpetrated by members of the security and liberation forces.

"TRC RESPONSE TO THE GENDER SUBMISSION:

"The TRC's response to the submission was very favourable. That violence against women and the specific sensitive nature of the types of violations against women warrants close attention by the TRC was accepted without question.

"The sub-group mandated by the Commission planned a workshop with a much broader representation of women to thoroughly discuss and debate how human rights abuse of women, in particular, needs to be dealt with by the TRC.

"The 40th anniversary of the march to the Union Buildings and National Women's Day seemed an appropriate time to host the workshop. The aim and objective of the workshop was to consult as broadly as possible the feasibility of the women's hearing and how that hearing should be conducted.

"142 individuals and organisations were invited to the workshop. Those organisations and individuals who could not attend were asked to make written comments on the questions posed by the workshop. In this way we were able to illicit as diverse opinions as possible.

"This report will not go into detail of the workshop, but would rather highlight the recommendations which came out of the workshop.

"RECOMMENDATIONS: (Accepted by the Commission on August 15):
Women will need a special hearing. Each region should hold at least one hearing dedicated to women.

The TRC should be sensitive to the cultural norms in specific communities to gender issues.

Women need to be encouraged to speak out, there is a need to break the silence. There is a lot of evidence of abuse of women in a political context, but this is in the private domain.

The TRC needs to act as a facilitator to empower women to tell their stories.

Some useful suggestions are:

- some women can tell stories on behalf of others.
- groups of women could come together and tell their stories as a collective
- hearings can be held in camera.

The presence of men on the panels may paralyse some women, therefore the composition of the panel should be negotiated with the testifiers.

Commissioners should receive training on gender-related issues.

Preparatory workshops, especially for rural women, should be held especially about how to deal with the media.

Church women's groups should be engaged to assist women to tell their stories.

Women as perpetrators also need attention.

Reparations policy should not be gender blind.

ends
August 16, 1996

STATEMENT BY ARCHBISHOP DESMOND TUTU AND DR ALEX BORAIINE

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission will arrange to have the amnesty applications of Dirk Coetzee, Almond Nofomela and David Tshikalanga heard and decided upon before any possible criminal trial.

The Human Rights Violations Committee of the Commission resolved on July 30 to consult with the Amnesty Committee on the possibility of asking the court which is due to try the three men to suspend proceedings pending the consideration and disposal of their amnesty application. A full meeting of the Commission, held in Johannesburg yesterday, approved the proposal. (Section 19 (6) of the Promotion of National Unity and Reconciliation Act gives the Amnesty Committee the right to request a suspension, in consultation with the relevant Attorney-General, when applicants are charged for acts or omissions which are the subject of their amnesty applications.)

However, now that the trial of the three men has been postponed until early December, another possibility is to arrange for their amnesty applications to be heard before the next court appearance. Among matters which have to be resolved before the Amnesty Committee can act are technical difficulties with the applications.

The Commission understands that a number of other important amnesty applications, from police officers connected to Vlakplaas, are being prepared for the Commission. It has taken note of the fact that other perpetrators of human rights violations, from a range of backgrounds, may also ask for trials to be suspended pending the hearing of their amnesty applications. It is willing to give consideration to expediting hearings of these applications as well, but will handle them on a case-by-case basis.

Although the Commission has taken seriously into consideration the views of those who want perpetrators of human rights violations prosecuted, it believes early amnesty hearings can save unnecessary trials and encourage perpetrators to come forward and reveal the truth about the past. Victims of violations are entitled to attend and give evidence at amnesty hearings.

ends
August 23, 1996

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

Issued by: Truth and Reconciliation Commission

The following is a transcript of a statement made by Dr Alex Boraine at a news conference in Cape Town on August 22, after he and the Chairperson had seen President Mandela.

"Yesterday I received an invitation from the President to see him in relation to a discussion that has been raging throughout the country regarding General Bantu Holomisa and his initial appearance before the Commission.

"You will recall that after he was dismissed as Deputy Minister, I made a statement to the effect that we were anxious that the integrity of the Commission should be maintained. I wrote to the President at the time, and he has now received that letter, and has read the letter, and asked if we would go and see him in response to that situation.

"He mentioned three specific points:

1. That he is totally committed to the Truth and Reconciliation Commission and its work and has never changed his mind on that;
2. That he believes that the Commission is independent and therefore it has the right to guard that independence; and
3. That it also has the responsibility to get to as much truth as possible and he personally as the leader of the ANC would encourage his people without let or hindrance, and without censorship, to appear before the Commission.

"This of course is very encouraging news as far as we are concerned. It doesn't come really as a surprise but nevertheless to have that affirmed is right. We, as you know, have asked Mr Mbeki to encourage members -- senior and other members of the ANC -- to appear before the Amnesty Committee where necessary, and to assist the Commission wherever possible. It's a request that we have made to every political party and we'll continue to make those requests."

ends
DURBAN HEARINGS FROM AUGUST 28 TO AUGUST 30

Issued by: Truth and Reconciliation Commission

The next sitting of the Truth and Reconciliation Commission in the KwaZulu-Natal region is to be at the Durban Christian Centre, over three days, from Wednesday August 28 to Friday August 30.

The Durban Christian Centre is housed at a building which used to be the Alhambra Theatre near the main campus of the Natal Technikon, at the bottom end of West Street. Hearings will commence at 9 am each day.

Testimony about the KwaMakhutha massacre, which has been in the headlines ever since General Magnus Malan and about 19 other people appeared at the Durban Supreme Court charged with killing the 13 people, mostly women and children, who were mercilessly butchered whilst sleeping in a house in KwaMakhutha in 1987, will be heard by the Truth Commission for the very first time.

Two prominent Durban businessmen whose human rights were grossly violated will also appear before the commission. The reign of terror in Chesterville township by the notorious A-Team, a vigilante group that was extensively used by the security forces to crush enemies of the state in the township, as well as the bloody battle between the IFP and ANC in KwaMakhutha township, are scheduled to feature prominently during these hearings at the Durban Christian Centre.

All in all, the commission is scheduled to listen to at least 35 cases of gross human rights violations during its three-day sitting in Durban.

Mrs Khanyisile Ethel Ntuli 52, the owner of the KwaMakhutha house where her husband and three daughters were among the 13 who were killed, will publicly tell her side of the story for the first time.

Mrs Ntuli will also ask the commission to investigate the death of her son, Victor, who was the intended target when the massacre was carried out. Victor was not at home at the time, but was killed at a later stage by a group of alleged IFP supporters.

Mrs Ntuli also intends to appeal to the commission to assist in evicting people who illegally took possession of her house when the family left the area soon after the massacre. The people who have forcibly occupied her house ever since, are said to be refusing to move out.

The two businessmen who will be testifying before the commission, are 81-year-old Mr Jacob Dlamini whose son was murdered and he personally was excessively harassed and ultimately driven out of his business, the Umlazi Cinema, and bankrupted after he permitted the use of his cinema by ANC-aligned organisations to hold meetings and sometimes their funeral services in Umlazi, which at the time was still an IFP stronghold.

Mr Dlamini will also relate an incident where he was assaulted after an exchange of words with the IFP leader Mangosuthu Buthelezi.

The other businessman is Mr Obed Sibonelo Mthembu who, together with his wife miraculously survived one of the most brutal attacks. The seriously injured couple crawled out of a fiercely burning house, into the hands of their assailants who repeatedly shot them and left them for dead. They survived and will tell their story to the commission.

Most other cases include those of murder, torture, disappearances, kidnappings, excessive harassment and assault.

ends
FEARS IN PAARL

August 26, 1996

Issued by: Truth and Reconciliation Commission

In a public meeting held in Mbekweni, Paarl, recently, TRC Committee member Ms. Pumla Gobodo-Madikezela found that a number of residents were concerned that if they gave statements to the Truth and Reconciliation Commission, this would provoke threats from people who do not want the details of past conflict to be exposed. Ms. Gobodo-Madikezela wants to assure the Paarl community that the work of the Truth Commission is not about witch-hunting and pointing a finger at those who are seen as having inflamed the conflict.

Rather, the objective of the Commission is to help resolve conflicts of the past, and to find explanation for them. However, we wish to inform every one that the Truth Commission has a witness protection programme. If anyone feels that their safety will be compromised as a result of making a statement to the Commission, she/he has a right to apply for protection. We would hope that the people of Paarl will join together in reflecting on the struggle in Paarl, and in sharing their experiences of suffering on all sides of the conflict. More statement taking has been scheduled for Saturday 31st August. This will take place at the Huguenot Community Hall and the Mbekweni Community Hall from 11a.m. until 5p.m. at both places.

ends
August 28, 1996

IPF TO PRESENT ITS SUBMISSION NEXT WEEK TO TRC

Issued by: Truth and Reconciliation Commission

The Inkatha Freedom Party will present its submission to the Truth and Reconciliation Commission in Cape Town next week. The IFP presentation will begin at 10 am on Thursday September 5.

ends
August 28, 1996

INVITATION TO SUBMIT SUGGESTIONS TO TRC

Issued by: Truth and Reconciliation Commission

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

The Human Rights Violations Committee of the Truth and Reconciliation Commission is issuing a public invitation to individuals and organisations to suggest issues which could be raised with political parties when they are recalled to the Commission.

Submissions made by parties last week are to be examined carefully by the Commission in the coming weeks. Once they have been thoroughly evaluated, the committee will consider recalling the parties to question their representatives further.

The Commission would value suggestions from members of the public on:

(1) Questions which could help the Commission in securing more information from the parties so that it can fulfil its mandate of establishing the truth about the past; and

(2) Issues which could be raised with the parties with a view to helping the healing of our country.

Detailed questioning of party representatives was deliberately held over until the Commission had an opportunity to study their submissions. When questioning takes place, it will be handled as an information-gathering exercise, not as a prosecution.

The public can send their contributions to the Chairperson, TRC, PO Box 3162, Cape Town 8000.

ends
August 30, 1996

FIRST AMNESTY FROM TRC

Issued by: Truth and Reconciliation Commission

The full text of the decision and reasons of the Amnesty Committee in the matter of Boy Diale and Christopher Makgale follow:

Boy Diale and Christopher Makgale were charged and convicted of the crime of the murder of Glad Mokgatle. The offence was committed on 29th December 1990 between Luka and Rooikraalspruit in the district of Bafokeng. They had both pleaded guilty to the charge. The trial court found that there were extenuating circumstances and on the 8th October 1991, they were sentenced to imprisonment of 12 years and 15 years respectively. They are at present serving their sentences at the Odi District Prison.

The applicants were among a group of ten people who went by Kombi to a house in Tshaneng to get the keys of the Bafokeng Civic Centre from Glad Mokgatle, who will hereinafter be referred to as the deceased. This was done in pursuance of a decision taken at a meeting of the Action Committee earlier that day. The original intention of the group was to take the keys of the Civic Centre from the deceased, kidnap him and hold him hostage for reasons which I shall mention later.

When the group arrived at the house in which the deceased was, they surrounded it. Some went into the house whilst others stayed outside. When they eventually encountered the deceased he came out of the house armed with a panga and appeared to be aggressive. The group overpowered him, put him in the Kombi and drove off. He was questioned about the keys to the Civic Centre, but proved to be unco-operative. Some members of the group assaulted the deceased and at a spot along the road the Kombi stopped, the deceased was pulled out and beaten up. The two applicants joined in the assault on the deceased and although initially they did not intend to kill him, emotions ran high and they were caught up in a frenzy of violence and although some members of the group did not want to kill the deceased the majority view was that he should be killed. When asked what the reason was for the decision to kill the deceased, Diale said "the main reason, we did not want him to identify us".

The assault on the deceased caused his death. When questioned about his precise participation in the assault on the deceased, Diale said:

"If it is a request from the Committee I will have to state it clearly. I kicked him, I hit him with my fists and I strangled his neck."

According to the evidence of the second applicant, the deceased was being attacked after he was pulled out of the Kombi and lying on the ground. His evidence was:

"I had a look at Mr Mokgatle and I could see that he was still alive. I took the sabre from him and I chopped him. I chopped him personally. I chopped him because I realised that we were heading for the prison. I wanted to sweep away the evidence."

The applicants were members of the Action Committee of the Bafokeng Tribe. There was overwhelming evidence that the killing of the deceased was due to the fact that he was chairman of the Tribal Council in the Bafokeng district. He had been appointed to that position by Mr Lucas Mangope, President of Bophuthatswana. The people of Phokeng looked upon the deceased as a person who was put into position to administer the affairs of the Tribe on behalf of the regime which the Bafokeng people did not recognise and had over a long period of time, strenuously resisted. The Civic Centre belonged to the Tribe, but control thereof had been taken over by the Mangope regime. The social, political and cultural activities of the Tribe could not take place in the Civic Centre unless it was assented to by the deceased in his capacity as chairman of the Tribal Council. The Civic Centre represented the symbol of the people's aspirations and they believed that in order to regain control of it, they had to get hold of the keys from whoever was in charge.
There was overwhelming evidence of the rejection by the Bafokeng Tribe of the Mangope regime as the Tribe did not want to be incorporated into the homeland of Bophuthatswana. The rightful chief of the Bafokeng people, namely Chief Molotlegi had been driven into exile in March 1988 and he was replaced by an appointee of Lucas Mangope. The tribe's desire to get their chief back to his rightful place as Chief of the Bafokeng was the earnest wish of both the applicants.

The background and context within which the crime was committed was set out in their application for amnesty and a portion of it reads as follows:

"The applicant is a member of the Bafokeng tribe. The Bafokeng own most of the platinum reserves in South Africa. Approximately 300 000 members strong, it receives R75 000 000-00 per annum in royalties from Impala Platinum. Prior to the independence of Bophuthatswana, the royalties were kept in trust by the SA government, Department of Foreign Affairs on behalf of the Bafokeng. After independence, Mangope assumed trusteeship and the royalties were paid directly into the account of the Bophuthatswana Department of Finance. The contribution of the tribe to the economy of this "state" was enormous and in these circumstances the Bafokeng expected that the Bophuthatswana government would give them due recognition. Such recognition was not forthcoming and a steady deterioration of the relationship between Mangope and the Bafokeng started in 1977.

"In 1983 the tribe attempted to secede and as a result, Mangope visited Phokeng on May 14 and told them:

'I have come to tell you to go, you must trek - I say vacate ... I am going to conduct a Commission of Enquiry here. I want you to know that as from now we are going to declare a state of emergency in Phokeng.'

"After the attempted coup in 1988, Chief Lebone Molotlegi of the Bafokeng, his wife and numerous members of the tribe were detained without trial; and without any charges being brought against them. When Chief Lebone was released, he left Bophuthatswana and went into exile in Gaberone. Before leaving, he appointed his Rangwane Mr Cecil Tumagole as leader of the tribe to act on his behalf in his absence.

"During 1988, all meetings of the Bafokeng Tribal Authority, Tribal Council and the Bafokeng Women's Club were banned. Under these circumstances it became impossible for the tribe to administer its affairs - e.g. major construction contracts relating to ongoing work could not be complied with and new contracts could not be considered and/or approved. Furthermore, Mangope intervened in the tribe's affairs and general administration and literally forced the tribe to business with Impala Platinum. Impala Platinum refused to make available to the tribe certain information regarding their mining operations as allegedly they had been assured by Mangope that they would not have to disclose the information.

"Mangope, mindful of the tribe's opposition to him devised a strategy whereby persons sympathetic to him were appointed to positions of authority within the tribe.

"As a result, George Molotlegi was appointed as Acting Chief and Glad Mokgatle as Chairman of the Tribal Council. Others sympathetic to his government were also appointed and those who opposed the Acting Chief were dismissed. In this was a completely changed leadership was created.

"On 4 April 1990, members of the tribe wrote a letter to Mangope requesting an appointment to discuss the leadership of the Bafokeng. All the signatories were picked up at their homes and taken to Mmabatho as a form of intimidation. Letters were also written to the former State President F W de Klerk and the Minister of Foreign Affairs Pik Botha, but to no avail. Mangope refused to meet with members of the tribe unless the meeting was arranged by the Acting Chief. In spite of the fact that the Acting Chief was part of the problem, the members were so desperate at this stage that in June 1990, 25 of them wrote to him requesting a meeting. All twenty five (25) of the signatories (including the secretary who had typed the letter, who at the time was five months pregnant) were detained."

Although it might appear from the evidence that the applicants, more especially the second applicant, made sure that the deceased died of his injuries because they feared that had he lived, he would most certainly have implicated them in the assault on him, the evidence as a whole leaves no doubt that the attack on the deceased was associated with a political objective, that is regaining control of the Tribe. In this regard it should be noted that in sentencing the two applicants the
Judge accepted the fact that their offence was politically motivated.

The applicants and their companions believed that they were acting on behalf of the Bafokeng people in furtherance of their political struggle against an oppressive regime.

The sons of the deceased were present and two of them gave evidence. They concede that the applicants had acted on behalf of the Bafokeng Tribe and expressed the wish that amnesty be granted to the applicants. They expressed the belief that reconciliation within the Tribe would be achieved if the applicants were released from prison and granted amnesty.

We have come to the conclusion that their conduct meets the requirements of the criteria set out in Section 20 (3) of the Act. They are hereby granted amnesty in terms of the Act in respect of the murder of Mr Glad Mokgatle on the 29th December 1990 in the district of Bafokeng.

Decision and reasons signed by Mr Justice H Mall, Mr Justice A B M Wilson, Mr Justice B Ngoepe, Mr C de Jager and Ms S Khampepe.

ends
August 30, 1996

TRC TO MEET FORMER POLICE COMMISSIONERS

Issued by: Truth and Reconciliation Commission

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

A delegation of the Truth and Reconciliation Commission will meet former police Commissioners tomorrow to discuss their co-operation with the Commission's investigations into human rights violations.

Dr Alex Boraine, the deputy chairperson, Mr Dumisa Ntsebeza, the head of our investigative unit and Mr Glen Goosen, the national investigations director, will join me at the meeting in Cape Town.

The meeting was arranged by telephone tonight with General J V van der Merwe, former Commissioner of Police, after he had proposed a meeting including himself, General H G de Witt, General M Geldenhuys and General P J Coetzee.

The background to the meeting is as follows. Some weeks ago Dr Boraine announced that the Commission had instructed its Investigative Unit to be in a position to begin, on August 29, the process of serving subpoenas to individuals who may have information which would help the TRC carry out its mandate to establish the truth about human rights violations between 1960 and 1993.

Also some weeks ago, Dr Boraine and I urged the Minister of Safety and Security to prepare a submission to the Commission which could help us to fulfil our mandate.

After press speculation this week on the identities of some of those who were about to receive subpoenas, the Ministry of Safety and Security, through Deputy President Thabo Mbeki, yesterday indicated to us that certain former police generals named as being on our list were helping the Ministry with its submission, and were willing to come forward voluntarily and work with the Commission.

We indicated to Deputy President Mbeki that if we were assured today by the generals concerned that they would work with the Commission, we would hold back on the issuing of subpoenas. General van der Merwe wrote to me proposing a meeting and, after discussions this evening, we agreed that it should be held this weekend.

The Commission has repeatedly invited all those with information which may help it to establish the truth to come forward. We are prepared to issue subpoenas, under Section 29 of the act which established the Commission, in order to get information. However, if we receive the full co-operation of those who have the information we are seeking, we will not need to pursue that course.

ends
STATEMENT FROM THE COMMITTEE ON AMNESTY OF THE TRUTH AND RECONCILIATION COMMISSION

The Amnesty Committee of the Truth and Reconciliation Commission will hear amnesty applications next week from a number of professed African National Congress supporters who were jailed for killings in gold-mining centres in North-West Province.

Four alleged AWB members will also apply for amnesty at the same round of hearings, to be held at the Ikageng Community Hall, Potchefstroom, from September 9 to 13.

Eleven people are due to apply for amnesty at the hearings.

Mpayipheli William Faltein, 23, and Johnson Themba Ncube, 25, who say they are members of the ANC Youth League, are serving effective 12-year prison terms on charges of murder and attempted murder. They were sentenced in September 1993, in the Circuit Court, Potchefstroom, for the murder in December 1990 of David Mayeko, allegedly a member of the "Vigilantes" gang, in Khutsong, Carletonville.

Peter Lebona, 24, and Thabo Solomon Lekitlane, 29, who describe themselves as ANC marshals, were each jailed for 10 years in October 1992 for the murder of J Z Dlamini in Kanana, Orkney, in July 1991.

Mosiwa Meshack Popane, 29, Gcinisizwe Dlanjwa, 26, and Thamsanqa Patrick Mkontwana, 25, were convicted of killing Abednego Nzimeni Mazwi at the Khuma taxi rank, Stilfontein, in October 1990. The three, who say they were members of the SA Youth Congress and the ANC, were sentenced to terms of imprisonment ranging from eight to 12 years for murder and attempted murder.

Four brothers and alleged AWB supporters -- Adriaan van Straaten, Willem Jacobus van Straaten, Gideon van Straaten and Dawid Petrus van Straaten -- were convicted of murder and robbery, and sentenced on May 14, 1991. They murdered Mr Wanton Matshoba and Mr Sazise Cyprian Qheliso in Vereeniging in June 1989. Willem Jacobus van Straaten was sentenced to 15 years' imprisonment, and his brothers to 13 years' each.

ends
September 04, 1996

TRC HEARINGS WILL BE IN NEWCASTLE FOR THREE DAYS

Issued by: Truth and Reconciliation Commission, Durban Office

The next sitting of the Truth and Reconciliation Commission in the KwaZulu-Natal region will be in Newcastle over three days, from Tuesday September 10 to Thursday September 12.

This will yet be another human rights violations hearing, where scores of victims, survivors, families and relatives of victims will come forward to tell stories of suffering, torture, kidnappings, massacres, murder, bomb blasts, harassment and arson, that form part of atrocities committed against them and their loved ones in the past.

These hearings will be at the local town hall, now known as the Newcastle Transitional Council Town Hall. They will start at 9 each morning, over the three days that the truth commission will be in town

CASES:

In the mid-80's, Newcastle and its surrounding townships Madadeni and Osizweni, became the battleground where the fiercest fights for political turf and the hearts and minds of supporters were fought between the ANC and IFP.

It was also in Newcastle, at a later stage, where every effort was made and every means possible tried to break the back of trade unionists and crush once and for all, the emerging black trade union movement, which was led by Cosatu at the time.

Both battles had heavy casualties and left hundreds of orphans. People will be relating details of some of the horrible things that happened at the time.

Survivors of a massive bomb blast that ripped through the Newcastle magistrate's court on November 1986, will tell their story. Also, the Hlobane Mine massacre, which made headlines worldwide, will come under the spotlight during the truth commission sitting next week.

IMPORTANT ANNOUNCEMENT: CANCELLATION OF HEARING

The regional management committee of the truth commission has decided to cancel hearings of the commission which were scheduled to be held from September 25 to September 27 at the Christian Centre in Durban. The cancellation has been forced by a very tight hearings schedule. A new date for these hearings will announced at a later stage.

ends
Ms Graca Machel will attend a workshop at the TRC's Johannesburg offices on Tuesday, September 17, 1996, where the United Nations Children's Fund (Unicef) will make a presentation on her international study on Children's Exposure to Armed Conflict.

The consultative workshop will focus on the extent of children's exposure to armed conflict in the light of unfolding information within the TRC; analysis of child survivors of armed conflict and specific forms of reparation; articulation of non-repetition and creative forms of rehabilitation.

A number of draft policies and decisions are also in the process of being finalised by the Commission's Reparation and Rehabilitation Committee (R & R) this month.

A draft of the Committee's proposals for Urgent Interim Relief (UIR) to victims of gross human rights violations will be available early next week, but will only be implemented after adoption by a full Commission meeting.

The Commission's Human Rights Violations Committee has until now taken statements from about 4 400 witnesses. Some victims might be eligible for UIR, pending the commission's recommendations to the president and approval by parliament, hopefully before the end of this session.

In addition, a document outlining the way in which longer term policy formulation in the R & R Committee could be dealt with, will soon be finalised. It deals amongst others with proposed reparation guidelines, universally accepted reparation categories, and restoration of victims dignity.

The R & R Committee is also planning the first R & R "hearing" in Bongulethu, Oudtshoorn before the end of November to assess the needs of victims for assistance. The hearing will be presided over by the seven members of the Committee, chaired by Commissioner Hlengiwe Mkize.

ends
September 20, 1996

STATEMENT FROM THE "BOSBERAAD"

Issued by: Truth and Reconciliation Commission

The following statement is from a "bosberaad" of the Truth and Reconciliation Commission which finished meeting yesterday. It was designed primarily for staff but is being released in the same form or the public.

Commissioners, Committee members and the senior management of the Commission yesterday ended a two-day bosberaad during which they undertook a thorough review of its activities, including an analysis of our strengths and weaknesses, and drew up proposals for the way ahead.

Among areas which were identified for consideration and action were:

-- Re-modelling our hearings schedule to provide for a wider variety of hearings;

-- Enhancing the quality and quantity of statement-taking, on the basis that the making of statements will be the means by which we will reach most victims;

-- Ensuring that findings on human rights abuses begin to be made;

-- Improving the administrative capacity of the Amnesty Committee;

-- Finalising the Reparation and Rehabilitation Committee's proposals for urgent interim relief for those victims of human rights abuses who need immediate assistance;

-- Conveying to the public that it will be Parliament, not the Commission, which decides finally on the nature and extent of reparations and mechanisms of rehabilitation for other victims;

-- Enhancing the Commission's capacity for seeking the truth, specifically in identifying perpetrators of human rights abuses;

-- Concrete strategies to promote reconciliation;

-- Communication and interaction with the public;

-- Improving the information flow in the Commission; and

-- Issues of management and team-building, including factors which affect the Commission's public image.

Proposals to address these and other issues will be finalised by a strategic planning committee and the full Commission, operating in conjunction with management and staff of the Commission.

A key factor in planning the Commission's activities is the financial resources available to it. The Commission, in order to maintain and even step up its activities, is expecting the State to allocate adequate resources to facilitate the achievement of national unity and reconciliation. However, the Treasury Committee has indicated to us that it believes our budget has to be cut in line with national priorities and other cuts in State spending. This proposal challenges the Commission anew to exercise strict fiscal discipline and to streamline our operations to achieve the strategic objectives identified during the bosberaad at the lowest possible cost. At the same time, the Commission is determined that its independence from the political process needs to be firmly defended and it will work to ensure that the national objective of promoting unity and reconciliation in South Africa is given proper recognition in financial decision-making. These issues will be taken further by the Commission and discussed fully with staff and management.

ends
September 23, 1996

TRC ON RAIDS ON MILITARY BASES

Issued by Glenn Goosen, National Director of the Investigative Unit. Truth and Reconciliation Commission

The Investigative Unit of the TRC wishes to place on record that no military bases have been raided, as has been widely reported in the media. The Unit confirms that a search warrant was obtained. This warrant was obtained following protracted negotiations regarding access to certain information held at SAS Wingfield and once the Unit was informed by the SANDF that a warrant would be required.

On Friday 20 September investigators visited SAS Wingfield. The investigators will be returning to the Base on Wednesday to take possession of certain material, in accordance with an agreement reached with the Officer Commanding of the Base.

Members of the Investigative Unit will be holding discussions with Major General J. A. Klopper who is the appointed liaison officer handling contact with the TRC and with the Ministry of Defense to discuss SANDF co-operation with the TRC.

ends
STATEMENT RE: KLAAS DE JONGE

Issued by the Media Liaison Department of the TRC

The Research Department of the Truth and Reconciliation Commission has never employed Dutch researcher, Klaas de Jonge, and he is not on the Commission's payroll.

Research Director, Prof. Charles Villa-Vicencio, says the Dutch Instituut vir Zuidelike Afrika (a recently established grouping of research organisations) and the NGO, Kairos, have had an agreement with the TRC for some months to make accessible the wealth of research by anti-apartheid movements in the Netherlands.

They have asked Klaas de Jonge, who is in their employ, to handle the transfer of data to the TRC. "My understanding is that he has a Ph.D. in history, he speaks four European languages and is a skilled researcher. As such, we look forward to what he comes up with.

The Netherlands government has undertaken to cover the costs involved. Prof. Villa-Vicencio wishes to emphasize that there are a number of institutions, both international and South African, who are providing information to the TRC. "We accept what they give as information only - it is up to us to analyse, critique, assess and augment any information we receive from the different organisations and individuals who make material available to us. We have already received information from a range of people of different and conflicting ideologies and political perspectives. This information will be weighed, compared and assessed prior to the filing of any Final Report.

ends
MEDIA STATEMENT BY DR ALEX BORAINE

Issued by Deputy Chairperson, Dr Alex Boraine

I was deeply disturbed at the earlier short statement indicating that the SANDF is not going to make a submission on September 30 as planned.

In a number of discussions with deputy defense minister Ronnie Kasrils and Defense Force Chief Genl George Meiring, the assurance was given that there was nothing sinister in the decision to postpone the submission, but that rather with more time available a much fuller submission will be made.

In view of the explanations given and reasons advanced for the postponement, the commission accepts this unavoidable delay.

We have asked that Genl Mortimer and Maj Genl Klopper should meet with members of the Commission on Monday so as to avoid any further problems and to set a new date. This meeting will take place in our Cape Town offices.

ends
September 27, 1996

STATEMENT FROM MR DUMISA NTSEBEZA, HEAD OF THE INVESTIGATIVE UNIT, TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

A meeting was held in Pretoria today between myself and the Deputy Minister of Defence, Mr Ronnie Kasrils. This was followed by a second meeting, at which we were joined by Mr Glen Goosen, the Commission's national director of investigations, as well as General J A Kloppers and a Colonel van der Walt.

The only issue addressed was that of the "nodal point", or point of liaison between the SANDF and the Commission. The issue of the postponement of submissions due to have been made to the Commission by military leaders on Monday September 30 was not discussed.

The purpose of the meeting was to clear up misconceptions about our relationship and to discuss the Commission's access to information held by the SANDF. Because the issues raised were complex and many, it became clear that there should be a further meeting. This will be held on Monday in Cape Town, with General Kloppers, Colonel van der Walt and Commission investigators from the Western Cape.

If the spirit of today's meeting is sustained on Monday, we hope to have a solution to the problems experienced with investigations in the Western Cape.

ends
September 30, 1996

STATEMENT ON AMNESTY APPLICATIONS

Issued by Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission is to hear an application for amnesty during October from Brian Mitchell, the former police officer convicted of murder following the Trust Feed Massacre in KwaZulu-Natal.

The committee has also arranged a date early in November to hear applications from Dirk Coetzee, Almond Nofomela and David Tshikalanga.

Mitchell's application will be heard on October 15 and 16 in Pietermaritzburg and the application from Coetzee, Nofomela and Tshikalanga will be heard in Durban from November 5 to 8.

Brian Victor Mitchell was sentenced to death in the Supreme Court, Pietermaritzburg, for the murder of 11 people: Mseleni Ntuli, Dudu Shangase, Zetha Shangase, Nkonyeni Shangase, Muzi Shangase, Filda Ntuli, Fikile Zondi, Marita Xaba, Sara Nyoka, Alfred Zita and Sisedewu Sithole in December 1988. He was later reprieved and is serving a 30-year jail sentence.

ends
September 30, 1996

STATEMENT CONCERNING MRS GONIWE

Issued by Truth and Reconciliation Commission

We have noted with understanding, but nevertheless with dismay, the statement from Mrs Nyami Goniwe expressing her anger with the TRC for not approaching Eugene de Kock about his knowledge of the murders of her husband and others.

I can well understand Mrs Goniwe's deep sense of frustration, but it has not been possible for the Commission to interview De Kock while his court case is proceeding. He has said he will apply for amnesty, and that will give us an opportunity to question him directly about the murders of the Cradock Four. If he fails to apply for amnesty, or is not prepared to work with the Commission, then we will have no hesitation in issuing a subpoena requiring him to come before us.

ends
STATEMENT BY ARCHBISHOP TUTU ON VISIT TO RWANDA

Issued by Truth and Reconciliation Commission

A delegation from the Truth and Reconciliation Commission is to visit Rwanda later this week for consultations with the Rwandan government about its policy on reparations for victims of the country's conflict.

The visit is being made at a time when the Rwandan government is piloting its reparations legislation through its National Assembly. It is taking place at the invitation of President Pasteur Bizimungu of Rwanda and is being financed by a grant from the Belgian Government.

The Commission hopes the visit will be of mutual benefit to Rwanda and South Africa: the process in Rwanda has reached the stage South Africa hopes to reach in two years' time, when the Commission has reported to the President and Parliament debates legislation providing reparations.

The delegation is headed by Ms Hlengiwe Mkhize, the chairperson of the TRC's Reparation and Rehabilitation Committee, and includes three other Commissioners, all members of the same committee: Dr Wendy Orr, Dr Mapule Ramashala and Ms Glenda Wildschut. Other delegation members are Mr Justice Andrew Wilson of the Amnesty Committee, Mr Ilan Lax and Mr Ntsiki Sandi of the Human Rights Violations Committee and three staff members.

ends
September 30, 1996

STATEMENT CONCERNING MEETING WITH SANDF

Issued by Truth and Reconciliation Commission

A delegation of the Commission today met a delegation from the SA National Defence Force headed by Major General Jan Klopper for a very frank and detailed discussion of the proposed submission to the TRC by military generals. The TRC was represented by Archbishop Desmond Tutu, Commissioner Dumisa Ntsebeza and myself.

Regret was expressed at the postponement of the presentation of the submission - which had been due to happen today - and a commitment was made that it would be presented as a matter of urgency. In order to gain the maximum information for the Commission, three options were discussed:

- That the generals would make a submission in the same way as political parties, with the Commission able to recall them later for detailed questioning at a second hearing;

- That they would make their submission available to the Commission ahead of time to enable it to be studied in depth so that Commissioners can conduct their questioning at the first hearing at which the generals appear;

- That they would make their submission available ahead of time, and that the Commission would send a list of follow-up questions to be dealt with at the first hearing.

General Klopper and his colleagues undertook to discuss these options with General Georg Meiring, the Chief of the SANDF. The hearing is planned for October on a date, convenient to both parties, still to be fixed.

ends
JOINT STATEMENT BY TRC AND SADF AFTER DISCUSSIONS

Issued by Truth and Reconciliation Commission


Difficulties experienced by the SANDF and the Investigative Unit of the TRC in the Western Cape after visits to a unit of the SANDF at Wingfield Military Base over the weekend of 20th September, 1996, have been followed up by meetings between the two parties on 27th and 30th September. The TRC delegation was headed by Commissioner Dumisa Ntsebeza and the SANDF delegation by Major General Jan Klopper.

The TRC and the SANDF reached agreement at today's meeting on methods to be followed when the Investigative Unit of the Commission seeks access to military information on military premises. The heads of agreement, which concern issues such as relevance of material and legal privilege, lay down procedures which would enable the Investigative Unit to gain access to classified material required by the Commission in a manner acceptable to both parties.

These procedures will be put to the test in any investigation which may take place in the near future. Should any disagreements arise, both parties have undertaken that the two representatives who act as "nodal points" for contact between the parties - Advocate Glenn Goosen and Major General Jan Klopper - will immediately establish contact to resolve the problems. Today's meeting, which was a continuation of a meeting last Friday, was held in a cordial, co-operative and constructive spirit.

ends
October 1, 1996

Summary of issues dealt with at a news conference addressed by Archbishop Tutu and Dr Boraine on October 1, 1996

Issued by Media Liaison Department, Truth & Reconciliation Commission

Archbishop:

Sketched the development of Commission policy, from the primary stress on victims -- "the small people" -- to giving more attention to getting the truth from perpetrators: "We are entering the state where on the whole we are saying this velvet glove does have a fist of steel which can be used when it seems necessary to do so."

Announced the re-scheduling of HRV hearings to avoid simultaneous hearings. [A reference to the decision not to hold more than one HRV hearing at a time across the country.] This would release resources for other aspects of HRVC work, such as securing statements and making findings.

The HRV Committee had also said if regions had not done so, they should draw up lists of those to be subpoenaed and begin to issue them. There would be a two-stream approach: national and regional Section 29 hearings.

Dr Boraine:

Announced that he had written to former police commissioners, saying they needed to rewrite their submission and include reference to specific events. If they were not prepared to do this, then the Commission would resort to its earlier decision to serve subpoenas. They had been given until Friday and if their submission was not satisfactory, then the Commission will start the process of serving subpoenas on Friday. If opportunities given were spurned or abused, then the Commission would have no other alternative but to serve subpoenas.

The same thing in a sense happened with regard to the military generals. [Dr Boraine then outlined the situation in the same terms as in his statement of September 30.] He said once the generals' response had been received, a date would be fixed. A provisional date for October 21 had suggested but this would depend on what form the submissions would take.

[Please note that the SABC TV news report at 8 pm that military generals would be subpoenaed was wrong; the reporter was asked to correct the item, and this was done for the 8.30 pm Afrikaans news.]

Archbishop Tutu on the involvement of Deputy President Mbeki in discussions on subpoenas issued to former police generals:

"His action was quite legitimate and speaking about interference is a gross misconstruing of what happened... at no point was any pressure of any sort placed on the Commission. I might add further that, especially the President but equally the Deputy President... is quite scrupulous, to the point of being obsessive about recognising our independence...

"I want to make it quite clear that at no stage was this intervention interference. We retained the right to say nay or yay, in this case we said yes and any suggestion that we were being put under pressure by the Deputy President is erroneous."

Dr Boraine on the question of legal assistance for perpetrators appearing before the Commission, and that of perpetrators being charged for acts committed outside South Africa:
"In terms of legal representation, both for the military and for the police, there is very serious and careful consideration being given to the granting of assistance for legal representation [by the relevant ministries] so we did not see this as a problem, but one that was in the process of being resolved...

"As far as prosecutions for offences committed beyond our borders are concerned, our reading of the law is that if amnesty is granted for acts which have been conducted here in this country, then obviously that obtains....

"As far as another country... [is concerned] clearly we have no jurisdiction over their courts. It is our view that it would be highly unlikely if proceedings were be taken, except in very unusual exceptions, one of which possibly would be Sweden.

"Secondly if South Africa believes that its Act of Parliament is sovereign and it's dealt with this matter through amnesty and through the HRV Committee, it's highly unlikely and certainly improbable -- I can't say more than that -- that any extradition would be considered. But that's of course not in our hands and we couldn't give an absolute assurance to the generals, in the same way as we can never give absolute assurance that people who come to the Amnesty Committee will be granted amnesty. It's not in our hands; the whole issue has to be very, very carefully weighed up."

Dr Boraine on the possibility of amnesty being given in respect of any conspiracy to murder Olaf Palme developed in South Africa:

"Ja, absolutely, the Act is very clear on that. If the gross violation of human rights was planned in this country -- even though it may have been committed elsewhere, and I hasten to say this is an allegation; I am not accepting that the names mentioned are guilty, all I am saying is that they have been alleged to have participated -- if so, then of course they have every right to appear before the Commission and we have every right to summons them if they don't appear. But as you know Craig Williamson has already agreed to appear before the Amnesty Committee."

Dr Boraine on a further question about PM Palme:

"The allegations were made by Eugene de Kock in the first instance; his court case is still continuing, he's already stated publicly that he's going to apply to appear before the TRC. Dirk Coetzee has now entered into the fray and he's also made a number of statements. They are all allegations. No one has made a formal approach to us, neither from Sweden nor SA. Various people have said that this is going to happen: to be looked at by, in the first instance possibly, the Attorney-General of Gauteng, and also the TRC. But we would have to reserve that until such time as a specific approach is made to us..."

ends
STATEMENT BY DR ALEX BORAINE, VICE-CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

The Truth and Reconciliation Commission will tomorrow begin the process of issuing subpoenas summoning the former Minister of Law and Order, Mr Adriaan Vlok, and former high-ranking police officers to appear at investigative inquiries of the Commission.

The subpoenas will be issued in terms of Section 29 of the Promotion of National Unity and Reconciliation Act, which grants the Commission the power to call upon any person to appear before the Commission to give evidence or to answer questions relevant to the subject matter of the inquiry.

Notices will be served on each of those being subpoenaed by the Commission's Investigative Unit, requiring them to attend an inquiry at a specified time and place. They will be given 14 days' notice of their appearance.

The Commission will not disclose in advance details of the subject matter of inquiries. The law provides that "no person other than a member of the staff of the Commission or any person required... to give evidence shall be entitled or permitted to attend any hearing conducted in terms of this section [of the Act]." However, the Commission is able to release information about Section 29 hearings at its discretion, or at subsequent public hearings of the Commission.

In terms of Section 34 of the Act, any person who is subpoenaed is entitled to appoint a legal representative.

The decision to issue subpoenas follows the receipt today of a letter from Generals Johan van der Merwe, Mike Geldenhuys, Johan Coetzee and Hennie de Witt, all former Commissioners of Police.

In their letter, the generals assert that their own knowledge of gross violations of human rights is solely based on general information in police dockets, court records and media reports. They say any possible involvement in violations on their part "may be restricted to limited instances, and even in those instances proper legal advice will have to be obtained in order to determine whether any such instances actually constitute any gross human rights violations..."

The generals have also outlined legal problems which they believe make it difficult for them to assist other former members of the police in coming before the Commission. They say that because of the legal obstacles inhibiting them from becoming constructively involved with the Commission, they are unable to furnish further submissions to us at this stage. They remain willing to co-operate with the Commission, but asked us to subpoena them before they provide further details to us.

Section 39 of the Act provides for penalties for any person who fails to appear in response to a subpoena without sufficient cause, or who "fails or refuses to answer fully and satisfactorily to the best of his or her knowledge and belief any question lawfully put to him or her..." Those guilty of offences in terms of the Act are liable to fines and/or imprisonment of up to two years.

It has already been publicly reported that the list of policemen upon whom we are considering serving subpoenas includes Generals Van der Merwe, Geldenhuys and Coetzee, Lieutenant Generals Basie Smit and Johan le Roux, and Major Generals Krappies Engelbrecht and Bertus Steyn. The Commission's national and regional offices already have more extensive lists of subpoena candidates, which they will act upon as and when deemed necessary.

ends
Two submissions from military leaders -- one from the former SA Defence Force and the other from the new SA National Defence Force -- will be made to the Truth and Reconciliation Commission in Cape Town on October 21.

Major General Jan Klopper, the liaison person between the SANDF and the Commission, contacted me yesterday to inform me that General Georg Meiring, Chief of the SANDF, has confirmed the date for the submissions.

The first submission will be made by General Meiring on behalf of the SANDF.

The second will be led by Major General Deon Mortimer and will focus on the former SADF. General Klopper pointed out that the SANDF is facilitating the preparation of the both submissions because the SADF no longer exists.

After considering various options put to them by the Commission, the SANDF has indicated that they would like the submissions handled on the same basis as those of political parties when they appeared last month. Accordingly, they will present their submissions and the Commission will only ask questions of clarification at the first hearing. The Commission will then study their submissions and recall them for more probing questions later if necessary.

ends
STATEMENT BY DR ALEX BORAINE, VICE-CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

The next full meeting of the TRC on October 17 will discuss the relationship of Dutch researcher Dr Klaas de Jonge with the Commission.

Dr de Jonge has been asked by a Dutch institute which is assisting the Commission with research to handle the transfer of data to the TRC.

Among views which the Commission will hear at its meeting will be objections to Mr de Jonge's role expressed by Advocate Chris de Jager, SC, a member of the Commission. A statement from Advocate de Jager is attached.

STATEMENT FROM ADVOCATE CHRIS DE JAGER, S.C.:

Advocate Chris de Jager S.C., a member of the Truth and Reconciliation Commission, cannot associate himself with the involvement of Klaas de Jonge, directly or indirectly, in collecting information for the Commission in the service of an agency which is acting on behalf of, in support of, or with the approval of the Commission.

It is his conviction that it will further alienate the Afrikaner community from the Commission rather than lead to reconciliation.

ends
STATEMENT BY DR ALEX BORAINÉ, VICE-CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

October 7, 1996

Issued by Truth and Reconciliation Commission

Subpoenas to appear before the Truth and Reconciliation Commission were served today on Lieutenant General Sebastiaan ("Basie") Smit and Major General Izak Johannes ("Krappies") Engelbrecht.

General Engelbrecht has been subpoenaed to give evidence and/or answer questions relating to Commission investigations on Thursday October 24. General Smit has been subpoenaed for the same purpose on Friday October 25. They will appear in Cape Town.

Both men have been told they are entitled to appoint legal representatives and that if they are not financially capable of doing so the Commission may appoint a legal representative to assist them.

They will appear at investigative inquiries held in terms of Section 29 of the Promotion of National Unity and Reconciliation Act. In terms of the law, these inquiries are held behind closed doors.

We re-iterate that the Commission will not disclose in advance details of the subject matter of inquiries. However, it may, in its discretion, release information which it receives as a result of the inquiries. It may also, at a later date, hold a public hearing involving the same persons.

People summoned to a Section 29 inquiry can be required to give answers in which they may incriminate themselves, but the law provides that their answers cannot be used in evidence against them in a court of law.

Further subpoenas are being prepared and will be issued as and when deemed necessary.

ends
October 8, 1996

STATEMENT FROM THE TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has announced that amnesty has been granted to Andile Samuel Solo in terms of Section (6) of the Promotion of National Unity and Reconciliation Act, 1995.

Mr Solo, 23, of New Brighton, Port Elizabeth, declared himself in his amnesty application to be a unit commander of AZANLA, a former member of AZAYO and a member of the Black Consciousness Movement of Azania.

He was sentenced in the Eastern Cape for five contraventions of the Explosives Act and the Arms and Ammunition Act. When he appealed to the Eastern Cape Division of the Supreme Court, his conviction and sentence were set aside because he had been refused a postponement of his trial to change his lawyers. However, he was re-charged and was due back in court in May this year. The new trial was postponed pending the outcome of his amnesty application and he was not in prison.

Mr Solo was granted amnesty in respect of two acts in November 1993. He planted an explosive device at the Easigas plant in Port Elizabeth and attempted to explode a device at Torego Flats in Uitenhage.

ends
TRC ON AFRIKANER COMMUNITY ATTITUDE TO THE TRC

Issued by Truth and Reconciliation Commission

The attitude of the Afrikaner community to the Truth and Reconciliation Commission will come under the spotlight in the next week as the Commission prepares for hearings in Paarl.

On Friday, (October 11) Archbishop Desmond Tutu will address the issue of Afrikaners' attitude to the TRC when he opens a special exhibition, organised to coincide with the hearings, at the Paarl Museum.

The Students' Representative Council at Stellenbosch University will encourage students to attend, and plans to provide transport to the hearings.

"This is the first time a representative body of a university has pledged its support in this way," said Ms Pumla Gobodo-Madikizela, a member of the TRC's Human Rights Violations Committee involved in the hearings.

During public meetings to prepare for the hearings, Ms Gobodo-Madikizela made special pleas to the white communities of Paarl and Stellenbosch to become involved.

"We have also had a request from the police college in Paarl, to provide tickets for their new intake," she added. "The head of the college has indicated that he hopes that exposing his students to the public hearings will give them a sense of what happened in the past..."

The exhibition at the Paarl Museum was arranged after an approach by members of the TRC working on the hearings: "The exhibition will reflect the struggles that the people of Paarl went through during politically volatile periods in the life of apartheid, which includes those who were victimised as a result of those struggles," Ms Gobodo-Madikizela said.

"A major emphasis of the exhibition is to portray the essence of what the Commission means by even-handedness. The presentation includes stories of the pioneers of anti-apartheid struggle, as well as those who died as a result of conflict between political organisations.

"It also highlights the plight of many South Africans who were forced to join apartheid's internal war, and war across the borders of the country because of conscription laws. Items showing how some resisted conscription will be displayed."

The exhibition will be opened at 10.30 am on Friday in the Paarl Museum.

ends
October 10, 1996

AMNESTY AND HUMAN RIGHTS VIOLATION HEARINGS IN KWAZULU/NATAL - FREE STATE REGION OCTOBER AND NOVEMBER 1996

Issued by Truth and Reconciliation Commission

The Truth and Reconciliation Commission in the KwaZulu/Natal-Free State region which held a three-day hearing in Welkom this week is to embark on a series of amnesty and human rights violation hearings in various parts of the region, from next week till the end of November.

Among the scheduled hearings will be some of the most high profile cases which attracted widespread public interest at the time and made headlines in the media both in this country and abroad.

TRUST FEED MASSACRE - PMBURG OCTOBER 15 AND 16

The very first case to kick-off this punishing schedule of the TRC is an incident which shocked the nation in December 1988 and forever changed the lives of a close-knit community of Trust Feeds, a rural village near New Hanover in the Natal Midlands.

On this fateful day, a group of people, mostly women, who had gathered in the Sithole homestead for a wake of a man who had died of natural causes were unexpectedly attacked at 3 am by assailants who kicked doors and randomly shot at anything that moved or talked in the house.

The attack, later dubbed by the press, the "Trust Feed Massacre" left 11 people dead and two seriously wounded. The youngest victim was a four-year-old boy and the oldest a 66-year-old woman.

Eventually, in October 1991 seven members of the then South African Police, who had operated under the command of one Captain Brian Victor Mitchell stood trial on eleven charges of murder and eight of attempted murder.

In a sensational trial which lasted six months, Mitchell finally admitted to having given orders to attack the Sithole homestead, "on the spur of the moment". On 30 April 1992 Mitchell was sentenced to death eleven times, which was later commuted to 30 years imprisonment. His accomplices each received an effective 15 years imprisonment for their role in the attack.

Brian Mitchell has subsequently applied for amnesty from the Truth Commission and his case will be heard over two days next week, on Tuesday October 15 and Wednesday October 16. On these two dates, the Amnesty Committee of the TRC- headed by Judge Hassan Mall - will be sitting at the Pietermaritzburg City Hall in the corner of Church and Commercial Streets.

RICK TURNER'S ASSASSINATION - 24 OCTOBER

The Assassination of the University of Natal political scientist, Dr Rick Turner, will once again come under the spotlight when four members of his family appear before the Truth Commission at the Durban Christian Centre on Thursday October 24 from 9 am.

Dr Turner, who at the time was heavily involved in getting the trade union movement in Natal off the ground, was gunned down by an unknown assailant at his home in Durban on 8 January 1978, in front of his two young daughters.

Members of the Turner family who will travel from London to testify before the commission are his first wife, Barbara Follett who is now a Labour Party politician in Britain, his second wife Foszia Turner whom he was married to at the time of his death, his younger Daughter, Kim who was only 8-years-old when her father was killed.

His elder daughter Jann, a Johannesburg-based writer will also testify. Dr Turner's 88-year-old mother, Jane, is too frail
to travel from Cape Town for these hearings.

FATIMA MEER'S AND HAROLD STRACHAN'S HARASSMENT - OCTOBER 24 DBN

Well Known Durban sociologist Professor Fatima Meer and Harold Strachan a founder member of the ANC's military wing, MK, will share the stage with the Turner family at the Durban Christian Centre on October 24.

Prof Meer will talk about the attempted assassination of her husband. She will also talk about the petrol bombing of her home and also about the harassment, persecution and pain she suffered over the years at the hands of the security forces at the time.

Among other things, Mr Strachan will talk at length about the attempt on his life in 1979.

WOMEN'S HEARING - OCTOBER 25 DBN

The first hearing set aside exclusively for women, will be held on Friday October 25 at the offices of the Truth and Reconciliation Commission in Durban. This unique hearing will be at the HRV HEARING ROOM, 9th Floor, Metlife Building, 391 Smith Street. The TRC phone number is (031) 3076767.

During these hearings women will get to tell the story of their own personal suffering, trauma and pain. They will be testifying before a panel made up of only female commissioners.

EMPANGENI HRV HEARINGS - NOVEMBER 4,5 & 6

The commission will hold a three-day hearing of gross human rights violations which happened in this region and surrounding areas. These hearings will be at the Empangeni Town Hall.

DIRK COETZEE AMNESTY HEARING - NOV 5, 6, 7 & 8

The amnesty committee has set aside at least nine days to her Dirk Coetze's application for amnesty, on the role he played in the murder of Durban human rights lawyer, Griffiths Mxenge, who was brutally murdered by Coetzee and his Vlakplaas henchmen.

Coetzee is expected to divulge information about this particular murder and other crimes for which he has applied for amnesty. He will appear together with his two accomplices, Almond Nofomela and David Tshikalanga.

The first four days of his application will be from November 5 to 8 at the Durban Christian Centre. He will once again appear before this committee at the same venue, over five days, from November 25 to 29.

PIETERMARITZBURG 7-DAY WAR - NOVEMBER 19, 20 & 21

One of the bloodiest incidents of political violence in KwaZulu-Natal, the notorious "7-day War" which left more than 80 people dead and hundreds seriously injured will be relived at the Maritzburg City Hall over three days, from November 19 to 21.

The incident was triggered by the stoning of buses carrying IFP supporters from a rally in Durban on March 25 1990. It later emerged that the day after the stoning, a large group of heavily armed IFP supporters met at the home of a well known warlord where a revenge attack was planned.

After the meeting they reportedly went back to the area where the stoning had taken place and attacked everything in sight, in an orgy that lasted 7 days and claimed a lot of innocent lives.

ends
The Court has weighed up the evidence, the accused have been found not guilty, and we certainly would not quarrel with its decision. But the outcome of the proceedings demonstrates our conviction that the processes of the Commission offer a better prospect of establishing the truth about our past than criminal trials.

For it is very unlikely that many convictions would be secured if the State was to attempt to prosecute the perpetrators of human rights violations from all sides for the crimes of the past 30 years. In this case, the State has not succeeded in securing a guilty verdict in spite of spending an estimated R7 million, and spending months and months leading evidence.

It would nevertheless be very unwise for perpetrators waiting in the wings to think that the outcome of this trial offers them any reassurance. The Motherwell and De Kock cases give the lie to the suggestion that because people were acquitted in this case, all perpetrators can breathe a sigh of relief. Developments around the Commission in the next few weeks are likely to indicate that. It is important for perpetrators to come to the Commission before they face the alternative of being prosecuted in a court of law.

The Commission has not yet decided whether it will conduct its own investigation into the issues raised in the Malan trial, and a final decision would depend on our resources and an evaluation of priorities by our regions. But as with any other investigation, if we were to go ahead we would not hesitate to invite or subpoena those involved in this trial, including those who have been acquitted.

ends
October 12, 1996

STATEMENT: AMNESTY COMMITTEE TO HEAR 5 SECURITY POLICEMEN

Issued by Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission is to hear applications for amnesty from five former Security Branch officers at a hearing in Johannesburg starting on October 21.

The five officers were attached to the Northern Transvaal branch of the Security Police between 1986 and 1989. The most senior, Brigadier Jack Cronje, was the former Commander of the Vlakplaas base between 1983 and 1985.

The other applicants will be: Colonel Roelf Venter (who was also based at Vlakplaas in 1984 and 1985 at the same time as Eugene de Kock); Captain Wouter Mentz (also based at Vlakplaas from 1989 to 1992); Captain Jacques Hechter; and Warrant Officer Paul van Vuuren.

The Commission, which has been discussing the scheduling of the application with the applicants' attorneys for some weeks, is expecting the formal application to be handed in on Monday.

However, we are informed that they will apply for amnesty for incidents involving about 40 deaths, including the deaths of 18 people from Mamelodi in two separate incidents.

Other incidents in which they were involved -- or have knowledge of -- include the fate of the PEBCO Three, the killing of Dr Fabian Ribeiro, the killing of KwaNdebele Cabinet Minister Mr Piet Ntuli and the deaths of Mr Jeffrey Sibiya and Mr Harold Sofola.

Bombings, petrol bombings, weapons smuggling and the supply of booby-trapped handgrenades are among other activities which we expect to be dealt with in the amnesty application.

ends
October 15, 1996

STATEMENT FROM THE TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

Lieutenant General Johan le Roux, formerly of the South African Police, was served a subpoena tonight to appear before an investigative inquiry of the Truth and Reconciliation Commission.

This follows the subpoenas served last week on Lieutenant General Sebastiaan ("Basie") Smit and Major General Izak Johannes ("Krappies") Engelbrecht.

General le Roux has been subpoenaed to give evidence and/or answer questions relating to Commission investigations on Tuesday October 29.

All those subpoenaed are entitled to appoint legal representatives. If they are not financially capable of doing so, the Commission may appoint a legal representative to assist them.

They will appear at investigative inquiries held in terms of Section 29 of the Promotion of National Unity and Reconciliation Act, which the law specifies must be held in camera.

The service of further subpoenas will be announced once they have been delivered.

ends
STATEMENT BY DR ALEX BORAINÉ

Issued by Truth and Reconciliation Commission

The Truth and Reconciliation Commission has decided that the amnesty hearing of former Security policemen scheduled for next week will go ahead despite the intention of Attorney General Dr Jan D'Oliveira -- reported in the media today -- to bring charges against two of the applicants.

In discussions with Dr D'Oliveira today, he indicated to the Commission that he wanted to charge and bring to court two of the five applicants, and to use another two as State witnesses.

However, it is clear that the court case will have to be postponed and we understand it is unlikely there will be a trial date before the end of January next year. The Commission will follow the same procedure as in the Dirk Coetzee case and will continue with the amnesty hearing before a trial date. The hearing will accordingly continue on Monday in Johannesburg.

ends
October 16, 1996

STATEMENT BY ARCHBISHOP DESMOND TUTU IN RESPONSE TO DECISION BY THE NED GEREF KERK IN THE EASTERN CAPE TO CALL ON ITS MEMBERS TO TESTIFY BEFORE THE COMMISSION

Issued by Truth and Reconciliation Commission

Archbishop Desmond Tutu, chairperson of the Truth and Reconciliation Commission, tonight welcomed a decision by the Ned Geref Kerk in the Eastern Cape to call on its members to testify before the Commission.

"The NG Kerk is going to make a phenomenal contribution to reconciliation in our country", he said. It was "particularly significant" that the appeal came from the Eastern Cape, where many human rights violations had occurred.

The full text of his statement follows:

"We are thrilled. Thank God for the response of the NG Kerk in the Eastern Cape to God's grace.

"I have been saying since before 1980 that that without the contribution of the NG Kerk we will not achieve justice and reconciliation in South Africa. It is particularly significant that the call came from the Eastern Cape, where there have been many human rights violations.

"I just hope the NG Kerk at a national level, as well as other South African churches, will follow this outstanding example. The NG Kerk is going to make a phenomenal contribution to reconciliation in our country."

ends
October 16, 1996

STATEMENT BY DR ALEX BORAINE

Issued by Truth and Reconciliation Commission

The Truth and Reconciliation Commission is engaged in urgent discussions to allow warrants of arrest to be served on two of five former Security policemen who are applying for amnesty, while ensuring at the same time that the hearing of their amnesty application goes ahead next week.

The five applicants were given temporary protection yesterday pending a decision on whether they are eligible for the Commission's witness protection programme. Admission to the programme depends on the Commission's assessment of whether their security is threatened.

The Commission is surprised at the decision of Attorney-General Dr Jan D'Oliveira to issue warrants of arrest a few days before the amnesty applicants are due to appear. However, we will not obstruct justice by interfering in the service of warrants of arrest. At the same time, we are determined that the amnesty application next week should go ahead.

After discussions with Dr D'Oliveira, we are confident that although two of the applicants may be charged in court this week, they will be available to the Amnesty Committee for next week's hearing.

The Commission respects the work with which the Attorneys-General are charged and we reiterate that we will not do anything to obstruct the course of justice. However, the Commission is an independent body and we also have a mandate given to us by Parliament which we are bound to implement.

In particular, we are determined to keep faith with those who have applied for amnesty and to ensure that they appear before the Amnesty Committee on October 21 as arranged.

ends
STATEMENT BY ARCHBISHOP DESMOND TUTU

Issued by Truth and Reconciliation Commission

Former Commissioner of Police, General Johan Coetzee, was served a subpoena last night by the Investigative Unit of the Truth and Reconciliation Commission.

He is scheduled to appear before an investigative inquiry on Wednesday October 30 to give evidence and/or answer questions.

This follows the subpoenas served last week on Lieutenant General Sebastiaan (Basie) Smit and Major General Izak Johannes (Krappies) Engelbrecht, as well as this week's subpoena to Lieutenant General Johan le Roux.

All those subpoenaed are entitled to appoint legal representatives. If they are not financially capable of doing so, the Commission may appoint a legal representative to assist them.

They will appear at investigative inquiries held in terms of Section 29 of the Promotion of National Unity and Reconciliation Act, which the law specifies must be held in camera.

The service of further subpoenas will be announced once they have been delivered.

ends
October 18, 1996

STATEMENT BY DR ALEX BORAINE

Issued by Truth and Reconciliation Commission

The expected postponement of today's court proceedings against former police officers who are applying to the Truth and Reconciliation Commission for amnesty next week we believe is a sensible step which could save the taxpayer millions of rands.

We cannot understand why the Attorney-General in Pretoria, after stating for the past six months that arrests were imminent, should choose to make them only once people come forward to apply for amnesty. Moreover, we do not understand why he made his decision without using the mechanisms which have been set in place for consultation between his office and our offices. We have told him this and we will be pursuing these issues in further discussions with his office.

Having said that, we welcome the fact that notwithstanding that four of the five have now been arrested and are appearing in court today, we will be able to proceed with the amnesty applications next week. I reiterate it would be an enormous waste of the State's money if, after a protracted and expensive criminal trial, the accused were convicted and then immediately sought to apply for amnesty.

By going the route of hearing an application for amnesty first, the Committee can decide whether the applicants qualify or not before a trial. If they are granted amnesty, that will be the end of the matter (assuming the charges they face concern the deeds which are subject to their amnesty application). If they are not granted amnesty, they can still be tried in the courts later.

Those who are applying for amnesty are entitled to witness protection if they or their families are in danger. Further details about witness protection will not be discussed by the Commission before further consultation with the witness protector, who is in constant touch with the applicants.

We as a Commission are well aware that there will be inevitable tensions between the offices of Attorneys-General and the Commission. An Attorney-General's job is to prosecute. That is his absolute right and we will never attempt to interfere with the courts and their proceedings.

But we have another job and we are determined that we will do that job, which is not prosecution but reconciliation and unity, and attempting to help South Africa move to much more of a human rights culture. We think that the process of amnesty is one very clear way to follow.

ends
STATEMENT BY ARCHBISHOP DESMOND TUTU

Issued by Truth and Reconciliation Commission

The Truth and Reconciliation Commission has resolved to ask Parliament to extend the date covered by the Commission's brief from December 1993 to the day of President Mandela's inauguration, May 10, 1994.

The Commission views the December 1993 cut-off date as one arbitrarily determined by the fact that the Interim Constitution was approved at that time. However, May 10, 1994, as a date which marks the opening of a new chapter in South Africa's history, has far more symbolic importance.

We believe that it would be an act of generosity in keeping with the spirit of the reconciliation which we seek to promote, to move the date to May 1994. The participation in the Commission's work of two important constituencies, those of the Pan Africanist Congress and the Freedom Front, would be enhanced by such a decision. It would also enable victims and survivors, as well as perpetrators, of human rights abuses which occurred after December 1993 to approach the Commission.

If Parliament agrees with us, the Commission also recommends that the December 14, 1996, deadline date for amnesty applications should be moved back by three months, to March 14, 1997. Such a step would:

- Enable those who would become entitled to apply for amnesty to have reasonable time to do so;
- Enable the Section 29 subpoena process, which is only just getting under way, to be used to encourage potential amnesty applicants to submit their applications;
- Enable perpetrators and their lawyers who are assessing how the Amnesty Committee applies the law to have more decisions to base their assessments on.

We need to emphasise that the Commission's proposal is only a recommendation to Parliament, which may be accepted, amended or rejected. It would be premature to assume that the dates will change and the Commission will not act under that assumption in its operations.

ends
October 19, 1996

MANDELA AGREED TO A MEETING WITH TRC

Issued by Truth and Reconciliation Commission

President Nelson Mandela has agreed to a meeting with Truth and Reconciliation Commission representatives to discuss the request to extend the Commission's brief to May 1994.

This follows the announcement by Archbishop Desmond Tutu, chairperson of the Commission, and Dr Alex Boraine, Vice Chairperson, yesterday that the Commission would propose that Parliament extend its mandate to cover the period from December 1993 - the present cut-off date - to the day of President Mandela's inauguration.

Archbishop Tutu said in a statement today:

"I have had a preliminary exchange of views with President Mandela and we have agreed that it is not something we can discuss fully over the telephone.

"It was not possible for us to meet this weekend, and I am in Paris until Tuesday, so we shall arrange a meeting as soon as possible after my return.

"The Commission is keen that our work should be as inclusive as possible. We do not feel that extending the date would further the impression that people can commit crimes with impunity - the Commission is a temporary body which stops operating in just over a year's time."

ends
STATEMENT BY DR ALEX BORAINÉ

Issued by Truth and Reconciliation Commission

I was very surprised to hear on tonight's television news that South Africa's editors had called upon the Truth and Reconciliation Commission to open tomorrow's amnesty hearing to the public.

The Editors have their facts wrong. The amnesty hearings tomorrow are open, like all other amnesty hearings have been.

When the Bill setting up the Commission came before Parliament, there was a debate about whether TRC hearings should be open. Fortunately good sense prevailed and hearings can be closed only exceptional circumstances. All TRC hearings, both of the Human Rights Violations Committee and the Amnesty Committee, have been open since we began them in April.

It staggers me that Editors, of all people, should not check their facts.

ends
October 22, 1996

TRC ON STATEMENT BY GENERAL JOHAN V D MERWE

Issued by Truth and Reconciliation Commission

STATEMENT BY DR ALEX BORAINE
Vice Chairperson
Truth and Reconciliation Commission

The statement by General Johan van der Merwe, former Commissioner of Police, before the Amnesty Committee yesterday must be taken very seriously. Whilst they remain allegations, it is highly improbable that a former Commissioner of Police would make such far-reaching allegations involving not only a former Minister but also a former State President unless there was cause to do so. The Commission will follow up these allegations as a matter of urgency.

The decision by General Johan van der Merwe to apply for amnesty comes as no surprise in light of his revelations yesterday. It is encouraging to note that former Minister Adrian Vlok has also indicated his intention to apply for amnesty. Obviously it would be in the interests of truth and reconciliation if both made "full disclosure" as demanded by the Act rather than refer to only incidents which were mentioned by van der Merwe.

The allegation made by van der Merwe against former State President P W Botha cannot be ignored and I have no doubt that Mr Botha will reply to this. The Commission will seek to get the fullest information concerning this specific allegation and, if it becomes necessary, will not hesitate to invite discussions with Mr P W Botha. If there is no positive response we have the powers of subpoena and will use them.

I would like to urge all members of the former security forces as well as all who may have been involved in gross human rights violations during the period of conflict in South Africa not to delay their applications for amnesty. Those who have applied can testify to the fair treatment demonstrated by the Amnesty Committee and the Commission as a whole. Whilst it is true that the Commission has recommended that the closing date for amnesty applications should be extended by three months, there is no guarantee whatsoever that this will happen. If the applications for amnesty are beyond that date they may not be heard. Therefore potential applicants will have to face the possibility of arrest and prosecution in a court of law. It is entirely within the interests of truth and reconciliation that perpetrators apply now before it is too late.

ends
October 24, 1996

TRC - CONSENSUS HAD DEVELOPED AROUND THE ISSUE (OF A SEPARATE TRUTH COMMISSION FOR DOCTORS)

Issued by Truth and Reconciliation Commission

STATEMENT BY DR WENDY ORR OF THE TRUTH AND RECONCILIATION COMMISSION

The statement by Dr Bernard Mandell, newly appointed President of the World Medical Association (WMA), that consensus had developed around the issue (of a separate truth commission for doctors) is premature in that it pre-empts the proceedings of a national consultative workshop on November 23 this year. He was quoted as saying that there is consensus among his peers that it would therefore be unnecessary to have a separate truth commission.

Because there is still considerable debate and disagreement within the profession as to how best the past can be examined and a future human rights culture ensured within the profession, the TRC will be facilitating this workshop which aims to bring about a consensus amongst the various groupings as to what process should be implemented.

The outcome of this workshop is by no means a foregone conclusion, as Dr Mandell seems to imply.

Dr Orr, who is the deputy chairperson of the TRC’s Reparation and Rehabilitation Committee, leaves this week for London where she was invited by the British Medical Association (BMA) to act as consultant on issues relating to the medical profession and human rights. She is also a member of the Medical Association of South Africa’s ethics committee.

ends
A two-day workshop on the National Council of Provinces, which is to replace the Senate, is to be held at the Manyane Game Lodge, near Mafikeng on the Zeerust road, on October 30 and 31 starting at 9am.

Among the speakers will be the Speaker of the North West Legislature, Mr J D Thibedi; Dr B de Villiers; Advocate M Mabiletsa and Dr B Bouwer.

Topics to be discussed are: History of the Upper House; current Constitution Act; the NCOP and cooperative governance as provided in the 1996 constitution; the NCOP and its practical implications.

The aim of the workshop is to prepare a presentation to the National workshop on the NCOP to be held on November 11 to 13 in Cape Town.

Local senators, members of the North West Legislature, MECs, legislature officials and others from the Office of the Premier are expected to attend the workshop.
STATEMENT BY DR ALEX BORAIN ON DE KOCK'S SENTENCE

Issued by Truth and Reconciliation Commission

The sentencing of Col Eugene de Kock to two life sentences comes as no surprise to anyone if one bears in mind the charges made against him, including six murders.

For those who were involved in similar incidences of gross human rights violations, this should come as a very tough warning that there are only two real alternatives facing them. If the offenses had a political context, then they can either face charges in a court of law, or they can approach the Amnesty Committee of the TRC.

However, none of them should hesitate, because the deadline for amnesty applications is 14 December this year.

The Commission has already heard from Col. De Kock’s attorneys and no doubt he will be making an application for amnesty in due course. It should be pointed out that there are charges on which Col. De Kock was convicted, which falls outside of the terms of reference of the Commission.

ends
EMPANGENI / DURBAN HEARINGS

EMPANGENI HRV HEARINGS 4, 5 & 6 NOVEMBER
The Truth and Reconciliation Commission (TRC) in the KwaZulu/Natal-Free State region will hold simultaneous hearings in Durban and Empangeni next week.

A four-person TRC panel which will be headed by regional commissioner, the Rev Dr Khoza Mgojo, will listen to more than 30 cases of gross human rights violations at the Empangeni Town Hall over three days, from Monday November 4 to Wednesday November 6.

Most of the cases that the TRC will listen to will focus largely on the conflict which has raged on virtually unabated for years, between the ANC and IFP supporters in the Empangeni and surrounding areas.

There will also be two cases of massacres that will come before the commission, including the gruesome slaughter of a family during the attack at the home of a popular trade unionist, Howick Modicai Ngubeni, a University of Zululand employee, whose home was attacked in August 1993.

The Ngoye massacre in the eighties is also likely to feature during these rounds of hearings. So will be the murder of Dr Henry Vika Luthuli who was gunned down in his surgery at Esikhawini on 2nd August 1990. His widow, Dorcas Nokuzola Luthuli, will appeal to the TRC to help in tracing the killers of her husband.

Persistent and brutal attacks on unionised workers, especially those employed at the Richards Bay Minerals will also come under the spotlight over the three days that the commission will spend at Empangeni.

DIRK COETZEE HEARING - DBN CHRISTIAN CENTRE FROM 5-8 NOVEMBER

The murder of civil rights lawyer, Griffiths Mxenge, whose gruesome murder in Durban years ago sent shockwaves throughout the country and abroad, will once again come alive at the Durban Christian Centre from Tuesday November 5 to Friday November 8 when the Amnesty Committee of the TRC hears applications for amnesty from three people who allegedly killed him, former Vlakplaas commander, Dirk Coetzee and his two sidekicks, Almond Nofomela and David Tshikalanga, both who were turned ANC operatives, known as "Askaris".

Mr Mxenge was abducted near his home in Umlazi and his body later found in the nearby soccer stadium, with more than 40 stab wounds and his eyes gauged out. Although this story has been told before, it will be the first time that his killers will openly admit to the crime and give finer detail of their deed.

Apart from the Mxenge killing, the amnesty committee will for the first hear how Coetzee and his henchmen killed an Eastern Cape political activist, Sizwe Kondile who was also brutally murdered in November 1981.

In his application for amnesty from the TRC, Dirk Coetzee has mentioned 7 murders he committed in various parts of the country.

ends
November 5, 1996

TWO MORE SUBPOENAEED TO APPEAR BEFORE THE TRC

Issued by Truth and Reconciliation Commission

Two more retired senior Security police officers, Major-General Nick van Rensburg and Brigadier Willem Schoon, were today subpoenaed to appear before investigative inquiries of the Truth and Reconciliation Commission. General van Rensburg, formerly of the Port Elizabeth branch has been subpoenaed to give evidence and/or answer questions relating to Commission investigations on November 20. Brigadier Schoon is required to appear on November 19.

The appearance of General Johan Coetzee, a former Commission of Police, has been rescheduled for November 18. He was summoned to an earlier inquiry but it was postponed so that he could write an exam.

All those subpoenaed are to appear in Cape Town and are entitled to appoint legal representatives. If they are not financially capable of doing so, the Commission may appoint a legal representative to assist them.

They will appear at investigative inquiries held in terms of Section 29 of the Promotion of National Unity and Reconciliation Act, which the law specifies must be held in camera.

ends
November 7, 1996

ADDITIONAL ITEMS FOR THE TRC DIARY

Issued by Truth and Reconciliation Commission

Additional items for the TRC diary for next week, beginning Monday November 11

In addition to the Human Rights Violations Committee hearings on the West Rand, already announced, there are two new items:

MONDAY NOVEMBER 11, AT 11 AM

Johannesburg - News conference of the Reparation and Rehabilitation Committee, to announce proposals for urgent relief for victims and survivors of human rights violations. The news conference will be held at the Commission’s Johannesburg offices, 10th floor, Sanlam Centre, cor Jeppe and Von Wielligh Streets, Johannesburg, at 11 am on Monday.

TUESDAY NOVEMBER 12

East London - An additional hearing of the Amnesty Committee, to complete hearing evidence in the application by 12 Mdantsane residents who necklaced four alleged gang members. This hearing began at the end of July. The hearing is set down for up to two days.

ends
November 7, 1996

TRC SPECIAL MEETING TO DISCUSS APPROACH TO MEETING WITH PW BOTHA

Issued by Truth and Reconciliation Commission

The Truth and Reconciliation Commission's chairman Archbishop Desmond Tutu has called special meeting for tomorrow.

"The TRC will hold a special meeting in Cape Town tomorrow," Archbishop Tutu said.

"I have called the meeting primarily to discuss our approach to discussions which I intent to conduct with the former state president, Mr PW Botha, later this month.

However, we will also be discussing our attitude towards suggestions from within the ranks of the ANC that they will not be applying for amnesty in respect of certain categories of actions undertaken in the past."

ends
November 10, 1996

TRANSCRIPT OF OPENING STATEMENTS MADE AT A NEWS CONFERENCE FOLLOWING A MEETING BETWEEN TRC AND ANC DELEGATIONS AT JOHANNESBURG INTERNATIONAL AIRPORT, SUNDAY NOVEMBER 10.

Issued by Truth and Reconciliation Commission

CHERYL CAROLUS, DEPUTY SECRETARY-GENERAL, ANC:

We can say that we are very happy that whatever misunderstandings may have existed between the ANC and the Truth and Reconciliation have been cleared up. We think that the meeting has been very helpful in that we have once again reaffirmed the independence of the Commission, the supremacy of the law of our country, and all of our commitment to in fact respect that independence of the Commission and to in fact ensure that the law around the TRC is one that becomes respected and implemented in our country.

We also have assured the TRC that nothing which the ANC has said was meant to unduly influence the work of the Commission or to undermine it and that nothing which we have said had in any way implied that the ANC was granting itself indemnity. In fact the ANC used the opportunity today to clarify its own position and with regards to that we have once again reaffirmed to the Commission our own willingness to work to resolve the processes around the TRC; that we in fact have been engaged for months, and we believe we are probably the one party in the country which has done the most substantial work around the TRC.

We have encouraged ANC people and members of the public to apply for amnesty in cases where it may be necessary. In fact the ANC has set up throughout the nine provinces sub-committees, working under the provincial executive committees and in consultation with the National Executive Committee, to assist people who may not be sure whether they were in the category who needed to apply for amnesty or not, to do that. We have in this meeting emerged with a very firm agreement that we need to encourage people to do that, and to utilise facilities of the TRC and the ANC for those people who may not be sure whether they should or should not apply, and to follow the procedures.

We have also noted that there is a lot confusion about two committees of the TRC, that is the work of the Amnesty Committee and the Committee on Human Rights Violations, and we think it is important that the work of those two committees must be understood so that these kinds of misunderstandings do not arise in the mind of the public.

The work of the Amnesty Committee is a legal process. It impacts on crimes, on charges, trial and sentences, and each application for amnesty must be treated -- will be treated -- and considered against the same criteria and in terms of the same procedure. In the case of the Amnesty Committee, even-handedness and treatment is implicit in the process and important, and amnesty is granted in respect of crimes and wrongs which have been committed.

With regard to the work of the Human Rights Violations Committee, we believe here the processes envisaged are different from those of the Amnesty Committee. They do not have the same legal consequences as those of the Amnesty Committee and even-handedness here in this Committee is not an issue. What is an issue here is questions of fairness, of justice, of human rights values, of standards and norms and morality, and that these are the guidelines.

The issue of gross human rights violations is relevant to the work of the Human Rights Violations Committee, not to the work of the Amnesty Committee, and this committee has to have its eye on the future in terms of setting a new moral tone for our country. It has to record violations and identify the causes and overall it must make recommendations so that we go forward with a new kind of morality into our future. Its report, its finding and recommendations, have no
legal consequences, unlike the finding of the Amnesty Committee. So we think we should understand, obviously, the two committees' work will have some overlap and will impact on one another but we think it's important to say that.

But most of all we said that it was quite important for us as a collective, in this country's leadership -- in political parties, in the Truth Commission, in the judiciary, in all walks of life -- that we should be assisting people in our country to come to terms with our past. For that it is very important that those who have perpetrated gross human rights violations should come forward. It's also important that people need to understand what constitutes gross human rights violations. We are saying in that respect if there's any confusion all of us are quite willing to assist people are making those judgments.

We want to say that we are very happy that our misunderstandings have been cleared up because the very last thing that we would want to do is to undermine the work or the integrity of the TRC. Its independence is important, as is ours, and we believe that we might have a whole range of questions to deal with still. The Truth Commission has asked the ANC to answer a range of questions flowing from its submission. The ANC had in fact already indicated in that submission that it would be making a further report on all our operations. The ANC had also indicated right in that report its intention to apply for amnesty where it is applicable in terms of the Act.

ARCHBISHOP TUTU, CHAIRPERSON OF THE TRC:

I don't think that there is a great more that one wants to say. We from the TRC's side are pleased that we have had this meeting to clarify what was a matter of very great concern to us. We are grateful first that this meeting helped to underscore the recognition on the part of the ANC of the Commission's independence, autonomy and its integrity, that the ANC would be very loath to have undermined that credibility by any suggestion of manipulation of the Commission.

We have agreed that when there are differences perhaps we should get in touch with one another before we deal with one another in the media, and that was maybe a salutary thing to have agreed.

For me, and for us from the Commission, we were very deeply concerned that the way things came across to us was that the ANC was granting itself amnesty. They say, as you have heard from Cheryl, that nothing in what they have said, that nothing in their own position, was meant to be a granting of amnesty to themselves, and therefore my reaction, whilst it was a reaction supported by the Commission, will now be revised.

The point is that there is an acceptance that those who should apply for amnesty are those who do not [want to] open themselves to criminal prosecution or civil damages being claimed against them. That it something that has been accepted.

Then the second [point] is the important one where Cheryl speaks about how it would be important to have a distinction in the two committees: that -- and this was another area where it appeared that we were at cross-purposes -- that in the amnesty process there is legal equivalence, and sometimes the impression was created that that was not the case. And that is important, it has been clarified that that is accepted. It is in other areas [that moral distinctions can be drawn]. We think that it is legitimate and we've never questioned the right of the ANC to make pronouncements about the morality, and whether it is higher or lower, of their struggle.

So I think on that basis we from the TRC are satisfied.

ends
PRESS STATEMENT ON THE "POLICY FRAMEWORK FOR URGENT INTERIM REPARATION MEASURES" OF THE REPARATION AND REHABILITATION COMMITTEE OF THE TRC.

Issued by Truth and Reconciliation Commission

(This statement is an introductory guide and readers are referred to the full Policy Framework)

The general public, the media and in particular the victims and survivors of gross human rights violations, as well as their family members, have expressed great interest in the work of the Reparation and Rehabilitation Committee (RRC).

With the human rights violations hearings as well as the amnesty hearings in full swing, many are asking: How does the TRC process benefit victims and survivors? If perpetrators are pardoned in the process, what becomes of the legitimate demands and needs of those who suffered?

The RRC has, since the inception of the TRC at the beginning of this year, focused its attention on a number of issues: the creation of a support system for victims and their families, the development of victim-offender mediation programmes, and collecting data on the long-term needs of victims on which proposals for future reparation and rehabilitation will be based.

Today the RRC announces its first proposals for Urgent Interim Reparation measures to assist victims of human rights abuses whose need for reparation is so great that they cannot wait until the Government implements the final recommendations of the TRC.

The Policy Framework which we are releasing for public information and scrutiny today, is at this stage a set of proposals. We warmly invite and encourage all stakeholders in the process -- victims and their families, NGOs, faith communities, the media, members of the public -- to engage us in debating these issues. We need the experience and input of all in developing our final proposals.

In order to gain a complete understanding of our proposals, the whole framework document should be read. The following, however, is an introduction to the main features of our policy and of the document:

If the State is to grant amnesty to perpetrators of human rights violations, it is under an obligation, within available resources, to provide for reparations to victims and survivors. While the interests of a attaining a peaceful settlement of South Africa's political crisis may have dictated that there should be no punishment for those willing to confess their crimes, victims of human rights violations nevertheless remain entitled to fair and adequate reparation and rehabilitation. (See "Key Words" in the Policy Framework.)

The law which established the Commission recognises that there will be victims whose situation is such that they cannot wait until the Commission's final report has been completed (which will happen in March 1998), presented to the President, tabled in Parliament and given rise to more legislation to provide for assistance.

In the words of our document, "...it is unrealistic to imagine that provisions for reparation will materialise and be implemented in less than two years... This two-year period could be fatal, or irreversibly damaging to individual victims. Urgent Interim Reparation concerns these type of victims..."

Our proposal is that a structure should be established which enables:

- Regional Reparation and Rehabilitation Committees of the TRC to make preliminary recommendations on who
should be awarded interim reparation;

- The national Reparation and Rehabilitation Committee to ratify recommendations;
- The TRC to refer cases to a UIR Desk in the Office of the President (outside TRC structures) for implementation of UIR measures.

We envisage that the Commission would be represented on the Government's UIR Desk and, in the words of our framework, "This structure can form the basis of a long-term monitoring body to monitor the final recommendations as submitted to the President at the end of the life of the Commission."

We propose that there should be five categories of UIR. It should cover:

- Emotional suffering and pain
- Medical care and assistance
- Material or financial need and limitations
- Access to and continuation of education, and
- The duty and obligation to remember (symbolic measures and intervention).

Our document contains detailed descriptions of who would be eligible for reparation and rehabilitation in these categories. However, some extracts illustrate what would be possible.

To give a few examples drawn from our document, among those eligible for "emotional interventions" would be victims "whose emotional quality of life has been and continues to be severely affected as a result of the violation" and orphans who have "inadequate material support to meet their immediate emotional needs."

One category eligible for "medical interventions" -- and "material interventions" -- would be victims "who are terminally ill and/or frail and will not survive beyond the life of the TRC."

Educational assistance would be available for "those victims, and dependants of victims, whose senior-secondary or tertiary studies have been interrupted as a result of the violation and for whom future prospects for education will be jeopardised unless urgent intervention... is undertaken to ensure they continue studying."

Symbolic interventions for the terminally ill or frail could include:

- the clearing of victims' names, especially those with criminal records or considered to be informants,
- visiting burial sites or places where violations took place,
- expediting cases and payments,
- settling legal procedures,
- issuing death certificates for loved ones,
- exhumations and reburials,
- tombstones and shrines,
- facilitating public acknowledgements and apologies, and
- mediation between victims and offenders.
Once the Commission has made its decision on our document, it will be submitted to the Government, and the law provides that a Joint Committee of both Houses of Parliament may advise the President on measures for UIR. Again, as we note in the policy framework, "Ultimately the President will consider these recommendations with Parliament and decide in which way to implement them."

So the document we are tabling is only the start of a process which we envisage will produce a practical, structured way of providing relief to individuals and communities.

ends
STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION ON THE CONSULTATIVE WORKSHOP TO EXAMINE THE ROLE PLAYED BY THE HEALTH CARE SECTOR

Issued by Truth and Reconciliation Commission

The TRC will be facilitating a consultative workshop on Saturday, 23 November, to reach consensus on the process through which the health care sector (particularly nurses, doctors and psychologists) can examine the role which it played and/or failed to play in the human rights abuses of the past.

One sector of the profession has been calling for a separate truth commission for doctors, but there is resistance to this amongst other groupings. The workshop aims to reach agreement between the various major role players, which we hope will assist the TRC in fulfilling its mandate of examining the context and circumstances in which human rights violations took place in the period under review (1960 to 1993) and particularly in making recommendations specific to the health care sector on institutional, educational and other measures which can be implemented to prevent human rights violations in the future.

Health care institutions and organisations to attend include: Representatives from the Medical Association of South Africa (MASA), the South African Interim Medical and Dental Council (SAIMDC), the Democratic Nursing Organisation of South Africa (Denosa), the Psychologists Society of South Africa (Psyssa), the South African Military Medical Services (SAMMS) and others from the progressive health sector.

The workshop is convened by TRC Commissioner Dr Wendy Orr, deputy chair of the Commission's Reparations and Rehabilitation Committee, assisted by Commissioner Glenda Wildschut. This meeting will be in our Cape Town head office and will be closed to the public and media. A statement will be issued afterwards and if possible a press conference will be held.

ends
STATEMENT BY THE WESTERN/NORTHERN CAPE OFFICE OF THE TRUTH AND RECONCILIATION COMMISSION ON GUGULETU SEVEN EVENT HEARING

Issued by Truth and Reconciliation Commission

Nine current and former policeman from the Western Cape have been served subpoenas by the Western Cape Investigative Unit during the last 24 hours in terms of Section 29 of the Promotion of National Unity and Reconciliation Act (1995). These are the first regional subpoenas served by the Western Cape office.

The nine will be required to testify at a public Event Hearing on what is known as the Guguletu Seven to be held in Cape Town on 27 and 28 November. The event hearing will make up the last two days of the three day hearings on human rights violations in the Peninsula to be held in the TRC Head Office from November 26.

In terms of the subpoenas they are required to produce before the TRC such evidence as video and sound recordings in their possession which may be relevant to the hearing; and will be expected to give evidence and/or to answer questions relating to the Guguletu 7 issue. All nine are scheduled to testify on November 28.

Seven young men died, allegedly at the hands of police, on 3 March, 1986 in Guguletu. Two consecutive inquests cleared the police. They were also absolved from culpability during a trial brought against journalist, Tony Weaver, subsequent to the event. The TRC is currently notifying the families of the deceased and family members of at least five of the victims are expected to make statements at the hearing - amongst other witnesses.

The first day of the hearing will be devoted to other cases of gross human rights violations in the Peninsula during the eighties, amongst others some cases relating to the Pollster March of August 1985, which resulted in upheavals in Western Cape areas like Mitchell's Plain and Bishop Lavis.

Those subpoenaed are (with current ranks):

- Police director L. Knipe
- Senior Superintendent J. M. Sterrenberg
- Senior Superintendent John Johannes George Christoffel Kleyn
- Superintendent William Rudolf Liebenberg
- Retired Colonel Cornelius Adolf Janse Odendal
- Inspector K. Bothma
- Inspector A. Grobbelaar
- Inspector Bertram Oswald Moggee
- Inspector L. Coetzee

Another policeman implicated in the event was Adjudant Officer Hendrik Cornelis Johannes Barnard, who died some years ago.

The Guguletu 7 names are: Zandisile Zenith Mjobo; Zola Alfred Swelani, Mandla Simon Mxinwa, Godfrey Jabulani Miya, Themba Mlifi, Zabonke John Konile and Christopher Piet.
ends
November 13, 1996

PRESS RELEASE - "SEVEN DAYS WAR"

Issued by Truth and Reconciliation Commission

PIETERMARITZBURG CITY HALL
MONDAY NOV. 18 to THURSDAY NOV. 21

PUBLIC EVENT HEARING

THE last sitting of the Truth and Reconciliation Commission (TRC) in the KwaZulu/Natal-Free State region for the year 1996, is an event hearing which will attempt to bring to life one of the bloodiest, incidents of political violence ever to happen in South Africa.

This special sitting of the TRC will be at the Pietemaritzburg City Hall, from Monday November 18 to Thursday November 21. On all the four days the hearings will commence at 9 am, and will focus on the events that led to a brutal "war" which raged on for seven days in the densely populated Edendale and Vulindlela areas in Pietermaritzburg.

The "war"- subsequently dubbed the "7-Days War" - which lasted from the 25th to the 31st of March in 1990, left more than 200 people dead, hundreds of homes gutted and looted and countless orphans and refugees.

According to accounts of eyewitnesses and monitors of the situation at the time, the fighting was triggered by an incident where buses ferrying people home from a rally in Durban were allegedly stoned while driving past the ANC stronghold of KwaShange.

The following day all hell broke loose as thousands of heavily armed men returned to the area where the buses had been stoned and started attacking everything on sight. The violence spread to surrounding areas. The revenge attack degenerated into an orgy of killing and destruction.

There were persistent allegations at the time, which are going to be repeated once more next week, that the attackers were bused into the area and some brought in trucks others on foot however, at all times, and were seen escorted in and out of the area they had attacked either by heavily armed police or military units.

It is also for these reasons that the TRC had to subpoena high ranking police and SANDF officers, who were commanders on the ground at the time, to come to these hearings and answer questions.

The first day of these hearings, on Monday November 18, will be dedicated to the survivors and families of victims of the attacks who will relive their agony and pain. The next three days will see numerous prominent people in the region who were touched one way or the other by this particular incident testifying before the commission about the events, from their own perspective.

There will also be video clippings of footage of most of the fighting which was captured by local and foreign television crews. Most of the footage which confirm some of the allegations and expose certain prominent figures who were behind the fighting, will be shown during the hearing on a giant screen inside the City Hall.

People who are scheduled to testify before the commission include police and army officials, violence monitors in the area at the time,

Randley Keys and Pierre Cronje both of the Democratic Party, John Aitchison of the Centre for Adult Education at the University of Natal in PM Burg, Tim Smith, a priest at Elandskop, Dr Blade Nzimande a local ANC leader at the time and leading journalists Fred Kockott and Khaba Mkhize, presently the General manager of the SABC in KwaZulu-Natal.
ends
November 19, 1996

TRC WORKSHOP OPEN TO MEDIA DURING OPENING & CLOSURE

Issued by Truth and Reconciliation Commission

Journalists are advised that the consultative workshop on Saturday, November 23 at our head office in Cape Town, will be open for the media during the opening and the closure.

The purpose of the consultative workshop is for the TRC to facilitate a process through which the health care sector can examine the role which it played and/or failed to play in human rights abuses of the past. It is hoped that consensus could be reached in the workshop on how to take this process of truth recovery further.

The welcome will be at 09h00 by Commissioner Dr Wendy Orr, followed by the keynote address delivered by Mr. Steve Kahnovitz of the Legal Resources Centre. Journalists and photographers will be welcome to attend the opening.

At 09h30 the participants will start small group discussions on various issues, which are expected to continue till 16h30 pm. These will be closed to the media.

Issues to be addressed include:

* What objectives do we want to achieve by addressing and examining the role of health professionals in human rights abuses in South Africa?

* What is the scope or range within which these objectives should be pursued (for example, should alleged abuses by health professionals in security forces be included)?

* What are the best methods to achieve these objectives?

* How do we deal with those issues which fall outside the TRC’S mandate or capacity?

* What actions should be taken by the profession?

Dr Orr will chair for the closing remarks and decisions on the way forward. This item, starting approximately 17h00 pm will be open to the media.

A press conference might be held after the closure, but a statement will definitely be issued.

ends
November 20, 1996

AMNESTY HEARING INVOLVING COETZEE POSTPONED

Issued by Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has postponed the amnesty hearing involving Dirk Coetzee, Almond Nofomela and David Tshikalange, which was due to resume next week, to a date to be arranged.

The Committee had hoped to continue the hearing, which began in Durban on November 5, next Monday, November 25.

However, Commission staff have not traced all those who have an interest in the application to notify them of next week's hearing. In terms of Section 19 (4) of the Promotion of National Unity and Reconciliation Act, the Committee has to notify, inter alia, victims and those who have an interest in amnesty hearings when and where they are being held.

As a result, the hearing will be postponed further and a new date arranged as soon as practically possible. The postponement will also enable arrangements to be made, if necessary, for legal representation for applicant Almond Nofomela. His counsel withdrew after the last hearing.

ends
November 21, 1996

STATEMENT BY ARCHBISHOP DESMOND TUTU FOLLOWING HIS MEETING WITH FORMER STATE PRESIDENT, P W BOTHA

Issued by Truth and Reconciliation Commission

My meeting with the former State President, Mr P W Botha, today took place in a friendly atmosphere. We met for two hours in George, and our talks were conducted in a good spirit. Mr Botha referred to a written text, and we discussed both that and other matters.

Mr Botha made no confessions or dramatic revelations to me. He continues to disagree with the establishment of the Commission. He says there is a perception that the Commission is a witchhunt against the Afrikaner. He defended his record in government and stated that while his government was in power they were fighting Soviet imperialism and colonialism. He does not feel he has done anything which would warrant him applying for amnesty. On the bombing of Khotso House, he says the allegation of his involvement is incorrect and that he is advised the action did not fall within the definition of a "gross human rights violation" in our founding act.

However, Mr Botha believes that as a law-abiding citizen he is bound by the provisions of the act, despite his reservations about it, and he has indicated that he is willing to co-operate with the Commission. He feels he cannot be expected to respond to ad hoc allegations and has requested us to prepare a comprehensive list of matters on which we need his responses and comments. He is also willing to do all in his power to persuade his former Cabinet colleagues to co-operate similarly with us. He has indicated that he is ready to make available to us all his documentation, and to hold further meetings of this kind should they prove necessary.

We believe the meeting was a very considerable plus for the Commission. Firstly, in view of his opinions on the Commission and its establishment, his agreement to see me was a breakthrough for us. Secondly, we did not expect that he would come to the meeting saying that the policies and actions of his government were wrong. Given our expectations, we are encouraged by his willingness to continue to interact with us and to urge his former Cabinet ministers to do likewise. Considering all our options, this route offers us by far the best prospect of establishing the truth about what happened in South Africa in the past.

I feel it is important for me to say that I believe the Afrikaans press in particular is unfairly caricaturing Alex Boraine as a person who is masterminding the hounding by the Commission of his former political opponents. Our approach to Mr Botha was initiated by Dr Boraine, and I am glad he made the suggestion because it offers us the best potential for accomplishing our objectives.

ends
November 26, 1996

PRESS RELEASE FROM KWAZULU NATAL OFFICE OF THE TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

This press release relates to the statements made by the Inkatha Freedom Party calling for the resignation of certain members of the Kwazulu Natal office of the Truth and Reconciliation Commission.

The statements issued by the IFP came in the aftermath of the recent public hearing on the so-called Seven Day War in the Edendale Valley near Pietermaritzburg, and are based on the following: 1. The IFP alleges that IFP MPP David Ntombela was "summoned" to appear at the public hearing. In fact, nothing of the sort happened. Mr. Ntombela was invited to attend by letter, and he personally accepted the invitation during the course of a telephone conversation conducted between himself and Mr. Mdu Dlamini, who is a Committee member from the Durban office of the TRC. Copies of the polite, informal correspondence from the Commission to Mr. Ntombela are available. On the morning he was due to testify, Mr. Ntombela notified the TRC through his lawyer, that he would not be testifying, because he had not been given copies of witnesses statements in which he had been implicated. It must be stressed that these hearings are not adversarial in nature in that the parties can "attack" or "defend" their respective positions. People are merely requested to related their accounts of what happened. In terms of a recent ruling by the Supreme Court, people who are implicated by others in alleged human rights violations, are NOT entitled to copies of witnesses statements at the stage that they are called on to testify. Accordingly, in terms of this ruling, neither Mr. Ntombela nor any of the other many witnesses who testified at the hearing, were given copies of statements in which they were implicated in alleged violations of human rights.

2. The second basis for the call on Commissioners to resign, was that they handled the hearing in a biased manner. The Commissioners reject this statement completely. The facts of the matter are that almost every witness who testified at the hearing, including former and serving policemen, implicated members of the IFP in the violence. This does not indicated bias on the part of the Commission. When Mr. Ntombela, his lawyer and several supporters appeared on the stage to read out a letter, they were drowned out by shouting by the crowd. The Commissioners pleaded with the crowd to give Mr. Ntombela's lawyer an opportunity to read his letter. After he had done so, Mr. Ntombela left with his supporters. He was followed by elements of the crowd from outside the City Hall, who surrounded the provincial parliament. The crowd's behaviour in and outside the City Hall, cannot in any way be blamed on or attributed to the Commission. Not a single Commissioner or Committee member made a derogatory or biased remark about Mr. Ntombela or the IFP during the course of the hearing, and neither has he made an allegation to this effect.

3. It is worth noting that the Commissioners of the Truth and Reconciliation Commission were appointed by the Cabinet of the GNU, following a public interview by a multiparty panel, including members of the Freedom Front and the IFP. No objections were lodged at that stage to the appointment of the Commissioners and Committee members.

4. Mr. Ntombela has also called for the resignation of Mr. Lax. Mr. Ntombela has alleged that Mr. Lax is a member of the ANC and acted for the ANC members at the time of the Seven Day War. Mr. Lax is not a member of the ANC, although he has been a member in the past. This does not in any way disqualify him as member of the TRC. He is a human rights lawyer, and well known in the Pietermaritzburg area for his commitment to human rights, peace and reconciliation.

5. The TRC completely rejects the outrageous and defamatory remark attributed to Mr. Ntombela in yesterday's edition of the Natal Witness, that one of the Commissioners or Committee members was involved in the violence. The IFP must know that this disgraceful remark is devoid of any truth, and we expect them to put the record straight.

Signed by;

R. Lyster - Commissioner
and

Dr. K. Mgojo - Commissioner

ends
November 23, 1996

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION ON THE CONSULTATIVE WORKSHOP ON THE HEALTH CARE SECTOR AND TRUTH AND RECONCILIATION

Issued by Truth and Reconciliation Commission

An executive task team has been nominated by a broad range of representatives from the South African Health Sector to take forward the resolutions and issues agreed upon at a day long workshop in Cape Town today.

The most important task of the seven-member interim body would be to convene another meeting for early next year where a representative Steering Committee will be elected from all groups and alliances in the health sector.

The executive task team will also start scrutinising the various issues identified by the workshop, which included representatives from the state health sector, the progressive health sector, the Medical Association of South Africa (MASA), the Psychologists Society of SA (Psyssa), and bodies from the nursing professions.

Tasks of the Steering Committee will fall within two categories, although no clarity exists yet on its composition. Initially its prime functions would be within the ambit of the Truth and Reconciliation Commission, bearing in minds its relatively short life span. Within this it will act as a think tank for TRC research on the health profession and its past and future roles in human rights abuses, and most importantly, this body will arrange submissions from health sector groups and alliances to be presented at a "health sector TRC hearing" sometime next year. In terms of the TRC, the workshop has also stated the need to ensure that adequate information on health care participation in human rights violations is gathered when statements are taken from witnesses and victims.

Functions outside the scope of the TRC are envisaged as longer term roles in terms of the health sector and human rights. These include ongoing interaction with the Human Rights Commission, taking up human rights issues outside of the TRC mandate, The Steering Committee would also encourage groups and institutions to participate in human rights debates, as well as putting independent watchdog structures in place. It might also participate and feed into international debates on the health care sector and human rights, particularly how the latter could be prevented.

The interim executive task team consist of: Dr Wendy Orr, a TRC commissioner; Dr Lesley London, representing the NGO sector; Rachel Prinsloo, a psychologist from PsySSA; Gavin Damster from MASA; Linda Bali from the Progressive Primary Health Care Network (PPHCN) Donald Skinner, a psychologist from the NGO sector and Thembeka Gwagwa from the Democratic Nursing Organisation of South Africa (Denosa).

Dr Orr, who convened the workshop, commented in her closing remarks on the amiable spirit in which the debates took place. One aspect on which no clarity or agreement could be reached was that of amnesty or sanction for human rights abusers in the health sector. The issue will be discussed in more depth at the next meeting.

ends
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Signed by;

R. Lyster - Commissioner
and

Dr. K. Mgojo - Commissioner

ends
TRC STATEMENT BY DR ALEX BORAINE ON FERDI BARNARD

Issued by Truth and Reconciliation Commission

The Commission is in contact with the Gauteng Attorney-General's office about Mr Barnard. We are not in competition with the Attorney-General's office, nor are we a substitute for the criminal justice system, and we work in consultation with one another where necessary. Mr Barnard has not applied for amnesty at this stage.

Colleagues of former CCB operative Ferdi Barnard have agreed to co-operate with the Commission, and have indicated that they will apply for amnesty.

A number of former CCB operatives were due to be subpoenaed but indicated to our Investigative Unit recently that they were willing to appear voluntarily and were preparing amnesty applications. These developments took place before the publication yesterday of allegations made about Mr Barnard.

The fact that the Attorney-General appears ready to begin new trials should encourage those who are concerned that they might be liable for criminal prosecution or civil actions for damages to hand in their amnesty applications before the December 14 deadline.

ends
December 3, 1996

STATEMENT BY GLENN GOOSEN, THE NATIONAL DIRECTOR OF THE TRUTH AND RECONCILIATION COMMISSION'S INVESTIGATIVE UNIT

Issued by Truth and Reconciliation Commission

Members of the TRC's National Investigative Unit and commissioners have concluded two days in camera discussion with former Vlakplaas operative, Joe Mamasela.

Mr. Mamasela made a sworn statement about more than 25 gross human rights violations involving both himself and others. Some of these have not previously been admitted to publicly. Under oath he further expanded on his activities prior to his recruitment by the Security Police, the method of such recruitment and operations conducted by operatives of Vlakplaas, where he was based until 1985.

The commission wishes to state that Mr. Mamasela came forward voluntarily and pledged to continue his assistance to the Commission.

He has been co-operating fully so far.

Those present at the discussions include two commissioners - Investigative Unit Head, Dumisa Ntsebeza and Adv Denzil Potgieter, as well as other senior members of the Investigative Unit.

ends
STATEMENT CONCERNING GENERAL MAGNUS MALAN

Issued by Truth and Reconciliation Commission

If General Magnus Malan is correctly reported in today's Rapport, he has fundamental misunderstandings about the law which established the Truth and Reconciliation Commission and he is giving dangerously misleading advice to those who served under him.

General Malan has reportedly said to those who are uncertain about where they stand that it is not necessary to apply for amnesty.

My advice is: If you are uncertain about whether or not your actions could lead to a prosecution, or a civil action for damages, the safest course is to apply for amnesty. You have nothing to lose: the details of your amnesty application cannot be used against you in a court of law.

If correctly quoted, General Malan is wrong in the following respects:

-- He suggests that people can be charged before the TRC. That is not the case: people come before the Commission to seek amnesty, not to be punished.

-- He suggests that cross-examination of witnesses in a court serves former SADF members' interests better than TRC proceedings. But the Amnesty Committee's proceedings are not based on witnesses giving evidence against an applicant; they are based on applicants voluntarily telling the Committee the truth about what they did.

-- He says you can get amnesty only if you say you are sorry. There is no such requirement in the law and that is not the case.

General Malan also says he takes political responsibility for cross-border raids and individuals do not have to apply for amnesty. But the amnesty provisions of the law do not allow for the concept of collective responsibility.

Former SADF members who are vulnerable to prosecution or civil actions are being badly advised by General Malan. If they follow his advice and do not take advantage of the opportunity offered by the Commission, they may be charged by Attorneys-General or sued by victims.

ends
December 9, 1996

AN OPEN APPEAL TO POLITICAL LEADERS AND POTENTIAL AMNESTY APPLICANTS

Issued by Truth and Reconciliation Commission

(from Archbishop Desmond Tutu, Chairperson, Truth and Reconciliation Commission)

One of the most significant dates in the life of the Commission -- the deadline for the submission of amnesty applications -- is less than a week away. There still appear, however, to be a number of misunderstandings about the amnesty process, which are shared by some political leaders or former leaders.

The confusion, particularly so close to the deadline date, could seriously undermine the potential of the amnesty process to help us reach the truth and thereby to bring about reconciliation in South Africa.

Much of the confusion centres on two issues:

--- Many appear uncertain about whether or not they should be applying for amnesty;

--- There is a widespread misconception that the only people who need to apply for amnesty are those who committed gross human rights violations as defined in the Act, or who acted outside the authority of the State or the policies of their political movement.

On the first issue, we have had appeals -- from political leaders among others -- for advice about whether people should apply for amnesty. There has even been a suggestion that we should set up a service for those who are uncertain, the purpose being to give advice on whether or not they should apply.

We cannot give advice to individuals on whether or not the specific actions they have been involved in are actions in respect of which they should apply for amnesty. Giving such advice would involve pre-empting the role of the Attorneys-General by saying whether or not people might be charged for such actions. It would also involve pre-empting the courts by saying whether or not people who were charged would be convicted.

As a result, we can say to individuals only that they should apply for amnesty if they have done something which might result in a prosecution or a civil action for damages. We cannot give them a firm assurance that their actions fall in that category or not. Instead we urge them to realise that people who do not apply for amnesty do so at their own peril. They may be criminally charged or be liable for civil damages. If they are in doubt it is obviously better to be safe and to apply.

The second issue is rooted in the mistaken importance that has been attached to moral issues in the amnesty process. The Act is very clear that amnesty is for anyone who has done, or omitted to do, anything which might constitute an offence or a delict. The moral quality of the act is irrelevant for the purposes of the Amnesty Committee. To apply for amnesty is not necessarily to admit you have done something wrong: indeed, you are able to tell the Amnesty Committee that you are proud of what you did, albeit that it constitutes an offence under law. There is no requirement in the law that amnesty applicants should express remorse.

The only relevance which the definition of a "gross violation of human rights" has in the amnesty provisions of the Act is to the question of whether there is a public hearing or not. Amnesty is not only for those who have committed gross violations of human rights. Misconceptions on this issue can be gravely prejudicial to individuals. One example is Mr P W Botha's statement that he is advised that the bombing of Khotso House is not a "gross violation of human rights" as defined in the Act. This statement could lead people who were involved in bombings of buildings where there was no loss of life to assume that they need not apply for amnesty. Yet, accepting for the purposes of argument that such an action is not a gross violation, the bombing of a building is certainly something that can be the subject of criminal charges. It is therefore critically important to take the definition of "gross violations" out of consideration when it comes
There also appears to be a belief that amnesty is only for those who have committed acts which fall outside officially-sanctioned orders or policy. Yet Section 20 (2) of the Act specifically envisages amnesty, for example, for a member of the Security forces for actions carried out "in the course and scope of his or her duties and within the scope of his or her express or implied authority .... and which was committed bona fide with the object of countering or otherwise resisting [a political struggle against the State]..." It similarly envisages amnesty for a member of a liberation movement involved in actions "in the course and scope of his or her duties and within the scope of his or her express or implied authority directed against the State... and which was committed bona fide in furtherance of the said struggle."

It is this which led me to advise members of the Security forces in a statement to a newspaper recently:

"Just as we would urge members of liberation movements in general to apply for amnesty for officially-approved attacks, planned from outside the country, against military targets in South Africa, we would urge members of the Security forces in general to apply for amnesty in respect of cross-border operations."

Political leaders have a critical role in ensuring that the country exploits to the full the potential that the Promotion of National Unity and Reconciliation Act offers for getting to the truth about our past and using it as a basis for promoting reconciliation.

We cannot force anyone to apply for amnesty; the process is voluntary. And amnesty applications are not necessarily essential to our purposes in our search for the truth: indeed, on the basis of the work of our Investigative Unit and Research Department we are hopeful that we will get to a substantial part of the truth -- including identifying key figures -- even without amnesty applications.

However, we believe our political leaders will be squandering an important opportunity for putting the past behind them if they do not come forward and participate in the amnesty process. There is no instrument in the country with the same potential as this process for ending the accusations and counter-accusations about the past, the recriminations and the political bickering which will plague this country's life for generations to come if you do not seize the opportunity of using properly the Commission which you created.

ARCHBISHOP DESMOND TUTU

ends
December 14, 1996

STATEMENT BY ARCHBISHOP DESMOND TUTU ON THE EXTENSION OF AMNESTY DEADLINES

Issued by Truth and Reconciliation Commission

"I am thrilled and elated that the State President has demonstrated again his own deep commitment to reconciliation."

Archbishop Tutu is on holiday in the United States where he learned of yesterday's announcement by State President Nelson Mandela that both the cut-off date and deadline for amnesty applications were extended. This followed an appeal by the commission for these extensions. The announcement was made after a meeting between Mr Mandela and the vice-chairperson of the TRC, Dr Alex Boraine, yesterday in Pretoria.

"This would be an empty gesture if perpetrators don't come forward after having been offered yet another olive branch. We hope everybody realises what this means for the process of reconciliation."

Archbishop Tutu will be on vacation until the end of December.

ends
August 31, 1996

VERBATIM TRANSCRIPT OF TRC NEWS CONFERENCE, held in Cape Town on August 31, 1996

Present: Chairperson, Deputy Chairperson, Commissioner Ntsebeza. In attendance: Glen Goosen

Purpose: Comment on a meeting with former police commissioners Van der Merwe, Coetzee and Geldenhuys.

ARCHBISHOP TUTU:

We have had a meeting with 3 generals who are former commissioners of police. The meeting happened as a result of an intervention by the Ministry of Safety and Security, through Deputy President Thabo Mbeki, who indicated that people were aware that the Commission was on the point of issuing subpoenas, and there was considerable media speculation. There was what appeared to be a leak of the likely names of those to be subpoenaed.

The burden of the intervention was that these former commissioners and other high-ranking police officers were ready to co-operate with the Commission and thought that the use of subpoenas would be counter-productive. As a consequence we had this hastily-arranged meeting.

There were three commissioners -- one was unable to come, General de Witt, we had General van der Merwe, General Coetzee and General Geldenhuys -- who made it clear that they were representing a larger group; certainly the group of seven generals that had been floated about [as being about to receive subpoenas] and more than 22 other persons. They felt in fact that the constituency they were presenting was a fairly substantial constituency.

They were saying -- and we have agreed -- that they would want to voluntarily make a, what they call an omnibus submission, which they would let the Commission have ahead of a public hearing, so that we were able to acquaint ourselves with its contents. Then there would be a supplementary list... in which they would list certain incidents -- they spoke about, at this stage, 50 or so incidents where they would be able to speak in general terms initially -- and on the basis really of the reception by the Commission, the nature of the reception by the Commission of that submission, they would make a strong plea, a strong call, on all their former colleagues, especially their subordinates, to come forward to the Commission to give as much information as possible relating to various incidents.

We have decided that we will go this route. We will continue to retain obviously the right of issuing subpoenas at any stage and we will evaluate the process. For us it's a matter of urgency that we need to have information on various incidents as quickly as possible and we hope that this is a route that will ensure that we are able to arrive at that kind of information with the least investment of energy etc. etc.

So at this stage we are going to cancel the press conference that we should have had on Monday at which Commissioner Dumisa Ntsebeza would have, with Glen, announced that these subpoenas are being issued; because the purpose of the subpoena is to extract information, to arrive at information, and if we are able to get the information without using the subpoenas, then we would much rather go that route.

DR BORAINE:

Just to underline the priority of time. There is a cut-off date for amnesty applications which is in December. There's very little time, and we stressed that, and we agreed that they would make their omnibus submission by the middle of September, in other words a couple of weeks from now, and that we would get prior sight of that submission so that when they do appear before us we would be able to have read the submission and to ask the questions that we might have concerning their submission.

MR NTSEBEZA:
I think what one needs to say is that there is a delay factor in the manner in which things are now going to be done. That is both a plus and a minus: it's a plus in the sense that we will now have people who are, in their own words, voluntarily going to supply information; it's a minus in the sense that the information that they may supply may possibly not go the distance. But then we still have other options... this change of the method of getting information [can be seen as] a good and a bad thing.

But on the whole, I think to the extent that we will now have a public presentation, rather than the in camera presentations that the subpoenas would have involved, to that extent in the interests of the public and the nation, it would be a good thing that we have people who are former police generals coming there out in the open, in the presence of the mass media, saying what they want to say, either by justification or by disclosure of the things that they were involved in.

Questions:

Anton Ferreira, Reuters: What was the tone of the meeting?

ARCHBISHOP: Very good. We've always been a group that didn't seek to be confrontational and it was a friendly meeting. We were not seeking to be adversaries, we're trying to find the truth.

Roger Friedmann, Cape Times: This issue of what they're coming to do, whether they're coming to, as you put it, provide a justification, or to provide the Commission with information. What is the feeling you get? Are they coming to tell us something significant, or are they coming, as someone said some of the political parties did, in order to try and justify how they went to work? What feeling do you have of the tone of their submission?

ARCHBISHOP: I would say that they obviously want to provide a context, the framework, and they made quite clear that they are not politicians, they were people who served the State, they would serve any government; that they were not the ones who made laws, they were there to carry out laws that were promulgated in a legal fashion -- they didn't speak about the morality. I would think that they will say things that probably will seek to justify themselves -- they would be very odd human beings if they didn't.

But the fact that we are going to have their submission ahead of the public hearing -- we insisted on that -- will mean that we will have the opportunity of being able to ask pertinent questions. And we have said, and they recognised, that that would be just the first part in the process, because there is the second phase, because we spoke to them about the fact that... Dumisa kept saying, will I know who killed the Pebco Three, the kind of information which we promised people in our hearings we would try to find for them.

Ross Colvin, Sapa: I just want to get clarity on two points: their agreeing to call on their subordinates to come forward to the Commission: is that conditional on the response they get from the Commission at the public hearing, and, two, can we just find out once and for all, were they to be subpoenaed? Were their names on the list, because there seems to be a lot of confusion about that?

ARCHBISHOP (to Glen Goosen): You had them on your list?

GLEN GOOSEN: Yes, they were to be subpoenaed.

ARCHBISHOP: What they are basically saying, to answer your first question, there is a persuasion exercise in which all are engaged, because they say many of these police officers are people who have done law, and know that you can stall, you can refuse to give information, even if you are subpoenaed, and even if the subpoena provision compels you, one of them said, they can say: "I can't remember that incident" and you could be stymied. They just want to be able to say, this whole business of perception, that there are people who reckon that the Commission is biased, is a witch-hunt, and things of that sort; that they would as a result of, in fact, even having today's meeting be able to go back to say that we got a meeting, and it was a meeting that was arranged very hurriedly, which does seem to indicate that the Commission is not hell-bent on subpoenas. The subpoenas will remain as something that we can use if are given a wild goose chase.

DR BORAINE: Can I just say that a major benefit arising out the discussion today is the fact that they are prepared to
encourage their own colleagues and subordinates to come to the Commission. The Commission has said over and over again that unless you have victims and perpetrators coming, we will not have succeeded in the work of truth and reconciliation. So I think we should stress that. That they have their own objectives in mind, I have no doubt. That we accept.

Cape Times: But could you answer SAPA's question; did they say that they would call on their subordinates unconditionally, or did they say it would it be conditional on the response of the Commission?

ARCHBISHOP: They are saying, we've got a submission, and again, subjectively for them, what has been the attitude of the Commission; ah, the Commission was hostile, or the Commission was friendly, so come along. But I would say that our evaluation of today is that they would want to, they appear to be keen in fact to co-operate.

DR BORAINE: Otherwise it would be a total contradiction of the meeting if they were not willing to do that, frankly.

Kenneth Makatees, SABC Radio: It's been said that they are going to supply information if asked to do so. Does it mean that they are prepared to co-operate with the investigative unit?

ARCHBISHOP: Oh, they said so. They said, we are ready, actually either on their own, but possibly in co-operation with Dumisa's unit to do all they can to uncover.

Cyril Madlala, Sunday Times: Could I just get clarity please on what is there, for example the PEBCO Three...

(inaudible, but deals with what details were given during meeting of specific incidents)

ARCHBISHOP: I'm going to say that in a way we have to wait and see what they are going to do; because our own response is, in a sense, dependent on what they do. That is why we are saying we want your submission ahead of time so that we can be ready with the kind of questions -- if all they give, I mean most of it is going to be generalised, but if all they do is giving you a generalised picture, then we will obviously not be satisfied. We are going to try to be probing; we are hoping of course that they will be trying to provide us with the kind of detail... We told them that we started with the victim hearings, and in the victim hearings people kept saying, we want to know, and we need to be able to supply people with the information which we promised we would try to get.

ENDS
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There were three commissioners -- one was unable to come, General de Witt, we had General van der Merwe, General Coetzee and General Geldenhuys -- who made it clear that they were representing a larger group; certainly the group of seven generals that had been floated about [as being about to receive subpoenas] and more than 22 other persons. They felt in fact that the constituency they were presenting was a fairly substantial constituency.

They were saying -- and we have agreed -- that they would want to voluntarily make a, what they call an omnibus submission, which they would let the Commission have ahead of a public hearing, so that we were able to acquaint ourselves with its contents. Then there would be a supplementary list... in which they would list certain incidents -- they spoke about, at this stage, 50 or so incidents where they would be able to speak in general terms initially -- and on the basis really of the reception by the Commission, the nature of the reception by the Commission of that submission, they would make a strong plea, a strong call, on all their former colleagues, especially their subordinates, to come forward to the Commission to give as much information as possible relating to various incidents.

We have decided that we will go this route. We will continue to retain obviously the right of issuing subpoenas at any stage and we will evaluate the process. For us it's a matter of urgency that we need to have information on various incidents as quickly as possible and we hope that this is a route that will ensure that we are able to arrive at that kind of information with the least investment of energy etc. etc.

So at this stage we are going to cancel the press conference that we should have had on Monday at which Commissioner Dumisa Ntsebeza would have, with Glen, announced that these subpoenas are being issued; because the purpose of the subpoena is to extract information, to arrive at information, and if we are able to get the information without using the subpoenas, then we would much rather go that route.

Just to underline the priority of time. There is a cut-off date for amnesty applications which is in December. There's very little time, and we stressed that, and we agreed that they would make their omnibus submission by the middle of September, in other words a couple of weeks from now, and that we would get prior sight of that submission so that when they do appear before us we would be able to have read the submission and to ask the questions that we might have concerning their submission.
I think what one needs to say is that there is a delay factor in the manner in which things are now going to be done. That is both a plus and a minus: it's a plus in the sense that we will now have people who are, in their own words, voluntarily going to supply information; it's a minus in the sense that the information that they may supply may possibly not go the distance. But then we still have other options... this change of the method of getting information [can be seen as] a good and a bad thing.

But on the whole, I think to the extent that we will now have a public presentation, rather than the in camera presentations that the subpoenas would have involved, to that extent in the interests of the public and the nation, it would be a good thing that we have people who are former police generals coming there out in the open, in the presence of the mass media, saying what they want to say, either by justification or by disclosure of the things that they were involved in.

Questions:

Anton Ferreira, Reuters: What was the tone of the meeting?

ARCHBISHOP: Very good. We've always been a group that didn't seek to be confrontational and it was a friendly meeting. We were not seeking to be adversaries, we're trying to find the truth.

Roger Friedmann, Cape Times: This issue of what they're coming to do, whether they're coming to, as you put it, provide a justification, or to provide the Commission with information. What is the feeling you get? Are they coming to tell us something significant, or are they coming, as someone said some of the political parties did, in order to try and justify how they went to work? What feeling do you have of the tone of their submission?

ARCHBISHOP: I would say that they obviously want to provide a context, the framework, and they made quite clear that they are not politicians, they were people who served the State, they would serve any government; that they were not the ones who made laws, they were there to carry out laws that were promulgated in a legal fashion -- they didn't speak about the morality. I would think that they will say things that probably will seek to justify themselves -- they would be very odd human beings if they didn't.

But the fact that we are going to have their submission ahead of the public hearing -- we insisted on that -- will mean that we will have the opportunity of being able to ask pertinent questions. And we have said, and they recognised, that that would be just the first part in the process, because there is the second phase, because we spoke to them about the fact that... Dumisa kept saying, will I know who killed the Pebco Three, the kind of information which we promised people in our hearings we would try to find for them.

Ross Colvin, Sapa: I just want to get clarity on two points: their agreeing to call on their subordinates to come forward to the Commission: is that conditional on the response they get from the Commission at the public hearing, and, two, can we just find out once and for all, were they to be subpoenaed? Were their names on the list, because there seems to be a lot of confusion about that?

ARCHBISHOP (to Glen Goosen): You had them on your list?

GLEN GOOSEN: Yes, they were to be subpoenaed.

ARCHBISHOP: What they are basically saying, to answer your first question, there is a persuasion exercise in which all are engaged, because they say many of these police officers are people who have done law, and know that you can stall, you can refuse to give information, even if you are subpoenaed, and even if the subpoena provision compels you, one of them said, they can say: "I can't remember that incident" and you could be stymied. They just want to be able to say, this whole business of perception, that there are people who reckon that the Commission is biased, is a witch-hunt, and things of that sort; that they would as a result of, in fact, even having today's meeting be able to go back to say that we got a meeting, and it was a meeting that was arranged very hurriedly, which does seem to indicate that the Commission is not hell-bent on subpoenas. The subpoenas will remain as something that we can use if are given a wild goose chase.

DR BORAINE: Can I just say that a major benefit arising out the discussion today is the fact that they are prepared to
encourage their own colleagues and subordinates to come to the Commission. The Commission has said over and over again that unless you have victims and perpetrators coming, we will not have succeeded in the work of truth and reconciliation. So I think we should stress that. That they have their own objectives in mind, I have no doubt. That we accept.

Cape Times: But could you answer SAPA's question; did they say that they would call on their subordinates unconditionally, or did they say it would be conditional on the response of the Commission?

ARCHBISHOP: They are saying, we've got a submission, and again, subjectively for them, what has been the attitude of the Commission; ah, the Commission was hostile, or the Commission was friendly, so come along. But I would say that our evaluation of today is that they would want to, they appear to be keen in fact to co-operate.

DR BORaine: Otherwise it would be a total contradiction of the meeting if they were not willing to do that, frankly.

Kenneth Makatees, SABC Radio: It's been said that they are going to supply information if asked to do so. Does it mean that that they are prepared to co-operate with the investigative unit?

ARCHBISHOP: Oh, they said so. They said, we are ready, actually either on their own, but possibly in co-operation with Dumisa's unit to do all they can to uncover.

Cyril Madlala, Sunday Times: Could I just get clarity please on what is there, for example the PEBCO Three... (inaudible, but deals with what details were given during meeting of specific incidents)

ARCHBISHOP: I'm going to say that in a way we have to wait and see what they are going to do; because our own response is, in a sense, dependent on what they do. That is why we are saying we want your submission ahead of time so that we can be ready with the kind of questions -- if all they give, I mean most of it is going to be generalised, but if all they do is giving you a generalised picture, then we will obviously not be satisfied. We are going to try to be probing; we are hoping of course that they will be trying to provide us with the kind of detail... We told them that we started with the victim hearings, and in the victim hearings people kept saying, we want to know, and we need to be able to supply people with the information which we promised we would try to get.

ENDS
January 9, 1997

STATEMENT - MEDIA HEARING

Issued by Truth and Reconciliation Commission

In November 1996 the Truth and Reconciliation Commission decided to hold a special public hearing in 1997 concerning the role of the media during the apartheid era. At this hearing, all the relevant organisations including the electronic and print media from every constituency, will be given an opportunity to present their point of view.

The Freedom of Expression Institute (FXI) approached the Commission with an offer to prepare an initial research paper covering this important subject. The Commission accepted this offer, and will receive this submission, as one of many submissions which will be made.

In recent press reports Mr Thami Mazwai, speaking on behalf of the Black Editors Forum (BEF), has criticised this agreement between the Commission and the FXI. As a result this whole matter will be reviewed at the next session of the TRC's Human Rights Violations Committee, which meets on 23 January in Johannesburg.

In the meantime, it should be stressed that the TRC is an independent body and all its public hearings are open to all interested parties. No one will be advantaged or disadvantaged in the arrangements made for the public hearing.

ends
January 10, 1997

MEDIA ADVISORY - WESTERN AND NORTHERN CAPE REGIONS

Issued by Truth and Reconciliation Commission

As the Truth and Reconciliation Commission (TRC) enters its second and final year, it is poised to address the issue of reconciliation, and how best to generate public interest on the subject. Thus, the TRC is planning to host a series of lectures and public discussions on the broad topic of reconciliation.

We kick off this process with an academic panel discussion, hosted jointly by the University of Cape Town's Centre for African Studies and the TRC's Human Rights Violations Committee on 24 January 1997 at 12h00pm. The venue will be the Centre for African Studies (Tel: 6502308)

A number of panelists have been invited to speak on various aspects of truth and reconciliation, including:

* The relationship between reconciliation and confessions by perpetrators of atrocities, or restitution and truth;

* The relationship between painful memory and reconciliation;

* How government can make a contribution towards reconciliation, and the limitations of such an objective;

* Strategies that can be implemented by civil society to implement reconciliation effectively;

* How the media can address a past during which misinformation through the press was legalised, and expected;

* The meaning of reconciliation in the corporate sector.

Members of the media are welcome to attend and report on the discussion, but need to confirm their attendance as soon as possible, as limited space is available.

ends
MEDIA ADVISORY - TRC TO RESUME COETZEE HEARING

Issued by Truth and Reconciliation Commission

The TRC's Amnesty Committee will resume its hearing of evidence next Monday, 20 January 1997, on the Amnesty applications of Dirk Coetzee, Almond Nofomela and David Tsikalange.

The hearing will be held at the Johannesburg City Hall, next to the Gauteng Legislature and is scheduled to continue till Friday, 24 January.

This will be the first sitting of the Amnesty Committee this year.

The hearing of evidence on the application of the three former Vlakplaas operatives was postponed in November last year after eight days.

ends
STATEMENT BY DR ALEX BORAIN, VICE-CHAIRPERSON OF THE TRC

Issued by Truth and Reconciliation Commission

The Truth and Reconciliation Commission has established conclusively the existence of a written report produced by General Pierre Steyn's 1992 investigations into intelligence activity in the former South African Defence Force.

The TRC's Research Department has established that while, technically speaking, there was no formal report produced by General Steyn, his verbal briefing of former President F W de Klerk and senior members of his Cabinet was substantiated by a "staff report" comprising written notes and a diagram. The report was made available to Mr de Klerk.

General Steyn, now Secretary of Defence, has provided the Research Department with a large file containing information, including the "staff report".

The attached briefing from the Research Department summarises its work so far. Of particular note are:

1. The fact that Mr De Klerk's drastic action in dismissing or retiring a range of military personnel in December 1992 was taken without the full investigation which General Steyn had recommended in his report;

2. General Steyn's concern at the lack of progress in investigations carried out after the dismissals and compulsory retirements, and his view that the SAP and SADF at the time were spending more time on cover-ups and identifying leaks than gathering evidence;

3. The fact that documents were destroyed throughout his investigation, in defiance of his orders;

4. That intelligence gathered by General Steyn's inquiries indicated significant unauthorised and unlawful actions, involving not only the Directorate of Covert Collection of the SADF but several other components of the force.

The Research Department is continuing its work in this area. The Commission will not release General Steyn's report for two reasons:

1. More than 60 names of individuals are listed in the documentation that General Steyn made available to the Research Department, and allegations against many have not been substantiated.

2. The Commission is concerned that its investigations should not be prejudiced before they are completed.

BASIS OF MEDIA BRIEFING ON THE MEETING BETWEEN GEN PIERRE STEYN AND THE TRC

(Compiled by TRC Research Department; attribute to Prof Charles Villa-Vicencio, Director of Research)

The TRC approached General Pierre Steyn, now Secretary of Defence, to make known to it the nature and substance of his briefing of Former President FW de Klerk on his investigation into intelligence activities in the SADF and whether the Directorate of Covert Collection contravened the law or government policy.

General Steyn briefed members of the TRC on 10 October 1996, providing the TRC with a file, containing information gathered during his enquiry. Included in the file was a "staff report" ("Stafgeskrif") comprising notes and a matrix (diagram) containing activities, components and the names of individuals in the SADF suspected of engaging in unauthorised and/or unlawful actions. These notes and the matrix were used in the verbal briefing of the former President and senior members of his Cabinet in December 1992, and were made available to the President. The substance of this report was that intelligence gathered indicated significant unauthorised and unlawful actions, involving several components of the SADF and the SAP, and not just the Directorate of Covert Collection (DCC). However, this
remained at the level of intelligence information and General Steyn strongly recommended that the former President appoint an immediate criminal investigation either to substantiate or deny the information which he had placed at the former President's disposal.

The former President handed the document to Generals Kat Liebenberg, George Meiring and Joffel van der Westhuizen soon after receiving it, requiring them to provide him with a list of persons who should be dismissed or retired from the SADF. The investigation recommended by General Steyn did not take place before this happened. These names were extracted from a wide-ranging list of names, which included those with line responsibility as well as some possibly more directly involved in irregularities, in the documentation which General Steyn made available to the former President. This documentation included no recommendation either to dismiss or retire any military personnel without further investigation - making the drastic action taken by the former President most unusual.

Former President de Klerk called a press conference at which he announced the retirement and dismissal of a total of 23 SADF members. With the support of the Ministers of the Justice and Police, he also authorised General Steyn to make the report available to a team of criminal investigators under the direction of the Attorney-General of the Transvaal and the Attorney-General of the Witwatersrand.

General Steyn made several further reports, both verbal and written, to the former President de Klerk and the Minister of Defence, Mr Kobie Coetzee, during 1993. In all these reports he reiterated the need for further criminal investigation and expressed his concern about the lack of progress. General Steyn's view was that more effort was being expended by the SAP and SADF on 'covering up' and 'identifying leaks' than on gathering evidence. Despite his orders at the start of his investigation that no documentation should be destroyed without his express permission, he was informed by the then NIS that the destruction of documents continued throughout his investigation.

ends
January 16, 1997

DETAILS OF SURGERY PERFORMED ON ARCHBISHOP TUTU

Issued by Truth and Reconciliation Commission

As a result of numerous inquiries for details about the surgery undergone by Archbishop Desmond Tutu, chairperson of the Commission, yesterday, he is issuing the following statement:

"I was admitted to hospital for an examination of my prostate gland, which is enlarged at my age. The doctor found no malignancy but decided to remove a portion of the prostate.

"He is very pleased with my progress and I am sitting in bed watching the cricket. I expect to be in hospital until the weekend and off work for about three weeks. I would like to thank people for their good wishes and prayers."

ends
January 17, 1997

STATEMENT FROM THE TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

Doctors have discovered cancer in Archbishop Desmond Tutu's prostate gland but will take some weeks to establish how serious it is and whether it has spread beyond the prostate.

This has been revealed by test results which became available after the release last night of a statement on Archbishop Tutu's condition. (The statement indicated that no malignancy had been discovered in initial tests.)

The initial procedure carried out by the specialists who treated the Archbishop on Wednesday involved a simple biopsy. An examination of tissue from the periphery of the prostate by microscope revealed no sign of cancer. The Archbishop's urologist then proceeded with a full prostate operation and removed the bulk of the prostate.

Further tests were carried out on the removed tissue. The results of these tests have indicated a definite cancer of the prostate but further tests will be needed to determine its extent and its seriousness. There is nothing to suggest cancer outside the prostate at this stage but only tests will determine this accurately.

The urologist does not believe it helpful to become involved in speculative comment about the prognosis or the implications of results received so far. Bulletins will be issued when further test results become available.

ends

ends
STATEMENT BY DR ALEX BORAINÉ, VICE CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

The TRC will host a delegation from the Rwandan government during the week of 19 to 26 January. The visit by the six-person delegation follows a week-long visit by Truth Commissioners and officials to Rwanda late last year.

The purpose of our visit there was to provide technical assistance to the Rwandan government in the formulation of their reparations policy to assist victims of the Rwandan genocide. Following a week of meetings in Kigali it was felt that both the Rwandans and the TRC would benefit from a broader range of discussions on areas of mutual interest.

These include:

To allow the Rwandans to gain a detailed knowledge of the TRC, including its principles and modus operandi. In particular, they wish to gain technical knowledge which may be useful to them in their attempts to come to terms with the gross violations of human rights which occurred in their country. To allow for discussions between the Rwandans and the TRC on issues relating to national unity and reconciliation. To provide the TRC with an update on the Rwandan situation, in particular the ongoing prosecutions of persons responsible for the Genocide as well as their reparation policy. To explore possible areas of future cooperation and mutual assistance.

A funding agreement was signed in November 1996 between the TRC and the Belgian government which covers all costs associated with this trip.

The Rwandan delegation will include:

Mr Pie Mugabo, Minister of Labour and Social Affairs - Head of Delegation
Mr Charles Muligande, Minster of Transport and Communications
Mr Faustin Ntzeirayayo, Minister of Justice
Mr Simeon Rwagasore, Public Prosecutor
Mr George Mupenzi, Advisor to Minister of Labour and Social Affairs
Prof Madeleine Morris, Professor of Law at Duke University, Advisor to the President of Rwanda.

The delegation will spend most of their time at the Head Office of the TRC, where they will meet with commissioners and other senior officials of the Commission. They will also meet with representatives of various NGO's and institutions currently assisting the TRC's work.

On Monday 27 January, the delegation plans to meet with some of their counterparts in the South African Government. These meetings are scheduled to take place in Pretoria.

Advisory: A photo-opportunity with the delegation and Commissioners is provisionally scheduled for tomorrow, Monday, 20 January, at 10h00 am at the TRC's Head-office in Cape Town.

ends
January 20, 1997

STATEMENT BY DR ALEX BORAINE, VICE CHAIRPERSON, TRC

Issued by Truth and Reconciliation Commission

I am concerned at press reports in which General Steyn is alleged to have denied certain facts included in the TRC'S press release on Thursday 16 January 1997. He has been most cooperative in assisting us to understand the nature of his report to former President de Klerk, and we are in direct touch with him to clarify the facts.

Given the seriousness of the matter it is necessary at this stage, however, to clarify the following matters:

1. The press statement of last Thursday entitled "Basis of media briefing on the meeting between Genl. Steyn and the TRC" was released after careful consultation with General Steyn and after certain amendments suggested by him were added to the statement. This was to ensure that no possible misunderstandings or incorrect information be communicated to the public. The statement was released to the media with his full knowledge and support. We stand by that statement.

2. We have examined General's Steyn's written statement issued on Friday and we see no fundamental conflicts between the two statements.

3. We re-iterate that the Commission received from General Steyn a written document, which includes a staff report of the matter under investigation and a matrix containing the names of a number of people under suspicion, which was handed to the former President.

4. The findings in this documentation are at the level of intelligence reports. As such they are not conclusive - a matter which was made absolutely clear at our press conference. It is for this reason that General Steyn urged the former President not to take specific action without further investigation.

5. It is the task of our investigative unit and research department to investigate thoroughly all information which we receive, for this to be corroborated and cross-checked. I wish to reiterate that the information contained in the file handed to us by General Steyn is an invaluable source of information, which we take into account in our ongoing decisions concerning future subpoenas.

6. We have in our possession, inter alia, a letter addressed by General Steyn to former President de Klerk, written subsequent to his initial report, in which General Steyn again draws to the former President's attention the substance of the information given to him earlier. This intensifies our concern that the former President appeared not to have taken sufficient steps either to investigate or counter allegations of third force activities within the SADF and SAP.

7. A new development in this saga confirms our reservations. It is now reported that Colonel Roelf Venter, who in an amnesty application to the TRC has claimed to have been involved in a range of state-initiated criminal activities, was later assigned together with Brigadier Suiker Brits, to investigate the allegations identified in General Steyn's report. If true, this emphasises our concern that the allegations of dirty tricks by SADF personnel may not have been adequately investigated.

In summation, we reiterate:

1. The existence of a written report, which was seen by former President de Klerk;

2. The fact that three generals whose names appeared in the report given by Genl. Steyn to the former President, were asked by President De Klerk to recommend the names of those against whom action should take place; and 3. The failure over a nine-month period to investigate adequately the charges against those mentioned in the report who were allegedly involved in third force activities in the SADF and SAP.
ends
STATEMENT BY DR ALEX BORAINÉ, VICE CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION, ON A MEETING BETWEEN DELEGATIONS FROM THE TRC, THE BLACK EDITORS' FORUM AND THE FORUM OF BLACK JOURNALISTS

Issued by Truth and Reconciliation Commission

During a meeting lasting nearly two hours tonight, delegations from the TRC, the BEF and the FBJ discussed the concerns raised by the latter two organisations about the way in which the Commission is carrying out preparations for an inquiry into the role of the media under apartheid.

The fact that the BEF and FBJ supported strongly the holding of public hearings indicates that there is now a broad consensus from within the media on the need for such hearings.

The organisations emphasised that the TRC ought to consider inviting both individuals and organisations in their own right to give evidence before the Commission. We welcome this suggestion.

They also made a strong point, which we have to take into account, which is that there is no need for an intermediary between the media and the TRC, that the media is articulate and its various constituencies can speak for themselves.

As I announced some time ago, as a result of concerns expressed by a fairly wide range of media the TRC is to review the mandate it has given to the Freedom of Expression Institute in preparations for hearings. The intention is not to penalise anyone but to fulfil our objective of being as inclusive as possible in our work. We have to rethink our approach if important stakeholders find it impossible to participate.

ends
January 21, 1997

STATEMENT BY DR ALEX BORaine, VICE CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

It would be surprising if there were no tensions in the TRC. Firstly, the Commission is a microcosm of South Africa, which itself is experiencing enormous tensions as it recovers from a period of desperate conflict. Secondly, the Commission's work is extraordinarily demanding, both in terms of time and emotions. To work at the rate at which the Commission is working can only serve to intensify any tensions which may be there.

Obviously the Commission will have to discuss the allegations at the highest level and this whole matter will be on the agenda for the Commission meeting on 30 January.

There are a number of factual discrepancies in the press report and in particular it is nonsense to suggest that top positions are held by whites. For the record, the chairperson of the Commission, the chairperson of the Amnesty Committee and the chairperson of the Reparation and Rehabilitation Committee are all black. The head of the Investigative Unit is black. One of the vice chairpersons of the Human Rights Violations Committee is black. In other words, some of the most powerful and responsible positions are held by black persons within the Commission.

Notwithstanding this, if there are genuine concerns they have to be addressed, but it is my hope that nothing will inhibit the Commission from getting on with its job.

ends
January 22, 1997

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON, TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

Newspaper reports on the alleged marginalisation of black members of the TRC have forced me into doing something which I should not be doing, which is issuing a statement from my sick bed.

Firstly, all major decisions are taken by the full Commission. Most Commissioners are black. Most members of each of the three constituent committees of the TRC are black. The chairpersons of each of the Committees, as well as the Chief Executive Officer, are black.

Secondly, the suggestion from anonymous sources in the Commission that it is run by a clique of liberals is insulting to me and I take very strong umbrage.

The implication is that I am almost a token chairperson who is not in control. Anyone who knows me is aware that I am not a person to be manipulated by cliques. Dr Alex Boraine consults closely with me on what he is doing. He does not take decisions other than those delegated to him without discussing them with me.

What is more, when we were appointing a Chief Executive Officer last year, Dr Boraine was quite insistent that a suitably qualified black person should be appointed.

It is sad that anonymous individuals are not using the existing channels laid down in the TRC to resolve grievances because it undermines the tremendously committed and conscientious work being done by staff, Committee members and Commissioners.

ends statement

ADVISORY NOTE: Archbishop Tutu dictated this statement from his bed and asks me to advise you he will not be available for the flood of follow-up interviews he is expecting, not even from radio stations needing sound-bites. He regrets this but asks for your understanding.

ends
Issued by Truth and Reconciliation Commission

The Human Rights Violations Committee of the Truth and Reconciliation Commission today reviewed its earlier arrangement with the Freedom of Expression Institute concerning preparations for a possible media hearing.

In the light of representations made to the Commission, the HRV Committee has decided to rescind the mandate it gave to the FXI. It has done so in the hope that the emphasis will be on inclusivity and a reassurance to all stakeholders that the TRC itself will manage the process and every opportunity will be granted to all to participate equally.

Individuals and organisations in the media are all invited to make submissions to the TRC on the same basis. The submissions will be used by the Commission in considering the possibility of a public hearing on the role played by the media during the period covered by our brief.

ends
January 28, 1997

STATEMENT BY DR ALEX BORAIENE, VICE-CHAIRPERSON, TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

The Truth and Reconciliation Commission has succeeded in getting former policemen who claim responsibility for four incidents involving the killing of 10 anti-apartheid leaders and activists in the Eastern Cape to come forward and identify themselves.

Combined work by the TRC's Investigative Unit and Witness Protector, backed up by the prospect of amnesty, has resulted in amnesty applications in which members of the former Security Branch of the South African Police acknowledge responsibility for:

-- Assaults on Steven Bantu Biko and Peter Cyril Jones in September 1977, and the killing of Mr Biko;

-- The abduction and killing of Sphiwe Mtikulu and Topsy Madaka in April 1982;

-- The abduction and killing of the PEBCO Three - Sipho Charles Hashe, Qaqawuli Godolozi and Champion Galela - in May 1985; and


The Commission, against a background of information being leaked to the media, has decided to make available to the public an outline of information arising from investigations and amnesty applications which sketch for the first time the main details of how some of the killings are alleged to have taken place.

The information we have gathered constitutes a major breakthrough. Numerous earlier investigations and judicial inquiries have not conclusively resolved the cases, and our investigative work, combined with the prospect of amnesty, has persuaded those who say they were involved in perpetrating the acts to come forward for the first time.

However, we need to emphasise strongly that:

** Investigations to verify and expand upon the information are continuing; and

** The information still needs to be placed before and decided upon by the Amnesty and Human Rights Violations committees.

As a result we will not at this stage provide full details of information at our disposal. Nor will the Commission make available names of amnesty applicants at this stage. We are also not convinced that all those who bear responsibility for the acts and omissions which led to the deaths of people have come forward.

Unauthorised leaks of information

The Commission is deeply concerned at the unauthorised leaks of information relating to a number of these matters. Indications are that the leaks relating to the Cradock Four and the Biko matters did not come from within the Commission.

We are sensitive to the right of the media to publish information when it is not explicitly prohibited by law. However we
have to note that the publication of leaked information before the Commission and its staff were able to brief and prepare families of the victims for the revelations has caused considerable distress and anger to a number of families. The Commission is legally mandated to place a high premium on the concerns of victims and the indiscriminate publication of information in which they have an interest displays total insensitivity to their feelings.

We also note that the publication of leaked information has the potential to prejudice the Commission in its investigations or other work. We draw the attention of the media to Section 39 of the Promotion of National Unity and Reconciliation Act, which states inter alia that it is an offence:

** To hinder the Commission in the exercise, performance or carrying out of its powers, functions or duties; and

** To disclose confidential information in contravention of any provision of the Act.

Background to the decision by Security Police to disclose their involvement

The disclosures we can make have their origins in hearings in the Eastern Cape during 1996, when the families of victims called on the Commission to establish the truth about the fate of their loved ones. As a result of these appeals, members of the Special Investigations Section of the Investigative Unit were assigned to work on the matters.

As these investigations were continuing, information also emerged from senior officers who testified under subpoena during closed investigative inquiries of the Commission -- conducted in terms of Section 29 of the Act.

As a consequence of the Section 29 inquiries, the head of the Investigative Unit, Commissioner Dumisa Ntsebeza, was approached by a member of a group of policemen who wanted to explore the possibilities of applying for amnesty. Mr Ntsebeza appointed the Commission's Witness Protector to work with potential applicants and their lawyer on issues relating to witness protection and the full disclosure of their actions.

Early in December a group headed by Mr Ntsebeza and including one of the amnesty applicants, flew in a police aircraft to Cradock, where certain of the sites mentioned in this statement were pointed out to him.

ends
Issued by Truth and Reconciliation Commission

Sketch of new information gathered by the Commission

The following is a brief sketch of new information which has been presented to the Commission:

1. Steven Bantu Biko and Peter Jones Applications have been filed by a number of former Security policemen who have indicated they are applying for amnesty in respect of charges of assault and culpable homicide. They have not yet provided details of their precise involvement in these crimes and the Commission is expecting to receive amplifications of their amnesty applications in due course.

2. Siphiwe Mtimkulu and Topsy Madaka - Information available to the Commission at this stage indicates that Mr Mtimkulu and Mr Madaka were stopped by Security policemen near the Holiday Inn, Port Elizabeth, and taken to the disused police station at Post Chalmers in the Cradock district.

There they were apparently interrogated, given drinks spiked with sedatives, carried outside and each was shot in the head by a different applicant. Their bodies were placed on a wood pyre and burnt for about six hours. The remaining fragments of bone were thrown into the Fish River, according to the application, and their vehicle was left a Tete Bridge on the Lesotho border to create the impression that they had left the country.

One of the applicants pointed out the scenes of the killing and the disposal of the remains to myself and Mr Chris McAdam, the Witness Protector.

3. The PEBCO Three - In broad outline, the information supplied on the abduction of the PEBCO Three is similar to what has already been published previously: that they were abducted from the Port Elizabeth Airport and taken to Post Chalmers police station outside Cradock.

There, after interrogation, the Three were apparently given coffee with sleeping tablets in it. Each one was allegedly shot by a different applicant, then the bodies were placed on a pyre and burnt. This took four to six hours. The remains were placed in plastic bags and disposed of in the Fish River, in the same vicinity as the remains of that Mr Mtimkulu and Mr Madaka.

4. The Cradock Four - It is claimed that the Four were abducted by a group of policemen at the Olifantshoek Pass while they were travelling from Port Elizabeth to Cradock, and taken to the bush in the vicinity of St George's Strand.

One of the four was allegedly shot for trying to escape. Two were beaten unconscious with a heavy iron implement, then stabbed to make it appear as if their deaths were vigilante killings. Their bodies were then burnt. No information in respect of the fourth is available yet.

5. Other cases - Other incidents which are the subject of this set of applications include the killing of Sizwe Kondile (also the subject of Dirk Coetzee's amnesty application), the Motherwell bombings, the killing of an Askari in the Vlakplaas canteen and cross-border operations in Botswana and Swaziland.

ends
January 29, 1997

STATEMENT BY DR WENDY ORR, CONVENOR OF THE WESTERN AND NORTHERN CAPE OFFICES OF THE TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

The TRC is to hold a special hearing in June on the role of doctors and other health care professionals in perpetrating, colluding with and preventing human rights violations of the past.

Significant progress has been made in terms of the Health Care Sector's commitment to making submissions about its role during apartheid years. One of the special submissions planned for the hearing is on death of black consciousness leader, Steve Biko, in 1977.

Both the Medical Association of South Africa (MASA) and the South African Interim Medical and Dental Council (SAIMDC) have employed researchers to go through their archives and assist in the drawing up of submissions.

In addition, the director-general of Mental Health, Dr Melvyn Freeman, has been appointed by Dr Olive Shisana, to coordinate the submission from the Department of Health. The Democratic Nursing Organisation of South Africa (Denosa) will also submit a paper on the role of nurses. The Psychiatric Association (a sub-group of MASA) will also be making its own submission.

The Trauma Centre in Cape Town announced this week that it, too, in conjunction with the Dept of Community Health at UCT, will prepare a submission, based on their new research project called Human Rights and Medical Accountability in South Africa. The project will be sponsoring two full-time research fellowships for a two-year period to undertake this work, including the documentation of cases of human rights violations involving health professionals as victims, perpetrators and bystanders. The fellowships will probably be named after one of the victims of a gross human rights violation, but consultations with the families are still ongoing.

Representatives from the health sector resolved to go ahead with such a hearing at a meeting of role-players held in November last year in Cape Town. The coordinating committee feels, however, that Kwazulu/Natal and the Eastern Cape were not adequately represented at that meeting. As these were both areas in which a high incidence of violations took place, we feel it is vital that they be fully involved in this process. To this end, a meeting will be held on February 15 in Kwazulu/Natal to inform all relevant role-players of the hearing and its purpose. This meeting will also be attended by the province's MEC for Health, Dr Zweli Mkhize, NGO's and academics. A similar meeting is planned for the Eastern Cape.

After the hearing, to be held in Cape Town, another national meeting will be convened in order to discuss the submissions and the way forward. The submissions will also be used for a chapter in the final report of the Commission.

The hearing is provisionally scheduled for 17 and 18 June this year. We have asked for the submissions to reach us a month before the hearing (16 May 1997), to give us adequate opportunity to study them. Ms Mary Rayner of Amnesty International and Dr Robert Lawrence of the AAAS have indicated their willingness to assist the TRC in this process. Submissions will be accepted from all individuals and institutions wishing to make a statement on the role of the health care sector in human rights abuses during the years under review (March 1960 to May 1994).

We have drawn up guidelines to assist in the preparation of submissions, be they from organisations, individuals or groups. These include the definition of abuse, ethical obligations of health professionals, links between health professional ethics and human rights, why abuse occurs and recommendations for preventing future abuses. Copies of the guidelines are available from the Commission's Cape Town offices.

The TRC wishes to use this opportunity to state our appreciation for MASA's assistance in recruiting doctors who are willing to provide free medical care and advice to victims who approach the TRC. Referrals to these doctors are being
made by the Cape Town office and this has resulted in more and more doctors in the Western and Northern Cape offering their services. The commission feels the medical profession is starting to show its commitment to healing the wounds of the past and we are most thankful for this.

ends
January 30, 1997

STATEMENT BY DR ALEX BORAINE, VICE-CHAIRPERSON, TRC

Issued by Truth and Reconciliation Commission

The Truth and Reconciliation Commission today began its monthly meeting with a full discussion on the question of anonymous leaks about alleged internal Commission issues and concerns.

We were appointed by the President to reflect a wide cross-section of South African society, so it should not come as news to anyone that we have differences of approach, opinion and mindset on many of the extraordinarily challenging issues we face. We have always acknowledged these differences and we are determined that they will not divert our attention from the objectives of the Commission. However, we are all firmly agreed on one critical issue in the current circumstances, and that is that differences on internal Commission organisation, structures and administration should be dealt with internally. Further, we will intensify our efforts to ensure that channels for resolving internal differences are more effective and better utilised.

The work of the Reparations and Rehabilitation Committee is taking off, the Amnesty Committee is gearing up for an intensive year of work, and the Human Rights Violations Committee is preparing for a major drive to increase substantially the number of statements it will take from victims.

It is in these areas that we owe it to the public to provide news and information about our activities, and we agree unanimously that the focus of our endeavours, both publicly and internally, must be the interests of victims of human rights violations, the exposure of the truth about our past and the promotion of reconciliation.

ends
January 30, 1997

STATEMENT by DUMISA NTSEBEZA, HEAD, INVESTIGATING UNIT, TRC

Issued by Truth and Reconciliation Commission

The Investigative Unit of the Truth and Reconciliation Commission has reported that amnesty applications submitted to the Commission have provided substantial new information on the bombing of Khotso House, Johannesburg, Khanya House, Pretoria and COSATU House, Johannesburg.

The Commission has received:

-- Eight applications relating to the bombing of Khanya House, headquarters of the Southern African Catholic Bishops' Conference;

-- Ten relating to the bombing of Khotso House, head office of the South African Council of Churches; and

-- Eleven relating to the bombing of Cosatu House.

There are also seven applications relating to threats and bombings of cinemas where the film "Cry Freedom" was shown.

The unit reported to the TRC today: "It is clear from the applications that we have already received that we have made serious inroads into SAP illegal activities. However, we have not as yet been so successful with the involvement of the military or with the official structures of the liberation movements.

"We intend embarking on a programme to place pressure on these institutions which will hopefully lead to an extension in the scope of the amnesty applications we receive."

The unit has carried out a preliminary statistical analysis of a sample of amnesty applications submitted by members of the former South African Police.

This indicates that about 135 applicants have claimed responsibility for the killing of about 200 people, 30 bombings, 20 abductions and 15 thefts and burglaries, as well as various other miscellaneous offences.

In total these applicants have applied for amnesty in respect of more than 300 different incidents.

The great majority of applications are from members of the former Security Branch of the South African Police, spread from Messina to Cape Town and Zeerust to Durban.

However there are also applications from people who worked for counter-insurgency, intelligence, explosives, murder and robbery and technical units of the SAP, as well as members of the detective and uniformed branches.

ends
February 4, 1997

STATEMENT BY THE WESTERN/NORTHERN CAPE OFFICE OF THE TRUTH AND RECONCILIATION COMMISSION ON GUGULETU SEVEN EVENT HEARING

Issued by Truth and Reconciliation Commission

The Investigative Unit of the Western Cape Region has asked six policemen to return to a Human Rights Violations hearing on the Guguletu Seven to finish their evidence and the TRC’s questions on the matter. Nine former and current policeman were subpoenaed in November last year in terms of Section 29 of the Promotion of National Unity and Reconciliation Act (1995) to give evidence at the event hearing.

Due to time constraints on 28 November 1996, the evidence of only three of them were heard. The three were: Superintendent William Rudolf Liebenberg, Senior Superintendent John Johannes George Christoffel Kleyn and retired Colonel Cornelius Adolf Janse Odendal.

The other six policeman are due to be heard at a hearing on 17 and 18 February to be held at the Joseph Stone Auditorium in Klipfontein Road, Athlone (opposite the Athlone Civic). Members of the public are welcome to attend.

The six are (with current ranks):

Senior Superintendent John Martin Sterrenberg
Senior Superintendent Leonard Knipe
Detective Inspector Karel Bothma
Detective Inspector Andre Grobbelaar
Inspector Bertram Oswald Moggee
Detective Inspector Louis Ferdinand Coetzee

Seven young men died, allegedly in a shoot-out at the hands of police, on 3 March, 1986 in Guguletu. Two consecutive inquests cleared the police. They were also absolved from culpability during a trial involving journalist, Tony Weaver, subsequent to the event.

During the previous session evidence emerged that the security police unit at Vlakplaas might have been involved in the killing.

The TRC has again notified the families of the deceased and other witnesses who testified at the previous event hearing at a follow-up workshop during January. They have again been invited to the upcoming hearings.


The Truth Commissioners who will sit on the hearing panel are: Adv Denzil Potgieter SC, Mr Dumisa Ntsebeza, Ms Glenda Wilschut, Ms Mary Burton and Human Rights Violations committee member, Ms Pumla Gobodo-Madikizela.

ends
February 4, 1997

STATEMENT BY THE REPARATION AND REHABILITATION COMMITTEE OF THE TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

The R & R Committee of the TRC will be the guests of the Oudtshoorn community on 19 February for a programme focusing on reparations and reconciliation in this South Cape town - the first of its kind in the country.

All nine members of the R & R Committee, chaired by Commissioner Hlengiwe Mkhize, will listen to five submissions made by different sectors of the community - youth/education, women, families (of victims), media (including the Saamstaan story) and the churches. These submissions will highlight the effects of past policies and violations on the Oudtshoorn community and their needs in terms of reparation and reconciliation.

A steering committee has been set up by the community, which represents a broad cross section of the town's residents, amongst others civics, faith leaders, educationists, local authorities and welfare organisations. In addition business leaders, policemen, prosecutors and other role-players are being asked to give their valuable input.

Later on the same day the community will take part in group discussion where residents can make inputs into the R & R policies of the TRC currently being formulated. A full recommendation will be made to the government by the TRC.

A strong thread of reconciliation will run through the programme, with a run-up starting on Monday, 17 February, when an exhibition depicting the history of Oudtshoorn during apartheid years will be opened. A church service will be held the following evening with reconciliation as theme. Various cultural activities will be included in the programme.

An office will be established in Oudtshoorn's Catholic Church buildings a week ahead of the programme to coordinate the various submissions and inquiries. In addition, statement takers will be available at the Museum on Monday 17 February and Tuesday 18 February, as well as at the programme on 19 February for people from the South Cape wishing to make statements about gross human rights violations between 1961 and 1994.

Members of the R & R Committee are: Ms Hlengiwe Mkhize (chair), Dr Wendy Orr (vice-chair), the Rev Khoza Mgojo, Ms Glenda Wildschut, Dr Mapule F. Ramashala, (commissioners) as well as committee members Prof S'Mangele Magwaza, Mr Tom Manthata, Prof Piet Meiring and the Rev Mcebisi Xundu. Ms Mary Burton will represent the Human Rights Violations Committee on the ten person panel.

* The venue for the programme is the former Southern Cape College of Education (Onderwys-kollege Suid-Kaap).

Provision has been made for journalists to attend the full programme. These will be similar to the amenities provided at Human Rights Violations hearings and Amnesty hearings.

Media representatives are kindly requested to let us know about their intention to attend.

ends
February 5, 1997

STATEMENT CONCERNING KZN AMNESTY APPLICATIONS

Issued by Truth and Reconciliation Commission

Eight convicted prisoners serving long sentences for murders allegedly committed during political conflict in KwaZulu-Natal are scheduled to apply for amnesty next week.

Two former policemen, three alleged supporters of the ANC and three alleged supporters of the IFP will be appearing during a session of the Truth and Reconciliation Commission's Amnesty Committee at the Edendale Lay Ecumenical Centre, Pietermaritzburg.

The applications to be heard next week are listed in chronological order:

William Basil Harington, 27, and Frans Stephanus Erasmus, 27, were constables in the SAP Riot Unit in Pietermaritzburg when they killed Mr Mbongeni Jama in the Elandskop area. They were convicted of murder and robbery in a trial which attracted widespread publicity when the presiding judge criticised politicians and top police officers for not supporting policemen on the ground.

Harington was sentenced in February 1992 to eight years jail, but the Appellate Division of the Supreme Court increased the sentence on appeal to 18 years. Erasmus was sentenced to six years and had his sentence doubled on appeal. Both men identify themselves in their amnesty application as AWB members. (Hearing due: February 10.)

Celinhlahla Zenith Mzimela, 31, who describes himself as an ANC member and general secretary of the Ongoye Youth Branch, is serving 15 years imprisonment for the murder of Mr Mkhononodaka Gumede, an IFP supporter, at Ongoye in the Makholokholo Reserve, Mthunzini district, on February 29, 1992. He was sentenced in May 1995. (Hearing due: February 11.)

Robert Vo Zuma, 27, and Mduduzi Mpitshana Gumbi, 25, describe themselves as IFP supporters, and were part of a group which attacked an ANC stronghold in Richmond on June 23, 1991.

Zuma was convicted on six counts of murder and five of attempted murder, and was jailed for 12 years. Gumbi was convicted on six counts of murder and one of attempted murder, and jailed for nine years. They were sentenced in November 1991. (Hearing due: February 11.)

Msizi Jethro Hlophe, 26, who describes himself as a member of the Inkatha Youth Brigade, is serving 22 years imprisonment on two counts of murder for killing UDF boys. He was sentenced in May 1991. (Hearing due: February 12)

Mkheyi Henry Khanyile is serving a 20-year sentence for the murder of three members of the Ngcobo family - Mrs Nomakhemese Ngcobo, 72, Mavis, 38, and Andile, 2. He was also convicted on two counts of attempted murder. The victims were alleged associated with the IFP.

The killings took place in Nomhele Reserve in the Mapumulo District in March 1992. He was sentenced in August 1995. (Hearing due: February 13.)

Bheki Fred Mbuyazi, 25, is a self-proclaimed ANC supporter serving a 24-year jail sentence for murder and assault, including the killing of Mr Phuthaza Mthembu, in the Ingwavuma District in September 1990. He was sentenced in September 1991. (Hearing due: February 13 or 14.)

ends
February 7, 1997

NEWS RELEASE ON AMNESTY DECISIONS

Issued by Truth and Reconciliation Commission

(The following summary of the applications, and the main points of the decisions and reasons therefor, is given purely to assist those journalists needing a quick initial summary of the applications and is not a binding document with any legal status.)

The Truth and Reconciliation announces the granting of amnesty to two applicants who appeared at a hearing in Potchefstroom last year, the refusal of amnesty to one applicant, and the granting of amnesty to two applicants in respect of only one of the actions covered by their application.

The Commission's Amnesty Committee has also granted amnesty to a person who attempted to commit arson and malicious damage to property in Port Elizabeth.

Details of the cases follow:

1. The murder of David Mayeko and the attempted murder to two others: One amnesty granted; one refused

Johnson Themba Ncube, 25, and Mpayipheli William Faltein, 23, members of the Self-Defence Unit in Khutsong, Carletonville, and of the ANC Youth League, applied for amnesty for murdering Mr Mayeko and attempting to murder Mr David Maseko and one Sgotlo, all members of a vigilante group in the township, in December 1990. The applicants were serving effective 12-year prison terms.

Giving reasons for its decision in the case of Ncube, the Amnesty Committee noted, inter alia, that "the deceased was a prominent member of [a]... vigilante group, which inhibited political activity on the part of the applicant's organisation."

The Committee said when Ncube and Faltein walked past a home in Khutsong in December 1990, Mayeko, Maseko and Sgotlo "... came out of the house and, we were told, the deceased threatened to shoot the applicant (Ncube) and his friend. He (Mayeko) gave chase to them and some distance from the said house, the applicant turned and shot him dead."

The Committee said: "The aim of the activities of the group to which the three victims belonged was to, and did in fact, inhibit free political activity on the part of the ANCYL in Khutsong."

"In the light of the foregoing, we are of the view that the applicant's acts in killing David Mayeko, attempting to kill Sgotlo and David Maseko were all acts associated with a political objective." Ncube was granted amnesty.

However, the Committee said of Faltein: "In his evidence before us, the applicant repeatedly stated that he had nothing to do with either the murder or the two attempts."

The Committee noted that the Promotion of National Unity and Reconciliation Act stipulated if amnesty was to be granted, it should have been "advised, planned, directed, commanded, ordered or committed... by" an applicant.

It said Faltein "totally distanced himself in every respect from these offences..." and, on the attempted murder charges, he also failed to meet the requirement of the law that he should make "a full disclosure of all relevant facts". He was refused amnesty.

2. The murder of Nzimeni Abednego Mazwi and the attempted murder of Charles Mhlabiso: One amnesty granted, two granted in respect of only one action

Mosiwa Meshack Popane, 29, Dlanjiwa Gcinisizwe, 26, and Thamsanqa Patrick Mkontwana, 25, were convicted of
killing Mr Mazwi and attempting to murder Mr Mhlabiso at the Khuma taxi rank, Stilfontein, in October 1990. The three, members of the SA Youth Congress and the ANC Youth League or the ANC, were sentenced to terms of imprisonment ranging from eight to 12 years for murder and attempted murder.

The Committee noted that the two victims were originally members of SAYCO, but ideological differences emerged after the unbanning of political organisations in 1990. It added: "The deceased's group later became known as Khutsong Youth Congress. The perception grew that Khuyoco had been infiltrated by the security police using it against other groups."

After reviewing the evidence, the Committee said: "Given the above facts, the conflict was clearly political and the two acts were associated with a political objective."

It said of Popane: "The applicant admitted participating in the murder... With regard to the attempted murder, the applicant says he personally also stoned the victim." It granted him amnesty in respect of both actions.

However, it said of Gcinisizwe: "The applicant says he regards himself as guilty of the murder as he did not use his position to intervene and save the deceased. Otherwise he did not, according to him, take part in the killing of the deceased." The Committee found that, on his own evidence, he did not advise, plan, direct, command, order or commit the murder. He was refused amnesty in respect of the murder.

Of Mkontwana, the Committee said: "... the applicant states categorically that he had nothing to do with the murder. Asked why he thinks he was convicted, he says it was simply because he was a leader...." It added later: "... the fact of the matter is that the applicant cannot be considered for amnesty in respect of an offence from which he totally distances himself."

The latter two applicants were, however, granted amnesty in respect of the attempted murder charge.

3. Attempting to ignite diesel fuel at Port Elizabeth Technikon Richard Joseph John Crowe, 41, was granted amnesty in respect of the following offences:

- Attempted arson relating to a studio of art and design of the Port Elizabeth Technikon, by attempting to ignite a 44-gallon drum of diesel oil during the latter half of 1986; and

- An attempt to cause malicious damage to property at the studio in the same period.

The offences did not involve a gross human rights violation, as defined in the Act, so no public hearing was necessary before the amnesty was granted.

(The full texts of the reasons for decisions on applications where there were public hearings are attached to the photocopied texts of this statement and journalists are urged to refer to them for the detail. Faxed copies of the reasons are available on request to journalists outside Cape Town.)

ends
February 21, 1997

DECISIONS TAKEN AFTER A TWO DAY MEETING OF TRC

Issued by Truth and Reconciliation Commission

The Commission this afternoon completed a two-day meeting, the first day of which was attended by additional members of the TRC's three standing committees. The meeting began yesterday with the Chairperson outlining his vision for the rest of the Commission's life.

The following are among our decisions:

1. Amnesty Committee

We have agreed in principle to ask Parliament to enlarge the Amnesty Committee to help it through its workload. The proposal is to add enough members to enable the Committee to hold two hearings in different places at the same time, and for some members to consider applications in chambers. Final details of the proposal have still to be worked out. Possibilities that will be discussed include appointing members from among the Commission's members and appointing additional members. We have still to make a formal proposal to Government.

The Amnesty Committee reported that we have received 5,200 amnesty applications so far. However, this is not indicative of the Committee's likely workload: a few thousand - the final total is not yet established - have been and will be dealt with administratively.

2. Effect of the Appellate Division's judgement on notice of hearings

As a consequence of the Appellate Division's judgement to the effect that we give proper, reasonable and timeous notice to those who may be detrimentally implicated or prejudicially affected at hearings, we will re-introduce with immediate effect the practice of giving alleged perpetrators advance notice that they could be named in hearings. They will receive witnesses statements and/or other relevant documentation to enable them to identify the events, incidents and persons which the evidence concerns. However, we will not necessarily disclose the identity of witnesses.

Our aim is to send notices out 21 days in advance of hearings. This will result in the postponement of the next two Human Rights Violations Committee hearings - in the Northern Province and in the Eastern Cape - to enable adequate notice to be given. The effect on hearings themselves has still to be judged but the new procedure will undoubtedly be more time-consuming and increase the Commission's workload.

3. Statement-taking project

The Commission is poised to announce a major drive to gather new statements from victims of gross violations of human rights. Until now most of the 7,700 statements made to the TRC have been collected by our own statement-takers. Our intention this year is to re-deploy resources to intensify the statement-taking process, and - most important - to launch a Designated Statement Taking Project.

In the DST Project, we will use R2,4 million in donor funding to involve Non-Governmental Organisations in an extensive programme to gather statements from people in communities around the country. We will sign agreements with NGOs, the objectives of which are outlined in the attached form. We will also organise training programmes for designated statement-takers.

ends
February 26, 1997

STATEMENT BY DR ALEX BORaine, VICE-CHAIRPERSON, TRUTH AND RECONCILIATION COMMISSION

Issued by Truth and Reconciliation Commission

As a consequence of the recent Appellate Division judgement requiring the advance provision of documents to those implicated in Commission proceedings, the TRC has granted Dr Wouter Basson a postponement of his appearance before the Commission.

Dr Basson was to have appeared at a closed investigative inquiry of the Commission, conducted in terms of Section 29 of the Promotion of National Unity and Reconciliation Act, tomorrow and Friday. However, lawyers for Dr Basson have requested copies of documents in the Commission's possession and indicated that they will need time to prepare for his appearance.

The Commission will supply the necessary documents and will set a new date for his appearance within a few days.

The Act gives the Commission the power to release information in its possession to the public, including that gained in Section 29 investigations. As a result of the delay in hearing Dr Basson, as well as of the importance of the matter, we have decided that instead of holding a closed inquiry, and then releasing information, we will now subpoena Dr Basson to appear at a public hearing.

ends
February 26, 1997

STATEMENT BY THE WESTERN AND NORTHERN CAPE OFFICES OF THE TRUTH AND RECONCILIATION COMMISSION ON GUGULETU SEVEN MEMORIAL SERVICE

Issued by Truth and Reconciliation Commission

The families of the Guguletu Seven will have a memorial service and programme for the deceased this weekend, exactly eleven years after they died. The TRC is facilitating at the request of their families. This follows special event hearings on the seven, at which five of the families testified and the evidence of a wide range of witnesses and policemen were heard.

Seven young men died, allegedly in a shoot-out at the hands of police, on 3 March, 1986 in Guguletu. Two consecutive inquests cleared the police. They were also absolved from culpability during a trial involving journalist, Tony Weaver, subsequent to the event.

During the hearings - in November 1996 and February 1997 - evidence emerged that the security police unit at Vlakplaas might have been involved in the killing.

The Guguletu 7 were: Zandisile Zenith Mjobo, Zola Alfred Swelani, Mandla Simon Mxinwa, Godfrey Jabulani Miya, Themba Mlifi, Zabonke John Konile and Christopher Piet.

The families will meet at the Guguletu Sports Centre at 07h00 am on Sunday, March 2, to leave for Paarl, where Mjobo was buried, to once more pay their respects. (Travel arrangements only for families. Journalists welcome to come on their own to the graveyard in Mbokweni, Paarl.) From there the families will travel to the graveyard in Guguletu where the other six were buried in 1986 at a service attended by about 30 000 people. At the time no banners, posters, placards or pamphlets were permitted to be displayed.

After the service the families will proceed to the NY1 Methodist Church for closure.

On Monday, March 3, eleven years after their death, the families and relatives will march to the massacre spot. Members of the faith community, schools and political organisations, as well as all interested members of the public, are welcome to participate. The march will proceed to NY1 and NY111 at 09h30 am from the Guguletu Sports Centre.

The Investigative Unit of the Western Cape Region subpoenaed nine policemen to Human Rights Violations hearings in November on the Guguletu Seven to give evidence on the matter in terms of Section 29 of the Promotion of National Unity and Reconciliation Act (1995).

Due to time constraints on 28 November 1996, the evidence of only three of them were heard. The three were: Superintendent William Rudolf Liebenberg, Senior Superintendent John Johannes George Christoffel Kleyn and retired Colonel Cornelius Adolf Janse Odendal.

The other six policemen were heard at a hearing in Athlone on 17 and 18 February. These six are (with current ranks): Senior Superintendent John Martin Sterrenberg; Director Leonard Knipe; Detective Inspector Karel Bothma; Detective Inspector Andre Grobbelaar; Inspector Bertram Oswald Moggee; Detective Inspector Louis Ferdinand Coetzee.

ends
WESTERN AND NORTHERN CAPE OFFICES STATEMENT TO THE MEDIA

Issued by Truth and Reconciliation Commission

The Truth and Reconciliation Commission's Western Cape Office will focus on apartheid era atrocities in KTC, Nyanga and Crossroads during the next few weeks with a view to finding witnesses and victims of Gross Human Rights Violations and holding a special event hearing during April.

Archbishop Desmond Tutu, TRC chairperson, will meet with key role players and leaders from these communities on Friday, 28th of February, 1997 in Nyanga to consult them about the possibility of such a hearing.

Western Cape TRC staff and commissioners have been in touch with the community leaders over the last month, and they have given their blessing to the process.

We are urging people to come forward to make statements about their experiences. This will help us to get as full a picture as possible of the struggles in these areas and enable us to make recommendations about reparations to the State President.

Between 1975 and 1983 these informal settlements were subjected to ongoing police raids, demolitions with bulldozers, and arson. Residents were also harassed in terms of passes and subjected to fighting between different leaders. In the mid-eighties there was also conflict between conservative and pro-liberation forces. The ongoing leadership struggles have led to deaths and assault. These are the kind of stories we are interested in hearing from people who have been affected by them.

During 1983 and 1984 there were fierce conflicts in which several people were killed. Security force and local authority struggles also continued through the eighties, along with "Witdoeke" activities in 1986. During April to June 1986 more than 60 people died in the conflict and thousands lost their homes. A report by the Medical Research Council (MRC) found that about 4000 residents in Crossroads and KTC were injured by gunfire in 1986.

During the early 1990's many people were affected by conflict that flow from upgrading, shifting political allegiances and struggles over different forms of organisation.

Our trained statement-takers will be available between 10h00 am and 17h00 pm in the following areas during the next three weeks:

February 27 and 28 - Crossroads Community Hall.

March 4 - Lower Crossroads - venue to be announced

March 11 and 12 - Site C, Khayelitsha - venue to be announced

March 18 and 19 - Khayelitsha - venue to be announced

If you are interested in telling your story to the Commission, but cannot make it to one of the formal statement-taking events, please phone Lucky Njozela or Lillian Mafojane at 021-245161 and we will arrange for you to talk to us in person. People who are uncertain about the procedure, may call Mongezi Mngese at the same number during office hours.

ends
February 27, 1997

STATEMENT FROM ARCHBISHOP DESMOND TUTU, CHAIRPERSON, TRC

Issued by Truth and Reconciliation Commission

Dr Alex Boraine and I met Mr F W de Klerk, leader of the National Party, for just over an hour at the offices of the Truth and Reconciliation Commission in Cape Town today.

Mr de Klerk asked me for the meeting after controversy over the Steyn Report, and I insisted that Dr Boraine should be present. Mr de Klerk raised the issue of the Steyn Report only briefly before moving onto other issues, and I made clear to him that there is no difference in attitude between Dr Boraine and myself on the key issues facing the Commission.

The meeting was dominated by issues raised by Mr de Klerk, including:

- What he described as the perception that the Commission is not even-handed;
- His concern that we are not placing enough emphasis on reconciliation; and
- His conviction that only a handful of members of the Security forces during the apartheid era was guilty of gross violations of human rights (he said in the same way, this was probably true also for the liberation movements).

Dr Boraine and I reassured Mr de Klerk that the Commission was totally committed to even-handedness and gave him a range of examples demonstrating this. We also sought to reassure him that reconciliation was our ultimate goal, although the Commission could play only a small part in the long-term task of bringing it about.

Mr de Klerk also dealt with the logistics of his party's reply to the extensive list of questions which he was sent after he made an initial presentation to the Commission last August. He said he expected to deliver the reply in two weeks' time, after which a date for a public hearing would be arranged between us.

ends
March 5, 1997

STATEMENT FROM ARCHBISHOP DESMOND TUTU, CHAIRPERSON, TRC

Issued by Truth and Reconciliation Commission

The Truth and Reconciliation Commission is to give strong consideration to investigating allegations that people now in government acted as informants for the Security Police in the apartheid era.

I have noted the decision of the TRC's Amnesty Committee this week that it does not consider the naming of alleged informants to be appropriate for the present purposes of the Committee in the hearing that it is currently conducting in Pretoria.

I shall be discussing the matter fully with the Amnesty Committee. However, I do not understand that their decision necessarily precludes other sections of the Commission from conducting an investigation, at least for purposes other than those of the amnesty process.

Should the Commission decide to investigate the matter, we would first call for statements from those making the allegations. Then, in terms of the recent Appellate Division judgment requiring us to give adequate notice of allegations implicating individuals, we would give the individuals 21 days' notice to prepare a response, and take the matter from there.

ends
March 7, 1997

MEDIA ADVISORY - AMNESTY COMMITTEE PREPARING TO RESUME HEARING

Issued by Truth and Reconciliation Commission

The TRC’s Amnesty Committee is preparing to resume hearing the amnesty applications of five former security policemen on Tuesday 11 March 1997 in Cape Town.

The hearings have been delayed early this week due to a fire in the venue in Pretoria. An alternative venue was found for the rest of the week until today.

The Committee hopes to finish the public hearings on the five policemen by Thursday next week.

The hearings will start at 09h00am on the 10th floor of our Cape Town offices at 106 Adderley Street. Members of the public are welcome and will be allocated seats on a first come first served basis.

Media facilities will be provided on the 7th floor. All members of the media should identify themselves with valid presscards at the entrance.

ends
March 10, 1997

MEDIA RELEASE - AMNESTY HEARINGS IN THE EASTERN CAPE

Issued by Truth and Reconciliation Commission

Media release by the Truth and Reconciliation Commission about Amnesty Hearings in the Eastern Cape

Up to 14 amnesty applications from people serving sentences in Eastern Cape jails will be heard when the Amnesty Committee sits in East London next week

The public hearings, to be held in the Robbie de Lange Hall, are scheduled for three days from Monday 17 March to Wednesday 19 March.

The applicants include several members of the ANC Youth League (Ancyl), one from Azapo and three former Ciskei policemen.

They are:

- Kwanele Enough Toba, Wakhile Thomson and Jonginkosi Wellington Makom are former Ciskei policemen who were convicted of varcommitted in 1987. Makom is held in Middledrift Prison and the other two in Mdantsane. They say they acted on orders to detain certain people regarding anti- Ciskei activities at the time. The assaults took place while these people, including a number of women, were in detention.

- Don Johnson Ntsikelelo (26), currently serving a sentence in St. Alban's prison in Port Elizabeth for the February 1991 murder of Mrs Nomsa Hanabe, then mayoress of Klipplaat. He was also convicted of possession of firearms and ammunition. Ntsikelelo says he was a member of the ANC/SACP alliance.

- Tobani Makrosi (30) and Tyibilika Bonakela (24) have applied for amnesty in connection with two counts of kidnapping from the Inyibaba High School during February 1993. The abductions of which they were convicted took place during fighting at the school bets he is a member of the ANC. One of the two women abducted died, but they were acquitted of responsibility. They are currently held in Fort Beaufort Prison.

- Seven people who declare themselves as members of the Ancyl are applying for amnesty in relation to the murder of Mrs Nohmbile Mphambani in April 1993, of which they were convicted. The seven, held in Mdantsane Prison in East London, are: Mvuyisi Raymond Ngwendu; Mzimhle Elvis Bam; Dumisani Ernest Mbhebe; Ndumiso Mdyogolo; Sikhumbuzo Victor Mphmbane; Sakhumzi Bheqesi; Andile Namathe Gola. They are between 22 and 25 years old.

- Nwenkwe Alfred Madela (41), who says he is a former Regional Chairperson of Azapo and is serving a sentence in St. Alban's Prison in Port Elizabeth, has applied for amnesty in respect of various offences in December 1993 including arson, malicious damage to property, kidnapping and possession of fire-arms, of which he was convicted.

Notices have been given to victims informing them of their right to attend the hearings and to adduce evidence. The hearings are due to start at 09h00 am.

ends
March 11, 1997

MEDIA RELEASE - NEW DATE FOR TRC LUHISKISIKI HEARING

Issued by: Truth and Reconciliation Commission

The Eastern Cape Region of the Truth & Reconciliation Commission will have public hearing in Lusikisiki from March 24 to 26.

The hearing will focus on human rights violations in Lusikisiki and other Eastern Pondoland districts of Bizana, Flagstaff and Ntabankulu.

Events in these areas made history, especially the Ngquza Hill Massacre, which occurred during the Pondoland revolt of 1960 to early 1961.

Pondoland people resented the interference of the state in their affairs, as exemplified in the anti-dipping rebellion which culminated in the revolt.

The government declared a state of emergency through Proclamation 400 and as a result thousands of men and women went to jail for indefinite periods. About 20 people from Eastern Pondoland were sentenced to death for the role they played during the revolt.

ends
March 12, 1997

MEDIA RELEASE - FORMER POLICEMEN LEAD TRC TO BURIED BODIES

Issued by: Truth and Reconciliation Commission

A number of former security policemen from Durban and Pietermaritzburg have led the Truth and Reconciliation Commission's investigators to five (5) sites throughout KwaZulu/Natal where they murdered and then disposed of the bodies of ten (10) former political activists.

The six security policemen have applied for amnesty and their applications contain details of the identities of people they allegedly murdered.

TRC investigators, working with a team of body exhumation specialists, pathologists and South African Police Services video unit have thus far uncovered two bodies on a farm previously occupied by members of the security branch.

The team is currently involved in the exhumation of a further two bodies. The amnesty applicants took TRC investigators to a site on the banks of the Tugela River and confirmed that two people were shot and their bodies were weighted down with rocks and thrown into the river. They then led the TRC investigators to other sites at Bulwer and at Phoenix near Durban.

The applicants also confirmed that four more people were blown up in such a way that very little remained of their bodies.

The TRC is in a process of confirming the identities of the deceased and notifying the next of kin and a press conference would follow in due course once the information has been confirmed.

ends
STATEMENT BY DR ALEX BORAIN ON ALLEGED INFORMERS IN GOVERNMENT

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is concerned at the widespread confusion reflected in the media over the Commission's role in dealing with allegations about people alleged to have been informers for the government in the apartheid era.

We believe it is necessary to set the record straight by placing on record developments so far:

Last Monday the TRC's Amnesty Committee decided that it did not consider it appropriate for the Committee's present purposes that a former Security policeman applying for amnesty should be forced to name people whom he alleged had been police informers.

On Tuesday the Human Rights Violations Committee, at a regular meeting, discussed the matter thoroughly. It decided that while it may not be necessary for the work of the Amnesty Committee for the alleged informers to be named, in view of the Commission's commitment to openness an attempt should be made to ascertain their identities.

On Wednesday, Archbishop Desmond Tutu, the Chairperson of the TRC, announced our intentions, noting the following:

"I shall be discussing the matter fully with the Amnesty Committee. However, I do not understand that their decision necessarily precludes other sections of the Commission from conducting an investigation, at least for purposes other than those of the amnesty process."

On Friday the matter was raised by a delegation from the ANC at a meeting with the Commission in Cape Town. We informed the ANC that we had already set in motion procedures to obtain the identity of alleged informers.

We have written to the attorneys for the applicants whose case is before the Amnesty Committee, asking that their clients provide names or face subpoenas requiring them to do so. In terms of a recent Appeal Court decision those named would be given 21 days' notice before being asked to appear before the Commission.

It is of critical importance that at every stage of this process it is kept in mind that we are dealing with allegations which will need to be corroborated before any public announcement is made. The fact that these are so far untested allegations is being largely ignored.

It is also important to make it clear that the Commission does not intend to launch a large-scale sniffing out of alleged informers. We have neither the resources, the time nor the inclination to do this. Where we will have to take action is when specific evidence is placed before a hearing alleging that an informer was party to a gross violation of human rights, either before, during or after the fact. In these cases, we are bound to investigate the allegation, just as we would any other allegation of direct involvement in a gross violation.

We are determined not to allow this issue to become a political football. Our handling of the matter will governed by the specific and carefully-defined objectives of the Commission laid down in an Act of Parliament.

ends
March 14, 1997

TRC TO HOST FORUM ON ECONOMIC JUSTICE AND RECONCILIATION

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission continues to explore the challenging concept of Reconciliation. While the work of the commission could be interpreted, and perhaps accepted, as "reconciliation without justice", a number of witnesses who have come to the commission have raised the question of what may be termed economic justice as a necessary component of the recommendations that the commission will make at the end of its term.

To open these views to public discussion, the TRC will be hosting a forum on Economic Justice and Reconciliation on Wednesday 19th March at the Old Town House, Frans Hals Room, on Green Market Square. The discussion will take place between 12.30pm and 2 pm.

Three panelists will open the discussion and speak on various aspects of the topic. Mrs. Cynthia Miya, one of the witnesses whose son was a victim in what has come to be known as the Guguletu 7, will give her perspective on the kind of recommendations the Commission's Reparation and Rehabilitation Committee should make at the end of its term.

The other two speakers will be Lungisile Ntsebeza, senior researcher at the UWC School of Government, and Professor Heribert Adam, visiting professor at the UCT Graduate School of Business, and who is co-author, with Kogila Moodley, of The Negotiated Revolution.

ends
The Truth and Reconciliation Commission has set May 30 this year as the deadline for submissions on the role which the media played in South Africa during the period from 1960 to the 1994 election.

The TRC's working group on the media - set up by the Human Rights Violations Committee of the Commission - is pleased to report that it has already begun to receive submissions in connection with a possible special hearing on the media. Submissions from a number of individual journalists, as well as organisations, are expected.

Submissions received so far support the impression given by the current public debate that there is considerable interest in this matter, not only within the media but also from the public.

Submissions, whether from individuals or organisations, should be sent to any regional office of the Truth Commission, or to the head office at P O Box 3162, Cape Town, 8000, to reach the Commission by 30 May 1997.

A decision will then finally be made as to whether a special hearing on the media needs to take place, and what form it should take.

The Commission has been given the responsibility by the Promotion of National Unity & Reconciliation Act to "establish the truth in relation to past events". These events specifically involve "gross human rights violations" perpetrated within a political context between March 1960 and 10 May 1994.

The Commission has a dual responsibility here, which suggests two sorts of submissions from the media: firstly, to offer victims, particularly those journalists whose stories of abuse under apartheid have not been heard, the opportunity of telling their stories; and, secondly, to provide "as complete a picture as possible" of the "nature, causes and extent of" such abuses, including "the antecedents, circumstances, factors and context of such violations..."

So it is not simply a question of looking at the role of the media during the apartheid years, and the experiences of individual journalists during those years, but also of describing the context in which the media functioned.

At the same time, the Commission has the added responsibility of producing a final report in which recommendations are made to Parliament as to the future of those sectors covered by Commission hearings. This too provides all sectors of the media with an opportunity - and a challenge - to make suggestions for their future development.

ends
March 18, 1997

PRESS RELEASE - AMNESTY HEARING, BLOEMFONTEIN

Issued by: Truth and Reconciliation Commission

March 24 (Monday) to March 27 (Thursday)

The Amnesty committee of Truth and Reconciliation Commission will this week once again hear gory details of murder, torture, assassinations, necklacing of victims, arson, and harassment when at least 21 applicants appear before the committee to apply for amnesty in Bloemfontein next week.

The applicants who are made up mostly of members of military wings of the Pan Africanist Congress (PAC), the African National Congress (ANC), and members of the security forces of the previous government will appear before the amnesty committee at a four-day hearing at the Brebner High School, on the corner of Calliope and Limousine streets.

This round of hearings will be held from Monday, March 24 to Thursday, March 27. The hearings will commence at 9 am, every day.

The following people are scheduled to appear before the committee during the four-day sitting;

Mphithizeli Nelson Ngo (36), a former policeman who is serving a 25-year prison sentence has applied for amnesty for a variety of crimes, including murder, torture, kidnapping and robbery committed between 1986 and 1989 in Pretoria, Brandfort, Bloemfontein and Botshabelo.

Phillip Lucky Dentoe Matela (32), Thami Hlobo (32) and Jeremia Monare also 32-years-old, all ANC members who were sentenced to two death penalties (later commuted) and a two-year imprisonment for the killing of four white people, three men and one woman, at Kutloang township in Odendaalsrus in September 1990

Nzimeni Jack Menera (32), an ANC activist from Brandfort who is serving a 10-year prison sentence for his role in the murder and necklacing of a local councillor, Susan Mosela Pahlane in July 1991.

Jacobus Johannes de Ru (42), of Vaalpark, who is serving a 13-year sentence for the murder of Jonas Raboshanana Rammphalile.

ANC activists from Tumahole in Parys, William Thoabala (29), Benjamin Chalota (35), and Simon Pule Reetsang Moalusi (28), who are serving prison sentences for murder, arson and terrorism in Parys.

Velile Willim Mxhosana (25) and Lebohang John May (29) both Apla members who have recently been paroled from serving lengthy sentences for attempted murder, malicious damage to property, possession of illegal arms ammunition and explosives.

Six PAC activists some among them who were sentenced to death and lengthy prison terms, for the murder and robbery with aggravating circumstances of Johnny Smith and Rene Smith who were seriously injured in the incident at Wesseldal in Vanstadensrus in July 1993.

The applicants are Petrus Thapelo Mohapi (26), Simon Thabang Oliphant (27), John Moleleki Xhiba (25), Thabo Paulos Mtjikelo (25), John Nthoba Wanthoba (26) and Jacob Mabitsa (25).

Another four PAC activists from Botshabelo, Sebolai Petrus Nkwedi (32), Meshack Ntzizi May (29), Daniel Magoda (45), and Hendrick Matitoane Leeuw for the robbery and murder of a Mr J.J. Fourie in Verkeerdevlei, in February 1992. 

ends
March 19, 1997

STATEMENT CONCERNING ARCHBISHOP TUTU'S HEALTH

Issued by: Truth and Reconciliation Commission

After discussions with medical specialists in the United States, followed by further consultations with my doctors in Cape Town, I have decided to undergo a combination of hormone treatment and radiotherapy for my prostate cancer.

As mentioned in earlier statements on my health, after initial prostate surgery in January, I was presented with three treatment options:-

* Radical surgery
* Radiotherapy
* Hormone treatment, or a combination of radiotherapy and hormone treatment.

I had been inclined before my recent visit to the United States to choose the option of surgery, which seemed to me to give the best chance of removing completely the cancer.

However I have now been advised that the cancer is suspected to have penetrated beyond the prostate gland and that as a result radiotherapy is the best option.

Medical specialists in Cape Town will begin a three-month course of hormone treatment tomorrow. I plan to maintain a normal schedule but will be unable to continue squeezing additional commitments into the schedule.

After the hormone treatment, I plan to have the radiotherapy at a clinic in the United States. This will take two months, and I intend to set up an office there so that I can keep close touch with the Commission.

ends
March 20, 1997

STATEMENT CONCERNING STEPS TOWARDS ESTABLISHING FATE OF ACTIVIST BOPAPE

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission has taken important steps towards establishing the fate of Mamelodi activist Stanza Bopape, who disappeared in 1988 after being detained by Security Police.

Mr Bopape's disappearance was one of the main unsolved mysteries arising out of the detention-without-trial system in the 1980s.

The police claimed at the time that Mr Bopape escaped from custody. Now 10 Security policemen have made applications for amnesty in respect of a range of charges arising from his killing.

Five Security policemen acknowledge in amnesty applications that Mr Bopape died while he was undergoing electrical shock torture during interrogation in Security Police offices in John Vorster Square, Johannesburg;

Three senior officers have applied for amnesty on charges of conspiracy and defeating the ends of justice for covering up the real reason for this death;

Two other policemen have said they were responsible for disposing of his body.

At a meeting yesterday, the Commission authorised the publication of the names of the applicants in this matter, and they are attached to this statement. Full details of the applications will be released at the amnesty hearing.

The Johannesburg office of the Commission's Investigative Unit began probing Mr Bopape's disappearance after his family testified at a hearing of the Human Rights Violations Committee in Pietersburg last July.

The unit decided as a result of its investigations to subpoena three Security policemen in terms of Section 29 of the Promotion of National Unity and Reconciliation Act to appear at an investigative inquiry. On December 10 last year, when they were due to appear, their legal representatives applied for a postponement of the inquiry pending the submission of amnesty applications.

The amnesty applications of these applicants, among others, have since been filed. However, the Investigative Unit does not believe that all of those involved have applied for amnesty yet, and it will continue its investigations.

On February 27 this year, one police officer, at the request of the Investigative Unit, showed a Commissioner investigator the place in the Komati River where Mr Bopape's body was allegedly disposed of.

Mr Bopape's family and their attorneys have been kept briefed about the progress in this matter.

Chronology

Mr Bopape and a friend were arrested in Hillbrow, Johannesburg, on the night of Thursday June 9, 1988. After he disappeared, his family and their attorneys made fruitless attempts to determine his whereabouts. They were told in July that he had escaped from the custody of three policemen in the Vaal Triangle while they were out on investigations.

In response to parliamentary questions, the Minister of Law and Order, Mr Adriaan Vlok, said on August 30 that a certain person - whom he refused to identify - had escaped from custody and the matter was still under investigation.

In February 1989, Mr Bopape's father went to Zambia to establish whether the ANC had any information about him. They were unable to help him.
On April 25, 1989, Mr Vlok said during parliamentary debate that Mr Bopape had escaped while pointing out certain spots in connection with acts of terror in which he was allegedly involved. He told Parliament that police had found persons who have stated under oath that they have seen Mr Bopape after his escape.

The five policemen - ranging up to the rank of colonel - who are applying for amnesty in respect of Mr Bopape's death have said he was arrested in the course of an investigation led by the West Rand Security Branch.

They say that he was taken to the Johannesburg Security Branch at John Vorster Square on Friday June 10. He was held without trial under Section 29 of the Internal Security Act. On Sunday June 12, an electric shock device normally kept at the Sandton Security Branch was brought to John Vorster Square after Mr Bopape allegedly refused to provide information during interrogation.

The amnesty applicants say that Mr Bopape was tied to a chair for the administration of the shocks, and alleged that he slumped forward after only two or three shocks were administered. They say they tried to revive him with mouth-to-mouth resuscitation. In their application, they say that the shocks administered should not have been fatal, and that they suspected he suffered from a possible heart ailment.

In further amnesty applications, the commanding officers of the five Security policemen involved say they authorised the cover-up around his death because they feared that if the truth was revealed, it would have caused widespread unrest during the forthcoming June 16 commemoration.

According to the applications, Mr Bopape's body was taken to the Eastern Transvaal Security police for disposal, and the interrogation team then returned to John Vorster Square to concoct a "pseudo-escape" story.

The Investigative Unit is continuing its investigations into this matter with a view to providing the Amnesty Committee's staff with a report designed to assist the Committee to decide, when the amnesty hearing takes place, on whether the applicants have made full disclosure of all relevant facts. (Full disclosure is one of the conditions for amnesty laid down by the law.)

Amnesty applicants:

1. In respect of Mr Bopape's killing:
   1.1. Lt Col Adriaan Peter van Niekerk
   1.2. Constable Hendrick Albertus Beukes Mostert
   1.3. Constable Jacobus Hermanus Engelbrecht
   1.4. Sergeant Johan Ludwig du Preez
   1.5. Major Charles Alfred Zeelie

2. In respect of the disposal of his body:
   2.1. Brigadier Schalk Visser
   2.2. Captain Leon van Loggerenberg

3. In respect of the cover-up for the reasons for this death:
   3.1. General Gerrit Nicholas Erasmus
   3.2. General Petrus Lodewikus du Toit
   3.3. General Johannes Velde van der Merwe

ends
March 24, 1997

TRC RECEIVES NP DOCUMENT

Issued by: Truth and Reconciliation Commission

"The Truth and Reconciliation Commission today received the document containing the National Party's answers to questions we put to them in response to the party's initial submission to us last year.

"We will be studying the answers carefully in the hope that they will provide valuable information for the work of the Commission. We will not make any public comments before political parties are recalled before the Commission in the week beginning May 12.

"We note Mr de Klerk's comment that the wording of our questions suggests that we have already made up our minds on the issues under review. The fact that other parties - including the ANC and the IFP - have found the questions to be probing and uncomfortable suggests that we have sought to be even-handed and fair.

ends
March 25, 1997

MEDIA ADVISORY - NATIONAL LAUNCH

Issued by: Truth and Reconciliation Commission

Archbishop Desmond Tutu travels to Durban next week to preside over the national launch of a campaign aimed at giving every South African who suffered a gross human rights violation during the apartheid years a chance to have their case considered by the Truth and Reconciliation Commission.

The launch of the three-month long campaign will take place at the Marianhill Retreat Centre, Marianhill (near Pinetown) on Tuesday April 1, at 11.30 am. Refreshments will be available from 11 am.

Journalists are invited to cover the event, which will include a newsworthy speech by Archbishop Tutu.

Venue: St Annes Chapel, Marianhill Retreat Centre.

ends
The Truth and Reconciliation Commission next week turns the spotlight onto the victims of gross violations of human rights when it holds a national workshop to discuss proposals for assistance to victims.

The TRC's Reparation and Rehabilitation Committee - which has the task of developing recommendations to the Government on how victims should be helped - will hold a National Reparations Consultative Workshop in Johannesburg on April 3 and 4.

Last year the Committee unveiled proposals for urgent relief to victims. The latest draft of these proposals is at present being discussed with the Government with a view to fast-tracking those reparations which are needed urgently.

Now the Committee will change its focus and concentrate on developing its final recommendations. It aims at next week's consultation to table long-term proposals which would form the basis of reparations and rehabilitation for victims long after the Commission has closed down.

As a consequence the workshop will be of critical importance to how the country deals with the legacy of human rights violations long after the Commission has ended its work and the more spectacular revelations being made before the Commission have receded into history.

The workshop will be at the Gauteng Metropolitan Chambers, Civic Centre, Braamfontein. It begins at 9 am on Thursday April 3.

ends
STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION, ON THE LAUNCH OF THE TRC'S DESIGNATED STATEMENT-TAKING PROGRAMME DURBAN ON APRIL 1, 1997

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission today announces a major drive to ensure that every South African who was a victim of a gross violations of human rights during the apartheid era has an opportunity to relate his or her story to the Commission.

The Commission is using R2.4 million in donor funding to enter into partnerships with Non-Governmental Organisations around the country so that we can launch an extensive campaign to gather statements from people in communities throughout the country.

Between now and the end of June, up to 300 Designated Statement-Takers from NGOs will join the TRC's statement-takers in reaching out to thousands of South Africans. Until now, most of the approximately 9,000 statements which have been given to the Commission have been collected by our own statement-takers. Individuals will also be able to fill out statement forms on their own.

The campaign will help the Commission to fulfil the mandate laid down by Parliament in the Promotion of National Unity and Reconciliation Act. This law, which established the Commission, requires us to -

Establish as complete a picture as possible of the causes, nature and extent of gross violation of human rights during the apartheid era, and to Facilitate the gathering of information and the receiving of evidence from any person, including persons claiming to be victims of such violations...

While most people know the Commission through the widely-publicised hearings in which victims relate their experiences, in fact the public hearings make up only one part of the work of the Human Rights Violations Committee. For every one person who gives testimony, there are five others who have given us statements.

Every statement given to the Commission enjoys the same status, whether or not the person who has made it appears at a hearing. Most important in the long term, it is the making of an accurate statement to the Commission - and not an appearance at a public hearing - which qualifies a victim to be taken into account for the reparations and rehabilitation measures which Parliament will decide upon after the Commission finishes its work.

The DST programme will be co-ordinated by a Community Liaison Officer in each of the Commission's four regional offices. It is being made possible by funding provided by the Ministry of the Flemish Community of Belgium, and we thank the Belgian Government - and its Ambassador in South Africa - warmly for their support. We are particularly grateful for their concern that everyone making a statement should be able to do so in their mother tongue.

Based on the experience of our own statement-takers, the Designated Statement Takers from NGOs will be trained to receive the stories of people's experiences. These DSTs will be based in the offices of the relevant local organisations and will therefore be more accessible to members of the public. People will be able to recount their experiences in their preferred language, and the DSTs will record them in English in the necessary format for the date-processing requirements of the Commission.

We are deeply grateful for the willingness of NGOs to enter into agreements with us to carry out this campaign. It is an indication of the premium we place on our relationship with NGOs - and of our belief in their central role in civil society - that we are relying largely on them for the implementation of this crucial project.

The TRC is approaching the final stages of its term of operation. It is now more important than ever that every person,
institutions and organisations which may have information about gross violations of human rights furnishes it to us without delay. If we are to present as complete a picture as possible about gross violations of human rights, then individuals, NGOs, political parties and community organisations must make information at their disposal available to us.

The Commission has deliberately chosen KwaZulu-Natal for the launch of this project, because it is here in particular that we have found that people have been slow to come forward to make statements, either because they are fearful or because of the remoteness of some areas from urban centres.

We have made some important progress in persuading the Inkatha Freedom Party to assist by presenting their viewpoints to us: the leader of the IFP made an extensive presentation to us last year; IFP members, albeit in limited numbers, have made statements about the violations they have suffered; and recently we had a breakthrough when IFP members on the East Rand came forward to give us their perspectives on that conflict. In addition, the IFP will encourage its members to come forward to be considered for reparations and rehabilitation measures.

However, we have also had setbacks: we have had to cancel a special hearing devoted to atrocities carried out by ANC supporters in KwaZulu-Natal because of lack of cooperation from within IFP structures. This hearing, scheduled for this month, was to have been the first devoted solely to violations committed by supporters of one party.

The Commission does not belong to the Commissioners, or to any group, or even to the parties which constituted the Government of National Unity when the Commission was established. It belongs to the nation, and it is the nation's instrument for building national unity and reconciliation. We cannot present a balanced picture of the past if we receive information only from a limited range of sources or organisations. We make a special appeal to those who have not yet done so: come and make your statement to the Commission.

ends
STATEMENT ON FORTHCOMING AMNESTY HEARING IN JOHANNESBURG

Issued by: Truth and Reconciliation Commission

A range of right-wing supporters, a former township youth and a member of an elite Umkhonto weSizwe military unit are scheduled to apply for amnesty at a hearing of the Truth and Reconciliation Commission's Amnesty Committee next week.

The hearing will take place from next Tuesday April 8, at the Council Chambers of the Greater Johannesburg Transitional Metropolitan Council at 158, Loveday Street, Braamfontein.

Pieter Johannes Harmse, 45, and Leo Hendrik Froneman, who describe themselves as members of the Boere Weerstandbeweging, were spotted placing a bomb at a shopping centre in Bronkhorstspruit on September 18, 1993. When Warrant Officer Abraham Labuschagne and Constable Hendrik Maree were called to the scene to investigate, the bomb went off, killing the former and injuring the latter.

Harmse is serving an 18-year prison term and Froneman eight years.

Phineas Ndlovu, 29, who says he was a member of the Daveyton Youth Congress and the ANC, is applying for amnesty for the killing of four people who were burned to death in a house in Daveyton on June 2, 1987. Those who died were Ms Christina Masupa, Ms Eunice Shabangu, Ms Catherine Nkosi and Melzinah Mbatha. Four other people were injured.

Of the six convicted of the murder and attempted murder of those in the house, four were given indemnity under previous legislation and one was released on parole. Ndlovu is serving a 18 years prison term.

William Mokotjo Sebiloane, 29, was a member of an MK special operations unit under the late Mr Chris Hani who declared in his amnesty application that he returned from exile in April 1991 to help set up Self-Defence Units in Reef townships.

He was convicted of attempted murder for injuring two policemen who were involved in his arrest, Constables F P van Heerden and J Oosthuizen, on May 25, 1991 and is serving a 13-year jail sentence.

James Wheeler, 30, and Cornelius Rudolph Pyper, 29, who both declare themselves as former Conservative Party and AWB supporters, are applying for amnesty for the murder of a minibus taxi driver, Mr Viyani Kenneth Papiyane, and the attempted murder of his brother, Mr Godfrey Papiyane, on Election Day, 1994.

In an alleged attempt to disrupt the elections, they shot at the two brothers on the R24 from Westonaria to Randfontein on April 27, 1994. Wheeler is serving 21 years and Pyper 15 years on the charges.

ends
STATEMENT ON AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

(The following summary of the applications, and the main points of the decisions and reasons therefor, is given purely to assist those journalists needing a quick initial summary of the applications and is not a binding document with any legal status.)

The Truth and Reconciliation Commission announces the granting of amnesty to three African National Congress members from North-West Province and to a Conservative Party and Volksfront member from the Eastern Cape.

It also announces the denial of amnesty to two applicants from the Free State, one an ANC member who killed a municipal policeman and the other a man who took part in a "gruesome and brutal attack" on people whom he alleged were suspected to be IFP members.

Amnesty has been granted to Peter Lebona, Thabo Solomon Lekitlane and Elias Busakwe, ANC members from Kanana, Orkney, who killed Zenzile Charles Dlamini, the leader of a vigilante group in their township who admitted sexually assaulting a woman, in July 1991.

It has also been granted to Saint Michael Schutte, a Conservative Party and Volksfront member from Stutterheim, Eastern Cape, for possession of seven AK-47s and 235 rounds of ammunition.

Amnesty was refused to:

- Derrick Tshidiso Kobue, an ANC member who killed Bothetsa Sekatame, a municipal policeman, in Kroonstad in December 1991.

- Justice Sekgopa, who took part in the killing of Shelly Erica Basson, Anthony, Mark Casey, Johannes P van Niekerk and Michael F Belelie at Mashongoville in the Odendaalsrus district in September 1990.

Details of the cases follow:

1. Peter Lebona, Thabo Solomon Lekitlane and Elias Busakwe:

The three men have been serving 10-year jail sentences for the murder of Dlamini, who was at one stage also a member of the ANC but later established a vigilante group called Kofifi.

The Amnesty Committee noted in the reasons for its decision that evidence had been led of various acts of harassment in the form of assault and rape committed by Dlamini, predominantly on members of the ANC and its Women's League. The applicants contended that they perceived Dlamini's gang to be collaborating with police, and that they suspected the gang was aided and abetted by the police.

The Committee said it was common cause that when Lebone and Lekitlane were taking Dlamini to the local police station - after the latter had admitted sexually assaulting an elderly woman and grievously assaulting her husband - Dlamini pulled out a gun. Before Dlamini could fire, Lebone fired a shot at him, using a firearm which Busakwe had supplied earlier. Then Lekitlane had stabbed Dlamini with a knife. Other members of a group accompanying Dlamini to the police station also took part in the attack.

The Committee found:

"Given the above facts, it is quite evident that the deceased and his gang disrupted meetings of the ANC, thereby impeding the ANC in their exercise of free political activity. They committed atrocious acts against members of the
ANC and were generally perceived as an anathema in the community. The local community and the ANC leadership perceived them as collaborating with the local police to inhibit them from exercising free political activity in the township. We therefore find that the primary aim of the deceased's group was to and did in fact impede members of the ANC from exercising free political activity."

The Committee said the killing of Dlamini by Lebone and Lekitlane was "an act associated with a political objective" and accordingly granted amnesty. It said although Busakwe did not physically take part in the killing, he admitted facts which connected him to the murder, and he complied with the requirements for amnesty.

2. Saint Michael Schutte

Schutte did not appear at a public hearing of the Amnesty Committee because his offence was not a gross violation of human rights, as defined in the legislation governing the Commission.

He bought the AK-47s on a visit to Mozambique in September 1993, and was arrested carrying them at the Lebombo border post upon his return to South Africa on September 28. He was due to have stood trial in Nelspruit this month.

He said in his amnesty application that the weapons were bought with the intention of defending the white community of Stutterheim in the event of a civil war after the 1994 election, and of promoting the aims of the right-wing parties to which he belonged.

3. Justice Sekgopa

Sekgopa is serving 27 years' imprisonment on four counts of murder and one count of malicious damage to property.

Reviewing the evidence, the Committee said Sekgopa and other members of a crowd attacked the victims with pangas, knives, sjamboks and other weapons. Ms Basson's genitals and breasts were mutilated. The Committee said:

"It was submitted on behalf of the Applicant that his motive for participating in the gruesome and brutal attack on the deceased was that he believed that the deceased were members of the Inkatha Freedom Party who had come to attack his community....

"The Committee has grave difficulties with this argument because there is no shred of evidence to suggest that the Applicant and/or his co-assailants could have believed that the deceased were members of the IFP at all...."

After reviewing the evidence in relation to perceptions about the IFP, the Committee said it was "quite evident that the Applicant committed the offences for which he has applied for amnesty in an indiscriminate manner against private individuals." The Committee continued:

"This was a clear case of mob violence in which the applicant participated. There was no suggestion of prior common purpose on the part of the participants. We accordingly cannot accept the evidence of the applicant when questioned, that he participated in the attack in order to kill apartheid. There had been no prior discussion or agreement amongst the participants to achieve any political objective. Furthermore, the nature of the attack was such that there was no proportionality between it and the supposed political objective, namely, sending a message to the Government that apartheid be abolished."

4. Derrick Tshidiso Kobue

The Committee said evidence in this application was that Mr Sekatame had intervened in an argument between Kobue and his girlfriend in a restaurant/shebeen and threatened Kobue with a gun. Kobue, an ANC Youth League and Self-Defence Unit member, had run away and, when Mr Sekatame emerged from the restaurant, Kobue had his comrades followed him and stabbed him.

The Committee noted that Kobue advanced as a reason for the killing the fact that the deceased was a policeman and that some policemen co-operated with the Three Million Gang, a declared enemy of the ANC in Kroonstad. Kobue also
testified that the killing was on instructions from his commander in the Self-Defence Unit.

The Committee found:

"The reason advanced by the Applicant for the killing, namely that he had killed him because he was a policeman and collaborated with the Three Million Gang, seems improbable..."

However, the Committee said it had no other evidence before it in the case, and went on to examine the Applicant's evidence more closely. It concluded:

"There is nothing in the advanced reasons that could have given the applicant any reason reasonably to conclude that the deceased was a collaborator with the Three Million Gang, nor that he was perceived to be an enemy of the ANC and its structures by virtue of his office as a policeman and this evidence is accordingly rejected."

ends
April 9, 1997

TRC IS CARRYING OUT AN INDEPENDENT ASSESSMENT

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is carrying out an independent assessment of minutes of the State Security Council and the Cabinet during the apartheid era to establish whether there were links between political decisions and gross violations of human rights.

The Commission has been evaluating minutes and other documents in the possession of the National Archives for some time.

The Commission was also given a document arising out of the work of the Investigation Task Board, which deals with similar issues, some weeks ago, and staff members of the Commission had discussions on the matter with Mr Howard Varney yesterday.

The Commission has neither had time to study the document fully, nor has it discussed it. However, as with all submissions made to the Commission by other organisations, we will examine the document carefully and establish how it can help us in our work.

The Commission welcomes such submissions, from whichever organisation they may come, but we will not as a matter of course release details of submissions made by other organisations.

Our own research and investigations, supplemented by submissions made by other organisations on matters such as those raised in the document given to us by Mr Varney, will assist us in our ongoing work and in drawing up the Commission's final report.

ends
BACKGROUND TO TRC INVESTIGATIONS NEAR ALIWAL NORTH

Issued by: Truth and Reconciliation Commission

The Johannesburg office of the Truth and Reconciliation Commission received a statement in April last year from a Soweto pensioner who reported that the late Chris Hani had informed her in 1991 that her son had died in a shoot-out in the Eastern Cape in 1981.

In October last year, the Commission was approached by Mr Tokyo Sexwale, Premier of Gauteng, and given information on an investigation carried out by his staff into the fate of four MK cadres, including Mr Sexwale's brother and the person who had been mentioned in the statement received by the TRC in April. Subsequently, in November, Mr Sexwale's father and one other parent made statements to the Commission. As a consequence, we have statements from three of the families involved in the matter.

TRC investigations have borne out the investigations carried out by Mr Sexwale's family and colleagues. They indicate that two of the cadres died on August 7, 1981, and another two on August 13.

The cadres had been based in the Butterworth/Umtata area but were discovered and attempted to retreat into Lesotho. However, they were stopped at a police roadblock near Elliot on August 7, where two cadres were killed. Two escaped but were intercepted six days later at Barkly Pass, outside Elliot, and also killed in a shoot-out.

Investigations carried out so far indicate that the four were secretly buried on a farm on the Free State side of the Orange River at night. An undertaker, a police reservist at the time, has admitted that he buried the bodies with the help of white Security Police members. The burials took place on the farm of another police reservist.

The Commission is at present looking for the bodies. It will not release the names of those cadres who have not yet been named unless bodies are found and positively identified, and until the next-of-kin have been informed. It will also release only limited information until it is certain that whatever it releases will not prejudice a ongoing investigation.

The Commission will give adequate notice of a full news conference once this stage of its investigations has been completed.

ends
April 10, 1997

DIGGING AT THE ALIWAL NORTH - BONES FOUND

Issued by: Truth and Reconciliation Commission

Digging at the Aliwal North farm where it is suspected the bodies of MK soldiers were secretly buried in 1981 was suspended this morning when bones, including what appear to be a human femur, spinal cord and ribs, were found.

A pathologist is being summoned from Bloemfontein and we shall wait for his arrival before we continue with the digging. Until now we have been using mechanical excavators but we have brought in men who will dig more slowly with shovels.

Today's discovery was made after we moved to a new location this morning. We identified the spot after consulting with the policeman who brought the bodies to the farm in 1981, with the undertaker involved and with labourers who knew the farm.

Sniffer dogs brought from Durban were used to help find the spot where the bones were found.

The cadres whose bodies we are looking for were killed in two separate shootouts with police near Elliot in August 1981. Investigations carried out by the staff of Mr Tokyo Sexwale, whose brother is suspected to be one of those buried on the farm, corroborated by our investigations, indicate that four cadres were secretly buried on the farm.

The Commission will not release the names of those cadres who have not yet been named unless bodies are found and positively identified, and until the next-of-kin have been informed.

ends
STATEMENT - FIRST SUBPOENAS TO LIBERATION MOVEMENT

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission has issued its first subpoenas requiring supporters of liberation movements to appear at investigative inquiries of the Commission.

Mr Robert McBride and Ms Greta Appelgren -- as she was then known -- have been called to appear before the Commission in Durban from April 21. They were convicted of offences arising out of the bombing of Magoo's Bar, Durban.

The subpoenas were served at Easter.

Archbishop Desmond Tutu, chairperson of the Commission, said in a statement today:

"Mr McBride was told in his subpoena that he would face questions which relate to 'your involvement in, role and/or knowledge of the bombing of Magoo's Bar at Marine Parade, Durban, on 14 June 1985, including but not confined to the extent of the involvement of the military and political wing of the African National Congress (MK) in the planning and execution of the aforesaid bombing...'

"Ms Appelgren will be questioned on the same incident. The subpoenas were issued by our Durban office in terms of Section 29 of the Promotion of National Unity and Reconciliation Act, which grants the Commission the power to call upon any person to appear before the Commission to give evidence or to answer questions relevant to the subject matter of the inquiry.

"It is the same section under which a number of former police generals were subpoenaed late last year.

"The law provides that "no person other than a member of the staff of the Commission or any person required... to give evidence shall be entitled or permitted to attend any hearing conducted in terms of this section [of the Act]."

However, the Commission is able to release information about Section 29 hearings at its discretion, or at subsequent public hearings of the Commission.

"In terms of Section 34 of the Act, any person who is subpoenaed is entitled to appoint a legal representative. If he is not financially capable of doing so, the Commission may appoint a legal representative to assist him or her.

"Section 39 of the Act provides for penalties for any person who fails to appear in response to a subpoena without sufficient cause, or who 'fails or refuses to answer fully and satisfactorily to the best of his or her knowledge and belief any question lawfully put to him or her...' Those guilty of offences in terms of the Act are liable to fines and/or imprisonment of up to two years."

ends
April 15, 1997

NEWS RELEASE ON AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to another eight applicants, including members or supporters of the African National Congress, the United Democratic Front, the End Conscription Campaign and the Afrikaner Weerstandsbeweging.

The applicants all applied for amnesty in respect of offences which do not fall within the definition of a gross violation of human rights, as laid down in the law governing the operations of the commission. As a result no public hearings were necessary and the Committee took its decisions in chambers. (The law defines killing, abduction, torture and severe ill-treatment as gross violations).

The following are the details:

1. Abel Bhila

Abel Bhila, 29, who describes himself as a member/or supporter of the African National Congress and Umkhonto weSizwe, was sentenced to six years' imprisonment for unlawful possession of firearms and/or handgrenades. He said in his application he was found in possession of a handgrenade in a bag he was carrying in central Johannesburg on March 24, 1993.

2. Saul Barrie Batzofin

Saul Batzofin, 27, a member of the End Conscription Campaign, was sentenced to 18 months' imprisonment in 1989 for refusing to serve in the former South African Defence Force. He has completed his sentence but told the Commission that he wanted to apply for amnesty to clear his criminal record. He said although he was proud to have been a conscientious objector, the record caused difficulties with visa applications for foreign countries.

3. Reginald Jameson

Reginald Jameson, 38, who described himself as a UDF supporter, also applied for amnesty in respect of a sentence which he has already served. He told the Committee he was jailed for a year on arson and public violence charges after student unrest in June 1976. He said he had taken part an arson attempt at Modderdam High School, Bonteheuwel, in the expectation of a new, better school being built.

4. Mncedisi Mzolisi Klaas

Mncedisi Klaas, 27, an ANC Youth League organiser, applied for amnesty in respect of charges of robbery, malicious damage to property and sabotage. He told the Committee that the offences were committed during the course of a conflict over services between township residents and the local authorities in Motherwell, Port Elizabeth, in 1992. He said the vehicles which were the subject of the robbery and damage to property charges were targeted because they were government vehicles. The sabotage charge arose out of damage to electricity lines and the sub-stations. He was sentenced to seven years' imprisonment.

5. Duke Wellington Moilwanyane

Duke Moilwanyane, 24, who described himself as a ANC supporter, was convicted on charges of public violence and malicious damage to property after a confrontation with police at Ikageng, Potchefstroom, on March 24, 1993. He said he was among protest marchers who clashed with police at the entrance to Ikageng as they attempted to march to the office of the former Department of Education and Training in Potchefstroom. He was jailed for four years on the public violence charge and 2 years on the charge of damaging property.
6. Alison Motsopi

Alison Motsopi, 27, described himself as a member of ANC Youth League. He told the Committee he had possessed handgrenades in Vosloorus on the East Rand in 1992. He said his actions should be viewed against the background of conflict with the IFP in the region at the time. He said in his amnesty application that although the charges had been withdrawn at the time, police had later re-opened the case.

7. Kevin John Trytsman

Kevin Trytsman, 28, of Sandton, was granted amnesty in respect of charges of illegal possession of firearms and ammunition, vehicle theft and perjury. He said in his amnesty application that he was found in possession of an AK-47 rifle, two magazines and a car on a farm he was renting near Knoppieslaagte. Trytsman was given a suspended sentence for possession of the firearm, a fine for the possession of the magazines and a five-year jail sentence for vehicle theft. He told the Committee he had given the court false explanations for possessing the material - in fact he had been storing them on behalf of Umkhonto weSizwe. Mr Trytsman was sentenced in 1994.

Motivating his application relating to the perjury charge, Mr Trytsman said that while awaiting trial on the other charges, he had been approached by one Ferdi Barnard and one Eugene Reilly regarding information about his MK commander. He had "to a certain extent" become friendly with Barnard and Reilly. Barnard had bragged to him that he had shot Dr David Webster and that Reilly had been driving him at the time. Mr Trytsman said he was called to give evidence at the inquest into Dr Webster's death but had failed to tell the inquest of Mr Barnard's statement.

8. Albertus Francois van der Merwe

Albertus van der Merwe, 58, who describes himself as an AWB member, was jailed in 1994 for eight years on charges of sabotage and the transport or storage of explosives. He told the Committee he was a member of the explosives unit of the AWB's special task force which was responsible for explosions during November and December 1993 at a government weighbridge in the Krugersdorp district, at an electrical sub-station at Munsieville, Krugersdorp, and at the shop of a suspected ANC supporter at Burgershoop, Krugersdorp. He had also been involved in attempting to cause an explosion at a sub-station near the Voortrekker Monument in Pretoria.

ends
April 16, 1997


Issued by: Truth and Reconciliation Commission

STATEMENT BY TRC COMMISSIONER DR WENDY ORR

On the first day of a two day meeting, the INMDC agreed to endorse a decision taken by the INMDC Executive, to present a submission at the TRC's Health Sector Hearings in June. The submission will be made on behalf of the previous SA Medical and Dental Council by the present President of the INMDC, Prof S. Kallichurum, past President of the SAMDC, Dr L. Becker and present Registrar of the INMDC (who was also Registrar of the SAMDC), Mr Nico Prinsloo.

After discussion, the Council decided that the submission should cover "the functioning of the Council in relation to Human Rights", "action taken or the failure to act in specific issues and cases, such as the inequality of facilities available to various sectors of the population", issues which the Council should have raised with, for instance, the then Dept of Health and, most importantly, lessons which can be learned from past mistakes and how they can be prevented in the future.

In addition, the Council discussed the matter of "amnesty" for doctors. Amnesty granted by the TRC does not extend to amnesty from professional discipline in the case of health professionals. This could deter health professionals who have information about, colluded with or participated in human rights abuses from approaching the TRC, as they would still have to face INMDC disciplinary action. The INMDC reached the conclusion that it is bound by statute to discipline health professionals found guilty of professional misconduct or negligence, but "full and voluntary disclosure" would be taken into account as a strong mitigating factor, as would an appropriate explanation of the context and environment in which the transgression took place. The INMDC would obviously consider each case on its own merits, but would apply similar principles to those presently outlined in the Promotion of National Unity and Reconciliation Act (the so-called "Norgaard Principles"), in deciding on mitigation and sentence. This offer of mitigation would stand as long as the TRC is in existence (i.e. till 14 December 1997).

Mr Nico Prinsloo is co-ordinating the compilation of the submission and the President of the INMDC called on all past and present members of the INMDC and/or SAMDC to assist the Council in drawing up its submission, by communicating to Mr Prinsloo any issues which should be highlighted or examined.

ends
April 22, 1997

STATEMENT BY DR ALEX BORAINE ON COURT RULING IN COETZEE CASE

Issued by: Truth and Reconciliation Commission

The TRC has now had an opportunity to examine the remarks of Mr Justice P C Combrinck, delivered in the Durban High Court yesterday, when he criticised the actions of the Commission in opposing attempts by defence lawyers in the Coetzee criminal trial to have access to material gathered in our investigative inquiries.

We did not oppose the application simply for the sake of opposition. We were trying to balance the rights of those subpoenaed to give evidence before confidential inquiries of the Commission against the rights of those who stand accused in criminal trials.

It is a mark of our respect for the law and the role of the courts that we decided to have the matter tested in and decided by a court. We wanted the court to make a ruling, it has now done so, and we respect the ruling.

We believe the judge to have been mistaken in his assessment of our motives. It follows that we find his remark that we acted with callous indifference to the rights of Dirk Coetzee and other accused to have been gratuitous and unwarranted.

ends
April 23, 1997

STATEMENT - BORaine ON CITICISM OF TRC IN MAGOO BAR BOMBING CASE

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission has noted a number of radio and newspaper reports in which it has been attacked by families of victims of the Magoo's Bar bombing for excluding them from its questioning of Robert McBride and Greta Appelgren.

The Commission understands and sympathises with the anger expressed by the families but we feel we are being unfairly criticised. The section of the law which gives the Commission the power to compel people to co-operate with our investigations explicitly prohibits us from allowing anyone else to attend. We have no discretion to allow anyone else to be present, even if we want to.

If we had tried to allow the families to attend, Mr McBride and Ms Appelgren would have been able to withdraw from the proceedings and seek a Supreme Court interdict to order us to exclude the families. They would very likely have been granted an interdict on the grounds that the Commission would have been acting in open defiance of the law.

Unlike the police, the Commission has no powers of arrest or detention when it carries out its inquiries. The only comparable investigative tool is Section 29 of the Promotion of National Unity and Reconciliation Act, which enables us to subpoena people such as Mr McBride and to compel them to answer questions.

Once investigations are complete, the law gives us the discretion to reveal information gained during the Section 29 inquiry.

In the case of Mr McBride and Ms Appelgren, there will be a public amnesty hearing. The law gives the families of victims the right to be legally represented and to testify, lead evidence and oppose the application. In addition, Commission policy is that families of victims are given advance access to the contents of the amnesty applications to enable them to prepare for the hearing.

ends
April 23, 1997

STATEMENT - TUTU ON MEETING WITH MAGNUS MALAN

Issued by: Truth and Reconciliation Commission

I had discussions lasting nearly an hour with General Magnus Malan, former Minister of Defence, at our offices in Cape Town today.

The meeting was arranged at General Malan's request. During the meeting, he informed me that he is willing to testify before the Commission to help us obtain a complete picture of the role which the former South African Defence Force played in the period covered in our mandate.

We discussed various issues in regard to his willingness to testify. I welcome very warmly General Malan's initiative.

General Malan has indicated that he will issue a statement about today's meeting in due course.

ends
STATEMENT - FIVE FORMER SECURITY POLICEMEN SUBPOENED

Issued by: Truth and Reconciliation Commission

Subpoenas were served today on five former Security policemen requiring them to give evidence or answer questions relating to the identity of alleged informers and relevant to investigations of the Truth and Reconciliation Commission.

The subpoenas were sent to the legal representatives of Brigadier Jack Cronje, Colonel Roelf Venter, Captain Wouter Mentz, Captain Jacques Hechter and Warrant Officer Paul van Vuuren.

They will be required to appear at an investigative inquiry of the Commission in Cape Town on May 20. The subpoenas have been issued with a view to assisting the Investigative Unit of the Commission with its inquiries into human rights violations.

ends
April 24, 1997

PRESS RELEASE - HUMAN RIGHTS VIOLATIONS HEARING PARYS

The Truth and Reconciliation Commission will listen to at least 21 cases of murder, torture, disappearances necklacing of victims and other forms of gross human rights violations during a two day sitting in Parys, in the Free State next week.

The three-member panel of the Human Rights Violations committee of the TRC, chaired by Commissioner Richard Lyster, will hold the hearings at the local Town Hall in the corner of Kort and Phillip Street. The sitting will be on Tuesday April 29 and Wednesday April 30, on both days proceedings will commence at 9am.

Although in most of the cases that will heard this week, members of the security forces of the old regime are named as perpetrators, in some incidents members of gangs like the "Eagles" and members of political organisations are fingered by some of the victims.

One other thing that stands out in this hearing is that most of the perpetrators who have been named by the victims of gross human rights violations and families of people who were murdered, have indicated that they will also attend the hearings, in order to publicly defend themselves and where necessary to cross-examine people who make such allegations against them.

Cases that will be heard in Parys next week include the assassination of a leading Azapo member, Petrus Mahlomola Maitse in Bochabelo in May 1986.

Mrs Selina Puditsoane will also testify about the brutal murder of her husband Jack Khetlane Mofokeng who was allegedly killed by police when residents Zamdela tried to forcefully occupy land in the area in April 1992.

The commission will also hear how members of the Eagles abducted, tortured and killed a well-known community leader Samuel Ngaka Mokoena in Mamafubedu in Petrus Steyn in 1991.

Trade unionist Maduna Mokoening Isaac will also relate how he was detained while addressing a union meeting at a bus stop in Parys, taken away by police and severely assaulted and tortured in October 1987.

ends
TRC ON AMNESTY DECISIONS

April 28, 1997

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission announces the granting of amnesty to three more applicants, two of them ANC members and one a former Progressive Federal Party (PFP) member. All three decisions were taken in chambers by the Amnesty Committee. Since the applications did not involve gross violations of human rights, as defined in the Act governing the Commission, public hearings were not necessary. Those granted amnesty are:

* Donald John Card (68), a former mayor of East London, who said he was a member of the Progressive Federal Party (PFP) when he committed two offences in 1977 for which he was never charged. These were "assisting a person banned in terms of the Security Legislation to break his banning order", and "assisting the same person to leave the borders of South Africa in contravention of the law".

In his amnesty application he identifies the person assisted as Donald James Woods, and states the political objective sought to be achieved as "disagreed with the government's banning of Woods under the Suppression of Communism Act". He said he and Woods agreed on many issues, "including the death of Steve Biko who had become a friend". According to Card two other people helped with the escape.

* Thami Robert Ntshobane (23), who was convicted of being in possession of an unlicensed firearm and ammunition during 1992 in Guguletu, Cape Town. He said the firearm belonged to his Self Defence Unit, set up and supplied by the ANC and Umkonto we Sizwe.

* Simon Orapeng Ntsitsi (35), who said he was an ANC marshal when four vehicles were damaged during a march in Kanana Township, Orkney during 1991. He was convicted on four counts of malicious damage to property.

ends
STATEMENT ON SPECIAL SUBMISSIONS OF EX-CONSCRIPTS

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is awaiting special submissions on the experiences of ex-conscripts who served in the former South African Defence Force (SADF), both inside and outside the country. The purpose of this special appeal is amongst others to help the TRC to capture the effect of psychological violence imposed by military conscription, and to explore its consequences on the lives of many who did not choose to participate in a war. We appeal to all those who were affected to come forward and make their submissions.

Our request for submissions on conscription is neither an attempt to find perpetrators, nor a process that will lead to the awarding of victim status for purposes of reparation. Instead, it will be an opportunity for those who suffered, and continue to suffer, to share their pain, and to reflect on their experiences. This will enable us to fulfill our mandate to establish as complete a picture as possible of violations during the apartheid years. We also hope this will lead to the raising of public awareness about the nature of psychological violence, and of the reality of post traumatic stress disorder. It will also assist the Commission to make the appropriate recommendations on rehabilitation and reconciliation in its final report to the State President.

Those who come forward need not make public statements at a hearing. We will handle all submissions as confidential unless otherwise specified. The Commission will also welcome submissions from people who witnessed, but not necessarily took part in violations.

In addition, we have held discussions with the Ministry of Defence, who agreed that the secrecy clause in the Defence Act could be waved for the purposes of the submissions, which will enable people to tell their stories without fear of contravening the law or exposing sensitive defence information. Deputy Defence Minister, Ronnie Kasrils, has pledged the ministry's full support to the appeal.

We are looking for several categories of submissions on conscripts: * People who regret having been part of the South African Defense Force. In this group will be included the following: those who have suffered, or continue to suffer symptoms of post-traumatic stress disorder; * The families, or individual family members who suffered as a result of the traumatisation of their sons, husbands, or friends; *Those who fought on the border and beyond the border; *Servicemen who participated in township policing; *Those who had completed their service, but were constantly called to be part of the civilian force (burgermag); *People who served as conscripts in the South African Police Force(SAP); *Those who went into exile to avoid conscription.

"Conscription is an example of the militarisation of society by forcing large numbers of people to participate in a war", says Human Rights Violations Committee Member, Ms Pumla Gobodo-Madikizela. "In South Africa, it also served the function of keeping a certain section of the population, mainly white people, in a perpetual state of terror and distrust for another group, black people. Although army conscripts in South Africa were not exclusively white, black and brown people served in the army as 'volunteers'. Thus, the submissions we are asking will not be restricted to the experiences of white men."

We are already in possession of a number of statements from conscripts and their families, but hope to give as many people as possible a chance to contribute. In addition, we are considering a public submission event, where context statements will be made on behalf of conscripts as well as conscientious objectors. Such an occasion would also allow us to highlight the problems of post-traumatic stress syndrome through the testimony of psychologists and researchers in the field.

ends
April 29, 1997

STATEMENT ON THE JUST WAR DEBATE AND RECONCILIATION

Issued by: Truth and Reconciliation Commission

Deputy Defence minister, Mr Ronnie Kasrils, and Freedom Front Leader, Genl Constand Viljoen, will be on the panel for the fourth discussion on Reconciliation hosted by the Western Cape Office of the TRC.

The subject of this round is The Just War Debate and Reconciliation. Other panelists are Professor Andre du Toit of the Department of Political Studies at the University of Cape Town, and Professor Alain Sigg, the former head of External Relations at the United National Tribunal in Rwanda, serving under Mr Justice Richard Goldstone. Professor Sigg is currently helping the TRC with investigations.

Previous debates organised by the Western Cape Region focused on Reconciliation and the concepts of economic justice and social justice respectively. Members of the public are once again welcome to attend and to participate in the debate on Tuesday, May 6 between 12h30 and 14h00 pm.

The venue for this discussion is the Frans Hals Room in the Old Town House on Green Market Square.

ends
STATEMENT - FOUR SUBPOENAS SERVED FOR TROJAN HORSE HEARING

Issued by: Truth and Reconciliation Commission

The Western Cape Office of the Truth and Reconciliation Commission has served subpoenas on three policemen and one member of the South African National Defence Force (SANDF) to appear at a Special Event Hearing on the Trojan Horse shootings in Athlone in 1985.

The four were notified this week in accordance with Section 29 of the Promotion of National Unity and Reconciliation Act, to give evidence and/or answer questions relating to the Trojan Horse incident. They are scheduled to appear before the TRC panel on Wednesday, May 21.

The first day of the hearing will consist of human rights violations statements from victims and witnesses of the incident, in which three young men died when police hiding in a truck belonging to the South African Transport Services, opened fire on a group of youths who the police alleged were throwing stones.

The three policemen who have been notified to appear are: Sergeant Alexander Jacobus Rossell, and Police Director Christian Loedoelf and Inspector Andre John Smith. The SANDF member is Lieutenant Colonel Salmon Pienaar.

These security force members will appear before a panel consisting of Western Cape Commissioners, Adv Denzil Potgieter, Mr Dumisa Ntsebeza (Head of the TRC's Investigative Unit), Ms Mary Burton, Ms Glenda Wildschut and Committee Member, Ms Pumla Gobodo-Madikizela. The hearing will be open to the public.

All those subpoenaed are entitled to appoint legal representatives. If they are not financially capable of doing so, the Commission may appoint a legal representative to assist them.

Staff from the TRC's Western Cape Office have been visiting schools in the Athlone area over the last two weeks, to raise awareness among pupils of the event and the effect of violence on young people and children during the apartheid years. A candlelight procession similar to the ones held in the wake of the Trojan Horse and St Athens Mosque shootings, is planned by the Athlone community for the night before the hearing.

Background:

On the 15 October 1985 world attention was focused on Athlone after an incident in which youths had started stoning what looked like a South African Transport Services truck and shotgun -armed police men, who had been hiding in crates at the back of the truck, broke cover and fired at the youths. Two youths died in the road and a third, who was in a nearby house, was killed by shotgun fire.

The police defended their alleged "ambush" of the stonethrowers as a necessary technique to protect people using public roads in the area. They said that normal vehicle patrols by security forces had proved ineffective because the stonethrowers had devised a strategy of waylaying vehicles which they thought could be attacked and destroyed with impunity.

In February 1989 an inquest was held to determine the circumstances surrounding the deaths of two children, Michael Miranda and Shaun Magmoed, aged 11 and 16 years respectively, and Mr. Jonathan Claasen, aged 21 years. Evidence before the court was that members of a police task force were ordered to conceal themselves in wooden crates on the back of a truck which was then driven twice down a road in the suburb of Athlone. On it's second trip into the suburb, it came under a hail of rocks and stones. The policemen sprang from their hiding places and without warning, started firing in the direction of the stonethrowers.

The magistrate, Mr G Hoffman, found that the task-force was negligent and caused the death of the three victims. Mr Hoffman said that "there was not a shred of evidence" to show that Miranda and Claasen had thrown stones and
although Mr Magmoed had been identified by a witness as wearing a green shirt, he found the teenager had not thrown stones either. Mr Hoffman said that a State of Emergency had been declared 11 days before the incident, but that "the police could not hide behind a state of emergency"

The Attorney General of the Cape at the time, Mr Niel Roussouw, declined to prosecute and this decision was supported by the then Minister of Justice, Mr Kobie Coetsee. The families of Mr Magmoed and Mr Miranda thereafter decided to launch a private prosecution in terms of the Criminal Procedure Act of 1977, the first in South African history. The families were however unsuccessful with their prosecution.

ends
April 30, 1997

ADVISORY - MAGNUS MALAN TO GIVE EVIDENCE ON MAY 7

Issued by: Truth and Reconciliation Commission

Former South African Minister of Defence, Genl Magnus Malan, will give evidence to the Commission on Wednesday 7 May 1997 in Cape Town.

This follows a meeting with TRC chairperson, Archbishop Desmond Tutu, last week where Genl Malan said he wished to tell the Commission about the role of the former South African Defence Force (SADF).

Members of the media are advised that Malan's submission will start at 10h00 am at the Cape Town offices of the Commission at 106 Adderley Street.

The submission is scheduled to last until 16h00.

ends
April 30, 1997

STATEMENT - 6 PEOPLE SUBPOENAED FOR TROJAN HORSE HEARING

Issued by: Truth and Reconciliation Commission

The TRC's Western Cape Investigative Unit subpoenaed a total of six people this week to appear at a Special Event Hearing on the 1985 Trojan Horse shootings in Athlone.

This morning Sergeant Albertus Myburgh Smit was served with a subpoena and in the afternoon former police lieutenant Douw Vermeulen received a notice. This follows the announcement yesterday that the TRC served subpoenas on three policemen and one member of the South African National Defence Force (SANDF) to appear at the hearing.

The three policemen who have been notified earlier are: Sergeant Alexander Jacobus Rossell, Police Director Christian Loedolf and Sergeant Andre John Smith. The SANDF member is Lieutenant Colonel Sal mon Pienaar.

All six were notified in accordance with Section 29 of the Promotion of National Unity and Reconciliation Act, to give evidence and/or answer questions relating to the Trojan Horse incident. They are scheduled to appear before the TRC panel on Wednesday, May 21.

The first day of the special human rights violations hearing will consist of statements from victims and witnesses of the incident, in which three young men died when police hiding in a truck belonging to the South African Transport Services, opened fire on a group of youths.

They will appear before a panel consisting of Western Cape Commissioners, Adv Denzil Potgieter, Mr Dumisa Ntsebeza (Head of the TRC's Investigative Unit), Ms Mary Burton, Ms Glenda Wildschut and Committee Member, Ms Pumla Gobodo-Madikizela. The meeting will be open to the public.

All those subpoenaed are entitled to appoint legal representatives. If they are not financially capable of doing so, the Commission may appoint a legal representative to assist them.

Staff from the TRC's Western Cape Office have been visiting schools in the Athlone area over the last two weeks, to raise awareness among pupils of the event and the effect of violence on young people and children during the apartheid years. A candlelight procession similar to the ones held in the wake of the Trojan Horse and St Athens Mosque shootings, is planned by the Athlone community for the night before the hearing.

ends
TUTU APPEALS TO SOUTH AFRICANS TO APPLY FOR AMNESTY

Issued by: Truth and Reconciliation Commission

Archbishop Desmond Tutu has made an impassioned appeal to South Africans right across the political spectrum who were involved in political acts which might lead to criminal charges or civil actions for damages to apply for amnesty within the next six days.

His appeal was recorded for broadcast tonight on SABC Television's popular programme, TRC Special Report.

The deadline for amnesty applications is midnight on Saturday May 10. After the deadline has passed, people who have committed acts, omissions or offences which are associated with political objectives and who have not applied for amnesty will be liable for prosecution or civil actions.

"This is a cry from the heart," Archbishop Tutu said. "I appeal to all of you, right across the political spectrum, please take this golden opportunity to apply for amnesty on the most generous terms possible."

His appeal selected a number of categories of people for special mention:

- Members of the Security Forces, including those involved in cross-border operations;
- Township activists such as those in Self-Defence Units;
- Other township residents such as those living in hostels;
- Operatives of Military Intelligence and the CCB;
- Leaders of political parties.

The categories identified include elements of the former South African Defence Force such as the Directorate of Special Tasks, the Directorate of Covert Collection, Special Forces ("Spesmagte") and national servicemen who witnessed or have knowledge of acts which could lead to prosecutions or civil actions.

Also speaking to Special Report, Archbishop Tutu warned: "As far as the TRC is concerned, blanket amnesty is out."

Dealing with suggestions that blanket amnesty might have to be given if the Amnesty Committee could not complete its work, he said the Minister of Justice had agreed to a proposal to enlarge the Committee. It could also sit until early next year if necessary.

The full text of the Chairperson's appeal follows:

"THE ARCHBISHOP'S APPEAL TO THE NATION:

"Dear Fellow South Africans:

"This is a cry from the heart. May the 10th is just around the corner on Saturday. That is the deadline for applications for amnesty. I appeal to all of you, right across the political spectrum, please take this golden opportunity to apply for amnesty on the most generous terms possible.

"This applies to you, leaders of political parties, this applies to you, people who were in the Security Forces. It applies to you who were involved in cross-border raids, because you are exposed to the possibility of civil proceedings for damages against you by those who were victims of your operations.

"I appeal to you who were in SDUs in the townships, to you in the hostels.

"I appeal to you who were in the CCB and Military Intelligence."

"This amnesty is one that would expunge any criminal or civil liability you are likely to have. Please come
forward because this is an opportunity to put the past behind you; to help in the process of your own healing and the healing of this beautiful land. Please come."

His comments regarding the possibility of blanket amnesty being granted if the TRC cannot finish its work follow:

"We have asked the Minister of Justice and he has agreed to our request that the Amnesty Committee should be enlarged. This is in order to ensure that all the applications are dealt with by our committee. We hope that it would be able to have finished its work at best at the end of this year. It just might be necessary for them to continue into the first part of next year before we present our report in March. As far as the TRC is concerned blanket amnesty is out. It would make nonsense of all the work we have done hitherto to say because we are unable to deal with the applications, let us now grant blanket amnesty. It would be very difficult to justify to the victims...."

ends
May 5, 1997

STATEMENT - ARCHBISHOP TUTU ON NP'S ACCEPTANCE OF ACCOUNTABILITY

Issued by: Truth and Reconciliation Commission

I welcome the reported indications from the National Party that they are willing to accept accountability for actions committed in the name of the former Government.

The Commission would welcome amnesty applications from leaders of the NP - as it would applications from leaders of all other political parties. However, political leaders will need to submit applications made out individually, including lists of the actions for which they would accept responsibility.

ends
May 5, 1997

STATEMENT BY THE WESTERN CAPE OFFICE - 7 SUBPOENAS IN TROJAN HORSE

Issued by: Truth and Reconciliation Commission

The Western Cape office of the TRC today subpoenaed a retired police inspector, Frank van Niekerk, to appear at its Special Event Hearing on the 1985 Trojan Horse shootings in Athlone later this month.

The TRC's Investigative Unit last week served Section 29 subpoenas on six other people in relation to the same incident - five policemen and one member of the South African National Defence Force (SANDF).

The five other policemen who have been notified earlier are: Sergeant Alexander Jacobus Rossell, Police Director Christian Loedolf, Sergeant Albertus Myburgh Smit, Lieutenant Douw Vermeulen and Sergeant Andre John Smith. The SANDF member is Lieutenant Colonel Salmon Pienaar.

All seven were notified in accordance with Section 29 of the Promotion of National Unity and Reconciliation Act, to give evidence and/or answer questions relating to the Trojan Horse incident. They are scheduled to appear before the TRC panel on Wednesday, May 21.

The first day of the special human rights violations hearing will consist of statements from victims and witnesses of the incident, in which three young men died when police hiding in a truck belonging to the South African Transport Services, opened fire on a group of youths.

The seven men will appear before a panel consisting of Western Cape Commissioners, Adv Denzil Potgieter, Mr Dumisa Ntsebeza (Head of the TRC's Investigative Unit), Ms Mary Burton, Ms Glenda Wildschut and Committee Member, Ms Pumla Gobodo-Madikizela. The meeting will be open to the public.

All those subpoenaed are entitled to appoint legal representatives. If they are not financially capable of doing so, the Commission may appoint a legal representative to assist them.

A candlelight procession similar to the ones held in the wake of the Trojan Horse and St Athens Mosque shootings, is planned by the Athlone community for the evening before the start of the hearing.

Background:

On 15 October 1985 world attention was focused on Athlone after an incident in which youths started stoning what looked like a South African Transport Services truck and shotgun-armed policemen, who had been hiding in crates at the back of the truck, broke cover and fired at the youths. Two youths died in the road and a third, who was in a nearby house, was killed by shotgun fire.

The police defended their alleged "ambush" of the stonethrowers as a necessary technique to protect people using public roads in the area. They said that normal vehicle patrols by security forces had proved ineffective because the stonethrowers had devised a strategy of waylaying vehicles which they thought could be attacked and destroyed with impunity.

In February 1989 an inquest was held to determine the circumstances surrounding the deaths of two children, Michael Miranda and Shaun Magmoed, aged 11 and 16 years respectively, and Mr. Jonathan Claasen, aged 21 years. Evidence before the court was that members of a police task force were ordered to conceal themselves in wooden crates on the back of a truck which was then driven twice down a road in the suburb of Athlone. On its second trip into the suburb, it came under a hail of rocks and stones. The policemen sprang from their hiding places and without warning, started firing in the direction of the stonethrowers.
The magistrate, Mr G Hoffman, found that the task-force was negligent and caused the death of the three victims. Mr Hoffman said that "there was not a shred of evidence" to show that Miranda and Claasen had thrown stones and although Mr Magmoed had been identified by a witness as wearing a green shirt, he found the teenager had not thrown stones either. Mr Hoffman said that a State of Emergency had been declared 11 days before the incident, but that "the police could not hide behind a state of emergency"

The Attorney General of the Cape at the time, Mr Niel Roussouw, declined to prosecute and this decision was supported by the then Minister of Justice, Mr Kobie Coetsee. The families of Mr Magmoed and Mr Miranda thereafter decided to launch a private prosecution in terms of the Criminal Procedure Act of 1977, the first in South African history. The families were however unsuccessful with their prosecution.

ends
May 6, 1997

STATEMENT - TRC OPENS SPECIAL AMNESTY "HOTLINES"

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation has opened special amnesty "hotlines" in its offices to handle calls from people wanting to apply for amnesty.

People wanting to make inquiries about amnesty applications can call the following numbers during working hours this week:

Cape Town: 021-26-2028, or 24-5161 (switchboard) Durban: 031-3052678, or 031-307-6767 (switchboard)

The final deadline for the receipt of amnesty applications is Saturday May 10.

The law establishing the Truth and Reconciliation Commission gives those responsible for acts, omissions or offences which might lead to criminal prosecutions or civil actions for damages the opportunity to apply for amnesty if their actions were associated with political objectives.

Archbishop Desmond Tutu has issued a national appeal to people right across the political spectrum to "take this golden opportunity to apply for amnesty on the most generous terms possible."

At the moment we have about 5500 amnesty applications registered in our database, but more have been received. Nearly 60 applications which involve gross human rights violations have been heard in public, while about 787 have been dealt with in chambers. Altogether 39 people have been granted amnesty and 797 denied. Many of these were from people who applied for actions which does not fall in the TRC's mandate.

ends
May 6, 1997

STATEMENT - TRC AMNESTY COMMITTEE ON CAPE TOWN APPLICATIONS

Issued by: Truth and Reconciliation Commission

The amnesty application of one of the people currently serving a prison sentence for the murder of American Fulbright scholar, Amy Biehl, will not be heard when the Amnesty Committee sits in Cape Town from 19 May.

Biehl was murdered in Guguletu in 1993. Her parents will visit South Africa from June, and the hearing of the application in respect of her murder will be heard on 8 and 9 July this year.

The Amnesty Committee will however hear applications from up to ten other people.

They are:

Mzingisi Patrick Ndlumbini, who is asking for amnesty in respect of the attempted murder of a policeman, Ndumiwe Ntekiso, in 1991 near Guguletu. The matter is currently under prosecution in Athlone. Ndlumbini states in his application that he was a member of the ANC and MK.

Maxim Pkakamisa and TwoBoy Jack are asking for amnesty for the attempted murder of a number of policemen in Khayelitsha in 1993 during an alleged fight between Self-Defence Units and the Internal Stability Unit of the police and illegal possession of firearms and ammunition. They claim to be ANC members.

Madoda Tisana, Crosby Ndinisa and Philemon Maxam, who have applied for amnesty in respect of the murder of Rholion-Ann Foster and John Geyser in April 1986 at a Paarl farm to obtain arms. The matter was brought before the TRC at a Human Rights Violations hearing in Paarl last year. The applicants say they were members of a UDF affiliate organisation at the time of the murders.

Ndithimi Thyido has applied in respect of an incident in Khaylitsha during 1993 where a policeman, Bongi Mpisane, was killed. He was then a member of the self-defence unit.

Four applicants have applied in respect of an attack on a Milnerton Cafe in 1993, but do not mention the names of their victims. The applicants are: Hilbrow Yeki, Christopher Katu, Mbulelo Kalipa and Sidney Hewu.

The hearings will take place at the Cape Town offices of the TRC at 106 Adderley Street and start at 10 am on Monday, May 19.

ends
STATEMENT - TEN AMNESTY APPLICATIONS WILL BE HEARD IN BLOEMFONTEIN

Issued by: Truth and Reconciliation Commission

Ten amnesty applications will be heard when the Amnesty Committee reconvenes in Bloemfontein next week. Nine matters stood over from a hearing in the Free State capital in March.

The applicants are made up mostly of former members of the South African Police (SAP) as well as members of military wings of the Pan Africanist Congress (PAC) and African National Congress (ANC).

On Monday, 12 May, the application of Jacobus Johannes de Ru (42) of Vaalpark will be heard. He is serving a 13 year sentence for the murder of Jonas Raboshanana Ramphalile.

The next day four applications from PAC activists from Botshabelo is scheduled to be heard. Sebolai Petrus Nkwedi (32), Meshack Ntzizi (29), Daniel Magoda (45) and Hendrick Matitoane Leeuw applied for the robbery and murder of a Mr J.J. Fourie in Verkeerdevlei, in February 1992.

Three applications are scheduled for Wednesday, 14 May. Nzimeni Jack Menera (32), an ANC activist from Brandfort who is serving a 10-year prison sentence for his role in the murder and necklacing of a local councilor, Susan Mosela Pahlane, in July 1991.

Mphithizeli Nelson Ngo (36) and Mohonaese Stephen Motsamai, two former policemen who are serving prison sentences, applied for amnesty for a variety of crimes, including murder, torture, kidnapping and robbery committed between 1986 and 1989 in Pretoria, Brandfort, Bloemfontein and Botshabelo. The hearing of their applications will continue through Thursday.

On Friday, 16 MNC activists from Tumahole in Parys are to be heard. William Thoabala (29), Benjamin Chalota (35), and Simon Pule Reetsang Moalusi (28), are serving prison sentences for murder, arson and terrorism in Parys.

The hearing will take place at the Bloemfontein Education Centre and will commence at 09h00 am every day. ends
May 8, 1997

STATEMENT - TRC HOURS ON SATURDAY

Issued by: Truth and Reconciliation Commission

Offices of the Truth and Reconciliation will be open on Saturday to ensure that all application reach us before the 12h00 pm deadline. In addition special amnesty "hotlines" will handle last minute calls from people wanting to apply for amnesty.

People wanting to make inquiries about amnesty applications can call the following numbers on Saturday:


The offices and switchboard numbers will be open from 08h30 in the morning until midnight to receive applications.

People who are unable to reach our offices can mail their application forms on or before Saturday as the postal date will be valid as an indication that they met the deadline. They can also fax their applications before midnight to: Cape Town - 021-233280; Johannesburg - 011-3330832; East London - 0431-439352; Durban - 031-3076742.

The law establishing the Truth and Reconciliation Commission gives those responsible for acts, omissions or offences which might lead to criminal prosecutions or civil actions for damages the opportunity to apply for amnesty if their actions were associated with political objectives.

Archbishop Desmond Tutu has issued a national appeal to people right across the political spectrum to "take this golden opportunity to apply for amnesty on the most generous terms possible."

Amnesty applications received to date: Approximately 5 800.

Applications heard: 58

Applications processed on paper: 787

Amnesties granted amnesty and refused: Granted: after hearings - 22 on paper (in chambers) - 17 Refused: after hearings - 15 in chambers - 773

ends
May 8, 1997

STATEMENT - TRC SUBPOENAS OFFICER COMMANDING WESTERN PROVINCE

Issued by: Truth and Reconciliation Commission

The Officer Commanding of Western Province Command, General Christiaan Hendrik van Zyl, was served with a subpoena today by members of the Western Cape Investigative Unit of the TRC.

He was notified to appear at a closed Section 29 Inquiry on June 9 to answer and/or give evidence on allegations of gross human rights violations committed by members of the former South African Defence Force in Northern Namibia, between 1976 and 1978, which the then SADF. Some of these violations were allegedly attributed to SWAPO.

Genl Van Zyl was then Captain and stationed in Oshakati.

He is entitled to appoint legal representatives. If he is not financially capable of doing so, the Commission may appoint a legal representative to assist him.

ends
STATEMENT - TUTU CALL ON LEADERS TO VISIT SITES OF ATROCITIES

Issued by: Truth and Reconciliation Commission

Archbishop Desmond Tutu tonight called on political leaders to make pilgrimages to the sites of atrocities committed by their supporters and apologise to the victims.

He suggested in a speech delivered in Cape Town that:

- President Nelson Mandela should go to Church Street, Pretoria, where a car bomb was set off outside Air Force headquarters,

- Mr F W de Klerk should visit the site of the Boipatong Massacre,

- Dr Stanley Mogoba should go to St James Church in Kenilworth, Cape Town, and

- Chief Mangosuthu Buthelezi should go to KwaMakhutha.

"Would it not be wonderful if the leaders of each political party could go to the site of a notorious atrocity committed by his side and say, 'Sorry - forgive us'," Archbishop Tutu said. "We would all be amazed at the response."

He was speaking at a function in Cape Town to introduce the new editor of the Mail and Guardian, Phillip van Niekerk.

The full text of his address follows:

Introduction

I can hear your groans, "Oh no, not him again". I can sympathise with you, (Presbyterian minister) - it could have been worse.

I want to pay a very warm tribute to Anton Harber whom I first met when he was reporting on the Eloff Commission for the Rand Daily Mail 1982/3. This was a Commission really meant to give a veneer of legitimacy to Government harassment of the South African Council of Churches. It would be common cause to say he has gone on to be an outstanding innovative and courageous journalist producing a newspaper held in very high regard round the world for its independence and fearless speaking of the truth without fear or favour.

Philip I met most recently in Nigeria when I was on a mission as President's envoy to General Abacha to get him to release Chief Abiola and to introduce democratic civilian government. Philip had typically ferreted out sensitive news about soldiers who were being secretly executed in that great land being brought so harshly to its knees. I am sure he brings scintillating credentials to the editor's chair and will continue a splendid tradition started by Anton.

I had toyed with speaking about the Press. I could have regaled you with the accounts of reading in liberal English newspapers regular descriptions of accidents reading "five people and a Native were injured", and I could have gone to town about their role in the struggle against apartheid. I could also have spoken about outstanding newsmen such as Raymond Louw, Gander, Pogrund, Woods, Sparks, Qoboza, Sisulu, Klaaste, Herd and how they battled in the claustrophobia of apartheid's legislative miasma to be true to the ideals and traditions of a free press. But I have resisted that temptation and have decided to talk a little about the TRC. Stifle your yawns and groans.

Reactions to the TRC
Perhaps we were naive to expect something different but it has fairly taken away the breath to be confronted by some of the reactions to the TRC, coming mostly from certain political parties and from almost exclusively Afrikaans newspapers, apart from an English newspaper with a quite dubious pedigree. We are accused of not being even-handed. The evidence is otherwise. (Drunk) I have said we started hearing the testimony of victims/survivors in April 1996 and virtually from Day 1 of our first hearing alleged perpetrators were named. Had we been intent on a witch hunt we should have gone after them from the outset. Did we? No, it was only in November 1996 that we issued our first subpoenas against some of those implicated.

We have tried to ensure that those who testified would represent the broadest possible spectrum, so you had people who were necklaced or their relatives, victims of bombings by liberation groups, etc.

When President Mandela attended a hearing in Gauteng he sat through a tirade by someone who claimed to have been tortured in ANC camps. If we were the lackeys of the ANC surely we would have saved the President all that embarrassment.

When it seemed as if the ANC was claiming to give itself amnesty I threatened to resign and we got an undertaking that they would in fact be applying for amnesty. That threat is an odd manoeuvre if we were biased in the ANC's favour. Again, recently we expressed concern that not many high profile ANC members had applied and we were given assurances that we would be pleasantly surprised at the applications that would be forthcoming.

We have started subpoenaing ANC members. One of the harsh truths people don't want to accept is what I call the demography of apartheid. Apartheid was designed to benefit whites and to disadvantage blacks. It was an evil system that had ipso facto to use equally evil methods to maintain itself. The demography of apartheid ensured inexorably that the vast majority of victims would be black and the vast majority of perpetrators would be white. That is an inescapable and brute fact. Hence the fact that there would be more white perpetrators than black perpetrators. That is a fact some find too hard to swallow and so they must find whipping boys which the Commission provides so very conveniently.

At the unveiling of the Bisho massacre memorial I urged the Eastern Cape Government to consider a memorial for those maimed and killed in the Kingwilliams Town golf course attack.

Because of our commitment to even-handedness, we have pleaded with the IFP to co-operate with the Commission. We said our report would be incomplete and lopsided if their contribution was missing. We succeeded to some extent in that the IFP made an important submission. But we went further and urged them to encourage their people who might have been victims to come forward since otherwise they would forfeit their right to reparation. They believed they could apply directly for reparation before they had appeared before either the Amnesty or the Human Rights Violations Committees. If we were not even-handed why should we have been anxious about the involvement of the IFP. This has been to such an extent that we deliberately chose to launch our Designated Statement Takers' programme in KwaZulu Natal to highlight our concern at the paucity of statements from the IFP, they are in danger of dealing in self-fulfilling prophecies through their non-co-operation being able to say we are biased in the ANC's favour. We have had to cancel a hearing that was to be devoted to ANC atrocities against the IFP because the IFP did not co-operate with us and are then accused by the IFP of being biased against them. We are trying to see Chief Buthelezi to make a last ditch effort to enlist their co-operation.

I am deeply distressed at what is happening to Mr de Klerk. No one can take away from him the crucial role that he played with his 1990 very courageous initiatives. His place is assured in our history. But I am distressed to see how he is eroding his own credibility and stature. He is upset by the reactions of people to revelations that have not come from what the TRC has done. The damage has happened as a result of revelations from Amnesty applications. We cannot force anyone to apply for amnesty. These people have come voluntarily and it is their public testimony and Mr de Klerk's response to that which have dented his image.

And the impression that the TRC is targeting former members of the security forces is erroneous. It was not the fact of subpoenaing people. It is the revelations which have shocked our people and those have come from
amnesty applications. The revelations are new. Whereas many members of the liberation movement were involved in public trials. The police boasted of their successes then. The details of those incidents, eg Amanzimtoti or Magoo's Bar bombings were widely publicised then and the police got kudos. The perpetrators were tried and sentenced, many were executed. There is little to set off against the very novel revelations of the atrocities committed by the security forces. The spotlight hurts - and to divert attention, attack the TRC. We did not specifically go after anybody - amnesty applicants told us about the secret burials and that has sent an enormous shock wave through our society.

In sacramental theology we are taught right at the beginning - the penitent must confess only his own sins, not those of another. I want to suggest to politicians - concentrate on your own sins and not those of others.

Grab this opportunity. When someone stands up and says, "I'm sorry, forgive me" - certainly in Christianity you're under obligation to forgive. The terms of amnesty are so wonderfully generous. Use them for the sake of our country. This is a golden opportunity which will never return. All it requires is for somebody to say, "I am sorry. Forgive me"; "We are sorry. Forgive us" with no qualifications, no "butts or ifs".

Would it not be wonderful if the leaders of each political party could go to the site of a notorious atrocity committed by his side and say, "Sorry - forgive us". - if Dr Mogoba went to St James' Church; if Madiba went to Church Street, if Mr de Klerk went to Boipatong, if Chief Buthelezi went to KwaMakhutha - and just said sorry. We would all be amazed at the response.

The TRC belongs to the whole Nation and it wants to see the whole Nation healed and reconciled.

ends
May 9, 1997

STATEMENT - ALEX BORAINE ON GENL MALAN'S DECISION NOT TO APPLY FOR AMNESTY

Issued by: Truth and Reconciliation Commission

I have noted General Magnus Malan's decision not to apply for amnesty with deep concern.

It is my opinion that he would be well advised not only in terms of reconciliation but in terms of his own self-interest to apply for amnesty even at this 11th hour.

ends
May 15, 1997

STATEMENT - AMNESTY COMMITTEE CAPE TOWN SITTINGS

Issued by: Truth and Reconciliation Commission

The amnesty application of one of the people currently serving a prison sentence for the murder of American Fulbright scholar, Amy Biehl, will not be heard when the Amnesty Committee sits in Cape Town from 19 May.

Biehl was murdered in Guguletu in 1993. Her parents will visit South Africa from June, and the hearing of the application in respect of her murder will be heard on 8 and 9 July this year.

The Amnesty Committee will however hear applications from up to eight other people during the two day session on Monday and Tuesday

They are:

Mzingisi Patrick Ndlumbini, who is asking for amnesty in respect of the attempted murder of a policeman, Ndumphiwe Ntekiso, in 1991 near Guguletu. The matter is currently under prosecution in Athlone. Ndlumbini states in his application that he was a member of the ANC and MK.

Maxim Pkakamisa and TwoBoy Jack are asking for amnesty for the attempted murder of a number of policemen in Khayelitsha in 1993 during an alleged fight between Self-Defence Units and the Internal Stability Unit of the police and illegal possession of firearms and ammunition. They claim to be ANC members.

Madoda Tisana, Croho have applied for amnesty in respect of the murder of Rholion-Ann Foster and John Geyser in April 1986 at a Paarl farm to obtain arms. The matter was brought before the TRC at a Human Rights Violations hearing in Paarl last year. The applicants say they were members of a UDF affiliate organisation at the time of the murders.

Ndithimi Thyido and Zwelitsha Mkhulutha has applied in respect of an incident in Khaylitsha during 1993 where a policeman, Bongi Mpisane, was killed. They were then members of a self-defence unit.

The hearings will take place at the Cape Town offices of the TRC at 106 Adderley Street and start at 10 am on Monday, May 19.

ends
May 15, 1997

STATEMENT - SECTION 29 NOTICES SERVED ON FOUR PEOPLE IN W CAPE

Issued by: Truth and Reconciliation Commission

Section 29 notices was served this week on four people in relation to the TRC's forthcoming Special Event Hearings on KTC and other informal settlements in the Cape Peninsula.

The four are to appear on different days before the Western Cape Investigative Unit of the TRC in Cape Town to answer questions and/or give evidence on events during the eighties in these settlements. These inquiries will be in camera.

Those subpoenaed are: Mr Johnson Nxobongwana, who is due to appear on May 29; Mr Prince Gobingca, due to appear on May 28; Senior Superintendent William Rudolf Liebenberg, due to appear on June 3 and former SAP colonel Trevor Vermeulen, due to appear on June 4.

The KTC Event hearing will start on June 10. The duration and venue will be confirmed soon.

All four are entitled to appoint legal representation. If they are financially not able to do so, the Commission may appoint legal representatives to assist them.

Another Special Event Hearing organised by the Western Cape office of the TRC will take place in Athlone on Tuesday 20 May and Wednesday 21 May. The venue is the Athlone Technical and Training College (formerly the Hewat Training College) in Thornton Road. The hearings start at 09h00 am every morning.

ends
May 16, 1997

STATEMENT BY MR WYNAND MALAN, DEPUTY CHAIR OF THE HUMAN RIGHTS VIOLATIONS COMMITTEE OF THE TRUTH AND RECONCILIATION COMMISSION

Issued by: Truth and Reconciliation Commission

I am making this statement in my personal capacity as a TRC Commissioner.

The country, the TRC and I myself are in crisis. The crisis is about process. But it about much more than process.

All of us come from different realities. For centuries we have not shared each other's experiences. We are all searching for the truth. We don't know what the truth is. A part of this truth is that until now, we cannot share each others realities, even if we regularly articulate it to each other. We don't understand each others sorrow and pain.

We that come from the old order - or the majority of us - are horrified by the stories that victims of gross human rights violations have told over the past year.

We are horrified and feel betrayed. We feel done in. We feel our dignity impaired. That things like these were possible, right under our noses. How could this have happened? We are victims of the cruelest fraud committed against us! This is our experience of revelations made day after day - and the Lord knows - will still be revealed. This experience is a valid experience. I do not doubt or question the reality of it.

But the experience of those who come from the struggle, those who were on the receiving end of these things, the things that horrify us, that we don't see, or hear, this we don't understand. This pain can help us soften in our own indignity at the betrayal. This pain we can't help soften, because our own pain in having been betrayed, remains uppermost in us. We remain horrified.

The work of the TRC is also to help those of us who were on the receiving end, have our dignity restored.

Those (among us) who were victims of these horrific deeds, of murder and torture, of the worst violations, not only of human rights, but also of human being, cannot see the pain of us who come from the old order. And can we expect that? Can this pain compare in any way in terms of scale, let alone in nature?

If we want to make a contribution to the future of a healthy South Africa, of a country where they can be us and we can be them, where we can al be us - then we will have to endure the larger pain of sharing their pain. Then we must get beyond the luxury of wallowing in our own pain.

Only then will we understand why they don't understand. Only then does it become possible to help them to take up their humanity, to take control, to go forward with it. I am not saying that they cannot do it by themselves. All I am saying is that we can make a contribution to make it easier, to heal, to go forward towards a healthy society.

The tragic reality is that only then our lives can be shared and can we make peace with where we come from separately. Until then we al carry our separate baggage. Only afterwards will we be able to carry together to bear the whole of the baggage of our separate pasts, which will relieve the load if not the memory.

The chairperson of the TRC's views at yesterdays press conference, which boils down to the rejection of evidence given by the NP leader (or came close to rejection), to a finding that Mr FW de Klerk, willfully was part of this, and by extension of the argument, his colleagues in cabinet, is exemplary of what I am trying to address. From our disillusionment about the betrayal against us, the natural reaction is to concentrate on the process and to reject the TRC as institution and it's activities, to get distance, in our fear for a finding that, form our perspective, will be
wrong and unjust. And this last perspective, with my baggage and reality, I share.

Will it help? No! Because the process is not only about being fair, but also about truth and reconciliation. It is about the reality of what happened and our ability to live with each other in future, to build each other in order to leave a future for our children and their descendants.

How do we get to the truth and with that to understanding, reconciliation and the future?

I have no doubt anymore that the horrors happened on a large scale. I have no doubt that it happened in an organised manner. I have no doubt that it was planned and executed systematically. In my being I have no doubt that there was collusion to make these practices possible and to let it go on for so long. I have no doubt that others were kept in the dark consciously. I have no reservations to the exposure of evils and their punishment, each deed on its own merit (or lack of merit) and on the basis of the willfulness of acts or commissions. Only then the underlying principles of amnesty in general and the more specific measures of the act, comes into play.

It is with this approach that I make this public appeal specifically on those of us with clean hands, or less dirty hands, to help actively to unravel the conspiracy. There are many former members of parliament and cabinet, and also the security forces, who know that I have described their consciousness and experiences.

Let us bury the indignation and let us work together to expose how the conspirators managed to do this to us (and them!). My appeal goes to everyone who was involved in the command structures of the old order, political as well as operations, who were kept in the dark - to work together to find out how this could have happened, and to let go of our innocence and justifications, if only temporarily. This appeal is also directed at Mr De Klerk and his party.

The TRC is not a legal process. It is a voyage of discovery. It asks for fair procedures, yes. And I will continue to work for that. But it really asks for conclusions about what really happened and how. Without those answers, the risk remains that crime will be punished but not the (real) criminals.

ends
PRESS RELEASE - HUMAN RIGHTS VIOLATIONS HEARING MOOI RIVER

Issued by: Truth and Reconciliation Commission

27 - 29 MAY 1997 MOOI RIVER TOWN HALL

The TRC will be holding a 3 day hearing at the Mooi River Town Hall, beginning on Tuesday 27th May 1997.

Evidence will be heard on the first day about gross human rights violations which took place in towns and townships around Mooi River, including Estcourt, Wembezi, Steadville and Bergville. These violations will focus on the political conflict between the UDF (and later the ANC) and the IFP from approximately the mid 80's to the early 90's.

Day 2 and 3 of the hearing will focus on the intense political conflict in Bruntville township, particularly between 1989 and 1991.

Bruntville is the small township of the Natal Midlands town of Mooi River. For most of the 1980's Bruntville escaped the political violence that engulfed the bigger urban townships of Natal, and was widely regarded as a peaceful and progressive township. However, towards the end of the 1980's it became apparent that it was not immune from political conflict.

In Bruntville, the protagonists were not as politicized as was often the case later. To begin with, one saw the normal parents versus youth split and the breakdown of the authority syndrome. This progressed to a confrontation between the community and the elected town council of Bruntville. A civic association soon entered the fray, and eventually existing social tensions between the community and the hostel dwellers led to violent clashes between them and the community. This conflict became politicized when the hostel dwellers turned to Inkatha for support, while the civic openly aligned itself with the United Democratic Front, and after 1990, the ANC.

The tensions and conflicts in the township culminated in two massacres, perpetrated by hostel dwellers, in which over 30 people were killed. This lead to the flight of many people from Bruntville, and the disruption of education and community services.

The Truth Commission will be looking at Bruntville as a case study of the sort of social and political tensions which arose in many other areas in Kwazulu Natal and areas on the East Rand, where IFP hostel dwellers and non IFP township residents resided adjacently to each other, and became involved in political conflict.

The Truth Commission has gone to great lengths to attempt to persuade the midlands IFP region to participate in the hearing, and to tell the Commission of the perceptions of hostel dwellers, and to give their version of the events. The IFP has made it very clear that it will not participate in any way in the hearing, on the basis that it does not believe that the TRC will assist in revealing the truth and will not bring about reconciliation.

This places the TRC in a very difficult position. Our primary job is to uncover the truth and when we attempt to do so by holding a hearing, and inviting both sides to give their perspective, the IFP refuses to participate on the basis that we will not uncover the truth.

The TRC will nevertheless proceed with the hearing, and because of the IFP's refusal to participate, we have requested a highly respected, independent social scientist, Dr. Anthony Minnaar (ex Human Sciences Research Council) to give an overview of the conflict in Bruntville. He will in the course of his address to the Commission, refer to the submissions made by the IFP to the Goldstone Commission on the violence in Bruntville, and draw on his own knowledge and research of this period. In this way the Commission hopes to try to create a balanced picture of the conflict of the time.
ends
STATEMENT - SUBMISSION BY PRACTICAL MINISTRIES IN DURBAN

Issued by: Truth and Reconciliation Commission

DATE - THURSDAY 22nd MAY 1997 TIME - 11:30 AM VENUE - TRUTH COMMISSION OFFICES, 9th FLOOR 391 SMITH ST. DURBAN

On Thursday 22nd May, the Durban office of the Truth Commission will receive a submission from Practical Ministries, an interdenominational ecumenical organization based in Port Shepstone. Practical Ministries have assisted a number of communities who were the subject of forced removals by together this submission, which focuses on the plight of victims of forced removals not only in this province but throughout the country.

The Act of Parliament in terms of which the Truth Commission was established, obliges the Truth Commission to investigate certain defined gross human rights violations, such as murder, torture, abduction does not specifically include forced removals. In interpreting what severe ill treatment means, the Commission has concluded that where a forced removal included a gross human rights violation as defined in the Act, (murder, torture etc) then such a case could be brought before the Commission and dealt with by the Commission.

However, with regard to forced removals per se, the Commission has concluded that its the mandate does not extend to dealing with victims of that aspect of the previous government's policies. The Commission's period of time and with the relatively small budget that it has been given by the government to complete its work, it could not possibly embark on a task as huge as investigating forced removals in South Africa, which affected so many importantly, the new government and established other state institutions to deal with the consequences and repercussions of forced removals, in the form of the Commission on Land Restitution, and the Land Claims Court. Accordingly it was primarily in this context, that the Commission decided that it would be misinterpreting its mandate, and would be duplicating the work of the Commission on Land Restitution Commission and Lands Claims Court, if it extended its work to include forced removals.

The Commission nevertheless appreciates that the forcible removal of people from land is a serious violation, as well as other violations like job reservation, race classification, pass laws etc. which made it so much easier for gross human rights violations such as murder, torture etc. to be committed or facilitated.

The Commission is given the task of preparing a report to hand to the government at the end of its period of office, and it is important that when the Commission draws up its report, it is placed in possession of as much historical, background and contextual material as possible, and it is for this reason that the Commission is glad to accept the submission from Practical Ministries.

With the assistance of this material, the Commission will be able to present a report which gives as full a picture as a possible of this country's troubled past.

ends
May 27, 1997

STATEMENT - DR WENDY ORR WITHDRAWN HER POSITION FROM MASA

Issued by: Truth and Reconciliation Commission

TRC Commissioner, Dr Wendy Orr, deputy chairperson of the Commission's Reparations and Rehabilitation Committee, has withdrawn from her position as a Federal Councillor of the Medical Association of South Africa (MASA).

The decision to withdraw follows her role as facilitator in the TRC's Health Sector Submission event next month. Dr Orr, who served on MASA's Ethics Committee, feels that until such time as all interest groups in the health sector agree on ethical standards and practices for the profession in South Africa, her role should be as impartial as possible and she should not be seen to be aligned to any one particular interest group, which could call into question the credibility and integrity of the process.

The Health Sector Submissions are part of the TRC's efforts to fulfill it's mandate in terms of establishing "as complete a picture as possible of the causes, nature and extent of the gross violations of human rights" committed during the period covering our mandate. In addition, the TRC must compile a report providing as comprehensive an account as possible, amongst others containing recommendations of measures to prevent the future violations of human rights. This include a framework and guidelines for ethical standards in the medical profession.

Dr Orr, who is also a consultant to the British Medical Association on ethics in the health profession, believes that participants in the health submission event and subsequent workshops on how to prevent future collusion in ethical breaches should get a carte blanche to decide on the formulation of appropriate ethical norms for this country.

Dr Bernard Mandel, chairman of MASA's Federal Council, said that MASA has fully supported the objectives of the TRC, and understands the necessity to keep the health hearings process above question. "MASA looks forward to a continued healthy relationship with Dr Orr in the future", he said.

The submission event will take place on 17 and 18 June in Cape Town. Submissions have been received from more than 20 significant role-players in the health sector, including institutions and individuals. International health organisations, such as the American Association for the Advancement of Science (AAAS), Physicians for Human Rights, IRCT from Denmark and the British Medical Association have expressed interest in attending the hearings.

ends
May 27, 1997

STATEMENT - W CAPE INVESTIGATIVE UNIT SERVED SECTION 29 NOTICES

Issued by: Truth and Reconciliation Commission

The Western Cape Investigative Unit has served Section 29 notices on four community leaders and four former members of state or security force structures to appear at a three day Special Event Hearing next month focusing on violence in the informal settlements (squatter camps) near Cape Town during the eighties.

Those served with Section 29 Subpoenas are: Community leaders, Mr Melford Yamile, retired UDF leader; Mr Sam Ndima, former Witdoeke leader; Mr Gladstone Ntamo, former community leader in KTC and Mr Johnson Ngxobongwana, former community leader and now National Party Member of the Provincial Legislature.

The former security and state personnel are: Mr Ulrich Schelhase, a member of the former Black Local Authority; retired Detective Sergeant Phillipus du Toit (then a warrant officer in the SAP Special Branch); retired Colonel Trevor Vermeulen (then secretary of the Joint Management Council in the area); and retired Colonel Dolf Odendal (former SAP Internal Stability Unit).

The eight are required to answer questions and/or provide evidence during the hearings relating to events in the Cape Flats informal settlements during 1985/86. They are entitled to appoint legal representatives to assist them. If they are not financially capable of doing so, the commission may appoint a lawyer for them.

The Special Event Hearing will take place from Monday, June 9 until Wednesday, June 11 at St Gabriel's Catholic Church on NY5 in Guguletu. About eleven victims of violence in KTC, Nyanga and Crossroads, will testify about gross human rights violations during the first day of the hearings. These violations include killings, necklacings and cases of severe ill treatment.

On Tuesday the four community leaders will be given the opportunity to express their view of events. Wednesday, the last day, will be devoted to questioning of the remaining four subpoenaed.

Between 1975 and 1983 these informal settlements were subjected to amongst others ongoing police raids, demolition's with bulldozers and arson. Ongoing leadership struggles in the communities also led to deaths and assault, with the emphasis on conflict between conservative and pro-liberation forces.

It was however during the mid-eighties that conflict escalated dramatically, leading to many deaths and leaving thousands homeless and wounded. Security forces, local authorities, community leaders and the so-called Witdoeke are all alleged to have played a role in the conflict.

The hearings will focus on the period between 1985 and 1986 and will amongst others give special attention to the plight suffered by women during this strife torn period.

The Sunday before the start of the hearings, a special church service will be held at the Anglican Church in Nyanga East at 14h30 pm. Both the service and the hearings will be open to the public.

ends
May 30, 1997

STATEMENT - TRC ON THE ROLE OF THE STATE SECURITY COUNCIL

Issued by: Truth and Reconciliation Commission

As a result of ongoing investigations being carried out by the Commission, I have given instructions that a special public hearing on the role of the State Security Council in the period 1985 to 1987 should be held in the near future.

The need for such a hearing became apparent at discussions held in my office in Cape Town today, during which I was given a report about the most recent work carried out by the Commission's Investigative Unit.

I am releasing this statement today because I want to make an early public announcement of a hearing before news leaks out in some other manner.

I am particularly anxious that the announcement of the proposed hearing should take place before my departure for the United States for further medical treatment in two weeks time.

The date of a hearing has not yet been established. We plan to issue subpoenas next week to those we will call to the hearing, and to hold a news conference once the subpoenas have been served.

ends
STATEMENT - TRC'S FOCUS ON THE ROLE OF CHILDREN AND YOUTH

Issued by: Truth and Reconciliation Commission

The TRC's focus on the role of children and youth during the Apartheid years, will culminate in the Western Cape with an interfaith service on National Youth Day, held in the St George's Cathedral, Cape Town.

Altogether nine young people testified at the Special Event Hearing on Youth, held in Athlone on Thursday, May 22, this year. Several context statements were presented, highlighting the plight of children and youth during the struggle, primarily since 1976.

"The Commission's research shows, that it was the youth, those between 15 and 25 years, who bore the brunt of gross human rights violations", a submission by Profs. Andy Dawes and Pamela Reynolds stated. "It is therefore necessary to offer a particular opportunity for the young to tell their story. It will prompt us to reflect on how our society treats its children, and how we might take concrete steps to prevent the abuse of the young. In so doing we may begin to redefine what it means to be a child in South Africa."

To further this ideal the TRC's Western Cape office is hoping to further focus on the future of youth and not only the past.

During the fortnight between June 1 - International Day of the Child - and June 19 - the 21st commemoration of the Soweto School uprising, now celebrated as workshops will be held in the Peninsula to further consientise and heal young people.

The workshops are part of the Children's Ubuntu Project which held a one-day youth programme in St George's Cathedral late last year, focusing on images of the past, reality and truth. Children had the opportunity to create their own narratives about the past.

Another workshop by the Project, jointly run by the Western Cape TRC, the St George's Cathedral Foundation and the Religious Response to the TRC, kicked off today for 70 eleven year olds at the Athlone Technical College in Thornton Road. Two further separate workshops for children of different age groups will follow soon. The events culminates in the lighting of the Ubuntu candle of hope, inserted in an orange, representing the globe, which in turn is wrapped in the national flag, to represent the context in which they are living.

During the weekend of June 8 and 9, about 100 young people from 20 schools, aged in an intensive two-day workshop, including a Healing of the Memories workshop, run by the Religious Response and the Trauma Centre.

Children between 12 and 14 will attend the last of the three workshops on June 12.

Children have been selected from school across the racial, language, gender and religious spectrum. The Youth Day Interfaith Service on June 1 will also be conducted by young people exclusively.

***** More information could be obtained from Ms Vivian Harber of the Cathedral Foundation at 021-262437.

ends
STATEMENT - TRC ON THE HEALTH SECTOR HEARINGS

Issued by: Truth and Reconciliation Commission

About 20 submissions from the health profession, including numerous case studies of human rights abuses in the health sector, are included in the programme for the TRC's two day Health Sector Hearings scheduled for Tuesday and Wednesday, 17 and 18 June, in Cape Town.

The Health hearings are the first in a series of submissions to the TRC on how the different professions colluded with and/or resisted human rights abuses during the a years under review. Similar events will include hearings on the media, judiciary and prisons. These hearings and submissions will enable the Commission to fulfill it's mandate to compile a complete picture as possible of human rights abuses of the past, including "the antecedents, circumstances, factors and context" of those abuses and make recommendations as to how they could be prevented in future.

A representative task group, elected at the national workshop in November last year to work on preparing for the hearings, met last week to make recommendations to the TRC as to which submissions should be heard in public.

"We have been flooded by submissions," says Commissioner Dr Wendy Orr, who is facilitating the hearings from the TRC's side. "More than 40 submissions were received from individuals, institutions and organisations. They are still being sent in, and this made the task of choosing which submissions should be heard very difficult." Orr emphasised that all submissions will be used to enrich and inform the Final Report, even if they are not heard in public. The TRC's team for the hearings, including Dr Orr, Dr Mapule F Ramashala, Ms Glenda Wildschut, Dr S'mangele Magwaza, Dr Fazel Randera, Ms Hlengiwe Mkhize, Adv Denzil Potgieter and Ms Pumla Gobodo-Madikizela, made the final selection for the intensive two-day programme. They will also make up the presiding panels for the hearings, along with TRC deputy chair, Dr Alex Boraine.

The proceedings will be opened by the Chairperson of the TRC, Archbishop Desmond Tutu, after which Dr Orr will set out the context of the hearing. The morning of the first day, Tuesday, 17 June, will be devoted to submissions on "case studies" of abuses. Most submissions will be limited to 20 minutes. They include: A submission on Steve Biko's death in detention by Dr Peter Folb (Head of the Pharmacology Department at the University of Cape Town); A submission by a military medic who served on the "border" for 13 months; Case studies on detainees by the Health and Human Rights Project (HHRP); Evidence of the manipulation of forensic evidence by Dr David Klatzow, a well-known forensic scientist; Bademic Institutions; A Submission of systemic abuse in institutions by Dr Leslie London, of the Department of Community Health at UCT; Abuses in rural private practices by Dr Janet Giddy of McCord Hospital in KwaZulu-Natal.

During the afternoon several health organisations and bodies will present their submissions. They are:

The South African Medical and Dental Council (SAMDC);

The Medical Association of South Africa (MASA);

The South African Nursing Council (SANC);

The South African Medical Service (SAMS)

More institutions and associations will present their submissions on the second day of the hearings, Wednesday, June 18. They are: The Psychological Society of South Africa (PsySSA); Submissions by medical schools (from two or three universities); The American Association for the Advancement of Science (AAAS); The Democratic Nursing Organisation of South Africa (DeNOSA); Submissions by two organisations active during the eighties - NAMDA (National Medical and Dental Association) and OASSSA (Organisation for Appropriate Social Services
in South Africa); A submission by the HHRP; The Department of Health.

The proceedings will be concluded by a plenary session on "The Way Forward", chaired by Dr Leslie London.

Several international health and human rights organisations will attend the hearings for Human Rights, Amnesty International, the British Medical Association, IRTC (a Danish organisation for the prevention of torture) and the World Mental Health Federation.

* The hearings will take place in the TRC's Head Office in Adderley Street, Cape Town.

ends
June 4, 1997

STATEMENT - TRC REPLIES TO LETTER FROM NATIONAL PARTY LAWYERS

Issued by: Truth and Reconciliation Commission

The TRC today replied to a letter from lawyers acting for the National Party which was received by the Commission late on Monday afternoon.

The Commission's legal officer, Mr Hanif Vally, said in response to the lawyers letter:

In view of the serious nature of the demands contained therein, we feel constrained to respond to your letter only when the matter has been fully discussed by the Commission. In this regard, a meeting of the Commissioners is due to be held on the 19 June 1997, thereafter your letter will receive a reply.

We reserve our rights to respond to the allegations contained in your letter, once they have been fully discussed by the Commission. Mr Vally also said:

We note with concern that the contents of your letter were published in, inter alia, Rapport prior to its being forwarded to us. Kindly advise us whether the said letter was released to the media by your clients before we had sight of it.

ends
June 4, 1997

STATEMENT - TRC ON AMNESTY HEARINGS IN NELSPRUIT

Issued by: Truth and Reconciliation Commission

The amnesty applications of three more people are scheduled to be heard when the TRC's Amnesty Committee reconvenes in Nelspruit, Mpumalanga on 11 and 12 June.

- On Wednesday, 11 June 1997, the applications of brothers Joe and Conrad Mkuna in relation to an attack on the house of the regional ANC treasurer, Joe Shabangu (now national ANC organiser) in Nelspruit will serve before the committee again. These matters were partly heard when the committee sat in Nelspruit in May.

The hand grenade attack in November 1992 followed after Mr Shabangu, then an ANC member, was allegedly suspected of being a police informer. One person was injured in the attack. They were charged with attempted murder and the unlawful possession of fire-arms, sentenced in 1995 and are still in prison. The ANC has indicated that Mr Shabangu might ask to give evidence at the hearing. Prior to the attack on Shabangu in November 1992, Mr Joe Nkuna had been beaten up during October 1991 and allegedly left for dead.

- A related matter, the application of Derrick Skosana, will be heard on Thursday, June 12. Both the Nkuna brothers and Skosana are asking amnesty for the same incident. However, their versions of events are essentially in conflict, particularly pertaining to the source of instructions for the alleged deed.

- Three other applications, all inter-related, were also to be heard during the next week in Nelspruit. They had to be placed on hold, as one of the advocates has not been able to make himself available, after several res side. The attorney for the other two applicants is available, but the three matters are required to be heard in conjunction.

The Amnesty Committee's Chief Leader of Evidence, Adv Mokotedi Mpshe, has expressed his concern with a tendency among legal representatives who fail to make themselves available to their clients for amnesty hearings. "In particular the TRC is obliged to afford priority to those applicants for amnesty who are currently incarcerated. The Amnesty Committee requests that legal representatives of all applicants for amnesty take into account the limited time schedule within which all applications must be concluded and that this may necessitate relatively short notice having to be given to them to make themselves available to represent their clients", says Mpshe.

"It must also be said that those legal representatives who have already experienced the ramifications in scheduling and presenting applications to the Amnesty Committee within the demanding time constraints have on the whole been co-operative. For this the Committee and the Amnesty staff appreciates that they have on occasion have had to re-schedule their normal practice demands."

The hearings will be held in the Nelsville Townhall, Grace Street, scheduled to start at 09h00am.

ends
June 5, 1997

STATEMENT - EXHUMED BODIES IDENTIFIED

Issued by: Truth and Reconciliation Commission

A Bloemfontein pathologist has positively identified the remains of four men exhumed by the TRC in the Free State during April as being those of four MK cadres who were killed in August 1981.

The remains have been identified by Professor Jan Botha, chief state pathologist of the Free State, as the bodies of Mr Lesetsha Joseph Sexwale, Mr Anthony Sureboy Dali, Mr Thabiso Isaac Rakobo (all of Soweto) and Mr Mthimkulu Mavuso.

The commission has received statements from the parents of the three Soweto men about their disappearance. The Commission arranged the exhumation of the bodies from a farm in the Aliwal North area after investigations carried out by the staff of Mr. Tokyo Sexwale, the Premier of Gauteng and the brother of one those who died, had indicated that they were secretly buried on the farm by police.

We understand that the African National Congress, in co-operation with the families of the men, is arranging for a funeral and reburial.

ends
June 6, 1997

STATEMENT - TRC ASKS MR MAREE TO RETRACT DEFAMATORY STATEMENTS

Issued by: Truth and Reconciliation Commission

A Member of Parliament has been asked by the Truth and Reconciliation Commission to retract statements made in Parliament about a TRC staff member, or to repeat the comments outside Parliament and face a defamation action.

The TRC’s national legal officer, Mr Hanif Vally, wrote to Mr Jaco Maree today saying that his statements about Mr Glenn Goosen, the TRC’s national director of investigations, were "prima facie defamatory."

Mr Maree criticised Mr Goosen's questioning of Mr F W de Klerk during a TRC hearing.

Mr Vally added: "...As you were protected by Parliamentary privilege at the time of making the... statements, we... request you to either withdraw the statements... and publicly apologise, or alternatively make (the) statements in a public forum which will enable advocate Goosen to protect his good name, professional integrity and reputation in court."

ends
June 6, 1997

PRESS RELEASE RE: POSTPONEMENT OF CAPRIVI/OPERATION MARION HEARINGS

Issued by: Truth and Reconciliation Commission

The Truth Commission today decided to postpone the planned hearings for next week (10 - 20 June) to a date to be announced. The hearing has been postponed for various reasons, prominent among them being the fact that a large number of the people to whom warning letters were addressed by the Commission, advising them that they would be implicated in a detrimental way by witnesses at the hearing, did not receive the notices. These notices (sent in terms of section 30 of the Act) were sent at the beginning of May, to these persons, many of whom are retired or former members of the South African Police and South African Defence Force, via nodal points or central communication points in the SA Police and Defence Force.

The Commission has only now become aware of the fact that many of the people to whom warning notices were sent, did not receive the notices at all, and in other cases, only received the notices during the last week. Lawyers acting for the persons named in the notices, have indicated to the Commission that their clients require further time within which to consider the allegations against them, and to prepare for the hearing.

Furthermore, after studying documents which certain witnesses who are to appear at the hearing will refer to, it became clear to the Commission that such documents refer to persons to whom warning notices had not been sent.

In all the circumstances, the Commission has decided that in order to ensure that there can be no possible prejudice to the rights of any person who may be detrimentally implicated at the hearing, that it would be in the public interest to postpone the hearing for approx. 6 weeks.

The hearing will now take place towards the end of July, on a date to be announced by the Commission.

ends
June 17, 1997

DR ASLAM DASOO ON THE TRC HEALTH HEARINGS

Issued by: Truth and Reconciliation Commission

It is greatly disappointing that the TRC's Hearings on the Health Sector's abuses during the Apartheid years turned out more into an outpouring of liberal self-flagellation than a rigorous examination of a sector which had access to the most vulnerable and intimate mental and physical aspects of a nation under siege. It is however understood that the submissions were selected by a Task team of the health sector, claiming representivity.

The single action by a commissioner, Dr Wendy Orr, against the state in the eighties received such wide-ranging accolades that it seems to have diminished the much greater role of others involved in the struggle against Apartheid healthcare. This was evident through almost self-congratulatory submissions of white liberal healthcare workers to the TRC. It is more than likely that the media will, through no fault of its own this time, immortalise the struggle in healthcare through the courtroom drama initiated by Dr Orr.

The TRC - that sterling vehicle of our healing as a nation - has been soundly let down by this turn of events. I respectfully submit that literally hundred of health workers exist today, whose daily contributions far outshone the singular activity, brave as it was, of Dr Orr, and other professionals making submissions today.

Dr Mvuyo Tom, Dr Rafiq Bismilla, Dr Diliza Mji, Dr Joe Veriava, Sister Mardulate Shabalala, radiographer Beki Sibeko, are but a few names that come to mind as those who would give a far more accurate, more relevant, and more creditable account of the health sector during the period under review, rather than the likes of the academic alumni of predominately white medical schools, much as it is part of the legacy.

One recalls how in 1987 when the new Groote Schuur hospital was about to be completed, the Nats, in an attempt to win the right-wing vote stated categorically that the new hospital would also be segregated. When we (doctors at the hospital) protested, the administration told us to calm down, that a deal had been struck between them and the Nats and that the new hospital would be desegregated. We as employees were instructed not to go public until after the election. Apart from this "deal" being ethically and morally distasteful, it clearly emphasised collusion with the ruling regime by the very same people now claiming championship of the healthcare liberation struggle.

Numerous other examples abound and the TRC needs to hear about these. This should not detract from the submissions already heard, as these help to create a fuller picture. But these submissions in isolation, create the abiding image that it was mainly white healthcare worker who advanced the struggle against Apartheid health.

ends
June 17, 1997

SWEDISH GOVERNMENT TO HELP TRC COVER COSTS

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission and representatives of the Swedish Government will today sign a R4,5 million agreement which will help the TRC to speed up the handling of amnesty applications.

The agreement, between the TRC and the Swedish International Development Co-operation Agency (Sida), will enable the Commission to pay for additional members of the Amnesty Committee, for extra support staff for the Committee and for extended employment for 12 investigators. It will also cover employment costs for staff to coordinate the provision of support for victims and their families at amnesty hearings.

In addition, the Swedish donation will cover the costs of exhumations and the use of expert consultants for Commission work.

The signing ceremony will take place at 3 pm today, Tuesday June 17, in the TRC's 8th floor boardroom at its Cape Town offices.

The Swedish Ambassador, Mr Bo Heineback, and the Secretary for Political Affairs, Ms Charlotte Wrangberg, will represent the Swedish Government.

ends
June 18, 1997

STATEMENT BY THE AMNESTY COMMITTEE - DIRK COETZEE TRIAL

Issued by: Truth and Reconciliation Commission

The Office of the Attorney-General of kwaZulu-Natal has agreed to a request from the Amnesty Committee of the Truth and Reconciliation Commission that the judge presiding at the trial of Dirk Coetzee, Almond Nofomela and David Tshikalange be asked to postpone the case to a date to be arranged.

Section 19 (7) of the Promotion of National Unity and Reconciliation Act, under which the Commission operates, enables the Amnesty Committee of the TRC to request a presiding officer at a trial to postpone proceedings pending the consideration and disposal of an application for amnesty.

The Amnesty Committee's request became necessary in order to enable the Committee to make its decision on the amnesty application brought by Coetzee, Nofomela and Tshikalange insofar as the application relates to the murder of Mr Griffiths Mxenge.

The Committee has completed hearing evidence in the amnesty application and has received heads of argument from counsel for the applicants. Counsel for the Mxenge family have asked for more time within which to submit their heads of argument, and we have agreed to give them an extension until the end of June.

ends
STATEMENT ON CAPE TOWN AMNESTY HEARINGS - JULY 7 - 18

Issued by: Truth and Reconciliation Commission

The amnesty applications of at least 14 people will be heard in Cape Town between July 7 and 18, including applicants claiming responsibility for the Amy Biehl murder in Guguletu, the Heidelberg Tavern and St James Church massacres and the death of activist Ashley Kriel.

American Fulbright exchange student, Amy Biehl, was killed in Guguletu on August 25, 1993. Three people sentenced for her death applied for amnesty saying they were members of the Pan Africanist Congress (PAC) military and student wings - Apla and Paso. They are Mzikhona Nofemela (26), Ntobeko Peni (21) and Vusumzi Ntamo (25). All were given 18 year prison sentences for her murder. The matter will be heard on July 8 and Biehl's family from America will attend the hearings.

On 9 and 10 July the applications of three people claiming responsibility for the 1993 St James Church massacre will be heard. At least 11 people died and more than 20 were injured severely when the applicants burst into the church on 25 July 1993 with automatic weapons and shot indiscriminately at people attending the Sunday night service, including some visiting Russian seamen. The applicants, who are serving jail sentences claim to have been members of the PAC and Apla at the time. They are: Gcinikhaya Makoma, Bassie Mkhumbuzi and Letlapa Mphahlele.

Police Inspector Jeffrey Benzien (49) applied for amnesty in relation to the death of ANC/UDF activist Ashley Kriel in 1986 when Benzien was attached to the Bishop Lavis Murder and Robbery unit. This matter will be heard on July 11. Kriel died on July 9, 1987, while hiding out in a house in Hazendal, Athlone. Benzien also applied for other "possible" human rights violations during the 1980's.

On 14 and 15 July three amnesty applications will be heard in relation to the December 30, 1994 Heidelberg Tavern massacre in Observatory, Cape Town. Four people died and at least five were injured in the incident, in which the attackers shot indiscriminately amongst the customers in the tavern.

The applicants, all serving jail terms of between 18 and 27 years for the murders and attempted murders are - Richard Dala (49), Zola Mabala (28) and Humphrey Gqomfa (30). They claim to have been members of the PAC and Apla.. Victims of the attack include Bernadette Sharon Langford, Lindy-Anne Fourie, Rolande Lucielle, Machado Cequiera and Nosalino Rato. The applicants were convicted of the murders and attempted murders in 1994.

On July 7, the applications of Philemon Maxam (36), Crosby Ndinisa (28) and Madoda Tisana (28) in relation to the April 1986 deaths of Rholian-Anne Foster and John Geyser in Paarl, will continue before the Amnesty committee. The hearing of their applications were postponed during May this year. They claimed to be part of a local youth and community groups affiliated to the UDF at the time of the murders. All are serving prison sentences for the deeds. They were convicted in 1990.

Other matters will be heard during the remaining days. Details are being finalised and victims and witnesses are in the process of being notified, before more information will be released to the media.

The hearings will take place in the TRC's Cape Town offices at 106 Adderley Street and will start daily at 09h00 am and will be open to the public.

ends
June 23, 1997

CHILDREN AND YOUTH HEARING IN BLOEMFONTEIN

Issued by: Truth and Reconciliation Commission

After listening to thousands of victims of gross human rights violations, at hundreds of hearings in different parts of the country, The Truth and Reconciliation Commission is scheduled to hold its very last victims hearing next week, in Ladybrand in the Free State.

This final hearing which will be over three days, from Tuesday June 24 to Thursday June 26 will be at the Ladybrand Town Hall, at the corner Joubert and Dan Pienaar streets. It will commence at 9am on all these days.

At least 24 witnesses, who are either victims or relatives of victims of a variety of gross human rights violations will give their testimony to a five-member panel of the TRC in the Kwazulu/Natal-OFS region.

The Ladybrand hearing will be preceded by a one-day Children and Youth Hearing where a group of youths will relate - in some cases spine-chilling tales of murder, torture, rape, abduction and severe beatings which they suffered, at a time some of them were mere children. This special hearing will be at the Paxnova Roman Catholic Hall in Britz Road, Bochabela in Bloemfontein on Monday 23rd June 1997, from 9am to 5pm.

In this type of hearing which will be the first of its kind that the TRC holds in the Free State five witness, all who are over the age of 18, will testify openly in this hearing which is open to the public. Witnesses whose ages range between 9 and 15 years, who by law may not testify publicly, will relate their stories to a facilitator, who in turn would represent them in front of a three-member TRC panel.

As part of the proceedings of the Children and Youth Hearing, prominent community leader Mrs Ellen Gaborone will give an overview of human rights violations on children in the Free State region. Local school kids will also sing songs and perform a play which will highlight some atrocities that were perpetrated against children in the past.

Cases that will be heard at the three-day hearing in Ladybrand include attempted drownention, bombings, abduction, arson and many more. Although most of the implicated perpetrators are members of security forces, members of the ANC, Dikwankwetla Party, IFP councillors and Mewheleng Civic Association are also implicated in some instances.

ends
June 27, 1997

TRUTH COMMISSION NEWS RELEASE ON AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

(The following summary of the applications, and the main points of the decisions and reasons therefor, is given purely to assist those journalists needing a quick initial summary of the applications and is not a binding document with any legal status.)

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to a member of an elite Umkhonto weSizwe unit who injured two policemen during a shoot-out in Johannesburg.

It has also granted amnesty to a former policeman who shot and killed two seriously wounded ANC suspects being taken to hospital after a clash with Security forces in kwaZulu-Natal.

However, it has refused amnesty to two members of Self Defence Units in the Western Cape who killed a fellow SDU member and a child in Khayelitsha.

Those granted amnesty were Wilson Mogotwo Sebiloane and Hendrik Jacobus Steyn. Those refused amnesty were Ndithini Thyido and Zwelitsha Mkuhlwa.

Details of their cases follow:

1. Wilson Mogotwo Sebiloane

A member of the Special Operations Unit of Umkhonto weSizwe, he applied for amnesty on two counts of attempted murder and one of being in possession of an unlicensed firearm and ammunition on May 25, 1991 in Johannesburg. He was convicted of attempted murder for injuring two policemen who were involved in his arrest, Constables F P van Heerden and J Oosthuizen, on May 25, 1991 and was sentenced to 13-years' imprisonment. Sebiloane, on instructions from Mr Joe Modise, established a Self-Defence Unit in Orlando West, Soweto, after his return from exile. The charges against him arose out of a shoot-out when police stopped the car he was travelling in on May 25. He said had tried to shoot his way out of the situation to avoid arrest. The Amnesty Committee said:

"The pertinent question to consider is why the Applicant shot at the police on the day in question. It was contended by the Applicant that the reason why he shot at the police, was to avoid being arrested, because if he were arrested he feared that a lot of the SDU activities (which at the time had been undertaken sub rosa) would be revealed and that his important duties which he had been instructed to carry out by his commander, namely to create SDU and train new recruits in the use of weaponry in order to protect the community, would not be capable of being achieved..."

After reviewing the evidence, the Committee concluded:

"We... find that it was not unreasonable for the Applicant to have feared that his arrest for possessing an unlicensed firearm would lead to his identity as an MK soldier and ultimately to his SDU activities [being exposed]...

"It was... not unreasonable for the Applicant to have believed that once arrested it would be almost impossible for him to carry out his duties in the SDU, which he considered critical in the protection of the community which had been engulfed by violence [and] which the ANC believed that the Government and its structures had a hand in, in order to destabilise the black community.

"This application is clearly distinguishable from the case of a person who possessed a firearm for personal use and..."
shot at the police in order to avoid being arrested for possessing such a firearm without a licence. In this instance the motive for avoiding an arrest is purely personal whilst in the case of the applicant he has shown that his motive was political.

"Having considered all the material evidence, we are therefore satisfied that the offences committed were acts associated with a political objective, committed in the course of the conflict of the past."

2. Hendrik Jacobus Steyn

Steyn, formerly a Detective Warrant Officer with the Empangeni Murder and Robbery Squad, was convicted on charges of murder and attempted murder in the Supreme Court, Pietermartizburg, in December 1992, and sentenced to 18 years' imprisonment.

He shot Mr Michael Mthethwa and Mr Simon Msweni after they had been injured in a fight between Security forces and a group in the Sokhulu Reserve in the kwaMbonambi District of kwaZulu-Natal in August 1992. Three policemen had been killed in the clash. The two suspects were being taken to hospital in a police van when Steyn came across them. He shot each of them twice.

After reviewing the evidence, the Amnesty Committee said:

"The Applicant made full disclosure of his involvement in the crimes in his evidence before the Commission and his application meets the formal requirements laid down by the Act and regulations.

"The Applicant was a member of the Security forces and according to his evidence he was acting against members of a generally recognised political organisation in countering and resisting the political struggle which was being carried out against the State and against members of another generally recognised political organisation. He believed that the deceased, in spite of being in custody, would continue the struggle at the first opportunity and that they would not be deterred from the struggle and accompanying terror by the normal legal processes. As a result of this, he committed the crimes for which there was no legal justification and for which he is applying for amnesty.

"The trial court as well as a Full Bench of the court of appeal found that the applicant was required as a member of the police to play a role in the political struggle which was going on in the community, and that he could have believed that the second deceased (Mr Msweni) could possibly have been released rapidly as a result of his political affiliations.

"It is also a fact that the police were deployed to ensure that the government of the day was not overthrown by the liberation movements, and that the police and the liberation movements came into direct, armed conflict with one another as a result of the conflicts of the past. This fell outside the police's normal functions. The deeds which the applicant committed were associated with and flowed from this additional function of the police to keep the government of the day in power and to protect the political opponents of the liberation movements.

"The law provides certain guidelines to assist in the determination of whether an act is associated with a political objective.

"The Applicant testified that his motive was to kill the deceased so that they could not resume their activities. He believed the normal legal process would not be effective as a result of probable early releases [from prison] and even the possibility of escapes. He wanted to ensure that they could not resume and pursue their acts of resistance in the political struggle.

"The acts were committed in the context of a political occurrence after a fight between an ANC group and the police, in which three policemen died and the deceased were wounded, or at least in reaction to that fight.

"The legal and factual nature of the act was the killing of the deceased. In the context of the struggle as it was conducted at that time, it was foreseeable because both the police and the ANC regarded one another as targets.
"The acts were directed at a political opponent. The applicant was an IFP supporter while the second deceased was a well-known ANC member and the first deceased (Mr Mthethwa) was a fellow combatant under the second deceased.

"At the time the acts were committed and under circumstances in which the deceased were already wounded, they were not carried out under orders. The earlier fight did, however, fall within this category. However the applicant reported his actions to a senior officer, who congratulated him. There was even an attempt to conceal the incident, which indicates later approval of his actions by his commanding officer.

"The relationship between the acts and the political objectives must also be judged in the light of the vocally acrimonious relationship between the liberation movements and the police at that stage: each was for the other a legitimate target in the struggle to achieve a political say and the combating of that struggle.

"In view of the aforegoing, the applicant's application for amnesty succeeds.

"The Committee recommends that further investigation be carried out to establish the identities and addresses of the next-of-kin of the deceased and that details of victims are forwarded to the Reparations and Rehabilitation Committee, since the committee is of the view that they ought to be classified as victims in terms of the Act."

3. Ndithini Thyido and Zwelitsha Mkuhlwa

They applied for amnesty in respect of their convictions for the attempted murder of Bongani Anderson Mpisane, the murder of a child, Solethu Ngxumza, and of unlawful possession of a firearm, committed in Khayelitsha on August 29, 1992. Thyido was sentenced to nine years' and Mkuhlwa to thirteen years' imprisonment.

Thyido was an executive member of the ANC Youth League in Khayelitsha and a leader of the Self Defence Unit (SDU) in Section B, but had been suspended by the ANCYL because of alleged criminal misconduct. Mkuhlwa was a member of the ANC in Khayelitsha and a branch commander of the Self Defence Unit of Khayelitsha and Nyanga East.

Evidence was that as a result of conflict between the police's Internal Stability Unit and SDUs, it was decided to raise money to arm the local SDU. Mr Mpisane, also a member of the ANC and the Self Defence Unit, was one of those appointed to receive money but came under suspicion of misappropriating the funds.

The Committee noted that in their written applications, the applicants had stated that their political objective had been "to protect my people to and to make sure that there was no mismanagement of funds belonging to SDU members."

The Committee found:

"Attacking a fellow member of the SDU for suspected misappropriation of its funds cannot be said to be an act associated with a political objective committed in the course of the conflict of the past, as required by the Act."

However, the Committee said that when the applicants gave evidence, "they advanced a completely different reason for the attack on Mr Mpisane. They said that they believed that he was an informer of the ISU."

After examining the evidence, they said: "We have difficulties on the basis of the reasons given... for believing that Mpisane was an informer..."

They noted that when the applicants had gone to Mr Mpisane's home to ask about a meeting he was allegedly having with the ISU, they had been "armed to the teeth with weapons."

"When the applicants were asked why they deemed it necessary to be so heavily armed when the purpose of visiting Mpisane was merely to obtain information about the venue of the alleged meeting with the ISU, they explained that they thought or believed that the ISU might be meeting at Mpisane's house...."
"The applicants further testified that they went to Mpisane's place and found Mpisane outside his shop talking to a lady. The second applicant seized Mpisane by his shirt and demanded to know where the others were. Mpisane resisted, broke away from him and attempted to run away. As he did so the first applicant and Mr [Malizole] Mtshagia [their companion] fired several shots at him and left without ascertaining whether he had been shot or not."

The Committee went on to find:

"On a consideration of all the evidence, we are satisfied that there was no justification for shooting at Mr Mpisane, who was attempting to run away from them. This occurred in an area used and occupied by members of the public and the reckless manner in which a firearm was used resulted in the death of the child Solethu.

"The offences committed by the applicants were not associated with a political objective and were not committed in the course of the conflicts of the past. Their applications for amnesty are therefore refused."

ends
July 3, 1997

CHANGES TO SCHEDULE FOR AMNESTY HEARINGS IN CAPE TOWN

Issued by: Truth and Reconciliation Commission

Some changes have been made to the two week programme of amnesty hearings in Cape Town, starting Monday, July 7.

The main change is the deletion of the Heidelberg Tavern massacre from the programme, as parliament has not yet extended officially the cut-off date for applications to the time of the incident - 30 December 1993. Some other applications will now be heard instead, including those of two people who asked for amnesty in relation to the Guguletu Seven incident in 1986.

On Monday, July 7, the applications of Philemon Maxam (36), Crosby Ndinisa (28) and Madoda Tisana (28) in relation to the April 1986 deaths of Rholian-Anne Foster and John Geyser in Paarl, will continue before the Amnesty committee. The hearing of their applications were postponed during May this year. They claimed to be part of a local youth and community groups affiliated to the UDF at the time of the murders. All are serving prison sentences for the deeds. They were convicted in 1990.

On Tuesday the Amnesty Committee will hear the applications of four people convicted for the death of Ms Amy Biehl. American Fulbright exchange student, Amy Biehl, was killed in Guguletu on August 25, 1993. Four people sentenced for her death applied for amnesty saying the were members of the Pan Africanist Congress (PAC) military and student wings - Apla and Paso. They are Mzikhona Nofemela (26), Ntobeko Peni (21) and Vusumzi Ntamo (25) and Mongezi Manqina (25). All were given 18 year prison sentences for her murder. The matter will be heard on July 8 and Biehl's family from America will attend the hearings.

On 9 and 10 July the applications of three people claiming responsibility for the 1993 St James Church massacre will be heard. At least 11 people died and more than 20 were injured severely when the applicants burst into the church on 25 July 1993 with automatic weapons and shot indiscriminately at people attending the Sunday night service, including some visiting Russian seamen. The applicants, who are serving jail sentences claim to have been members of the PAC and Apla at the time. They are: Gcinikhaya Makoma, Bassie Mkhumbuzi and Letlapa Mpalhele.

Retired security policeman, Wilhelm Riaan Bellingan (38) and South African Police Service member, Sergeant Thapelo Johannes Mbelo (36), have applied for amnesty in relation to the Guguletu Seven incident on March 3, 1986 in which seven young liberation activists were killed by the police in what has been termed and ambush. An extensive TRC investigation and special event hearings were held on the matter during the last year, and some family members of the deceased have made human rights violations statements to the Commission. Both Bellingan and Mbelo testified in camera before the TRC's Western Cape Investigative Unit after being subpoenaed about the incident. Their applications will be heard on Friday, July 11.

Three applications are provisionally scheduled to be heard during the week starting with Monday, July 14. They are those of:

- Police Inspector Jeffrey Benzien (49) applied for amnesty in relation to the death of ANC/UDF activist Ashley Kriel in 1986 when Benzien was attached to the Bishop Lavis Murder and Robbery unit. This matter will be heard on July 11. Kriel died on July 9, 1987, while hiding out in a house in Hazendal, Athlone. Benzien also applied for other "possible" human rights violations during the 1980's.

- Falibango Walter Tanda (36) and Andile Shiceka (27) applied for amnesty for the ambushing of police vehicles in Khayelitsha, Old Crossroads and Guguletu during1993. They state in their applications that four people died and several were injured in these attacks. Both say their were members of the Pan Africaist Congress at the time.
July 4, 1997

STATEMENT BY DUMISA NTSEBEZA ON MR VERSTER'S DRUG ALLEGATION CHARGE

Issued by: Truth and Reconciliation Commission

I met with Mr Rich Verster, a South African held on allegations of drug smuggling in a British prison, today for four hours.

The discussions were fruitful and will continue tomorrow. Mr Verster was accompanied by his lawyer, Ms Sarah Woodhouse.

The discussions are part of the TRC’s investigations into several alleged human rights violations. I cannot comment on the content of the discussions however, as the investigations are still in process.

ends
July 14, 1997

STATEMENT BY ALEX BORAINÉ ON A GENERAL AMNESTY FOR POLITICAL PRISONERS

Issued by: Truth and Reconciliation Commission

I today received a letter from the Political Prisoners' Forum, sent from Pretoria Maximum Prison, proposing a general amnesty for political prisoners.

The proposal departs radically from the Act which governs the TRC and is a matter which will require serious consideration. To that end, I have placed it on the agenda of the Commission meeting being held on July 17 and 18.

Our response will be made available once the full Commission has considered the letter.

ends
July 16, 1997

STATEMENT BY DUMISA NTSEBEZA, ACTING VICE-CHAIRPERSON, CONCERNING MRS MANDELA

Issued by: Truth and Reconciliation Commission

The matters raised in the letter from Mrs Mandela's lawyers to the TRC -- which was released to the media today -- have already been comprehensively dealt with in correspondence with the same lawyers during June.

On June 4, Mrs Mandela's lawyers asked us to furnish all statements in our possessing relating to Mrs Mandela.

On June 23, I responded, inter alia, as follows:

"You are aware that your client's name has been mentioned in the context of the murder of Stompie, in the context of the disappearance of certain youths, and, we now learn, in the context of a few other matters we are investigating. We must emphasise (words underlined) that what we have is, in many instances, information only, in some instances even rumours, but in others, statements.

"As an investigation agency of the Commission, we can ignore neither rumour nor information. We have to investigate in order to discard some rumours or information or to authenticate some information. One of the processes in which this fact-finding exercise takes place is a Section 29 investigative inquiry.

"In our view it is in the interests of your client to co-operate with us. It is in her interests to clear her name and to refute the allegations against her...

"Kindly be assured that your client, who is not on trial, will be afforded every opportunity and information on the basis of which she can deal with the allegations against her...

I followed this up with a letter on June 24, expressing my consternation at a newspaper article in Business Day of the same day. In this letter, I said:

"I just wish to disassociate myself from anything being quoted as emanating from so-called Commission members or Commission sources. I neither confirm nor deny it.

"It is not the policy of the Commission to disclose, ordinarily, contents of amnesty applications. It is also not the policy of the Commission to publicise contents of a subpoena and information related thereto before the subpoena and the information have been made available to the person intended to be interviewed. The so-called Commission staffer referred to in the report... clearly acted out of line.

"The Commission is determined to act very firmly against Commission members and staff who leak information to the media to the prejudice of individuals adversely affected thereby in circumstances where they have not been properly given notice in terms of the law."

In view of these letters, I find today's letter gratuitous to the extent that my name is mentioned. I replied to Monday's lawyers' letter in, inter alia, the following terms today:

"It (your letter) is misinformed in so far as it draws conclusions about my conduct from what the newspapers say. Further, it is a misreading of what the newspapers attribute to me -- certainly those that I have read.

"I therefore, in response, can add nothing to what I said in my letters to you dated 23/6/1997 and 24/6/1997, copies of which are hereto annexed for your quick and easy reference."

ends
STATEMENT BY THE HEAD OF THE INVESTIGATIVE UNIT ON THE 3 CCB SUBPOENAS

Issued by: Truth and Reconciliation Commission

The Investigative Unit (IU) of the TRC last night subpoenaed three former Civil Cooperation Bureau (CCB) members to appear at in camera inquiries in August. They are the first CCB members served with notices for such inquiries by the Commission.

They are requested in terms of the act to give evidence and/or answer questions in relation to various unsolved matters currently under investigation by both the Western Cape IU and the IU’s National Task Team.

The three are: Former CCB Managing Director, Mr Joe Verster; and two members of the CCB's region six - Mr Abram "Slang" van Zyl and treasurer Mr Wouter Jacobus Basson, alias Christo Brits. (Basson is not to be confused with Mr Wouter Basson of the former SADF's Seventh Medical Battalion, who will also testify before the TRC in due course on other matters.)

Among the alleged violations the three CCB members will be questioned about are: the bombing of the Early Learning Centre in Athlone in August 1989, the death and role in the CCB of Mr Edward "Peaches" Gordon, and the parcel bomb that maimed Father Michael Lapsley of the Anglican Church in Harare in 1990. All three testified before the Harms Commission of Inquiry during 1990.

The will appear before the Commission's IU in Cape Town between 18 and 20 August this year. They are entitled to appoint legal representatives. If they are not financially capable of doing so, the TRC may appoint legal representatives to assist them.

ends
July 17, 1997

STATEMENT BY DR ALEX BORAINE REJECTING CRITICISMS FROM THE IFP

Issued by: Truth and Reconciliation Commission

We reject today's criticism of the Amnesty Committee by Mr Madala Mzizi of the IFP.

Mr Mzizi reportedly says the fact that victims of Captain Jeffrey Benzien's torture were allowed to question him during the amnesty hearing was within neither the spirit nor the letter of the law.

However, Section 19(4) of the law governing the TRC's work -- the Promotion of National Unity and Reconciliation Act -- explicitly gives victims the right "to testify, adduce evidence and submit any article to be taken into consideration."

It is staggering that a party justice spokesman should be so ill-informed about the law, and shocking that he should attack the ability of Supreme Court judges, who form the majority on the Committee, to apply the law.

His statement is completely contradicted by many messages which the TRC has received praising the wisdom of the Amnesty Committee for the way it has handled very sensitive hearings over the past two weeks.

ends
July 17, 1997

STATEMENT BY DR ALEX BORAIINE CONCERNING NEW DEADLINE FOR AMNESTY

Issued by: Truth and Reconciliation Commission

The new deadline for handing in amnesty applications to the TRC, which we expect to promulgate in the next few months, will affect only a very limited number of people.

The main category affected is people who wish to apply for amnesty for acts committed between December 6, 1993, the old cut-off date for amnesty, and May 10, 1994, the proposed new cut-off date.

Many amnesty applicants who fall in this category have already submitted their applications as a result of President Mandela's announcement last December that the cut-off date would be extended to accommodate them.

However, there may well be some potential applicants who have withheld applications until Parliament formally changes the cut-off date by amending the Constitution. We need to extend the deadline for handing in applications to accommodate this group.

After consultation with the Amnesty Committee, we also believe we should make provision for anyone who can show they did not know that the deadline for applications was extended from December 1996 to May 10 1997, either because they were out of the country, in prison or did not see the Government Gazette.

ends
July 17, 1997

STATEMENT ON CONSCRIPTION HEARINGS

Issued by: Truth and Reconciliation Commission

Several angles of the role and consequences of conscription during the apartheid years will be examined at a special submission event at the Cape Town offices of the TRC on Wednesday 23 July 1997.

The submissions will enable the TRC to fulfill its mandate in providing as complete a picture as possible of the events between 1960 and 1994 and to make recommendations on rehabilitation to the State President in its final report.

Human Rights Violations Committee member, Ms Pumla Gobodo-Madikizela, earlier emphasised that the submissions would be neither an attempt to find perpetrators, nor a process that will lead to the awarding of victim status for purposes of reparations. "The conscription issue is surrounded by a legacy of silence, handed down from the bad old days," says Ms Gobodo-Madikizela, who coordinated the submission event. "Yet for many who were conscripted into the Defence Force, the `war' that prevailed is not merely a relic of the past, but an ever-present reality and legacy that shapes their memories and identities. "Their voices should be heard, so that we can understand the psychological wounds of silence left by the law of conscription."

Amongst the submissions to be heard are:

- The view of anti-conscription activists;
- An academic analysis of research done during the seventies and eighties on the apparent support for conscription amongst whites during the eighties;
- A perspective from a chaplain in the former South African Defence Force (SADF), focusing on religion as a strategy to encourage support for conscription;
- The view of a psychologist who worked in the former SADF on his personal experiences and the clinical consequences of what is known as Post Traumatic Stress Disorder (PTSD);
- Several individuals will talk about their personal experiences, amongst others a conscientious objector, someone who left the country to avoid conscription and some who served in the former SADF;
- Another individual submission will come from a conscript who was sent into the townships during the eighties, but have for the last ten years worked on reconciliation strategies in townships across the country;
- Aspects of conscription, like those who served on or beyond the border, those who were sent into the townships and those who were sent to the South African Police Force will be covered in the submissions.

The hearing is scheduled to start at 09h00am at 106 Adderley Street, central Cape Town. Members of the public and the media are welcome to attend.

ends
Members of the Inkatha Freedom Party ran the risk of losing out on reparations as a result of their party's stand on the TRC, the Commission's acting chairperson, Dr Alex Boraine, warned today.

Dr Boraine was reacting in a statement to reports that the IFP's National Conference has endorsed an earlier decision by its National Council to withhold further participation in TRC proceedings. Dr Boraine's statement follows:

"Dr Buthelezi's criticism of the Commission -- couched as it is in broad, general statements without any specifics -- is extremely worrying.

"It is discouraging because a decision by any major constituency to refuse to co-operate with the Commission will affect its work and its final recommendations.

"More important, his public denunciation of the Commission totally discourages members of the IFP from making use of the Commission's programme on reparations and rehabilitation. The Act makes it clear that only those who hand in statements to the Commission will be considered for reparations and rehabilitation measures. The party's decision in no way assists ordinary people who have been deeply hurt, nor does it make any contribution to the peace process in KwaZulu/Natal."

ends
July 21, 1997

STATEMENT BY MS PUMLA GOBODO-MADIKIZEI, COMMITTEE MEMBER OF THE TRC'S HUMAN RIGHTS VIOLATIONS COMMITTEE, IN RESPONSE TO GENERAL VILJOEN

Issued by: Truth and Reconciliation Commission

We regret that General Viljoen does not see his way clear to attending the session at which we will receive submissions on conscription, since his non-participation will deny us a valuable perspective on the conflicts of the past.

When we were planning this event, we tried to be sensitive to those of all perspectives. We used the TRC’s formal channel of communication with the SANDF to ask for submissions.

Our letter to the SANDF nodal point explicitly said we wanted to understand the experiences of all the various groups involved. We would have liked a response from a wider variety of groups, but in these kinds of submissions it is unfortunate that the voices that will tend to be heard will be those of people who were hurt by their experiences.

Our intention is to focus on where there were problems in the past so that we can use that experience to understand how we can make constructive recommendations for the future.

Our programme focuses not just on critical voices. At the end of the submissions, there will be an interactive discussion with the audience the most constructive way in which to move forward. This will include input from Lt-Col Johan Botha of the SANDF, who will speak on their strategies for dealing with problems experienced by veterans, as well as from another group of ex-veterans.

ends
URGENT REMINDER ON CONSCRIPTION HEARING

Issued by: Truth and Reconciliation Commission

Several angles of the role and consequences of conscription during the apartheid years will be examined at a special submission event at the Cape Town offices of the TRC on Wednesday 23 July 1997.

The submissions will enable the TRC to fulfill its mandate in providing as complete a picture as possible of the events between 1960 and 1994 and to make recommendations on rehabilitation to the Srt.

Human Rights Violations Committee member, Ms Pumla Gobodo-Madikizela, earlier emphasised that the submissions would be neither an attempt to find perpetrators, nor a process that will lead to the awarding of victim status for purposes of reparations. "The conscription issue is surrounded by a legacy of silence, handed down from the bad old days," says Ms Gobodo-Madikizela, who coordinated the submission event. "Yet for many who were conscripted into the Defence Force, the 'war' that prevailed is not merely a relic of the past, but an ever-present reality and legacy that shapes their memories and identities. "Their voices should be heard, so that we can understand the psychological wounds of silence left by the law of conscription."

Amongst the ten submissions to be heard are: The view of anti-conscription activists;

An academic analysis of research done during the seventies and eighties on the apparent support for conscription amongst whites;

A perspective from a chaplain in the former South African Defence Force (SADF), focusing on religion as a strategy to encourage support for conscription;

The view of a psychologist who worked in the former SADF on his personal experiences and the clinical consequences of what is known as Post Traumatic Stress Disorder (PTSD);

Several individuals will talk about their personal experiences, amongst others a conscientious objector, someone who left the country to avoid conscription and some who served in the former SADF;

Another individual submission will come from a conscript who was sent into the townships during the eighties, but have for the last ten years worked on reconciliation strategies in townships across the country;

Aspects of conscription, like those who served on or beyond the border, those who were sent into the townships and those who were sent to the South African Police Force will be covered in the submissions.

Several other submissions will not be heard in public, but will be made available to the media to enable them to construct as full a picture as possible of the issues.

The programme will culminate in a session on "The Way Forward" which will be open to the media and public. This session will start around 15h30 pm, and is amongst others directed at stimulating further debate and understanding as well as motivate support for victims.

Please note that the starting time has changed. The hearing is scheduled to start at 08h30 at 106 Adderley Street, central Cape Town. Members of the public and the media are welcome to attend.

ends
July 25, 1997

STATEMENT BY DR ALEX BORAINE RE MR NTSEBEZA

Issued by: Truth and Reconciliation Commission

The Heidelberg Tavern massacre initially fell outside of the cut-off date as set out in the Act. As a result of the extension from 5 December 1993 to 10 May 1994, those involved in the massacre, both as victims and perpetrators, could approach the Commission, if they chose to do so.

After 10 May our Investigative Unit started preparations for possible amnesty applications. In the course of these investigations one of our investigators came across a statement which he found in the security force files. The statement alleged that a car that was at the time owned by Commissioner Dumisa Ntsebeza was used by the perpetrators as a get-away vehicle.

The investigator reported this immediately to Mr Ntsebeza, as head of our Investigative Unit. He told the investigator that the investigation must continue. He immediately had a meeting with Archbishop Tutu and myself and shared this information with us and indicated that there was no truth in the allegation and denied that his car could possibly have been used, but appreciated that the investigation would have to continue and recused himself entirely from the investigation.

The investigation has continued, not under the supervision of Mr Ntsebeza, but the National Director of the Investigative Unit, Adv Glenn Goosen.

Although a number of interviews have been held and a search has been made for any corroboration of this particular statement, no such evidence has been forthcoming.

I understand further that in the amnesty applications which have been lodged by the three perpetrators currently in prison, no mention is made of Mr Ntsebeza's car.

As with all investigations, no matter who is involved, we will pursue this until we have exhausted all possibilities.

ends
STATEMENT ON AMNESTY HEARINGS IN PIETERMARITZBURG

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC announced it will recommend as a matter of urgency that amnesty be granted to four people who appeared before it in Pietermaritzburg today.

The four applicants are: Sipho Motaung (33), Nhlanhla Sibisi (30), Johannes Sithole (45) and Philemon Dlamini (45). All four asked amnesty in respect of an IFP member - Arnold Lolo Lombo from Edendale - on 31 October 1990, which they maintain was done under orders in fighting between UDF/ANC groups and an IFP warlord. The applicants maintain that they were field workers for the UDF/ANC structures and some MK soldiers in the Pietermaritzburg/Edendale area at the time.

Presiding chairperson of the Amnesty Committee, Judge Andrew Wilson, said the recommendation to grant amnesty to the four will be done for a variety of reasons. These include that they had a clear political motive, followed clear political orders and none of the victim's families opposed the applications.

In addition, the four are awaiting trial in the Kwazulu-Natal Supreme Court and the case has been postponed several times in lieu of their amnesty hearing. The attorney-general will now be advised that there is little point to keep the case on the role.

--- Two applicants, Mandlenkose Phoswa (49) and Mafuka Anthony Nzimande (27) will be heard in Pietermaritzburg tomorrow, Wednesday, July 30.

Phoswa asks for amnesty in relation to the murder of IFP members alleged of killing his son during September 1992 at Kwa Gengeshe near Richmond. Altogether nine people were killed in the fighting that broke out, while 52 houses were burned the next day. According to Phoswa he is responsible for the killing of one Mu Ntolo only.

Nzimande is applying for amnesty in respect of murder during the same incident.

--- On Thursday, July 31, the application of Dumisani Mthembu (34) will serve before the Committee. He claims to have been an ANC member when he was arrested for two counts of attempted murder and illegal possession of firearms and ammunition during September 1992 at Sundumbile township, Mandini. A member of the South African Police was injured in the incident, which the applicant claims was done to protect a Natal chairperson of Cosatu of an assassination attempt. Mthembu says he was charged by the organisation to guard the chairperson.

--- The application of Bheki Fred Mbuyazi (26) will be heard on the Friday. He describes himself as an "ordinary ANC member" at the time of three murders and assault in the Ingtwavuma district. Mbuyazi applied for the murder which he said he committed at the time of a third attempt on his life while he was living in a so-called IFP stronghold. The murders were committed during September 1990.

The hearings take place at the Pietermaritzburg City Hall and start at 10h00 am daily.

ends
STATEMENT ON AMNESTY HEARINGS IN DURBAN AUGUST 4 TO AUGUST 8

Issued by: Truth and Reconciliation Commission

The amnesty applications of three people will be heard when the Amnesty Committee sits in Durban next week. Details of assassinations of community leaders and other prominent people in Clermont near Durban will emerge during the hearing, which is scheduled for five days.

Mizi Jethro Hlophe (25) who is serving an 18 year jail sentence, will appear before the Amnesty Committee on Monday, August 4. In total Hlophe has applied for amnesty for five murders and four cases of incitement to murder.

He was sentenced in 1991 together with Mr Samuel Bhekizizwe Mhlahlo Jamile. Mr Jamile, who was an IFP official at the time, was sentenced to life imprisonment for his role in the murders. However, he was indemnified in 1994 and walked out of prison. Both Hlophe and Jamile declined to testify and were sentenced without telling their side of the story in court.

Hlophe asked for amnesty in respect of amongst others his role in the slaying of prominent Clermont businessman, Zazi Khuzwayo, who was gunned down in his office at his Clermont shopping complex on May 9, 1987 and in the murder of Mrs Pearl Lindiwe Tshlabalala, the wife of Supreme court judge, Justice Vuka Tshlabalala. He is also applying for his role in the murder of Clermont school headmaster, Emmanuel Qashana Khuzwayo, who was murdered at his home on 28 February 1988.

On Tuesday August 5, the Amnesty Committee will listen to an application by Abdool Sataar Gani in connection with the attempted murder of an official in the offices of the Receiver of Revenue, escaping from custody and bribery.

On Wednesday August 6, Vusi Linda Hlengwa an IFP member from KwaMakhutha who is serving a 20 year sentence will make his bid for amnesty for the murder of two people - his close friend and fellow IF P member Bheki Patrick Ngamula Zwane and another person named Mhluleli Makhanya as well as and the attempted murder of Simiso Msomi.

Another applicant who was scheduled to appear before the committee next week, Vakuthethewa Yalo, who is serving a life sentence for the murder of a Lamontville community leader, Msizi Harrison Dube, in April 1983, has withdrawn his application for amnesty and in a letter informed the Amnesty Committee that he is no longer prepared to appear before it and state his case.

His matter has thus been duly removed from the roll of next weeks sitting.

The hearings will take place daily at the TRC offices on the 9th Floor, Metlife building, 391 Smith Street, from 9am. This Amnesty sitting will last until Friday, August 8.

ends
NEWS RELEASE ON AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

(The following summary of the applications, and the main points of the decisions and reasons therefor, is given purely to assist those journalists needing a quick initial summary of the applications and is not a binding document with any legal status.)

The Truth and Reconciliation Commission announces the granting of amnesty to two members of the Boere Weerstands beweging (BWB) who placed a bomb in a shopping complex in Bronkhorstspruit, killing a policeman.

Leon Hendrick Froneman (23) and Pieter Johannes Harmse (45) were both granted amnesty in respect of an incident on September 17, 1993, where various crimes were committed during the course of the attempted bombing of an Indian-owned shopping complex.

A policeman was killed and another injured when they were called out to investigate a report of the placing of the bomb.

In the case of Harmse, amnesty was granted for the murder of Warrant Officer Abraham Labuschagne, the attempted murder of Constable Hendrik Johannes Maree, the unlawful possession of explosives and malicious damage to property.

Froneman was given amnesty for culpable homicide following the death of Mr Labuschagne, the unlawful possession of explosives and malicious damage to property.

Both were sentenced in 1994, Harmse to an effective 18 years' imprisonment and Froneman to effective eight-year jail term.

The Amnesty Committee heard their applications on April 8, 1997 in Johannesburg, under the chairmanship of Judge Andrew Wilson.

In their judgement, the three members of the Amnesty Committee, Judge Wilson, Ms Sisi Khampepe and Adv Chris de Jager found the following:

"It appears that both the trial Judge and the Regional Magistrate who convicted the two Applicants regarded the incident as political. Froneman, under cross-examination explained that he had selected the target because he believed the majority of Indians were Muslims and ANC supporters. By attacking this target they would show the government and others that the BWB was intent on taking their country back by force if necessary. In doing what he did he was carrying out the orders given to him through Harmse.

"We are satisfied on the evidence we have heard and on the other information before us that the applicants did what they did in the belief that they were acting on instructions given to them by the BWB, a publicly known organisation, and that the act was done in furtherance of the policies of that organisation. It was thus an act associated with a political objective as defined in section 20(3) of the Promotion of National Unity and Reconciliation Act and was an act committed by a person falling under the provisions of Section 20(2)(a) and (d) of the Act. Having regard to the political climate at the time and the means used by political organisations or liberation movements to achieve their objectives, we are satisfied that the Applicants have met the requirements of the Act. They are accordingly granted amnesty in respect of all the offences of which they were convicted set out above." ends

ends
STATEMENT BY DR BIKI MINYUKU, CHIEF EXECUTIVE OFFICER, TRUTH AND RECONCILIATION COMMISSION

Issued by: Truth and Reconciliation Commission

More than 40 employees of the Truth and Reconciliation Commission will leave their jobs today as the Commission begins to wind down its activities.

At present, only about 10 have been placed in other jobs. Although a number of employers have expressed interest in interviewing our departing staff, I would like to appeal to South Africa's employers to give strong consideration to employing those who have not yet found work.

We have conducted a skills inventory among our departing staff, which indicates we have staff with a range of different skills. In addition, they have had hands-on experience of working for an organisation under immense pressure. We also believe they have made a solid contribution to the transformation of South Africa.

As part of the Commission's efforts to help staff who are leaving, a number of human resources agencies have given assistance with career guidance, the writing of resumes and debriefing.

Employers interested in considering staff should approach our regional managers for details:

-- In Johannesburg, Patrick Kelly at 011- 333-6330;
-- In Cape Town, Ruth Lewin at 021- 24-5304;
-- In Durban, Wendy Watson at 031- 307-6767; and
-- In East London, Vido Nyobole at 0531- 43-2885 or 082- 452-6032.

ends
July 31, 1997

STATEMENT BY DR ALEX BORAINIE ON THE BUSINESS HEARINGS

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is planning a public hearing on the role of business in South Africa from November 11 to 13 in Gauteng.

The objective of the hearing is to examine the role of business and labour in the period covered by our mandate -- 1960 to 1994 -- with specific reference to the context and circumstances in which human rights violations took place.

The Commission will be approaching key role players in business and labour to ask them for submissions on various aspects of the conflict in South Africa between March 1960 and May 1994. A more detailed programme on the framework of the hearings will be released after consultations with business and labour.

The business hearing is being held in terms of the Commission's mandate, which is laid down in the Promotion of National Unity and Reconciliation Act. The Act says its purpose is:

"To provide for the investigation and the establishment of as complete a picture as possible of the nature, causes and extent of gross violations of human rights.... emanating from the conflicts of the past..."

"And... to establish the truth in relation to past events as well as the motives for and circumstances in which gross violations have occurred, and to make the findings known in order to prevent a repetition of such acts in future."

The TRC believes that such the planned hearing will contribute to:

(i) a better understanding of the conflicts of the past;
(ii) laying the foundations for a more just and equitable society; and
(iii) helping us develop recommendations which we must make to the President on reparation and rehabilitation.

ends
STATEMENT - TRC FILES ITS RESPONSE TO THE COURT APPLICATION BY THE NATIONAL PARTY

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission, represented by its Acting Chairperson, Dr Alex Boraine, today filed with the High Court its response to a court application by the National Party.

Background

The application was launched after a press conference following the second hearing of the National Party, during which Archbishop Desmond Tutu and Dr Boraine expressed concern at Mr F W de Klerk's claim that he was unable to answer questions put to the Party on the grounds that he was unaware of the events and circumstances in question.

The application calls for the dismissal of Dr Boraine as a member of the Commission. It also asks the court to declare that the Archbishop conducted himself at the press conference in a manner unbecoming of his office as Chairperson, and to order the Commission to carry out its work in compliance with the requirements of the Promotion of National Unity and Reconciliation Act. It also asks for two interdicts prohibiting the Archbishop and the Commission from making public statements which, it claims, may convey the impression of partiality and lack of objectiveness.

Dr Boraine has been authorised to depose on behalf of the Commission and Archbishop Tutu. The Archbishop is undergoing medical treatment in the United States.

Counsel representing the Commission is Jeremy Gauntlett SC, assisted by Advocates Andrew Breitenbach and Vuyani Ngulwana.

Main points in the TRC's response

1. The first point raised in the response is that the remedies the National Party asked for are not those which a court may reasonably grant. The Act provides for only two remedies in the event of "misconduct" by a Commissioner. These are the removal (or impeachment) of a Commissioner by the President after a Parliamentary process and provision for the laying of criminal charges. Neither of these has been sought by the National Party.

Similiarly, the Commission says the declarator asked for in respect of the Archbishop does not comply with the Supreme Court Act, would have no legal consequences and is thus entirely academic.

2. The TRC also notes that although the National Party has brought this application on a basis of semi-urgency, this does not justify the extensive resort to hearsay evidence by Mr Jaco Maree of the NP who, it points out, neither represents the National Party in government nor holds a position in the senior party leadership. Mr de Klerk is therefore asked to confirm the hearsay evidence on which Mr Maree relies.

3. The Commission has at various times come into conflict with each of the political parties. The TRC reminds the court of the occasion when the Archbishop threatened to resign as Chairperson in response to the ANC's argument that some of its activities were connected with a "just war".

4. The Commission cannot preserve what Dr Boraine describes as "a sanitised silence" as it is not a judicial body. It must act fairly and "confront apparent evasion and obfuscation". This is not to anticipate the Final Report, but in order to ensure that individuals and organisations have the fullest opportunity to respond before the Final Report is prepared. The Commission must at all times act within the framework of its broader purpose -- the
5. By way of illustration, torture is just one form of gross violation of human rights which is commonly acknowledged to have been widely practised in South Africa. In the light of this, and in the face both of amnesty applications and victims' testimony in this regard, the National Party has failed to give a full account of its involvement in or knowledge of such events. Nor has it addressed its own political accountability in this regard.

6. Indeed, Mr de Klerk's answers to questions put to him by the Commission dealt only with what the National Party terms the "second period of apartheid" and what he himself knew or did not know. This is "self-evidently not the inquiry", the Commission says. It was for the NP to respond squarely to the questions and this it has failed to do. This is despite the fact senior members of the NP, Mr Adriaan Vlok and Dr Piet Koornhof have applied for amnesty.

7. Examples from a number of documents in the possession of the Commission are cited, including certain minutes of the State Security Council which demonstrate a number of "Goals". Particular reference is made to the linking of "Goal 15" with activities in the old Crossroads area in June 1986. In this regard, a statement by Director Leonard Knipe is appended.

Reference is also made to applications for amnesty by senior members of the security forces, including that of General Johan van der Merwe, together with the application made by Mr Vlok. These give strong support to the contention that the security forces were acting under orders from their political principals. Mr Vlok, for example, states that the bombing of Khotso House took place with the prior knowledge and approval of the then State President, Mr P W Botha. (As the applications by General van der Merwe and Mr Vlok are confidential in terms of the Act, the response states that, should the NP's legal representatives wish to inspect them, the Commission will pass that request on to the people concerned.)

8. Dr Boraine notes the many occasions on which both he himself and the Archbishop have publicly expressed their respect for Mr de Klerk. This explains their "intense disappointment and distress" at the stance he adopted at the hearings.

9. The TRC's affidavit describes the passage of the Act through Parliament and refers to the various statements made by the National Party in this regard. It notes (and quotes from) the NP's expressed view that its members in Parliament played a significant role in ensuring that the legislation achieves its objectives to be impartial and to seek the truth without bias.

10. The papers also contain a description of the process by which Commissioners of the TRC were selected, pointing out that the National Party was represented on the Selection Panel and that the final appointments were approved by a Cabinet of National Unity. Indeed the Cabinet Minute records that both Mr de Klerk and Chief Buthelezi "concurred" with the appointments.

Dr Boraine refers to a question posed to him by Senator Ray Radue (an NP member of the Selection Panel) related to the role of the press. Far from disagreeing with any of Dr Boraine's answers, Senator Radue stressed how important he believed that role was to the work of the Commission. Part of Dr Boraine's reply referred to the importance of regular press briefings.

11. The work of the Commission is described and elaborated upon in order, inter alia, to demonstrate the impossibility of any one member influencing the work of the Commission, and more particularly its Final Report, as the National Party suggests. "It is not possible, " Dr Boraine states, "for one Commissioner (notably me) to influence the TRC's work so as to jeopardise the fairness and objectivity of the Final Report...."

12. The TRC's affidavit then deals with various points raised by Mr Maree. The affidavit refers to a letter written by Mr R F (Pik) Botha to Dr Charles Villa-Vicencio, head of the Commission's Research Department, in which Mr Botha states that he recommended that Mr de Klerk apply for amnesty on behalf of the "former Cabinet".

Dr Boraine's affidavit on behalf of the Commission concludes that Mr. Maree's contentions "misconceive in
fundamental respects the statutory objectives of the TRC and the manner in which the TRC is by law required to balance and serve these. The application is intended to circumvent other means laid down by Parliament to obtain proper relief.... It is evident that the NP, rather than respond to the identification of evident deficiencies in its evidence, regrettably anticipates a report prejudicial to its interests, and seeks through this application to impugn that potential result. I am constrained to submit that in so acting, the NP does not do so in good faith...."

Dr Boraine says: "I regret that this state of affairs should have come about, and I express the hope that the NP will yet take the opportunity of responding squarely to the matters put to it. The TRC as an institution, and Archbishop Tutu and I as individuals, bear neither it nor its office-bearers ill-will; we would welcome a reconsideration of its stance."

Dr Boraine asks that the application be dismissed and the court should order that the National Party must pay attorney-client costs, including the cost of two counsel.

The fourth and fifth respondents in the application are the President and Minister of Justice. The Minister of Justice has also filed a responding affidavit.

The matter will be heard by a Full Bench of the Cape High Court on September 5, 1997. Until then the matter is sub judice and the TRC cannot comment on the issues raised by the application. Copies of the application and the TRC’s response to it may, however, be inspected by journalists at the TRC’s offices.

ends
STATEMENT - DIRK COETZEE AMNESTY GRANTED

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today granted amnesty to Dirk Coetzee, David Tshikalange and Butana Almond Nofomela in respect of the murder of Durban attorney, Mr Griffiths Mxenge, in November 1981.

The Committee said that while "there may be some doubt" about the identify of those who ordered or advised Coetzee to kill Mr Mxenge, there was no doubt that Coetzee had acted on "the advice, command or order of one or more senior members of the Security Branch" of the South African Police.

The Committee placed on record its "strong disapproval" of the conduct of the police in "arranging for the assassination of an attorney who was doing no more than his duty in providing adequate representation for persons facing criminal charges."

In its findings, the Committee said:

"On the evidence before us we are satisfied that none of the Applicants knew the deceased, Mxenge, or had any reason to wish to bring about his death before they were ordered to do so. We are satisfied that they did what they did because they regarded it as their duty as policemen who were engaged in the struggle against the ANC and other liberation movements. It is, we think, clear that they relied on their superiors to have accurately and fairly considered the question as to whether the assassination was necessary or whether other steps could have been taken...."

The three amnesty applicants were convicted of Mr Mxenge's murder during a trial in Durban after their amnesty application had been heard. As a result of the granting of amnesty, it will not be necessary for the trial court to proceed with the question of sentence.

The committee noted that Coetzee, Tshikalange and Nofomela had sought amnesty in respect of many other acts. It limited its decision at this stage, however, to the application in respect of Mr Mxenge's killing.

ends
August 6, 1997

STATEMENT - ON BODY OF ANC ACTIVISTS EXHUMED NEAR RICHMOND

Issued by: Truth and Reconciliation Commission

Remains of yet another ANC activists were exhumed in KwaZulu-Natal this afternoon (Wednesday August 6) by police and pathologists who were led to the grave by the investigators of the Truth and Reconciliation Commission in Durban.

The remains were those of Blessing Ninela who was arrested by members of the security branch in 1989, and subsequently tortured and murdered. His interrogators then place his body on a railway line near Bulwer and blown into pieces with a limpet mine.

The body of Ninela, whose entire face had been blown off beyond recognition with one hand also missing, was found the following. He could not be identified and was buried at Ixopo near Richmond as a few weeks later.

Some of the policemen who were responsible for the murder have subsequently applied for amnesty in connection with this killing and information contained in their applications and thorough investigations by TRC investigation led police and pathologists to where Mr Nineni has lied buried as a pauper for the past eight years.

His family has been notified and pathologists are in the process of positively identify the body as that of Mr Nineni.

ends
August 8, 1997

STATEMENT - CEREMONY FOR KILLED CADRES

Issued by: Truth and Reconciliation Commission

A wreath laying ceremony will be held tomorrow, Saturday, August 9, by the families of three deceased ANC/MK cadres who died near Alldays in the Northern Province at the hands of the security police.

Altogether, 14 policemen testified before the TRC's Amnesty Committee last month that they shot and killed six men fleeing from the Pietersburg area, during an operation in 1986. Three of the bodies were identified at the time and buried separately by their families. The three deceased were: Montgomery Moloi, Rantho Magashoa and Walter Titus Alset.

The families of the three have learned from the amnesty hearings where their sons were killed and have subsequently organised the ceremony, which will be attended by TRC officials and the Premier of the Northern Province, Mr Ngoake Ramothlodi. The families will meet at 07h30 am tomorrow at the Kranskop tollgate outside Pretoria and travel in convoy to the Alldays site. They have requested the TRC to invite the media to join them on their journey and ceremony. Journalists traveling from other provinces, could meet the convoy at the Alldays Police station at 11h00am.

Three of the young men shot have never been identified. They were known only by their operational code names. However, the Investigative Unit of the TRC reports that it is making progress with its search for their identities. The three were buried at unidentified graves near Louis Trichardt at the time.

ends
August 8, 1997

STATEMENT - AMNESTY GRANTED TO MSIZI JETHRO HLOPE

Issued by: Truth and Reconciliation Commission


Hlope, who was 16 at the time of the offences, was found by the Amnesty Committee of the TRC to have committed them under the orders of Samuel Jamile, who was granted indemnity in 1993. The Committee said the offences "were committed against a background of political conflict in Clermont."

Hlope has been serving 22 years' imprisonment for the two murders. Until his release in 1993, Jamile was serving life imprisonment for the murders.

Amnesty was granted to Hlope in respect of:

- The murder of Zazi Khuzwayo on May 9, 1987 in Clermont.
- The murder of Nicholas Mkhize on July 15, 1988 at Clermont.
- The attempted murder of Bhikilida Johannes Msomi, Delani Sikhakhane and Johannes Luthuli on Good Friday of 1987 at Clermont.

The full text of the Amnesty Committee's decision is available on the website.

ends
August 12, 1997

STATEMENT ON AMNESTY HEARINGS IN BLOEMFONTEIN

Issued by: Truth and Reconciliation Commission

The amnesty applications of 14 people are scheduled to be heard when the TRC's Amnesty Committee sits in Bloemfontein, Free State from August 25 to 29.

On Monday and Tuesday, August 25 and 26, the applications of Khululekani Lawrence Mbatha (39) and Walter Smiles (28) will come before the Committee. The applicants are not in prison, but applied for amnesty in respect of the death of Mr Ezekiel Mokone (19) during a protest march to the Bophuthatswana Consulate in Kimberley on 25 May 1993.

Mr Mokone died when a hand-grenade was tossed into the crowd of protesters. Forty-three (43) victims have been notified of the hearing. Advocate Jean Nel of Bloemfontein, a spectator, was badly injured.

Both Mbatha and Smiles claim in their applications to have been cadres of Umkhonto we Sizwe.

(Two other people, Sipho Moses Mbaqa (32) and Darlington Nkosinathi Nkohla (28) were convicted of the murder of Mr Mokone and are serving prison sentences. They made statements to the TRC last year and appeared at a Human Rights Violations hearing in Kimberley last June, saying they were not guilty of the crime.)

The application of Patrick Tiro Seroalo (21) is scheduled to be heard on Wednesday, August 27. He applied for amnesty for the death of Tsietsi Leboko on May 11, 1991 in Kroonstad on suspicion that he was a member of the "Three Million Gang", perceived as being anti-ANC.

Seroalo was convicted of the murder in April 1992. Among his fellow accused was Johannes Paseka Mpondo, who was granted amnesty after a hearing in Kroonstad last year. Both said they were ANC members at the time of the incident.

Victims and two implicated persons have been notified by the Committee.

On Thursday, August 28, two applications will be heard in relation to offences of attempted murder, malicious damage to property and the illegal possession of arms and explosives. Velile William Mxhosana (26) and Lebohang May (28) were convicted of the attempted murder of four people, including policemen, in 1993. They claimed to have been under PAC/APLA command at the time and are serving prison sentences.

The applications of six people convicted of killing a farmer are scheduled to be heard on the same day, continuing until Friday, August 29. The applicants are: Petrus Thapelo Mohapi (27), John Moleleki Xhiba (24), Thabo Paulus Mtjikelo (34), John Nthoba Wa-Nthoba (35), Jacob Mabitsa (35) and Simon Thabang Olifant (27), all of Botshabelo.

Their applications arise from the murder of Mr John Smith and the attempted murder of his wife, Ms Rene Smith, on July 25, 1993 on the farm Wesselsdal in the Vanstadensrus area. They claim to have been members of the ANC Youth League at the time of the incident. They are serving prison sentences.

The hearings will take place at the Bloemfontein Education Centre, at 31 Deale Road, Bayswater, and start at 9 am daily.

ends
August 14, 1997

STATEMENT BY DR ALEX BORaine CONCERNING IFP

Issued by: Truth and Reconciliation Commission

It is a matter of concern and regret that Dr Mangosuthu Buthelezi MP, President of the Inkatha Freedom Party, has resorted to an advertisement in the daily press in order to communicate his very strong opposition to the life and work of the TRC. The doors of the Commission have always been open to Dr Buthelezi and his party and we would welcome a frank and open discussion with him and his colleagues on the criticism he advances.

The TRC some while ago sent a list of questions to the IFP, as it has done to other political parties. The TRC in addition has invited the IFP to an open hearing where they would have an opportunity to give their response to these questions and to put their point of view on any issues which are in contention. We reiterate that invitation in the belief and hope that it is better to speak with each other directly rather than through an advertisement in the press.

ends
STATEMENT ON AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

(The following summary of the application, and the main points of the decision and reasons therefor, is given purely to assist those journalists needing a quick initial summary of the application and is not a binding document with any legal status.)

The Truth and Reconciliation Commission has refused amnesty to an ANC member convicted of murdering two women and a two-year-old boy in a revenge attack which took place in the course of ANC-IFP conflict in KwaZulu-Natal.

In two further cases, involving incidents in the Free State, the TRC's Amnesty Committee:

- Granted amnesty to two ANC activists and a prison warder in respect of charges which arose from conflict in a tavern in Tumahole near Parys; and

- Granted amnesty to a Free State man who attacked members of a family serving on a local council but denied him amnesty for the attempted murder of their 11-year-old son.

Details of the applications follow:

1. Henry Mkheyi Khanyile

Khanyile applied for amnesty in respect of charges arising from a revenge attack on a home by ANC members on March 15, 1992. The attack occurred after the house of one Cele, an ANC member, was set alight, allegedly by members or supporters of the IFP, in the Mapumulo district of KwaZulu-Natal.

During the revenge attack, on the home of a Mr Ngcobo, a 73-year-old woman, a 38-year-old woman and a two-year-old boy were shot and killed. Khanyile was also convicted of the attempted murder of two other boys.

The Committee noted that during the amnesty hearing, Khanyile admitted shooting all those who died in the attack, but persisted in a denial - made originally during his trial - that he had entered the house.

The Committee said:

"He (Khanyile) says he fired all the shots from outside, moving from one spot to another, such as from door to window, shooting blindly. He says he never specifically aimed at any of the victims. That each of the deceased was hit more than once, was pure accident. We find this to be highly improbable. It is more likely that the applicant was in the house when he shot these people...."

The Committee also found improbable Khanyile's evidence that he met the two boys he attempted to kill after they had come out of the house.

"If indeed the applicant was firing shots from outside the house, the boys would not have left the relative safety of the house to venture outside where the shots would have been coming from.

"In maintaining that he never entered the house but merely shot blindly from outside, the applicant did not, in our view tell us the truth on this material aspect of the case. One must also bear in mind that each victim was shot more than once. In our view the applicant must have entered the house and shot his victims there, as was testified to during his trial."
"Section 20 (1) (c) of the Act requires an applicant to make a full disclosure of all relevant facts. In withholding the truth from us, the applicant has failed to make such a disclosure. There are many other respects in which the applicant contradicted himself in material respects; for example, on the question whether they actually pursued their attackers to Nqobo's kraal, or whether they subsequently launched an attack after they were told as to who the attackers of Cele's house were. He has contradicted himself so much on this aspect, that it is impossible to know where the truth lies. This indicates that the applicant chose not to be frank, and in the process has failed to make a full disclosure of all relevant facts.

"Amnesty is therefore refused."

The panel which took the decision included Judge Hassen Mall, Judge Andrew Wilson, Judge Bernard Ngoepe, Adv. Chris de Jager SC and Ms Sisi Khampepe.

2. Diteko Benjamin Cholota, William Oupanyana Thoabala and Simon Pule Moalosi

Cholota and Thoabala, members of an ANC Self-Defence Unit, applied for amnesty as a result of their convictions for the attempted murder of a Mr Plaatjie, allegedly a member of a gang which used to terrorise people, especially ANC members.

The two were among a group which visited a number of taverns one night in May 1992, intent on disarming "enemies of the ANC..."

At the same time as attacking Plaatjie, the group assaulted Simon Pule Moalosi, a prison warder also visiting the tavern. Moalosi fled the tavern and returned with his firearm, concerned about the safety of his younger brother. When he entered the tavern, he shot Plaatjie after mistaking him for Thoabala, whom he regarded as a dangerous man.

Moalosi applied for amnesty in respect of the murder of Plaatjie.

The Committee accepted that the acts of all three were associated with political objectives and granted them amnesty.

The panel which heard the applications comprised Judge Andrew Wilson, Judge Bernard Ngoepe and Adv Chris de Jager SC.

3. Nzimeni Jack Menera

Menera applied for amnesty during hearings in Bloemfontein in March and May this year.

His application concerned an attack on the home of Mr Morgan Phehlane at Majwemasweu, near Brandfort on July 14, 1991, the attempted murder of Mrs Susan Phehlane, the attempted murder of 11-year-old Patrick Phehlane and assault with the intention to inflict grievous bodily harm to Edward Phehlane, another son.

Mr and Mrs Phehlane were members of the local council who refused to resign under pressure from a Self-Defence Unit led by Menera.

The Committee said that although a local ANC office-bearer had told Mr Phehlane at the time of the attack that it was not in accordance with ANC policy, the ANC had not opposed amnesty. The Committee said:

"In fact, Mr Memani, who appeared on behalf of the Applicant on the instructions of the NC, submitted that the deeds were approved by Mrs Winnie Mandela who harboured and assisted the Applicant after the commission of the offence. This submission was based on the fact that the Applicant gave evidence that after committing the offences, he travelled to Johannesburg where he reported the happenings to Mrs Mandela, who accommodated him at the Safari Hotel and advised him to quit the country. Mrs Mandela was given notice in terms of Section 19(4) of the Promotion of National Unity and Reconciliation Act No 34 of 1995 of the above fact but did not
make any representations in this regard. The Applicant regarded her attitude as an approval on behalf of the party. He thus avers that he acted on behalf of, and with the approval of, the liberation movement in terms of the Act."

After reviewing evidence relating to three members of the Phehlane family, the Committee said:

"The Committee concludes that these acts were associated with the political objective of destroying the Phehlanes' influence in local politics. Edward was seen as the leader of the group formed to support Morgan and Susan Phehlane. This group was, according to the evidence, perceived to be collaborating with the then government structures in opposing the UDF/ANC alliance."

However, dealing with the evidence in relation to Patrick, the Committee noted that when Menera appeared at the amnesty hearing, he denied attacking the boy, contradicting his evidence during his criminal trial. He attributed the attack to another member of the SDU.

The Committee said:

"The Applicant finds himself on the horns of a dilemma: if the Committee accepts his evidence at the trial as the true version, then obviously he did not make a full disclosure of the relevant facts pertaining to his own role in the assault on the child before the Committee. He would then not be entitled to amnesty on the grounds of non-disclosure."

In the event, the Committee said that in Menera's evidence to the amnesty hearing, he denied that he committed any act which constituted an offence. Refusing him amnesty, the Committee said:

"Amnesty cannot be granted to an applicant when it is alleged that somebody else committed an offence, unless it is on the basis of common purpose. The Applicant himself excludes common purpose."

The effect of the Amnesty Committee's decision was to cut an effective jail sentence of 10 years to one of six years.

The three-person panel comprised Judge Andrew Wilson, Judge Bernard Ngoepe and Advocate Chris de Jager SC.

ends
August 19, 1997

ANOTHER STATEMENT ON AMNESTY HEARINGS IN BLOEMFONTEIN

Issued by: Truth and Reconciliation Commission

The Amnesty Committee will hear the applications of two people when it sits for a second week in Bloemfontein, from Monday September 1 until Friday September 5.

As announced earlier, at least 14 people will be heard in Bloemfontein during the previous week - from August 25 to 29.

Mphithizeli Nelson Ngo's application for amnesty is scheduled to be heard from September 1 to 3, while the application of Mohonaetse Stephen Motsamai will be heard on Thursday and Friday September 4 and 5.

Ngo (33) is a former Security Branch policeman and is applying for amnesty in relation to the murder in Bloemfontein of Mr P D Venter in February 1990. He was also convicted of robbery and the illegal possession of a firearm and ammunition in the Bloemfontein Supreme Court in 1990 and sentenced to 25 years' imprisonment.

Ngo's application was to have been heard on March 27, 1997 in Bloemfontein, but was postponed to investigate and verify documents brought to the hearing by his legal representative.

On Thursday September 4, the Amnesty Committee will start hearing the application of Mohonaetse Motsamai (43). He was a Sergeant in the Security Police and will apply for amnesty in relation to the murder of a person in Botshabelo near Bloemfontein during the 1980s, as well as two acts of arson at the house of Ms Winnie Mandela in Brandfort during the 1980s. Other incidents named in his application include attacks on houses of members of liberation movements in Botshabelo and Mangaung and the burning of a vehicle belonging to a liberation movement youth leader.

The hearings will take place at the Bloemfontein Education Centre, at 31 Deale Road, Bayswater, and start at 9 am daily.

ends
August 19, 1997

NEWS RELEASE ON AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

(The following summary of the application, and the main points of the decision and reasons therefor, is given purely to assist those journalists needing a quick initial summary of the application and is not a binding document with any legal status.)

The Amnesty Committee of the Truth and Reconciliation Commission has refused amnesty to three former South African Police constables who killed a man they picked up after an ANC meeting in KwaZulu-Natal.

William Basil Harrington and Frans Stephanus Erasmus were constables in the SAP Riot Unit in Pietermaritzburg, and N Madlala was a special constable, when they killed Mr Mbongeni Jama in the Elandskop area in February 1991.

Harrington was sentenced in February 1992 to eight years' jail, but the Appellate Division of the Supreme Court increased the sentence on appeal to 18 years. Erasmus was sentenced to six years' and had his sentence doubled on appeal. Madlala had his sentence increased from eight to 15 years'.

A five-member panel of the Amnesty Committee heard the application.

After reviewing the evidence before them, the Committee said:

"Counsel for the Applicants submitted that the killing of Jama was an act associated with a political objective as required by section 20(1)(b) of the Act. We proceed to examine this submission. It was urged on their behalf that they had been indoctrinated to treat the ANC as the enemy. Jama was a member of the ANC. He was therefore perceived to be an enemy. That may well be so, but they had on that day monitored an ANC mass meeting which had lasted for nearly two hours. During that meeting there was the usual toyi-toying, shouting of ANC slogans and the making of anti-Government speeches. Yet Applicants took no action against the organizers or speakers at the meeting. This must have been because they knew that the ANC was no longer a banned organization and it was no longer a criminal offence to be a member of that organization.

The Committee dismissed evidence that Jama was killed because his pocket book revealed that he had been involved in an attack on Inkatha members. It continued:

"So why was Jama killed? The evidence leads us to the conclusion that Jama had been beaten up so badly that Applicants would never have been able to justify it to their superior. And this was the reason for subsequently killing him. After killing him they set about destroying any evidence of their illegal conduct and agreed among themselves that the killing of Jama was to remain their secret. It was his misfortune that he fell in the clutches of the Applicants who, according to the evidence of Harrington and Erasmus, regarded it as justifiable procedure to search, detain, interrogate and perhaps assault ANC people. If satisfactory answers were obtained from their victims then he would be brought before a court in the ordinary course. When satisfactory answers were not obtained, the victims were beaten up and sometimes dropped off in an Inkatha area and left to the mercy of Inkatha supporters. Harrington even admitted that on various occasions after assaulting ANC members, he had thrown them into a river without bothering to look back to see if they could get out of the water. If firearms were found on ANC members or in their homes, they were taken away from them and sold to Inkatha supporters. In this way he had sold between 100 and 150 firearms to Inkatha and used the money to buy alcohol and meat for braais. This was never reported to his superiors because he believed that in selling these firearms to Inkatha, he was rendering a service to them. He said that this was common practice among members of the Riot Squad.

The Committee said the applicants were quite clearly a law unto themselves and were clearly not acting under the instructions of their superiors.
The murder was not an act associated with a political objective and the Committee refused amnesty.

ends
STATEMENT BY THE ACTING VICE CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION AND HEAD OF THE INVESTIGATIVE UNIT, DUMISA NTSEBEZA

Issued by: Truth and Reconciliation Commission

Mr Joe Verster, former Managing Director of the Civil Cooperation Bureau (CCB) was advised in two rulings during an in camera Section 29 Inquiry today to allow the media to take his photograph and to answer questions by the Investigative Unit on the former CCB's foreign operations and operatives.

These rulings were made in the interest of openness and transparency, and in order to enable the TRC to comply with it's statutory obligations. They follow after Mr Verster and his legal counsel refused photographs to be taken yesterday, the first day of the inquiry. However, I was not convinced that his life or career would be at risk if his photograph appears in the media. I also pointed out that the TRC has a witness protection programme, but he refused to apply for that.

In the case of foreign operations and operatives who worked under him, I gave him an undertaking that a Section 29 inquiry could not be used by foreign attorneys-general to prosecute him or anybody he names. Mr Verster is still refusing to answer questions or give evidence on foreign CCB operations. As chairperson of the inquiry, I pointed out to him the provisions of Section 39 of the Promotion of National Unity and Reconciliation Act of 1996, which provides for sentences of R2000 or two years imprisonment if a witness does not cooperate fully with the Commission or hinders the work of the TRC in any way.

Mr Verster was the first former CCB member to testify before the TRC. On Thursday, 21 August, Mr Abram "Slang" van Zyl will appear at a Section 29 inquiry in Cape Town and the following day, another former member, Mr Wouter Basson, alias Christo Brits, will appear before the Investigative Unit. Both were members of the CCB's Region 6. Mr Basson (alias Brits) is not to be confused with the Dr WouterBasson already subpoenaed to appear before the TRC in terms of alleged activities of the former SADF.

ends
August 20, 1997

STATEMENT: TRC TO LAY CHARGES AGAINST MPUMLWANA

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is to lay charges against its former Regional Head of Investigations in the Eastern Cape, Mr Loyiso Mpumlwana, arising out of allegations that he was employed by the Premier's Office of the Eastern Cape at the same time as being employed by the Commission.

The Commission will lay charges against Mr Mpumlwana for fraudulent misrepresentation. It will also bring a civil action to recover monies paid to him while he was employed by the TRC.

Mr Mpumlwana's apparent employment by the Premier's Office was brought to the attention of the Commission by that office after a recent report in the Mail and Guardian about disciplinary charges brought against him by the TRC.

The charges were brought against Mr Mpumlwana during June as a result of his inadequate performance. After a disciplinary hearing lasting three days, he was found guilty of eight of 10 charges he faced relating to his failure to perform his duties. He tendered his resignation before the TRC decided what sanction to impose on him. The TRC accepted his resignation.

ends
August 20, 1997

STATEMENT BY DR ALEX BORAIN ON WINDING UP OF COMMISSION

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission resolved today that despite predictions that amnesty hearings will not be completed, the Commission must end its work by the scheduled date of March next year. We accordingly decided that we would submit our Final Report to the President in March, as envisaged by the Act under which we operate, and that we will not ask Parliament for an extension of our life.

These decisions were taken at our monthly meeting after we gave thorough consideration to reports indicating that the Amnesty Committee will not complete its work by the time the Commission is due to close.

The latest analysis of amnesty applications reveals that 6,944 applications have been registered. Of these, about 1,700 have been dealt with so far. (Fifty amnesties have been granted after hearings and 23 in chambers; 17 have been refused after hearings and 1,648 have been refused after consideration in chambers.)

It is estimated that another 627 applications need to be considered in chambers, and another 1,635 need to be dealt with in hearings.

Since May last year, a single panel of the Amnesty Committee - which originally comprised five members - has been conducting hearings. However, recent amendments to the Act have enabled the appointment of another eight members. Two nominees have already been chosen by the TRC from within its ranks and the President is expected to appoint another six in the near future.

As a result, it should soon be possible to have up to four panels conducting amnesty hearings. Nevertheless, indications are that we will be unable to process all the amnesty applications by March.

The ultimate responsibility for deciding how uncompleted work should be handled lies with the Government. However, after consultation with Government, we have resolved to make recommendations about how to complete the work, especially that of the Amnesty Committee. We appointed a top-level committee of the Commission today, which I will chair, to put together proposals for the Government.

Broadly speaking, the Commission envisages recommending that the Act governing the work of the Commission be amended to allow remaining amnesty applications to continue to be heard by panels of the Amnesty Committee, after the Commission has closed down if necessary, and for the Committee to continue to operate until it has completed its work. A report on the completed work of the Committee would then be published as an appendix to the Final Report.

ends
STATEMENT BY DR ALEX BORAINÉ ON PHILIP POWELL'S INTENTION TO REFUSE TO GIVE EVIDENCE

Issued by: Truth and Reconciliation Commission

We regret indications by Mr Philip Powell that he intends to refuse to give evidence to the TRC.

The Commission operates according to the Promotion of National Unity and Reconciliation Act, a law whose contents are the responsibility of Parliament. The subpoena requiring him to appear has been issued in terms of the Act. Mr Powell's contemplated action would therefore represent not just an expression of his feelings about the TRC, but calculated defiance of a law passed by a democratically-elected Parliament. The law regards refusal to co-operate with the Commission in a serious light, and a failure to appear can lead to a fine or a prison sentence of up to two years, or both. The TRC does not wish to lay charges against Mr Powell, but whether this happens or not is a matter which lies in his hands.

Contrary to his allegations, the Commission is not engaged in an accusatory witchhunt against Mr Powell. We are simply using the mechanisms laid down in the Act to secure information which will enable us to fulfil our mandate, which is to establish as complete a picture as possible of the causes, nature and extent of gross human rights violations. The mechanism provided by the law is a subpoena to appear at an investigative inquiry of the Commission.

Mr Powell has some weeks before he is due to appear before the Commission - on September 29. He is entitled to legal representation at the inquiry and we hope that after consultation with his lawyers he will reconsider his position before then.

ends
September 2, 1997

**CCB RECORDS HANDED OVER TO WESTERN CAPE ATTORNEY GENL**

Issued by: Truth and Reconciliation Commission

**STATEMENT BY DUMISA NTSEBEZA, HEAD OF THE INVESTIGATIVE UNIT AND ACTING VICE-CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION**

Transcripts of records made of the Section 29 inquiries involving former members of the Civil Co-operation Bureau (CCB) will be handed to the office of the Western Cape Attorney General today with a request by the Commission that charges be laid against them.

The TRC's complaint concerns Mr Joe Verster, former Managing Director of the CCB, and two members of the bureau's Region Six, Mr Abram "Slang" van Zyl and Mr Wouter Basson aka Christo Brits. They appeared between August 18 and 22 after being subpoenaed to give evidence and/or answer questions pertaining to a wide range of issues being investigated by the TRC's Western Cape Investigative Unit.

Transcripts of the proceedings involving Mr Verster and Mr Basson will be handed to the Attorney-General's office today, and those relating to Mr van Zyl in due course.

In the letter to the Attorney-General I explained that all three of them, through their attorneys, made applications to me for me to rule that they were entitled to refuse to reply to questions legitimately put to them on the basis that the answers might incriminate them. They invoked Section 31 of the Act governing the Commission and further took the attitude that the "Attorney-General having jurisdiction" referred to in the section also means the attorneys-general of foreign jurisdictions such as Botswana and Angola.

I rejected these arguments. I found that the section was designed precisely to compel witnesses who fear that they might incriminate themselves provided certain conditions have been met, one of which is consultation with the attorney-general having jurisdiction.

I found that the Commission had met all its obligations in terms of the Act. I ruled that any refusal to answer questions despite my ruling was a contravention of Section 39 of our Act.

Messrs Verster and Basson in particular persisted in their refusal.

I am of the view that they committed an offence in terms of our Act and I am formally laying a charge.

If found guilty of a contravention of Section 39 of the Act, the three could face sentences of up to two years' imprisonment or a fine or both.

ends
STATEMENT ON AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

(The following summary is given purely to assist those journalists needing a quick initial summary of the application and is not a binding document with any legal status.)

The Amnesty Committee of the Truth and Reconciliation Commission has refused amnesty to 12 Mdantsane residents responsible for killing four alleged gang members by burning them.

The applicants are serving terms of imprisonment ranging from 10 to 23 years after being convicted of murdering four alleged members of the "Killer Boys" gang, and attempting to murder a fifth person, in Mdantsane in February 1987.

The applicants were: Bonakele Horatius Jwambi, 48; Luyanda Kana, 34; Mzwabantu Patrick Katsikatsi, 33; Mseki Mbusi, 38; Bangikhaya Petros, 27; Xolile Edgar Nkukwana, 30; Mandlenkosi Jabavu, 35; Mbuyiselo Klaas, 29; Raymond Monwabisi Kana, 39; Mabongo Jamela, 33; Thando Kana, 31; and Soyiso Zuzani, 30.

They murdered Mr Folie Bushula, Mr Mpumelelo Mbinqo, Mr Mkhuseli Yellem and Mr Archie Booi Swartland. They were sentenced in the Bisho Supreme Court on June 6, 1989.

The Amnesty Committee panel which heard the application - during sittings in July and November last year - comprised Judge Andrew Wilson, Judge Bernard Ngoepe, Adv. Chris de Jager SC and Ms Sisi Khampepe.

After reviewing the evidence of the applicants, the Committee made its findings as follows:

"FINDINGS

"It will be seen that all the applicants, when explaining in their applications their justification for regarding the murders as acts associated with a political objective, stated that the 'Killer Boys' were terrorising the residents by stabbing them with knives and pangas, hacking them with axes, raping the womenfolk and generally destabilising the community. Although the applicants alluded to the fact that the 'Killer Boys' were perceived to be collaborating with the police, they were unable to provide any reasonable grounds on which their perceptions were based. They also stated that they did not intend that anyone should die. When asked if the acts were committed in the execution of an order of, or on behalf of, or with the approval of the liberation movement they said yes and when asked to give particulars of the order or approval they replied:

"'Body - community at large came to an agreement after many cases were reported to police several times without response. This brought anger to the victims of families who were terrorised and raped by the gangsters know as the 'Killer Boys'.'

"In the affidavits made by them they all stated they were members of the street committee of the Mdantsane Residents' Association which became an affiliate of the United Democratic Front, the internal wing of the African National Congress. Although in their affidavits they stated there was no direct order from the African National Congress that the deceased must be killed and that the decision was taken by the residents of NU1 and the street committee, none of the applicants who gave evidence spoke of any such decision by the street committee. On the contrary, they said the decision was to get hold of members of the gang, to beat them and then to hand them over to the police.

"Their version was that the street committee decided the members of the 'Killer Boys' should be fetched from their homes, taken to House No. 1106 and then to the scrap yard where they would be beaten before being handed over to the police. It was only after members of the public, in large numbers, joined them and after a fire had been lit to
provide light that a demand was made that the 'Killer Boys' should be burnt. It appears from the evidence that this was because members of the community felt that the stabbing of Mkhuseli Jwambi (a member of the Youth Brigade of the Street Committee) at the shebeen was the last straw.

"Only two of the applicants admitted taking part in the killing of the deceased. These were the Second and Eleventh Applicants (L Kana and M Kana). The Second Applicant said he decided to abide the decision of the people and burn the deceased - the people's anger was beyond control. The Eleventh Applicant said the people started shouting that the deceased should be burnt and after Jamela pulled Bushula from the fire he assisted in putting Mbinqo on the fire. The reason why they were burnt was that members of the committee with the residents of the section were fed up with them and the deeds they were committing - the evil criminal deed they had committed. He later made it clear that it was the community members who said they should kill them. The anger of the crowd was beyond control.

"Some of the applicants, such as the First, Sixth and Tenth Applicants (Jwambi, Nkukwana and Jamela) said they tried to prevent the burning. Others of the Applicants admitted having been present but denied or made no admission of any participation in the killings. These included the Fourth, the Fifth, the Ninth and Twelfth Applicants (Mbusi, Petros, M Kana and Zuzani). The remaining applicants denied having been present during burnings; they had either gone home or arrived after them. These consisted of the Third, Seventh and the Eighth Applicants (Katsikatsi, Jakavu and Klaas).

"For the applicants to succeed in their application they must satisfy us that the act, that is the burning of the deceased, is an act associated with a political objective (Section 20(1)(b) and was an act committed by a person falling within the definition of Section 20(2)(a), (d) or (f) and in deciding whether this is so we have had regard to the criteria in Section 20(3).

"On the evidence before us we do not accept that the killing of the deceased, in the circumstances existing, were acts associated with a political objective or were committed on behalf of any liberation movement within the course and scope of any express or implied authority. Nor do we believe that the applicants believed, on reasonable grounds, that they were acting within such authority. The acts did not occur in the course of a political disturbance, the object of the killings was to take revenge against the members of the gang and they were committed out of enmity against them. This is confirmed by the method used to kill these gang members.

"In these circumstances the applicants are not entitled to amnesty in terms of the Act. The Amnesty Applications of the twelve Applicants are accordingly refused."
STATEMENT ON HIGH-PROFILE KILLINGS

Issued by: Truth and Reconciliation Commission

Details of the killings and torture of high-profile anti-apartheid activists in the Eastern Cape, as well as of security police methods and structures, are expected to emerge during a five-week sitting of the Amnesty Committee of the Truth and Reconciliation Commission which begins in Port Elizabeth next week.

Next week the Committee will hear the applications of five former South African Police members relating to the death of Mr Steven Bantu Biko in 1977 and the treatment in detention of Mr Peter Jones, who was arrested with him.

However, the week will begin with an application arising out of the treatment of Mr Mkuseli Jack in detention. On Monday and Tuesday, September 8 and 9, the Committee will hear the application of Gideon Johannes Nieuwoudt, a former member of the SAP's Security Branch in Port Elizabeth.

Mr Nieuwoudt has applied for amnesty for ten deaths and two assaults in total. The first application to be heard relates to the assault on Mr Jack, when he was detained in Port Elizabeth for, among others, his activities as president of the PE Youth Congress (Peyco) during 1985.

Five former Security Police members, including Mr Nieuwoudt, will appear from Wednesday September 10, to ask for amnesty in relation to assaults on and the death of Mr Biko in 1977. The other four applicants are: Mr Harold Snyman, Mr Daniel Petrus Siebert, Mr Jacobus Johannes Oosthuizen Beneke and Mr Rubin Marx.

Nieuwoudt has also applied for amnesty in relation to an assault on Mr Jones, who was arrested with Mr Biko near Grahamstown in August 1977 and then detained in Port Elizabeth. Mr Biko died on September 12, 1977 when he was transported to the Pretoria Central Prison.

Messrs Nieuwoudt and Snyman will appear again before the Amnesty panel during the week starting Monday September 15. This time they will be joined by six other former security policemen, who have all applied for amnesty in relation to the death of the three Eastern Cape activists known as the PEBCO (Port Elizabeth Black Civic Organisation) Three. The activists, who were killed in May 1985, were Mr Sipho Hashe, Mr Champion Galela and Mr Quqawuli Godolozi.

The other six former security policemen asking for amnesty in relation to their deaths and abduction are: Mr Gerhardus Johannes Lotz, Mr Kimpani Peter Mogoai, Mr Johan Martin van Zyl, Mr Gerhardus Cornelius Beeslar, Mr Hermanus Barend du Plessis and Mr Johannes Koole.

ends
STATEMENT ON BUSINESS ROLE SUBMISSIONS

Issued by: Truth and Reconciliation Commission

STATEMENT BY DR ALEX BORAINE, ACTING CHAIRPERSON, TRUTH AND RECONCILIATION COMMISSION The Truth and Reconciliation Commission is issuing a public appeal for submissions to help us in our preparations for a hearing on the role of business in South Africa between the years of 1960 and 1994.

The deadline for submissions is October 10 this year. The hearing will take place in the Carlton Hotel, Johannesburg, from November 11 to 13.

Since announcing the hearing in July, the Commission has approached major employer associations, union federations and a few major corporations as well as former anti-apartheid groupings. We are currently meeting representatives of about 30 groups. Some individuals have also been asked to provide expert evidence.

We have received enough positive responses so far to indicate that we can expect widespread co-operation for the hearing.

In our meetings we have been explaining that the mandate of the TRC is to try to arrive at as complete an understanding as possible of the political conflict which occurred in South Africa between March 1960 and May 1994. The business hearing will focus on the roles of business and labour as crucial sectors.

At this stage we envisage the hearing concentrating on three broad themes which could help to illuminate the causes and circumstances of the conflict:

The relationship between apartheid and the economy. This covers issues such as whether business was an innocent bystander or active participant in apartheid. Did business benefit or lose from apartheid? What positions were taken by business organisations on political and social issues? How did this position change over the period under review and why? What powers and influence did business enjoy in the broader political and economic system?

Business, government and the trade unions. This theme incorporates the attitude of business towards trade unions and unions towards business. Again, we are looking for the process of change in the employer/union relationship from non-recognition of unions to broader acceptance and encouraging active participation. The role of white workers and their unions is also important to this debate. Finally, what was the attitude of management and union leadership to strikes and human rights?

Total onslaught, total strategy and reform. We hope to capture a sense of the participation of business in South Africa's defence industry, security apparatus, and homeland system, as well as of its response to the sanctions campaign, and how this impacted on the political conflict.

The hearing is not a witchhunt. It is not the forum for details of individual human rights abuses -- these have been aired at other hearings. It is an attempt to understand past conflicts, to prevent a recurrence of human rights violations, to contribute towards the documentation of South Africa's history and to look ahead. The more concrete the evidence about apartheid institutions and structures, the more constructive will be the outcome.

Once submissions have been received, the Commission will draw up a programme indicating who should give evidence at the public hearing and on what. The October 10 deadline for submissions will also enable the Commission to give advance notice to any organisation or person named to their detriment.

Inquiries should be directed to Dr Fazel Randera, the Commissioner overseeing preparations for the hearing, Dr Russell Ally, a member of the TRC's Human Rights Violations Committee, both at 011-333-6330, or TRC staffer
Simon Segal at 011-615-3765.

ends
September 5, 1997

STATEMENT READ IN THE CAPE HIGH COURT ON THE LEGAL ACTION TAKEN BY THE NATIONAL PARTY

Issued by: Truth and Reconciliation Commission

The following is the full text of a statement read in the Cape High Court today by counsel for the TRC, Adv. Jeremy Gauntlett SC, at the beginning of the hearing of an application brought against the TRC by the National Party.

The legal proceedings between the National Party and the TRC in the Cape High Court follow a press conference on 15 May, 1997, which gave rise to widespread media reports. In its application to court, the NP has contended that the TRC acted unfairly by publicly criticising oral submission made by the NP on the previous day, thereby (it contends) creating an impression of bias.

Earlier discussions between the parties have not resolved the matter. Only a few months are now left for the TRC to complete the task which Parliament has given it. That process is being seriously prejudiced by litigation which, if it gives rise to an appeal, may take up to a year to end.

Speaking last night from New York, where he is still convalescing, the TRC's chairperson, Archbishop Desmond Tutu, says that he would not wish anything said at the press conference on 15 May 1997 to stand in the way of national unity and reconciliation. What was said was spoken from the heart, and because he and Dr Boraine believe passionately in a reconciliation which binds all through truths that are shared. He himself did not mean to cause offence or mistrust. He is sorry that by his words the NP should feel unfairly treated.

The acting chairperson of the TRC, Dr Alex Boraine, identifies himself fully with these sentiments. He reiterates that the TRC has not prejudged any issue relating to the NP. No finding on any submission or issues raised by it has yet been made by the TRC.

The process leading to the publication of the Commission's final report has already begun. This involves the entire Commission, including its professional staff, and all 17 Commissioners. While the report is being prepared, Dr Boraine indicates, it is not the TRC's intention to comment publicly on the substance of any of the submissions.

The TRC expresses the hope that once the leadership succession in the NP is resolved, the NP will revisit the question of a resumption of co-operation with the TRC, in sufficient time for its position to be fully taken into account.

The Archbishop and Dr Boraine believe that this is a unique opportunity for a fresh start in South Africa. The issue of reconciliation and unity through truth is central to our new constitutional and political order. This national endeavour cannot be allowed to be weakened or delayed by friction and mistrust. Least of all does conflict of this kind belong in a court.

It is for these reasons that the TRC seeks even now to reach out to the NP, to serve a cause greater than either body.

The TRC has no reason to doubt that the NP shares that view, and will respond in the same spirit and in the light of this declaration.

ends
September 5, 1997

NEWS RELEASE ON AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

(The following summary is given purely to assist those journalists needing a quick initial summary of the application and is not a binding document with any legal status.)

The Amnesty Committee of the Truth and Reconciliation has denied amnesty to an Afrikaner Weerstandsbeweging (AWB) and Orde Boerevolk (OB) leader who led an attack on a bus in which seven passengers died near Durban in October 1990.

The Committee granted amnesty to two other AWB and OB followers who took part in the attack. However, in the first minority opinion handed down in TRC proceedings, one member of the Committee dissented from the majority opinion and said all three applicants should be refused amnesty.

The applicants were David Petrus Botha, 51, formerly the Richards Bay commandant of the AWB and a cell leader of the Orde Boerevolk, Adriaan Smuts, 43, and Eugene Marais, 33. They were sentenced to death in December 1992 for an attack on a bus near kwaMashu. They subsequently had their sentences commuted. Botha is serving a 30-year jail sentence, and Smuts and Marais have been serving 25-year sentences.

They attacked the bus on October 9, 1990, avenging an attack upon pedestrians on the Durban beachfront earlier in the day by youths wearing Pan Africanist Congress T-shirts. The three were convicted on seven counts of murder and 27 counts of attempted murder.

The decision of the Committee was signed by Judge Hassen Mall, the Chairperson, Judge Andrew Wilson, the Deputy Chairperson, Judge Bernard Ngoepe and Adv. Chris de Jager SC. The minority opinion was signed by Ms Sisi Khampepe.

Ms Khampepe said in the minority opinion that she did not agree that Smuts and Marais had simply executed orders. "In my view they did far more than that. They participated in the selection of... targets..." She also said the selection of the bus as a target was disproportionate and there had been no reasonable basis for its selection.

Extracts from the full text follow:

FROM THE MAJORITY DECISION:

"The actions of the perpetrators undoubtedly arose from and were associated with their political objectives, namely to oppose the political reform for which the liberation movements were fighting and with which the National Party Government, to a greater or lesser degree, identified itself, and to send a message to the liberation movements that if they murdered innocent white civilians, innocent blacks would suffer the same fate. This message would in the nature of things have an effect on the National Party government because it was responsible for ensuring the safety of all South Africa's inhabitants and for avoiding a racial conflict...."

"In this case political retaliation was not personal revenge, and the actions were accompanied by a political objective, namely the dissemination of a political message that if a liberation movement such as the PAC attacked white civilians then the same would happen to black civilians....."
"People will, of course, differ vehemently from the policy and speeches of the organisations of which the applicants were members. This does not however alter the fact that those organisations were publicly-known organisations engaged in a political struggle with the government and other political organisations. This brings the applicants within the provisions of Section 20(2)(a) of Act 34 of 1995. The act which they committed is an act which was 'associated with' a political objective. The question is whether they meet the criteria laid down in Section 20(3) of the Act. This sub-section lays down criteria or norms and not prerequisites.....

"The incident arises from the conflicts of the past and relates directly to the struggle of the liberation movements for greater and more equitable political representation and the resistance to this from among others the AWB and the Orde Boerevolk. Both of these organisations were publicly-known political organisations which were in vigorous opposition to the intended political reforms of the time and all three applicants were members of these organisations. Both organisations fought tooth-and-nail against the State's reform process as well as the objectives of the liberation movements....

"The evidence was further that the applicants believed that the attack on whites by youths with PAC shirts and emblems was the beginning of an open conflict, as experienced elsewhere in Africa. The acts were committed in the period during which slogans such as 'One settler, one bullet' and 'Killer a farmer, kill a boer' were often heard in speeches and songs of the liberation movements. Militant speeches by leaders of the organisations of which the applicants were members were also the order of the day....

"The legal and factual nature of the acts was particularly serious. Innocent bus passengers lost their lives or were seriously injured. During the period it was indeed shocking, but not foreign to the South African political scene. Many innocent civilians also died in bomb or limpet mine attacks, and attacks took place at sport events, churches and funerals. The incident at the beach the same morning was indicative of the political milieu. Although it was reprehensible -- as is any loss of human life -- it reflected the factual situation which prevailed at a stage in the conflict of the past and with which account has to be taken. Indemnity was granted in cases which were just as gruesome as the present one and where innocent women and children were also the victims and even where the recommending committee found, in terms of proportionality, that the means used was remote from the political objective being striven for.

"From the evidence it also came clearly to the fore that the conflict among certain sections of the community was to a great degree a racial conflict -- a struggle against racial discrimination and a struggle in favour of what was called racial differentiation. This is one of the truisms of the past which is often avoided or denied but which has to be faced squarely. The political settlement which was reached prevented the conflict from growing into a full scale racial war.....

"On the evidence before the Committee, it cannot be found that Botha acted in this specific incident on the instructions of his organisation. Smuts and Marais, however, did act as a result of the order of their superior and they were entitled to accept that he, as commander, would have cleared the action with his leaders. They therefore contend that they acted on behalf of or with the approval of their organisation in a political struggle and a war situation which they believed existed. The actions must be seen in the context of the prevailing political struggle of the time, which was characterised by attacks back and forth by the protagonists and by incidents during which civilians were killed, whether in attacks by security forces or liberation movements. The weapons and ammunition which Smuts and Marais had in their possession at this time were, according to their evidence, obtained and stored to be used in the political war which they foresaw.

"As a result amnesty is granted to Smuts and Marais in respect of all the offences of which they were convicted. Amnesty is refused to Botha, except that amnesty is granted for the unlawful possession of a firearm and ammunition secured for same purposes as in the cases of Smuts and Marais."

FROM THE MINORITY OPINION:

"I do not agree that the Second and Third applicants simply executed orders from the First applicant, their cell commander in the Orde Boerevolk. In my view they did far more than that. They participated in the selection of both targets, namely the minibus taxi (whose attack was aborted for reasons which are unclear and are not
relevant in this decision) as well as the bus which was fired at by the applicants as a result of which 7 people died and 27 others suffered serious injuries resulting in many of them being permanently disabled and disfigured......

"The fact that the First applicant gave the order to fire at the bus is neither here nor there, as the whole purpose of selecting the target was in any event to launch an attack. The pertinent point for consideration in my view is whether the applicants, by selecting their target, bona fide believed that the selected target would assist them in the furtherance of a political struggle waged by their organisation against their known opponents.

"Having regard to these objectives [of the Orde Boerevolk] and the objective which the applicants alluded to in their testimony (which was to deter the PAC from killing an Afrikaner person) the selection of the target by the Second and the Third applicant in order to achieve these objectives was completely disproportionate. What if the occupants attacked were the opponents of the PAC?

"It is common cause that in Durban black people were members or supporters of several political organisations or liberation movements, namely the ANC, SACP, PAC and the IFP. It is trite that this region was already engulfed in serious conflict between predominantly black political organisations resulting in tragic bloodshed by constant fighting between these organisations for political turf.

"From the above it is clear that the applicants selected their target indiscriminately. They should have known that there was a reasonable possibility that the persons inside the bus could be members or supporters of different predominantly black organisations including those opposed to the PAC. The Second and Third applicants' positions differ from a person who has been given an order to execute.... They were aware of the objectives of their organisations and therefore knew which organisations or political parties had been identified by their own organisations as their political opponents. Therefore the selected target could not reasonably have achieved the objective pursued by the applicants.

"...[T]he Second and Third applicants have not complied with Section 20(1) of the Act and their application for amnesty is refused."

ends
September 9, 1997

STATEMENT ON MEETING WITH BARONESS NICHOLSON

Issued by: Truth and Reconciliation Commission

STATEMENT BY MR DUMISA NTSEBEZA, ACTING VICE- CHAIRPERSON AND HEAD OF THE INVESTIGATIVE UNIT OF THE TRUTH AND RECONCILIATION COMMISSION

Senior members of the Investigative Unit of the Commission held a two-hour meeting today with Baroness Nicholson. We were joined by Dr Alex Boraine for the beginning of the meeting.

During the meeting, Baroness Nicholson handed to us various affidavits from Katiza Cebekhulu, as well as the book that was published today. These will be given to TRC investigators for further examination. We do not intend to prejudice ongoing investigations into the activities of the "Football Club" by discussing details in public before they probe has been completed.

We also discussed the timing and logistics of Katiza Cebekhulu's amnesty application. He is one of about 1,600 applicants waiting for a hearing, but Baroness Nicholson has urged us to speed up the scheduling of a date for the hearing. We have also discussed the issue of whether the hearing ought to happen within or outside South Africa. The Commission will give these issues its attention and no decisions have been made yet.

ends
September 10, 1997

STATEMENT BY DR ALEX BORAINE CONCERNING KATIZA CEBEKHULU

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is to approach the relevant Attorney-General to establish whether Mr Katiza Cebekhulu can return to South Africa for his amnesty hearing without facing arrest.

This step is being taken by the Commission as part of its efforts to ensure that the allegations surrounding the activities of the so-called Mandela United Football Club are investigated as soon as possible. We are acutely aware of the enormous amount of speculation around these allegations and want to proceed with a minimum of delay to resolve the whole matter.

The Commission's interest in the activities of the Football Club dates back to June last year, soon after our hearings began, when the parents of missing youths appeared at a TRC human rights violations hearing in Soweto to ask us to investigate the disappearances.

The Commission is handling the matter through two separate processes laid down in the act governing our operations, and a third process is possible:

1. Mr Cebekhulu has applied for amnesty and will thus appear at a public hearing to argue his case. Others involved in the Football Club have either applied for amnesty or can still apply -- until the deadline for amnesty applications of September 30. If Mrs Madikizela-Mandela, or anyone else, is implicated in amnesty applications, they will be notified in advance and can appear in public at the hearings to respond to allegations made against them. In the case of Mr Cebekhulu's application, Baroness Nicholson has asked for the hearing to be expedited. We have also had discussions with her on where the hearing will take place, but we have not yet resolved this issue.

2. Quite separately from the amnesty hearing, Mrs Madikizela-Mandela has been subpoenaed to appear at an investigative inquiry of the Commission on September 25 and 26. By law, such an inquiry is closed. No one other than the person being questioned and his or her legal representatives is permitted to attend. The law allows us no discretion whatsoever to open such an inquiry to others. The reason it is not open to the public is the same reason the police do not allow the media or the public to attend their interviews of witnesses -- it could prejudice ongoing investigations. The TRC also has another reason for having to hold a closed inquiry -- should, for example, the person being questioned implicate, during questioning, other people whose names we have had no advance notice of, such people are legally entitled to advance notice before they are publicly identified. This obligation was forced on the Commission by a judgment of the Appeal Court last year. However, the evidence gathered during the investigative inquiry can be released afterwards; it can also be introduced in an amnesty or other public hearing.

3. A third possible process which the Commission can follow is to hold a hearing of the Human Rights Violations Committee once it has gathered all the evidence it needs, including the evidence gained in the questioning of Mrs Madikizela-Mandela at the investigative inquiry. This would enable us to hold a public hearings involving a range of witnesses -- unlike the investigative inquiry. The Commission will give consideration to such a hearing, but would need to examine whether the same purpose would not be served by amnesty hearings.

Whatever course the Commission decides to follow, Mrs Madikizela-Mandela will get the chance to state her position publicly in front of a hearing of the TRC.

Finally, the Commission needs to stress that its primary concern in this whole process is the rights of victims of gross violations of human rights - - their right to be treated with sensitivity and care, and their right to the truth. And our work is aimed at uncovering the truth, not engaging in witchhunts or prosecutions.
ends
September 11, 1997

TRC ADVISORY - HEARINGS IN PORT ELIZABETH

Issued by: Truth and Reconciliation Commission

The amnesty hearings taking place in Port Elizabeth have been adjourned until Monday September 22. The hearings will resume with the applications of policemen in relation to the deaths of Siphiwe Mtimkulu and Topsy Madaka.

The hearings arising from the death of Steve Biko will resume in November.

The changes to the hearings schedule have been dictated largely by the availability of lawyers for the hearings.

ends
September 11, 1997

STATEMENT BY ALEX BORaine CONCERNING WARRANT FOR KATIZA CEBEKHULU

Issued by: Truth and Reconciliation Commission

The Attorney General in Johannesburg, Mr Andre de Vries has informed the TRC that he has asked the police not to execute the warrant that has been issued for the arrest of Mr Katiza Cebekhulu.

Mr de Vries has taken this decision to enable Mr Cebekhulu to return to South Africa for his amnesty hearing. He has stated that he does not wish the warrant of arrest to be a stumbling block in the way of a hearing.

ends
September 16, 1997

ADVISORY TO THE MEDIA ON AMNESTY HEARINGS IN PORT ELIZABETH

Issued by: Truth and Reconciliation Commission

The Amnesty Committee's schedule for hearings in Port Elizabeth over the next month have changed after problems with availability of legal representatives have been taken into account.

The Committee will hear the amnesty applications of four former policemen in relation to the death of Siphiwo Mthimkulu and Mbuyizelo "Topsy" Madaka in 1982 next week from 22 September till Friday 26 September.

From 29 September till 3 October, the applications of eight people regarding the 1989 murder of the Motherwell Four will be heard.

During the following week, from Monday, October 6, the committee will again sit in Port Elizabeth for the four applications in relation to Sizwe Kondile.

The amnesty applications on the death of the Pebco 3 will now be heard over two weeks from November 3 till 14, also in Port Elizabeth, while the applications of 5 former policeman in relation to the death of Steven Bantu Biko is provisionally scheduled to continue from December 8.

The hearings in terms of the death of the Cradock 4, including Matthew Goniwe have been postponed till next year.

ends
September 18, 1997

FURTHER ADVISORY TO THE MEDIA ON AMNESTY HEARINGS IN PORT ELIZABETH

Issued by: Truth and Reconciliation Commission

Details of the disappearance and deaths of two Eastern Cape activists, Mr Topsy Madaka and Mr Siphiwo Mthimkulu, will emerge at a four-day session of the Amnesty Committee next week to hear the applications of four former security policemen.

The hearing starts on Monday, 22 September. Family members of both the deceased made statements before the Commission’s Human Rights Violation panel in Port Elizabeth in June last year. Mr Mbuyizelo Madaka, brother of Topsy, and Mr Mthimkulu's parents urged the Commission to find out what happened to them after their disappearance. It was only when the contents of two of the policemen's applications were revealed in January this year that they learned how the two were allegedly abducted, killed and their bodies burned during 1981. Their remains are said to have been thrown into the Fish River.

In her statement to the TRC, Mrs Mthimkulu said she believed her son was poisoned, while held in detention for several months during 1981.

The four applicants are: Messrs Gideon Nieuwoudt, who commanded the operation, Nickolas Janse van Rensburg, who allegedly authorised it, as well as Gerrit Erasmus and Herman du Plessis.

Van Rensburg and Nieuwoudt also applied for amnesty, along with six other former policemen, in relation to the death of the Motherwell Four, which will be heard by the Amnesty Committee during the following week, starting on September 29.

Mr Nieuwoudt applied for amnesty in relation to altogether ten deaths in the Eastern Cape, including that of Steven Bantu Biko and the Pebco Three.

The Amnesty panel for the two weeks will consist of: Judge Andrew Wilson, Ms Sisi Khampepe and Adv Chris de Jager.

ends
September 18, 1997

DECISIONS BY THE AMNESTY COMMITTEE

Issued by: Truth and Reconciliation Commission

Five people have been granted amnesty by the TRC's Amnesty Committee, including the first woman to receive amnesty.

All five matters were decided upon in chambers as they dont involve gross human rights violations as defined in the law governing the Commission.

Ms Felicity Barbara "Muff" Andersson (42), a former journalist, Umkhonto we Sizwe (MK) regional commander in Zimbabwe, and later spokesperson for the Defence Ministry, was granted amnesty in respect of the "storage and distribution of weaponry to ANC an MK structures" in several parts of the country "used for purposes of self-defence in communities which were under attack by the state and its surrogates". Ms Andersson said she was involved in this between 1991 and 27 April 1994. She states in her application that all the operations were carried out in accordance with the aims and objectives of the ANC, and committed under the orders of her commanders and the approval of the organisation.

Mr Bafana Mpanza (25) was granted amnesty for the possession of an R4 rifle and ammunition, and an attack on a South African Defence Force patrol in Thokoza during or about 1993. He said in his application he was a member of the self-defence unit in the community, called Phenduka Sdu, as well as the ANC, at the time. He was on patrol and the SADF members spotted and shot at him. He was injured in the incident.

Mr Terence Mashia Radebe (25) was granted amnesty for attacks on properties in two different streets in Thokoza during 1993. The attacks were carried out on houses where IFP members lived. Nobody was injured. He was also a member of the ANC-aligned self-defence unit in Thokoza. In his application he stated that he was part of the group which decided to attack the houses.

Mr Alec Chief Tshabalala (53) of Vereeniging, a former MK camp commissar and regional commissar, was granted amnesty for supplying an AK47 rifle and ammunition to ANC structures in Sharpeville during or about 1993. He does not know whether it led to any loss of life. According to his application he was asked by the chairperson of his branch to motivate for and provide the rifle.

Christopher Fieties (28) of Ceres was granted amnesty in respect of public violence in the town on June 16, 1993. He was part of a Soweto Day march that he says was shot at by police with teargas and buckshot. The marches threw stones at the police. Fieties, who said in his application he was a member of the ANC at the time, was found guilty of public violence and jailed for four years in February 1994.

ends
September 18, 1997

STATEMENT BY ARCHBISHOP DESMOND TUTU CONCERNING EXTENDING THE LIFE OF THE TRC

Issued by: Truth and Reconciliation Commission

After consultations with the Government, the Commission has agreed that four months should be added to our life in order to complete our work properly. We now intend to deliver our final report to the Government at the end of July next year instead of in the middle of March.

The purpose of the extension is two-fold:

1. To ensure that the victims and survivors of gross human rights violations who have approached the Commission have their cases finalised. About 14,000 have made statements so far and more are expected to do so.

2. To have the amnesty process completed during the life of the full Commission and to include a full report on the work of the Amnesty Committee in the final report of the Commission.

The TRC approved this course of action at its monthly meeting today after discussions with the Government. At the last TRC monthly meeting, the Commission resolved that we should close down on schedule next March, but that the Amnesty Committee should continue to operate until all amnesty applications had been dealt with.

However, a number of difficulties have emerged in our discussions with Government and during our own deliberations:

- The initial decision assumed that if the TRC did not have time to make victim findings in respect of some of those who have made statements (these findings enable people to gain access to reparations), the Commission would have to make recommendations to the Government on how to complete the work;

- Upon my return from New York, I raised deep concern at the prospects of controversial, potentially divisive amnesty applications being heard after the full Commission had been disbanded.

The Commission believes it would be highly undesirable to tell people who may qualify to be declared victims that we have not had time to make findings on all their statements, while amnesty applicants have a legally-enforceable right to have their applications disposed of and will thus be heard.

The amnesty process is only one part of a much wider national project of healing and reconciliation, and it needs to operate as an integral part of the total mission of the TRC. To have the amnesty hearings continue simply as a legal mechanism, without any reference to the wider objectives of the TRC could subvert what we have achieved so far.

In addition, completing the amnesty process will enable us to deliver a comprehensive report to the President next year, instead of delivering a "final report" report in March and supplementing it with an additional amnesty report later.

Parliament will be asked to amend the law which governs our operations. It is proposed that the amendment should not allow us to take on any new work after December 14, the original closing date for most of our operations.

However, the amendment would allow our committees to complete outstanding work by April 30 next year, except for the Amnesty Committee, which would have until June 30 to complete hearings. Commissioners other than those on the Amnesty Committee would complete the writing of the final report between May and July.
ends
PRESS RELEASE CONCERNING SETTLEMENT OF LEGAL PROCEEDINGS WITH NP

The following news release reflects the terms of a settlement of the legal proceedings between the TRC and the NP. It was agreed upon by Archbishop Desmond Tutu and Mr Marthinus van Schalkwyk today.

PRESS RELEASE

1. The parties are pleased to announce that the legal proceedings between the NP and the TRC in the Cape High Court have been resolved.

2. The intervention by the Chairperson of the TRC, Archbishop Desmond Tutu, on 4 September 1997, which resulted in a personal apology from him for publicly criticizing the evidence presented on behalf of the NP by Mr F W de Klerk on 14 May 1997; and the willingness of the NP and Opposition leader, Mr Marthinus van Schalkwyk, to reach a settlement in the interests of reconciliation, resulted in the following agreement:

2.1 The TRC Deputy Chairperson, Dr Alex Boraine, associates himself fully with the sentiments of Dr Tutu referred to above, and expresses the same sentiments as Dr Tutu in relation to his own public criticism of the evidence presented on behalf of the NP by Mr F W de Klerk on 14 May 1997;

2.2 For this Dr Boraine personally apologises to Mr de Klerk and the NP.

2.3 The TRC acknowledges, and is deeply concerned at the perception, that such public criticism and conduct reflected negatively on its objectivity and impartiality.

2.4 The TRC acknowledges the obligation imposed upon it by the Promotion of National Unity and Reconciliation Act to function without political or other bias and undertakes to refrain from conduct which would contravene the ACT.

2.5 The detail of future co-operation between the NP and the TRC will be discussed by Archbishop Tutu and Mr Van Schalkwyk at a later occasion.

2.6 The NP shall, in view of the above mentioned apologies and undertakings, withdraw its application. It is agreed that the parties will bear their own legal costs.

ends
PRESS RELEASE CONCERNING APPEARANCE OF MRS MADIKIZELA-MANDELA

The Commission today informed lawyers for Mrs Winnie Madikizela-Mandela that if they wish to apply for a postponement of the investigative inquiry involving their client, they must appear before the Commission in public this week to argue their case.

The Commission has further advised Mrs Madikizela-Mandela's lawyers that, as a result of them disputing the terms of a verbal agreement reached last week, the Commission will schedule the inquiry for Friday September 26 and Saturday September 27, as is set out in the subpoena served upon her.

The Commissioners presiding at the inquiry will thus convene at 9 am on Friday September 26 at its offices in Johannesburg. Should lawyers wish to argue for a postponement, the Commissioners will first hold a public hearing to hear the arguments. The media would be permitted to cover such a session.

The Commissioners will make a decision on any application for a postponement on the merits and after hearing argument. Should a postponement be refused, the inquiry will be convened and proceed immediately. The Commission accordingly expects Mrs Madikizela-Mandela to attend on Friday September 26 and Saturday September 27.

As outlined in an extensive TRC statement last week, the inquiry involves only Mrs Madikizela-Mandela being questioned by Commissioners and staff. It is not a hearing involving other witnesses. In terms of the provisions of the law governing TRC investigations, it will be held in camera.

Once the Commission's investigations are complete, we have the power to convene a public hearing under the auspices of the Human Rights Violations Committee of the TRC. At such a hearing, such witnesses as may be decided upon by the Commission may be subpoenaed to appear. In terms of the law governing our activities, as interpreted by the Appellate Division of the High Court, any public hearing would need to be preceded by us giving advance notice to anyone who will be named to their detriment of the allegations to be made against them.

Whether or not we decide to hold a public hearing of the HRV Committee, the Commission will hold amnesty hearings in relation to the activities of members of the so-called Mandela United Football Club who have applied for amnesty for offences defined in the law as gross violations of human rights. In terms of the law, such acts are those involving killing, torture or abductions. Anyone named to their detriment in amnesty applications must also be given advance notice in terms of the section of the law dealing with the amnesty process.

It should be clear from the above that Mrs Madikizela-Mandela will have the opportunity of appearing publicly before the Commission once our investigations have been completed, whether at an amnesty hearing, an HRV hearing or both.

The background to our announcement about Friday and Saturday follows:

A draft subpoena for Mrs Madikizela-Mandela was drawn up which gave notice of an inquiry on Thursday September 25 and Friday September 26. While the terms of the subpoena were being finalised, the dates were changed to September 26 and 27.

On Sunday September 15, Dumisa Ntsebeza and a senior member of the TRC staff met with Mrs Madikizela-Mandela's lawyers and with Mr Matthews Phosa, head of the ANC's legal department, at the request of Mr Phosa. It was agreed at this meeting that the dates -- a Friday and a Saturday -- were obviously mistaken but that the investigation would take place on Thursday and Friday.

The lawyers yesterday contested that they undertook to have their client present on Thursday September 25.
However, they said they would be present themselves and might possibly apply for a postponement.

To avoid any possible doubt about the position, we informed the lawyers today that the inquiry will proceed as provided for in the subpoena, namely on September 26 and 27. In addition we have said that if their client wishes to argue for a postponement, argument on such an application will be heard in public.

ends
September 23, 1997

ALEX BORAIN TO ADDRESS INTERNATIONAL CONFERENCE AT YALE

Issued by: Truth and Reconciliation Commission

Dr Alex Boraine, the Vice-Chairperson of the TRC, will address an international conference on the rule of law at Yale University in the United States at the weekend.

Dr Boraine last week spoke at a conference in Italy dealing with the theme, "Reining in impunity for international crimes and serious violations of fundamental human rights." He then travelled to Geneva for meetings with human rights agencies and the Swiss Government.

On Saturday, he will speak at a conference entitled "Yale in a wider world: The international role and the Rule of Law." He will be part of a panel discussing "Revolution and Repair: Coming to terms with the injustices of past regimes."

ends
STATEMENT CONCERNING POSTPONEMENT OF PHILIP POWELL INQUIRY

Issued by: Truth and Reconciliation Commission

The Durban office of the TRC has postponed the investigative inquiry involving Mr Philip Powell, a member of the KwaZulu-Natal Provincial legislature, to October 23, 1997.

Mr Powell was due to appear at an inquiry in Durban next Monday, September 29. However, he today asked for further particulars to the subpoena which was issued. The inquiry was postponed by agreement between the parties to enable the Commission to consider and reply to the request for further particulars.

ends
September 26, 1997

TRC RECEIVES SUBMISSION SIGNED BY 127 JOURNALISTS FROM NAS PERS

STATEMENT BY ARCHBISHOP TUTU

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission today received the submission which follows this statement, signed by 127 journalists from Nasionale Pers newspapers and magazines.

The submission has been endorsed by journalists, in their individual capacities, from Beeld, Die Burger, Rapport, Volksblad, Insig, Huisgenoot, Sarie, You and Fair Lady, as well as a number of former Nasionale Pers journalists. We understand that more are expected to sign.

Their submission is an extraordinarily powerful statement, and I welcome it on behalf of the Commission and of victims of apartheid. While I understand they are not acting under threat of losing their jobs, I want to commend the journalists warmly for following their consciences in the face of very considerable opposition.

Theirs is a very significant contribution to reconciliation and the process of healing our land.

An English translation of the full text of the Afrikaans submission follows:

"I, a journalist at Nasionale Pers, wish to make the following submission in my individual capacity and not on behalf of Nasionale Pers or any of its publications.

"I BELIEVE

"(1) Reconciliation between and the just treatment of the different groups of people in South Africa are essential to nation-building in our country, and that disclosure of our past is an essential part thereof;

"(2) Although the Truth and Reconciliation Commission is not perfect, it creates a much-needed process to deal with our divisive, unjust past as part of the transition to a fully-fledged democracy based on justice, respect for human rights and the supremacy of the law;

"(3) Since early this century a close relationship developed between Nasionale Pers and the National Party, with our newspapers acting as NP mouthpieces;

"(4) Nasionale Pers's newspapers formed an integral part of the power structure which implemented and maintained the system of apartheid through, for instance, the support these influential newspapers gave the National Party running up to elections and referendums;

"(5) The efforts Nasionale Pers made to change and oppose apartheid should also be acknowledged, as should the efforts to prepare whites for and persuade them to change and reform. This, however, does not diminish or neutralise the efforts to support apartheid;

"(6) Although I was not personally or directly involved in gross human rights abuses I regard myself as morally co-responsible for what happened in the name of apartheid because I helped maintain a system within which these abuses could occur;

"(7) I, like many others, was blind and deaf to the political aspirations, anger and suffering of my fellow South Africans;

"(8) I, like many others, and given the context in which I worked, did not properly inform readers of the injustices
of apartheid, did not oppose these injustices vigorously enough and, where I had knowledge of these injustices, too readily accepted the National Party government's denials and reassurances;

To all those who suffered as a result of this, I offer my sincerest apology and fully commit myself to prevent the past from being repeated.

ends
STATEMENT ON AMNESTY OF LIEUTENANT COLONEL NIEUWOUDT

STATEMENT BY ARCHBISHOP TUTU

Issued by: Truth and Reconciliation Commission

A former Lieutenant Colonel in the SADF's Military Intelligence and a member of the Directorate Covert Collection (DCC), Mr Jan Anton Nieuwoudt, has been granted amnesty for his part in training members of Inkatha during 1986 in military offensive techniques.

In his amnesty application, Nieuwoudt (41) states that the aim of training about 200 recruits at Hippo Base in the Caprivi Strip in Namibia in 1986 was to enable Inkatha "to attack the ANC and UDF effectively inside KwaZulu-Natal" in order to "neutralise" the liberation movements. The training lasted a month and equipped trainees in, among others, information gathering, interrogation, target development and infiltration.

Details of the training were revealed during a special TRC hearing on the Caprivi trainees in Durban during August.

The Amnesty Committee made the decision to grant amnesty in chambers. Nieuwoudt's application did not specify offences defined in the law as gross violations of human rights, so no public hearing was necessary.

Nieuwoudt said he was ordered to carry out the training by former SADF General Tienie Groenewalt, now a Freedom Front member of parliament. He later joined the DCC to recruit "high ranking ANC agents", and from mid-1990 worked as head of the Ciskei Information Service, establishing the front company, Pan Afrik Industrial Investment Consultancy (PAIIC).

Nieuwoudt won a civil claim against the SADF after they denied knowledge of his involvement in the DCC. He subsequently resigned from the army, in which he served from 1974.

According to the application, the Inkatha recruits were under the impression they were being trained in Israel. A high premium was placed on secrecy. Nieuwoudt said he was of the opinion that as a result of the training he gave, the recruits were capable of identifying and eliminating ANC targets without leaving clues. They were trained in foreign weaponry. He assumes this could have led to loss of life, but did not know of anybody who died specifically at the hands of his trainees.

The application names Colonel Jan Breytenbach as commander of Hippo Base at the time, while Major Jakes Jacobs commanded the training. The 200 trainees were divided into three groups for the purposes of offensive, defensive and counter-mobilisation training respectively. Mr Daluxolo Luthuli, who testified at the August hearings, is named as the leader of the group.

ends
September 29, 1997

FORMER SAYCO MEMBER SUBPOENAED

Issued by: Truth and Reconciliation Commission

STATEMENT BY THE WESTERN CAPE OFFICE OF THE TRUTH AND RECONCILIATION COMMISSION

A former member of the South African Youth Congress (Sayco), Mr Geoffrey Brown, has been subpoenaed by the Western Cape Investigative Unit to an in camera hearing on Monday, October 6.

He will be required to answer questions and/or give evidence with regard to the 1989 explosion in which MK members, Ms Coline Williams and Mr Robert Waterwich, died in Athlone. The inquiry is part of ongoing investigation into the incident. Family members of Ms Williams made human rights violation statements to the TRC last year, asking for the circumstances around their death to be investigated.

Mr Brown is entitled to legal representation. If he is not financially capable of getting his own lawyer, the TRC may appoint a legal representative to assist him.

ends
STATEMENT ON POLITICAL AND MILITARY SUBPOENAS

STATEMENT BY ARCHBISHOP TUTU

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission has invited or subpoenaed more than 20 former and current political and military leaders from across the political spectrum -- including former State President P W Botha -- to give evidence at its forthcoming hearings on the roles played by armed forces and the State Security Council during the apartheid era.

A hearing on the role of the security forces of the previous government, the African National Congress and the Pan Africanist Congress will take place in Cape Town next week, from Tuesday October 7 to Friday October 10.

During the following week, from Tuesday October 14 to Thursday October 16, there will be a hearing in Johannesburg on the activities of the State Security Council.

Mr P W Botha, Mr R F (Pik) Botha, Mr Roelf Meyer and Mr Leon Wessels have been invited to the second hearing. Mr Pik Botha, Mr Meyer and Mr Wessels have accepted their invitations and although subpoenas were subsequently served, this was done as a formality.

Mr P W Botha was also invited and, at the suggestion of his lawyers, served with a subpoena. His lawyers said yesterday that, for health reasons, he would not able to attend the hearing in Johannesburg on October 14, and asked for the subpoena to be withdrawn. We indicated we would not withdraw the subpoena but requested a medical certificate -- which has been supplied -- and a full medical report, and we are exploring an alternative date for his appearance.

General Magnus Malan, former Minister of Defence, and Mr Adriaan Vlok, Minister of Law and Order, have also been subpoenaed to the State Security Council hearing, as has General Pierre van der Westhuizen, a former secretary of the SSC.

Subpoenas were served upon the following to give evidence at the armed forces hearing: three generals and an admiral of the former SA Defence Force, including two chiefs of the SADF; six officers of the former South African Police, including two former commissioners; four former MK commanders; and five former APLA leaders.

General Georg Meiring, current head of the SANDF, will also give evidence and respond to questions sent to him since his last appearance before the Commission last year.

In addition to the subpoenas, notices have been served on 25 former military and political figures from former government and ANC forces indicating that they will be implicated during the hearings in a manner which may be to their detriment.

Those who will give evidence at the armed forces hearing include:

General Constand Viljoen and General J J ("Jannie") Geldenhuys, former Chiefs of the SADF, Major General A J M ("Joep") Joubert, former head of SADF Special Forces, and Vice-Admiral A P ("Dries") Putter;

General Johan van der Merwe and General Johan Coetzee, former Commissioners of Police, Brigadier Willem Schoon, a former head of Section C of the Security Branch, Major Craig Williamson, Brigader Alfred Oosthuizen and Major Sarel Crafford;
Mr Joe Modise, former Commander of MK and now Minister of Defence, Mr Ronnie Kasrils, now Deputy Minister of Defence, Mr Abubaker Ismail and Mr Mac Maharaj; Mr Johnson Mlambo, former Commander-in-Chief of APLA, Brigadier Daniel Mahato Mofokeng, Mr Joe Mkwanazi, now a KwaZulu-Natal MPL, Mr Letlapa Mphalele, Chief of Operations, and Mr Vuma Ntikinca.

ends
STATEMENT ON AMNESTY REFUSED TO VUSI LINDA HLENGWA

The Amnesty Committee of the TRC has refused amnesty to Mr Vusi Linda Hlengwa in respect of five offences committed in the KwaMakhuta area of KwaZulu-Natal during April 1990.

Mr Hlengwa, who is serving a prison sentence for the offences, appeared before the Committee in Durban on August 7. He was convicted in March 1994 of:

- The murder of Mr Mahluleli Makhanya, for which he was sentenced to imprisonment for ten years;
- The murder of Mr Beki Patrick Zwane, for which he was sentenced to three years';
- The attempted murder of Mr Simiso Msomi, for which he was sentenced to five years'; and
- Pointing a firearm, for which he was sentenced to six months' jail; and
- Being in unlawful possession of a firearm and ammunition, for which he was sentenced to imprisonment for two years.

The applicant said he committed the murder of Mr Makhanya in revenge for an attack on his house in an IFP area in April 1990. He was a member of the IFP and although he did not know the identity of the perpetrators, he decided to kill members or supporters of the UDF. He was armed with a firearm and an axe and accompanied by his friend Mr Beki Patrick Zwane. He opened fire in a shebeen and wounded Mr Msomi and killed Mr Makhanya, whom he identified as a member of the UDF. A week later he shot and killed his friend Mr Zwane, on the basis that he found out Zwane was an ANC member.

During his testimony before the Amnesty Committee Hlengwa withdrew his application in relation to Zwane's death after consultations with his lawyer.

In their finding, the Amnesty panel, consisting of Judge Hassen Mall, Adv Chris de Jager and Adv Ntsiki Sandi, said:

"It was argued on his behalf that the killing of Makhanya and the shooting of Msomi were acts committed with a political objective. Whilst we accept that at the time of the commission of the offences there was evidence of political violence in the area, it does not ipso facto follow that all crimes and offences committed during that period were necessarily 'acts committed with a political objective'. The same also does not automatically follow merely, because the Applicant was an IFP member or supporter at the relevant time, as he suggested, and the victim a UDF member.

"If his house was attacked as he says it was, then it is patently clear that in murdering the deceased and shooting Msomi, the Applicant was driven by anger and the desire to avenge the injury and loss he had sustained. The evidence before the Committee does not indicate anything to the contrary. No political objective has been indicated.

"We find that the crimes he committed were not even remotely related to any political objective. He is accordingly refused amnesty."

ends
October 3, 1997

REPARATION & RECONCILIATION COMMITTEE VISIT KIMBERLEY

Issued by: Truth and Reconciliation Commission

STATEMENT BY THE WESTERN AND NORTHERN CAPE OFFICE OF THE TRUTH AND RECONCILIATION COMMISSION

Members of the Reparation & Reconciliation Committee will bring a two-day visit to the Kimberley next week to inform provincial and regional structures about the Committee's policy proposals for reparation.

The policy was recently approved by the Commission. The proposals will be handed to the State President for ratification by Parliament, but the implementation of Urgent Interim Reparation will be handled by the TRC until July next year.

On Tuesday, October 7, Commissioner Glenda Wildschut and Regional R & R Coordinator, Mr Louis du Plooy, will meet with non-governmental organisations, community briefers, and other institutions which have helped with the care of people who made human rights violation statements to the TRC.

The attendants will be given feedback about the process through which statements have been corroborated and the number of people found to be victims as defined by the Act. They will also be briefed on the proposed reparation policies. This follows after a policy workshop held in the city in May this year, where their advice on the policy was sought.

On Wednesday, October 8, the TRC representatives will meet with Northern Cape Premier, Manne Depicho, members of the provincial legislature and heads of the provincial departments. They will also be briefed about the policy proposals and how this could be implemented on a regional level.

ends
STATEMENT ON IFP'S CLAIM OF TRC BIAS

Issued by: Truth and Reconciliation Commission

STATEMENT BY RICHARD LYSTER, CONVENOR OF THE DURBAN OFFICE OF THE TRUTH AND RECONCILIATION COMMISSION

The Inkatha Freedom Party's statement tonight on the Truth and Reconciliation Commission contains fundamental mis-statements of fact about the TRC's work.

Among them are:

-- The suggestion we have deliberately singled out the IFP to seize party records:

We subpoenaed Mr Walter Felgate to appear at an investigative inquiry. The subpoena contained a standard clause contained in all TRC subpoenas -- including those issued to people across the political spectrum -- requiring him to bring relevant records. He informed us he had lodged his records at a library of the University of Natal, so we took temporary custody of Mr Felgate's documents. They are not IFP documents. (Incidentally Dr Ben Ngubane suggests that the TRC has not subpoenaed other party documents or archives. In fact we have thousands of pages of documents from structures of the former government.)

-- The allegation that we have failed to investigate the killing of IFP leaders and supporters in KwaZulu-Natal:

We have been investigating the killings of IFP leaders for six months, in response to the IFP's submission of a list of leaders when it appeared before the TRC in Cape Town last year. The investigation is complicated by the IFP's refusal to give any assistance or co-operation, but it is nevertheless continuing. The party's repeated claim that we are not investigating is fundamentally wrong.

-- The allegation that we have failed to investigate ANC hit squad activities in the Midlands, as well as the violence in Richmond:

These matters have been part of our investigations since 1996, and a number of people have come forward and made statements to us. Again, the IFP's claim is fundamentally wrong.

-- The suggestion that we have unlawfully and improperly prejudiced Mr Phumlani Mshengu:

Mr Mshengu is one of 114 people who received notices before our Caprivi hearings, saying we had received information which might have implicated him detrimentally. He was notified of this to allow him to exercise his right to be represented at the hearing. He chose not to be personally represented but a lawyer representing the IFP made a blanket statement saying that all allegations were denied.

We are happy to co-operate fully with the Public Protector but we believe the IFP's interests would be much better served by co-operating with the TRC. IFP members have suffered grievously in the conflict of the past and their party's co-operation would make it much easier to help the victims and survivors of violence. We deny that we have acted in a biased or partisan manner -- our activities are carried out in accordance with our statutory objectives and obligations.

ends
The amnesty applications of five people will be heard during the next two weeks in Cape Town.

The Amnesty Committee will from Monday, 20 October, continue hearing the application of Police Inspector Jeffrey Benzien (49) who applied for amnesty in relation to the death of ANC/UDF activist Ashley Kriel in 1986. Benzien was then attached to the Bishop Lavis Murder and Robbery unit. Kriel died on July 9, 1987, while hiding out in a house in Hazendal, Athlone. The matter was first heard in July, but was not finished. Next week the Committee will also hear the application of Superintendent William Rudolph Liebenberg, who like Benzien applied in relation to the torture of seven former activists, including Peter Jacobs, Ashley Forbes, Tony Yengeni and Gary Kruser.

From Monday, 27 October till 31 October three amnesty applications will be heard in relation to the December 30, 1993 Heidelberg Tavern massacre in Observatory, Cape Town. Four people died and at least five were injured in the incident, in which the attackers shot indiscriminately amongst the customers in the tavern.

The applicants, all serving jail terms of between 18 and 27 years for the murders and attempted murders are - Richard Dala (49), Zola Mabala (28) and Humphrey Gqomfa (30). They claim to have been members of the PAC and Apla. Victims of the attack include Bernadette Sharon Langford, Lindy-Anne Fourie, Rolande Lucielle, Machado Cequiera and Nosalino Rato. The applicants were convicted of the murders and attempted murders in 1994.

The hearings will take place in the TRC's Cape Town offices at 106 Adderley Street and will start daily at 09h30 am and will be open to the public.

ends
October 19, 1997

SPECIAL TRC LEGAL HEARING

Issued by: Truth and Reconciliation Commission

The role of South Africa's legal system in either allowing or preventing human rights violations during the apartheid era will be examined at a special Truth and Reconciliation Commission hearing in Johannesburg from Monday October 27 to Wednesday October 29.

Among those who have made submissions for the hearing are a number of judges of the High Court and the Constitutional Court, including the present and former Chief Justices, Judges I Mahomed and MM Corbett, the Deputy Chief Justice, Judge HJO van Heerden, and the President and Deputy President of the Constitutional Court, Judges A Chaskalson and P Langa.

About 20 written submissions are expected from judges, with a particularly good response having come from judges in Bloemfontein, but it is not yet clear whether any judges will appear at the hearing to give oral evidence.

The purpose of the hearing is not to establish individual responsibility for human rights violations but to understand the role the legal system played in contributing to the violation and/or protection of human rights and to identify institutional changes required to prevent those abuses which occurred from happening again.

The hearing will enable the Commission to fulfil its statutory objectives, namely:

- To establish as complete a picture as possible of the causes, nature and extent of gross violations of human rights;
- To make recommendations to the President with regard to the creation of institutions conducive to a stable and fair society, and the institutional, administrative and legislative measures which should be taken or introduced in order to prevent the commission of violations of human rights.

The areas identified by the Commission for inquiry are as follows (this list is not exclusive):

- The relationship between law and justice: South Africa's experience.
- The principles and standards by which to evaluate the different arms of the legal system.
- The political executive and the legal system
- The role of lay assessors, interpreters, the Department of Justice, State Law Advisers, Public Prosecutors and the Minister of Justice;
- Magistrates
- The selection and appointment of magistrates;
- Confessions;
- Inquests.
- Judiciary
- The selection and appointment of judges;
- Judicial policy;
- The exercise of judicial discretion;
- Sentencing.
- Attorneys General:
  - Appointment and Status of Attorneys General;
  - Allocation of cases;
  - Failure to prosecute.
- Commissions of Inquiry
  - General:
    - Political, racial and gender discrimination.
    - Political trials.
    - Treatment of detainees.
    - Security legislation.
    - International standards.

The provisional schedule for the hearing is as follows:

Monday 27:
The Judiciary and Magistracy.

Tuesday 28:
The legal profession.

Wednesday 29:
The Department of Justice and Offices of Attorneys General.

ends
STATEMENTS ON ADV GOOSEN'S RESIGNATION

Issued by: Truth and Reconciliation Commission

1. Statement by Archbishop Desmond Tutu, Chairperson, TRC

The Commission's Chief Executive Officer, Dr Biki Minyuku, this afternoon accepted the resignation of the TRC's National Director of Investigations, Adv. Glenn Goosen.

While Dr Minyuku's statement below explains the background to the resignation, I wish to comment on the misrepresentation of the reasons reflected in the weekend Press. The Commission - including Mr Goosen and Mr Ntsebeza - is outraged at the unsourced claim in a weekend newspaper to the effect that during discussions within the TRC, Mr Goosen accused the TRC and Mr Ntsebeza of being racist. No such accusation was made by Mr Goosen to Mr Ntsebeza or anyone else. Mr Goosen repudiates in the strongest of terms the suggestion that he believes this and we are convinced that he does not. Contrary to the newspaper's claim, Mr Goosen at no stage spoke to their reporters.

2. Statement by Dr Biki Minyuku, Chief Executive Officer, Truth and Reconciliation Commission

The resignation of Mr Glenn Goosen, which I accepted today, was triggered by disagreements over the reorganisation of the TRC's Investigative Unit which emerged last week. The Commission has been working on plans for many months to ensure (1) that as many investigations as possible are completed, (2) that the statements of about 14,000 victims or survivors of gross violations of human rights are corroborated by early next year and (3) that the Amnesty Committee has enough investigative capacity to be able to complete its work.

A select committee of the Commission, including Mr Goosen and myself, was responsible for the reorganisation proposals. Mr Ntsebeza raised serious reservations about the manner of the reorganisation shortly before the last Commission meeting. Strong disagreements over the issues at stake, and at the manner of their handling, led to Mr Goosen's resignation. The Chairperson and the Deputy Chairperson attempted to resolve the matter but in Mr Goosen's view, the dispute represents the culmination of events which make it impossible for him to review his position. After discussions with Mr Goosen and Commissioners during the course of the day, I am satisfied that adequate efforts have been made to resolve the problem and I have accordingly accepted Mr Goosen's resignation.

We deeply regret Mr Goosen's resignation two months before the expiration of his contract. While we are beginning to wrap up the TRC’s investigations, his departure will leave a substantial gap to be bridged by other staff.

ends
STATEMENT: AMNESTY GRANTED TO SALOOJEE

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC has granted amnesty to a former Umkhonto we Sizwe (MK) member, Mr Riaz Saloojee, who is now a Colonel in the South African National Defence Force.

Col Saloojee (34) was given amnesty "in respect of storage and distribution of weaponry to ANC structures in Kwazulu-Natal, the former PWV, the Western Cape and the Eastern Cape during the period May 1991 to 1994".

He said in his application he was based in the ANC headquarters in Shell House in Johannesburg during this period as former MK commander Joe Modise's personal assistant. The weapons were to be used for the purposes of self defence in communities under attack by the former government "and its surrogates" in line with ANC decisions and the terms of the National Peace Accord. Orders were approved by his superiors, Mr Ronnie Kasrils and Mr Aboobaker Ismail, who have also applied for amnesty.

Col Saloojee said he was trained in Angola, and served MK since 1983 in Botswana, London, Zimbabwe and Lusaka, before returning from exile.

ends
STATEMENT: LEGAL SUBMISSION

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission deeply appreciates the submission made to us by the country's current and former top judges and I would now like to make a strong appeal to South Africa's judiciary to appear in person at next week's Truth and Reconciliation Commission hearings on the legal sector.

More than 20 judges are signatories to a number of written submissions for the hearing -- for which we are also grateful -- but we are very disappointed that they are reluctant to attend the hearing.

I discussed the matter with the Chief Justice yesterday but was unable to persuade him to appear with his fellow senior judges. However, we are pleased that he made clear that other judges were free to appear, and I urge them to do so.

The appearance of judges would be of immense symbolic value, which would in turn be greatly enhanced by apologies by members of the Bench for the past. This is a time of much reflection in our country, during which not only victims and perpetrators have come forward to tell their story, but also members of the medical profession, the media and business.

It is very unfortunate that certain members of the legal profession, judges among them, have arrogated to themselves a special status, saying they do not need to come before the Commission. If judges do not come, they will miss a wonderful opportunity to examine their own actions in the past and in so doing also help us to deal with our past.

We need to explore the meaning of accountability and judicial independence in our new constitutional democracy. We should not pretend that judges are not human and not fallible. They have made mistakes in the past and there is no reason to believe that they will not again, but there they need to operate in a more open and transparent community.

ends
October 22, 1997

STATEMENT: R&R PROPOSALS TO BE RELEASED TOMORROW

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission will tomorrow announce its proposals for providing reparations and rehabilitation for those who suffered from gross human rights violations between 1960 and 1994.

The proposals were developed after the Commission listened to about 2,000 victims or survivors of violations who appeared at public hearings and examined about 10,000 further written statements made to the TRC.

The policy proposals to be announced tomorrow, which were developed by the Reparations and Rehabilitation Committee, will be one of the Commission's most important legacies for individuals and communities which suffered during the years covered by the TRC's mandate.

They have been discussed in preliminary form with the Government. However, they remain proposals at this stage and will be considered fully by Parliament and the Government when the Commission's final report is presented next year. Final decisions on the proposals rest with Parliament and Government.

ends
INTRODUCTORY NOTES TO THE PRESENTATION OF THE TRUTH AND RECONCILIATION COMMISSION'S PROPOSED REPARATION AND REHABILITATION POLICIES

By Ms Hlengiwe Mkhize, Chairperson, Reparation and Rehabilitation Committee of the TRC

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is today pleased to announce its proposed reparation and rehabilitation policies.

The proposals have been discussed with the Government but they nevertheless remain proposals at this stage. They will be considered fully by Government and Parliament when the Commission's final report is presented next year.

The Commission is not empowered to implement recommendations on a final reparations policy, so final decisions on our recommendations are in the hands of the Government.

Why Reparations?

But before I sketch to you to an outline of the policies, and ask my colleagues to deal with specific aspects of the policy, I would like to deal first with the question of why there should be reparations at all. The reason for reparations can be summarised as follows:

The conflicts of the past in our country produced many casualties, as a result of which there are a range of needs-

- Health needs;
- Mental health needs;
- Psycho-social burdens for communities and society at large; and
- Education and training needs.

Reparation and rehabilitation measures are necessary to counter-balance the amnesty process; R&R measures and services will offer South African society as a whole a systematic way of re-visiting and dealing with the memories of the apartheid years, and of entrenching a human rights culture.

-- REMEMBERING SUFFERING is important to ensure that the mistakes of the past are not forgotten. To take a Christian paradigm, Jesus, when he had supper with his disciples, warned them not to forget his suffering but rather to remember it with the aim of striving towards perfection, lest they cause somebody else to suffer. Our own political leaders have challenged future generations not to forget the pain and suffering of those who liberated South Africans.

There is also a legal basis for reparations: the Preamble to the Act which gives us our mandate says one of our objectives is to provide for the "taking of measures aimed at the granting of reparation to, and the rehabilitation and the restoration of the human and civil dignity of, victims of violations of human rights..."

Policy development

In formulating the policy and recommendations, the Reparation and Rehabilitation Committee of the Commission was guided by a number of processes:

- Witnesses' statements: We took into account the aspirations of those who suffered by listening to their testimony;
The TRC database: We analysed the needs and expectations of victims and survivors as extracted from their written statements and recorded on our database;

An intensive consultative process: We conducted monthly regional workshops in each regional office, including representatives of Non-Governmental Organisations, Community-based Organisations, faith communities, academic institutions, government departments and youth structures. We presented our ideas to significant bodies such as the American Psychiatric Association, the British Medical Association, the United Nations and the World Health Organisation.

Implementation of proposals, and principles of policy

How should the policy proposals be implemented? What should be the guiding philosophy?

Accountability should be in the President's Office;

Implementation strategy should allow for active community participation. To ensure that the process is driven from the grassroots, we propose the following pillars upon which each service should be founded:

- It should be development-centred;
- It should be simple and efficient;
- Measures should be culturally appropriate;
- Services should be community based;
- Measures should aim at building capacity' and
- They should promote healing the reconciliation.

Structure of policy

What does the structure of the proposed policy look like? The proposed reparation and rehabilitation policy has five components:

- **Urgent interim reparation (UIR)**
  UIR is assistance for people in urgent need, to access appropriate service and facilities. Limited financial resources will be made available to facilitate this access. We have outlined this element previously, so I will not go into it in detail here.

- **Individual Reparation Grants (IRG)**
  It is proposed that individual reparation should take the form of a scheme under which victims or survivors of gross human rights violations will receive individual, annual financial grants for a period of six years. Most of the value of the grant would acknowledge the suffering caused by the gross violation of human rights. However, people living in rural areas, where it is more difficult to access services such as health care, and those with many dependants, could receive higher grants. Past compensation granted as a direct result of the violation would be deducted.

  The minimum payment will be about R17,000 a year for six years. However, the annual payment may be topped up for those who have many dependants or those who live in rural areas. The maximum "top-up" would take the annual payment to an amount of R23,000 a year for six years.

- **Symbolic reparation / Legal and Administrative measures**
  Symbolic reparation encompasses measures to facilitate the communal process of commemorating the pain and victories of the past. Amongst other measures, symbolic reparation will entail identifying a national day of remembrance and reconciliation, erection of memorials and monuments. On a more individual level, symbolic reparation could also mean assistance to individuals in obtaining death certificates and finalising outstanding legal matters, or clearing their names from criminal records. Victims may be eligible to have relatives exhumed and reburied, or in some cases to receive a headstone or tombstone.
The Commission has further recommended that streets and community facilities should be renamed to reflect and honour individuals or events in communities. It identified a need for culturally appropriate ceremonies in certain communities, which could in some instances include cleansing ceremonies. We believe local and provincial authorities should arrange such ceremonies in close co-operation with faith communities and cultural and community organisations.

- **Community Rehabilitation Programmes**
  These are proposals for the establishment of community based services and activities, aimed at promoting the healing and recovery of individuals and communities which have been affected by human rights violations.

  Community Rehabilitation Programmes hinge on the main policy principle that reparation should be development centred, to empower individuals and communities to take control of their own lives. It therefore implies the provision of sufficient knowledge and information about available resources to victims though a participatory process.

  The Commission states clearly in its proposal that providing individuals with resources to access services is not enough as these services are in many cases "unavailable, inaccessible or inappropriate". It also notes that entire communities have been subjected to systemic abuse, and may suffer from post-traumatic stress symptoms. The proposals make provision for rehabilitation programmes at community and national levels.

  Among the categories of community rehabilitation recommended are health care, mental health care, education and housing. A programme to demilitarise the youth who have come to accept violence as a way of resolving conflict is included under emotional health care, as is a multi-disciplinary programme involving all ministries and departments to resettle the thousands of "internal" refugees driven from their homes due to political conflict. The Commission further proposes mental health interventions on community level, as well as specialised trauma counselling services and family-based therapy. It calls for housing projects in communities where gross violations of human rights led to mass destruction of property and/or displacement. All these programmes would make provision for the establishment of services and activities in the community, aimed at promoting the healing and recovery of individuals and communities affected by violations.

- **Institutional Reform**
  These proposals include legal, administrative and institutional measures designed to prevent the recurrence of human rights abuse. Institutional reform overlaps with the broader aims of the Commission, including measures designed to prevent the recurrence of human rights abuses, for implementation in a wide range of sectors such as the judiciary, media, security forces and business. Recommendations of a legal, administrative and institutional nature, to ensure the development of a human rights culture in South Africa, will be included in the Final Report of the TRC.

ends
STATEMENT: AMNESTY GRANTED IN RICHMOND KILLINGS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC has granted amnesty to two applicants who were convicted of the murder of nine people and the attempted murder of two in an attack on kraals near Richmond in the KwaZulu-Natal midlands in September 1992.

They are Mandlenkosi Tommy Phoswa and Mafuka Anthony Nzimande, both African National Congress (ANC) supporters Their applications were heard in Pietermaritzburg on July 30 this year.

Reaching its decision, the Amnesty Committee said: "We are satisfied that this incident is one of the tragic results of the unfortunate political conflict raging in the particular area between the ANC and IFP.

"All of the victims were members of the IFP and the attackers members of the ANC. It was, however, brought to our notice during the hearing that the community of Gengeshe has subsequently resolved the conflict and effected a reconciliation, which is a welcome example to others still engaged in violent conflict in the area."

This is the full text of the decision by the Amnesty Panel chaired by Judge Andrew Wilson:

In the early hours of the morning on 26 September 1992 an attack was launched against a number of kraals at the township of Gengeshe, situated near the town of Richmond in the KwaZulu-Natal Midlands. This left 9 persons dead and 2 seriously injured. The victims were all adult males.

As a sequel to this incident, the Applicants for amnesty in this matter, were charged together with other persons with 9 counts of Murder and 2 counts of Attempted Murder in the Supreme Court at Pietermaritzburg before Mr Justice Levinsohn and 2 assessors. Both Applicants were convicted as charged and sentenced on 1 August 1994 to 14 years imprisonment. They are both serving their sentence.

The incident is part of the ongoing violence and strife that have plagued, particularly the area around Richmond, for some time resulting from conflict between members or supporters of the African National Congress ("ANC") and the Inkatha Freedom Party ("IFP") respectively. The background is briefly as follows. Many of the families occupying Gengeshe, are related but their political allegiance divided between the ANC and IFP. Some time prior to the incident of 26 September 1992 (this could even be earlier than 1991 which was the date given by the Applicants in their testimony at the amnesty hearing) violence broke out between members of the 2 parties characterised by attacks and counter-attacks resulting in the death of a number of people. In the course of this conflict and on 12 April 1992, Spatelie Poswa, a leader and organiser of the ANC in Gengeshe, was shot and killed. He was the son of the First Applicant. According to the latter one, Keswa Poswa, an IFP member, was responsible and was accompanied at the time by Namowakhe Jili, a very active IFP member and the deceased in respect of Murder Count No. 7 at the criminal trial, as well as Bheka Poswa, an active IFP member and the deceased in respect of Murder Count No. 5 at the criminal trial. Keswa Poswa was tried and acquitted on a charge of Murder resulting from this incident.

After this incident all of the ANC members, including the 2 Applicants, left Gengeshe to stay at Ndaleni an ANC stronghold situated on the outskirts of Richmond. Their homes, which were abandoned, were burnt down. According to the police docket 30 homes were destroyed. Subsequent attempts to resolve the conflict failed and more people were killed.

Sometime prior to 26 September 1992 First applicant received a telephone call from Bheka Poswa threatening that the people at Ndaleni will be attacked and will not see Christmas. The displaced group at Ndaleni then decided to reclaim their territory at Gengeshe.
A group of approximately 31 or 32 armed men, including the Applicants, arrived at Gengeshe on 26 September 1992. They were spotted by those guarding the area and fired upon, killing one of their number. They then proceeded to launch the attack with the result set out above.

We are satisfied that this incident is one of the tragic results of the unfortunate political conflict raging in the particular area between the ANC and IFP. All of the victims were members of the IFP and the attackers members of the ANC. It was, however, brought to our notice during the hearing that the community of Gengeshe has subsequently resolved the conflict and effected a reconciliation, which is a welcome example to others still engaged in violent conflict in the area.

In all the circumstances we are satisfied that the Applicants comply with the requirements of Act 34 of 1995 and that the offences to which the applications relate, are acts associated with a political objective.

The applications for amnesty are accordingly granted.

We are of the opinion that the persons mentioned in Annexure "A" hereto are victims in relation to the offences in respect whereof amnesty is hereby granted and refer the matter to the Committee on Reparation and Rehabilitation for its consideration in terms of Section 26 of the Act.

Annexure A:

The names of the 11 victims are as follows:

1. ANTON MAHAWU SHEZI (deceased)
2. MUNTU MKHIZE (deceased)
3. MBOVANE NXELE (deceased)
4. FELAPHI DLAMINI (deceased)
5. BHEKA PHOSWA (deceased)
6. MDUTSWA MADLALA (deceased)
7. NAMOWAKHE JILI (deceased)
8. DUMISANI MTHEMBU (deceased)
9. DUMISANI MTHEMBU (deceased)
10. SENGIPHELILE SITHOLE
11. THULEBONA POSWA

Committee Members: Judge Andrew Wilson, Ms Sisi. Khampepe, Adv. Denzil Potgieter S.C.
Date heard: 30 July 1997
Venue: Pietermaritzburg

ends
STATEMENT: AMNESTY GRANTED TO TWO APLA MEMBERS

Issued by: Truth and Reconciliation Commission

The TRC's Amnesty Committee has granted amnesty to two APLA members for five offences, including attempted murder.

The two, Lebohang John May (29) and Velile William Mxhosana (25) have already served prison sentences for the offences. Their applications were heard in Bloemfontein on August 28 this year.

The following is the full text of the decision of the Amnesty Committee panel, chaired by Judge Hassen Mall:

The conviction and sentence arose out of an incident which occurred in Bloemfontein on or about 14 December 1991. The Applicants were members of the Pan Africanist Congress and its military wing, the Azanian People's Liberation Army (APLA). At the date of the hearing of this application the Applicants had already served their terms of imprisonment.

On the day in question the Applicants took part in the planning and attack on Batho Police Station in Bloemfontein. As a result of the said attack Constable Makoloi, a member of the South African Police, was injured and damage was caused to the building and to State property.

Having regard to all the evidence presented before the Committee, we are satisfied that the Applicants have complied with Section 20(1) of the Act. They are accordingly granted amnesty for the following offences:

1. Attempted murder of Constable Makoloi;
2. Malicious damage to property;
3. Illegal possession of machine guns in contravention of Section 32(1)(a) of Act 75 of 1969;
4. Illegal possession of hand-grenades in contravention of Section 32(1)(b) of Act 75 of 1969; and
5. Illegal possession of machine gun ammunition in contravention of Section 32(1)(e) of Act 75 of 1969.

The Panel for the hearing consisted of Judge Mall, Ms Sisi Khampepe and Adv Ntsiki Sandi.
STATEMENT: TRC TO HOLD A SPECIAL MEETING ON MONDAY

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is to hold a special meeting on Monday to discuss the implications for the Commission of events during this week's amnesty hearing.

The holding of the meeting in no way questions the integrity or innocence of our colleague, Mr Dumisa Ntsebeza.

It is important to emphasise that the Commission respects absolutely the integrity of our processes, including the amnesty process, and that the Amnesty Committee must be allowed to go about its work in handling the application in exactly the same way as it would any other application.

ends
STATEMENT: ALLEGATIONS MADE AGAINST DUMISA NTSEBEZA

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission has been rocked in the past week by the allegations made against our fellow commissioner and head of the Investigative Unit, Dumisa Ntsebeza. The shock and trauma which this has caused for Commissioners and staff have reminded us of how painful the process of searching for the truth and promoting reconciliation can be.

The Commission today held a special emergency meeting to discuss the implications for the Commission of last week’s amnesty hearing in Cape Town. In my introduction to the debate, I acknowledged that in my handling of the matter when it first came to my attention some months ago, I may have given the impression that we were less than transparent. Specifically, with the benefit of hindsight I should have alerted my fellow Commissioners to the allegations at an earlier stage, told the media about them and possibly at that stage referred them to an outside agency for further investigation.

Be that as it may, after discussions lasting nearly three hours, the Commission decided unanimously on the following:

- To make clear our faith in our colleague, Dumisa Ntsebeza: Members of the Commission have worked very closely with him for nearly two years, in situations of great pressure and sometimes crisis, and we all believe implicitly in his integrity. This must not be construed, however, as representing a judgment on the facts in the current matter. The full Commission did not have all the evidence before it and even if it did, it quite clearly cannot be a judge in its own cause.

- To affirm our faith in the integrity of our own processes: We are absolutely committed to the integrity of our processes as laid down by Parliament in the Act which governs our activities and we believe that the Amnesty Committee's actions have reflected that commitment.

- To ask the Minister of Justice and the President as a matter of extreme urgency, and in the interests of the credibility and integrity of the Commission, to appoint a top-level independent inquiry from outside the ranks of the Commission to probe not only the allegations against Mr Ntsebeza, but the whole handling of the matter from the outset, both by the police and by the Commission. Such an investigation should be completed by the end of this month.

We envisage the appointment of a high-profile figure with impeccable credentials and undoubted impartiality, such as a top advocate or even a judge of the Constitutional Court. Such a person should head a team including experienced investigators broadly acceptable across the divisions of South African society, and capable of conducting this as a full-scale criminal investigation.

We believe that only such an investigation will clear the air, and its terms of reference need to include a full examination of whether the allegations against Mr Ntsebeza could possibly be part of a conspiracy to discredit the Commission as it comes to the end of its work.

Earlier this afternoon, after the meeting, I spoke to both the Minister of Justice and the President, who agree on the need for the urgent inquiry we have requested. The President says he will discuss the matter more fully with the Minister when he arrives back in Cape Town later today.

- To ask Mr Ntsebeza during the course of the investigation to recuse himself from any investigations involving APLA cadres. The Commission discussed the possibility of Mr Ntsebeza taking leave, but decided against this. The call on him to resign is only one of a number which political parties have made of Commissioners during the process and we have not until now acceded to them.
We believe the steps we have outlined will enable this matter to be put to rest, and to focus our energies once again on such critical issues as the reparations and rehabilitation proposals we presented to the public 10 days ago. We need to move the focus of the Commission's work, and public attention, back to where it belongs - the victims and survivors of human rights violations.

ends
STATEMENT: EXHUMATIONS IN PIET RETIEF AND NELSPRUIT

Issued by: Truth and Reconciliation Commission

A team led by Truth and Reconciliation Commission investigators will this week exhume remains of three uMkhonto weSizwe soldiers killed in a shootout with police and subsequently buried as paupers in Piet Retief in 1985.

The three are Victor Lunga Khayiyana from Bethel in Mpumalanga, Barney Molokoane from Tladi in Soweto and Vincent Sekete from Meadowlands in Soweto. They were all stationed in Swaziland at the time, and were on their way back to Swaziland from an MK operation when they were killed in action on November 28, 1985.

The remains will be exhumed on Friday, November 7 1997. Among those who have indicated to the TRC that they will attend the exhumation is Mpumalanga premier, Mr Mathews Phosa.

Families of the three MK men submitted statements to the Human Rights Violation Committee of the TRC, asking for help in tracing the graves where they had been secretly buried by the police. They also expressed their desire to have the remains exhumed and given decent reburials.

Six policemen who have admitted involvement in the death of the three MK cadres have applied for amnesty.

On Thursday 6 November 1997, two graves that have been identified by the TRC investigative unit as where two other MK operatives were secretly buried, will be shown to family members.

The two men, Steve Tsotetsi and Kenneth Mabuza were killed in 1986, reportedly by security police in Nelspruit and members of a criminal gang known as the Kabasa Gang. Their remains will not be exhumed, but investigators officially point out the graves of the two men to their families and relatives, also in the presence of Mr Phosa and the mayor of Nelspruit.

ends
RESEARCH BRIEFING TO THE MEDIA AT 09H00 ON MONDAY, 10 NOVEMBER:

Issued by: Truth and Reconciliation Commission

The TRC's Research Department hosts a research seminar in Cape Town on Monday, 10 November, at which three external research institutes will make submissions to the TRC.

The three overseas institutes, who have supplied the TRC with documentation and information during the past 18 months, will make submissions on their work at the TRC's offices in Cape Town.

The media is invited to a brief presentation of all three as well as an introduction by Research Director, Prof Charles Villa-Vicencio and researcher, Mr John Daniels.

After the presentations there will be an opportunity for questions and discussions with the presenters.

The media briefing is expected to last one hour in total.

The following will be presented:

Peter Hermes of the Netherlands Institute for Southern Africa (NISA), will present the institute's research on apartheid state activities in Western Europe. This will cover such issues as the Dulcie September assassination and links between South Africa's chemical and biological weapons programme and groups in Europe.

Hans Hartman of the KAIROS organization in Utrecht, Holland, will present the work commissioned by the TRC on the torture of detainees and deaths in detention, with special emphasis on the sixties and seventies.

Bob Hughes (now Lord Hughes), former chair of the Anti-Apartheid Movement (AAM) in the United Kingdom, will present a paper, along with some video clips, on apartheid state activities in the UK between 1960 and 1964. The paper has been prepared by Action for Southern Africa (Actsa), the successor group to the AAM and the work was done in the AAM archives.

The presentations to the media start at 09H00 am on the 10th floor of the Cape Town offices at 106 Adderley Street, Central Cape Town.

ends
STATEMENT: AMNESTY GRANTED TO THREE ANC MEMBERS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee has granted amnesty to three ANC members who attacked the house of another ANC member, suspected of being a police agent.

The attack in 1992 in Lekazi, Nelspruit, was on the home of a respected ANC member, Mr Johannes Mandla Shabangu. Mr Shabangu's girlfriend was injured, but nobody died in the attack.

Dealing with the application of Joseph Harold Nkuna, who masterminded the attack, the Committee refers to his assertion that the order was planned in SACP head office in Johannesburg in a meeting with cadre Chris Hani and he ordered it.

The applicant believed at the time of the attack there was a plot by ANC members who worked for the police to kill him.

The Committee says in its judgement: The above statements can neither be corroborated nor disapproved since Hani is no longer alive. Although the applicant's evidence in this regard was not satisfactory in all respects, it cannot be rejected as untrue.

The applicant conceded that his belief that at the time Shabangu was an agent of the police was based on a false perception created by the police themselves in order to cause division within the ranks of the ANC.

The other two applicants who took part in the attack are Nkuna's brother, Conrad and former member of Umkhonto we Sizwe, Derrick Skosana. They are all serving prison sentences after being convicted in 1994 on several counts of attempted murder.

Their amnesty applications were heard in Nelspruit during May and June this year. The Amnesty panel consisted of Judge Bernard Ngoepe, Adv Chris de Jager and Ms Sisi Khampepe.

ends
STATEMENT: FAITH COMMUNITIES HEARING, EAST LONDON, 17-19 NOVEMBER 1997

Issued by: Truth and Reconciliation Commission

Church leaders, as well as leaders from the Jewish, Muslim, and Hindu communities, will be converging on East London from 17 to 19 November to attend a special TRC Faith Communities Hearing. It is widely recognised that the different faith communities played an important part in the past - on both sides of the struggle - and that the information sought by the Truth and Reconciliation Commission will be incomplete without the input by the Christian Churches as well as the non-Christian communities.

Earlier this year about 40 denominations and communities responded to an open invitation from the TRC, to submit statements to the Commission on how apartheid affected the life and work of the churches and communities. The TRC decided that a follow up public hearing was necessary, to allow the faith communities to address a wider audience. It is expected that much attention will be given to a number of issues: How was the church/community affected by apartheid? What was done to oppose - or in some cases, to support - apartheid? And, probably the most important of all, what contribution the church/community is going to make in the process of reconciliation?

Three days are set aside for the hearings.

On Monday 17 November 1997, the S A Council of Churches as well as the so called main stream churches (the Anglican Church, the Church of England, the Methodist, Catholic, Presbyterian, Reformed Presbyterian and Congregational Churches) will be invited to speak.

On Tuesday 18 November 1997 representatives from the World Council on Religion and Peace will take the podium, together with leaders from the Muslim, Hindu, Jewish and African Traditions Religious Communities. The Council of African Initiated Churches, as well as two of the largest African churches, the Zion Christian Church (ZCC) as well as the International Pentecost Church, will also be represented.

On Wednesday 18 November the Evangelical and Charismatic Churches will make their submissions (The Evangelical Alliance of S A, the International Fellowship of Christian Churches, the Rhema Bible Church, the Baptist Union, the Apostolic Faith Mission, the Uniting Reformed Church, the Dutch Reformed Church (N G Kerk) as well as an academic from the Gereformeerde Kerk, Potchefstroom). The last submission of the day will be the Open Letter of Dr Beyers Naude, co-signed by 300 ministers from different denominations, which was sent to the TRC earlier this year.

A number of well known church leaders will present their denominations' submissions: Ms Brigalia Bam (S A Council of Churches), Bishop David Russell (Anglican Church), Bishop Mvume Dandala (Methodist Church), Bishop Kevin Dowling and Father Buti Thlagale (Catholic Church) Mr Moss Nthla (the Evangelical Alliance of S A, Pastor Ray McCauley (ITCC/Rhema Bible Church), Dr Izak Burger and Dr Frank Chikane (Apostolic Faith Mission) and the Rev James Buys (Uniting Reformed Church).

The Dutch Reformed Church (N G Kerk), which took a decision last week to make a submission, will be represented by its moderator, the Rev Freek Swanepoel. Of special significance is the fact that the leader of the Zion Christian Church (ZCC), Bishop Barnabas Lekganyane, accepted the invitation to address the hearing.

Chief Rabbi Cyril Harris, will make a submission on behalf of the Jewish Community. Mr Ashwin Trikamjee will do so on behalf of the Hindu Community. Dr Kalushi Koka will represent the African Traditional Religious community.
Archbishop Desmond Tutu will chair the hearing, which is to be held in the Christian Centre, Abbotsford, East London. The churches in East London are inviting all delegates and visitors to join the local community for a special Reconciliation Service on the previous afternoon, Sunday 16 November 1997, at 16h00 pm. Archbishop Tutu will be the main speaker at the service.

ends
November 8, 1997

STATEMENT: IDENTIFY A SUPPOSED DIAMOND DEALER KILLED BY VLAKPLAAS

Issued by: Truth and Reconciliation Commission

The TRC’s Investigative Unit has established the identity of a supposed "diamond dealer" killed by Vlakplaas operatives who were working with Dirk Coetzee in the eastern Free State in 1981.

The Unit has verified that the man killed was Mr George Nkali of Lesotho. Far from being a diamond dealer, he was an employee of the family of Mrs Margaret Everett, a former Lesotho resident who now lives in Cape Town.

Mrs Everett approached the TRC in response to newspaper and radio reports. In a statement made to the TRC in February this year, she said Mr Nkali had disappeared without a trace on 11 November 1981 in the Everett family's new blue Datsun Laurel sedan after he had been sent from Maseru to run errands in Ladybrand across the border in South Africa.

Mrs Everett was prompted to make her statement by the suggestion from former Vlakplaas commander, Dirk Coetzee that an unknown Lesotho "diamond dealer" was killed by Vlakplaas in 1981 because the diamonds were of inferior quality or fakes. The story was first revealed in an article published on 17 November 1989 in Vrye Weekblad. The details tallied so closely with Mr Nkali's story that Mrs Everett felt this might be the first real explanation of what had happened to him.

The TRC's Western Cape Investigative Unit corroborated the link through matching the descriptions of the car in Mrs Everett's statement to those contained in other information gathered by the Commission. This evidence also confirms a description of the contents of the cubby hole of the vehicle as papers which related to the running of a dairy.

In her statement, Mrs Everett said Nkali was to have stopped at the Twee Spruit Dairy to collect medicine for his sick cow. Upon discovering that Nkali was missing, she had alerted the Ladybrand police. It was established that Nkali completed all the errands, but did not cross the Lesotho border after leaving Ladybrand. The Everetts were particularly concerned as he had been a trusted employee for 25 years and their most senior driver. The date of his disappearance and the route travelled corresponds with other evidence before the Commission.

In his amnesty application, Coetzee described the incident as follows:

"Three of the Vlakplaas members... approached me for money to enable them to purchase illicit diamonds in Lesotho. I advanced R5,000 to them. Upon their return, I realised that they had been cheated as the diamonds they obtained were of extremely poor quality. I sent them back to return the diamonds and to get their money back. They however tricked the diamond dealer to return with them to South Africa where, as I was informed later (name deleted) shot and killed the diamond dealer. Upon their return to Pretoria I was informed what had happened. I returned with them to the Free State to pick up the body to dispose thereof. Due to the repercussions the incident could have for the covert operations of the Security Police, I had to ensure that the incident was covered up. After picking up the body we left for Durban... The body of the deceased was eventually disposed of near the Swaziland border."

Coetzee applied for amnesty regarding the cover-up of the murder.

ends
November 10, 1997

STATEMENT CONCERNING ARMSCOR

Issued by: Truth and Reconciliation Commission

After making a written submission to the TRC's business hearing, Armscor refused to participate in the actual hearings. It is scheduled to appear before the TRC on the 11th November 1997.

This is disappointing. Armscor acknowledges operating as an instrument of government to carry out weapon procurement and secure that the SADF had the best equipment possible. This was it's very mandate.

Being such an integral component of the military and industrial complex that played such an important role in sustaining apartheid, Armscor has much to say about how this worked and explain how business benefited. The public has a right to know how and why this was carried out and with what consequences.

Armscor expects the TRC to put "a definitive set of questions" before it that may arise at the hearings. By its very nature of searching for truth the TRC cannot possibly give such undertaking to anybody.

As a last resort, says TRC chairperson Desmond Tutu, the TRC has the power to subpoena if an individual or organisation possesses information relevant to its mandate period. "In my opinion, an understanding of Armscor and the role it played during the apartheid years is central to our understanding of the political conflict of our past".

The TRC hopes Armscor will reconsider its position and come to the hearings.

ends
November 12, 1997

STATEMENT: NEW MEMBERS APPOINTED TO THE AMNESTY COMMITTEE

Issued by: Truth and Reconciliation Commission

Five new members have been appointed to the Amnesty Committee, including one judge. The new appointments are in accordance with the legislation promulgated earlier this year to enlarge the original five member committee to 12.

The new members are:

- The Honourable Mr Justice Selwyn Moorcroft Miller, who was appointed by the President as the fourth judge on the amnesty panel. He has been a judge in the Transkei Division of the Supreme Court since 1994. During the seventies he was an official of the Department of Justice, before joining the University of Transkei as professor of law where he taught until 1991.

- Mr Wynand Malan, a Commissioner and deputy chairperson of the TRC's Human Rights Violations Committee, has been included in the Amnesty Committee.

- Mr Charl Cilliers, founding member of the Legal Resources Centre and it's chairman for more than 17 years. A seasoned human rights lawyer, he is currently a consultant for a Johannesburg lawfirm and a member of the Council of the Law Faculty, at the University of the Witwatersrand.

- Advocate Leah Gcabahe, a former journalist and senior lecturer in law at the University of Natal, currently an advocate at the Johannesburg Bar.

- And Advocate Nkola John Motata, chairman of the Black Advocates' Forum in Johannesburg, and a former law lecturer, currently practicing in Johannesburg.

Advocate Fayeeza Kathree was also appointed, but declined the offer last week. A thirteenth member will have to be appointed in her place.

Commissioner Advocate Denzil Potgieter (SC) and Human Rights Violations Committee member, Mr Nsiki Sandi, were appointed to the Amnesty Panel three months ago as part of the original enlargement.

The amendment of the Promotion of National Reconciliation and Unity Act for the further increase of the membership of the Committee to 19 is currently before parliament. If the amendment is passed, another six members will be appointed to the Amnesty Committee, including two more judges. This will enable the Amnesty Committee to deal with six different matters at the same time.

ends
STATEMENT: VLAKPLAAS OPERATIVES TO APPEAR BEFORE THE AMNESTY COMMITTEE

Issued by: Truth and Reconciliation Commission

Nearly a year after the TRC revealed the involvement of Vlakplaas in the deaths of seven young men in Guguletu in 1986, two former Vlakplaas members will appear before the Amnesty Committee next week in relation to their deaths.

The two amnesty applicants are a former sergeant at Vlakplaas, Wilhelm Riaan Bellingan and Constable Thapelo Johannes Mbelo. Both were previously questioned by the Western Cape Investigative Unit in closed Section 29 Inquiries about the incident. The amnesty applications will be heard from Monday, 17 November 1997 in the Cape Town offices of the TRC at 106 Adderley Street, central Cape Town.

Seven young men died, allegedly in a shoot-out with the police, on 3 March, 1986 in Guguletu. Two consecutive inquests cleared the police. During the TRC's Special Event Hearings on their deaths - in November 1996 and February 1997 - evidence uncovered by the Investigative Unit indicated that C Section of the former security police, better known as Vlakplaas, might have lured the seven into an encounter with them.

The seven men, who became known as the Guguletu 7, were: Zandisile Zenith Mjobo, Zola Alfred Swelani, Mandla Simon Mxinwa, Godfrey Jabulani Miya, Themba Mlifi, Zabonke John Konile and Christopher Piet. The families of some of the victims first made human rights violations statements to the TRC in early 1996, urging the Commission to find out the circumstances surrounding their deaths.

The Investigative Unit of the Western Cape Region subpoenaed nine policemen to the Special hearings to give evidence in public on the matter in terms of Section 29 of the Promotion of National Unity and Reconciliation Act (1995). They were: Superintendent William Rudolf Liebenberg; Senior Superintendent John Johannes George Christoffel Kleyn; retired Colonel Cornelius Adolf Janse Odendal; Senior Superintendent John Martin Sterrenberg; Director Leonard Knipe; Detective Inspector Karel Bothma; Detective Inspector Andre Grobbelaar; Inspector Bertram Oswald Moggee and Detective Inspector Louis Ferdinand Coetzee.

ends
STATEMENT CONCERNING PW BOTHA'S REFUSAL TO APPEAR AT HEARING

Issued by: Truth and Reconciliation Commission

I am very sad at the way in which Mr P W Botha has appeared almost to have thrown down a gauntlet to the Truth and Reconciliation Commission in a newspaper interview published today.

Since I travelled to George to have discussions with Mr Botha a year ago, the Commission has gone out of his way to be accommodating to him in view of his age, his health and his position as a former State President.

- We have waited since the beginning of this year for answers to questions which we submitted to him in accordance with an agreement made with him last year. We now understand we will have those answers shortly, but we have constantly extended the deadline for the answers;

- We have made special representations to the government to enable Mr Botha to have the necessary legal assistance in order to provide us with the answers we seek;

- When Mr Botha's representatives indicated to us that he was not well enough to travel to our hearing on the role of the former State Security Council in Johannesburg last month, we proposed a special hearing to accommodate him;

- In the same way as I was prepared last year to travel to see Mr Botha, we are prepared to hold the second round of our State Security Council hearing in George, close to his retirement home.

In showing this consideration for Mr Botha, we have angered many South Africans who have accused us of being spineless for not unceremoniously calling him to account.

The Commission will proceed in the normal way with the organisation of the second round of the SSC hearing. The Act requires transparency of the Commission and such a hearing has to be held in public - in the absence of compelling reasons laid down in the Act which would require it to be closed. A hearing cannot therefore be replaced by private talks between Mr Botha and myself.

A subpoena was issued for Mr Botha to appear at the first SSC hearing and it would be odd in the extreme for us to withdraw it for the second. Other former Cabinet members have appeared under subpoena, as have people as prominent as Mrs Winnie Madikizela-Mandela. We very much hope Mr Botha will agree to attend but if he does not the process will take its course.

ends
STATEMENT CONCERNING DECEMBER 14 DEADLINE

Issued by: Truth and Reconciliation Commission

Many critical activities of the Truth and Reconciliation Commission are about to come to an end as the expiry date for those activities approaches on December 14.

The TRC accordingly urges any members of the public who have not yet reported gross violations of human rights to submit the information to one of our offices within the next three weeks.

Sunday December 14 this year is the final date upon which TRC offices will be able to receive new statements from the public. The law governing the Commission allows us to complete work after that date, but not to take on new work of any nature, including the collection of statements.

The violations which can be reported to the Commission include killings, torture, abduction and severe ill-treatment. To be taken up by the TRC, violations must have occurred between March 1960 and May 10, 1994.

The Commission has already collected more than 12,000 statements from victims and survivors, and our pro-active statement-taking campaign ended with our last radio advertising and pamphlet campaign in June this year. We have also spent millions of rands in ensuring that everyone who wants to report their cases has been told how to do so and TRC activities have probably received more publicity than any other national project since the 1994 elections.

As a result, the Commission does not expect a large influx of late statements. We are nevertheless anxious to give anyone who has not had the opportunity to tell us their story to do so now, particularly since access to reparations depends on making a statement to the TRC.

Those wishing to make statements will need to come to our offices in Cape Town, Durban, East London or Johannesburg to do so. The office telephone numbers are:

Cape Town (021) 24 5161
Durban (031) 307 6767
East London (0431) 43 5223
Johannesburg (011) 333 6330

ends
November 18, 1997

34 PEOPLE TO APPEAR AT THE TRC'S SPECIAL HEARING

Issued by: Truth and Reconciliation Commission

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

Thirty-four people are scheduled to appear at the TRC's special event hearing on the activities of the "Mandela United Football Club" (MUFC) in the five days starting Monday November 24.

Twenty witnesses were subpoenaed to answer questions and/or give evidence at the hearing. Another 13 were invited. Mrs Winnie Madikizela-Mandela will appear by agreement - she requested the public hearing in September.

Three other people were served with subpoenas, and another seven invited, but they are not on the schedule of witnesses at this stage. They will be called only if needed.

Those subpoenaed were summoned to the hearing in terms of the National Unity and Reconciliation Act of 1995. They are entitled to legal representation, and if they are not financially capable of doing so, the Commission can arrange for legal assistance.

The witness list follows:

A. SUBPOENAED

- Ms Xoliswa Falati: An accused in the trial arising out of the death of Moeketsi ("Stompie") Seipei.
- Thabiso Mono: A witness in the trial; kidnapped from a Methodist manse in Soweto.
- Pelo Mekgwe: Also kidnapped from the Methodist manse and a witness in the "Stompie" Seipei trial. Appeared at a recent news conference held by Mrs Madikizela-Mandela.
- Thami Hlatswayo: Alleged MK-member.
- Pumsile Dlamini: Sister of Thole Dlamini, now deceased.
- Katiza Cebekhulu: Witness who disappeared before he could give evidence in the trial.
- Thulani Dlamini: Convicted of murder and applying for amnesty for the death of Dr Abu Baker Asvat.
- Cyril Mbatha: Convicted murderer of Dr Abu Baker Asvat.
- Senior Supt. Fred Dempsey: Member of the Soweto murder and robbery unit; investigating officer in a number of cases in which members of the Mandela United Football Club were implicated.
- Sen Supt HT Moodley: SAP investigating officer.
- George Fivaz: Commissioner of Police.
- Leratodi Ikaneng: An accused in the State vs Ikaneng, the trial arising from the death of Maxwell Madondo.
- Sibusisu Chili: Convicted of murder of Maxwell Madondo.
- Jerry Richardson: Convicted murderer of Stompie Seipei. Former coach of the Mandela United Football Club.
- Dudu Chili: Mother of Sibusiso Chili.
- Barbara Chili: Cousin of Dudu Chili.
- Charles Zwane: Convicted and serving a sentence for several crimes, including the bombing of Dudu Chili’s house.
- JJ Sithole: Accused in State vs Sithole, the Stompie Seipei trial.
- Gift Mabelane: Accused in State vs Sithole.

B. THE FOLLOWING PEOPLE WERE INVITED TO TESTIFY:

- Mrs Albertina Sisulu: Managed the office of Dr Abu-Baker Asvat.
- Mr Nicodemus Sono: Father of Lolo Sono, who disappeared in 1988.
- Dr Ebrahim Asvat: Brother of the late Dr Abu Baker Asvat.
- Father Smangaliso Mkhatswa: Church and community leader; now Deputy Minister of Education.
- Bishop Paul Verryn: Methodist Church minister based in Soweto at the time; now Methodist leader in Johannesburg.
- The Rev Peter Storey: Methodist Church leader to whom Verryn reported.
- Mr Murphy Morobe: Spokesperson for the Mass Democratic Movement who made a public statement distancing the movement from Mrs Madikizela-Mandela in February 1989.
- Dr Frank Chikane: Chairperson of the Mandela Crisis Committee; now Director-General in the Office of the Deputy President.
- Dr Nthato Motlana: Mandela Crisis Committee; now a leading businessman.
- The Rev Otto Mbangula: Mandela Crisis Committee, Methodist minister.
- Bishop Manas Buthelezi: Mandela Crisis Committee, Lutheran bishop, former President of the SA Council of Churches.
- Mr Azhar Cachalia: Mandela Crisis Committee; now Secretary of Safety and Security.
- Mr Paul Erasmus: Former Stratkom operative in the SA Police.

THE FOLLOWING PEOPLE WERE SUBPOENAED BUT HAVE NOT BEEN CALLED AT THIS STAGE. THEY WILL BE CALLED IF NECESSARY:

- Brian Mabusa;
- Slash Mtshali; and
- Sen Supt Henk Hesslinga (SAP investigating officer)
THE FOLLOWING PEOPLE WERE INVITED TO TESTIFY BUT HAVE NOT BEEN PLACED ON THE SCHEDULE AND WILL BE CALLED ONLY IF NEEDED:

- Mr Sydney Mufamadi, Minister of Safety and Security;
- Sister Bernard Ncube, ANC MP;
- Dr Beyers Naude, former general secretary of the SA Council of Churches;
- Mr Cyril Ramaphosa, former secretary-general of the African National Congress, now a businessman;
- Mr Tokyo Sexwale, outgoing Premier of Gauteng;
- Ms Zhora Asvat, wife of the murdered Dr Asvat; and
- Mrs Sono, mother of Lolo Sono.
November 19, 1997

SUBPOENA TO BE DELIVERED TO MR P W BOTHA

PRESS STATEMENT BY DR ALEX BORAINE DEPUTY CHAIRPERSON TRUTH AND RECONCILIATION COMMISSION Cape Town

Issued by: Truth and Reconciliation Commission

The TRC received a telephone call this morning from Mr E J V Penzhorn, who acts for Mr P W Botha, informing us that he, Mr Penzhorn, was leaving for Zambia and therefore the subpoena could not be served on Mr Botha through himself. We informed Mr Penzhorn that we could quite easily serve the subpoena on someone in his office in Pretoria, but he said that he was not sure that this was acceptable and that he would be in touch with Mr P W Botha. The TRC office received a further phone call stating that Mr Penzhorn's office was not willing to accept the subpoena and that it should be served directly on Mr P W Botha himself.

This is in stark contrast to previous arrangements where the initial subpoena for Mr Botha was served on Mr Penzhorn's office in Pretoria. We can only assume that there has been a very considerable change of heart and that Mr Botha's lawyers and Mr Botha himself are not prepared to cooperate in any way with the Commission.

However, the process will continue. The subpoena will be delivered to the TRC office in Cape Town tonight and one of our investigators will take it to Mr Botha's residence tomorrow and will attempt to serve it on Mr Botha personally. It is a matter of considerable regret that the process laid down in the Act, and which the TRC is bound to follow, has been made so difficult as a result of the lack of cooperation from Mr Botha and his lawyers.

ends
November 20, 1997

MUFC - SEVERAL MEMBERS OF THE SAPS HAVE BEEN SUBPOENAED

Issued by: Truth and Reconciliation Commission

PRESS STATEMENT BY DR ALEX BORAINE, DEPUTY CHAIRPERSON, TRUTH & RECONCILIATION COMMISSION

Following an earlier meeting between the TRC’s Legal Advisor and several members of the SAPS who have been subpoenaed to appear at the Mandela United Football Club hearings, a second meeting was held last night.

The meeting was attended by Minister Sydney Mufamadi, Commissioner George Fivaz and several detectives from the SAPS. The TRC was represented by Dr Alex Boraine, Deputy Chairperson, Mr Dumisa Ntsebeza, head of the Investigative Unit, Ms Yasmin Sooka, Deputy Chairperson of the Human Rights Violations Committee, Mr Hanif Vally, Legal Advisor, and Mr Paul van Zyl, Executive Secretary of the TRC.

Amongst matters discussed was the agenda for the hearings which begin on Monday 24 November in Johannesburg, and in particular the possibility of assistance from Commissioner Fivaz's office in locating a number of former members of the security police whom the TRC has had difficulty in finding.

Minister Mufamadi and Commissioner Fivaz agreed to assist the Commission in every way so that as many as possible of the key actors during the period of operation of the Mandela United Football Club would be available to give information during the hearings.

ends
November 20, 1997

SUBPOENA WAS DELIVER TO PW BOTHA AT 12.30 PM

STATEMENT BY DR ALEX BORAINÉ, DEPUTY CHAIRPERSON, TRUTH & RECONCILIATION COMMISSION

Issued by: Truth and Reconciliation Commission

It is our very deep hope that Mr P W Botha will appear at the second round of our hearings on the role of the State Security Council.

Two members of the Commission's staff served a subpoena on Mr Botha at about 12.30 pm this afternoon. It was accepted on Mr Botha's behalf by an officer of his security detachment. The subpoena requires him to appear and answers questions in Cape Town on December 5.

Notwithstanding his refusal so far to co-operate with the TRC by appearing, it is our sincere hope that he will change his mind, attend the hearing and assist the Commission to fulfil its mandate.

Mr Botha, as a former Minister of Defence, Prime Minister and State President, has invaluable information concerning the period under the TRC's review and without his input, the Commission's final report will be that much poorer. I am convinced that as a law-abiding citizen, he will have a change of heart.

ends
Two TRC investigators travelled to France this week to follow up on and share information relating to the assassination of former ANC representative in France, Ms Dulcie September.

The purpose of the visit was twofold. They briefed both the French government and police as well as the South African ambassador in France, Ms Barbara Masakela, about the TRC's investigations into the 1988 murder outside September's home in Paris. At the same time, the French government placed its information on the matter at the disposal of the South African government and the Commission.

This invitation to share information follows reports in the French media of contents of a submission made to the TRC last year, including allegations of French security police involvement in the murder. The submission, which is being investigated by the TRC, was leaked to the media, causing concern in French government and diplomatic circles. The French government emphatically denied any involvement in the assassination.

I authorized two members from the TRC's National Investigative Unit, Mr Wilson Magadla, the Head of Special Investigations, and Swedish investigator Jan Ake Kjellberg, to represent the Commission. They left for France on Wednesday, 19 November, stayed in Paris as guests of the South African embassy and will return today, Sunday 23 November.

The investigation into the matter forms part of the TRC's larger research and investigative processes into foreign and cross-border atrocities committed during the apartheid years. These investigations are still in progress and we cannot therefore comment on them yet.
November 28, 1997

AMNESTY GRANTED TO 43 PEOPLE

STATEMENT FROM THE TRUTH AND RECONCILIATION COMMISSION

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to 43 people after considering their applications in chambers.

Amnesties have been granted to:

- 37 members of the ANC, including Deputy President Thabo Mbeki, Defence Minister Joe Modise and other members of the Cabinet;
- Five right-wing applicants; and
- Trevor Thamsanqa Tutu.

The law governing the TRC provides that:

"The [Amnesty Committee] may, if it is satisfied that--

(i) the requirements mentioned in Section 20 (1) [the section of the Act laying down conditions for amnesty] have been complied with;

(ii) there is no need for a hearing; and

(iii) the act, omission or offence to which the application relates, does not constitute a gross violation of human rights,

in the absence of the applicant and without holding a hearing, grant amnesty and inform the applicant accordingly.

Copies of the 43 amnesty application forms are available from the TRC's Cape Town office. [and will hopefully be available on the website soon]

================================================================

PROCLAMATION IN TERMS OF SECTION 20(6) OF THE PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, 1995 (ACT NO. 34 OF 1995)

Notice is hereby given that amnesty in terms of Section 20(1) of Act No. 34 of 1995 was granted on 28th November 1997 to the following persons for all offences associated with a political objective as defined by the Act, and which fall within the ambit of the Act committed or authorised by him/her as a member of the African National Congress and on its behalf during the period/s:-

A.

i) 1st March 1960 to 10th May 1994

- January Boy Masilela;
- Dumisani Henry Makhaye;
- Lord Wilfred Hendrick Matsane;
- Colin Cecil Coleman;
- Charles Nqakula;
Barry Philip Gilder;
Abdulah Mohamed Omar;
Basil Kenyon Dumisani Mafu;
Mongane Wally Serote;
Baleka Mmakota Mbeté-Kgositsile;
Peter Ramoshoane Mokaba;
Nosiviwe Noluthando Mapisa;
Thabo Mvuyelwa Mbeki;
Sathyandranath R. Maharaj;
Jacob Gedleyihlekisa Zuma;
John Kgoana Nkadimeng;
P.R.F Mdluli-Sedibe;
Lambert Lehlohonolo Molo;
Billy Lesedi Masetlha;
Ruth Segomotsi Mompati;
Jacob Sello Selebi;
Zweledinga Pallo Jordan;
Garth Richard Strachan;
Essop Goolam Pahad;
Nakedi Mathews Phosa;
Pravin Jamnadas Gordhan;
Sipho Sidney Makana;
Alfred Nzo;

ii) 1961 to 1993

- Joe Johannes Modise

iii) 1962 to 1985

- Andrew Mandla Lekota Masondo

iv) 1970 to 10th May 1994

- Lincoln Vumile Ngculu

v) 1976 10 1978

- Snuki Joseph Zikalala

vi) 1978 to 1981 ~

- Keith Matila Mokoape

vii) 1978 to 10th May 1994

- Joseph Mbu Ku Nhlanhla

viii) 1983 to 1993

- Dr Biki Samuel Victor Minyuku

ix) 1984 to 1994

- Mtikeni Patrick Sibande
B.

Amnesty in terms of Section 20(1) of Act No. 34 of 1995, was granted on the 28th November 1997 to the following persons in respect of the acts, offences, omissions and delicts flowing from and connected with the illegal Pietersburg and Cosatu House, Paul Kruger Street, Pretoria during the period 1990 to 1992:-

i) DIETER STOLS (Identity No. 580601 5061 00 0)

ii) FREDERIK HENDRIK GEYSER (Identity No. 600504 5047 00 1)

iii) PIETER BESTER (Identity No. 650330 5063 08 0)

iv) THEUNIS HANNES GERBER (Identity No. 690717 5037 08 4)

V) WILHELM JOHAN ELS (Identity No. 510909 5006 00 7)

C.

Amnesty in terms of Section 20(1) of Act No, 34 of 1995, was granted on the 28th November 1997 to

TREVOR ARMSTRONG THAMSANQA TUTU (Passport No. L4719)

in respect of the contravention of Section 2(2)(b) and Section 2(1)(g) read with Section 1 of the Civil Aviation Act No. 10 of 1972 at East London on the 8th October 1989 and in respect of which he was sentenced in the Regional Court at East London under Case, Number SH 2/229/89 and any other offences or omissions flowing from the aforementioned contravention.

[This declaration was attached to the amnesty application of the ANC leaders]

Declaration

We, the applicants, having at various times between 1 March 1960 and 10 May 1994, as indicated below been members and leaders of the AFRICAN NATIONAL CONGRESS (hereinafter referred to as the ANC), elected and/or appointed to serve in various structures including its highest organ, the NATIONAL EXECUTIVE COMMITTEE, do hereby make the following declaration:

1. During the said period, the ANC played the foremost role in the leadership of the struggle of the masses of our people for the end of the hateful system of apartheid, appropriately dubbed a crime against humanity by the international community.

2. In the course of our people's struggle, with the intent to induce the apartheid government of the NATIONAL PARTY to abandon apartheid with its concomitant violent repression, and with the intent to achieve, bring about and promote fundamental political, social and economic changes in the Republic, the ANC, inter alia, established its military wing, UMkhonto weSizwe, through which it prosecuted an armed struggle.

3. At all material times, UMkhonto weSizwe operated under political authority, direction and leadership of the ANC.

4. Due to its peculiar circumstances, and the attacks mounted upon it by its adversary, the apartheid government,
the ANC established various organs at various times such as the RC, PMC and a security organ NAT which at all material times also operated under its authority, direction and leadership.

5. Due to the circumstances which prevailed in the townships, in the early 1990s as a result of third force activities, the leadership of the ANC established and, in some instances encouraged the establishment of Self Defence Units (SDUs), which played a critical role in the defence of defenceless communities.

6. In the event, and to the extent that, any of the activities of any of the abovementioned institutions and structures including the SDU’s could in any manner whatsoever be regarded as the kind of acts or omissions or offences envisaged in the PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, we collectively take full responsibility therefore applying for amnesty in respect thereof.

ends
STATEMENT ON GRANTING OF AMNESTY TO TREVOR TUTU

STATEMENT BY DR ALEX BORAINE, DEPUTY CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

Many of the criticisms directed by politicians at the Amnesty Committee's decision to grant Trevor Tutu amnesty are misdirected and based on ignorance of the amnesty process:

1. It is scandalous to suggest that Archbishop Tutu interfered with or influenced the amnesty process. Archbishop Tutu is a man of absolute integrity and would never resort to seeking special treatment for his son's amnesty application. The law specifically states that the Amnesty Committee has autonomous decision-making powers. Both the full Commission and individual Commissioners are precluded by law from taking part in the amnesty decision-making process. Archbishop Tutu has been scrupulously correct in the matter of his son's application. The proposal that Trevor Tutu should apply for amnesty was made by Trevor's lawyer while the Archbishop was in the United States. The Archbishop has never even seen his son's application form. He did not know about the decision until after his son's lawyer was informed of it. The TRC will take legal action against anyone who impugns his integrity in this matter.

2. Both the staff members and Committee members who handled the amnesty application acted in the knowledge, and took into account, that the Commission could face criticism over their handling of this particular application. The executive secretary of the Committee, Advocate Martin Coetzee, is satisfied that the administrative handling of the application was fairly conducted, and that it was not rushed through on account of Mr Tutu's family ties. Advocate Chris de Jager, SC, the longest-serving member of the three-person panel which considered the application, is satisfied that Mr Tutu's actions, as described in his application form, fell within the definition of an "act associated with a political objective".

3. The reason there was no public hearing on Mr Tutu's application is that it did not involve gross human rights violations as defined in the law -- killing, torture, abduction or severe ill-treatment. Nobody was injured or killed as a result of Mr Tutu's actions. All matters not involving gross human rights violations are dealt with in Chambers, on paper, and Mr Tutu's application was handled on the same basis as any other application of its kind. It was politicians in Parliament who decided to write the law governing the Commission in such a way as to provide that there had to be hearings only in cases where gross violations occurred.

4. The reason that PAC cases take longer to come before the Amnesty Committee than cases such as Mr Tutu's is that most of them involve acts which require that the Committee holds public hearings. It takes longer first to schedule, then to hear and then to consider the evidence and decide upon such applications.

ends
STATEMENT ON PW BOTHA'S REFUSAL TO APPEAR AT HEARING

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

The Truth and Reconciliation Commission has received notice from Mr P W Botha's lawyers that he does not intend appearing before the Commission's inquiry into the activities of the former State Security Council on Friday.

Mr Botha has been subpoenaed to appear before the TRC in Cape Town at 9 am on Friday. General Magnus Malan, former Minister of Defence, and Dr Niel Barnard, former head of the National Intelligence Service, are to appear on Thursday.

Mr Botha and his lawyers have offered to answer the TRC's questions in writing. This response is wholly inadequate -- a wide range of political leaders has appeared before the TRC to give evidence in person in addition to making written submissions. In the case of Mr Botha, as with others, written answers can never be a substitute for a personal appearance to answer our questions.

Mr Botha is required by law to appear on Friday. He told me when I had discussions with him last year that he was a law-abiding citizen. We are insisting that he must appear and we hope that he will change his mind and obey a lawfully-issued subpoena.

The TRC panel conducting the hearing will be expecting Mr Botha at the hearing venue on Friday. If Mr Botha does not appear before us, we will proceed to lay charges immediately with the relevant Attorney-General.

In terms of Section 39 of the Promotion of National Unity and Reconciliation Act, "Any person who... having been subpoenaed in terms of this Act, without sufficient cause fails to attend at the time and place specified in the subpoena... shall be guilty of an offence and liable on conviction to a fine, or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment."

ends
ADVISORY BY DUMISA NTSEBEZA ON EXHUMATIONS

The TRC's Investigative Unit is scheduled to exhume the bodies of 10 MK cadres in the Northern Province this week. The body of an Apla cadre, killed in 1988, will also be exhumed on Wednesday, provided his relatives in East London can be contacted in time. This will be the first Apla cadre's body to be exhumed by the TRC.

Tomorrow, 9 December, the team will travel to Thohoynadou in Venda where three MK operatives were buried at Mbaleni graveyard in 1983, following abduction from their operational base in Zimbabwe and their subsequent killing, allegedly at the hands of former South African Security police. They are: Patrick Mutswaletswale, Andrew Mandi (originally from Alexandra township), and Humbalani Tshifhiwa Mlaudzi of Thohoyandou. They were killed on August 30, 1983 at Tshipise location.

On Wednesday, 10 December, the team will start work on the exhumation of seven more bodies buried at Thokoto farm near Louis Trichardt. Five of them were killed by members of the Security Branch on August 23, 1988 near Motale River in the Messina district. The seven were: Daniel Nkabinde, Oupa Lukele, Ruben Lutsile, Knganganni Ramyaoa, Mlungsi Velapi, Alfred Nkosi and Abram More.

A PAC/Apla cadre was buried at the same site and will be exhumed if his relatives can be traced. He was killed in operations along with Mark Mkonto and Johannes Mkhatsani in September 1988.

Eighteen bodies of MK cadres have been exhumed so far this year after their unmarked or paupers' graves were located by the National Investigative Unit. Of these, six were in Kwazulu/Natal, four in the Free State and eight in the former Transvaal, mostly in the Northern Province and Mpumalanga.

TRC investigators are aware of several gravesites of Apla cadres, but have thus far been unable to trace their relatives to get permission for exhumation. We are appealing to the families of Apla cadres who went missing in operation, to contact the TRC to help with the location of their graves and permission to exhume their bodies as well as possible assistance with reburial ceremonies. They can phone Captain Fanie Molapo of the TRC's Gauteng office - 011-333 6330.

ends
STATEMENT - AMNESTY DENIED TO AWB MAN

The Amnesty Committee of the TRC has refused amnesty to AWB member Mr Hendrik Johannes Slippers for killing a man in 1990 in an effort to enforce a white-by-night policy in Belfast, Mpumalanga.

Slippers, currently serving an effective 10-year jail sentence for the murder, was however granted amnesty for abducting the man, Mr George Ngomane.

An amnesty panel under Judge Bernard Ngoepe heard Mr Slippers' application between May 5 and 8 this year in Nelspruit.

The panel decision was reached by Judge Ngoepe and Ms Sisi Khampepe. However, a third member of the panel, Advocate Chris de Jager, SC, dissented. In a minority decision, he said Slipper should be granted amnesty in respect of both the killing and the abduction.

In the majority decision, Judge Ngoepe and Ms Khampepe ruled: "In our view the killing of the deceased constitutes an act grossly out of proportion with the stated objective of the AWB, namely, keeping blacks out of the town after 21h00. The killing of the deceased is therefore not an act associated with a political objective."

Mr de Jager said the trial court had found the offence was "politically coloured". He also said the murder was linked to the abduction: "Seeing... that the one offence [murder] flowed out of the other [abduction] and the one being interlinked with the other, the one cannot be seen as totally separated from the politically motivated abduction. I am of the opinion that amnesty should be granted as applied for..."

The full text of the two decisions will soon be on the website.

ends
STATEMENT - LEGAL OPINION SOUGHT IN AMNESTY OF ANC 37

STATEMENT BY DR ALEX BORAIN, VICE-CHAIRPERSON, TRUTH AND RECONCILIATION COMMISSION

Advocate Wim Trengove, SC, has been briefed by the TRC to give a legal opinion on the Amnesty Committee's decision to grant amnesty to 37 ANC applicants. He has also accepted a brief concerning the granting of amnesty to Mr Trevor Tutu.

We have asked Adv. Trengove that the matter should be considered as a high priority. We will issue a further statement as soon as we have received his opinion.

ends
December 11, 1997

STATEMENT - "REGISTER OF RECONCILIATION"

The Truth and Reconciliation Commission is opening a "Register of Reconciliation" next week to give members of the public a chance to express their regret at failing to prevent human rights violations and to demonstrate their commitment to reconciliation.

The register is being launched at each of the TRC's four regional offices and on its Internet Website. The initiative coincides with the commemoration of the Day of Reconciliation next Tuesday.

Members of the public will be able to sign the register at the TRC's Cape Town, Durban, East London and Johannesburg offices from next Monday, December 15.

Those with computers will also able to add their names to the register from Monday on the TRC's Internet Website, to be found at http://www.truth.org.za .

Mrs Mary Burton, the TRC Commissioner who proposed the establishment of the register at this week's TRC meeting, explained the proposal:

"The register has been established in response to a deep wish for reconciliation in the hearts of many South Africans -- people who did not perhaps commit gross violations of human rights but nevertheless wish to indicate their regret for failures in the past to do all they could have done to prevent such violations; people who want to demonstrate in some symbolic way their commitment to a new kind of future in which human rights abuses will not take place.

"We know that many South Africans are ready and eager to turn away from a past history of division and discrimination. Guilt for wrongdoing needs to be translated into positive commitment to building a better society - - the healthiest and most productive form of atonement."

The register can be signed between 9 am and 4 pm on weekdays at the following addresses:

Cape Town: 7th Floor, 106 Adderley Street, Cape Town; Durban: 10th Floor, Metlife Building, 391 Smith Street, Durban; East London: 5th Floor, NBS Building, 15 Terminus Street, East London; Johannesburg: 10th Floor, Sanlam Centre, cor Jeppe and Von Wielligh Streets, Johannesburg.

The TRC's offices will close for Christmas on December 19 and reopen on January 5.

ends
December 12, 1997

ADVISORY - AWB MAKES SUBMISSION TO THE TRC

The Afrikaner Weerstandsbeweging (AWB) made a public submission to the TRC yesterday expressing it's regret about human rights violations and racism since its inception in 1973.

In the submission, handed in at the Gauteng office of the TRC, the general staff of the AWB also extends it's sympathy and condolences to victims of AWB acts and pledges it's continued support to TRC's efforts to uncover the truth about apartheid atrocities. An express commitment is also made to furthering freedom of speech and association.

Five events are dealt with in particular:

-- The tarring and feathering of the late Prof Floors van Jaarsveld in 1978;

-- The "battle" of Ventersdorp;

-- The stashing of "dangerous" weaponry, and acts of sabotage by AWB members and officers;

-- The events in Bophuthatswana during 1994;

-- Racism in general.

The AWB says none of these events should have taken place and that new orders were issued to regional structures in 1994 to stop all acts of sabotage. These and other issues, like the storming of the World Trade Centre and the plight of AWB prisoners who applied for amnesty, will be discussed when the AWB general staff meet with the Commission early next year.

ends
The Amnesty Committee has granted amnesty to a member of the Afrikaner Volksfront and Conservative Party who was convicted on several counts of illegal possession of weapons.

Mr Olof Vorster (28) was sentenced to community service and a fine after pleading guilty to charges brought against him in the Pretoria Regional Court last year.

Court records showed the list of weapons in Vorster's arsenal to have included a Makarov pistol, an AK-47 machine-gun (with more than 1500 rounds of ammunition), a bayonet, nightsight equipment, flares, smoke grenades, teargas dispensers, landmine detonators, mechanical and electrical switches, 20 pieces of blasting material and explosives, as well as ammunition for a wide range of weapons, including hunting rifles.

Amnesty was granted in respect of all charges after the matter was decided upon in chambers this week. A public hearing was not necessary because Vorster did not commit any gross human rights violations, as defined in the Promotion of National Unity and Reconciliation Act.

The applicant, who lives in Pretoria, said in his application he did not have a direct command to stash the weapons, but that his actions were motivated by the leaders of the Volksfront, who urged members to prepare for "chaos" before and after the 1994 elections.

Vorster said he never used the weapons against a person. He was however not licensed to own a firearm. The weapons were stashed at two sites in the district of Pretoria.

ends
December 15, 1997

**STATEMENT - AMNESTY GRANTED TO ANC AND FORMER MK MEMBER**

The Amnesty Committee has granted amnesty to Moses Ndabaphi (40), an ANC and former Unkontho we Sizwe (MK) member.

The amnesty was granted in respect of the illegal possession and distribution of firearms and ammunition in and near Soweto during 1990. No public hearing was needed as the application does not relate to any gross violations of human rights, as defined by the Promotion of National Unity and Reconciliation Act.

Ndabaphi says in his application he distributed the weapons to self-defence units in Soweto and surrounding squatter camps to enable them to defend themselves against vigilantes. He claims to have acted under orders of the late MK leader, Chris Hani, but admits to have taken "initiative" as his comrades' lives were in danger.

ends
January 7, 1998

STATEMENT - PROSECUTION OF PW BOTHA

ISSUED BY: Dr Alex Boraine Deputy Chairperson, Truth and Reconciliation Commission

Mr P W Botha has been given every opportunity to cooperate with the TRC. The Commission holds no animosity towards the former State President. We believe that his experience as Minister of Defence, as Prime Minister and as State President and the information he could give us is vital in order for the Commission to fulfil its mandate.

The Attorney-General of the Western Cape, Mr F W Kahn SC, has decided that a prosecution is warranted in law and has summoned Mr Botha to appear on 23 January 1998.

We had hoped against hope that matters would not have reached this eventuality. We would have preferred that the current impasse between Mr Botha and the Commission did not end up in a court of law. It should have been possible to resolve differences, even serious differences, through dialogue and discussion, as has been the case in so many hearings of the TRC.

Even at this 11th hour I would appeal to Mr Botha to change his mind and agree to appear before the TRC. If he refused to do this then the law must take its course. No-one is above the law - neither the lowliest nor the highest in the land.

ends
January 9, 1998

STATEMENT - REGARDING LEGAL FEES OF PW BOTHA

ISSUED BY: Dr Alex Boraine
Deputy Chairperson, Truth and Reconciliation Commission

The Commission is grateful to the PAC for their past cooperation. I am confident that the present distention can be resolved through discussion.

I want to place on record that the TRC is not responsible for the legal fees of former State President, PW Botha, as is alleged by the PAC.

The Promotion of National Unity and Reconciliation Act, which guides our work, stipulates that the TRC is obliged "to assist people who are not financially capable of appointing a legal representative, and if it is of the opinion that it is in the interest of justice that the person be represented by a legal representative." This is the case for both amnesty applicants as well as people subpoenaed to appear before the Human Rights Violation Committee or Amnesty Committee.

The Legal Aid Board also administers a means test, as a requirement, to ascertain whether the person qualifies for legal assistance. If it is for instance found that a person could afford his or her own legal fees, no legal aid is approved. However, the TRC has no involvement whatsoever in either the approval or the tariff payable in matters funded in terms of the Act.

As far as institutions and in this case the state is concerned, the State Attorney's Act of 1957 lays down rules and guidelines for employees and former employees of the state. The state is contractually bound to assist such employees according to tariffs which are adapted from time to time by the state. The TRC is not involved in this process and has no obligations whatsoever in terms of providing such legal aid. This is a matter for the Justice Department.

The TRC has on several occasions made representations to the minister urging that members of the former liberation movements be afforded the same legal aid tariffs as state employees. As a result the access to such funding is now potentially open to them in consultation with the Justice Department.

ends
January 12, 1998

STATEMENT - ANOTHER MANDELA UNITED FOOTBALL CLUB HEARING

Seventeen more people, including former Vlakplaas commander, Eugene de Kock, have been subpoenaed by the TRC's Investigative Unit to give evidence and/or answer questions in relation to the Commission's investigations into the Mandela United Football Club (MUFC).

Two of those subpoenaed are agents from the National Intelligence Agency (NIA) who could not be identified and will not be testifying at the public hearing scheduled for January 28 to 30 in Johannesburg. They will be questioned in camera. Ten are former members of the Soweto Security Branch, one a former deputy attorney-general, one from the former Soweto murder and robbery unit and two other investigative officers from the former South African Police (SAP).

The three day hearing later this month follows ten days of evidence by more than 25 witnesses during November and December last year, including testimony by Mrs Winnie Madikizela-Mandela.

During this evidence and further investigations by the TRC it was decided that the evidence of the former Security Branch (SB) members will be essential to the TRC's investigations into a number of human rights violations allegedly committed by the Mandela United Football Club during the eighties. Mrs Madikizela-Mandela was not subpoenaed to the hearing, but has the right to attend with her legal representatives and to question those subpoenaed.

The 15 former policemen will be questioned on several issues, including the alleged smear campaign they conducted against Mrs Madikizela-Mandela, whether or not she was spied upon, and their investigations into some of the alleged violations, like the death of Dr Abubaker Asvat and disappearance of Lolo Sono.

The 10 former members of the Soweto Security Branch are: Ignatius Coetzee; Wilhelm Coetzee; SP Nienaber; Hume du Toit; Jan Potgieter, Anton Pretorius; Jan Augustyn; DFM Bosman, Louis Watermeyer and Louis de Jager.

The other five policemen are: Andre Kritzinger, formerly of the Soweto murder and robbery unit; Eugene de Kock, currently serving several life sentences; Soweto Molaba, of the former SAP detentive services; Norman Lemmer, investigating officer on some MUDF linked cases and Adv Van Vuuren, former deputy attorney-general of the former Transvaal province.

The hearings will again take place at the Johannesburg Institute for Social Studies in Mayfair. Details of logistic arrangements for the media will be released next week.

ends
January 12, 1998

STATEMENT - ONE DAY HEARING TO CONCLUDE HEIDELBERG TAVERN MASSACRE

The Amnesty Committee has scheduled a one-day hearing for Wednesday 14 January to conclude outstanding evidence in the Heidelberg Tavern Massacre matter.

The hearing of three amnesty applications relating to the massacre in 1993 was held in October last year, but was postponed after the controversy surrounding Guguletu gardener, Mr Bennett Sibaya, who alleged a commissioner to have driven a get-away car after the massacre in December 1993.

Mr Sibaya later retracted his evidence, leading to the Commission requesting an independent inquiry to investigate the matter. Judge Richard Goldstone was appointed to the one-man Commission and has subsequently concluded his investigation into the matter. His report will be tabled at Wednesday's hearing.

Mr Sibaya, as well as the three applicants, Vuyisile Madasi, Luyanda Gqomfa and Zola Mabela will be present at the hearing for further questioning.

The amnesty panel consisting of Judge Hassen Mall, Judge Wilson and Adv Ntsiki Sandi, originally asked for a postponement in order to obtain further ballistics evidence, in terms of the type of ammunition used by the attackers and to confirm the positions the applicants alleged they shot from.

The hearing will start at 09h00 am in the Cape Town office at 106 Adderley Street.

ends
January 13, 1998

STATEMENT - COURT TO DECIDE ON ANC 37

ISSUED BY ARCHBISHOP DESMOND TUTU

The TRC has met in full session following a beginning-of-year retreat on Robben Island for Commissioners and Committee members.

We have, among other issues, discussed the matter of the decision by the Amnesty Committee concerning the application by the 37 ANC leaders. We have carefully considered our own concerns in this regard, together with an appreciation of the clear public interest that exists. We have also had close discussions with the Amnesty Committee, several of whose members have been present at our meeting here.

The Commission has unanimously decided as follows:

1. We shall, as a matter of urgency, approach the High Court to seek a declaratory order, or such other relief as Counsel may advise, to ascertain whether or not the decision made by the Amnesty Committee conformed with our governing Act.

2. We will do this in consultation with the Counsel whose opinion we initially sought. His opinion has guided our decision to go to the court.

3. The Amnesty Committee has been kept fully informed of our discussions and this decision. The Committee supports this course of action and both we and they will, of course, abide by the decision of the court.

We take this opportunity to re-affirm our full confidence in the Amnesty Committee and its operation. Because our Act the Committee absolute autonomy in its deliberations, the only option we as a Commission had in this matter is to act as we have done and go to court. We are confident that this process will, quickly and effectively, resolve the current impasse.

ends
January 15, 1998

PRESS STATEMENT - AMNESTY HEARINGS IN KWAZULU/NATAL

The Amnesty Committee of the Truth and Reconciliation Commission will kick-off the new year in its KwaZulu/Natal - Free State region by finalising two amnesty applications that it partly dealt with in 1997.

The three-member amnesty panel is scheduled to spend two weeks in the Free State dealing with these matters at the Sinodale Centre, 147 St. Andrew Street in central Bloemfontein, from Monday January 19 to Friday January 30.

The two applicants - both former security policemen - who are to appear before the amnesty committee are Mr Mphithizeli Nelson Ngo (34), of Petrusburg, who is serving a 25-year prison term for the murder and robbery of a Free State farmer, Mr P.D. Venter and Mr Mohanaetse Stephen Motsamai (43) of Bloemfontein who has applied for amnesty for the murder of a Mr George Musi in Bochabela in 1980 and petrol-bombing of a number of properties, including the burning down of Mrs Winnie Madikizela-Mandela's home in Brandfort and a clinic she ran in the area.

Both applicants have implicated senior police officers, as having given them orders to commit these crimes. Most of the implicated officers are still serving in the South African Police Services.

ends
January 20, 1998

STATEMENT - TRC REPORT ON THE "SKWEYIYA REPORT"

Reports appeared in Rapport newspaper during December which gave rise to suggestions that the African National Congress had given the TRC a "sanitised" version of the report of the so-called Skweyiya Commission, the commission of inquiry appointed by the African National Congress to investigate complaints by former ANC prisoners and detainees.

As a consequence of the appearance of the newspaper's reports, the Commission's Research Department has examined whether the Commission has indeed been given a censored version of the "Skweyiya Report" by the ANC.

The Skweyiya Report provided to the Commission by the ANC was a 25-page document supplied during the course of 1996, some months before the ANC and other parties first appeared at the "political party" hearings of August 1996. The report was signed by Adv. T.L. Skweyiya S.C., Ms B Mabandla and and Adv. G.J. Marcus.

Since the only source of suggestions that there was another, longer "Skweyiya Report" was the reportage in Rapport, the newspaper was asked to supply a copy of its document, which it did.

A cursory examination of the unsigned 41-page document supplied by Rapport did not substantiate, on the face of it, the newspaper's description of the document as "the Skweyiya Commission's report of 1993." This is indicated, inter alia, by the following:

* Pages One and Two of the document comprise a memorandum from Adv. Elna Revelas, who identifies herself as the presenter of evidence before the Skweyiya Commission. Paragraph Three of the memorandum says, inter alia, that "The Commission is anxious to complete its deliberations..." The last paragraph of the memo asks for the "Stuart commission report" to be made available in terms reinforcing the impression that the Skweyiya Commission had not completed its work.

* Page 36 of the document details "Conclusions" which appear on the face of it to be written in the language of political polemic rather than that of lawyers delivering the report of a Commission of Inquiry. Examples of the language:
  
  * That the accounts of abuses ".. cast doubt on the ANC's sincerity in claiming to seek democratic rule..."
  
  * "The ANC has an authoritarian and repressive style. What is at stake here is the whole question of democracy in a future SA. Will ANC dissidents be allowed to speak? Will they be physically safe from harm if they speak?"

* Page 40 uses language which does not read as that of a commission of inquiry. Discussing the death of Thami Zulu, the document says inter alia: "...Through the death of my friend and colleague, TZ ...."

The TRC's Research Department approached Advocates Revelas, now a Judge of the Labour Court in Johannesburg, and Marcus, now a Senior Counsel at the Johannesburg Bar, to seek further clarification on the status of Rapport's document. --- Judge Revelas, in the reply which is attached, confirmed that the first two pages of the document were a memorandum from her but said she was not the author of pages 3-41, which she had never seen before.

--- Advocate Marcus, whose reply is also attached, said he had never seen the document before and added: "It is not a report of the Skweyiya Commission nor was it placed before the Skweyiya Commission. An examination of the document reveals that it purports to be a personal account by an anonymous individual...." and "I have no idea who compiled the document but I can state categorically that it formed no part of the work of the Skweyiya Commission."
The Research Department has also considered other aspects of this matter, firstly the inference to be drawn from an article in Rapport that Judge Revelas implicitly confirmed the newspaper's document to be the Skweyiya Report. Judge Revelas has stated that when she was interviewed by the newspaper, she mistakenly assumed that the reporter was referring to the document she regards as the Skweyiya report. She has since confirmed verbally to the Director of Research that the Skweyiya Report was indeed the 25-page document.

Secondly, Ms Dene Smuts MP has referred to a report from the "International Society for Human Rights" as saying the Skweyiya Report was a 74-page document. This information still needs to be followed up but even if the information was accurate it would not substantiate Rapport's characterisation of its document.

The Research Department's prima facie view is that:

1. Rapport's document is in fact not the Skweyiya Report;

2. No proof has been offered to us that the ANC has given us a censored Skweyiya Report; and

3. The way in which pages 3 to 41 of the document were added to a memorandum written by the then Adv. Revelas raises serious questions about the motives of whoever produced the document and of those who supplied it to Rapport.

Judge Revelas states that had what she calls "the Anonymous Document" been presented to her, she would have investigated the matters raised in it to the best of her ability. The Commission similarly believes that the information in the document warrants further investigation if it can be properly sourced. We will therefore approach Rapport and invite them to assist us, without asking them to reveal the identity of possibly confidential sources, in identifying persons who can give first-hand testimony as to the accuracy of the information contained in their document.

ends
STATEMENT - TRC FINDINGS ON GROSS VIOLATIONS OF HUMAN RIGHTS

Issued by: Truth and Reconciliation Commission

The Human Rights Violations Committee of the Truth and Reconciliation Commission has to corroborate and make findings on nearly 20,000 statements about gross violations of human rights before the Commission closes down later this year.

The table below reflects the TRC's progress in making findings on statements it has received in the past two years. It indicates that the TRC received more than 20,000 statements from people reporting gross violations of human rights before the cut-off date for statements last December 15. About 5,000 of these were made in a last-minute rush in KwaZulu/Natal in December.

The table indicates that nearly half the statements have gone through the process of being corroborated. After corroboration, Commissioners and Committee members of the TRC make pre-findings' in regional offices on whether a gross violation has occurred. The decision is made on the basis of weighing the balance of probabilities.

The pre-findings are then channelled through to the national HRV Committee for final findings to be made.

The TRC is on the verge of finalising the first 2,300 findings at a national level, and of sending letters out telling those who have made statements of the Commission's finding. Only those declared victims in terms of the act governing the TRC will be eligible for the reparations which have been suggested to the Government by the Reparation and Rehabilitation Committee of the TRC.

Table: Human Rights Violations Committee of the TRC - Statistics on the handling of statements.

Week ending 9 January 1998

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<th>Durban</th>
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<td>2300</td>
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STATEMENT - LATEST AMNESTY FIGURES

The Truth and Reconciliation Commission resolved today to begin consultations on mechanisms for handling outstanding amnesty applications once the Commission has completed its work in July this year.

Figures tabled by the Amnesty Committee in its monthly report to today's Commission meeting indicated that another 1,387 applicants still need to be heard at public hearings. In addition, 521 applications still have to be dealt with in Chambers.

The Committee said its objective was to finish its work as quickly as possible and to do everything within its power to expedite the process, but that it was highly unlikely it would complete its work before its deadline of June 30.

The Commission recognised that while efforts to complete the Amnesty Committee's work need to be intensified, it will not complete its work. We have accordingly resolved to begin discussions involving the Commission's leadership and the Amnesty Committee on options for completing the amnesty process. The proposals will also be discussed with the Ministry of Justice.

In preliminary discussions today, two tentative options were raised:

- Amending the law to keep the Amnesty Committee in existence after the Commission has closed down in July; and
- Replacing the TRC's amnesty process with another mechanism for hearing and deciding on outstanding amnesty applications.

A TRC survey of amnesty applications still to be dealt with indicates that a number of major hearings, including those of high-profile applicants who served the former Government, the ANC and the PAC, still have to be conducted.

The results of this survey, published for the first time today, indicate that hearings will cover a wide range of activities not previously disclosed by the Commission as being the subject of amnesty applications. For example, applications not previously announced by the Commission concern:

State structures:
- Cross-border operations, including the June 1985 Botswana Raid and the December 1985 Maseru Raid;
- Assassinations outside South Africa; and
- The bombing of the ANC's London office when its leaders were in exile.

ANC:
- Human rights violations in ANC camps in Angola, Botswana and Zambia;
- Assassinations within South Africa;
- Landmine operations in the former Transvaal;
- The Church Street bomb, Wimpy Bar bombings and the bombings of Wits Command and the Johannesburg Magistrate's Court;
- Attacks on policemen and police stations;
- The killing of IFP members by ANC SDU members on the East Rand in the 1990s;
- Involvement in KwaZulu/Natal violence; and
PAC:
- Attacks at the Crazy Beat Disco, Newcastle, and the Yellowwoods Hotel, Fort Beaufort;
- Farms in the Tzaneen, Grahamstown and Pietermaritzburg areas;
- Robberies at businesses by APLA Re-Possession Units; and
- Attacks on policemen.

Community members acting in the name of liberation movements:
- Necklace killings and burnings of people including alleged informers and Community Councillors.

IFP:
- Hit squad killings;
- Weapons supplies to IFP-aligned operatives in the 1990s.

The right wing:
- The purchase and smuggling of illegal weapons.

The survey of amnesty applications was carried out last year in an effort to assess the type of information which is available to the Commission in amnesty applications. It was based on a perusal of:
- About 465 applications from applicants who operated in or with State structures;
- About 600 applications from those who supported liberation movements;
- About 50 right-wing applications.

In line with the provisions of the Promotion of National Unity and Reconciliation Act, and with its normal practice, the TRC will not disclose further details of the abovementioned amnesty applications before they are heard. Details of individual applications, including the names of applicants, can be released only when hearings commence or by special resolution of the Commission.

ends
January 28, 1998

STATEMENT BY MS HLENGIWE MKHIZE, CHAIRPERSON, REPARATIONS AND REHABILITATION COMMITTEE OF THE TRUTH AND RECONCILIATION COMMISSION

Members of the Reparations and Rehabilitation Committee of the TRC met the Minister of Justice, Dr Dullah Omar, in Pretoria this afternoon.

The meeting was conducted in a very good spirit. We agreed to set up an urgent, top-level meeting including the Minister of Justice, the Minister of Finance and members of the Committee.

Among issues to be dealt with at such a meeting will be the finalisation of regulations governing the granting of urgent interim relief and an application form for reparations. The regulations and application form will then be promulgated so that interim reparations can be provided to victims as quickly as possible.

Both the Committee and the Minister agreed that their common goal was to deliver reparations as a matter of urgency.

ends
January 29, 1998

STATEMENT BY ARCHBISHOP DESMOND TUTU IN RESPONSE TO A STATEMENT BY MR JACKO MAREE, MP

The Commission has not excluded members of any political party from employment. If an employee has applied for amnesty, the Amnesty Committee is bound by law to consider and decide upon the application.

The acts for which Dr Minyuku applied for amnesty were listed in his amnesty application published in November last year. Dr Minyuku is not a Commissioner, so he does not decide on policy, investigations or the Final Report. He is in charge of administration and is the accounting officer.

ends
February 2, 1998

ADVISORY - AMNESTY HEARING OF TWO FORMER VLAKPLAAS OPERATIVES

Issued by: Truth and Reconciliation Commission

The amnesty hearing of two former Vlakplaas operatives in relation to the Guguletu 7 incident in 1986 will continue tomorrow, Tuesday 3 February, in Cape Town. The hearing was postponed in November last year, when the Amnesty Committee decided to give one of the witnesses, from former Vlakplaas operative, Mr Jimmy Mbane, an opportunity to obtain legal representation before he is questioned.

The two amnesty applicants are a former sergeant at Vlakplaas, Wilhelm Riaan Bellingan and Constable Thapelo Johannes Mbelo. Both were previously questioned by the Western Cape Investigative Unit in closed Section 29 Inquiries about the incident. The hearing is scheduled for three days in the Cape Town offices of the TRC at 106 Adderley Street, central Cape Town. Mr Mbane will be present to help clarify aspects of the applicants' testimony.

Seven young men died, allegedly in a shoot-out with the police, on 3 March, 1986 in Guguletu. Two consecutive inquests cleared the police. During the TRC's Special Event Hearings on their deaths - in November 1996 and February 1997 - evidence uncovered by the Investigative Unit revealed that C Section of the former security police, better known as Vlakplaas, might have been involved in the shootings.

The seven men, who became known as the Guguletu 7, were: Zandisile Zenith Mjobo, Zola Alfred Swelani, Mandla Simon Mxinwa, Godfrey Jabulani Miya, Themba Mlifi, Zabonke John Konile and Christopher Piet. The families of some of the victims first made human rights violations statements to the TRC in early 1996, urging the Commission to find out the circumstances surrounding their deaths.

The Investigative Unit of the Western Cape Region subpoenaed nine policemen to the Special human rights violations hearings to give evidence in public on the matter in terms of Section 29 of the Promotion of National Unity and Reconciliation Act (1995). They were: Superintendent William Rudolf Liebenberg; Senior Superintendent John Johannes George Christoffel Kleyn; retired Colonel Cornelius Adolf Janse Odendal; Senior Superintendent John Martin Sterrenberg; Director Leonard Knipe; Detective Inspector Karel Bothma; Detective Inspector Andre Grobbelaar; Inspector Bertram Oswald Moggee and Detective Inspector Louis Ferdinand Coetzee.

ends
February 2, 1998

STATEMENT BY DR ALEX BORAINE, ACTING CHAIRPERSON, ON ANC 37

Issued by: Truth and Reconciliation Commission

Members of the TRC's legal department today met members of the Democratic Party at the party's request to discuss the TRC's intention to seek a declaratory order on the validity of amnesties granted to 37 ANC members.

The Democratic Party expressed concern that a declaratory order was not appropriate on the grounds that even if the court found that the process of granting amnesty was defective, such an order would not rectify the situation.

The TRC's chief legal officer, Mr Hanif Vally, told the DP that counsel were at present drawing up papers for the application. He told the DP that the TRC envisaged that such an application would include requests:

* That the High Court make a declaratory order on whether the amnesties were valid or not; and

* That should the amnesties not be valid, the court should remedy the situation by referring the matter back to another panel of the Amnesty Committee.

At the end of discussions, the DP appeared to be satisfied with our explanation of the legal basis upon which we were approaching the matter.

The TRC hopes to finalise its papers as soon as it has completed consultations with the Senior Counsel it has retained, Adv. Wim Trengove S.C.. In the meantime, it is making arrangements to expedite the service of legal papers on each of the 37 ANC members, some of whom live abroad.

ends
February 3, 1998

ADVISORY - AMNESTY HEARINGS IN PIETERMARITZBURG

Issued by: Truth and Reconciliation Commission

Six applicants are to appear before the Amnesty Committee during a five-day hearing at the Pietermaritzburg City Hall, in Kwazulu/Natal, starting on Monday February 9 to Friday, February 13.

The first two applicants Mr Mduduzi Gumbi and Mr Robert Vo Zuma - whose application was partly heard by the Committee and subsequently postponed in July last year - are both IFP members who were convicted of several counts of murder and attempted murder and sentenced to nine and twelve years imprisonment, respectively.

The two were part of a group of heavily armed IFP supporters who, on June 23 1991 indiscriminately attacked villages in Ndaleni and Magoda within the district of Richmond in the Natal Midlands, killing several people, including children. They have applied for amnesty on the grounds that the acts were committed with a political motive in the struggle between the IFP and the ANC.

The third applicant, Mr Dumisane Mthembu, whose matter was also partly heard by the Amnesty Committee last year, is applying for amnesty for the murder of two policemen in September 1992 in the Empangeni district and also for the illegal possession of a firearm and ammunition.

Mr Mthembu who alleges he was the bodyguard of top Cosatu official, Mr Vincent Shandu at the time, says he was awoken in the early hours of the morning by several shots being fired by unknown assailants at the home of Mr Shandu. Believing that his charge was under attack, he said he returned fire in the direction of the attack, adding that he only realised later that the assailants were in fact policemen. Mr Mthembus criminal trial on this matter isesty application.

Three other applicants, Mr Bongani Malevu, Mr Walter Falibango Thanda and Mr Andile Shiceka have applied for amnesty for the murder of one person and the attempted murder of several others following their attack at the popular crazy beat disco in Newcastle, on the night of 14 February 1994.

Two of the applicants, Thanda and Shiceka say they are members of the PACs military wing, APLA and Malevu says he was an ordinary PAC member. The applicants say they attacked the disco because it was frequented by white patrons. On the night, they say they fired several shots at people inside through an entrance to the dance floor. Ms Salomina Gerbrecht van Wyk was struck by a bullet in the chest and died on the spot.

Judge Andrew Wilson will chair the Amnesty Committee panel sitting in Pietermaritzburg and Advocate Paddy Prior will be evidence leader.

ends
February 4, 1998

ADVISORY - FOUR SECURITY BRANCH POLICEMEN APPLIED FOR AMNESTY

Issued by: Truth and Reconciliation Commission

Four former Security Branch policemen who have applied for amnesty in connection with the 1981 murder of ANC activist Sizwe (Ginisizwe Kwezilomso) Kondile will testify at a hearing scheduled for next week in Cape Town. In addition, four witnesses are also expected to explain their versions of the events that led to Mr Kondile's death.

The four applications to be heard from Monday, February 9, are those of former security policemen Nicolaas Johannes van Rensburg, Hermanus Barend du Plessis, Johannes Gottfried Raath and Gerrit Nicholas Erasmus, some whom also applied for amnesty over a range of other incidents, including the deaths of the Cradock Four, the Pebc Three and Sphiwo Mtikulu. Mr Kondile died after allegedly being abucted from Lesotho by Security Policemen, tortured in the Eastern Cape, and later shot dead near Komatipoort after being given knock-out drops.

His body was then burned to ashes. Some applicants and witnesses allege that Kondile was killed to cover up the fact that he was injured while tortured in police cells in Jeffrey's Bay. The four witnesses subpoenaed to appear include former Vlakplaas commander, Dirk Coetzee, and his former operatives, David Tshikalanga and Almond Nofomela.

Their applications for amnesty in relation to several human rights violations were heard in Durban a year ago. The other witness is Mr Geoffrey Danster, a former policeman in the Port Elizabeth area who was present at the interrogation and alleged torture of Kondile.

Coetzee allegedly supplied the knock-out drops used on Kondile before he was shot. The family of Mr Kondile made human rights violations statements to the Commission in 1996, urging the TRC to look into his disappearance. They will be present at the hearing with their legal representatives.

The amnesty panel will be chaired by Judge Hassen Mall, and Adv Andre Steenkamp will lead evidence for the TRC.

The hearing is due to start a 10h00 am in the Cape Town offices of the TRC at 106 Adderley Street, central Cape Town on February 9. It is due to last for 5 days.

ends
February 9, 1998

AMNESTY GRANTED TO A COMMANDER OF THE BOEREKOMMANDO

Issued by: Truth and Reconciliation Commission

Amnesty has been granted to a commander of the Boerekommando (Boer Commando) who bombed the Melkrivier Primary School in the Vaalwater district during January 1992.

Carel Willem Andries van der Merwe (46) of Grootvlei near Pretoria also received amnesty in relation to the illegal possession of explosives at the time. Nobody was injured in the attack, but damage to the entrance and offices of the school was estimated at R12,000.

The amnesty was granted in chambers as the bombing did not involve any gross human rights violations as defined by the act governing the TRC.

Van der Merwe said in his application he was ordered to carry out the attack by a Boerekommando superior at Hendrina during December 1991. His political objective was to overthrow the government of former President FW de Klerk and he said he carried out the attack to place pressure on the government not to open the school to black pupils.

The applicant was due to stand trial for an act of terrorism and illegal possession of explosives last year in Middelburg.

ends
Ten applicants, who are former senior police officers from the previous government, are to appear before the Amnesty Committee during a five-day hearing at Vista University, in Mamelodi - Pretoria, from Monday February 23 to Friday 27.

The applicants, who include former police commissioner, Johannes Velde van der Merwe, are seeking amnesty for offences arising out of the killing of ANC activist, Maisha Johannes Stanza Bopape in 1988.

Bopape's disappearance was one of the unsolved mysteries arising out of the detention without trial in the 1980's. Police claimed that Bopape had escaped from the custody of three policemen in the Vaal Triangle, while they were out on an investigation.

Five of the ten applicants who include Lt Col Adriaan Peter van Niekerk, Constable Hendrik Albertus Beukes Mostert, Constable Jacobus Hermanus Engelbrecht, Johan Ludwig du Preez and Major Charles Alfred Zeelie have applied for amnesty in respect of the killing of Bopape.

The policemen say Bopape was arrested in Hillbrow, Johannesburg and taken to John Vorster Square police headquarters in Johannesburg, on June 10 1988, where he was held without trial under Section 29 of the Internal Security Act. He was subsequently tortured and killed.

Two other applicants, Brigadier Schalk Visser and Captain Leon van Loggenberg have applied for amnesty for their role in the disposal of Bopape's body.

Three former police generals, General Gerrit Nicholas Erasmus, General Petrus Lodewikus du Toit and General Johannes Velde van der Merwe have applied for amnesty on charges of conspiracy and defeating the ends of justice for covering up the real reasons for Bopape's death.

All the applicants were either based at John Vorster Square in Johannesburg, Pretoria or Middelburg in Mpumalanga during the incident.

Judge Selwyn Miller will chair the Amnesty Committee panel sitting in Mamelodi and Advocate Andre Steenkamp will be the evidence leader.

ends
ADVISORY: REPARATION AND REHABILITATION WORKSHOP

A workshop will be hosted this week by the Reparations and Rehabilitation Committee of the TRC to formulate possible projects aimed at promoting the healing of survivors of apartheid.

The consultative workshop will be led by Dr. Yael Danieli, the director of the Group Project for Holocaust Survivors and their children in New York. Her visit has been paid for by the United States State Department.

Dr Danieli is a clinical psychologist in private practice, specialising in victimology and traumatology. She is also a founding director and former president of the International Society for Traumatic Stress Studies and a representative of the World Federation for Mental Health.

The first day will be devoted to discussions around the conspiracy of silence, while the focus will be on the legacies of trauma on the second day. On the last day, the meaning of restitution, compensation and rehabilitation of victims will come under the spotlight.

Ms Hlengiwe Mkize, the chairperson of the R & R Committee, says the workshop will also open up possibilities for academic and research institution to evaluate and monitor the implementation of the Commission's reparation policies, specifically in terms of the healing of memories and reconciliation.

The workshop will start on Wednesday, February 18 and close on Friday, February 20 in the TRC's Gauteng offices in the Sanlam Building, cnr Von Wielligh and Jeppe Streets, Johannesburg.

ends
16 February 1998

ADVISORY: AMNESTY APPLICANTS FOR CRADOCK FOUR KILLINGS

Seven former Security Branch policemen who have applied for amnesty in connection with the 1985 killing of four Cradock United Democratic Front activists will testify at a hearing scheduled to begin next week February 23 and continue until March 06 in Port Elizabeth.

The seven former policemen are Eric Alexander Taylor, Gerhardus Johannes Lotz, Nicholas Janse van Rensburg, Harold Snyman, Johan Martin van Zyl, Hermanus Barend du Plessis and Eugene de Kok - who is applying for amnesty for defeating the ends of justice in the case.

The Cradock Four - Matthew Goniwe, Sparrow Mkhonto, Fort Calata and Sicelo Mhlauli, were abducted while returning to Cradock from a meeting in Port Elizabeth. They were then allegedly taken to Olifantschoek Pass and later to Port Elizabeth where they were assaulted, killed and their bodies and the vehicle in which they were travelling burnt on June 27, 1985.

Three Security Branch policemen, a Sergeant Faku, Sgt Mgoduka and one Sakati who participated in the killing of the activists were later killed in a car bomb blast at Motherwell in 1989.

Two inquests were held following the killing of the Cradock activists. During the second inquest in 1994, evidence was led which pointed to the involvement of the then South African Defence Force in the killing of the activists. This evidence related to a signal which was allegedly sent by Colonel Lourens du Plessis, on behalf of Brigadier van der Westhuizen to Major General van Rensburg in which the 'permanent removal' from society of the deceased was recommended.

However, the court held that it was unable, on the basis of evidence before it at the time, to establish who were responsible for the killing of the Cradock activists.

The Amnesty Panel will be chaired by Mr Justice Ronnie Pillay, Advocate George Bizos SC will appear for the victims next of kin while Advocate Cobus Booyens will represent the applicants.

The hearing is due to start at 10h00 at Centenary Hall, Ntshekisa Street in Port Elizabeth.
17 February 1998

ADVISORY: TRC APPOINTED TWO EXTRA MEDIA LIAISON OFFICERS

The TRC has appointed two new media liaison officers to help journalists cover the increasing volume of amnesty hearings.

Vuyani Green, based in the TRC's Cape Town office, joins the Commission from the University of Fort Hare, where he was the head of media liaison services and publications. He was formerly a journalist on the Daily Dispatch.

Mbulelo Sompetha will be based in the TRC's Johannesburg office. He has trained as a labour researcher and has worked as a journalist for a range of radio stations and publications, including SABC Radio, Bop Broadcasting Corp. and international television networks.

There are now five TRC media liaison officers. The appointment of new officers coincides with the expansion of the TRC's Amnesty Committee from 11 to 19. It also boosts the capacity of the media liaison office of the TRC to serve radio stations in a wider range of official languages.

ends
STATEMENT: TRC SUBPOENAES TWO CCB MEMBERS

Issued by: Truth and Reconciliation Commission

STATEMENT BY COMMISSIONER DUMISA NTSEBEZA, HEAD OF THE INVESTIGATIVE UNIT OF THE TRC

The Investigative Unit (IU) of the TRC has subpoenaed two former Civil Cooperation Bureau (CCB) members to appear at separate investigative inquiries during the next month. Both testified in closed inquiries, conducted in terms of Section 29 of the act governing the Commission, in August last year, and were warned that they may be recalled.

The two are: former CCB Managing Director, Mr Joe Verster; and its treasurer, Mr Wouter Jacobus Basson, alias Christo Brits. (Basson is not to be confused with Dr Wouter Basson of the former SADF's Seventh Medical Battalion.) They are requested in terms of the Promotion of National Unity and Reconciliation Act to give evidence and/or answer questions in relation to various matters under investigation by the TRC's Investigative Unit.

Among the alleged violations they will be questioned on are - The bombing of the Early Learning Centre in Athlone in August 1989; - The death and role in the CCB of Mr Edward "Peaches" Gordon, and - Alleged cross-border atrocities, such as the 1989 assassination of Namibian activist, Adv Anton Lubowski and the parcel bomb that maimed Father Michael Lapsley of the Anglican Church in Harare in 1990.

Verster will appear before the Commission on 2 and 3 March and Basson on March 5. Both testified before the Harms Commission of Inquiry during 1990. Both hearings will be held in camera. The media will, however, be able to take photographs of them in terms of a ruling made in August last year.

During their last appearance, Verster, Basson and former CCB member Abram "Slang" van Zyl were warned to answer questions on the CCB's foreign operations and operatives. When they refused, transcripts of records of the inquiries were handed to the Western Cape Attorney General with a request by the Commission that charges be laid against them.

The TRC's complaint is still under investigation by the Attorney General. However, the Commission is proceeding to deal with outstanding questions and issues.

Those subpoenaed are entitled to appoint legal representatives. If they are not financially capable of doing so, the TRC may appoint legal representatives to assist them.

ends
25 February 1998

ADVISORY: AMNESTY HEARING - KATLEHONG MASSACRE

Issued by: Truth and Reconciliation Commission

Venue: Boksburg City Hall

Fifteen amnesty applicants who are former members of ANC-aligned Self-Defence Units in Katlehong and who have applied for amnesty, will appear before the Amnesty Committee of the TRC at the Boksburg City Hall from March 2 to 6.

The applicants have applied for amnesty for the killings of at least eleven people during December 1993 at Moleleki Section Extension 2, Katlehong.

Self Defence Units or SDUs were organised by the community during fierce fights with IFP-aligned hostel inmates.

The applications arise out of conflict in Katlehong, allegedly between SDU members and members of the ANC Youth League.


Four survivors of the incidents have been subpoenaed to testify before the amnesty committee about the killings.

Seven of the applicants are facing ten charges of murder and fourteen (14) charges of kidnappings arising out of the incidents. The criminal charges have been suspended pending the outcome of the amnesty applications.

Zuko Mapoma will be evidence leader at the hearings.

ends
5 March 1998

STATEMENT: TRC TO LAY CHARGES AGAINST WOUTER BASSON

STATEMENT BY COMMISSIONER DUMISA NTSEBEZA, HEAD OF THE INVESTIGATIVE UNIT OF THE TRC

The TRC intends to ask the attorney-general of the Western Cape, adv Frank Kahn, to lay charges against former Civil Cooperation Bureau (CCB) treasurer, Wouter Basson, after he and his attorney failed to appear at an investigative inquiry today.

A transcript of the opening proceedings of the closed section 29 Inquiry, where it was found that the subpoenaed Basson and his lawyer was not present, will be sent to the attorney general with a copy of the subpoena within days. The investigating panel waited half an hour for Basson and his lawyer to arrive before the decision was made. It was established that the lawyer was tied up in a different legal matter, but failed to inform the TRC that he and his client will not arrive.

Failure to respond to a subpoena is a criminal contravention of the law governing the TRC’s work and carries a possible sentence of either two years imprisonment or R2 000 or both. The Commission will ask Adv Kahn to lay charges in terms of the relevant section of the Promotion of National Unity and Reconciliation Act.

The Investigative Unit (IU) of the TRC has subpoenaed two former CCB members to appear at separate investigative inquiries this week. Both testified in closed inquiries, conducted in terms of Section 29 of the act governing the Commission, in August last year, and were warned that they may be recalled.

Former CCB Managing Director, Mr Joe Verster appeared on Monday and Tuesday and its treasurer, Mr Wouter Jacobus Basson, alias Christo Brits, was due to testify today. (Basson is not to be confused with Dr Wouter Basson of the former SADF’s Seventh Medical Battalion.) They were requested in terms of the Promotion of National Unity and Reconciliation Act to give evidence and/or answer questions in relation to various matters under investigation by the TRC’s Investigative Unit.

Among the alleged violations they were questioned on are

- The bombing of the Early Learning Centre in Athlone in August 1989;

- The death and role in the CCB of Mr Edward "Peaches" Gordon, and

- Alleged cross-border atrocities, such as the 1989 assassination of Namibian activist, Adv Anton Lubowski and the parcel bomb that maimed Father Michael Lapsley of the Anglican Church in Harare in 1990.

During their last appearance, Verster, Basson and former CCB member Abram "Slang" van Zyl, were warned to answer questions on the CCB's foreign operations and operatives. When they refused, transcripts of records of the inquiries were handed to the Western Cape Attorney General with a request by the Commission that charges be laid against them. The TRC's previous complaint is still under investigation by the Attorney General.

ends
STATEMENT: THREE FORMER MK COMMANDERS INVITED BY TRC

Issued by: Truth and Reconciliation Commission

STATEMENT BY DUMISA NTSEBEZA, HEAD OF THE TRUTH AND RECONCILIATION COMMISSION'S INVESTIGATIVE UNIT.

The TRC's Investigative Unit (IU) has served three former Umkonto we Sizwe (MK) commanders with invitations to attend an investigative inquiry on alleged atrocities committed during the seventies and eighties in ANC detention facilities in Angola.

They are: Gen. Andrew Masondo and Mr. John Zulu of the South African National Defence Force (SANDF) and Mr. Gabriel Mthembu of the National Intelligence Agency (NIA). The inquiry will be held behind closed doors on 26 and 30 March in the TRC's Cape Town offices. They will be required in terms of the Promotion of National Unity and Reconciliation Act to answer questions and/or give evidence in relation to the IU's ongoing investigations into the alleged violations.

Among the issues that will be raised with the former MK members are:

- their relevant roles at the time of the alleged offences;
- the structure of the detention facilities, as well as standing orders and procedures issued to the administration and command;
- the interrogation of detainees;
- mechanisms for control of excesses and abuses;
- guidelines in respect of judicial proceedings, particularly the Tribunal,
- and to provide information relevant to the deaths of at least six alleged detainees.

Those who allegedly died in detention include: Timothy Seremane, Boithlomo Leballo, Edward Malope, Philip Mangoena, Joseph Moeketsi Mokoena and Paki Gabriel Moshoeu.

The Commission received several human rights violation statements from alleged victims of the detention facilities, which are still under investigation. In addition, several amnesty applications were received from people involved in violations in detention camps, like Quatro. Aspects of these will be discussed with the three invitees. In terms of Section 39 of the Act, they will be guilty of an offence or liable to be prosecuted if they fail to attend the hearing at the time and place specified without sufficient cause.

They are entitled by the Act to appoint a legal representative to assist them and if they are not financially capable of doing so, the Commission may appoint a legal representative for them. ends
10 March 1998

ADVISORY: AMNESTY HEARINGS DURBAN

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Committee is to hear amnesty applications in Durban later this month from nine people who have applied for amnesty for the killing of at least 50 people in a series of separate incidents.

The applicants, mostly members of Inkatha Freedom Party serving lengthy prison sentences for the killing of ANC members and supporters, will appear at a five-day hearing.

The hearing will be at the TRC Durban offices from Monday March 23 to Friday March 27. The offices are on the 9th Floor, Metlife Building, 391 Smith Street. The hearings will commence at 9 am each day.

The first applicant scheduled to appear on Monday, Goodman Musawakhe Ngcobo, has applied for amnesty for the murder of 12 people committed at Izingolweni near Port Shepstone between 1990 and 1992. Ngcobo was initially sentenced to death but the sentence was later commuted.

Sandile Innocent Manana has applied in respect of the murder of Mr Sifiso Jili in Steadville near Ladysmith in October 1992. Manana is serving a five-year prison term.

Bongani Gilbert Ngobese and Nimrod Mbewu Mthembu seek amnesty for the murders of Mr Siza Ntele and Ms Zondiwe Khumalo of KwaMaphumulo near Stanger on August 24 1991. They have also applied for the attempted murder of Mdikivani Mkhize.

Thulani Mzokhona Myeza is applying for the murder of three people in Eshowe. He claims he was acting under orders when he killed Vusumuzi Mbokazi on 20 November 1993, Joel Zikhali the following day and Nkoso Dludla on 1st April 1994.

Boy N. Gwamanda has applied for the murder of four people.

Mabhungu Absolom Dladla and Nkanyiso Wilfred Ndlovu killed 16 people at Enkanyezini on the 5th March 1993. During their trial they claimed that they were avenging the killing of six schoolchildren who were ambushed and murdered in the area a few days earlier. They were sentenced to over 60 years in prison.

The last applicant, Baba Langelihle Khomo, killed eight people and attempted to kill eight others at Ekwandeni Section 3 in Mpumalanga Township near Hammarsdale on 9th March 1992. He is currently serving 20 years in prison.

ends
11 March 1998

ADVISORY: PUBLIC DISCUSSION ON RECONCILIATION

Issued by: Truth and Reconciliation Commission

The last in a series of public discussions on reconciliation hosted by the TRC will be held in Cape Town on Thursday, 12 March.

A wide range of themes relating to reconciliation have been discussed by both panelists and the public at previous meetings during the last year, organised to raise awareness and generate public interest in the difficult task of reconciling a divided nation.

"While the process of truth-telling and verifying the truth in the work of the Truth and Reconciliation Commission has been fairly straightforward, the notion of reconciliation presents some serious challenges", says Pumla Gobodo-Madikizela, member of the Human Rights Violations Committee.

"The crucial question now is whether the reams of data produced by the Commission from victims and perpetrators, will on their own, help us realise the vision of a commonly shared identity as a nation."

The discussion, entitled Transforming Society Through Reconciliation: Myth or Reality?, will be led by a panel, and will take place in the Old Town House in Green Market Square between 12.30 p.m. and 2 p.m.

The panelists will include : Mr Wynand Malan, commissioner in the Truth and Reconciliation Commission, Professor Mahmood Mamdani, head of the African Studies department at UCT, and Rev. Rowan Smith, dean of the St Georges Cathedral.

Members of the public are welcome to attend.

ends
11 March 1998

STATEMENT ON ALLOCATION FOR REPARATIONS IN MINISTER'S BUDGET

Issued by: Truth and Reconciliation Commission

The Government's allocation of R100 million for reparations in the next financial year is a significant first step towards the payment of reparations to victims of human rights violations.

The allocation is substantially more than the R50 million which we believe will be needed for interim reparations, and we are grateful that an allocation for final reparations has effectively been made even before the presentation of our final report to the President.

We hope very much that the allocation will be substantially increased in future years.

Mr Manuel has announced that the allocation for reparations will rise to R200 million in 1999/2000 and to R300 million in 2000/01. We have proposed that victims should be paid a total of R500 million a year for a period of six years.

While we recognise the pressure on resources in our country, the right of victims of gross violations of human rights to claim substantial damages has been expunged by amnesty and the country owes them reasonable amounts for reparations. We shall, therefore, press for the allocations to be increased in future budgets.

ends

Note: The TRC's plan for final reparations includes a proposal that victims receive Individual Reparation Grants (IRG) of between R17,000 and R23,000 a year -- the median household income in SA -- for a period of six years.
12 March 1998

STATEMENT ON DECISION OF NP TO FILE COURT PAPERS OVER ANC 37

Issued by: Truth and Reconciliation Commission

"We are now a democratic country and nothing stops the National Party from approaching the courts. It will be up to the court to decide whether the party has the standing to be heard.

"Their decision doesn't change anything at all for the TRC. We remain determined to take the matter to court as quickly as possible. It is nonsense to suggest that we are dragging our heels -- the delays have worked against us, not for us, and we want the matter finalised before we close on July 31."

ends
12 March 1998

PRESS RELEASE: APPEAL FOR WITNESS TO COME FORWARD

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is appealing for the family of Mr Potokar Franzar Makgalemele, a taxi-driver killed by an AWB member in Gauteng in August 1989, to come forward for an amnesty hearing.

Cornelius Johannes Lottering has applied for amnesty in respect of the killing and is due to appear before the Amnesty Committee in Pretoria on Monday March 23. The TRC has been unable to trace Mr Makgalemele's family, who have the right to attend and be represented at the amnesty hearing.

Mr Makgalemele was killed near Daleside Ski Club south of Johannesburg. Lottering, accompanied by AWB member Fanie Goosen, fatally stabbed and shot Mr Makgalemele as he attempted to run away. To make sure Mr Makgalemele was dead, Lottering shot him in the head. He says in his amnesty application that he saw this as a test to see if he could kill a person.

Lottering who was a member of the "Orde van die Dood", under the leadership of Dawid de Beer (who had also been head of administration of the Aquila wing of the AWB), was allegedly tasked to kill prominent political figures such as the President and Cabinet ministers.

The applicant and his co-accused also faced charges of malicious damage to property, attempted intimidation, robbery and unlawful possession of weapons and ammunition. They have not applied for amnesty in respect of these offences.

Attempts to locate Fanie Goosen have also proved unsuccessful. His mother has told the TRC she does not know his whereabouts. However, notice of the hearing has been sent to the AWB, via Eugene Terreblanche, who is an implicated party in this matter.

ends
12 March 1998

ADVISORY: CHRIS HANI HEARING

Issued by: Truth and Reconciliation Commission

Amnesty Hearing: Chris Hani murder
Venue: Johannesburg City Hall

Former Conservative Party member of parliament, Clive Derby-Lewis and his co-accused in the murder of Chris Hani, Polish immigrant Janusz Walus, are to appear again before the Amnesty Committee of the TRC at the Johannesburg City Hall from March 16 to 20.

The two applicants are serving life sentences in prison.

The last hearing on the matter ended on December 5, 1997. Lawyers for the victims have called Johan Visser, an amnesty applicant in another matter, to appear as a witness for the victims. He took part in meetings where a bail application for the accused was discussed.

Another witness, Edwin Clarke, who supplied Derby-Lewis with a modified firearm is expected to appear as well.

Advocate George Bizos, S.C., will oppose the application for the family.

Advocate Mokotedi Mpshe is the TRC evidence leader at the hearings.

ends
12 March 1998

ADVISORY: AMNESTY HEARING IN ERMELO

Issued by: Truth and Reconciliation Commission

The amnesty applications of 13 ANC members and supporters relating to attacks on Inkatha Freedom Party (IFP) supporters in the early 1990s will be heard in Ermelo between between 23 and 31 March.

However, the Amnesty Committee is still trying to trace three of the victims named by the applicants. They are: Theunis de Bruyn, Christopher Masina and Remicard Myeni. They should contact Pumzo Tofile at 021- 24-5161 urgently if they wish to attend the hearings or need legal representation.

Most of the victims were members of either the IFP or of a group known as the "Black Cats" who were allegedly involved in an armed conflict with the ANC in the Mpumalanga town between 1990 and 1992. Eight of the 14 victims died in related incidents of shooting and killing, while others were injured. Some of the victims were security guards killed in armed robberies.

The applicants, some of whom claim to have been trained as Umkontho weSizwe operatives, seek amnesty for various acts ranging from murder to armed robbery and illegal possession of firearms.

The conflict in Ermelo between the liberation structures and the "Black Cats" was so severe that it became a subject of investigation under the Goldstone Commission. The Commission probed allegations that the "Black Cats" were infiltrated by IFP hitsquads trained in the Caprivi as well as by the former security forces.

The names of the applicants are: Mzwandile Hollingwood Gushu, Silas Sipho Nkonyane, Nicholas Zwane, Fanyana John Mndebele, Petros Lucky Mbokane, Paulos Pistol Nkonyane; Livingstone Lukhele, Bongani Wilberforce Khaba, Pelele Lawrence Shongwe, Jabu Aaron Mkhwanazi, David Elvis Majola, Mandlenkosi Enock Mnisi and Jacob Israel Mabena.

The hearing starts on Monday 23 March, at 09h00 am at the Ermelo City Hall in Church Street.

ends
13 March 1998

ADVISORY: AMNESTY HEARING IN PRETORIA

Issued by: Truth and Reconciliation Commission

Venue: Idasa Democratic Centre
cnr. Visagie and Prinsloo Streets - Pretoria

Two amnesty applicants, James Wheeler and Cornelius Pyper, will appear before the Amnesty Committee of the TRC for acts committed on April 27 1994, aimed at disrupting the first all-race democratic elections.

The hearing will held at the Idasa Democratic Centre in Pretoria from March 23 to 27.

On the night of April 27, after a day of driving around various election stations, Wheeler and Pyper shot at a minibus taxi full of black passengers on the road between Westonaria and Randfontein.

In the shooting, Mr Vuyani Papuyana, was killed while his brother, Mr Godfrey Papuyana suffered injuries. The applicants are applying for amnesty in respect of the murder of Mr Vuyani Papuyana, the attempted murder of Mr Godfrey Papuyana and the possession of illegal weapons.

The applicants have declared that they committed the acts to strengthen the struggle of the Conservative Party and Afrikaner Weerstandsbeweging against the ANC/SACP alliance.

Advocate Andre Steenkamp will be leading evidence for the TRC.

ends
13 March 1998

ADVISORY: EXHUMATION AT VLAKPLAAS

Issued by: Truth and Reconciliation Commission

Top investigators of the TRC -- Truth and Reconciliation Commission -- are to lead a team that will exhume the body of slain askari Brian Ngqulunga at the notorious Vlakplaas on Monday March 16 from about 10 in the morning.

Ngqulunga who was part of the a team from Vlakplaas, led by Dirk Coetzee, that brutally murdered Griffiths Mxenge, prominent Durban human rights lawyer.

Ngqulunga was later tortured and killed by his own handlers at Vlakplaas in 1987, allegedly under orders from Colonel Eugene de Kock, when they felt he was becoming a security risk to them.

His family approached the TRC and requested that his body be exhumed from the farm so that it can be buried at a place of their choice.

All journalists who wish to cover the exhumation should meet the TRC team at the farm gate in Vlakplaas from 10 in the morning or they should ask for directions at the nearby Erasmia Police Station.

The Vlakplaas farm is midway between Brits, Johannesburg and Pretoria.

In further exhumations next week, the remains of 18 MK soldiers who were killed in skirmishes with security forces in various parts of the Northern Province and then buried in secret graves, will be dug out.

On Tuesday March 17 the team will exhume remains of three people at a farm in Rustenburg. The three are Aaron Nkwe from GaRankuwa in Pretoria, Watson Majova from Stilfontein and one Kwadi from Soweto.

The following day, Wednesday March 18, Selby Mavuso's remains will be exhumed at the Rustenberg Mine cemetery in Thabazimbi. On Friday March 20 Robert Mokoena will be exhumed at the Pienaar Cemetery outside Nelspuirt in Mpumalanga.

The following week, the remains of 13 people will be exhumed at Sekoto Cemetery in Louis Trichardt.

ends
13 March 1998

STATEMENT: TRC ASKS COURT TO DECLARE ANC 37 AMNESTIES VOID

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission will today issue an application asking the High Court to declare void amnesties granted to 37 ANC members and to direct the Amnesty Committee to consider them afresh.

The reason we delayed filing the papers -- which were ready on Tuesday -- was that we had discussions with the ANC this week with a view to negotiating an agreement in terms of which we could (1) secure a court order by consent and (2) serve papers on an attorneys' firm. Such an order would have met the Commission's fundamental objective, which is to have the decision to grant amnesty re-considered by the Amnesty Committee, and we believe we had a good chance of securing it. Agreement to serve papers on an attorneys' firm would avoid us having to serve papers individually on the 37 applicants, who include ambassadors in foreign postings.

The National Party's action in filing papers yesterday complicates matters. Firstly, the approach they have adopted constitutes a weaker challenge to the granting of amnesty than our approach. Secondly, if our experience is anything to go by, they will have logistical problems in serving court papers on the 37 applicants. That could result in long delays to their case being heard. Thirdly, the NP has cited the TRC as respondents, putting us in a position in which we are a respondent in one matter and an applicant in another matter where similar relief is sought. Bearing in mind the statement by the leader of the National Party, Mr van Schalkwyk that he would have preferred the TRC to take this matter to court, we hope the party will now give serious consideration to withdrawing their application.

In the event, we have decided to issue our application today. This does not prevent us from negotiating a resolution of the matter to the satisfaction of all parties -- in fact the divergence between the positions of the TRC, the NP and the ANC is not so great as to make this unachievable.

The ANC's attitude in particular is one that is conducive to a resolution: they submitted their applications in the belief they would be handled correctly by the TRC and they are prepared to accept whatever lawful decision the Amnesty Committee may make as valid. The current controversy is not one of their making.

The TRC believes there is a good chance we can achieve our objective, which is to remove any doubt that the final decision on these amnesty applications falls within the terms of the Promotion of National Unity and Reconciliation Act.

ends
17 March 1998

STATEMENT: TRC INVESTIGATORS FIND 12 BODIES NEAR RUSTENBURG

Issued by: Truth and Reconciliation Commission

STATEMENT BY MR DUMISA NTSEBEZA

Truth Commission investigators today found 12 bodies in three graves on a farm in North-West Province during the course of a search for the remains of three uMkhonto weSizwe cadres.

The TRC team made the unexpected discoveries while searching for the bodies of Mr Watson Majova, Mr Aaron Makwe and Mr Karabo Madiba, who were killed by police in Tlhabane, near Rustenburg, in 1985.

Mr Majova was killed when his home in Tlhabane was flattened by a police Hippo vehicle. His two comrades were shot in the same incident. Our information is that the three men were secretly buried on the farm by police. Members of their families, who accompanied our investigators to the site today, had not previously known their fate.

The Investigative Unit was led to the suspected graves of the three men by employees of an undertakers' company which had a contract with the police to carry out paupers' burials. The investigators found four bodies in each of the three graves they excavated today.

Our investigators suspect there may also be a mass grave containing many more bodies on the farm. However, the matter is still under investigation and no further exhumations are planned yet.

ends
18 March 1998

STATEMENT: TRC TO MEET UDF AT PUBLIC HEARING

Issued by: Truth and Reconciliation Commission

STATEMENT BY DUMISA NTSEBEZA, ACTING DEPUTY CHAIRPERSON, TRUTH AND RECONCILIATION COMMISSION

Former leaders of the United Democratic Front (UDF) have agreed to meet the Truth and Reconciliation Commission at a public hearing early in April to provide information the Commission needs to complete its work and in particular the Final Report.

This follows a meeting in Cape Town last week between myself, Commissioner Mary Burton and staff with Mr Popo Molefe, a former UDF leader and now Premier of the Northwest Province. Mr Molefe is in contact with other former UDF leaders.

The TRC has sent a list of questions and issues to be discussed to the UDF delegation. They relate to the background of events during the conflict of the 1980s. Issues dealt with include the UDF's relationship with the ANC leadership in exile, necklacing and the possible effect of consumer boycotts in causing some human rights violations.

The TRC will announce the date and venue of the hearing soon.

ends
19 March 1998

STATEMENT: KING WILLIAM'S TOWN GOLF CLUB HEARING

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission hereby gives notice to those victims of the 1992 King William's Town Golf Club attack who have not yet been traced by the Commission of an amnesty hearing arising out of the attack.

Four former members of the PAC's armed wing, APLA, will be applying for amnesty for their role in the incident, which left two couples dead and more than 20 injured.

The men applying for amnesty are Malusi Morrison, Thembelani Xundu, Thobela Mlambisa and Lungisa Ntintili. They are serving jail sentences for the incident.

Two couples -- Mr Ian and Mrs Rhoda McDonald and Mr David and Mrs Gillian Davies -- were killed in the incident, and others were injured. There were about 54 patrons attending an annual wine tasting dinner when the attack occurred.

The TRC has managed to trace at least 14 of the victims. However, there are others the Commission has not been able to find. The relatives of the Davies are believed to be in England. In terms of Section 19 of the Promotion of National Unity and Reconciliation Act, any victim or person with an interest in an amnesty hearing has the right to attend the hearing, to be legally represented and to have evidence led.

The Commission's Amnesty Committee will also hear amnesty applications relating to another four incidents in the same week. These relate to:

* The Highgate Hotel attack, in which five people were killed and seven seriously injured when masked gunmen burst into the East London hotel, hurled a hand grenade and sprayed patrons with an AK47 on May 1, 1993. One of the patrons returned fire, forcing the attackers to flee;

* The Bahai church killing, in which three worshippers, Mr Houshnand Aswari, Mr Riaz Razavi and Dr Shaman Bakhshandegi, were killed execution-style by gunmen in Mdantsane near East London on March 13, 1994. Members of the church and others with an interest in the application are also hereby notified of their right to attend and take part in the hearing;

* The Nahoon Dam incident, in which two taxi passengers were injured when five gunmen armed with R4 rifles attacked a minibus transporting workers to Fort Jackson in Mdantsane near East London; and

* The Da Gama Textiles bus incident. Two gunmen were shot dead and a policeman killed in a gun battle following an attack on a bus transporting Da Gama employees to work at Mdantsane by five men armed with R4 rifle grenades and a pistol. The company's security officers returned fire, forcing the attackers to flee. Two former APLA cadres, Dumisani Ncamazana and Zukile Mbambo, are applying for amnesty for their role in all four attacks.

Victims and their next-of-kin can contact the Amnesty Committee at 082 856 5254 and ask for Ms Lulama Mtanga.

The hearings will take place at the Catholic Centre, Queen's Street, Cambridge, East London at 9 am. Mr Justice Andrew Wilson will chair the hearings.

ends
STATEMENT: TRC ON EXHUMATIONS IN LOUIS TRICHARDT

Issued by: Truth and Reconciliation Commission

The remains of 13 Mkhonto weSizwe (MK) operatives, killed in combat with members of the Security Forces of the former government and secretly buried at the Sekoto Cemetery in Louis Trichardt, will be exhumed over three days next week, from Tuesday March 24 to Thursday March 26.

The remains that will be exhumed on Tuesday will be those of Jeremiah A. Timola, of Diepkloof, Soweto, who was ambushed and killed in Louis Trichardt in August 1986; Michael Modise, of Naledi in Soweto, who was killed in November 1986; Matsidiso C. Tsatsi of Naledi, who was killed in Bophuthatswana in May 1984, and Moses Khosi from Mamelodi East, who was killed in Messina in November 1986.

On Wednesday, the bodies of six people will be exhumed: Bonisile Komane of Middledrift, who was killed in the Eastern Transvaal in March 1986; Mbengeni Kone alias Zola Tati, of KwaNobuhle township in Uitenhage, who was killed in Soutpansberg in November 1988; Sipho Victor Kolisi of Joza Location, Grahamstown, who was killed in Messina on November 1986; Mncedi Nomsi of East London, who was killed in Messina in 1986; Luvuyo Khehla, who was killed in Louis Trichardt in July 1986, and Mlungisi Velaphi of East London, killed in Motale River in March 1988.

The last three bodies that will be exhumed on Thursday March 26 will be those of Frans K. Gonheng of Seshego in Pietersburg, who was killed in Waterpoort in September 1987; Oupa Molefe, who was killed in Soutpansberg in July 1988, and Lawrence Lesemola, also killed in Soutpansberg in July 1988.

ends
27 March 1998

**ADVISORY: AMNESTY HEARING RELATING TO DEATH OF BIKO**

Issued by: Truth and Reconciliation Commission

The amnesty hearing relating to the death of Black Consciousness Movement leader Steve Bantu Biko while in police detention in 1977 resumes on Monday next week March 30 at the Truth and Reconciliation Commission's headquarters in Cape Town.

Five former Port Elizabeth security policemen are applying for amnesty for their role in the killing of Mr Biko. They are Harold Snyman, Daniel Petrus Siebert, Jacobus Johannes Oosthuizen Beueke, Rubin Marx and Gideon Johannes Niewoudt.

Four of the applicants testified before the amnesty committee last year in Port Elizabeth. Next week, the amnesty committee will hear Niewoudt's testimony.

The former security policemen are applying for amnesty for assault on Mr Peter Cyril Jones between August and September in 1977 and for their role in the assault and death of Mr Biko on September 6 in the same year.

During the previous hearing, the amnesty committee heard that Mr Biko was arrested, handcuffed and assaulted while in detention in Port Elizabeth. He was then transported to Pretoria where he later died allegedly due to head injuries.

The hearing will continue until April 1 at the 106 Adderley Street, Cape Town. Mr Justice Ronnie Pillay will chair the hearing.

ends
31 March 1998

ADVISORY: NOTICE TO SHELL HOUSE VICTIMS

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission hereby gives notice to those victims of the 1994 shootings at Shell House and Lancet Hall, Johannesburg, who have not yet been traced by the Commission, of an amnesty hearing arising out of the incident.

Thirteen people, belonging to the African National Congress have applied for amnesty relating specifically to the shootings at Shell House and Lancet Hall, which left several people killed and scores of others injured on March 28, 1994.

The TRC has managed to trace some of the victims, in particular the families of those who died, and is in contact with lawyers acting on their behalf.

However, there are others, especially those injured in the shooting, who the Commission has not been able to find.

In terms of Section 19 of the Promotion of National Unity and Reconciliation Act, any victim or person with an interest in an amnesty hearing has the right to attend the hearing, to be legally represented and to have evidence led.

An amnesty hearing is planned from May 11 to 22 in Johannesburg. It comes in the wake of an inquest into the matter which was held last year. Further details about the amnesty applications will be published nearer the hearing, in accordance with customary TRC procedures.

Victims, next of kin and those with an interest in the matter should phone Dudu Chili on 011-333-6330, or visit the TRC's Johannesburg office at Sanlam Centre, 10th Floor, Cnr of Von Wiellich & Jeppe Streets, Johannesburg.

ends
ADVISORY: TRC PUBLISHES ADVERTISEMENTS TO NOTIFY BOMB VICTIMS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission is publishing advertisements in a number of South African newspapers tomorrow and Friday notifying victims of nearly 50 bombings and "hit squad" attacks of their right to participate in forthcoming amnesty hearings.

The Committee has placed two advertisements:

- One aimed at victims of 18 bombings carried out by amnesty applicants declaring allegiance to the ANC. The incidents named include bombings at Church Street in Pretoria, Ellis Park Rugby Stadium, the Johannesburg Magistrate's Court, Witwatersrand Command Irish Regiment and the Krugersdorp Magistrate's Court, as well as attacks on Sasol I, Sasol II and Voortrekkerhoogte.

- A second aimed at victims of 30 attacks carried out by amnesty applicants declaring allegiance to the Inkatha Freedom Party. The incidents cited include attacks on homes, villages, buses or bus stops and a shebeen in various places in kwaZulu/Natal, including Simatingi in Pietermaritzburg, Mpumalanga, Mandeni, Esikhawini, Claremont and Makhandleleni.

The Amnesty Committee explained in its notice that although the TRC had contact with a number of victims, and was continuing with efforts to trace all of them, many had changed addresses or could not be traced through official records.

Victims have the right, under the law governing the TRC’s operations, to attend a hearing, to be legally represented and to testify, to adduce evidence and submit documents or articles to be taken into consideration.

ends
STATEMENT: ALLEGATIONS THAT AN INFORMER BETRAYED STEVE BIKO

Issued by: Truth and Reconciliation Commission

Allegations that an informer betrayed Steve Biko to the Security Police in 1977 have not been substantiated by TRC investigations so far.

The Investigative Unit of the Commission is continuing its probe into the allegations, made purportedly by a retired policeman, but at this stage we have a number of difficulties with the claims:

- We have so far been unable to trace the policeman, one G A Fourie, and the SAPS has no record of such an officer serving in the Security Branch;

- The fellow policemen named by him in a letter to the Chairperson of the TRC some time ago did not hold the positions claimed in his letter;

- Leading political figures have told me that the alleged informer did not play a role which would have given her access to the sort of information which Fourie's letter claimed she possessed.

I have been in touch with the woman named in "Fourie's" letter and will be speaking to her at greater length in the next few days.

In terms of the law governing the TRC, we may not disclose the identify of someone named to his or her detriment without giving them prior notice. In this case we would name the woman involved only if there was some substantiation to the allegations and she had been given the requisite notice.

The investigations are continuing and we will report on them once we have taken them further.

ends
2 April 1998

STATEMENT: TRC AND FAMILIES TO VISIT MURDER SITE OF 12 YOUTHS

Issued by: Truth and Reconciliation Commission

NIETVERDIEND: 60 KMS FROM BOTSWANA BORDER.

The TRC in collaboration with Khulumani, a support group for victims, is to visit the site on Friday 2 April, where 12 Mamelodi youths were killed by police in June 1986.

A short prayer service and traditional rituals will be held at the spot, at Nietverdiend near the Botswana border, where the youths were killed.

The youths, who were students at the time, were led to their deaths by former Askari Joe Mamasela, who infiltrated the group under false pretences that he was an MK soldier and could arrange for them to undergo military training. At Nietvediend, the youths were shot and their Kombi was subsequently blown up with explosives while they were inside.

The parents of the youths did not know the whereabouts of their children until Mamasela broke the story in a newspaper interview ten years later. Former Northern Transvaal security policemen under the command of Brigadier Jack Cronje have applied for amnesty for the killings.

Journalists wishing to cover the event can meet TRC officials and family members at the 1st BP garage on the road entering Rustenberg from Johannesburg and Pretoria, at 8am tomorrow. Alternatively, they can drive to Madikwe Police Station at 9am for directions to Nietverdiend.

ends
3 April 1998

STATEMENT BY DR ALEX BORAINIE ON INTERIM REPARATIONS

Issued by: Truth and Reconciliation Commission

Regulations governing the payment of interim reparations to people found by the Truth and Reconciliation Commission to be victims of gross violations of human rights have been approved by the Government.

The regulations, and a reparations application form, were published in the Government Gazette today. However, a number of other steps still need to be taken before victims and survivors will receive any reparations payments, such as printing of the prescribed forms and making it available to the declared victims of gross violations.

Interim reparations are one-time payments that will be given to victims or their dependants who have suffered hardship and are in need. They will normally be a maximum of R2,000 and are aimed at helping victims to gain access to services such as medical care. They are designed to provide limited assistance while the Government and Parliament are discussing their final decision on reparations, which is likely to be taken only after the TRC has handed in its final report on July 31.

However, the payments cannot be made until a finding has been made on a statement made to the TRC by a victim or survivor. The Commission's Human Rights Violations Committee is now in the process of corroborating each of the 20,000 statements it has received. It has made findings on more than 11,000 statements so far and aims to complete the rest by the end of May.

Within the next few weeks, those found to be victims will begin to receive letters through the post which include reparations application forms. Those who have made statements to us are urged not to rush to TRC offices, but to wait until they have received their finding and the accompanying application form.

Applications for reparation will be considered by the TRC's Reparation and Rehabilitation Committee. If a victim has suffered hardship and is in particular need, the committee will forward the applications to the President's Fund, the body set up to make reparations payments.

ends
6 April 1998

STATEMENT: TRC TO HEAR AMNESTY APPLICATIONS RELATED TO TRANSKEI

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is to hear amnesty applications of eleven men belonging to the ANC relating to a spate of bombing, abduction and killing incidents which occurred in the former Transkei early in the 90s.

Four of them are applying for amnesty for their role in a shooting incident which left two Weakly brothers Allistar and Glenn dead and Mr Keith Rumble injured near Port St Johns in 1990. Two young boys, Thomas O'Keeffe and Brett Rumble escaped unscathed during the shooting. The victims were shot at while travelling in their vehicle to a holiday resort in Port Elizabeth.

The applicants who claim to be members of the ANC and members of the self defence units in Flagstaff at the time are Pumelele Hermanus, Mlumisi Maxhayi, Lungile Mazwi and Fundisile Guleni. They were convicted and sentenced to 25 years imprisonment for the incident.

Other applications to be heard by the Amnesty Committee relate to:

The killing of an alleged askari Mr Sipho Pungulwa who was shot dead while disembarking from a minibus taxi at Ngangelizwe township in Umtata in 1990.

Three men who claim to be former Umkhonto Wesizwe (former ANC's military wing) are Ndibulele Ndzamela, Pumlani Kubukeli and Mfanelo Matshaya. They have been charged with murder but their prosecution has been suspended pending the outcome of their amnesty application.

The abduction and killing of two policemen, Constable Bernard Nhlanhla Ngubo and Constable Eugene Mbele in Kokstad in 1993. The two policemen were abducted while on duty at a police station in Kokstad and were later shot dead at Pakade near Umtata.

Mlungisi Nyembezi, Luzuko Mpiyakhe, Solomzi Nomatshizolo and Luyanda Ntikinca are applying for amnesty for their role in the incident. They are also applying, together with Kubukeli and Matshaya, for amnesty for a spate of bombings at police stations in Kokstad and Maclear in 1990. However, nobody was killed or injured as the result of the bombings.

Charges against the applicants were withdrawn due to insufficient evidence.

The law governing the TRC operations specify that victims, next of kin or anyone with an interest in the matter has the right to attend, led evidence and be represented by his/her lawyer.

The hearing will take place on April 20-25 at the Civic Centre in Umtata. Judge Ronnie Pillay will chair the panel.

ends
8 April 1998

STATEMENT: TRC HEARING ON AZAPO AND SOWETO STUDENTS CONGRESS

Issued by: Truth and Reconciliation Commission

Amnesty Hearing: Azapo and Soweto Students Congress clashes

Venue: Gauteng Legislature Auditorium

Three Black Consciousness members from Soweto who have applied for amnesty will appear before the Committee on the 20 and 21 April, 1998.

The applicants, Joseph Hlasa, Anastasios Mphoreng and Ernest Thandakubona are asking for amnesty in respect of the killing of Soweto Students Congress members and a white security guard in 1986.

The first part of the application to be heard, relates to the killing of a white security officer in July 1986. The applicants claim they acted on orders of the late Azapo leaders, Thami Mcerwa of Dlamini and Sam Seema of Diepkloof. Mcerwa and Seema were leaders of Azapo in Soweto at the time.

The second part of the application deals with the abducting and killing of students belonging to the Soweto Student Congress (Sosco) following the burning of Jefferson Lengane's house at Orlando West. Subsequently, Edwin Vuyani Nkomo, Mbulelo Mabena, Msilana Ronnel Sishange and Oscar Amos Mlangeni were abducted tortured and killed. The youths were allegedly taken to Lengane's house by the applicants for questioning and to Chiawelo, where an order was given that they should be shot and killed.

Simon Morris and Sekano Avonly Kgase, who were also abducted, survived the attack. Kgase alerted the police, who later arrested and charged the applicants.

The hearing will be held at the Gauteng Legislature Auditorium at the corner of President and Loveday Streets.

Robin Brink will be the evidence leader during the hearing.

ends
8 April 1998

STATEMENT: AMNESTY GRANTED TO TWO APPLICANTS

Issued by: Truth and Reconciliation Commission

Amnesty was granted to two applicants who were previously convicted for illegal possession of firearms. One applicant, Sydney Ndaba, is a member of the ANC as well as an ANC affiliated civic organisation and trade union. The other applicant, Gerrit Phillipus Anderson, was a member of the Afrikaner Weerstandsbeweging (AWB) whose cell in Natal co-operated with the Inkatha Freedom Party (IFP) in the procurement and hiding of weapons.

Both the applications were considered in chambers, as they don't relate to gross human rights violations as defined by the legislation guiding the amnesty process.

Ndaba was found guilty in 1992 after being detained in January 1991 in Kathlehong. He was charged with the illegal possession of an AK47 and an unlicensed pistol, as well as ammunition for the weapons. In his application he states that he had the weapons to defend his family and community due to a spate of violence at the mine where worked between members of rival trade unions, the ANC aligned National Union of Mineworkers, Numsa and the IFP union, Uwusa. Several Numsa shopstewards, like Ndaba, were killed or attacked at the time. Numsa then took a decision during a mass meeting to defend themselves and the applicant was later asked to store some firearms as he was rumoured to be a target of the rival union.

Nobody was injured by the weapons in Ndaba's possession. He was sentenced to more than five years imprisonment.

Anderson was an adviser for special AWB operations in Natal and in charge of a cell at Umhloti between early 1993 and mid 1994 when he illegally possessed 11 home-made pipe shotguns, a revolver and two pistols, all three unlicensed.

He says the AWB procured the weapons for the IFP as this party could in turn help the AWB realise its ideal of a Volkstaat. This was done with the approval of the AWB leadership. The weapons were never used to attack or injure anybody.

Anderson states in his application that the home-made guns were hidden by an IFP member, and later handed over to the security police by a third party. Anderson was then charged and a sentence of 8 years imprisonment was handed down.

ends
"We believe that we were very close to an agreement. The negotiations at present are on a knife edge. We do not know which way it is going to turn. The Attorney-General, as you know, has given the two parties up to 8 o'clock tomorrow morning to have reached an agreement, and we hope very much that that agreement will be reached because the TRC has wanted this agreement; the TRC has wanted that Mr Botha should be, should come to the TRC and that has been our purpose.

"If the agreement is not struck by 8 am tomorrow morning, the trial goes ahead. And we regret that, but it is quite imperative that people realise that the Commission was one that was set up to do a specific job of work, which we believe is a very important work for the healing of our nation, and we hope that Mr Botha and his team will see their way clear to participating in the process of reconciliation and healing.

"And may I say, I don't- I'm not going to take any questions, because I think this is it for now. And please do not try and get interviews from any one of us. Don't bother John or anybody like that. You know we are always, we are always forthcoming. And sometimes people think we are too forthcoming. We are forthcoming, but dit is klaar, ne, kant en klaar, now (this is finished, this is over) now. Wait until- No-

QUESTION: National Public Radio, USA - Couldn't you even tell us what some of the sticking points might be

ANSWER: The weather.

(When Archbishop Tutu was interrupted by a questioner, he was about to say that journalists should wait until the court case resumes at 9 am tomorrow to hear whether there has been an agreement between the TRC and Mr Botha.)

ends
15 April 1998

ADVISORY - 9 AWB APPLICANTS TO APPEAR BEFORE AMNESTY COMMITTEE

Issued by: Truth and Reconciliation Commission

Venue: Gauteng Legislature

Nine AWB applicants, who have applied for amnesty for killing four blacks and injuring six others in December 1993, will appear before the Amnesty Committee from 22 April, 1998.

The hearing, which is to be held at the Gauteng Legislature Auditorium, corner Loveday and President 1st floor, will hear evidence from Phil Cornelius Kloppers, Deon Martin, Petrus Johannes Mathews, Carel Hendrik Meiring, Frederick Jacobus Badenhorst, Marius Etienne Visser, Marthinus Lodewickes van der Schyff, Andre Francoir Visser and Gerhardus Johannes Diedericks.

The victims who died in the attack were, Thembani Simon Nkompone, Teboho Lordly Makhuza, Patrick Olebile Gasemane and Kau Theophilus More. Other victims who lived to tell about their ordeal are: Petrus Mothupi, William Segotsane, Gabriel Daniel Shabangu, Marsha Selebaleng Bereng, Sipho Jackson Nkompone and Abraham Mothupi.

The nine amnesty applicants say they shot and killed four black people, wounding six others, at the AWB roadblock outside Ventersdorp on 12 December 1993, after being told by their Western Transvaal commander that the right-wing revolution was to start that day.

They claim they were ordered by their AWB General bodies' while exercising hard options'. After searching several cars for weapons they wanted to confiscate for their war, the occupants of two cars were assaulted and later shot. Their cars were set alight. An ear of one of the victims was cut off to show the General allegedly at his request.

Ms Ramula Patel will lead evidence during the hearing.

ends
STATEMENT CONCERNING SUPERINTENDENT LABUSCHAGNE

Issued by: Truth and Reconciliation Commission

STATEMENT BY COMMISSIONER DUMISA NTSEBEZA

The TRC this afternoon received a request from the Minister of Safety and Security for the Investigative Unit to inquire into allegations which have been made against Superintendent Labuschagne, one of the police officers who has been involved in the McBride investigation.

At this stage we have not had time to evaluate the matter properly, but the investigation will begin as quickly as possible.

ends
STATEMENT ON NEXT WEEK'S HEARING IN DURBAN

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission's Amnesty Committee is to hear amnesty applications next week from four members of the Afrikaner Weerstandsbeweging (AWB) relating to the attack on a police station in Flagstaff shortly before the 1994 elections.

There was also an application arising out of the attack from the Inkatha Freedom Party's South Coast leader, James Zulu, but he was killed in Port Shepstone earlier this month.

One policeman, Constable Barnabas Jaggers, was shot dead and two others, Constable Edmund Nyangana and Inspector Mzingisi Mkhondeweni, were injured in the ensuing gunfire at Flagstaff Police Station on March 5, 1994. The attackers fled with a number of weapons and a police van.

The four AWB members applying for amnesty for their role in the attack are Harry Jardine, Morton Christie, Andrew Howell and Christo Brand.

Jardine, Christie and Howell are also seeking amnesty for planning to attack the African National Congress (ANC) and National Party (NP) offices in Port Shepstone and for their involvement in the bomb blast at the Seychelles Restaurant, Port Shepstone in February 1994.

Jardine has also applied for amnesty for his role in procuring weapons for the IFP, allegedly to ward off attacks from the ANC at the time.

The applicants have been convicted of murder, attempted murder and robbery but have not been sentenced pending the outcome of their amnesty applications.

The hearing will take place at the TRC Regional Office, Metlife Building, 391 Smith Street, Durban from April 28-30, 1998. Victims, next of kin and anyone having interest in the matter have the right to attend, lead evidence and be legally represented.

ends
29 April 1998

STATEMENT ON HEARING OF 10 MEMBERS OF UMKHONTO weSIZWE

Issued by: Truth and Reconciliation Commission

Amnesty applications from 10 members of the Special Operations Unit of Umkhonto weSizwe, covering high-profile bombings in Gauteng and the Free State between 1980 and 1988, will be heard in Pretoria from May 4.

Different applicants have applied for amnesty for various of the attacks, including those on the Sasol oil refineries, the Voortrekkerhoogte Military Base, SA Air Force Headquarters in Church Street, Pretoria, Wits Command, the Krugersdorp Magistrate's Court and police station and other government offices and police stations.

More than 20 people were killed in the attacks, and more than 350 injured. In terms of the Promotion of National Unity and Reconciliation Act, victims are entitled to attend hearings, to testify and to adduce evidence at amnesty hearings.

The hearings are due to last three weeks. Other applications relating to MK Special Operations Unit attacks, particularly those in KwaZulu-Natal, will be heard later in the province.

Those to be heard from next week concern the following:

1. Attack on Sasol 1, 2 and Natref Oil Refineries

Three applicants have applied for amnesty for limpet mine attacks on the three oil refineries on June 1 and 2, 1980 in Sasolburg and Secunda. They are Mr. Aboobaker Ismail, Mr. David Moisi and Mr. Velaphi S.F. Msane.

The applicants claim they were members of the Special Operations Unit of Umkhonto weSizwe and members of the African National Congress (A.N.C.) at the relevant time. They state that one person sustained injuries in this incident - the security guard of the Natref Oil Refinery in Sasolburg. It was established, through the relevant documentation, that the injured person was a Mr Robert Nthembalazeni, who was shot in his left shoulder.

2. Attack on the Voortrekkerhoogte Military Base

Two people have applied for amnesty, namely Mr. Aboobaker Ismail and Mr. Johannes Molefe. Mr Ismail states that he was the Commissar of Special Operations and Mr Molefe was a member of Special Operations, who participated in the attack on August 12, 1981.

One of the applicants was able to furnish the names of the victims, Ms Elsie Sekana and Mr. Zahed Patel.

During the attack, five 122 mm Russian rockets were fired from an open space situated between plot 240 Mooiplaas, Erasmia, and Laudium at or about 8.30 pm.

3. Bombing of the SAAF HQ, Church Street, Pretoria

Three people have applied for amnesty, namely Mr. Aboobaker Ismail, Ms Helena Pastoors and Mr Johannes Molefe.

Mr. Ismail was still the Commissar of Special Operations and the attack occurred under his command. Mr Johannes Molefe was involved in the unit which planned this attack. Ms. Pastoors was ordered to drive a vehicle containing explosives to a prearranged place in Pretoria, which was to be picked up by other operatives for the attack. It is alleged that this occurred a day before the bombing, on May 19, 1983. The two cadres who carried out the attack were blown up in the blast.
Nineteen other people were killed: Commandant I. J. Henning, Flight Sgt. J.J. Ras, Cpl. A. Nel, Amn. W.L. Kirtley, Lt. M. van Jaarsveld, Col. Stefanus S. Walters, Capt. Riaan Hendrick Liebenburg, Commandant Johan de Villiers, Mr Thomo Jonas Mohlahlo, Mr Lengoi Moses Maimela, Mr Sekgoetsi Jim Magatsela, Mr Mogale Judas Maimela, Ms Sharon Desiree Bos, Ms A Meiring, Mr Joseph Keane Sambo, Mr Pedros Ntemo Khohlwe, Ms Sharon de la Harpe, Mr Stephen John Page and Ms Adriana Meyer.

In addition, 217 people were injured.

4. Attack on the Ciskei Consulate, Carlton Centre, Johannesburg

Mr. Aboobaker Ismail, Mr. Mohammed Iqbal Shaik and Mr. Mohammed Abdullah Ismail have applied for amnesty.

Mr. Aboobaker Ismail states that this operation was carried out by members of MK under his command. The other two applicants were involved in the placing of the limpet mine at the Ciskei Consulate on August 26, 1983.

5. Attack on the Department of Co-operation and Development, Johannesburg

The applicants are Mr. A. Ismail and Mr. Mohammed I Shaik. Mr. Ismail states that the attack was carried out under his command. Mr Shaik used material supplied to him by his commander and states that he acted alone.

A security guard was injured in this incident but neither of the amnesty applicants have been able to provide the person's name. A limpet mine was placed on December 7, 1983, at the Department of Co-operation and Development offices in Marshalltown, in Johannesburg.

6. Explosion at the Department of Foreign Affairs, Market Street, Johannesburg

Mr. A. Ismail and Mr. M.I. Shaik have applied for amnesty, Mr Ismail as a commander and Mr Shaik for placing a limpet mine at the offices of the Department of Foreign Affairs, Rissik Street, Johannesburg, on December 15, 1983.

Seven people were injured in the attack, among them Mr. Piet Tlou of Diepkloof, Mr. George Lekwawathe of Molapo, Mrs. Gertrude Tshabalala of White City, Mr. Molefe Madonsela of Market Street and Mrs Tilda Mphangoma of Soweto. These names were provided by Mr. Ismail.

7. Attack on the SAP Soweto East Branch, Roodepoort City Centre

Mr. Aboobaker Ismail, the overall Commander of the Special Operations Group at the time, has applied for amnesty for placing a limpet mine on August 17, 1984, at the City Centre building in Roodepoort, which housed the offices of the SAP District Commandant for Soweto East and the Department of Community Development.

The explosion injured five policemen, including the SAP Commandant for Soweto East, and two civilians.

The applicant states that the following people were injured: Col. Ben van der Berg, Captain G. van Zyl Jonker, Warrant Officer J.J. Botha, Sergeant T. I. Mmethi, Constable Isaac Moroke, Miss Annah Folosi and Miss Iris Lombard.

8. Attack on the offices of the Railway police and Directorates of Coloured and Indian Affairs, Johannesburg

Mr. Aboobaker Ismail, states that this operation took place under his command, and Mr. Mohammed I. Shaik is claiming responsibility for having placed a limpet mine at the Railway Police Headquarters on the corner of Plein and Harrison Streets in Johannesburg, on August 24, 1984.

Five people were injured, including a number of railway policemen. According to Mr. Ismail, among the railway policemen injured were: Sergeant J.W. Swanepoel, Constable W.J. Strydom and Constable P.J. Kunneke.
9. Attack on the Department of Internal Affairs, Harrison Street, Johannesburg

This application also involves Mr. A. Ismail, as commander, and Mr. M. Shaik.

Mr Shaik placed a limpet mine at the Department of Home Affairs in Harrison Street in Johannesburg on the September 3, 1984. Four people were injured. Mr Ismail said one was Mr. Steven Schultz.

10. Attack on the Medical Command of the SADF, Nugget Hill, Hillbrow

This application also involves Mr Aboobaker Ismail, as commander, and Mr Mohammed Shaik, who states that he placed the limpet mine used in the attack.

Seventeen people were injured, including four military personnel. No names have been supplied.

On or about the May 28, 1985, a limpet mine was placed at the Transvaal Medical Command, which housed the Southern Transvaal Medical Command, in the Nedbank building in Nugget Hill, Hillbrow.

11. Attack on John Vorster Square, Johannesburg

Mr. A. Ismail is the only amnesty applicant for this attack. He states there were four victims in the attack: Captain P. van Heerden, Warrant Officer H. Vermeulen, Mr. George Papathanaspoules and Mr. A Theodopolos.

The attack involved the placing of a limpet mine at John Vorster Square police station on March 4, 1986.

12. Attack on Wits Command, Johannesburg

Amnesty applications have been received from Mr Johannes Molefe, who states that he was the Unit Commander of a small unit within Special Operations, Mr Johannes Heinreich Grosskopf, Mr Colin Mark De Souza, who states that he was instructed to do reconnaissance work, and Mr Aboobaker Ismail, the overall Commander of Special Operations.

One soldier was killed and 68 people injured when a bomb in a vehicle exploded the corner of Quartz and De Villiers Streets in Johannesburg on July 30, 1987.

13. Attack on the Krugersdorp Magistrates Court and adjacent police station

The amnesty applicants are Mr. Aboobaker Ismail, who states he was the Chief of Ordnance and member of the military headquarters of MK at the relevant time, and Mr Mohammed Shaik, who was responsible for placing a car bomb at the court on March 17, 1988.

Three people died, two security personnel and one civilian, and 20 people were injured.

Among those who died were Warrant Officer Simon Manyamalala and Frans Mdlalose. Those injured included Mrs. M.C. Goosen, Noeline Goosen, Mrs. A.J. Fouche, Mrs. J.M. van der Merwe, Mrs. A. Hartman, Mrs. Palm, Mr. Prinsloo, Mrs Garnet-Bennet, Mrs. E. du Toit, Mrs Odendal, Mrs. C.S. Kruger, Mrs. F. Swarts, Mrs. E.S. du Plessis, Mrs. M.C. Cloete, Mr. G.M.B. Swart, Mr. G.D. van Niekerk, Mrs Emil Mirage and Mr. Wilson Cinde.

ends
STATEMENT: UDF LEADERS TO APPEAR BEFORE THE TRC IN CAPE TOWN

Issued by: Truth and Reconciliation Commission

Former United Democratic Front (UDF) leaders will appear before the Commission in Cape Town on May 6 to provide information the TRC needs to complete its work.

The public hearing was convened to resolve outstanding issues pertaining to the context of human rights violations during the 1980s, which will be dealt with in the Final Report. These issues include the UDF leadership's relationship to that of the ANC in exile, necklacing and the possibility that some UDF campaigns led to violations.

The UDF panel will include former UDF leaders: Patrick Lekota, currently Chairman of the Council of Provinces, Mohammed Valli Moosa, Minister of Constitutional Affairs, Popo Molefe, the Premier of the North West Province, Murphy Morobe, Chairman of the Financial and Fiscal Commission, and Azhar Cachalia, Secretary of Safety and Security.

The TRC's panel will include Deputy Chairman, Dr Alex Boraine, Investigative Unit Head, Dumisa Ntsebeza, and Commissioners Yasmin Sooka and Glenda Wildschut.

The hearing will be held at the TRC's offices at 106 Adderley Street, Cape Town and will start at 09h00 am. The public is welcome to attend.

ends
30 April 1998

STATEMENT: ANC WITHDREW OPPOSITION TO TRC APPLICATION

Issued by: Truth and Reconciliation Commission

The African National Congress today withdrew its opposition to a Truth and Reconciliation Commission application asking the High Court to declare void amnesties granted to 37 ANC members.

The TRC's application has been set down for a hearing in the Cape High Court next Friday, May 8, when the Commission will also ask the court to order that the amnesty applications be referred back to the TRC's Amnesty Committee to be considered afresh.

The ANC's decision to withdraw its opposition to our court application opens the way to a speedy resolution of the matter. It enables us to approach the High Court a full three weeks ahead of the date agreed to between the National Party, which has brought a court application similar to the TRC's, and the ANC.

However, the National Party may still delay resolution of the matter - it has given notice that it wants to intervene in the TRC's court application against the ANC. In court papers, the NP alleges that the ANC applications for amnesty "are not capable of being considered afresh". As a result the NP is opposing that part of the TRC application which asks the court to refer the amnesty applications back to the Amnesty Committee for reconsideration.

The National Party will argue its case for the intervention when the TRC's application goes to court on May 8.

ends
STATEMENT ON MEIRING AND LIEBENBERG

Issued by: Truth and Reconciliation Commission

The outgoing Chief of the Defence Force, General Georg Meiring, and the former army general "Kat" Liebenberg, will appear on Monday at an investigative inquiry on the 1993 Umtata raid.

They have been subpoenaed by the Investigative Unit to provide information and/or answer questions relating to the deaths of five minors who were asleep in the house in Umtata targeted by the former South African Defence Force. The former government said at the time that they had information that the house was used as a base for the Azanian Peoples Liberation Army (APLA).

The Section 29 Inquiry will be held in camera at the TRC's Cape Town offices on Monday, May 4.

Generals Meiring and Liebenberg will be questioned on all operational orders and instructions to the twelve member team who carried out the cross-border raid into the former Transkei in the early hours of the morning. The TRC also wants them to name the people involved in the planning of the operation and to provide details of the intelligence reports that led to the operation.

The five minors who died in the house at 47 AC Jordan Street in Umtata on October 8, 1993 are Samora Mpendulo, Sadat Mpendulo, Mzandile Mfeya, Sandiso Yose and Thando Mtembi.

Last month South African Police sergeant, Thapelo Johannes Mbelo, gave testimony on the Umtata raid to a closed TRC inquiry. He was involved in the former SAP's investigation into APLA activities at the time.

Meiring and Liebenberg are entitled to legal representation, and if they cannot afford to, the TRC may appoint lawyers to assist them.

ends
TRC SPECIAL INVESTIGATIVE UNIT TO EXHUME BODIES

Issued by: Truth and Reconciliation Commission

Truth Reconciliation Commissions' Special Investigative Unit, under detective Captain Fanie Molapo, is to exhume bodies of nine former members of the ANC's armed wing, Umkhonto we Sizwe in Northern Province and Mpumalanga, with effect from May 06.

Two MK members, Victor Mngadi from Inanda Durban and Oupa Funani from Soweto, will be exhumed on Wednesday May 06 at Thandakukhanya Cemetery in Piet Rietief. Exhumations starts at 10am. The two soldiers were killed at the Mahamba border in 1982 by units of the former security forces.

Five MK members, Vusi Mbongwe from Piet Rietief, Bheki Mchunu from Paulpietersburg, James Masango from Soweto, Bafana Mahlombe from Vryheid and Henry Nkosi from Paulpiersburg will be exhumed on Thursday May 07 at Dumbe Cemetery at 10am. The meeting place for the media is Paulpietersburg police station at 9am.

On May 11, two Mk members will be exhumed at Sekoto cemetery in Louis Trichard. They are Charles Tsatsi from Soweto, Johannesburg and Zola Tati from New Brighton.

ends
6 May 1998

TRC SENDS OUT FIRST REPARATIONS NOTICES

Issued by: Truth and Reconciliation Commission

In what Archbishop Tutu is calling "an exciting and historic day" for the TRC, staff will today (Wednesday) send out notices to the first 700 people who have been officially declared victims of gross human rights violations, and informing them that they are eligible to apply for reparation.

>From now on, about 2,000 findings and reparations application forms will be sent out every week. This is the culmination of two years of work, during which the TRC has collected and processed more than 20,000 statements alleging gross violations of human rights.

The TRC is arranging a photo op/ news conference at its Cape Town offices immediately upon the lunchtime adjournment of today's UDF hearing. (At between 12.30 pm and 1 pm.)

Photographers will be able to get pix of staff printing out findings, and dispatching big batches of envelopes in special Post Office mailing boxes. Key staff will explain the process. A news release will be handed out at the photo op.

This is an important day for the victims who have approached the TRC in the past two years, and you are invited to the photo op., in room 923 on the 9th floor of the TRC offices, 106 Adderley Street, Cape Town.

ends
TRC SENDS OUT REPARATIONS NOTICES TO 700 VICTIMS

Issued by: Truth and Reconciliation Commission

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

In an exciting and historic day for the Truth and Reconciliation Commission, our staff today sent out notices to the first 700 people who have been officially declared victims of gross human rights violations, and informing them that they are eligible to apply for reparation.

Most of the 700 will receive notices in the mail informing them of the finding by the TRC, as well as a reparations application form. The TRC is using the Post Office's special "Securemail" service to minimise the possibility of difficulties with the post.

Where the TRC does not have proper addresses for delivery of findings' notices and reparations application forms, it will use trained fieldworkers and NGOs to locate persons declared to be victims.

The notification of the finding and the sending out of the reparation application form is historic because it finally allows deponents to apply for reparation. The Commission has spent two years collecting statements, hearing public testimony from a cross-section of those who gave statements, and individually corroborating each of the more than 20,000 statements we have received.

We have made findings on more than half the statements, but it will take some weeks to process them and send the findings to the deponents.

Findings declaring people officially to have suffered a gross human rights violation are ready to be sent out to more than 2,000 people within the coming days. At this stage, less than 10 percent of those who made statements have not been found to be a victim in terms of the definition provided in the law which Parliament passed to set up the Commission.

In the coming two months, we will be carrying out two operations simultaneously:

- We aim to complete the process of making findings on each individual statement; and
- We plan to send out more than 2,000 official findings and reparation application forms each week.

We appeal to those who made statements to the TRC to be patient with us for a little longer while they wait for findings to arrive. Those with inquiries can call our inquiries secretaries: in Johannesburg, Dudu Chili and Mbongeni Shabangu at 011- 333-6330; in Cape Town, Shireen Brown at 021- 24-5161; in Durban, Bontle Ledimo and Moses Pitso at 031- 307-6767; and in East London, Tantaswa Gubevu at 0431- 43-2885.

In most communities, findings on different people in the same community will arrive at different times.

Those found to be victims, as defined in the Promotion of National Unity and Reconciliation Act, will be immediately eligible to apply for interim reparations.

Interim reparations are once-off payments, normally a maximum of R2,000, for those victims or their dependants who have suffered hardship and are in need. They are aimed at helping victims to gain access to services such as medical care. They are designed to provide only limited assistance while the Government and Parliament are discussing their final decision on reparations, which is likely to be taken only after the TRC has handed in its final report.
Applications for reparation will be considered by the TRC's Reparation and Rehabilitation Committee. If a victim has suffered hardship and is in particular need, the committee will forward the applications to the President's Fund, the body set up to make reparations payments.

Findings in the minority of cases where people have been found not to be victims of gross violations of human rights will begin to be sent out soon. These people will be able to appeal against the decision.

ends
12 May 1998

TRC AMNESTY COMMITTEE APPEALS TO VICTIMS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission is appealing to victims of AWB 1994 pre-election bombings to contact its offices if they wish to attend an amnesty hearing arising out of the bombings, scheduled for June 15 to 26.

The pre-election bombing spree by amnesty applicants claiming to have acted on behalf of the Afrikaner Weerstandsbeweging (AWB) left 21 people dead and 46 injured in blasts in Johannesburg, the West Rand and East Rand between April 24 and April 27, 1994.

In terms of Section 19 of the Promotion of National Unity and Reconciliation Act, any victim or person with an interest in an amnesty hearing has the right to attend the hearing, to be legally represented and to have evidence led.

The TRC has secured lists of victims from court records and is attempting to trace those for whom it has addresses. However, the court records do not provide addresses for many victims.

The amnesty applications cover attacks beginning with the placing of a car bomb outside ANC offices at Bree Street at 9.50 am on Sunday April 24, 1994. Seven people were killed and 13 injured.

On April 25, a bomb was placed in a trailer and transported to Germiston, where it was detonated in Odendaal Street at about 8.45 am. Ten people were killed and eight injured.

The amnesty applications also cover pipe bombings on the West Rand and Pretoria. On April 25, at 11.45 am, a pipe bomb detonated at a taxi rank on the Westonaria-Carltonville road, injuring five people. Earlier, at about 7.45 am, a pipe bomb had gone off at a taxi rank on the corner of Third and Park Streets in Randfontein, injuring six people. At 8.30 pm on the same day, a pipe bomb attack at a restaurant on the corner of Bloed Street and 7th Avenue in Pretoria killed four and injured four.

The final attack involved a car bomb at Jan Smuts Airport on April 27, 1994. Ten people were injured.

The act governing the TRC allows victims to attend and make statements on amnesty applications. Those who wish to make statements can contact Tania Hosking at (021) 24-5161, ext. 2283. The evidence leader for the hearing is Ms Ramula Patel.

ends
TRC AMNESTY TO ANC ACTIVISTS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to two African National Congress activists who attempted to assassinate a Security Branch member in Middelburg, Cape, in August 1993.

In a decision dated yesterday (May 11), a panel of the Amnesty Committee granted amnesty to SIMPHIWE LINCOLN BLEKI, 31, and OSCAR THANDO NONGONGO, 27, who appeared at an amnesty hearing in Port Elizabeth on April 28.

The full text of the Committee's decision follows:

"On Sunday morning, at about 06h00 on 8th August 1993 the applicants took position next to Warrant Officer Leeman Maliti's house at Middleburg, Cape with the aim of attacking and killing him by shooting.

"They kept his house under surveillance to ensure that no person should be injured in crossfire during the attack, not even Mr Maliti's family.

"At about 11h00, believing that Mr Maliti was then alone in the house, the applicants approached the house. Second Applicant knocked at the door and Mr Maliti responded, asking them to enter. Upon entering, they found him sitting on the chair facing towards the door. They immediately shot him several times as he was trying to rise from the chair. Mr Maliti fell down and the applicants retreated, leaving him lying on the floor. He survived the attack but died two years later, of other causes.

"Both applicants were arrested within an hour of the attack while they were seeking a lift on the road. Apparently there was supposed to be a get-away car but the police acted promptly and arrived before the arrival of the said car. They were arraigned before Court and charged with attempted murder and unlawful possession of arms and ammunition.

"The Second Applicant absconded before trial. A separation of trials was ordered and the State proceeded with the charges against the First Applicant. He was found guilty as charged and sentenced to ten (10) years' imprisonment. The Second Applicant was re-arrested later. He was found guilty and sentenced to eleven (11) years' imprisonment.

"Applicants say that they are members of the ANC. The First Applicant was a member of the executive committee of the ANC Middleburg branch and was also in contact with the Self-Defence Unit (SDU).

"The victim, Mr Maliti, was a member of the Security Branch of the police force. He was viewed by the community and the applicants as very notorious and controversial. He was in the forefront of the conflict and confrontation between the community and the police. He terrorised, harassed and arrested activists. The applicants also state that Mr Maliti tortured people he arrested. The applicants believed that he had killed some members of the community.

"Attempts on his life were previously made by the members of the local community.

"First Applicant consulted with the Self-Defence Unit (SDU) and his colleagues and volunteered to assassinate Mr Maliti. He enlisted the assistance of Second Applicant and fetched him from Port Elizabeth for that purpose.

"Although First Applicant was also a victim of Mr Maliti's harassment and torturing, the evidence is that the actions taken by the First Applicant in attempting to kill Mr Maliti was for the benefit of the community as a
whole. After applicants were arrested the community conducted protest marches for their release. The ANC responded positively to the applicants after Mr Maliti was attacked and they are supporting the application for amnesty as evidenced by their letter submitted with the application.

"The committee is satisfied that the offences committed by both applicants were done within political context and that the applicants have made a full disclosure of all relevant facts. Thus they have complied with the requirements of the Act.

"Amnesty is accordingly granted to the applicants in respect of the offences set out above."

JUDGE R. PILLAY; ADV. D. POTGIETER, S.C.; MR J B SIBANYONI.

ends
15 May 1998

LAWYERS TO PRESENT CONCLUDING ARGUMENTS NEXT WEEK

Issued by: Truth and Reconciliation Commission

TRUTH AND RECONCILIATION COMMISSION - ADVISORY NOTE

Lawyers appearing for applicants and victims in the Pebco 3 matter will be presenting their concluding arguments next week, May 18 and 19, 1998 at the Centenary Hall in Port Elizabeth.

ends
15 May 1998

TRC ELLIS PARK CAR BOMB ADVISORY

Issued by: Truth and Reconciliation Commission

TRUTH AND RECONCILIATION COMMISSION - ADVISORY

The planned Ellis Park Car Bomb hearings which were suprised to be held in Pretoria on Monday 18 May, 1998 has been cancelled.

Media will be informed of the future date for this hearing.

ends
18 May 1998

TRC INQUIRY INTO HELDERBERG AIR DISASTER

Issued by: Truth and Reconciliation Commission

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION'S INVESTIGATIVE HEAD,
DUMISA NTSEBEZA

Altogether 11 people were invited to give evidence and/or answer questions about the Helderberg air disaster in 1987, which claimed the lives of all 159 people on board.

They will be required to appear at a closed investigative inquiry from June 1 to 3 about aspects relating to the nature of the Helderberg's cargo and the three year investigation that culminated in an inquiry by Judge Cecil Margo. This inquiry never concluded what caused the fire on board the plane. The fire caused the plane to crash into the sea near Mauritius where it was due to land.

The Friends of the Victims of the Helderberg (Fovoh) made a submission to the TRC last year, expressing their concerns about the former government's inquiry and urging the Commission to do further investigations.

Those invited to make further representations to the TRC include former and current staff from South African Airways (SAA) and from Armscor.

Dr David Klatzow, a forensics expert who has been investigating the Helderberg Inquiry for several years, was invited to give specialist testimony and analysis to the Commission.

Others invited are: Mr Gert van der Veer, former Chief Executive of SAA, Mr Mickey Mitchell, former SAA Flight Operations director, and employees, Tienie Willemse, John Hare, Joseph Braizblatt and Vernon Nadel.

Former and current Armscor agents and members of subsidiaries were also invited to give evidence. Mr JNJ van Rensburg, the attorney for the Margo Board of Inquiry will be asked to explain how evidence was dealt with by the Margo inquiry.

The TRC's inquiry will be held in camera at the TRC's head office in Cape Town.

ends
TRC INQUIRY INTO SAMORA MACHEL ACCIDENT

Issued by: Truth and Reconciliation Commission

STATEMENT BY DUMISA NTSEBEZA, INVESTIGATIVE HEAD OF THE TRUTH AND RECONCILIATION COMMISSION

The cause of the death of Mozambican President Samora Machel and 33 others in October 1986 will be the subject of a closed investigative inquiry by the TRC's investigative unit on June 4.

The Tupolev plane in which Machel was travelling from Malawi to Mozambique crashed on South African territory during the night. A board of inquiry under Judge Cecil Margo concluded in 1987 that the plane crash was an accident due to pilot error.

However, a delegation of Russian experts, who helped with the investigation, concluded that the plane crashed into the mountains near Mbuzini on the border with Mozambique due to a decoy signal stronger than that at Maputo airport. They were allowed to be part of the investigation in terms of international aviation legislation, as the state of manufacture of the plane was the former Soviet Union.

The TRC has been presented with new evidence linking the crash with activities of the former South African Defence Force (SADF).

Those invited to give evidence and/or answer questions relating to the crash, include a former SADF Military Intelligence Operative and two other former SADF members. Their names, as well as that of a former Mozambican official invited to give evidence, are withheld due to current fears for their safety.

The in camera inquiry will be held at the TRC's head office in Cape Town.

ends
19 May 1998

DEADLINE FOR PRESENTATION OF COMMISSIONS REPORT EXTENDED

Issued by: Truth and Reconciliation Commission

Yesterday's announcement by the Minister of Justice that the Cabinet has approved a proposal to extend the deadline for the presentation of the Commission's report to the President was made against the following background:

The Department of Justice has been drafting amendments to the law establishing the Commission which would allow the Amnesty Committee to continue to operate and complete its work after the Commission has closed down on July 31.

As in the original legislation, the amendment allowed the TRC a three-month period after the end of its activities in which to write the report. After carefully considering the draft amendments, the Commission adopted the principle.

However,

The Commission will close down on schedule, on July 31, and All Commission work, except for report writing and amnesty proceedings, will end by June 30.

If Parliament approves the amendments, the Commission intends to consider and adopt a penultimate draft of the report before July 31. The extra three months will, therefore, be used only for the purposes of editing and production of the report, which is expected to run to 2,000 pages.

The Research Department, which is responsible for compiling the report, will use the extension to ensure that the contents of the report, which come from different committees, regions and units of the Commission, are properly integrated. It is especially concerned that the report contains an accurate summary of the circumstances of every person declared a victim of a gross violation of human rights in terms of the law, and since the TRC has collected about 21,000 statements from people saying they are victims, this will be an enormous task.

ends
22 May 1998

STATEMENT - CHEMICAL AND BIOLOGICAL WARFARE HEARING

Issued by: Truth and Reconciliation Commission

STATEMENT BY DUMISA NTSEBEZA, INVESTIGATIVE HEAD OF THE TRUTH AND RECONCILIATION COMMISSION

The Truth and Reconciliation Commission will be holding a special public hearing into South Africa's chemical and biological warfare (CBW) programme from 8 to 12 June.

The hearing will focus on the SADF's CBW programme from 1981 to 1994. It will explore:

* the institutional arrangements that made the programme possible
* the front companies that were established to support it, and individual human rights violations that resulted from the programme
* the involvement of the SADF in experimentation on humans and animals
* the financial implications for the state; and
* the involvement of scientific and research institutions.

A number of witnesses will be called by the Truth and Reconciliation Commission over the five days. Key witnesses are: Dr Wouter Basson; Dr Niel Knobel, the former Surgeon General; Dr Wynand Swanepoel, former MD of Roodeplaat Research Laboratories (RRL); Dr Philip Mijburg, former MD of Delta G Scientific; Dr Brian Davey, currently the head of the Health and Safety Division of the Organisation for the Prevention of Chemical Warfare in The Hague; Dr Johan Koekemoer, former head of Research at Delta G Scientific; Dr Daan Goosen, who headed RRL before Swanepoel took over from him; Prof CFG Hofmeyr, former head of the Veterinary Faculty at the University of Pretoria and advisory to the Surgeon General; Dr Mike Odendal, former researcher at RRL; Dr Schalk van Rensburg, former employee of RRL; and Dr Lothar Neethling, former head of Forensics for the SAP. Other witnesses' names will be withheld until they have been offered witness protection.

The panel of commissioners presiding over the hearing includes: Dr Alex Boraine, Mr Dumisa Ntsebeza, Dr Fazel Randera, Dr Wendy Orr, Ms Yasmin Sooka and Mr Richard Lyster.

The hearing will be conducted in Cape Town and will be held in the hearing room at the Truth and Reconciliation Commission offices in Adderley Street.

ends
STATEMENT - ALLEGATIONS THAT FIVAZ WAS INVOLVED IN HUMAN VIOLATIONS

Issued by: Truth and Reconciliation Commission

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

Two long-term prisoners at Grootvlei Maximum Security Prison alleged recently that National Police Commissioner George Fivaz was involved in various human rights violations in the Free State in the 1970s and 1980s.

The prisoners, Andries "Tamatie" Nchake and Joseph Mosia, claimed that General Fivaz and other policemen under his command planted drugs and ammunition on innocent people, took part in the murder of suspects and supplied information upon which the Lesotho raid of 1982 was based.

During investigations headed by Mr Wilson Magadhla, special investigations head of the TRC, the Investigative Unit has found that serious contradictions exist in the prisoners' evidence. Mr Magadhla has concluded that the prisoners have lied in many respects.

He has reported to the Commission that witnesses named by the prisoners and interviewed by him have given him versions which completely contradict those of the prisoners. Sites identified as likely graves were dug up but nothing in the form of human remains could be found at any of the sites pointed out.

The only allegation proven is that certain members of the police in Ladybrand were involved in the assault and torture of a person who subsequently died in police custody. The policemen allegedly implicated are mentioned by name. General Fivaz's name does not feature at all in this matter, which will be referred to the police for further investigation.

No evidence could be found to support any of the allegations made against General Fivaz. The Commission regards them as false and regards the investigation insofar as it affects General Fivaz as closed.

ends
25 May 1998

STATEMENT - 37 AMNESTIES SET ASIDE BY THE CAPE HIGH COURT

Issued by: Truth and Reconciliation Commission

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON OF THE TRUTH AND RECONCILIATION COMMISSION

The Truth and Reconciliation Commission has received a report from the Amnesty Committee on the steps it has taken on the matter of the 37 amnesties which were set aside by the Cape High Court on May 8. The Amnesty Committee is autonomous and the full Commission has no power to review the process by which it reaches its decisions. Nevertheless, we feel it is in the interests of the public to relay the Amnesty Committee's progress.

1. The Committee is still awaiting the formal text of the High Court's order.

2. It has already been decided that the 37 amnesty applications will not be considered by the panel which handled them previously. A new panel will be constituted as soon as practically possible.

3. Amnesty Committee staff have located another 109 applications from applicants, some of whom have also applied for amnesty on the basis that, as members of the ANC leadership, they accept collective responsibility for acts carried out by others in the name of the organisation they led.

4. The Amnesty Committee will ensure in its deliberations that where further particulars may be required to help it come to a decision on the applications, they will be requested from the applicants.

5. The future handling of the applications will lie in the hands of the newly-constituted panel, not the Commission. However, as we understand the law, the following scenarios are now possible:

- Should an amnesty applicant give details in an amnesty application, or in further particulars to an application, of a specific act, omission or offence in respect of which he/she applies for amnesty which constitutes a "gross violation of human rights" as defined in the Act (i.e. killing, torture, abduction or severe ill-treatment), then the Committee is bound to hold a public hearing to consider the application;

Alternatively;

- Should an applicant give details of a specific act, omission or offence which does NOT constitute a gross violation of human rights as defined in the Act, then the Committee has a discretion to hold a public hearing but is not required to. Of course, should an applicant not declare a gross violation and receive amnesty for activity not constituting a gross violation, he or she would be liable to prosecution or civil actions later should his/her participation in "killing, torture, abduction or severe ill-treatment" be proved.

The Amnesty Committee is committed to ensuring in its deliberations that the formal requirements of the Act are complied with. We are confident of the ability of the members of the Amnesty Committee and await the outcome of their deliberations in due course.

ends
STATEMENT - AMNESTY GRANTED TO TWO IFP MEMBERS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today granted amnesty to two Inkatha Freedom Party (IFP) members serving long prison sentences after they were convicted of the killing of 10 people in the KwaZulu/Natal Midlands in 1993.

The two men are Mabhungu Absolom Dladla, 30, and Nkanyiso Wilfred Ndlovu, 28. They opened fire on a minibus killing, 10 of the passengers and injuring six others in the Nkanyezi area near Table Mountain on March 5, 1993.

They said they believed the passengers were members of the African National Congress (ANC) and that the attack was in retaliation for an incident three days earlier in which unknown gunmen had opened fire on children on their way to school, killing six. The parents of the children killed were said to be members of the IFP.

Dladla and Ndlovu appeared before the Amnesty Committee in Durban earlier this year to apply for amnesty for, among others, the killing of Sipho Dlamini, Pretty Hlongwa, Joyce Khanyezi, Tembani Koza, Bongile Lembede, Bekizwe Mncwabe, Bongani Ndlovu, Sindisiwe Ndlovu, Bekayena Dlamini and Bonisiwe Ngcobo.

In their decision, the Amnesty Committee said: "There is no doubt in our minds that the applicants were caught up in the senseless violence in their area between members of the ANC.. and the IFP... We are satisfied that the offences for which the applicants were convicted were committed in the course of the struggles of the past and were associated with a political objective."

The full text of the Committee's decision follows:

"On 29th April 1993 the two applicants were convicted on ten counts of murder and six counts of attempted murder.

"The second applicant was also convicted on four further counts which related to the unlawful possession of an AK47 rifle, an R1 rifle, a shotgun and the unlawful possession of ammunition for the aforesaid firearms. They were both sentenced to death on each of the ten counts of murder. On each of the six counts of attempted murder they were sentenced to ten years imprisonment to run concurrently which was to be served if the death sentences were not carried out.

"In respect of the offences relating to the position of the firearms and ammunition, the second applicant was sentenced to a total of eight years and six months. The sentences of death imposed on both applicants were subsequently commuted to a term of imprisonment. They now apply for amnesty in terms in section 18 of Act 34 1995.

"The offences were committed during an incident which occurred on 5th March 1993. On that day the two applicants and one other person, who's name was given as Siphiwe Zondi, ambushed a minibus and raked it and its occupants with automatic weapons. As a result of this attack the deceased and the other occupants of the minibus were killed or wounded. The applicants say that they carried out this attack with the intention of killing its occupants whom they believed to be members of the ANC. The reason they gave for this belief was that the minibus had been used to transport ANC members in the area by one Qeda Zulu who was a member of the ANC. The attack was triggered off by an event which had occurred three days earlier when unknown gun men shot and killed six children who were on their way to school. The parents of those children were all Inkatha members who lived at Mboyi which is an Inkatha controlled area.

They said that they and other residents of the Mboyi area were constantly attacked when they travelled through
Nkanyezeni which is an ANC controlled area. One of the witnesses who gave evidence at the trial of the applicants was Bernard Mkhize who was the Chairman of the IFP in the Mboyi area of Table Mountain. He described the general unrest which had prevailed in the Table Mountain area for more than a year, and said that during December 1991, his kraal was attacked and a vehicle was burnt. In the course of that attack the first applicant who was his cousin was shot in the leg.

He described the attack on a bus in the course of which the first applicant's father was shot in the mouth. On another occasion sixteen houses in his area were burnt down and two girls were shot. He said that on 2nd March 1993 six children who were on their way to school in a Toyota bakkie were shot and killed by gunmen who ambushed the vehicle. Three of those were his children. He claimed that the persons responsible for these attacks were ANC people who were trying to get him and his people out of the area.

"Although the applicants were not instructed by their leaders to shoot and kill the occupants of the minibus, they had taken it upon themselves to do so. There is no doubt in our mind that they were caught up in the senseless violence in their area between members of the ANC on the one hand and the IFP on the other.

"We are satisfied that the offences for which the applicants were convicted were committed in the course of the struggles of the past and were associated with a political objective. They are accordingly granted amnesty for; the murder of;

"A. SIPHO MZOFANA DLAMINI PRETTY HLONGWA JOYCE BABAZILE KHANYEZI TEMBANI NTOMBINKULU KOZA BONGILE BERTINA LEMBEDE BEKIZWE MNCWABE BONGANI ZEPHANIAH NDLOVU SINDISIWE HLENGIWE NLDOVU BONISIWE ANATORIA NGCOBO BEKAYENA DLAMINI

"B. The attempted murder of WELCOME MTEMBINKOSI MKHIZE DUMISANI JOHANNES SITHOLE ZININGI LORRAINE MKHIZE ALBERTINA SHEZI BONANI DLAMINI PHINDILE ZIMU

"C. Second applicant is granted amnesty for the offences of having been in unlawful possession of an AK47 assault rifle and an R1 rifle, a 12 bore shotgun and the possession of ammunition for the aforesaid rifles and shotgun."

Committee Members: Judge Hassen Mall, Mr Wynand Malan, and Adv. John Motata

ends
STATEMENT - THREE IFP AMNESTY APPLICATIONS TURNED DOWN

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission's Amnesty Committee has turned down amnesty applications from three Inkatha Freedom Party members.

In their decision on two of the applications, the Committee suggested that alcohol had been a motivating factor in attacks on two people. In the third, separate application, the amnesty applicant had denied being involved in an attack. The applications were heard in Durban in March.

Mshengu Ngobese and Nimrod Mthembu applied for amnesty for the killing of Mr Siza Cele and Ms Zondiwe Khumalo at KwaMaphumulo near Stanger in KwaZulu/Natal in 1991. According to evidence before the Amnesty Committee, Ngobese and Mthembu met Mr Cele as they were leaving a traditional ceremony and stabbed him to death, forcing his companion to flee. They then went to Ms Khumalo's home where they shot her with a home-made shotgun and stabbed her.

During their appearance before the Amnesty Committee earlier this year, the two men admitted that they had been drinking when they killed the two people after attending a traditional feast. They told the Committee they killed Ms Khumalo because they believed she was opposed to the IFP.

Rejecting the applications, the Amnesty Committee said: "Having regard to the motive for the killings..., it is difficult to accept that alcohol did not play a major role. No evidence exists that any of the victims was in fact a member of the ANC.... The acts of killing... were not directed at a clear political opponent, nor were they executed on behalf of or in furtherance of the objective of a political organisation."

In a separate application, Baba Langelihle Khomo applied for amnesty for opening fire on people attending a traditional ceremony, killing eight and injuring six others, at Ndlovu's Kraal in KwaNdeni Reserve, Mpumalanga Township near Pietermaritzburg on March 7, 1992.

He had been convicted and sentenced to 20 years' imprisonment for killing Kati Ndlovu, Zinhle Hlengwa, Noyazisa Gumede, Gijeni Ndlovu, Mandlakapheli Tinga, Michael Gwala, Mboshwa Mlaba, Jabulani Msibila and injuring six others.

In his amnesty application form, Khomo admitted that the attack objectives of the IFP, of which he was a member. However, giving evidence before the Committee, he denied involvement in the attack saying he was part of the people gathered at the kraal and that the attack was carried out by unknown gunmen.

When the Committee drew his attention to the fact he had admitted involvement in his application form, Khomo said he was innocent but had been advised that should he deny guilt, his application would be denied in chambers and he would not get the opportunity to appear before the Committee and tell his story.

In its decision, the Amnesty Committee said the court judgment indicated there might have been a political motive behind the attack at Ndlovu's Kraal. But it added: "Denying involvement in any way in the incident, the applicant cannot satisfy the Committee that he has made a full disclosure of his involvement in a politically motivated crime as required by the Act."

ends
28 May 1998

STATEMENT - TRC GRANTS AMNESTY TO NYAMEKO MPHO FAKU

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to a former Umkhonto We Sizwe cadre for unlawful possession of firearms and ammunition.

Nyameko Mpho Faku, 31 from Swartkops Valley, Port Elizabeth, was convicted and sentenced to two years' imprisonment for unlawful possession of firearms and ammunition in 1993.

His application was dealt with in chambers as the offence for which he applied for amnesty did not fall within the definition of a gross human rights violation in the law which governs TRC operations.

ends
3 June 1998

ANDRIES GOUS GIVEN AMNESTY FOR BOMBING

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to a member of the former Security Branch who bombed a property belonging to a leading political activist in Springs, East Rand in 1989.

Andries Gous applied for amnesty for the bombing of a property of Dr Bulbulia causing extensive damage at Bakerton, Springs in October 1989.

His application was dealt with in chambers as the offence for which he applied for amnesty does not fall within the definition of gross violation of human rights as laid down by the law which governs the operations of the TRC.

ends
THIRTEEN SDU AMNESTY APPLICATIONS TURNED DOWN

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has turned down amnesty applications of thirteen members of the Self Defence Unit (SDU) who applied for amnesty relating to their role in the 1993 Kathlehong Massacre.

The applicants, some of whom are serving prison terms are, Michael Armoed, Michael Nkomo, Mohale Motlokwa, Petrus Mthembu, Zola Sonto, Paulos Shongwe, Tsekimyana Rodrick Singo, Norman Mashinini, Lefu Mokoena, Thobile Luphindo, Joseph August, Bennet Ndaba and Themba Mtshali.

The applicants, ANC members themselves, applied for amnesty for the killing of nine ANC Youth League members at Molekeli Section on December 6, 1993 in what became known as the Kathlehong Massacre.

Those killed were Alfred Buthelezi, Thokozani Buthelezi, Itumeleng Mootsi, Lucas Hlatshwayo, Isaac Mogadi, Ditaba Mthembu, Peter Modishwa, Miles Simelane and Isaac Motloung.

The incident occurred at the height of conflict between the Kathlehong community and Inkatha Freedom Party aligned hostel dwellers.

According to evidence before the Amnesty Committee, the deceased were abducted and taken to the veld where they were shot execution-style and hacked with knives, axes and spears. Testifying before the Committee, the applicants said they regarded Youth League members in the area as criminals who were harassing the Moleleki Section of the Kathlehong community.

They further claimed the killing of the Youth League members was in relation for the killing of Mr Malusi "Blanco" Kiyane who was an SDU chairman and Ms Bulelwa Zwane - an ANC activist in the area.

The Amnesty Committee said evidence before it showed that there was a dispute regarding what triggered the conflict between the SDUs and the Youth League in the area. "However, what emerged from the evidence is that these two groups accused one another of failing to protect the (Kathlehong) community and of engaging in criminal activities instead."

As the result, the Youth League broke away from the SDUs and conducted separate patrols.

Rejecting the applications, the Committee said: "Having regard to the motive for the massacre, the context in which it occurred, in particular, the fact that the attack was not directed at a political opponent, we are satisfied that the killing of the deceased was not an act associated with a political objective as contemplated in the Act."

ends
AMNESTY GRANTED TO FOUR AWB MEMBERS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to four Afrikaner Weerstandsbeweging (AWB) members and the slain Inkatha Freedom Party (IFP) South Coast leader James Zulu for acts relating to an attack on a police station in Flagstaff, former Transkei shortly before the 1994 elections.

Mr Zulu was killed in Port Shepstone earlier this year. The four other applicants who are AWB members are Harry Jardine, Morton Christie, Andrew Howell and Christo Brand.

Their applicants related to an incident which left one policeman, Constable Barnabas Jaggers dead and two others, Constable Edmund Nyangana and Inspector Mzingisi Mkhondweni wounded in ensuing gunfire at Flagstaff Police Station on March 5, 1994. The applicants fled with a number of weapons and rounds of ammunition in a police van which they used as a getaway vehicle.

They were later arrested and convicted of murder, attempted murder and robbery but were not sentenced pending the outcome of their amnesty applications.

During their appearance before the Amnesty Committee the applicants implicated an AWB commander in the Umkomaas area Mr Patrick Pedlar and Mr Robin Shoesmith of the IFP as the ones who ordered them to assist in obtaining weapons which would be used by the IFP's Self Protection Unit.

In its decision, the Amnesty Committee said it was satisfied that the offence for which the men applied for amnesty were acts associated with a political objective committed during the conflict of the past. It also said that it was satisfied that the applicants had made full disclosure.

Relating to Mr Zulu's application, the Committee invoked the provisions of Section 20 (7) (c ) of the law governing the operations of the TRC. In terms of that section, no person, organisation or State can be held responsible for acts or offence committed within the prescribed period by a person who is deceased.

ends
3 June 1998

AMNESTY GRANTED TO THREE PAC MEMBERS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to three Pan Africanist Congress (PAC) members relating to their attack on a night club which left one person dead and two others wounded at Newcastle, KwaZulu/Natal in 1994.

Two of the applicants Andile Shiceka and Walter Thando are former African People's Liberation Army operatives - PAC's armed wing while the third applicant, Bongani Malevu is an ordinary member of the organisation. All three of them are serving lengthy prison terms.

Armed with heavy calibre weapons, the men launched an attack on the Crazy Beat Disco - a night club which was frequented mostly by whites, killing Mr Gerbrecht Salomina Van Wyk and wounding two other patrons on February 14, 1994.

The applicants told the Amnesty Committee last year that the weapons, including grenades, which were used in the attack, were ferried from the former Transkei to Newcastle. In its decision, the Amnesty Committee said: 'It is common knowledge that the PAC did have armed struggle as its policy that the attack was an act associated with a political motive (therefore) our conclusion that the applicants have met the requirements for amnesty.'

ends
9 June 1998

AWB APPLICANTS SEEKING AMNESTY FOR ELECTIONS BOMBS

Issued by: Truth and Reconciliation Commission

Twelve AWB applicants seeking amnesty for attempting to derail the first all-race elections in April 1994 are to appear before the Amnesty Committee of the TRC at the Boksburg City Council's banquet hall from June 17 to 26.

The applicants engaged in a three day bombing spree, killing 21 people and injuring 46 on the East Rand, West Rand, Pretoria and Johannesburg.

The applicants are: Nicholas Clifton Barnard, Abraham Liebrecht Myburgh, Etienne Jacobus le Roux, Petrus Paulus Steyn, Jan Bastiaan de Wet, Gerhardus Daniel Fourie, Johannes Andries Venter, Jacobus Petrus Nel, Abraham Christoffel Fourie, Jan Wilhem du Plessis, Johannes Petrus Olivier and Johannes Abraham Vlok.

They have applied for amnesty for detonating bombs which killed and maimed civilians. They say in their applications that the AWB, the Conservative Party and the Afrikaner Volksfront met in Ventersdorp and other venues in the Western Transvaal early in 1994 to discuss where a future Volkstaat would be established and to prepare for war. They add that after these meetings, the AWB's generals, and General Chris van den Heever in particular, gave Kommandos instructions to prepare for war. General van den Heever informed members that the AWB would not be ruled by an ANC-SACP alliance.

The breakdown for next week's hearing will be as follows:

17 - 19 June: Applicants responsible for the Bree Street car bomb on Sunday April 24, which killed seven people and injured 13 people, will be first to give testimony.

22 - 23 June: Those involved in the placing of a trailer bomb in Germiston on Monday April 25, which killed 10 people and injured eight, will appear.

24 - 25 June: Applications relating to pipe bomb attacks on April 25 will be heard. In Randfontein, no one was killed but property was damaged. In Pretoria, a pipe bomb killed three and injured 14 at a restaurant in Bloed Street in Pretoria.

26 June: Applications involving the Jan Smuts Airport car bomb attack on April 26, the day before election day, will be heard. Ten people were injured and damage was caused, but no one was killed in the attack.

ends
PAC/APLA AMNESTY APPLICATIONS TO BE DECLARED INVALID

STATEMENT BY ARCHBISHOP DESMOND TUTU, CHAIRPERSON, TRUTH AND RECONCILIATION COMMISSION

More than 130 APLA/PAC operatives - half the PAC's total number of amnesty applicants - are about to have their applications declared invalid because of the failure of their party to help the TRC identify who they are and what acts they committed.

The applications concerned provide only the codenames and political affiliations of applicants. No real names or specifics of acts in respect of which amnesty is sought are given. Nor is there enough information to enable the staff of the Amnesty Committee to establish further particulars without help from the party.

In terms of the Act governing the granting of amnesty, the paucity of detail means their applications cannot be considered by the Committee.

The following steps have been taken to try to secure further particulars:

- A letter was sent to the Secretary-General of the PAC on November 26 last year, noting that a previous attempt to secure the necessary particulars had been unsuccessful, and urging him to help us by providing the outstanding information. The letter included the full list of amnesty applicants by code names. In addition, a list of the incomplete applications was handed over to an office bearer of the party;

- A reminder was sent on January 21 this year, with a copy of the November letter;

- We issued a public statement on the matter in February;

- At a meeting with the PAC leadership, including the President and Secretary-General of the party, in April, it was resolved that "the PAC will, in the next two weeks, furnish the Amnesty Committee with further particulars in respect of the list of incomplete applications that was handed to them;"

- Since that meeting we have sent further reminders, which have not been acknowledged. The Amnesty Committee is therefore, after more than six months, unable to identify the amnesty applicants.

The Commission has bent over backwards to help members of the PAC who have applied for amnesty. We have done so in order to compensate for the failure of their party to help them but we have gone as far as we can. I have asked the Amnesty Committee to hold off finalising the matter, but I yesterday gave instructions that if the further particulars are not supplied by the end of the week, it should dispose of the matter in terms of the provisions of the Act.

The Deputy Chairperson of the TRC, Dr Alex Boraine, informed the PAC President, Dr Stanley Mogoba, of this deadline this morning.

I am sorry to have to give an ultimatum, and to reveal this publicly, but I am tired of the Commission having to keep quiet about the PAC's lack of co-operation in the face of dishonest attacks on us by some among the PAC's leadership who appear to place political posturing above the interests of their members.

The names of those whose amnesty applications are involved are:

Apla High Command 57935, Shakes, Bazuka, Blackbox, Chris, Dlamini, Fats, Jabu, Jazz, Joe, Khabazela, Khan,
ends
DE KOCK TO APPEAR BEFORE THE AMNESTY COMMITTEE

Issued by: Truth and Reconciliation Commission

Former Vlakplaas commander Eugene De Kock is to appear before the Amnesty Committee in Umtata next week with two other applicants applying for amnesty for their role in the killing of a former University of Transkei student activist in 1985.

De Kock is currently serving more than 200 years' imprisonment for murders and other crimes. The other applicants are Mbuso Enock Shabalala, an askari who operated from Vlakplaas, and Gcinisiko Lamont Dandala, now a member of the South African Police Services. They are applying for amnesty for the killing of Batandwa Ndondo at Cala, Transkei on September 24, 1985.

Dandala and Shabalala, accompanied by askaris Silulami Gladstone Mose and Xolelwa Virginia Shosha - who are believed to have since died - accosted Mr Ndondo at the Cala home of Mr Dumisa Ntsebeza, now a Commissioner at the TRC, and asked him to accompany them.

According to the amnesty applications, while the men were travelling in a minibus with tinted windows Dandala introduced himself to Mr Ndondo as a policeman and informed him he was under arrest. The applicants say Mr Ndondo managed to escape through the window while the vehicle was still in motion and ran away. They claim they gave chase and fired several shots, killing him.

Shabalala and Dandala were later arrested and charged with murder. However, the case did not go any further after Shabalala was reported dead. In fact, he had, at the behest of De Kock, changed his identity and operated as an askari under a new name.

Former Transkei president Chief Kaiser Matanzima later claimed Mr Ndondo had been killed because of his involvement in the bombing of a government installation in Umtata.

The Committee will also hear amnesty applications from two members of the former Transkei Security Police relating to the killing of a former Umkhonto we Sizwe cadre at Ngqamakwe, Transkei in 1988.

Pumelele Gumengu and Aron Tyani allegedly arrested Mr Sithembele Zokwe in Butterworth. Mr Zokwe was shot dead after the two men had driven him to his home at Mkiva village in Ngqamakwe, ostensibly to search for weapons on January 11 1988.

The applications will be heard at the same hearing at the Civic Centre, Umtata from June 17 to 19.

ends
AMNESTY GRANTED TO THREE APLA ON ST JAMES ATTACK

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC has granted amnesty to three APLA operatives responsible for the attack on St James Church, Kenilworth, Cape Town, in 1993.

Amnesty was granted to GCINIKHAYA MAKOMA, BASSIE MZUKISI MKHUMBUZI and TOBELA MLAMBISI, whose application was heard before the Committee in July last year.

The amnesty panel comprised Mr Justice Hassen Mall, Mr Justice Andrew Wilson, Mr Justice Bernard Ngoepe, Ms Sisi Khampepe and Advocate Chris de Jager, S.C.

ends
TWO AWB MEMBERS GRANTED AMNESTY

Issued by: Truth and Reconciliation Commission

Two AWB members who bombed union offices and a school in Pretoria have been granted amnesty.


They were also given amnesty for bombing post offices in Krugersdorp and the then Verwoerdburg in January 1992, and for stealing explosives from the Rustenburg Platinum Mine in 1991.

The TRC's Amnesty Committee granted them amnesty without requiring them to appear at a public hearing. In terms of the Promotion of National Unity and Reconciliation Act, amnesty applicants not involved in killing, abduction, torture or severe ill-treatment can have their application decided in chambers.

ends
18 June 1998

FORTHCOMING PORT ELIZABETH AMNESTY HEARINGS

A range of amnesty applications will be heard in Port Elizabeth next week arising out of the necklacing of an alleged government agent, the death of a man who was questioned about the possession of firearms and the killing of Eastern Cape farmers.

- Alleged African National Congress member Mzikayise Potye of Port Elizabeth is applying for amnesty for killing Monde Nondumo, whom he believed to be an askari or a government security agent at the time. Mr Nondumo was allegedly tried by a kangaroo court and necklaced.

- Applicants Zwelenkosi Mjo and Nxaleko Maqoko, who also claim to be ANC supporters, are serving jail sentences for the murder of Mr Joseph Sebatana and the attempted murder of Mr Nota Dyani and Mrs Jane Fuzani on January 1, 1986. The attacks on the three victims took place allegedly during a search for firearms. - Three members of the Cradock Youth Association are applying for amnesty for the killing of Mr Matthew Palvie and his wife on February 6, 1987. The applicants, Monwabisi Eric Kundulu, Lollie Kwakwini and Nzimeni Danster, say they were pursuing a political objective by disarming police reservists, thereby strengthening their Self-Defence Unit.

- Peter Mandyoli of Cradock, who declares himself a member of Cradoya and the ANC, is applying for amnesty for the murder of a Mr Cronje, a farmer from Cradock, on May 24, 1986. He alleges in his application that he was part of a group which received orders to go to the farm to "try to get weapons".

The hearing will be held at the Centenary Hall in Port Elizabeth from June 22 to 26, 1998.

ends
19 June 1998

TRC INQUIRY OF SUPT. LABUSCHAGNE DELAYED

Issued by: Truth and Reconciliation Commission

June 19, 1998

STATEMENT BY DUMISA NTSEBEZA, HEAD OF THE INVESTIGATIVE UNIT OF THE TRUTH AND RECONCILIATION COMMISSION

The TRC inquiry to which Superintendent FHS Labuschagne, the policeman previously involved in the Robert McBride investigation, has been subpoenaed has been delayed until June 30.

Superintendent Labuschagne was summoned to give evidence and/or answer questions relating to alleged human rights violations prior to 1994. He was to have appeared in the Cape Town offices of the Commission on June 22. However, his legal representatives raised some technical issues, including the fact that the subpoena was not served on Superintendent Labuschagne personally.

The subpoena was served on him on Wednesday 17 June and he will be expected to appear in relation to all the issues previously set out, including his relationship with Robert McBride accuser Vusi Mbata. The inquiry will be conducted in camera in accordance with Section 29 of the Promotion of National Unity and Reconciliation Act.

ends
AMNESTY FOR 5 PAC MEMBERS

The Amnesty Committee of the TRC has granted amnesty to five members of a Pan Africanist Congress task force who killed a Free State farmer and robbed him of a car, firearms and household goods in 1993.

It also granted amnesty to an ANC Youth League member who defected to the task force for the attack. The Committee accepted that the six applicants -- three of whom were convicted of murder and robbery and three of whom were convicted of robbery -- believed in good faith that they were advancing the PAC’s struggle for the return of land to the African people when they committed the crimes.

The Committee granted amnesty to Thabo Paulos Mjikelo, Simon T Oliphant and Petrus T Mohapi in respect of the murder and robbery of Mr John Bernard Smith of Wesselsdal in the district of Vanstadensrus on July 25, 1993, and of the unlawful possession of a firearm. They had been sentenced to 25 years' imprisonment for the offence.

It granted amnesty to Jacob T Mabitsa, John Xhiba and John N Wa-Nthomba in respect of robbery with aggravating circumstances from Mr Smith and for unlawful possession of firearms. They had been sentenced to 12 years' imprisonment.

The Committee quoted in its decision the evidence of Mr Abel Kotle, regional commander of APLA in Bloemfontein, about the PAC's "Operation Great Storm" of the early 1990s:

"He stated that Operation Great Storm was decided upon by APLA's military commission which included the political leadership of the PAC and the military leadership of APLA. He said that one of the phases of Operation Great Storm was to step up attacks on farmers because the PAC believed that the farming community had participated in the dispossession of the African people and they were beneficiaries of the land taken away from the Africans. He confirmed that the Applicants in committing the offences in question... were therefore acting in accordance with the policy of the PAC."

The Committee also referred in its decision to evidence from APLA to the TRC in which it acknowledged that "repossession operations" were carried out by their units "because their resources were not always adequate..." and that these were sanctioned by the APLA High Command.

The Committee found:

"Having regard to all the evidence led before us, we are satisfied that the Applicants were members of the task force of the PAC, that they were acting on behalf of or in support of their organisation when they committed the offences in question, and that they acted in compliance with the instruction of Mr Mjole to implement Operation Great Storm and attack the farming community, and that in stealing the items mentioned... they did so in compliance with the 'repossession' policy of APLA as alluded to in their submission to the TRC. Quite clearly the theft of the liquor and cool drink by one of them (three of 17 items stolen) was a misguided act and not authorised by Mjikelo.

"We therefore accept that the Applicants bona fide believed that by committing the offences in respect of which they seek amnesty they were advancing the struggle being waged by their political organisation against the then government for the return of the land to the African people. We therefore accordingly find that the offences committed were acts associated with a political objective."

ends
22 June 1998

GRACA MACHEL AT CLOSED TRC MEETING

STATEMENT BY COMMISSIONER DUMISA NTSEBEZA, HEAD OF INVESTIGATIONS OF THE TRUTH AND RECONCILIATION COMMISSION

Mrs Graca Machel, the widow of the late Mozambican President Samora Machel, will share her information on the circumstances surrounding her husband's death in 1986 with the TRC at a closed inquiry on Tuesday 23 June in Johannesburg.

This follows two days of testimony earlier this month in Cape Town on the crash of the Tupolev at Mbuzini near Komatipoort, in which 35 people died. The TRC's investigative unit questioned altogether 9 people on their knowledge about the crash, including Craig Williamson, a former Military Intelligence and Security Police operative. Other names were withheld to protect witnesses.

Over the last decade, Mrs Machel has made her own inquiries into the death of her husband, and hopes to share this with the panel, consisting of Chairperson, Archbishop Desmond Tutu, Investigative Head, Commissioner Dumisa Ntsebeza, and Commissioners, Ms Glenda Wildschut and Dr Fazel Randera.

The panel will also hear testimony from Dr Abdul Minty, Deputy Director-General: Multilateral of the Department of Foreign Affairs. Dr Minty, a former Honorary Secretary of the British Anti-Apartheid Movement, has written extensively on Southern Africa for the United Nations. He is an expert on the former government's military capability and has done his own investigations into the 1986 plane crash.

The Margo Commission of Inquiry into the crash concluded that it was caused by pilot error. The former Soviet team, however, concluded that a decoy beacon caused the plane to stray off course before it crashed into the mountains at Mbuzini.

The Inquiry will start at 10h00 am at the TRC's office in Johannesburg in the Sanlam Centre, Corner of Von Weilligh and Jeppe streets.

ends
STATEMENT BY DR BIKI MINYUKU ON AUDIT REPORT

Issued by: Truth and Reconciliation Commission

The Auditor-General today issued a statement on the 1996-97 accounts of the Truth and Reconciliation Commission in which he indicates that he has issued a qualified audit report for the period ending March 31, 1997.

The qualifications relate to possible unauthorised expenditure as a result of incorrect salary structures having been tabled in Parliament, and to non-compliance with State Tender Board and State Expenditure regulations. We are informed that the Department of Justice is preparing to table the correct salary structures. In the case of tender regulations, the State Tender Board believes that institutions such as ours are not subject to the regulations and we are awaiting a resolution of the matter.

The Auditor-General has reported no misappropriation of funds and no actual unauthorised expenditure. However, he has expressed concern at what he finds are inadequate internal checking and control measures. The period in respect of which he has reported began one month after my appointment as Chief Executive Officer. As a result, at the beginning of the period the Commission had not adopted formal fiscal policies, procedures and controls. These began to be introduced during the year under review and we are committed to improving and strengthening the efficiency of these procedures on a continuous basis.

We have been particularly concerned at the use by some Commissioners and Committee members of Commission credit cards for private expenditure. However, all those involved have now relinquished their cards and the money has been repaid in all but one case, where we have still to recover a little over R2,000.

The following are our comments on the specifics of the Auditor-General's report.

1. Approval of Salary Structures

The Auditor-General notes that salary increases granted to staff members with effect from July 1, 1996 were not authorised by Parliament. He says in his report that if Parliament's approval is not obtained for the increases, the expenditure should be dealt with as unauthorised spending.

The Commission submitted details of salary structures, including the increases, to the Ministry of Justice in August 1996. However, when the structures went to Parliament for ex post facto authorisation in June 1997, figures from March 1996 were tabled. We pointed this out to the Department of Justice on August 12, 1997.

We noted to the Auditor-General in February this year that we had done everything in our power to resolve the matter. We understood the matter had already been referred by the department to Parliament for approval. We are now informed by the Department of Justice that they are preparing to table the correct salary structures.

2. Non-compliance with State Expenditure or State Tender Board regulations

The Auditor General reports that the Commission has not complied with these regulations.

The Commission was initially informed by officials of the Department of Justice that as a Commission independent of the Government we might not be subject to these regulations. In addition to this, the pressure of beginning Commission operations quickly did not permit us to go through the normal route of tendering, which could take up to six months before assets were actually acquired. In the start-up phase of the Commission, we adopted a practice of calling for a range of quotations, or piggy-backing our requirements on existing Government contracts.
A legal opinion procured by the Department of Justice, which we received only in August 1996 (during the audit period and after most purchases had been made) indicated that we were subject to State Tender Board regulations and their fiscal policies and controls. We entered into discussions with the Government officials involved, and in September 1997 were told that the State Tender Board had adopted a policy that parastatal institutions in our situation were not subject to their procedures. The matter was referred to the Auditor-General in November 1997, who proposed that we approach the Department of State Expenditure via the Department of Justice. The latter department advised that in the circumstances we should ask for ex post facto approval for expenditure. This we have done.

3. Fixed asset registers

The Auditor-General reports that these did not in all respects contain sufficient information to verify the physical existence of assets.

The Commission contracted a firm of private auditors to help compile comprehensive asset registers. It was subsequently found that certain serial numbers were not specified. These have been corrected in an audit by Commission staff.

4. Personnel spending

The Auditor-General reports deficiencies in regard to the administration of the payroll and related human resources activities.

The Auditor-General's previous audit report, which drew attention to these deficiencies, was finalised only in January 1997, during the year under review in the latest report. Payroll control mechanisms were accordingly implemented with effect only from April 1997 and continuous attention is being given to ensuring that they are adequate. The effectiveness of these controls will be evaluated during subsequent audits.

5. Private purchases on Diner's Club cards

The Auditor-General reported that private purchases were made on Diner's Club cards and that although the amounts involved were not material, the TRC should put a policy into place to regulate the practice and enter formal agreements regarding repayment of amounts.

When the cards were issued, Commissioners and Committee members were told they were to be used only for bona fide Commission matters, and for urgent spending relating to the Commission's work. A procedure was established by which the Finance Director drew to the attention of the Deputy-Chairperson any apparent instances of private spending. This was done with a view to him requesting a formal explanation of the spending and, if necessary, a refund.

In the fiscal year covered by the Auditor-General's report, two Commissioners used their cards for private expenses on five occasions, the amounts involved ranging from R95 to R5,386. The amounts were refunded. (In fiscal periods since the year under review, another Commissioner and two Committee members used their credit cards for private spending ranging from amounts of R42.99c to R5,767. In addition, one Committee member used his card for emergency medical expenses. All amounts have been repaid, except in the case of one Committee member, who still owes just over R2,000.)

All the card-holders involved have relinquished their cards.

6. Control deficiencies

The Auditor-General reported control deficiencies with regard to the procurement of goods, services and assets.

Recommendations from the Auditor-General in relation to the segregation of duties in one section of the Finance Department have been implemented.
7. Photocopied or faxed invoices

The A-G reported that several payments in respect of which VAT refunds were or will be requested were made on photocopied or faxed invoices.

The practice of using photocopied or faxes invoices has been stopped. The Commission has requested and is receiving original invoices from such suppliers so that it will comply with the VAT legislation.

8. Donations

The A-G reported that the Commission had not in certain instances had accounts for donors audited in time.

The Commission is in constant communication with donors and has requested from them an indication of who they would prefer to audit the use of their funds. A number of reports are at the preparation stage.

9. Accounts receivable and payable; income and income receivable

The Auditor-General reported that formal documented systems in respect of accruals for accounts receivable and accounts payable did not exist; further that all relevant income and income receivable figures could not be confirmed.

The necessary systems will be documented and updated in the Commission's Fiscal Policy Systems Controls and Procedures. The A-G's recommendations with regard to income and income receivable transactions will be implemented.

ends
STATEMENT BY DR BIKI MINYUKU ON USE OF OFFICIAL CREDIT CARDS

Issued by: Truth and Reconciliation Commission

STATEMENT BY DR BIKI MINYUKU, CHIEF EXECUTIVE OFFICER AND CHIEF ACCOUNTING OFFICER OF THE TRUTH AND RECONCILIAITION COMMISSION

In the wake of the Auditor-General's audit report on the accounts of the Commission, two Commissioners have been found to have used their official credit cards to pay for private expenses during the fiscal period 1996/7. The Commissioners concerned are Ms Glenda Wildschutte and Dr Wendy Orr.

Dr Orr used her Diners Club card to the tune of R789,42 while in the USA after she had lost her personal card. Ms Wildschutte also used her Commission-issued card to the tune of R6286,46 mainly in Mozambique. As indicated in the previous statement, the amounts involved in the period under review have since been fully repaid.

During the fiscal period 1997/8, which is yet to be audited, the following Commissioners and Committee members had the following unauthorised expenditures:

Ms Widschutte's private expenses on her Diners' Club card, which include an overseas trip amounted to R4272,27. Dr Orr's, also including an overseas trip were to the tune of R7 555,22. Dr Faizel Randera's which include shopping amounted to R457,45.

A member of the Human Rights Violation's Committee, Ms Judith Maya's expenses which include shopping amounted to R4465,88. An Amnesty Committee member Mr Ntsikelelo Sandi's medical expenses amounted to R4700.

Ms Pumla Gobodo-Madikizela, a Human Rights Violation's Committee member used her credit card to pay for private expenses while overseas. Her unauthorised expenditure amounted to R7119,67. She paid R5 018,65 of this amount.

The Commission has since recovered the R2101,02 outstanding on her official credit card as mentioned in my previous statement following the release of the Auditor-General's report for the period ending March 31.

I would like to stress that the amounts involved have since been fully repaid and the Commissioners and Committee members concerned have returned their official credit cards to the Commission.

ends
STATEMENT ON KILLING OF BOIPATONG RESIDENTS

Issued by: Truth and Reconciliation Commission

NEWS RELEASE FROM THE TRUTH AND RECONCILIATION COMMISSION

Sixteen Inkatha Freedom Party members who have applied for amnesty for their part in the killing of 46 residents of Boipatong near Vereeniging, will appear before the Committee at the Sebokeng College of Education from July 6 to 24.

The applicants, Qambelani Buthelezi, Bhekinkosi Mkhize, Tebogo Magubane, Vincent Khanyile, Timothy Stals Mazibuko, Jack Mbele, Sonny Michael Mkhwanazi, Thomas Lukhozi, Moses Mthembu, Mhlupheki Tshabnagu, Sipho Tshabangu, Sipho Buthelezi, Petrus Mdiniso, Mxoliseni Sibongeleni Mkhize, Paulos Mcikeleni Mbatha, Richard Dlamini and Victor Mthandeni Mthembu were part of a 200 strong group of men who attacked Boipatong residents on the evening of June 17, 1992.

Peace negotiations between the African National Congress and the Nationalist Party that were under way at the time, were suspended as a result of the massacre.

An investigation by the Goldstone Commission on the conduct of the then SAP into the incident led to the arrest and conviction of seventeen Kwamadala Hostel residents to prison terms of between 10 and 15 years. The various charges were murder, attempted murder and public violence in connection with the Boipatong massacre.

Senior IFP member, Themba Khoza and former police Commissioner, General Johan van der Merwe who implicated persons in this matter, have duly notified in accordance with the Act governing the TRC.

Robin Brink will be evidence leader throughout the hearings while Judge Selwyn Miller will chair the proceedings.

ends
2 July 1998

HEARINGS INTO CHEMICAL AND BIOLOGICAL WARFARE RESUME IN CAPE TOWN

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission's special public hearings into South Africa's chemical and biological warfare (CBW) programme resume in Cape Town next week.

The two-day hearing from 7 to July 8 will hear testimony from the former Surgeon General Dr Niel Knobel and Dr Philip Mijburg, former Managing Director of Delta G Scientific - a front company set up by the former South African Defence Force (SADF).

The special hearings which began last month have explored, among others;

The institutional arrangements that gave rise to the former government's CBW programme The front companies that were established to support the programme Individual human rights violations that resulted from the programme The involvement of the SADF in experimentation on humans and animals The financial implications for the state and

A key witness Dr Wouter Basson, whom several witnesses have described as the mastermind of the programme has not testified arguing that might prejudice his pending court trial. His lawyer later told the Commission that they would file an urgent application in the High Court to set aside the Commission's ruling that he should testify.

The panel, which will be chaired by the Head of the Investigative Unit, Mr Dumisa Ntsebeza, is expected to make its decision on the issue next week.

ends
3 July 1998

TRC DECLARE 130 PAC AMNESTY APPLICATIONS INVALID

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission's Amnesty Committee has declared invalid nearly 130 amnesty applications from applicants claiming to be members of the Pan Africanist Congress after they have been found to be incomplete.

The applications concerned provide only the code names and political affiliations of applicants. No real names or specifics of acts in respect of which amnesty is sought are given. Nor is there enough information to enable the Committee to establish further particulars without help from the party.

In terms of the law governing the granting of amnesty, the paucity of detail means their applications cannot be considered by the committee.

Attempts by the TRC to ask the PAC to provide the Amnesty Committee with further details regarding these applications have been unsuccessful. However, only three applicants came forward to provide the Committee with further details after learning about the matter from the media. The Amnesty Committee is in the process of verifying those details.

(For full decision see Amnesty Section)

ends
6 July 1998

AMNESTY GRANTED TO FOUR ANCYL MEMBERS

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission's Amnesty Committee has granted amnesty to four African National Congress Youth League members for acts relating to an attack on a police station in the Vaal Triangle in 1992.

Sipho Steve Hlubi, 23; Thapelo Joseph Nyakane, 25; Molefi David Sekere, 26 and Mbuyiselwa Samuel Mnguni, 26 from Zamdela Location, Sasolburg attacked the Heilbron Police Station and disarmed two duty policemen on July 8, 1992.

The men claimed in their applications that the attack on the police station was in response to ANC's call for self defence structures to be set up in the townships following its 1991 national consultative conference. They further said the aim of the attack was to obtain weapons to be used by the SDUs.

No shots were fired in the attack and the men escaped with four firearms and a large quantity of ammunition. They were later arrested for robbery and sentenced to 2000 hours imprisonment.

Their applications for amnesty was dealt with in chambers as the offences for which amnesty is sought did not fall within the definition of gross human rights violation as specified in the TRC Act.

STEVE SIPHO HLUBI AM 4480/96 (ID. No. 750630 5347 08 9) THAPELO JOSEPH NYAKANE AM 4481/96 (ID. No. 730527 5708 08 4) MOLEFI DAVID SEKERE AM 4482/96 (ID. No. 720825 5584 08 0) MBUYISELWA SAMUEL MNGUNI AM 4483/96 (ID. No. 720411 5522 08 9)

DECISION BY THE AMNESTY COMMITTEE IN TERMS OF SECTION 20(1) OF THE PROMOTION OF NATIONAL UNITY AND RECONCILIATION ACT, NO. 34 OF 1995

The applicants are hereby being granted amnesty for:-

i) Robbery with aggravating circumstances at the Municipal Police Station, Heilbron.


iii) Illegal possession of ammunition in contravention of Section 36 of Act 75 of 1969 on the 8th July 1992 to wit 20 x 9 mm cartridges and 39 x SSG shotgun cartridges.

ends
TWO MEMBERS OF IFP REFUSED AMNESTY

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission's Amnesty Committee has refused amnesty to two members of the Inkatha Freedom Party who applied for amnesty for their role in the killing of seven African National Congress supporters in two separate incidents in Piet Retief, KwaZulu/Natal in 1993.

Arthur Kheswa, 29, a former IFP Youth Brigade chairman in Belgrade was sentenced to 30 years imprisonment following his conviction for the fatal shooting of five ANC supporters and wounding five others at Tandukukhanya Township, Piet Retief on August 20 1993.

Those killed were Mr Bonginkosi Nkosi, Mr Mbongeni Ngwenya, Mr Khanzi Mthenjwa, Mr Mbalekelwa Ndaba and Ms Nonhlahla Sithole.

During his appearance before the Amnesty Committee last year, Kheswa told the Committee that he was promised R10 000 by senior IFP members in the area to kill the deceased who were regarded as ANC supporters. He was later given R3000 after he had killed the deceased.

Rejecting the application, the Amnesty Committee said: "The applicant was a hired assassin. He tried to suggest that this (R3000) was not payment for his nefarious deeds and that he would have done what he did even if he had not been promised any payment, but the fact of the matter is that he also acted for personal gain. Not only was the money promised to him in advance but payment was actually made in the amount of R3000 which he accepted."

Meanwhile, the Amnesty Committee has refused amnesty to another IFP member who applied for amnesty for the killing of two people regarded as ANC supporters in the same area in 1993. Mdu John Msibi's application related to the killing of Mr Mandla Alfred Mgudulela and Mr Mphileleli Joseph Malinga on June 9 1993.

Msibi told the Committee that he was promised R50 000 by the IFP's Mr Ali Msibi - to kill the two ANC supporters. He later received only R15 000 of the promised amount.

In its decision, the Committee said: "It is quite clear that although he was loyal to the IPF, his motive to kill was a desire to get money and not to realise a political objective. He acted for personal gain (and) the offences he committed were therefore not acts associated with a political objectives.

"Although he attempted to deny that the R15 000 he subsequently received was payment for his evil deeds, it appears from the record of his trial that was in fact the case. For the reasons stated the crimes committed by the applicant are not acts associated with a political objective and his application is therefore refused."

ends
HEARING NEXT MONTH FOR ANC BOMBERS

The amnesty applications of four African National Congress members relating to a spate of bombing in and around Johannesburg in 1987 will be heard in Johannesburg early next month.

Joseph Koetle, Solly Zacharia Shoke, William Mabele and Dick Joseph Hlongwane are applying for amnesty in respect of separate but related incidents of bombings and which occurred in and around Johannesburg in 1987.

Koetle, now a senior officer in the South African National Defence Force (SANDF) and William for a car bomb which exploded in the Johannesburg Magistrate's Court killing four policemen and wounding others.

The policemen killed were Constables Weyers Ivor Botha, Kobus Wilkens, T.J Duvenhage and Christofell Botha. Constables William Kutwana, Frederick Wilhelm Ernst and Detective-Sergeant M.S Mallo together with a minor were wounded. Several buildings and vehicles were damaged.

Koetle claimed in his amnesty applications that the order to bomb the court was given by the then MK (ANC's disbanded armed wing) commander in the Transvaal and now Chief of the SANDF General Siphiwe Nyanda.

The second applicant Solly Zacharia Shoke, now a senior officer in the army is applying for amnesty for launching a spate of attacks on police stations in Moroko, Orlando, Booysens, Mabopane, Daveyton and for landmine explosions in the Northern Province between 1978 and 1980

Dick Joseph Hlongwane is applying for amnesty for the bombing of the Ellis Park Sports Arena in 1987. Several vehicles were damaged in the attack.

In terms of the Act governing TRC operations victims and their next of kin have a right to attend, adduce evidence and be legally represented. For more details, victims can contact Messrs Phumzo Tofile on 083 456 2596, Paddy Prior on 082 451 3276 or Mark Killian on 082 457 6084.

The hearing will take place at the Johannesburg Institute of Social Services, Corner of Queens Road & Battery Street, Mayfair, Johannesburg at 9am on August 3 to 7.

Amnesty applications relating to the land mine attacks in the Eastern Transvaal between 1986 and 1988 will be heard in Nelspruit on August 11 to 14 at a venue to be announced.

ends
8 July 1998

AMNESTY REFUSED TO RIGHTWINGER LOTTERING

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission's Amnesty Committee has refused amnesty to a rightwinger who killed a taxi driver to qualify as an assassin for an underground movement in 1989 but granted him amnesty for two other offences of robbery and escaping from custody.

Cornelius Johannes Lottering, a member of the Orde van die Dood (Order of Death) - an underground right wing movement set up with the intention to eliminate National Party and African National Congress leaders was seeking amnesty for three offences, including the killing of Mr Potoko Makgalemela in Johannesburg on August 29 1989.

In the same year he committed armed robbery and escaped from custody the following year.

Lottering testified before the Amnesty Committee in Pretoria early this year that he had been ordered by his commander Dawie de Beer to kill a person as an act of initiation into the Orde van die Dood. He chose the black taxi driver because he was ferrying white passengers. He and an accomplice lured the victim away from a taxi rank near a ski club at Daleside, south of Johannesburg. Mr Makgalemela was stabbed with knife and then shot dead with a 9mm pistol.

Lottering admitted during his the amnesty hearing into the incident early this year that he did not know the deceased political affiliation nor whether the victim was active in politics.

Rejecting Lottering's bid for amnesty for the killing, the Amnesty Committee said: "The murder of the deceased was committed to satisfy the internal initiation requirements of the Orde van die Dood. It cannot, in our opinion, be said ...that the murder was committed ...in furtherance of a political objective or that the murder was directed against the state or a political organisation or any member of the security forces.

"The motive of the applicant in killing the deceased was to appease his superiors in the Orde and to displace any doubts they may have had about his ability to act as an assassin. The killing was not only unreasonable but was totally out of kilter with and disproportionate to the achievement of the stated political objective of the Order, the elimination of senior members of (previous) government or other political movements.

"It amounted to nothing more than a tragic loss of life with no tangible benefits for the applicant's political organisation. We are, in the circumstances, unable to find that the killing ...achieved any desired political objective."

Referring to the two other offences, the Committee said Lottering's testimony that it was the policy of his organisation to commit robberies to obtain funds for the organisation had been corroborated by another witness, also an Orde van die Dood member, Mr Andries Kriel.

"After careful consideration we are prepared to give the applicant the benefit of doubt and to find that the robbery was not committed for personal gain," said the Committee.

Referring to Lottering's daring escape from custody in 1990, the Committee accepted Lottering and his witness' s testimony that the escape was ordered by the Orde van die Dood. "The applicant did continue to serve the Orde van die Dood during the period from his escape to his recapture," said the Committee.

ends
14 July 1998

ADRIAAN VLOK TO TESTIFY NEXT WEEK

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission next week considers amnesty applications from the former Law and Order Minister, Adriaan Vlok and more than 30 police officers, including Vlakplaas commander Eugene de Kock and former Police Commissioner Johan van der Merwe, over their role in a series of high-profile bombings in the 1980s.

They are asking for amnesty for the bombing of the headquarters of the SA Council of Churches, the trade union federation Cosatu and a series of commercial cinemas around South Africa which showed the film, "Cry Freedom".

The hearing, which begins in Pretoria on Monday and continues until July 31, will focus on:

-- the bombing of Khotso House, Johannesburg, in which people were injured and extensive damage was done to the building, on August 31 1988,

-- the bombing of Cosatu House, Johannesburg on May 7 1988, and

-- the bombing of cinemas which showed "Cry Freedom", the film about newspaper editor Donald Woods and slain Black Consciousness leader Steve Biko.

Mr Vlok has applied for amnesty in respect of all three sets of bombings. General van der Merwe has told the TRC in previous testimony before the Amnesty Committee that he understood the orders to blow up Khotso House came from former State President Mr PW Botha.

Former SAP members applying for amnesty for their role in the attack on Khotso House include:

General van der Merwe; Eugene de Kock; Brigadier Willem Schoon; Warrant-Officer Paul Erasmus; former Vlakplaas members Larry Hanton, Jacob Kok and Andries van Heerden; Captain Charles Zeelie, an investigator in the SAP's bomb disposal Unit; Izak Bosch; Superintendent George Hammond; Captain Hendrik van Niekerk Kotze; Warrant-Officer Nicholaas Vermeulen; Brigadier Wybrand du Toit; Major-General Gerrit Erasmus; Superintendent Johannes Meyer and Sergeant Douw Willemse.

Cosatu House amnesty applicants include: Eugene de Kock, Paul Erasmus, General Erasmus, Supt Hammond, Brigadier Schoon, Warrant-Officer Vermeulen, Captain Zeelie, Larry Hanton, Brigadier du Toit and Sergeant Willemse, as well as as Major Pierre le Roux, Security Branch member Willie Nortje, Frank McCarter, also a member of the security branch, Deon Greyling, Lieutenant-Colonel Paul Hattingh, Lieutenant Marthinus Ras (jnr), Adrian Baker, Vlakplaas-based Wilhelm Bellingan and an Askari, Peter Mogoai.

Those seeking amnesty for the cinema bombings are: General Van der Merwe, Lieutenant-General Johan le Roux, Cornelius Heyneke, Johannes Louw, Johannes Albertus Steyn, Petrus du Toit, Andries van Heerden, Abraham Kendall, Charles Zeelie and Mathys Botha.

The hearing, which will be chaired by Mr Justice Andrew Wilson will take place at the Idasa Centre, cnr of Visagie and Prinsloo Streets, Sunnyside, Pretoria at 9h00 from July 20 to 31.

ends
14 July 1998

ERMELO HEARINGS NEXT WEEK

Issued by: Truth and Reconciliation Commission

The amnesty applications of 13 ANC members and supporters relating to attacks on Inkatha Freedom Party (IFP) supporters in the early 1990s will be heard in Ermelo next week.

Most of the victims were members of either the IFP or of a group known as the "Black Cats" who were allegedly involved in an armed conflict with the ANC in the Mpumalanga town between 1990 and 1992. Eight of the 14 victims died in related incidents of shooting and killing, while others were injured. Some of the victims were security guards killed in armed robberies.

The applicants, some of whom claim to have been trained as Umkontho weSizwe operatives, seek amnesty for various acts ranging from murder to armed robbery and illegal possession of firearms.

The conflict in Ermelo between the liberation structures and the "Black Cats" was so severe that it became a subject of investigation under the Goldstone Commission. The Commission probed allegations that the "Black Cats" were infiltrated by IFP hitsquads trained in the Caprivi as well as by the former security forces. Some individual members of the former security forces in Ermelo have been implicated and have been duly notified in terms of the law.

The names of the applicants are: Mzwandile Hollingwood Gushu, Silas Sipho Nkonyane, Nicholas Zwane, Fanyana John Mndebele, Petros Lucky Mbokane, Paulos Pistol Nkonyane; Livingstone Lukhele, Bongani Wilberforce Khaba, Pelele Lawrence Shongwe, Jabu Aaron Mkhwanazi, David Elvis Majola, Mandlenkosi Enock Mnisi and Jacob Israel Mabena. Mr Majola, a "Black Cat" turned ANC member, is applying for amnesty for killing ANC members while still a member of the group.

The hearing starts on Monday July 20 at the Ermelo City Hall in Church Street. It first began in March this year. However it was postponed upon application by implicated former Security policemen in Ermelo, who were given late notification of the first hearing.

ends
15 July 1998

APPEAL FOR VICTIMS OF KHOTSO HOUSE AND COSATU HOUSE BLASTS TO COME FORWARD

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is publishing advertisements in Johannesburg newspapers tomorrow (Thursday) notifying any untraced victims of bombings planned by the former South African Police force of their right to participate in amnesty hearings next week.

The advertisement asks anyone who may regard him or herself as a victim of the Khotso House or Cosatu House explosions in 1988 urgently to contact the Committee's Executive Secretary in Cape Town, on 021-24-5161.

A number of people were reported in police dockets and newspaper reports to have been injured in the blasts. Those names available from dockets or newspapers reports appear in the advertisement.

While the Committee has contacted a Khotso House security guard who was at the site of the blast, it has been unable to find the current addresses of most of those reported injured. In the case of Khotso House, those injured came from blocks of flats from which residents have since moved.

Victims have the right, under the law governing the TRC's operations, to attend an amnesty hearing, to be legally represented and to testify, to adduce evidence and submit documents or articles to be taken into consideration.

The TRC's Amnesty Committee sits in Pretoria next week to hear amnesty applications from the former Law and Order Minister, Adriaan Vlok and more than 30 police officers, including Vlakplaas commander Eugene de Kock and former Police Commissioner Johan van der Merwe, over their role in the bombings.

ends
16 July 1998

AMNESTY GIVEN FOR HEIDELBERG TAVERN MASSACRE

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC has granted amnesty to three APLA operatives responsible for attacks in the Western Cape in December 1993, including those on the Heidelberg Tavern, Observatory, an army base in Nyanga and the Lingelethu West Police Station.

Those given amnesty were Humphrey Luyanda Gqomfa, Vuyisile Brian Madasi and Zola Prince Mabala.

They were convicted in a trial of murdering four people at the Heidelberg Tavern: Bernadette Sharon Langford, Lindy-Anne Fourie, Rolande Lucielle Palm and Nosolino Cequeira. They were also convicted of attempting to murder another five: Benjamin Joseph Broude, Quintin Cornelius, Dave Deglon, Justin Julian Fouche and Michael January.

Giving its reasons for the decision, the Amnesty Committee said the attack on the Heidelberg Tavern was "particularly brutal". It also noted that those who patronised the tavern were not only members of the white community and that survivors and relatives of those who died had opposed amnesty: "They were understandably all deeply shocked and horrified by what happened on the night in question," the Committee said.

It continued, however: "Much as one sympathises with them and much as one understands their desire that the persons who killed their loved ones should be punished, we are obliged to have regard to the provisions of the Act (governing the Commission)."

The Committee found that the applicants had complied with the requirements of the Act:

"...[T]hey were quite clearly acting on behalf of APLA, a publicly-known political organisation and liberation movement which was engaged in political struggle against the State at that time. In this regard we refer to the reasons given in the St James Church decision.

"We are also of the view that the applicants did not act for personal gain or out of personal malice, ill-will or spite directed against the deceased and the victims. It is quite clear that they had no personal knowledge of these people and that they had merely been sent there by their organisation to act on its behalf."

The Committee said that those injured in the attack, the families of those who died and Tavern co-owner and manager Mr Gary Atkinson were "victims" in terms of the Act governing the Commission. The victims were officially referred to the Committee on Reparations and Rehabilitation.

The panel of the Committee which made the decision comprised Mr Justice Hassen Mall, Mr Justice Andrew Wilson and Advocate Ntsiki Sandi.

ends
20 July 1998

AMNESTY HEARING OF BOP POLICEMAN WHO EXECUTED WOUNDED AWB MEN

Issued by: Truth and Reconciliation Commission

The former Bophuthatswana policeman who shot and killed three AWB members during the rightwing invasion of Mafikeng in 1994, Bernstein Menyatsoe, will appear before the Amnesty Committee of the TRC next month.

His amnesty application will be heard from August 3 to 7 at the Galowe Hall of the old Parliament building in Mmabatho.

The applicant shot the AWB members on the Vryburg road in the district of Molopo, Mafikeng, in full view of the media, the public, police and members of the Bophuthatswana Defence Force.

The shooting took place during the period when South Africa was preparing for its first democratic elections and former President Lucas Mangope called for right-wing assistance to preserve his "independence".

Advocate Mokotedi Mpshe will lead evidence during the hearing.

ends
AMNESTY GRANTED TO MAN WHO PARTICIPATED IN NECKLACE MURDERS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation today granted amnesty to a man who participated in the necklacing of three people accused of collaborating with the police at the height of political unrest in Uitenhage, Eastern Cape in the late ‘80s.

Mr Tando Dlala, Mr Monwabisi Fanayo and Mr Thozamile Dondashe were hacked to death before tyres were put around their necks and set alight after being accused of collaborating with apartheid security police at KwaNobuhle township, Uitenhage between 1987 and 1988.

Norman Gilindonda Gxekwa, a member of the United Democratic Front-aligned Action Committee, was convicted for the killing and given a death sentence. The sentence was later commuted to 90 years imprisonment.

Appearing before the Amnesty Committee earlier this year, Gxekwa admitted to the killing of Mr Dlala and Dondashe but said he was not present when the third deceased Mr Fanayo was killed.

In its decision, the Amnesty Committee said: "While he did not actually participate in the killing of Fanayo, he accepted criminal liability for that murder because he knew of it, associated therewith and that the offence was committed by the action committee because the deceased was regarded as collaborating with the apartheid regime.

"He said that the general activities of the group (Action Committee) were first approved at a public community meeting. Indeed a letter from and on behalf of the Uitenhage branch of the African National Congress supports the application. It seems that it is accepted that whatever the applicant did and supported in respect of the group activities was done in the interest of the community oppressed by the apartheid system.

"We are therefore satisfied that the incidents were of a political nature and that they occurred as described. It is noteworthy that the families of the three deceased were present at the hearing and were afforded an opportunity to dispute anything they wanted to …(and) there was no opposition to the application and we are satisfied that the requirements of the relevant provisions of Act 34 of 1995 have been complied with".

The Committee has also recommended that the next of kin of the deceased be declared victims of gross human rights violations by the TRC's Reparation and Rehabilitation Committee thus making them eligible for reparation by the President's Fund.
23 July 1998

FORMAL NOTICES TO BE ISSUED TO THOSE NAMED IN VLOK AND VD MERWE TESTIMONIES

Issued by: Truth and Reconciliation Commission

Staff of the TRC's Amnesty Committee are to issue formal notices to those named in testimony before the Committee yesterday, affording them the opportunity to make representations or to give evidence before the Committee.

Notices will be sent by tomorrow to Mr F W de Klerk, President Nelson Mandela, Judge Richard Goldstone, Mr Kobie Coetsee and Mr Jan D'Oliveira SC, informing them that they were named in evidence yesterday as having been provided with information during the early 1990s about illegal police activities in the 1980s. The Amnesty Committee was given no prior notice of the statements made yesterday.

The notices are being sent in terms of Section 30 of the Promotion of National Unity and Reconciliation Act, which says, inter alia, that if during any hearing "...any person is implicated in a manner which may be to his or her detriment.... the Commission shall, if such person is available, afford him or her an opportunity to submit representations to the Commission within a specified time with regard to the matter under consideration or to give evidence at a hearing of the Commission."

The notices will inform those receiving them that transcripts of yesterday's evidence will be available next Monday to enable them to study the text of what was said before taking a decision on how to respond to the notices.

A meeting of the full Commission was convened urgently today to discuss the allegations made yesterday.

The Commission noted that it had been alleged in press reports that there was a conflict between what was said yesterday and what Mr de Klerk said when he gave evidence before the full Commission in 1996 and 1997. Not having transcripts of what was said yesterday, the Commission was unable to express an opinion.

The Commission resolved that since the matter had been raised before the Amnesty Committee and in the context of an ongoing amnesty hearing, it would be appropriate for that Committee, and not the full Commission, to deal with it.

ends
ON NEXT WEEK'S HEARING IN MMABATHO

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission is to hear early next month an amnesty application from one of a group of armed men who killed two policemen in an attack on a police station near Rustenburg in 1991.

Constable Isaac Magae and Constable Johannes Bokaba, both members of the former Bophuthatswana Police, were killed in gunfire when the Ledig Police Station was attacked by armed men on October 26, 1991.

Ambrose Armstrong Ross, one of the attackers, is seeking amnesty for his role in the attack. He is serving 20 years' imprisonment after being convicted on two counts of murder and robbery in 1992. Ross claims to have been a supporter of the African National Congress at the time of the incident.

According to the law which governs TRC operations, victims or their next-of-kin have a right to attend, adduce evidence and be legally represented at the hearing. The hearing will take place at the Old Parliament Building, Galowe, Mmabatho from August 5 to 7.

ends
23 July 1998

FOUR MK CADRES TO APPEAR AT MABOPANE HEARING

Issued by: Truth and Reconciliation Commission

Four former members of the ANC's military wing, UmKhonto weSizwe will appear before the Amnesty Committee in Mabopane in Pretoria for their part in the killing of former Bophuthatswana policeman, Brigadier Andrew Malope in 1986.

The applicants, Joseph Elias Makhura, France Ting Ting Masango, Obed Masina and Neo Potsane shot Brigadier Malope with assault rifles at a house in Mabopane.

The applicants claim that the operation was carried out in accordance with the aims and objectives of the ANC.

The shooting was reported to the police, but the applicants were never charged.

The hearing is scheduled to be heard from August 6, at the ODI Manpower Centre in Mabopane. Advocate Mokotedi Mpshe will be lead evidence at the hearing.

ends
27 July 1998

AMNESTY COMMITTEE HEARINGS IN CARLETONVILLE NEXT MONTH

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission is to hear early next month amnesty applications from six former Self Defence Unit members arising out of the killing of three people in two separate incidents near Carletonville, west of Johannesburg.

Emmanuel Selepe, is seeking amnesty for the killing of an alleged comrade-turned-vigilante, Mr Tafa Kheswa, at Khutsong township on May 6 1991. Mr Kheswa was stoned to death after being fetched from his house by a group of SDU members.

In another incident, Joel Mokoena, Khuntwana van Rooyen, Abram Maumakwe, Lebohang van Rooyen and Matshogo Morupisi are applying for amnesty for their role in the killing of Mr "KK" Nqaqu from Xhosa Section and Mr Bafino Sedisa from Tswana Section at Bekkersdal township, in the neighbouring Westonaria on September 8 the same year. The deceased were believed to be members of a group of gangsters which was allegedly waging a reign of terror in the township.

The applicants are serving prison terms ranging from ten to 13 years for the incidents. However, they have appealed against the sentence and are still waiting for the outcome.

According to the law governing the TRC operations, next of kin of the victims or any interested party have a right to attend, adduce evidence and be legally represented at the hearing.

Judge Hassen Mall will chair the hearing which will take place at the City Hall, cnr Annan Road and Gold Street, Carletonville from August 11 to 13, beginning at 9am.

ends
AMNESTY FOR KILLERS OF AMY BIEHL

Issued by: Truth and Reconciliation Commission

The following is the full text of the decision of the TRC's Amnesty Committee in the amnesty applications arising out of the killing of American student Amy Biehl.

The decision was a unanimous one of the five longest-serving members of the Amnesty Committee. Note that Adv. Chris de Jager also signed an addendum to the main decision.

TRUTH AND RECONCILIATION COMMISSION BEFORE THE AMNESTY COMMITTEE

Application for amnesty in terms of Section 18 of the Promotion of National Unity and Reconciliation Act No. 34 of 1995

VUSUMZI SAMUEL NTAMO 4734/97 NTOBEKO AMBROSE PENI 5188/97 EASY MZIKHONA NOFEMELA 5282/97 MONGEZI CHRISTOPHER MANQINA 0669/96

(Heard in Cape Town on 8 and 9 July 1997)

DECISION

The Applicants were convicted and sentenced to imprisonment for 18 years for the murder of Amy Biehl. One of them, Vusumuzi Ntamo, was also convicted for the crime of Pubic Violence, for which his sentence of imprisonment was ordered to run concurrently with the sentence on the charge of murder.

The offence was committed on the NY1 Road in the Gugulethu Township, in Cape Town on the 25th August 1993. The applicants are young men whose ages, at the time of the commission of the offence ranged between 18 and 22 years. Except for Ntamo, whose education had not progressed beyond Std 4, the others were high school students.

They have applied for amnesty in terms of section 18 of the Promotion of National Unity and Reconciliation Act No. 34 of 1995.

Amy Biehl their victim was an American Citizen. She was on a Fulbright Scholarship and was affiliated to the Community Law Centre at the University of the Western Cape where she was pursuing her studies for a Ph.D in Political Science. On that fateful afternoon, she was conveying three colleagues in her car. She was on her way to drop some of them off in Gugulethu, when her vehicle came under attack by people who were running towards it and throwing stones at it. The stones smashed the windscreen and windows of the car.

One of the stones hit Amy Biehl on her head, causing her to bleed profusely. She could not continue driving. She got out of her car and ran towards a garage across the road. Her attackers did not relent. They pursued her and continued throwing stones at her. Manqina tripped her, causing her to fall. She was surrounded by between 7 and 10 people and while she was being stoned, one of her attackers stabbed her. She died as a result of the injuries they inflicted on her.

According to the evidence of the applicants they were among those who were involved in the attack on Amy Biehl. Peni admitted throwing stones at his victim when he was three to four metres from her. Manqina stabbed her with a knife in addition to throwing stones at her. Nofemela threw stones at her and stabbed at her 3 or 4 times. Ntamo threw many stones at her head when he was only a metre away. They stopped attacking her when the police arrived on the scene.
The attack on the car driven by Amy Biehl was one of many incidents of general lawlessness in NY1 that afternoon. Bands of toyi-toying youths threw stones at delivery vehicles and cars driven by white people. One delivery vehicle was toppled over and set alight and only the arrival of the police prevented more damage. There was evidence that some of the possessions of Amy Biehl and the passengers in her car were stolen by some of the youths.

The applicants explained their behavior by saying that earlier that day they had attended a meeting at the Langa High School where a Pan African Student organisation (PASO) unit was relaunched. Peni was elected Chairperson at the meeting. Manqina was Vice Chairperson of the PASO unit at the Gugulethu Comprehensive School and Nofemela was a PASO organiser at the Joe Slovo High School.

The meeting was addressed by Simpiwe Mfengu, the Regional Secretary of PASO, Wanda Madubula the Regional Chairperson of PASO, and many other speakers.

The applicants said that speakers dealt with: - the strike by Teachers in the Western Cape who demanded recognition for the South African Democratic Teachers Union (SADTU); - the struggles of the Azanian Peoples Liberation Army (APLA) for the return of the land to the African People; - APLA had declared 1993 as the "Year of the Great Storm". Reference was also made to the launching of "OPERATION BARCELONA" to stop all deliveries into the townships.

The speakers urged the members of PASO to take an active part in the struggle of APLA by assisting APLA operators on the ground by making the country ungovernable.

The speeches were militant and punctuated by shouting the slogan "ONE SETTLER ONE BULLET".

Applicants said that they were all inspired by the speakers to such an extent that they left the meeting with many others in a militant mood. They marched through the township toyi-toying and shouting ONE SETTLER ONE BULLET, determined to put into effect what they had been urged to do. This is how they got involved in the activities briefly described above which led to the killing of Amy Biehl.

Referring to this unfortunate incident, the PAC in their representation to the Truth and Reconciliation Commission said:-

"On the Amy Biehl issue, we wish to state that PASO was not part of APLA. They are a component part of the PAC not involved in armed struggle. This act occurred in the context of a strike for recognition by South African Democratic Teachers Union (SADTU) in the Western Cape. To support the strike, Operation Barcelona was launched to stop deliveries from towns into the townships. Although the PAC was not involved, PASO acted in solidarity with their teachers and with COSAS. They wrongly targeted and killed Amy Biehl. We expressed our regret and condolences to Amy Biehl's family in a letter to the United States Ambassador. We restate this position yet again through the TRC. But misguided as the deed was, we support the amnesty applications of all those convicted and sentenced for the offence".

Although they did not act on the orders or instructions of APLA or PAC on that day, they believed they owed loyalty to the same cause.

Nofemela and Peni had attended some lectures on political matters given by APLA operators and had received elementary lessons on the handling of arms and ammunitions, they were not members of APLA.

As members of PASO, which was a known political organisation of students, they were active supporters of the PAC and subscribed to its political philosophy and its policies. By stoning company delivery vehicles and thereby making it difficult for deliveries into the townships, they were taking part in a political disturbance and contributing towards making their area ungovernable. To that extent, their activities were aimed at supporting the liberation struggle against the State. But Amy Biehl was a private citizen, and the question is why was she killed during this disturbance. Part of the answer may be that her attackers were so aroused and incited, that they lost control of themselves and got caught up in a frenzy of violence. One of the applicants said during his evidence
that they all submitted to the slogan of ONE SETTLER, ONE BULLET. To them that meant that every white person was an enemy of the Black people. At that moment to them, Amy Biehl, was a representative of the white community. They believed that by killing civilian whites, APLA was sending a serious political message to the government of the day. By intensifying such activity the political pressure on the government would increase to such an extent that it would demoralise them and compel them to hand over political power to the majority of the people of South Africa.

When the conduct of the applicants is viewed in that light, it must be accepted that their crime was related to a political objective.

The PAC regarded the killing of Amy Biehl as a mistake committed by young people who were misguided. They nevertheless supported the application for amnesty.

The parents of Amy Biehl had come from America to attend the hearing. At the conclusion of the evidence Mr Biehl addressed the Amnesty Committee. Part of his speech reads as follows:-

"Now in closing a few comments. We have the highest respect for your Truth and Reconciliation Commission and process. We recognise that if this process had not been a pre-negotiated condition your democratic free elections could not possibly have occurred. Therefore, and believing as Amy did in the absolute importance of those democratic elections occurring we unabashedly support the process which we recognise to be unprecedented in contemporary human history.

"At the same time we say to you it's your process, not ours. We cannot, therefore, oppose amnesty if it is granted on the merits. In the truest sense it is for the community of South Africa to forgive its own and this has its basis in traditions of ubuntu and other principles of human dignity. Amnesty is not clearly for Linda and Peter Biehl to grant.

"You face a challenging and extraordinarily difficult decision. How do you value a committed life? What value do you place on Amy and her legacy in South Africa? How do you exercise responsibility to the community in granting forgiveness in the granting of amnesty? How are we preparing prisoners, such as these young men before us, to re-enter the community as a benefit to the community, acknowledging that the vast majority of South Africa's prisoners are under 30 years of age? Acknowledging as we do that there's massive unemployment in the marginalised community; acknowledging that the recidivism rate is roughly 95%. So how do we, as friends, link arms and do something? There are clear needs for

NO CARRIER
29 July 1998

AMNESTY FOR TWO AWB SUPPORTERS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to two Afrikaner Weerstandsbeweging supporters who murdered a motorist and attempted to murder his brother on election day in 1994 in an attempt to cause chaos and disrupt the elections.

The motorist, Mr Viyana Kenneth Papiyana, and Mr Godfrey Madoda Papiyana were travelling between Westonaria and Randfontein on April 27, 1994, when James Wheeler and Cornelius Rudoph Pyper pulled alongside their vehicle. Wheeler cocked a shotgun and passed it to Pyper, who fired a shot at Mr Viyana Papiyana, killing him. His brother was injured in the attack.

Wheeler and Pyper are serving 15 year jail sentences for the attack.

The Amnesty Committee stated in its decision:

"The applicants aver that their actions on 27th April 1994 were done in furtherance of a political objective associated with the conflicts of the past. They contend that statements made by the AWB leadership through the public media to the effect that when the ANC/SACP Alliance takes over the government, the AWB will regain power by the use of violence on that very night, and that the group discussions they participated in at AWB meetings led them to believe that they should prepare for war and that they should actively resist the transition..."

After evaluating the evidence and the provisions of the Promotion of National Unity and Reconciliation Act, the Committee said:

"We are satisfied on the evidence that the applicants bona fide believed that they were acting in support of and in furtherance of the cause of the AWB when they committed the offence. We are further of the view that, on taking all the circumstances into account, the gaining of such belief by the applicants was not unreasonable. The applicants stated that at the time of the commission of the offence they were under the impression that other members of the AWB would, that day, commit acts of violence in order to cause chaos and so disrupt the elections.

"They gained this impression after having heard the report of the bombings on the East Rand and after their discussion with the said du Bruyn. They only learnt after the event that their actions, save for the bombings on the East Rand, turned out to be an isolated incident. They say that they decided to shoot a black man as they were of the opinion that the vast majority of black people were supporters of the ANC. Their intention was to commit an act of terror which, together with other such acts they believed would be committed by other members of the AWB, would instil fear and result in chaos and anarchy and so disrupt the elections. In this context, despite the tragic consequences and futility of their actions, it is concluded that the offence committed by the applicants was not disproportionate to the political objective they were pursuing.

"In the light of the foregoing and after careful consideration of the evidence placed before us we are of the view that the offences of murder and attempted murder committed by the applicants were associated with a political objective committed in the course of the conflicts of the past..."

However, Wheeler was refused amnesty for the offences of being in unlawful possession of a rifle and ammunition.

The Committee officially declared that Mr Madoda Godfrey Papiyana and the parents of the deceased, Mr Nelson Zenam Papiyana and Mrs Glenrose Zoleka Papiyana, were victims as defined by law and referred them to the TRC's Committee on Reparation and Rehabilitation.
31 July 1998

SETTING ASIDE OF 37 AMNESTIES GRANTED TO ANC MEMBERS

Issued by: Truth and Reconciliation Commission

STATEMENT BY ADV. MARTIN COETZEE, EXECUTIVE SECRETARY OF THE AMNESTY COMMITTEE OF THE TRUTH AND RECONCILIATION COMMISSION

Following an order by the Cape High Court setting aside 37 amnesties granted to African National Congress members and directing that their applications be considered afresh, the Amnesty Committee of the TRC wrote to the African National Congress on July 3 this year asking the applicants for further particulars. The request was directed to the applicants, via their party, in terms of Section 19(1) of the Promotion of National Unity and Reconciliation Act. At the same time, the Committee requested further particulars from another 37 ANC members whose applications had not yet been considered.

The Committee requested that the further particulars be supplied by today, July 31. The head of the ANC's heir applications and were willing to give the Committee whatever assistance was needed, but that there was uncertainty about the nature of the further particulars required. As a result the ANC asked for a meeting with Committee representatives to clarify the matter.

I have consulted with the chairperson of the Committee, Judge Hassen Mall, who has instructed me to arrange a meeting with ANC representatives and explain what particulars are needed. Consultations with representatives of the amnesty applicants will be arranged in due course.

ends
3 August 1998

AMNESTY GRANTED TO AWB BOMBER DE JONGH

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to the former commander of the Afrikaner Weerstandsbeweging (AWB) in the Queenstown area for the bombing of two houses in the Eastern Cape shortly before the 1994 elections.

Nicolaas Willem de Jongh and two other AWB members bombed the house of Mr Wiseman Zitembile Sana in Queenstown on August 13, 1993. The following day they attacked with explosives the house of Mr Johnson Dumile Sateni at Hofmeyer. Extensive damage was caused in both incidents but no one was injured.

De Jongh was later convicted on two counts of bombings and for illegal possession of explosives. Sentencing was postponed pending the outcome of his amnesty application.

His application was dealt with in chambers as the offences in respect of which he applied for amnesty do not constitute gross human rights violation as defined by the TRC's governing Act. In its decision, the Committee said it was clear the bombings were carried out in pursuit of AWB policies with a clear political objective associated with the conflicts of the past.

The committee also recommended to the Reparation and Rehabilitation Committee that Mr Sana and Sateni should be officially declared as victims in terms of the Act.

ends
7 August 1998

UPDATE ON SEVERAL ISSUES

Issued by: Truth and Reconciliation Commission

Notes of a briefing by Adv. Denzil Potgieter, S.C., chair of the Media and Communications Committee of the Truth and Reconciliation Commission, to a Parliamentary media briefing, Cape Town.

In view of widespread publicity given to what many have reported as the closure of the TRC, we felt we should use this opportunity to give you a briefing on the most significant activities of the Commission over the next few months.

The Commission's Report

Commissioners from around the country moved to Cape Town from July 1st to work on the report which has to be handed to the President by October 31 this year. The date established with the President's office is October 29. The report is likely to run to five or six volumes, including one or two volumes which reflect the finding in every one of the cases where we make a formal declaration that a person is a victim as defined by the Promotion of National Unity and Reconciliation Act.

We have available a copy of the TRC's publication aimed at NGOs and those who have made statements to us -- it is entitled Truth Talk -- and you will see a list of chapter headings for the Report on the back page. {This document is already available on the website}

After October 31, the Commission will be suspended, and the Amnesty Committee will continue its work until it has dealt with every single amnesty application received. Once that has happened, the Commission will be reconvened to consider the report arising out the Amnesty Committee's work. At that stage we will be able to decide whether we want to add to or qualify our main Report.

The Amnesty Committee

The Committee aims to finish its work by the middle of next year, but in view of the nature of amnesty hearings -- where postponements sometimes have to be given in order for people's legal rights to be respected -- it is not possible to fix a firm and final end-date.

The Committee has dealt with two-thirds of the 7,060 applications it has received. Of the total number of applications, 77 percent were from prisons. The law has required us to give preference to prisoners' applications, and as a result those from prisons make up 90 percent of the applications we have finalised.

Most of the work now facing the Committee arises from applications requiring public hearings. Our estimate is that 1,400 of the 7,060 applications concerned gross violations of human rights -- involving killing, torture, abduction or severe ill-treatment -- and therefore needed public hearings. We have disposed of 136 applications, and about 139 have been heard, with the judgements pending, meaning we still need to hear about 1,200.

So we still have a great deal of work to do. However, one has to bear in mind that for much of the life of the Committee, we were working with five members, who had to sit on one panel. After the latest amendments to that section of the Act, there is now provision for up to 19 members, sitting in up to six panels.

Major applications still to be heard concern the bombings of ANC offices in London and assassinations outside South Africa, applications from former SADF officers, applications arising out of the CBW programme, those from alleged members of the Mandela United Football Club, those arising from an ANC landmine campaign,
applications in respect of violations committed by ANC members in exile, including at Quatro, and the full application of Eugene de Kock. In his case, the matters for he was convicted total less than 15 percent of the number of gross violations of human rights for which he is applying. (Details of these applications -- including the identities of the applicants -- are by law confidential until there is a public hearing, but announcements will be made in due course, shortly ahead of hearings.)

In the case of the "ANC 37", as previously reported we have established another 37 applications where the applicants have applied for amnesty on the basis of a statement by the National Executive Committee of the ANC in which the leadership takes responsibility for the actions of their cadres. We have asked the ANC whether they want to supplement their applications and are due to meet them to explain what sort of further particulars we envisage them providing.

Once we have a response from the ANC, there are two possible scenarios for handling the applications. In this regard, may be worth repeating the two scenarios which the Archbishop outlined in a statement issued at a TRC news conference recently:

"-- Should an amnesty applicant give details in an amnesty application, or in further particulars to an application, of a specific act, omission or offence in respect of which he/she applies for amnesty which constitutes a "gross violation of human rights" as defined in the Act (i.e. killing, torture, abduction or severe ill-treatment), then the Committee is bound to hold a public hearing to consider the application;

"Alternatively;

"-- Should an applicant give details of a specific act, omission or offence which does NOT constitute a gross violation of human rights as defined in the Act, then the Committee has a discretion to hold a public hearing but is not required to. Of course, should an applicant not declare a gross violation and receive amnesty for activity not constituting a gross violation, he or she would be liable to prosecution or civil actions later should his/her participation in "killing, torture, abduction or severe ill-treatment" be proved.

The situation of victims

The final area we want to deal with today concerns the most important people in the TRC process -- the victims of gross violations of human rights.

We have received statements from more than 21,000 people giving us accounts of what they or their families have suffered. We have made findings on all but about 2,000 of these statements, and plan to complete the findings soon. Each finding has involved the statement being corroborated, and we expect to identify well over 21,000 victims from the statements. (Often a statement identifies more than one victim.)

One of the most difficult areas is where we are unable to make a finding because we have not been able to corroborate a statement. (Material in Truth Talk explains the difficulties we have, as well as the provision that is made for appeals to review our findings.)

Another difficult area that we are grappling with is how to report back to victims what we have found in our investigations. We will obviously not be able to give 21,000 people personal briefings of what we have found; on the other hand, victims are cl a mourning for reportbacks (Joe Seremane, whose plea was published recently in the Mail and Guardian, is only one of hundreds who are asking us to tell them what we have found.)

Yet another problem area will be explaining to some victims why we have not been able to take investigations as far as we would have liked. (When you have 60 investigators with a caseload of 21,000, you can appreciate the problems.)

We have sent notices to about 3,000 victims so far, informing them that they have been officially declared victims and enclosing a reparations applications form. As previously reported to the press, this form will be used both in
the short term for interim reparations and for final reparations once the Government and Parliament have decided on those. We have received a few hundred reparations application forms back from victims and have processes them and sent them on to the President's Fund in the Department of Justice for payment of interim reparations.

ends
ARCHBISHOP TUTU ON THE ACHIEVEMENTS OF THE HRV COMMITTEE

Issued by: Truth and Reconciliation Commission

Archbishop Desmond Tutu, chairperson of the Truth and Reconciliation Commission, has written the following overview to mark the end of the hearings of the Human Rights Violations Committee. Originally written at the request of The Star, Johannesburg, it was then adapted to meet a request from a newspaper in the U.S.

On one point, there is unanimity within South Africa about our Truth and Reconciliation Commission --- just nobody could ignore it. Some have vilified it, others have praised it; none have treated it with indifference.

The Commission hands its main report to President Mandela at the end of October, and the Amnesty Committee will be dealing with outstanding amnesty applications for many months to come, but the hearings of the Human Rights Violations Committee have come to an end and the pro-active stage of our work is over. What have we achieved?

We wish we could have done more. We wish victims of gross violations of human rights had received some reparations already, we wish more big fish from the previous regime had been more forthcoming -- but I think we can also say, modestly, the TRC has done remarkably well given all the different constraints under which we operated.

Have we uncovered much truth? An unbiased observer would say "Quite definitely, yes." After many post-mortems, judicial enquiries and inquests in the past failed spectacularly to solve the riddles, we now know through our amnesty process what precisely happened to Steve Biko, killed under police interrogation, and to the "Cradock Four", community leaders in Eastern Cape province who were illegally abducted and murdered by police.

We know that the police abducted the "PEBCO Three", other Eastern Cape community leaders, then killed them and spent hours burning their bodies over a fire until they were reduced to ashes which could be thrown into a river. We know what happened to Stanza Bopape, a Pretoria activist who died under interrogation in the notorious John Vorster Square security police headquarters, whose body was then thrown into a crocodile-infested river while police generals staged an elaborate mock escape to cover their tracks. We know these things because the perpetrators have told us in amnesty hearings.

When Adriaan Vlok, the former government's police minister, his generals and his operatives, confessed to bombing Khotso House, headquarters of the South African Council of Churches, and Cosatu House, the offices of the Congress of South African Trade Unions, and planting bombs at cinemas showing "Cry Freedom", the movie about Steve Biko's relationship with a newspaper editor, we learned that Vlok had misled us at the time of the bombings by lying publicly and brazenly. He had blamed Shirley Gunn, an ANC activist who as a result was detained without trial at a time when she had a young baby.

But deception was an integral part of an evil policy such as apartheid. Its high priests had misled us before without compunction when they concealed in 1975 that South African troops were fighting in Angola. They have lied as a matter of course. Or they have adopted very clever hair-splitting sophistry, saying when it emerged they had learned of violations after they happened: "We did not tell the TRC we did not know. We said we did not sanction illegal acts (really urban terrorism) such as bombing Khotso House." Of course, once they did learn about these acts, they did nothing about it. Was doing nothing really condonation?

We have also succeeded in tracing a number of people who disappeared, and have exhumed the remains of those who were abducted, killed and buried secretly, enabling their families to give their loved ones a decent burial. We have also uncovered apartheid's chemical and biological warfare programme and its quite diabolical projects,
allegedly including the poisoning of anti-apartheid leaders with untraceable toxins and research into ways of inducing infertility among black women.

From Day One, there have been those in South African society, mostly beneficiaries of apartheid, who have sought to discredit the TRC and have sniped at us, carrying out pre-emptive strikes ahead of our report so that they could say, "What did you expect?" when it condemns the perpetrators of gross violations.

They have also gleefully latched onto the results of an opinion poll suggesting that blacks and whites are more angry with one another after hearing the revelations of the TRC, arguing that this shows the Commission has failed to achieve reconciliation in the 30 months of its work. It surely would have been odd in the extreme had people not been incensed at the atrocities that have been revealed. What did we expect? Surely not that the Bopape family would dance with joy to hear that their son was tortured to death and that his body was fed to crocodiles, all the while police engaging in a macabre cover-up?

What is breathtaking, and those who have used the survey have hardly referred to it, is that it also shows that nearly 80 percent of blacks, the ones who suffered most under apartheid, are ready despite the revelations to work for reconciliation. It is shatteringly those who benefited from apartheid who, according to the survey, don't think reconciliation is possible. We should have been devastated had it been the vast majority of this land who had said, "We have given up on reconciliation. To hell with Mandela and Tutu. We are going on a revenge rampage. We are going to take over those nice houses and let the whites come and live in the shacks, in the squalor without lights, without running water."

I have told my white compatriots that the survey is a wake-up call. They have been let down by most of their leaders, who have made them out to be too mean-spirited to respond to the incredible magnanimity and generosity of the victims. They must this opportunity to show they don't agree with those leaders and to avoid South African degenerating into a Bosnia, a Rwanda or a Northern Ireland. They must help us transform people's lives by improving the quality of life of those who for so long have been the underdogs. Without that transformation, lasting reconciliation will be impossible.

Opinion polls are awful because they refer to faceless, anonymous statistics and speak in generalisations. We have seen through the TRC some extraordinary examples of forgiveness and reconciliation from black and white South Africans and non-South Africans.

A policeman sentenced to death for his role in the massacre of 11 people in the province of kwaZulu/Natal, and now granted amnesty, was received at a meeting in the community where he promised to do what he could to help rebuild it. The mothers of seven youths ambushed and killed by police in Gugulethu, Cape Town, have been incredibly forgiving. We have heard moving appeals for forgiveness for their role in justifying apartheid from parts of the white Dutch Reformed Church.

Mrs Beth Savage, whose body still bears the shrapnel of a guerrilla attack on a civilian target, told us that she wanted to forgive the perpetrators -- and that she hoped they would forgive her! Another white South African whose son was killed in an ANC bomb blast, said -- remarkably -- that he believed his son's death had contributed to the liberation of South Africa. A former Air Force officer, blinded in an ANC car bomb attack on Air Force headquarters in the Pretoria city centre, recently went to the leader of the unit responsible for the blast to shake his hand and pledge to work together to overcome our ghastly past.

And of course we have the extraordinary witness of the Biehl family of California, who have shown remarkable magnanimity towards the killers of their daughter, Amy, who was a Fulbright scholar in Cape Town when she was brutally killed.

I have asked whether there isn't a leader of some stature and some integrity in the white community who won't try to be too smart, who is not trying to see how much he can get away with, but who will say quite simply: "We had a bad policy that had evil consequences. We are sorry. Please forgive us?" and not then qualify it to death. That would help to close the chapter on our horrendous past and enable us to move forward into the future with confidence, absolved, forgiving and forgiven.
Reconciliation is not going to be cheap or easy. The TRC was never meant to achieve, but to promote reconciliation. It is a national project requiring the participation of every single South African. True reconciliation cannot be based on lies, the TRC has helped to lay a firm foundation for true reconciliation -- it has unearthed a great deal of the truth.

The rest is up to each and every one of us.

ends
12 August 1998

AMNESTY GRANTED TO IFP MAN IN CHAMBERS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC has granted amnesty to an East Rand member of an Inkatha Freedom Party self-defence unit for illegal possession of a firearm.

Nelson Gabangani Mtshali (28) was sentenced to six years' imprisonment for the unlawful possession of an AK-47 rifle and ammunition. His conviction arose out of his activities in the IFP's self-defence units in Katlehong in 1993. He said in his application that he was caught transporting the rifle to Vosloorus township, where fellow SDU members were involved in fighting. He said he was acting in accordance with the political aims and instructions of the IFP.

The amnesty decision was taken in chambers. The offence does not constitute a gross human rights violation as defined by the Act guiding the TRC, so a public hearing was not necessary.

ends
AMNESTY GRANTED TO 3 ANC MEN (UMTATA)

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to three members of the African National Congress's military wing, uMkhonto weSizwe (MK), who murdered a defector and attempted to murder another in Umtata in June 1990.

Ian Ndibulele Ndzamela, Pumlani Kubukeli and Mfanelo Dan Matshaya were part of a group of four MK members who decided to kill Sipho Phungulwa and Luthando Dyasophu, former exiles who defected and became "askaris".

The Amnesty Committee said in its decision that upon their return to South Africa, the two defectors held a press conference, slating the ANC. The applicants decided to kill them, warned the local ANC political leadership in Umtata about their deployment in the area and put them under surveillance.

A shoot-out ensued when the two alighted from a taxi in Ngangelizwe location. Mr Phungulwa died and Mr Dyasophu escaped. The Committee, under the chairmanship of Judge Ronnie Pillay, stated:

"The applicants explained that there was nothing personal in the attack on these two defectors. They were acting for the country, as members of the MK stationed in Transkei. They gained nothing personally for their actions.

"Dyasophu gave evidence, which largely confirmed what the applicants had stated. Most importantly, he confirmed that once the leadership had labelled one an informer, that meant that this person must be killed. The press conference alluded to by the applicants, he stated, was held to clear this point. It was intended to indicate that they were not informers.

"We accept the versions of the applicants, especially as it is substantially supported by Dyasophu. Clearly the offences for which amnesty is applied for were committed for political reasons in the interest of an anti-apartheid stance. We are satisfied that they made a full disclosure in explaining how and why these offences were committed."

The hearing was held in April in Umtata. The Committee officially declared Mr Dyasophu and Mr Phungulwa's wife to be victims as defined in the law, and referred them to the Reparation and Rehabilitation Committee of the TRC.

ends
The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to four ANC members who attacked a police station near Kokstad in retaliation for the former South African government's Umtata raid in 1993.

Mlungisi Nyembezi, Luzuko Sydney Mpiyakhe, Solomzi Theo Nomashizolo and Luyanda Lizwi Ntikinca attacked the Bhongolethu Police Station and kidnapped, then murdered, two policemen, a Sergeant Mbhele and a Sergeant Ngubo in October 1993. The carried out their attack after attending the funeral of the youths killed in the September raid on Northcrest, Umtata.

The Committee said that the amnesty applicants' motive had been "to make the point that the government could not simply act against the African people at any time without expecting some form of retaliation."

The Committee noted that the applicants said the policemen had been killed in a shootout after the kidnapping, when the policemen had managed to seize firearms, but that the victims' widows disputed this and submitted that the applicants had not made a full disclosure of the facts.

The Committee found that the applicants were pursuing their political party's objectives, that they had made a full disclosure and that there was no evidence they had acted on personal agendas, for personal gain or out of personal malice.

It formally declared the widows of the policemen to be victims as envisaged in the Promotion of National Unity and Reconciliation Act and referred them to the Reparation and Rehabilitation Committee.

ends
17 August 1998

APPEAL TO FRIENDS OR RELATIVES OF STEVEN TERREBLANCHE

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is making an appeal to friends or relatives of two former policemen who were shot during an attempted arms robbery at Devon in April 1994, to contact its office as a matter of urgency.

One policeman was killed during the attack while his colleague suffered injuries.

Three people have applied for amnesty in respect of the incident.

The Amnesty Committee of the Commission, urgently seeks contact with Andre Renier Swart who was wounded in the attack.

The unit would also be pleased if relatives of the late Steven Frederick Terreblanche, his uncle in particular, a Mr Frederick Willem Jacobus Terreblanche can call the TRC, Johannesburg office on (011) 331-1471.

ends
18 August 1998

AMNESTY HEARING FOR SECURITY BRANCH BOMBERS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission next month hears amnesty applications from ten former Security Branch policemen for bombings in the 1980s including the killing of Ms Ruth First in Maputo, the killing of Ms Jeanette Schoon and her daughter Katryn in Angola and the bombing of African National Congress headquarters in London.

The most senior applicant is former Police Commissioner General Johan Coetzee, who is one of eight policemen seeking amnesty for the 1982 London bombing. The other applicants for this bombing are apartheid super-spy Craig Williamson, Lieutenant James B Taylor, Intelligence Section operative John Louis McPherson, explosives expert Roger H L Raven, Lieutenant John S Adam, the former SAP's head of technical services Wybrand A L du Toit and former Vlakplaas commander Eugene de Kock.

Williamson and Raven are also seeking amnesty for the murder of Ms First wife of the late Housing Minister Joe Slovo - and the attempted murder of Mr Slovo in Maputo, Mozambique in 1982.

Williamson, Raven and Isak Daniel Bosch are seeking amnesty for the murder of Ms Schoon and her daughter in 1984.

Former Brigadier Willem Schoon is seeking amnesty for the attempted murder of Ms Schoon's husband, Marius, in Botswana in 1981. The Amnesty Committee has already heard an amnesty application by another former Vlakplaas commander, Dirk Coetzee, regarding the attempt to kill Mr Schoon.

McPherson is applying for amnesty for the bombing of ANC offices in Lusaka, Zambia in 1985.

The hearing will take place at the Idasa Centre, corner of Prinsloo and Visagie streets, Pretoria from September 6 to 25.

ends
19 August 1998

NOTES FOR MEDIA BRIEFING BY DESMOND TUTU

Issued by: Truth and Reconciliation Commission

1. The Commission's main report

Commissioners have been based in Cape Town since July 1, considering, amending and adopting drafts of sections of the main report of the Commission, which will be handed to President Mandela on October 29. We have now adopted drafts of all but three sections of the final report and material is going through the final editing process before going to the printers.

I leave for Atlanta tonight, but will be available on E-mail, fax and by telephone for consultations around the final adoption and editing process.

I intend returning in October to hand the report to the President. As you know, the Commission is to be suspended on October 31 but will be reconvened when the amnesty process has been completed to consider a further report from the Amnesty Committee, and to decide whether the main report needs to be amended or expanded in any way.

2. Outstanding issues

A number of outstanding issues still face the Commission.

An issue of great concern is the position of victims of gross violations of human rights. As previously reported we have had statements more than 21,000 people giving us accounts of what they or their families have suffered. By the end of this month, we will have completed findings reports on about 16,000 of these statements. We are still discussing how these findings will be reflected in the main report and when they will be published.

We are also deeply concerned about how to report back to victims on what we have found in our investigations. We have already said that we will not be able to give 21,000 people personal briefings of what we have found. However, there are thousands of people who are expecting a reportback from us, and the strength of their feelings is exemplified by the statements of people such as Joe Seremane.

Also of concern is the areas we have been unable to investigate adequately, or at all. To an extent this can be dealt with in the recommendations in our final report. However, there is one specific instance which came to our attention last week and which we reported yesterday to Mr Dullah Omar, the Minister of Justice, for further investigation.

The documentation which is attached is self-explanatory; suffice it to say that the Commission has discovered, during the course of other investigations, documents purporting to be from an institution called the SA Institute of Maritime Research - discussing the sabotage of the aircraft in which the UN Secretary-General, Dag Hammarskjold, died on the night of September 17/18, 1961.

We want to emphasise that we have been unable to investigate the veracity of these documents and of allegations that South Africa or other Western intelligence agencies were involved in bringing about the air crash. Our mandate to conduct such investigations has run out. However, given our commitment to transparency, we feel that apart from having handed the document to the Minister of Justice for further investigation, we should release the key documents we have found.

As most of you know, Section 30 of our Act - supported by a judgment of the Supreme Court of Appeals in Bloemfontein - requires that if we find information which is to the detriment of individuals, we are required to inform them and afford them an opportunity to make representations. We have not been able to serve such
notices, and hence we are deleting the names of the individuals between whom the correspondence took place.
ends
20 August 1998

AMNESTY FOR 3 ANC MEN

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today has granted amnesty to three African National Congress members who are serving lengthy prison terms for illegal possession of large quantities of weapons.

Antonia Alberto Tovela, who was an ANC member based in Mozambique, is serving a 10 year prison term after he was convicted for illegal possession of 17 AK 47s, a large quantity of ammunition and explosives and four Makarov pistols by the Barberton Regional Court in February 1994.

Jim Sambo is serving seven years imprisonment following his conviction by the Northern Transvaal Regional Court in 1994 for illegal possession of 17 AK 47s, a large quantity of ammunition and a hand grenade. Silumko Mama is serving seven imprisonment following his conviction of arson and public violence by the Port Elizabeth Regional Court on September 27 1993.

The applications of the three men were dealt with in chambers as the offences for which they applied for amnesty do not relate to gross human rights violation as defined by the TRC Act. Making its decision, the Amnesty Committee said: "-as members of the African National Congress, the applicants acted completely in the interests of (their) organisations".

ends
20 August 1998

APPEAL TO VICTIMS OF WIMPY BAR BOMB BLAST

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission is appealing to victims of a Wimpy Bar bomb blast in Benoni and an ambush outside Lindela Hostel in Katlehong in 1988 to contact its Cape Town offices in connection with an amnesty hearing early next month arising out of the incidents.

One person was killed and at least 60 others injured when a bomb exploded at a Wimpy Bar in Benoni on July 30, 1988. The victims are believed to be in Daveyton, Wattville, Boksburg, Actonville, Duduza, Impala Park, Benoni and Johannesburg. The TRC has managed to contact some of the victims but there are others it has not been able to trace.

Three months later six policemen were wounded when their van came under attack from high-calibre weapons near Lindela Hostel in Katlehong on October 12 the same year. The injured policemen were Mr Herman Bilankulu, Mr Amos Mbalekelwa Ngubeni, Mr Samuel Bongani Shabalala, Mr Letas Ronald Mashele and Mr Victor Mbasa.

Four people have applied for amnesty for the incidents. Tebogo Kebotlhale, Molwedi Mokoena, Phumzile Sigasa and Elgas Mabore Ndhlovu, who declare themselves as African National Congress members, are applying for amnesty for both incidents.

According to the law which governs the operations of the TRC, victims and/ their next of kin and any other interested party have a right to adduce evidence and be legally represented at the hearing.

The hearing will take place at Benoni City Hall from September 7 to 11.

Victims can contact Ms Thabile Thabethe at 021- 245 161 or Mr Knut Vanvik on 082-458-9968.

ends
ALEX BORaine - ON PW BOTHa VERDICT

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission's strenuous attempts to persuade Mr P W Botha to appear before us, and his subsequent trial on charges of refusing to do so, demonstrate in a concrete way that we now have a society in which no one is above the law. This is in stark contrast to the past, when the rule of law was effectively suspended. Mr Botha has been publicly held accountable for his actions in a court of law, and he has been afforded every opportunity to defend himself, something which was often denied his political opponents during the years of his rule. The trial has reiterated that all South Africans, no matter how influential or powerful, are treated equally before the law.

We are sad that Mr Botha refused to use the opportunity of appearing before the TRC, an opportunity that was taken advantage of by many of his former colleagues and other political leaders. His own stubbornness and unwillingness to compromise is what led to this long, drawn-out trial, but we are nevertheless pleased that the law has finally taken its course.

The Human Rights Violations Committee has completed its hearings and is therefore not able to pursue its efforts to have Mr Botha appear and answer questions. But the Amnesty Committee still has many months of work ahead of it and retains the power to subpoena him again. We hope that if it needs Mr Botha's evidence, he will reconsider his attitude.

ends
26 August 1998

SA PRISON SERVICES LEAKED INFORMATION

Issued by: Truth and Reconciliation Commission

A senior officer of the former South African Prison Services who leaked information which led to the spectacular escape from prison by the late Charles Sebe, the brother of the former Ciskei's president, Lennox Sebe, in 1986 has been granted amnesty by the Amnesty Committee of the Truth and Reconciliation Commission.

Angelo Dudley Pete, who was seconded to Ciskei as the advisor to the former homeland's Commissioner of Prisons sought amnesty for leaking information to the former SAP Security Branch about the security detail around Sebe.

He is one of eight people, including two Afrikaner Weerstands beweging members, two Azanian Youth Organisation members, two African National Congress members and a former South African Police member who have been granted amnesty this week.

Pete said in his amnesty application he was approached by a colonel of the former South African Security Branch to supply him with information regarding the cell in which Sebe was detained, security around him and the changing of shifts at Middledrift Prison where Sebe was serving a lengthy prison term for treason. As the result of the information, Sebe was sprung from the prison on September 26, 1986.

He also said the colonel (whose name cannot be revealed pending the outcome of his amnesty application) told him the former Security Branch wanted to spring Sebe from prison. "I was not given any further information but it was stressed to me by (the Colonel) that it would be in the interests of the (then) Government of South Africa," said Pete.

Pete said he consulted the then South African Commissioner of Prisons, who gave him the go-ahead. In his application, Pete mentioned that he later heard in 1997 from the colonel that the escape of Sebe was part of an operation dubbed "Katzen".

The AWB members granted amnesty are Johannes Jacobus de Beer and Johannes van der Westhuizen. De Beer was serving a lengthy prison term for illegal possession of firearms, a large quantity of ammunition and stealing explosives from the Randfontein Estates Goldmine before the 1994 elections.

Van der Westhuizen, also a former South African Defence Force member, was sentenced in the Durban Regional Court to three years of correctional supervision for stealing a large quantity of ammunition from an army base in KwaZulu/Natal and for illegal possession of ammunition in 1993.

The Azanyo members are Wandile Dyantyi and Wele Matomela, who were sentenced to seven years' imprisonment each for attacking the Easy Gas Plant in Port Elizabeth with explosives on December 28, 1993.

Mpho Letele and Thabiso Montoeli, both ANC members, were granted amnesty for an explosion which occurred near municipal police offices in Wesselsbron. Abraham Maseko, a member of the former SAP in Sebokeng, Vaal Triangle, received amnesty after being sentenced to five years of correctional supervision for illegal possession of ammunition in 1993.

The amnesty applications were processed in chambers as the offences for which the applicants applied for amnesty do not constitute gross human rights violations as defined by the Promotion of National Unity and Reconciliation Act.

ends
AMNESTY APPLICATIONS OF PAC

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission is to hear applications for amnesty next week from four members of the Pan Africanist Congress relating to various armed attacks which claimed six lives, including those of two members of the former South African Police near Cape Town before 1994 elections.

Walter Tanda is seeking amnesty for three separate attacks in which a security guard was killed at a Khayelitsha railway station, two policemen on duty were killed and a police vehicle was ambushed, injuring one policeman in Khayelitsha in 1992. Tanda was granted amnesty recently for his role in the Crazy Beat Disco attack in Newcastle in 1992.

Andile Shiceka, also granted amnesty for the attack, is also applying for amnesty for his role in the Khayelitsha railway station attack and for an attack on a restaurant in Claremont in which several people were injured in December 1992. The victims of the Claremont attack were the owner of the restaurant Mr Malcolm Visser, Ms Lizette Theunissen, Mr Dennis Smith, Mr Jason Collie, Mr Allan Williams and Ms Amanda Warner.

Gcinikhaya Makoma is seeking amnesty for his role in the police ambush. Makoma was granted amnesty for his role in the 1993 St James Church massacre. The applicants could not give names of the victims of these attacks in their amnesty applications.

The last applicant, Mandla Maduna, who claims that he was a member of the PAC at the time, is applying for amnesty for killing three alleged gang members and injuring two others at Old Crossroads in March 1993. Maduna is serving 35 years imprisonment for the attack. The victims and the next of kin of the deceased have expressed their intention to oppose the application.

According to the Promotion of National Unity and Reconciliation Act, victims and/or their next of kin or any interested party have the right to attend the hearing and be legally represented.

The hearing chaired by Judge Hassen Mall, will take place at the TRC offices at 106 Adderley Street, Cape Town from September 7 to 11.

ends
CRAIG WILLIAMSON HEARING STARTS NEXT WEEK

Issued by: Truth and Reconciliation Commission

Amnesty applicants from across the political spectrum will appear before panels of the Truth and Reconciliation Commission's Amnesty Committee this month.

Next week, at hearings in Pretoria, Benoni and Cape Town:
- Former policeman Craig Williamson and other members of the old South African Police will apply for amnesty for the murder of Ruth First in Mozambique in 1982 and of Jeanette Schoon and her daughter Katryn in Angola in 1984;
- At the same hearing in Pretoria, former Police Commissioner Johan Coetzee, former Vlakplaas commander Eugene de Kock, Williamson and five others will ask for amnesty for bombing the ANC's London offices in 1982;
- Four people who declare themselves as ANC members are applying for amnesty for a Wimpy Bar bombing in Benoni and an ambush outside Lindela Hostel in Katlehong in 1988. They are Tebogo Kebotlhale, Molwedi Mokoena, Phumzile Sigasa and Elgas Mabore Ndhlovu. In its evidence to the TRC last year, the ANC included the bombing in a list of attacks of which it said: "... We are uncertain as to whether these attacks were carried out by bona fide MK cadres." One person, Maryann Serrano, was killed and about 60 injured.
- In Cape Town, four members of the Pan Africanist Congress will apply for amnesty for various armed attacks around Cape Town which claimed six lives, including those of two members of the former South African Police before the 1994 elections. The applicants are Walter Tanda, Andile Shiceka, Gcinikhaya Makoma and Mandla Maduna.

Later in September, hearings will resume involving:
- the so-called "Caprivi trainees", who say they acted on behalf of the Inkatha Freedom Party, - members of the Afrikaner Weerstandbeweging responsible for pre-election bombings in 1994, and - the Bophuthatswana policeman who killed AWB members during their invasion of the former "homeland".

ends
FOUR ANC MEMBERS GRANTED AMNESTY

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to four members of the African National Congress's military wing, Umkhonto weSizwe, for killing a former Bophuthatswana policeman, Brigadier Andrew Molope in 1986.

Joseph Elias Makhura, Frans Ting Ting Masango, Obed Masina and Neo Potsane sought amnesty for shooting Brigadier Molope. Brigadier Molope came under a hail of bullets from heavy calibre rifles while at a house in Mabopane near Pretoria.

In its decision, the Amnesty Committee said of the applicants: "They testified that they were all members of the so called "icing" or assassination unit who were instructed by the late Chris Hani, their commander in chief, to infiltrate the (country) and to assassinate appropriate political opponents. They were not given a list of persons to assassinate but told to concentrate on 'sell-outs' and police informers.

"We accept that the applicants bona fide believed that the elimination of Brigadier Molope would protect the opponents of the then Bophuthatswana government from further suffering and would lower the morale of senior officials of the government and thus contribute to the liberation struggle of the ANC.

"The Committee accepts further that none of the applicants were prompted by any personal malice or derived any personal gain from the killing... "

"Referring to the contention of Brigadier Molope's family that the applicants had not made a full disclosure, the Committee said that: " the committee is of the opinion that the conflicting claims and perceptions as to who was responsible for the killing of the deceased was created by the actions of various role players in the political power struggle at the time and there is no reason not to accept that the applicants have made full disclosure of their respective active participation and/or involvement in the planning of the assassination."

The Committee also recommended to the TRC's Committee on Reparation and Rehabilitation that the wife of the late Brigadier Molope, Mrs Gadifele Sinah Molope, and their three children, Chalane, Morongwa and Lentheng, should be declared victims as envisaged by the law.

ends
AMNESTY GRANTED TO ANC MEMBER

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to an African National Congress member convicted of trespassing and illegal picketing in the Western Cape between 1989 and 1990.

Matthew Gaylard, now based in Durban, was convicted of erecting and occupying a shack on State property in Stellenbosch as part of a protest action called by the town's Housing Action Committee. The protest was aimed at exposing the failure of the previous government to provide housing for black communities.

Gaylard was also convicted for participating in illegal picketing organised by the National Union of South African Students (Nusas) calling for the unbanning of the ANC. He was fined for both offences.

His amnesty application was processed in chambers as his offences did not constitute a gross violation of human rights as defined in the Promotion of National Unity and Reconciliation Act. His name will be expunged from criminal records in relation to the offences.

ends
11 September 1998

AMNESTY APPLICATIONS - AWB BOMBINGS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission will hear amnesty applications ranging from a spate of AWB bombings, apartheid-era crimes committed by Caprivi trainees to the attack on policemen by Pan Africanist Congress's operatives in Soweto shortly before the 1994 elections.

In Johannesburg, a former PAC's armed wing operative Phila Dolo will be seeking amnesty for his role in the attack on a police van on the road between Diepkloof and Orlando East, Soweto in May 1993. A policeman Constable Jacob Hlonela Mabaso was killed and his colleague Constable Edward Nelushi wounded when unknown balaclava-clad gunmen sprayed the van in which they were travelling with bullets.

Dolo, who had his left arm amputated following a shoot-out with police, was later arrested and convicted for murder, attempted murder and illegal possession of arms and ammunition with two other accomplice. He is now serving a lengthy prison term.

Mpumelelo Mvinjane, another PAC member, is applying for amnesty for killing a traffic officer Mr Simon Makhudu Kunjに関して, at Pimville, Soweto in August 1991. Mvinjane was sentenced to 35 years imprisonment for the incident.

The hearing will take place at Tambotie Hall, Kliprivierberg Recreation Centre, corner of Peggy Vera & Sunningdale Streets, Kibler Park, Johannesburg.

Other amnesty hearings set down for next week beginning on Monday September 14 to 18 include:

* The continuation of an amnesty application of twelve AWB members who are seeking amnesty for a spate of bombings before the 1994 elections. The hearing will take place at Boksburg City Hall, Boksburg.

* The continuation of amnesty hearing into the bombing of ANC offices in London and the killing of anti-apartheid activist Ruth First. The hearing will take place at Idasa Democratic Centre, corner of Prinsloo and Visagie Streets, Pretoria.

* And the continuation of Inkatha Freedom Party's Caprivi Strip trainees. Seven applicants who claim to be members of the IFP are seeking amnesty for a total of 56 incidents out of which more than 100 people were murdered. They are Daluxolo Luthuli, Romeo Mbambo, Brian Mkhize, Israel Hlongwane, Bhekisisa Khumalo, David Dhlamini and Bheki Ndlovu.

The hearing will take place at Ermelo City Hall, corner of Taute and Church Streets, Ermelo.

ends
16 September 1998

AMNESTY GRANTED TO TWO FORMER APLA MEMBERS

Issued by: Truth and Reconciliation Commission

The amnesty committee of the Truth and Reconciliation Commission on Wednesday granted amnesty to two former members of the Pan Africanist Congress's armed wing, the Azanian People's Liberation Army, who were serving life sentences for crimes ranging from murder to illegal possession of arms, ammunition and explosives.

Phila Dolo, who was serving a life sentence, was seeking amnesty for his role in an ambush on a police vehicle at Diepkloof on May 28, 1993 in which a police constable Jacob Mabaso was killed and his colleague Constable Edward Nelushi was wounded.

Dolo was arrested following a shootout with the police, as a result of which he lost his right arm.

In making its decision, the amnesty committee said: "There can be no doubt that the applicant was a cadre of Apla. His actions were all within the ambit of the policies of both Apla and the PAC. The applicant's conduct falls in our view within such a framework and accordingly are held to be acts associated with a political objective.

"We are satisfied that the applicant has made full disclosure of all material facts. He has not tried to minimise the nature and extent of his involvement in these incidents and has further applied for amnesty for an aspect for which he was acquitted.

"He has also disclosed additional facts which evidences his bona fides in this regard."

The committee also said Dolo was not from the area where the events took place and had no personal interest or agenda in respect of the persons injured or killed.

"There is no suggestion that he acted for personal gain as the victims were all unknown to him."

The committee recommended to the commission's committee of rehabilitation and reparation that Constable Mabaso's next of kin, Constable Edward Nelushi and a Ian Veldman should be considered as victims as provided by the Truth and Reconciliation Commission Act.

Another Apla operative, Shakespeare Buthelezi, was granted amnesty, among others, for the killing of Constable Freddie Mashamaite, near Monaheng section in Katlehong in January 1993.

Buthelezi was serving 65 years imprisonment following his conviction of murder, robbery, illegal possession of arms and ammunition and three counts of attempted murder.

However, the committee has reserved its decision regarding the robbery of an alleged informer, Basie Tladi, until it has considered evidence before it.

The victims were also referred to the committee on rehabilitation and reparation.

ends
16 September 1998

AMNESTY GRANTED TO ILLEGAL T-SHIRT MAKER

Issued by: Truth and Reconciliation Commission

A member of the former Liberal Party who produced "illegal" T-shirts during the apartheid era has been granted amnesty for his actions.

Robin Houston Holmes, 53, of Pietermaritzburg, told the Amnesty Committee of the Truth and Reconciliation Commission that he had illegally produced, printed and distributed T-shirts reading "We are Everywhere, Even in your Kitchen" and "Mxenge, The Struggle Continues". He also produced a Steve Biko T-shirt.

The Committee said in its decision:

"The applicant was a member of the Liberal Party before its dissolution and describes himself as having been a supporter of any and all anti-apartheid organisations.

"He states that he produced and distributed the T-shirts as an act of non-violent defiance against the apartheid regime. He made no personal gain from his actions. He was charged in the Pietermaritzburg Magistrates' Court with the production and distribution of prohibited material, but the case against him was never proceeded with.

"We are satisfied that the application satisfies the provisions of Section 20 (1) of the Promotion of National Unity and Reconciliation Act, No. 34 of 1995, in that it complies with the requirements of the said Act, the offence to which it relates is an act associated with a political objective committed in the course of the conflicts of the past in accordance with the provision of Section 20 (2) (a), and the applicant has made a full disclosure.

"We are also satisfied that the offence to which the application relates does not constitute a gross violation of human rights and that there is no need for a hearing in this matter."

ends
18 September 1998

AMNESTY GRANTED TO THREE MORE APLA MEMBERS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today has granted amnesty to three members of the Azanian People's Liberation Army, former armed wing of the Pan Africanist Congress, bringing to five the number of Apla operatives granted amnesty this week at a hearing in Kibler Park, south of Johannesburg.

Nkosinathi Mvinjane and Lulamile Khwankwa applied for amnesty for murdering a Pimville traffic officer Mr Simon Kungoane in August 1991. The traffic officer was gunned down while assisting school-going children cross an intersection in the township.

The men testified that they were recruited to Apla by a person they identified as "Moss" who has since died apparently in another Apla operation.

PAC's national executive committee member, Mr Jabulani Khumalo testified that the incident was an Apla operation.

Announcing its decision regarding the killing of the Pimville traffic officer, the Amnesty Committee: "Mr Khumalo (testified) that he was aware of the incident in question and confirmed the status of "Moss" as a member of Apla and that the attack was sanctioned by the PAC and Apla.

"He testified in great detail about the assistance he had given Moss who was wounded in a shoot-out with the police after the arrest of the applicants who had taken the police to Moss's place.

"The latter (Moss) informed the witness (Khumalo) that he had recruited some criminals whose lack of political sense and experience resulted in the police tracking him down and wounding him. This was an obvious reference to the applicants," said the committee.

"In all the circumstances of the case, we have no hesitation in accepting the case presented to us on behalf of the applicants. We have accordingly found that the applicants had made a full disclosure and that the attack upon the was an act associated with a political objective... we are particularly fortified in the latter conclusion by the testimony of Mr Khumalo who has made a particularly good impression as a witness and has dispelled any doubts that could arise in this regard in view of the particular background of the applicants as set above".

Regarding Khwankwa the committee had this to say: "Although (he) did not physically participate in the attack upon the deceased, he clearly associated himself with the incident to such an extent as to render him legally liable.

"We are satisfied that the applicants have met all the requirements set out in the Act (TRC Act) and they are accordingly granted amnesty".

The Committee also granted amnesty to another Apla operative Sonnyboy Johannesburg Sibiya for the killing of Mr Vusumuzi Ephraim Dhludhlu in October 1992 at Emzinoni, Bethal in the former Transvaal. Sibiya was serving 15 years imprisonment for the incident.

Other Apla operatives granted amnesty this week are Phila Dolo and Shakespeare Buthelezi. They were serving 65 and life sentences respectively for crimes ranging from murder to illegal possession of arms, ammunition and explosives. However, Buthelezi will still remain in prison until the Committee has made a decision regarding a count of robbery for which he also applied for amnesty.

The Committee has recommended to the Commission's Committee on Reparation and Rehabilitation that the
victims and the next of kin of the deceased in all these incidents should be considered as victims of gross human rights violation as provided in the TRC Act.

ends
28 September 1998

AMNESTY HEARINGS IN EAST LONDON NEXT WEEK

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission's spotlight will fall on the 1993 murder of a Grahamstown lawyer Mr Allistair Weakley and his brother Glenn near Port St Johns and the mystery behind a spate of armed attacks on farmers near Stutterheim in the 1990s during its sitting in East London early next week.

Pumelele Hermanus, Mlulamisi Maxhayi, Lungile Mazwi and Fundisile Guleni are seeking amnesty for their role in an ambush in which the Weakley brothers were shot dead and Mr Keith Rumble was wounded. Two boys, Thomas O'Keeffe, 11 and Mr Rumble's son Brett, 7 escaped unscathed. The Weakley brothers were returning to their cottage at a holiday resort after a fishing expedition near Port St Johns when their bakkie came under heavy gunfire.

Hermanus Maxhayi and Mazwi are serving 25 years imprisonment following their conviction of murder and attempted murder.

The Amnesty Committee will also hear amnesty applications relating to a number of related but separate farm attacks in Stutterheim in 1990. Mr Hansel, 60 was assaulted, robbed of his belongings including a firearm by a group of armed men while on his farm Greenlands on January 31, 1991. His assailants cut telephone wires and left him tied up in his bed.

A week later, another farmer, Mr Eric Kobus, 74 was fatally attacked on his farm Sunrise. A few days later, attackers pounced on Spes Bona, a farm owned by Mr and Mrs Pretorius and left Mr Pretorius dead and his wife injured.

Later, Mrs Klackers, who ran a trading store on her farm End Well was injured when she was attacked on her farm in the same month.

Mrs Marillier, 65 was also attacked on her farm Bush View near King William's Town in March 1990. She was wounded after she was shot in the chest. Her house was later ransacked by her assailants.

Melumzi Nokawusana, Jimmy Nokawuzana, Randile Bhayi, Bonakele Bhayi and Mziyanda Ntonga are seeking amnesty for their role in the attacks. The Amnesty Committee will also hear amnesty applications relating to sporadic incidents which occurred in the rural areas of the former Ciskei following the shooting of scores of ANC supporters by soldiers loyal to Brigadier Oupa Gqozo in 1993.

The hearings will take place at the Catholic Centre, Queen's Street, Cambridge in East London from October 5 to 9.

ends
1 October 1998

TRC APPEALS FOR VICTIMS OF NU1 ATTACK

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission appeals to victims of the 1987 NU 1 Mdantsane attack to urgently contact the TRC Cape Town offices to provide the Commission with additional information which will make them eligible to apply for reparation to the President's Fund.

Foli Bushula, Mpumelelo Mbinqo, Archie Booi Swartland, Mbulelo Vellem, Mkuseli Vellem and Wazina Yekani were attacked near NU1, Mdantsane on February 1 1987. The TRC has not been able to trace them due to paucity of details provided by the people who applied for amnesty for the incident.

The Committee is also appealing to Nomsa Hanabe or her next of kin to contact its Cape Town offices. Hanabe or her next of kin are believed to be in Uitenhage.

The Amnesty Committee has recommended to the Commission's Committee on Reparations and Rehabilitation that these people or their next of kin should be considered as victims of gross human rights violations as provided by the TRC Act. Once they have been officially declared victims of gross human rights violation, they will immediately be eligible to apply for interim reparation to the President's Fund. However, before this can happen, these people or their next of kin should contact the TRC.

ends
The Amnesty Committee of the Truth and Reconciliation Commission has identified a number of people who might be considered as victims of gross human rights violations arising out of information provided by applicants whose amnesty applications have been processed so far.

The names of these people or their next of kin have been referred to the TRC's Committee on Reparations and Rehabilitation for consideration. Those found to be victims, as defined in the Promotion of National Unity and Reconciliation Act, will be immediately eligible to apply for interim reparations to the President's Fund.

The Commission has managed to contact some people whose names have been mentioned in these amnesty applications. However, there are others which the Commission has not been able to trace due to the paucity of details provided by perpetrators in their amnesty applications. The TRC appeals to the following people or their next of kin to contact its Cape Town office urgently so that they can provide the Commission with additional information before they can be eligible for reparation.

1 October 1998

TRC APPEALS FOR VICTIMS OF ST JAMES CHURCH MASSACRE TO CONTACT THEM

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission appeals to the victims of the 1993 St James Church massacre or their next of kin who have not been contacted by the Commission previously to urgently contact its Cape Town office.

Eleven people were killed and scores of others wounded when armed gunmen open fire on worshippers at St James Church, Cape Town on July 25 1993.

The TRC has been in contact with some of the victims of the attack or their next of kin but there are others whom the Commission has not been able to trace. These are Peter Anderson, Ian Bodington, Shane Butler, Mr Cullis, Arno, De Bruin, David Du Toit, Stefanie Greef, Michael Louw, Michael Mihuru, Karen Padley, Willem Swanepoel, Brenda Till, Derek Tobin and Greshna Williams. Three members of the former African People's Liberation Army (Apla), armed wing of the Pan Africanist Congress (PAC) were granted amnesty earlier this year for their role in the attack.

The Amnesty Committee has recommended to the Commission's Committee on Reparation and Rehabilitation that the people whose names have been mentioned above should be considered as victims of gross human rights violations as provided by the TRC founding Act. Once they have officially been declared victims of gross human rights violations, the people will immediately be eligible to apply for interim reparations to the President's Fund.

The Committee also appeals to the next of kin of;

- Anne Foster who was killed on Vlakkeiland farm near Paarl on April 15 1986
- Ngxumza Solethu Mpisane and Bongani Anderson Mpisane who were shot at in Block R, Site B, Khayelitsha on August 29 1992 and
- Ndimphiwe Ntekiso and Eric Xeketwana who were attacked in Gugulethu near Cape Town on October 13 1991.

ends
5 October 1998

AMNESTY FOR MAN SENTENCED FOR PUBLIC VIOLENCE

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to a member of the African National Congress Youth League who is serving a lengthy prison term for public violence.

Ben Sepato Lehloo applied for amnesty after he was convicted of public violence and sentenced to nine years imprisonment in the Rustenburg Court in 1994. His conviction was a sequel to an incident at Phatisma, Rustenburg in which a group of ANC supporters marched to the house of Mr Jimmy Deswayne, a former ANC member who allegedly defected to the National Party. The marchers then ran amok stoning Mr Deswayne's house before setting alight a car belonging to Mr George Matuse on August 8 1993.

The Committee said it was satisfied that Lehloo was entitled to amnesty and recommended to the Commission's Committee on Reparation and Rehabilitation that Mr Deswayne and Matuse should be considered as victims of gross human rights violations.

ends
7 October 1998

AMNESTY HEARINGS IN JOHANNESBURG STARTING 12 OCT 98

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC will hear seven different sets of amnesty applications at hearings beginning in Johannesburg next Monday, October 12.

The hearings will take place at the JISS Centre in Mayfair. Six matters involve members of the ANC and IFP, while one hearing relates to the AWB.

The first application to be heard will be from three AWB members, Ockert de Meillon, Jan Willem van Zyl and Edmund Holder. They are seeking amnesty for their role in an attempt to attack and steal arms from the Devon Radar base before the 1994 elections.

A security guard was killed in the attack. The applicants are serving jail sentences ranging from ten to 15 years.

The second application will be by Jerry Chimanyana Motaung, who is seeking amnesty for killing Ms Patricia Motshwene. Mr Gladness Mvelase was injured in this attack. The two victims were attacked with an AK47 assault rifle, allegedly for being IFP supporters. The incident took place in Vosloorus on the East Rand in 1994.

The third matter is an application by Stanley Wanyane, Bathandwa Godlo and Bukhosibakhe Masiso, who will appear before the committee over the shooting and killing of traffic officers at a roadblock near Magaliesburg.

The applicants claim they were transporting arms and ammunition and were members of the ANC during the commission of the crime. Six traffic officers were injured during the shoot-out and a passerby, J A Barbas was killed in the crossfire. The applicants are serving sentences ranging from 15 to 20 years at Leeukop prison.

The fourth matter for hearing involves Mokete Bennet Msimanga, who is seeking amnesty for killing Mr Johannes Selai.

The fifth matter involves Thamsanqa Potosi Ntuli, who is seeking amnesty for killing an alleged IFP member, Mr Oliver Tamza Msiza, in Brakpan in 1992.

The sixth matter is an application by Saint Mkhululi Manyamalala, who is seeking amnesty for killing Mr Stephanus Froneman during an attempted car hijacking in Germiston in 1993. Ms Ruth Jennifer Baker was injured in the incident.

The applicant claims he needed the car to transport weapons. Manyamalala is serving 33 years at the Johannesburg prison.

The seventh matter is an application by Zandisile Patrick Kondile, a former Food and Allied Workers Union (FAWU) member who is seeking amnesty for killing members of a rival union, UWUSA, at Langeberg Foods Company near Boksburg. UWUSA members, B. Mbatha and A. Mantyi were killed. Another victim, S. Ngcobo was injured during the clashes.

Advocate Andre Steenkamp will lead evidence during the hearing.

ends
9 October 1998

REACTION TO MAIL & GUARDIAN ARTICLE

Issued by: Truth and Reconciliation Commission

In recent months, the Truth and Reconciliation Commission has sent out about 200 notices to individuals across the political spectrum in South Africa, informing them that they may be named in our Report, which is to be delivered to President Mandela on October 29.

We have sent these notices in order to comply with the obligations laid down in Section 30 of the Promotion of National Unity and Reconciliation Act, which provides that any person implicated in a manner which may be to his or her detriment shall be afforded an opportunity "to submit representations to the Commission within a specified time..." In our "Section 30 notices" we have given those notified the opportunity to make written representations to us.

A number of political figures linked with the former government responded to their notices by angrily denouncing the TRC in public. Many of those, and other officials of the old government, are now involved in a vigorous exchange of correspondence with the TRC through their lawyers over their written representations.

In the case of the ANC, the leadership of the party asked the TRC for a meeting to discuss our contemplated findings on them. After discussion within the Commission, I informed them that the Commission had decided we could not accede to this request.

The reason for refusing the meeting is that we have laid down a procedure in terms of which all who receive Section 30 notices must respond by way of written representation. We have refused meetings to others who have asked for them. If we had a private meeting with the ANC over our findings, the inference could be drawn that we gave a liberation movement an unfair advantage over others. It would be a very sad day if the public were to develop the perception that we gave the ruling party such an advantage.

We therefore insisted that the ANC, like any other party or individual, should make written representations if it believes any of our findings are wrong or unfair. Those written representations would be given the same consideration as those from any other individual or party.

There is a suggestion in today's Mail and Guardian that only a minority in the TRC has made findings about the ANC which could be to its detriment. This is wrong -- the findings were made by consensus among Commissioners. I cannot comment on the suggestion that a majority of staff members of the TRC dissent from the findings, but I would doubt this and, in any event, the contents of the Report are the responsibility of Commissioners alone.

ends
TRC HEARING IN PINETOWN

Issued by: Truth and Reconciliation Commission

Five people will apply for Amnesty at a three-day TRC Amnesty Hearing this week, which will be held in Pinetown near Durban from Wednesday, October 14 to Friday October 16.

The hearing, which will be chaired by deputy chairman of the Amnesty Committee, Judge Andrew Wilson, will be at the Pinetown Magistrate's Court. It will start at 9 am each day.

The applicant who will appear on Wednesday is Bongani Herbert Mthethwa (29). He is serving a life sentence and an 18-year prison term for the killing of three men, who were all killed in Mtunzini on the Natal North Coast, on different days in 1993. Mr Siphiwe Mthiyane was killed on March 2, Mr Solomon Jali was killed on May 2 and Mr Bhekinkosi Mkhwanazi was killed on May 17.

All victims were first robbed of their vehicles and subsequently murdered. The applicant, (Mthethwa) claims that at the time of the killings he was the chairman of IFP Youth Brigade and that his victims were political enemies.

On Thursday three alleged supporters of the ANC who were convicted for the murder of four people in Nkangala at Inanda near Durban in December 1989 will appear. The applicants are Thulani Percival Cele (33), who is serving a 37-year prison term, Bongani Richard Khumalo (31), who is serving a 15-year sentence, and Roy Bongumusa Cele (39), who is also in prison for 15 years.

Their victims, who they say were all members of the IFP, are Mr Bone Cele, Mr Martin Ngcobo, Ms Dudu Ngcobo and Mr Amos Cele.

Mtungokwakhe Frank Nxumalo (59), who says he was chairman of the Newtown branch of the IFP in Port Dunford near Empangeni, will appear before the amnesty committee on Friday to apply for amnesty for the murder of Mr Buyangaye Petros Mntambo, and the attempt on the life of Mr Zakhele Robert Mntambo in April 1990. Nxumalo was sentenced to 20 years in prison in 1992.

ends
TRC WITHDRAWS MATANZIMA SUBPOENA

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has withdrawn a subpoena requiring former Transkei President Kaiser Matanzima to testify before it in connection with the death of a former student of the University of the Transkei in 1985.

The decision follows an agreement between the Amnesty Committee and the family of the deceased. Mr. Bathandwa Ndondo, a cousin of TRC Commissioner Dumisa Ntsebeza, was shot dead by police at Cala on September 24, 1985. Weeks later Chief Matanzima is alleged to have made a public statement justifying the killing.

The Committee issued a subpoena calling upon Chief Matanzima to appear before it to answer questions relating to his alleged public statement regarding the incident. However, he failed to appear before the committee, citing ill-health. He later applied for a court order to set aside the committee's decision to force him to testify.

After considering the matter the amnesty committee, in consultation with the victim's family, has decided to withdraw the subpoena.

ends
16 October 1998

TRC GRANTS AMNESTY FOR LADY GREY ATTACK

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to Steven Vusumzi Dolo, an APLA cadre, for an attack on the Lady Grey Police Station in the Eastern Cape in January 1992.

Dolo, whose amnesty application was heard in Aliwal North in April this year, was jailed for the attempted murder of eight people. He told the hearing that he carried out the attack with Raymond Letlapa ("Happy") Mpahele, the then director of operations of APLA, and a man identified only as Vuyisile, also a member and soldier of APLA.

Reaching its decision the Amnesty Committee panel said: "It is important to note here that the applicant who had received military training abroad under the auspices of APLA came from Katlehong and was a complete stranger in the area where these acts were carried out. It is quite clear that he had no personal motive or reason for coming to the Sterkspruit area (of he Eastern Cape), where he was deployed by his superiors to carry out the acts referred to above.

"It appears that he and Vuyisile had not even known each other until they came to stay together at Jozanashoek. It cannot be suggested that he and his colleague were on a frolic of their own. Although the applicant was at all material times receiving orders from Happy who used him to pursue what appears to have been the political agenda of APLA and the PAC, he acted voluntarily and has no regrets about having been involved in the said activities."

The Committee formally declared as victims Nonceba Mgojo and Nomonde Mbhasakhana, who were injured when the attackers attempted to rob them of their vehicle before the attack, and the following people who were present at the police station: Albertus Veldsman, Johannes Maartens, Rieta Maartens, Magrieta Roets, Nicolaas Roets and Stephanus Roets. The victims were referred to the Reparation and Rehabilitation Committee of the TRC.

ends
16 October 1998

AMNESTY HEARING IN DURBAN 14TH TO 23RD OCTOBER

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission will hold hearings at two separate venues in the Durban area next week.

One hearing will be at the Durban Christian Centre, Corner Warwick and Berea Road in Durban. The other will be at the Magistrate's Court in Pinetown. Both hearings will be over five days, from Monday to Friday.

A total of 24 applicants will be applying for amnesty for a variety of incidents, ranging from bomb blasts, to killings and attempted assassination. Among the applicants is Boy Vusumuzi Gwamanda who has applied for amnesty for his alleged role in a failed attempt to assassinate current Mpumalanga premier, Mr. Mathew Phosa.

An incident that shook central Durban in November 1993 will be relived at the Pinetown hearing on Wednesday morning. Three people have applied for amnesty for an incident in which a bomb prematurely exploded inside a DTMB bus in Gardiner Street, during the early-morning rush hour.

Xolani Cuba, Mfundo Peter Seyisi and Ndoda Mgengo have applied for amnesty for this incident, in which scores of people were injured, including one of the applicants who was carrying the bomb at the time.

A high-ranking Cosatu official in Empangeni, Mr. Bheki Ntuli, has applied for amnesty for an incident in August 1992, in which he threw a hand grenade at people he says were attacking his home. Three people were injured on the day. Mr. Ntuli will appear before a panel of three judges at the Durban Christian Centre.

Mduduzi Cyril Ngema a PAC member who has applied for the murder of a fellow PAC supporter, Mr. Christopher Nhlanhla Myeza whom Ngema claims was suspected to be an informer. Mr. Myeza was abducted from his home, taken to a sugar can plantation in Verulam, outside Durban, where he was interrogated, and severely tortured before being shot dead.

ends
TRC AMNESTY DECISIONS - DURBAN CHRISTIAN CENTRE

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC has granted amnesty, to seven applicants in six different sets of matters during its four day sitting at the Durban Christian Centre this week.

The applications related to the conflict between the Inkatha Freedom Party and ANC, security police and community defence matters in the early 1990's.

On Tuesday, October 20, amnesty was granted to Alpheus Jackson Jeke, Bheki Alpheus Nzama and Adries Sithole who had been imprisoned for their role in the necklacing of four members of a criminal gang at Bottlebrush Squatter camp near Chatsworths.

The applicants claimed their act was in defence of the community who had been terrorised by the gang over a period of time.

The second applicant to receive amnesty on Wednesday October 21, 1998, was Mlungisi Justice Majozi for his involvement in a shootout with police in July 1991. During the skirmish, three of his MK comrades, Dumisani Xaba, Joe Makhaya and Madoda Mkhize were killed. Majozi was serving a 20 year sentence in Pietermaritzburg for attempted murder and possession of arms ammunition.

On the same date, amnesty was granted to Muntukayise Ntuli - a Cosatu and ANC official at Esikhawini, KwaZulu-Natal, for an illegal possession of a grenade and attempted murder of three IFP members - Lucky Mbuyazi, Ben Mlambo and Ntlakanipho Mathenjwa on August 26, 1991.

On October 22, 1998, ANC member Dumisani Sibisi was granted amnesty for killing IFP members, Joseph Madiba and Khaya Mthembu. Amnesty was also granted for his attempted murder of four others at Saiccor bridge, in Umkomaas on April 30, 1991. The victims were killed when a petrol bomb was thrown at their vehicle, causing it to crash. The applicants then opened fire on the victims.

Today amnesty was granted to ANC security guard, Dumisani Mthembu who shot and injured a group of policemen who came to search the house of the Cosatu (Northern Natal), Chairperson, Mr. Vincent Shandu. He shot the police after he heard a noise outside the house and thought he was under attack. The applicant told the committee that the incident happened in the circumstances of political tension between the IFP and the ANC at Sundumbili in Northern Natal in September 1992.

In its decision, Committee deputy chairperson, Judge Andrew Wilson together with, Advocate Denzil Potgieter S.C., Ms Sisi Khampepe said the applicants satisfied the terms of the Act governing the TRC.
28 October 1998

TRC TO DEFEND AGAINST FW DE KLERK COURT ACTION

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission today gave instructions to its lawyers to defend vigorously the court action initiated by Mr F W de Klerk. However, Senior Counsel has advised us that if they are to present our defence adequately to the Court, they need time to prepare properly for the case, bearing in mind that the documents filed exceed 2,500 pages. We have therefore instructed our lawyers to approach the Court later this afternoon to ask for a postponement of the matter for some weeks, if possible by agreement with Mr de Klerk's lawyers.

The Commission was due to make a decision on its finding in relation to Mr de Klerk at a meeting yesterday. However, his application for an interdict prevented us from doing this - it would have been wrong in law for us to press ahead when the contemplated finding was before the Court. Our contemplated finding on Mr de Klerk had been included in our final draft to our printers - as were all our contemplated findings. This was done in part because of the enormous pressure from the public and the media to have the Report available for release tomorrow. As a consequence of our inability to make a finding, we have instructed our printers to excise the contemplated finding on Mr de Klerk from the copy of the Report that will be handed to the President tomorrow.

It is with very great reluctance indeed that I have agreed to request a postponement and to the resultant decision not to finalise our finding in relation to Mr de Klerk at this stage. It upsets me deeply. We have been scrupulously fair to Mr de Klerk and we reject the contention that we have been engaged in a vendetta against him. But we must and will respect the courts and his rights under the Constitution. We fought hard for those rights, and we can be proud in South Africa that Mr de Klerk now shares in them.

ends
ARCHBISHOP TUTU REPLIES TO MEDIA SPECULATION

Issued by: Truth and Reconciliation Commission

It is ludicrous to suggest, as a Cape Town newspaper did today, that the TRC Report has been emasculated by censorship as a consequence of threats of legal action by perpetrators.

More than 400 Section 30 notices were finally sent to people or organisations, as required by the law, to inform them that the Commission was contemplating naming them in a manner which they may regard as being to their detriment. They were given an opportunity to make representations in writing within a stipulated time period.

At the same tie, the Commission had to send draft material to the printers if it was to have any chance of making the Report available to the public tomorrow. It was under very strong pressure to enable the President to release the Report immediately, not least from the media. Throughout the process, the sending of material to the printer was done on the basis that the contents could and would be changed in response to representations we received.

In evaluating responses to the Section 30 notices, draft material in the Report was amended for two basic reasons:

- The Commission was not able to establish whether recipients of the notices actually received them;  
- Recipients were able to convince the Commission in their representations that findings should be changed or that mistakes had been made.

No more than 15 names were removed from the draft material in the Report as a result of successful representations. To suggest that the Commission, in complying with the requirements of due process in terms of the law, has emasculated the Report is ridiculous.

The Commission faced legal threats, as it had anticipated, from the scores of lawyers who vigorously engaged the Commission. However, in no case did the Commission capitulate in the face of threats.

ends
1 November 1998

TRC AMNESTY HEARING INTO MURDER OF RUTH FIRST

Issued by: Truth and Reconciliation Commission

The Amnesty hearing into the murder of Ruth First - the wife of the late Communist Party leader Joe Slovo in Maputo, Mozambique and the attempted murder of Mr Marius Schoon in Botswana in the 1980s resumes in Pretoria tomorrow.

Former Brigadier Willem Schoon is seeking amnesty for the attempted murder of Mr Schoon in Botswana 1981. TRC media spokesman Vuyani Green said the Amnesty Committee has already heard an amnesty application by another former Vlakplaas commander, Dirk Coetzee, regarding the attempt to kill Mr Schoon.

Mr Schoon's wife Jeanette and her daughter Katryn were murdered in Angola in the 1980s. Brigadier Schoon's testimony will be the last by a former security police in a marathon amnesty hearing involving former high ranking security branch policemen including former Police Commissioner General Johan Coetzee, who was one of eight policemen seeking amnesty for the 1982 London bombing.

Advocate George Bozos, counsel for the victims, is expected to call this week to the witness stand several witnesses including Deputy Finance Minister Jill Marcus, Environmental Affairs Minister Pallo Jordaan and Transport Minister Marc Maharaj.

The hearing will take place at the Idasa Centre, corner of Prinsloo and Visagie streets, Pretoria from November 2 to 6.

ends
TRC GRANTS AMNESTY TO MOTAUNG AND KONDILE

Issued by: Truth and Reconciliation Commission

The Amnesty Committee today has granted amnesty to Jerry Chimanyana Motaung a former member of the Congress of South African Students (COSAS). Motaung was convicted for killing Patricia Motshwene and attempted murder of Gladness Mvelase. He is currently serving an effective 8 years of imprisonment. The applicant claimed the deceased was an IFP member.

The committee found that Motaung as bona fide in seeking to protect his political party and its members. "The objective of his actions on that fateful day was politically motivated". The death of Motshwene and the attempted murder of Mvelase, were referred to the Reparations and Rehabilitation Committee for its consideration.

Also granted amnesty was Zandile Patrick Kondile for the murder of Busangani Shandu and attempted murder of three others in 1991. Kondile is serving 12 years of imprisonment.

The committee found that the killings have been strongly rooted in the political upheavals of the times. "The committee is satisfied that Kondile was a member of Food and Allied Workers Union and a supporter of the ANC".

The committee further found the applicant acted throughout on the basis that he was protecting himself, his union and fellow members. "The committee is satisfied that his actions benefited political, not personal objectives".

ends
6 November 1998

AMNESTY COMMITTEE APPEAL TO VICTIMS OF ANC SDU’s

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC is appealing to victims of ANC aligned Self Defence Units violence in Thokoza and Katlehong during early 1990’s to converge at the Thokoza Methodist Church, Khumalo Street, in Thokoza.

In the bitter war between IFP aligned Self Protection Units and SDU’s, thousands lost their lives at a rate of 120 a month.

The incidents in which the victims were affected should have happened between June 1990 to January 1994.

About 135 ANC aligned SDU’s have applied for amnesty in relation to different acts of political violence in Thokoza, Katlehong and Vosloorus.

An earnest appeal is made to residents in Katlehong, Thokoza, Lusaka A and B, Phola Park, Extention 2 and Unit F, Extention 5, Kathrada, Beirut and Thokoza Gardens whose families were either killed, abducted, injured or disappeared during the violence, to come forward.

The meeting on Friday 13 November, is aimed at informing victims about their rights during hearings, assist with legal representation and where possible, refer victims to the Reparations Committee.

For more details, families should contact George Ndlozi at 082-45207873 or Tania Hoskings at (021) 245-161 ext. 2283.

ends
9 November 1998

TRC HEARING AT DURBAN CHRISTIAN CENTRE

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC began hearing today at the Durban Christian Centre into the abduction and the killing of six former ANC guerillas in the late 80's.

The six activists, Sipho Stanley Bhila, Portia Phila Ndwandwe and Phumezo James Nxiweni, Sibusiso Ndlovu, Elias Mtshali and Manzi Vilekazi. The ANC activists were killed at different locations in Kwazulu-Natal by members of the security police and Askaris.

Five policemen, Izaak Bosch, Frank Mccarter, Andrew Taylon, Laurence Wasserman and Adrian Rosslee have applied for amnesty for the abduction and killing of Stanley Bhila and Phumezo Nxiweni.

The court had discharged the two victims from the Amanzimtoti bomb blast in which Andrew Zondo was sentenced to death. The applicants claim the order came from Vlakpaas Commander, Eugene De Kock.

Mccarter's testimony on his role in the killing of Stanley Bhila was the first to be heard on Monday and has been concluded. Bosch, the second applicant, is currently being cross-examined for his role in the killing of Bhila.

Six policemen, H. Botha, S Du Preez, Johannes A Steyn, Andrew Taylor, Van der Westhuizen, and Laurence Wasserman have applied for amnesty for the killing of Phumezo Nxiweni.

The applicants are also applying for amnesty for the murder of Manzi Khululekani Vilakazi, Sibusiso Ndlovu and Elias Vusumzi Mtshali. The three activists were blown apart with a limpet mine on a railway line in Phoenix after they had been executed by the applicants.

The other matter to be heard in the next few days in Durban, is the abduction of a member of Umkhonto we Sizwe, Portia Ndwandwe from Swaziland by Johannes Botha, Salmon du Preez, Johannes Steyn, Andrew Taylor, Roelof Visagie, Jacobus Voster and Laurence Wasserman.

The hearings, starting from November 9 - 20 are being held at the Durban Christian Centre, Durban.

ends
13 November 1998

TRC AMNESTY HEARINGS FROM ANC AND AWB MEMBERS IN WELKOM

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission will hear next week amnesty applications from African National Congress and Afrikaner Weerstandsbewiging (AWB) members relating to the killing of policemen and a spate of bomb blast in separate incidents in the Free State shortly before the 1994 elections.

The hearing will take place at Welkom from Monday next week to Friday November 20.

Three Qwaqwa policemen Mokete Benjamin Makau, Tselane Jacobina Mosebi and Hadibonoe Peacock Tsosane were killed and a civilian Refiloe Anastacia Mondwene wounded in two separate incidents at Phuthaditjhaba between May and June 1993. In both incidents the policemen were ambushed and dispossessed of their service firearms.

Phillip Mosia, Jack Mofokeng, Isaac Mohomane, Solomon Sera and Molahleki Patrick Motlokoa all claiming to be members of the ANC are seeking amnesty for the incidents. They are serving prison terms ranging from 18 years to life imprisonment.

In another incident, a policeman Lourens Cornelius Oosthuizen was killed and five other policemen wounded in a shoot-out with gunmen at a roadblock on the road between Bethlehem and Ficksburg. Hermanus Johannes Joubert, Bruce Rutherford Collie, Abraham Christoffel, Naude Coetzee and Henry Sidney Chris Nortjie were injured. Two gunmen identified as Sebenzile and McGregor were also killed while their accomplice managed to escape unscathed. They were later arrested near Ficksburg after police gave chase.

Mandla Wellington Fokazi, Thozamile Clement Ndabeni, Stephen Donald Makhura, Fusi Simon Mofokeng and Tshokolo Joseph Mokoena are applying for amnesty for this incident. They claim in that amnesty applications that they were transporting arms cache to Escourt in KwaZulu/Natal to defend ANC supporters against Inkatha Freedom Party members.

In a separate incident, four other AWB members Andries Stefanus Kriel, Jan Cornelius Labuschagne, Johannes Jacobus Roos Botes and Daniel Wilhelm van der Watt are seeking amnesty for bombing railway lines, electrical installation and business buildings in various towns such as Bothaville, Wesselsbron, Orkney, Hoofstad, Stilfontein, Kroonstad, Welkom, Leeudoringstad and Potchefstroom September 1993 and February 1994.

The applicants were not charged pending the outcome of their amnesty applications.

Other AWB members Pieter Breytenbach and De wet Johann Strydom are seeking amnesty for a range of incidents including sabotage, murder and unlawful possession of arms and ammunition. Breytenbach and Strydom planted a bomb at a taxi rank in Bultfontein killing a cyclist Mr Kleinbooi Ramolla in February 1994. They also bombed SABC TV and radio transmitters, schools, trading and liquor stores as well as surgery owned by people they perceived to be sympathetic to the ANC. No one was injured in other blasts.

Mr Justice Hassen Mall will chair the hearing at Thabong Community Centre, Constantia Road, Thabong, Welkom.

ends
AMNESTY HEARINGS IN THOKOZA

Issued by: Truth and Reconciliation Commission

Two big amnesty hearings involving two panels of the Amnesty Committee of the TRC will hear amnesty applications of the Thokoza Self Defence Units on the East Rand later this month.

The hearings involving 100 and 55 Self Defence Unit applicants from Thokoza and Katlehong communities, will start from November 23 to December 11, 1998.

The first amnesty panel will sit at the Vosloorus Community Centre while the second will be at the Palm Ridge Community Centre near Thokoza.

Among the applicants are SDU commanders, ordinary members of SDU's and the political leadership of the townships who sat in meetings of the central command.

Women who provided food and often hid weapons for SDU's have also applied, as well as youths between 12 and 13 who acted in their capacity as lookouts for the units. A doctor who treated wounded SDU members have also applied.

Most of the applicants have never been arrested for the acts for which they are applying which include skirmishes with SADF patrols and policemen. Rival political organisation members frequently exchanged fire during marches leading to loss of lives.

ends
13 November 1998

G V HUYSTEEN AND M NDABA AMENESTY GRANTED

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission this week has granted amnesty to members of the Afrikaner Weerstands bewiging, former South African Police and an African National Congress aligned member for incidents ranging from illegal possession weapons including AK 47 and explosives to arson.

Captain Gert van Huysteen and Sergeant Magezi Ndaba, both members of the former SAP, have been granted amnesty for their role in the bombing of the King's Cinema, Alexandra where the movie "Cry Freedom" was going to be screened in July 1988.

Andre Vorster, Frans Johannes Strydom Van der Walt and Abraham Young all AWB members have been granted amnesty, among others, for bombing a trading store of Rosemary Hepburn at Patensie, Despatch near Port Elizabeth in 1993. Another AWB member Carl Mathinus Kriel has been granted amnesty for bombing Hill View School in Pretoria in June 1991.

A member of the ANC Youth League Lefa Kele has been granted amnesty for illegal possession of arms and ammunition at Mohontsha, Qwaqwa in June 1993.

The Amnesty Committee has also granted amnesty to a student charged with arson after protesting students from Masibulele Higher Primary school went on rampage and torched two trucks at Needs Camp, near East London in 1993.

Charges against Thembile Zilibele were temporarily withdrawn pending the outcome of his amnesty application. In its decision, the Amnesty Committee said: "...The education system that prevailed at that time in such areas as Needs Camp was a cause for great dissatisfaction and was a highly politicised issue. The incident...can be described as an occurrence associated with a political objective committed in the course of the conflict of the past."

ends
13 November 1998

AMNESTY DECISION ANC

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to a former member of Umkhonto we Sizwe, the African national Congress's former armed wing and a member of the former right wing armed organisation called the Bronkhorstspruit Command Unit.

Maurice Abraham Sephunyana Mthombeni was seeking amnesty for skipping the country illegally to undergo military training in 1965. The Committee also granted amnesty to Johan Michael Prinsloo, commanding officer of the unit, for illegal possession of a large quantity of ammunition which were supplied to the Boerekommando at Tiegerspoort, Pretoria before the 1994 elections.

Both applications were considered in chambers as the offences for which amnesty is sought do not constitute gross human rights violations as defined in the law which governs the operation of the TRC.

ends
16 November 1998

AMNESTY FOR 4 ANC MEN

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC this week granted amnesty to four applicants who had applied in connection with a variety of incidents that happened mainly in the Gauteng region in the early 90's, including murder, attempted murder, robbery and unlawful possession and use of explosives.

Three of the applicants had applied in respect of the same incident and the fourth applicant for an unrelated matter. However, all the applicants had appeared before the amnesty committee during a hearing, on 13 November 1998, at the JISS Centre, in Mayfair, Johannesburg.

The first three applicants, who say they were members of the ANC Youth League in Meadowlands, Soweto, are Stanley Molahleni Wanyane (34), Batandusa Godlo (31) and Bukhosibakhe Masiso (38). They were granted amnesty for an incident where they were involved in a shoot-out with police after they were stopped at a roadblock in Rustenberg while driving a vehicle laden with an arms cache.

In their attempt to escape the trio stopped passing motorist, Pieter Johan Barbas, and demanded that he hand his car over to them. When he resisted, he was shot and killed and they made their getaway in his (Botes) BMW.

Wanyane and Godlo we subsequently arrested and sentenced to lengthy jail terms for their role in this incident. Masiso was never captured and was therefore never prosecuted. He nonetheless applied for amnesty together with his accomplices.

The fourth applicant, Bongani Chistopher Khumalo, of Zola 3 in Soweto, an ANC member who was involved in activities of Self Defence Units (SDU) in the area, was granted amnesty for the 14 incidents during 1992 - mostly unlawful possession of explosives and attempts on lives of a number of people in the township, that he regarded as political enemies.

He was granted amnesty for incidents that he was also involved in, in the Eastern Cape, during 1993, where he was finally arrested and later prosecuted.

ends
20 November 1998

AMNESTY HEARING IN THOKOSA

Issued by: Truth and Reconciliation Commission

Two big amnesty hearings involving two panels of the Amnesty Committee of the TRC will hear amnesty applications of the Thokoza Self Defence Units on the East Rand later this month.

The hearings involving 135 Self Defence Unit applicants from Thokoza and Katlehong communities, will start from November 23 to December 11, 1998.

The first amnesty panel will sit at the Vosloorus Community Centre while the second will be at the Palm Ridge Community Centre near Thokoza.

Among the applicants are SDU commanders, ordinary members of SDU's and the political leadership of the townships who sat in meetings of the central command.

Women who provided food and often hid weapons for SDU's have also applied, as well as youths between 12 and 13 who acted in their capacity as lookouts for the units. A doctor who treated wounded SDU members have also applied.

Most of the applicants have never been arrested for the acts for which they are applying which include skirmishes with SADF patrols and policemen. Rival political organisation members frequently exchanged fire during marches leading to loss of lives.

ends
20 November 1998

AMNESTY HEARING OF SELF DEFENCE UNIT

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission will hear next week the applications from 22 people claiming to be former members of the Self Defence Unit relating to incidents ranging from murder, attempted murder to illegal possession of arms and ammunition committed in various Gauteng townships in the early '90's.

Mr Joseph Mthunzi, Annah Mingi, among others were killed and scores of other people injured in sporadic attacks by SDU members in townships such as Sebokeng, KwaThema, Thembisa, Springs, Vosloorus, Duduza and Soweto between 1991 and 1992.


The Amnesty Committee will also consider amnesty applications from 2 Pan African Congress members relating to the murder of Mr Francisco Goncalves de Sousa of Portuguese descent in his Westonaria trading store and Mrs Maria van Niewenhuizen, 81 at her Brakpan home.

Thapelo Patrick Maseko is seeking amnesty for shooting dead Mr de Sousa and injuring his business partner Mr Joao Jardin before escaping with more than R3000 in cash in November 1990. Another applicant Hlalele Hlelesi shot Mrs Niewenhuizen dead and wounded a domestic worker Mrs Emily Mokoena who has since died, and escaped with undisclosed household goods on May 6, 1994. Both applicants are serving lengthy prison terms for the incidents.

According to the law governing the TRC, victims and their next of kin or any other interested parties have the right to attend the hearing, adduce evidence and be legally presented.

The hearing will take place at the JISS Centre, corner of Queen and Battery Streets, Mayfair, Johannesburg from November 23 to December 11, 1998.

ends
20 November 1998

AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission this week granted amnesty to seven people, who are members of different political organisations and who committed a variety of offences, ranging from murder to possession of explosives and the bombing of offices of the Independent Electoral Commission before the 1994 elections.

Mduduzi Remember Ndlovu (27), a former KwaZulu Police constable and IFP member, who appeared before the amnesty committee in Pinetown last month, was granted amnesty for the murder of a former colleague in the police force, Sibusiso Gumede near KwaMashu in April 1991. Ndlovu said he had information that Gumede was secretly supplying weaponry to ANC activists.

John Harold Jeffery (35) was granted amnesty in respect of causing malicious damage to property by spraying political slogans on a bus terminal in George, in the Cape in December 1985. He was convicted for this offence in February 1986.

Pieter Stephanus Albertus Nel (42) a member of the Afrikaner Weerstandbeweging (AWB), was granted amnesty in connection with planting a home-made bomb at the Calvary Church School in Nelspruit in January 1992. he told the committee that he was protesting against the school's decision to become a racially mixed institution.

Mzwakhe Philemon Mndebele (30) an ANC youth league member was granted amnesty in relation to an incident where he was arrested for the unlawful possession of a firearm in Heidelberg in November 1992. He was sentenced to five years imprisonment for the offence.

IFP member, Makhanda Aaron Ndwalane (54) was granted amnesty for the offence of unlawful possession of a firearm and ammunition in the district of Port Shepstone on the KwaZulu/Natal South Coast in July 1992.

Josias Sunnyboy Mogashoa (33) active member of AZANLA the military wing of AZAPO got amnesty for the planting of plastic explosives at Kwaggarand Motors in Pretoria in October 1993, planting of T&T explosives at P.A.Swart Motors in Menlo Park in November 1993 and illegal possession of a pistol, handgrenade and detonators found on him in December 1993.

AWB member, Eduard Pieter Roux (36) was granted amnesty for the bombing of the offices of the IEC near Hoopstad, six days before the elections in April 1994. Roux said he was trying to scuttle the election process.

ends
25 November 1998

AMNESTY APPLICATIONS ON SDU MEMBERS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC will be hearing amnesty applications on SDU members involved in the violence in Thokoza and Katlehong between 1991 and 1994. The hearing has been scheduled to resume on November 30 at the JISS Centre in Mayfair, Johannesburg.

The committee is calling victims of the SDU violence, their families and relatives, to contact the committee so that their interests can be represented at the hearing.

Seventeen amnesty applications are to be heard starting on Monday, November 30. The applications, the applicants recall the incidents and place of occurrence, but do not know the names of the victims they killed.

Seventeen of the 34 applications, have been withdrawn due to lack of specific acts as required by the ACT governing TRC operations. Five of the applications will be heard in chambers.

The Amnesty Committee would like to meet the families of the two men who were shot dead at Mohanoe Street in August, 1990. The applicants killed these men, do not know their names.

The Committee would also like to meet with Themba Mnguni who used to stay in Everest, Thokoza during 1992. It would also like to meet with Mr Mazibuko who used to reside at Extension 2 next to Mhlabuzile school in Thokoza.

The committee would like to meet with a teacher who used to teach at Mkhathizwe School concerning an incident that happened on July 13, 1993.

The TRC is also calling on families of victims who were either killed or injured during an attack by SDU's on April 19, 1994 at Mshayazafe Hostel. In the incident, a Star Photo Journalist, Ken Oosterbroek was killed during a firefight between SDU's hostel dwellers and Internal Stability Unit members.

The families of the victims of the shack burning incident in Mazibuko Street in Thokoza in 1993 are also asked to approach the Amnesty Committee.

Families of Peter Siwase of Phola park who was abducted from his home in Phola Park between 1991 and 1992 are also being asked to appear before the committee.

The TRC is also expecting the family of the Bad Boys gang members who was killed by students at Khaki Street - Thokoza in 1991, to avail themselves during its next sitting on Monday 30 at JISS Centre, Mayfair, Johannesburg. Another member of the Bad Boys gang was later killed in July 1992 at Unit F in Thokoza.

The Amnesty Committee of the TRC would like Constable S. Dowler and Constable Smith who were attacked on December 1 at Brackendowns near Alberton to contact the commission as soon as possible.

For information call Lebo Molete on 082 441 6090 or attend the hearing at the JISS Centre, corner Battery and Queens Road, Mayfair on Monday November 30, 1998.

ends
30 November 1998

AMNESTY APPLICATION OF JEFF RADEBE

Issued by: Truth and Reconciliation Commission

The Public Works Minister Jeff Thamsanqa Radebe is to appear before the Amnesty Committee in Durban tomorrow, Tuesday December 1, applying for amnesty for his role in establishing and arming self defence units (SDUs) which operated in KwaZulu/Natal at the height of political violence.

The hearing to be chaired by Mr Justice Selwyn Miller will take place at the Christian Centre, corner of Berea Road and Warwick Avenue in Durban at 9am.

The appearance of Mr Radebe before the Amnesty Committee was initially scheduled for Monday last week but was postponed to this week after his lawyers requested more time to prepare for the hearing.

Mr Radebe, 45, who in his amnesty application says he is a member of the ANC, the South African Communist Party (SACP) and Umkhonto weSizwe - ANC's former armed wing, was the organisation's chairman and MK's underground commander in Southern Natal at the time. He is also seeking amnesty for his activities while an MK operative from 1976 to 1990.

Mr Radebe's special advisor and the former ruling party's member of parliament Mr Ian Munro Phillips (39) will also appear before the committee applying for amnesty for his role in arming the SDUs in the region.

The committee will also consider amnesty applications by a former MK chief of staff in the Southern Natal region and now a captain in the South African National Defence Force Mr Sipho Joel Daniel Sithole (38) of KwaMashu and another SDU member Mr Thulasizwe Raphael Dlamini, 37, of Plainhill Farm in Ixopo.

All other scheduled matters that were announced are going ahead as planned until Friday December 4.

ends
3 December 1998

TRC REFUSES AMNESTY TO PAC MEMBER

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today refused amnesty to a member of the Pan Africanist Congress for the murder of three people at Cross Roads near Cape Town in 1993.

Ntombizodwa Joslina Elles, Sincilo Pauli and Timothy Soga were killed and Tienne Elles and Ayanda Ndinisa were injured when armed men burst into their home and sprayed them with automatic gunfire at House 2210, Old Cross Roads on March 19 1993.

Mandla Maduna, now serving a lengthy prison term at Victor Verster Prison in Paarl, was nabbed by the police minutes after the attack in possession of an Uzzi sub-machine gun and a number of rounds of ammunition. However, his accomplice managed to escape.

Maduna claimed at his amnesty hearing that as members of the PAC's Task Force, they were instructed by the organisation to attack the home as it was occupied by members of a gangster group which was attacking PAC members in the area.

In its decision, the committee said: "Tragically, the victims and occupants were not members of a gangster group as (the) applicant had been told. They were civilians who included women and children who were watching TV. They had no quarrel whatsoever with the PAC (and) there is no evidence that they were involved in any political organisation."

The committee also expressed concern at Maduna's stated motive for the attack and his claim that he was a member of the PAC.

ends
4 December 1998

HEARING IN PIETERMARITZBURG

Issued by: Truth and Reconciliation Commission

The amnesty Committee of the Truth and Reconciliation Commission will hear next week amnesty applications from five former members of the Inkatha Freedom Party-aligned self protection units and a member of the African National Congress armed wing - Umkhonto weSizwe for various attacks which claimed at least 27 lives in separate incidents in KwaZulu/Natal in the early'90s.

The hearing scheduled to start on Monday December 7 until Friday December 11, will take place at the Marian Centre, 532 Loop Street, Pietermaritzburg. Judge Andrew Wilson will chair the hearing.

Five former IFP's self protection members, Bongani Cyril Thusi, Petros Bhekinkosi Mthalane, Nicholas Dobo Ntanzi, Nkosinathi Ngwenya and Sibusiso Richard Mbhele are seeking amnesty for crimes which range from murder, attempted murder, conspiracy to murder to illegal possession of arms and ammunition. They are serving prison terms ranging from 15 years to life imprisonment.

Thusi is applying for amnesty for his role in the attack which left 16 people dead at Richmond in 1991, the murder of Mr Paulos Zulu, who was believed to be an ANC sympathiser in Ulundi in January 1994 and for illegal possession of arms and ammunition. In his amnesty application, he claims that he was among a group of five SPU members who launched an offensive with high-calibre automatic weapons at Ndaleni, Magoda, Slahlambewu and Smozameni leaving 16 people dead in their wake and scores of others wounded.

It is understood that no one was arrested for this incident.

Mthalane is seeking amnesty for the murder of Mr Clement Mchunu near Plough Hotel, Ixopo on October 27 1993.

Nicholas Dobo Ntanzi and Nkosinathi Ngwenya are seeking amnesty for the murder of Mr Mpathiseni Ntanzi near Ezindophi Reserve on September 25 1993.

Sibusiso Richard Mbele is applying for amnesty for the murder of three unidentified former Transkei soldiers at Emazabekweni, Mr Mafuthalenja Dlamini at Ebonvini, Mr Anthony Nzimande at Ebonvini, Mr Thwalofu Dlamini and attempted murder of a Mr Magubane at Pulangweni. Mbhele also claims that he was involved in the conspiracy to assassinate Mr Reggie Hadebe.

Philane Zondi, former bodyguard of ANC's Regional Secretary in Northern Natal Mr Senzo Mchunu, is applying for amnesty for shooting dead Mr Sihle Makhapheni Mpanza at Empangeni on March 22 1994. Mr Mpanza was part of a group of IFP supporters who were seen by Zondi removing ANC election placard at Empangeni. Zondi was sentenced to 10 years imprisonment.

According to the TRC legislation, victims, next of kin or any other interested party have the right to attend, adduce evidence and be legally represented at the hearing.

Meanwhile, the amnesty hearing into ANC-aligned self defence unit activities in the Reef before the 1994 elections continues on Monday next week at Palm Ridge Community Centre near Thokoza, Johannesburg.

ends
4 December 1998

TRC REFUSES AMNESTY TO ANC MEMBER

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today has refused amnesty to a former member of the African National Congress-aligned self defence unit for the murder of a policeman in Phuthaditjhaba in 1993.

Molahleki Patrick Motlokoa shot dead Sergeant Hadibonoe Peacock Tsosane in the Free State town on May 19 1993. The policeman's companion Ms Refiloe Anastacia Mandwene was locked up in the boot of a car before their attackers fled with Sergt Tsosane's service firearm. Motlokoa was later convicted of murder and robbery and sentenced to 18 years imprisonment.

In its decision, the committee described Motlokoa as an unsatisfactory witness expressing dissatisfaction at his failure to tell the truth regarding the incident. The committee said: "The applicant made no mention in his (amnesty) application form that he was a member of the SDU and that he acted in furtherance of an instruction given to him by his commander.

"His explanation for not mentioning that in his application form, which specifically asks for(the) identity of the person who issued the instruction is unimpressive. ...After careful consideration of the evidence given by the applicant and the documentation placed before us, we are not satisfied that the applicant has made full disclosure of all relevant facts and we are also not satisfied that the crimes committed by the applicant were acts associated with (a) political objective."

ends
10 December 1998

TRC AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

FIVE people were this week refused amnesty and six others granted. The 11 applicants had recently appeared before the amnesty committee of the Truth and Reconciliation Commission at hearings in different parts of the country, applying for a variety of offences ranging from bombings to murder.

The applicants whose applications for amnesty was turned down by the committee are Phillip Faizel Malefane who is serving a life prison term for his role in the armed robbery of a Fidelity Guard van at the Stilfontein Mine in July 1991 where a guard was killed and money stolen.

Malefane claimed to be a trained APLA member and that he committed the crimes to raise funds for the PAC. Committee found that he committed the robbery for personal gain and turned down his application. He had appeared before the amnesty committee in Mayfair Johannesburg on 2nd November 1998.

Two other applicants who were refused amnesty are Borowsky Phumelele Masilela and George Sapele (40) who both claimed to be APLA members when they appeared before the committee in Johannesburg on 2nd November 1998. They were applying for their role in the murder of a prison warder during a jail-break at a Krugersdorp Prison on 25th March 1992. Committee failed to find political objective in the offence and duly refused them amnesty.

Michael Kgiba Mofokeng (33) serving a 27-year prison term and Nkosinathi Nkabinde (38) serving life in jail also claimed to be APLA and that they were furthering the aims of the organisation when they murdered Mr Diederick Jacobs during a robbery at his Parktown North home in Johannesburg on 16th January 1994 and also for the armed robbery of the Stanton family at their home in Parkview Johannesburg two days later. The committee refused to grant them amnesty for these offences.

Amnesty was granted in the following cases, Andile Shiceka (29), Falibango Walter Thanda (38) and Gcinekhaya Makoma (22) self-defence units members who were involving in bombing incident in Khayelitsha station in December 1992 where Jan Bambo was killed and a number of other people injured.

Thabelo Patrick Maseko was also granted amnesty for the murder of Fransisco de Sousa and attempt on the life of Joao Jardin in Westonaria in November 1990. Thulasizwe Philemon Moses Cele an ANC member was granted amnesty for the murder of fellow ANC member Shadrack Lindela Zulu in Ixopo in KwaZulu/Natal in July 1993. Maseko told the committee that Zulu a fellow SDU member of the ANC had defected to the IFP and at the time of his murder had formed part of the group of IFP supporters killing ANC members in the area.

The other applicant who was granted amnesty is Sonkalana Moses Mabhena (35) who applied for the attempted murder of Sergeant Jan van Zyl in KwaThema near Springs in November 1992 and for unlawful possession of a firearm and ammunition.

ends
14 December 1998

APPEAL TO VICTIMS OF SDU VIOLENCE

Issued by: Truth and Reconciliation Commission

The Amnesty Committee is appealing to family victims of SDU violence in Thokoza and Katlehong to contact its TRC offices in Johannesburg. The committee is specifically looking for victims at Mandela Section, Thambo/Slovo (Phenduka) Section, Sisulu Section and Mlangeni Section for acts committed between 1990 and 1994.

The committee is looking for those victims or family members of victims for the following incidents:


The committee is calling on victims of SDU violence in the Phenduka section, Thokoza between 1993 and 1994.

It is also calling on victims, Ngobeni Mavuso and Tshabalala whose shacks were burnt at Kubheka and Mdakane Street in 1992 to come forward. It is also calling on the family of Cri Mangoso who was killed at Mdakane Street in 1993 and the family of Mr. Ngubane who was killed at 2190 Xaba Street in September 1993. Also of Moses, no surname given, who was killed at 492 Extension 2.

The committee is also looking for a teacher who was victimised at Mkhathizwe School on July 3, 1993.

Families of a member of a Kwazulu policeman known as Mr. Khumalo who was killed between the month of June and September 1993 at a house No. A33 Mazibuko Street or between Lekwane and Schoeman Road should come forward.

Owners of former residents of shacks at A18 and A21 Lekwane Street, Church Yard and Masende Street and A9 and A8 Mazibuko Street on September 25, 1993 should come forward.

And lastly, families of Albert Mafulela should contact the TRC office in Johannesburg regarding an amnesty application in relation to the burning of his house at A4 Mazibuko Street on October 5, 1993.

Families should contact Sally Sealy or George Ndlozi at 011- 331 1471 or fax on 011 - 331 1109.

ends
14 December 1998

FURTHER APPEAL TO VICTIMS OF SDU VIOLENCE

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC, is making an appeal to victims of SDU violence in Katlehong between 1990 and 1994, to contact its Johannesburg offices in preparation for the next sitting of amnesty applications by SDU members in January 1999.

The committee is specifically looking for victims of the following incidents:

People killed or injured by the Kathorus SDUs at theBuyafuthi Hostel, Katlehong from 1990 to 1994.

People killed or injured by the Kathorus SDUs in Katlehong from 1993 to 1994, specifically those victims of the following:

- House bombed in Mngadi section
- Burnt shacks and bombing of Buyafuthi Hostel before 1994 election.

Victims or families of the following victims are asked to contact the Amnesty Committee:

- Mfanafuthi Sithole who was killed in May 1994 at Ramokonopi Section,
- Mr Frank Ngocobo was killed in Katlehong,
- Mr Absalom Boy Shozi was killed in July 1993 in Katlehong,
- Mr Skhosana Joseph Dlamini killed at the Culture Club Tavern, Sebokeng Zone 12.

The committee is also looking for families of Mr Thibiso of house 323, Monaheng Section, Katlehong. Mr Dubula of Dikole Section, Katlehong.

Family of the victims should contact George Ndlozi or Sally Sealy at the TRC office in Johannesburg on 011 - 331-1471 or fax 011-331-1109.

ends
September 2, 1999

TRUTH AND RECONCILIATION COMMISSION

MEDIA ADVISORY

Three members of the Khumalo Gang in Thokoza have applied for amnesty for their reign of terror in the East Rand Townships.

Mpikeleli Khumalo, Mzwakhe Khumalo, Mbhekifeni Khumalo and Nicholas Zwile Chamane all member of the Inkatha Freedom Party will appear before the Amnesty Committee from September 6 - 10, 1999 at Palm Ridge Community Centre, East Rand, Johannesburg.

The applicants are applying for murder, planning assassinations, attempted murders, extortion, arson, theft, possession of unlicensed firearms and defeating ends of justice.

The incidence's took place between 1991 And 1993 in Thokoza township. The "Khumalo Gang" became prominent from 1991 and has allegedly been responsible for numerous acts of violence. The gang was formed by Mbhekifeni Khumalo and Archbishop of the church of Light of Zion.

Khumalo was also alleged to be have been a hit man, a police informer and was dubbed "The Killer Bishop" by the residents of Thokoza and Katlehong townships.

Khumalo gathered a group of youths around him with the intention of cleansing the community of gangsters. It was around this time the Khumalo became an active member of the IFP.

Inquiries : Phila Ngqumba 082 458 8463.
September 9, 1999

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

MEDIA ADVISORY

The amnesty hearing into the murder of Vlakplaas Askari, Brian Ngqulunga in Bophuthatswana in 1990 by Eugene De Kock and others, was to be heard on September 27, has now been scheduled for Tuesday September 13.

Six former Vlakplaas members, Eugene De Kock, Simon Radebe, Adriaan Baker, PH Botha, Willie Nortje and Willem Bellingan have applied for their role in the murder. De Kock claims that Ngqulunga had become emotionally unstable, and could present danger for the SAP hit-squad activities. The matter is to be heard at the Idasa Centre in Pretoria.

The first matter on the roll in the De Kock Cluster 4 - the killing of another Askari, Phemelo Moses Nthellanga (MK a.k.a. Bruce or Geletjie) for losing his service pistol in a shebeen, has already been heard.

An amnesty hearing into the killing of another Askari, Goodwill Sikhakhane (ANC Neville, Collin Khumalo) on January 29, 1991, in Greytown, KwaZulu-Natal, will be heard in Pietemaritzburg from September 20 - 23. Eight policemen has applied for the killing.

The following three matters are all going to be heard in Pretoria from September 28 to 31.

The matter into the application of seventeen policemen for the murder of Portia Shabangu, Thabo Mohale and Derrick Mashobane on February 12, 1989 in Swaziland, is to be heard at the Idasa Centre in Pretoria.

Fourteen other policemen who are seeking amnesty for killing Phillip Ndwendamutswa (a.k.a. MK Pantsu Smith), Busi Majola and Sipho Dlamini on December 16, 1986 in Swaziland will also be heard at the Idasa Centre in Pretoria.

The other matter involving ten former security policemen for the abduction, torture and killing of Jameson Ngoloyi Mngomezulu will also be heard at the Idasa Centre in Pretoria.

For more information : Mbulelo Sompeta 082 452 7870

Nosisi Tyantsi 082 458 8459.
September 10, 1999

THE TRUTH AND RECONCILIATION COMMISSION

MEDIA ADVISORY

Two amnesty hearings into the Bisho massacre that was scheduled to be heard on September 14, at the Goodnews Church in King Williams Town, has been postponed indefinitely.

The amnesty sitting was to hear applications of two former Ciskei Defence Force members, Vakele Archibald Mkhosana and Mzamile Thomas Gonya for their role in the shooting of 29 ANC marchers to Bisho on September 7, 1992.

The ANC marchers were demanding free political activity in Ciskei and the resignation of Brigadier Oupa Gqozo - then a military ruler in the former Ciskei.

Because of our tight amnesty schedule, the two amnesty applications will not be heard this month. A later date will be announced in due course.

Inquiries : Mbulelo Sompata 082 452 7870.

Ends/
STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

AMNESTY DECISIONS

The Truth and Reconciliation Commission Amnesty Committee today granted amnesty to five members of Umkhonto WeSizwe for murders, attempted murders, planting and detonation of an anti-tank landmine and malicious damage to property.

Obed Masina, Frans Ting-Ting Masango, Noe Griffiths Potsane, Joseph Makhura and David Solomon Simelane applied for amnesty for the killings of Orphan Chapi, Joseph Vuma, David Lukhele and detonation of a limpet mine in a white only bus stop on July 4, 1986.

The offences were committed in Mamelodi, Soweto and Silverton. The Committee found that the incident clearly constituted an act associated with a political objective and applicants have made full disclosure of all relevant facts.

Also granted amnesty are two ANC members, Gilbert Myuladzi and Morris Ndlovu for armed robbery, assault, abduction, unlawful possession of an AK47 and R1 rifle and ammunition. Four other MK members were also granted amnesty. Amos Fish Mahlalela was granted amnesty for killing Thomas Mangena, possession of two hand grenades, two detonators and one Markorov pistol with ammunition.

Lazarous Chikane, Michael Seloane and Mantshane Mapheto got amnesty for murder, attempted murder and possession of hand grenades on January 22, 1986 at Mamelodi.

Two Inkatha Freedom Party members, Xolani Mnguni and Velaphi Makhanye were also granted amnesty for the murder in November 1991. Mnguni and other IFP supporters attacked an ANC train coach and killed William Aphere. Makhanye murdered Lifa Mtimkhulu an ANC member.

The Committee refused amnesty to ANC member, Washington Thange for killing a PAC member, Abinaar Mongwalwa at Munsenville in Krugersdorp in 1991.

Two IFP members, Anilraj Singh and Praveen Ramds were also refused amnesty.

Singh and Ramdas applied for amnesty for murder, attempted murder and attack on the inhabitants of Jesmondene Community. The Committee found that there was no political motive for the two applicants to carry out the attack.

Inquiries; Phila Ngqumba - 082 458 8463.

Ends/
September 15, 1999

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

MEDIA RELEASE

Three sets of amnesty applications are scheduled to be heard in Durban next week involving members of ANC and IFP for incidents of violence that took place between 1992 and 1994.

In the first matter, two amnesty applicants, Happy Mngomezulu and Thulani Madlala will be heard for the murder of Christopher Pewa, as well as for the unlawful possession of a firearm and ammunition.

The killing took place in Escourt on March 25, 1994.

The incident is as a result of two fighting ANC factions, one aligned to the SACP and calling itself "Amabovu". This group opposed the ANC leadership under Teaspoon Mkhize.

In the second matter, Osmond Bhekisisa Nkwanyana and Khetha Mpilo Khuzwayo have applied for the killing of a businessman, Makhosi Eliakim Mthembu and the attempted murder of Mandlenkosi Sibiya and his girlfriend Olive Nkwanyana on August 16, 1994.

In the third amnesty application, Moses Mtu Dlamini, an ANC member, has applied for killing an unidentified suspected Inkatha spy between November and December, 1992 in the La Mercy area near Tongaat.

Together with is co-accused, Lucky Ntshetha, Michael Khumalo, Sipho Ntuli and Basil Ngwenya, the applicant captured the deceased and assaulted him with a fishing rod.

They took the victim to a nearby Gum plantation where he was fatally stabbed with a spear and had his eyes removed.

All these matters will be heard at the Durban Christian Centre, cnr Berea Road and Warwick Avenue, Durban. They are scheduled to be heard from September 20 - 23. All proceedings start at 9:30am.

Inquiries: Mbulelo Sompeta - 082 452 7870

ends
The Amnesty Committee of the Truth and Reconciliation Commission today granted amnesty to three APLA cadres for murdering Sandra Swanepoel and for attempted murder, armed robbery and possession of unlawful explosives and firearms.

Brian Clifford Thobojane, Thomas Ngobeni and Donald Mukhawana applied for amnesty for killing Sandra, and for attempted murder on her husband Johannes Swanepoel on March 27, 1993 in Tzaneen. The Committee found that the applicants actions were associated with a political objective.

Mr. Swanepoel who opposed the amnesty application, and other surviving victims were referred to the Reparation and Rehabilitation Committee for consideration. The three applicants were deployed inside the country from Zimbabwe in order to intensify the struggle waged by APLA, under operation "Great Storm" whose strategy was to target white farmers.

Also granted amnesty were two other APLA members, Daniel Xulu and Cunningham Thozamile Ngcukana. Xulu applied for amnesty for killing a policeman, Daniel Khoza on January 11, 1993 at Pholosong Hospital in Brakpan. Ngcukana applied for amnesty for recruiting youths for military training and harbouring cadres of APLA who had infiltrated into the country.

The Committee also granted amnesty to a member of the IFP Mzobona Leonard Hadebe for the attack on the bus carrying passengers perceived to be ANC supporters. Hadebe applied for amnesty for the murder of Thomas Tshwari, attempted murder of forty one persons and possession of two RG42 hand grenade explosives.

The second applicant also an IFP member, Rapheal Sithomo who also applied for amnesty for the same incident was refused amnesty. During the hearing Sithomo testified that he did not know anything about the incident and he was not present in the area when the incident occurred.

The Committee found that Sithomo's application did not comply with the requirements of the Act as he denied any knowledge about the offence.

The Committee also refused amnesty to Richard Maboney Mahapo an ANC member for robbery of a motor vehicle and conspiracy to murder Lesiba Wislon Makhubela. Mahapo is currently serving ten years for the offence.

Inquiries; Phila Ngqumba - 082 458 8463.
September 22, 1999

THE TRUTH AND RECONCILIATION COMMISSION

AMNESTY DECISION

The Amnesty Committee of the Truth and Reconciliation Commission today granted amnesty to seven security policemen members including a General for the killing of Solomon Mlonzi, Schoeman Ramokgoba and Moatshe a Botswana citizen at Silent Valley near Derdepoort on May 4, 1983.

The applicants are, General Johannes Steyn, Gideon Van Zyl, Christoffel Smit, Isak Marais, William Smit, Daniel Niewenhuis and Philip Crause.

The Committee also granted amnesty to Wikus Johannes Loots, a Regional Commander of the Western Transvaal Security Branch for the killing of Mlonzi and Ramokgoba.

Loots was refused amnesty for the killing of Moatshe. On May 4, 1983, Phillip Crause a Branch Commander of the Security Police in Zeerust was allegedly informed by Moatshe that he would be transporting two MK operatives through Derdepoort border post into the country.

On arrival of Moatshe's car at the roadblock the applicants took positions and opened fire at the occupants and killing them. Prior to the incident, General Steyn gave orders to Loots that Moatshe should not be killed. But due to the danger posed by the MK operatives they were all killed on instructions by Loots.

When Loots was questioned as to why he had given instructions to his officers to shoot Moatshe as well, he stated that he had included Moatshe because he has been suspected of being an ANC courier.

The Committee found that the applicants met with the requirements of the Act.

Also granted amnesty was another member of the Security Police, Phillip Johannes Loots for conspiring to murder of Jerry Thibedi, a high ranking official of COSATU in Mamelodi and Soshanguve Townships. The police believed that Thibedi played a prominent role in the consumer and school boycotts to undermine the Government.

The Committee found that Loots's acts were associated with a political objective.

Also granted amnesty was Hanif Mohamed Vally for contravening the Riotous Assemblies Act. In 1980, Vally as a member of both Black Student Society and South African Student Organisation, he participated at a gathering in a protest rally near Bosmont in Johannesburg.

Inquiries: Phila Ngqumba - 082 458 8463.
September 23, 1999

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

MEDIA RELEASE

In the amnesty applications involving ten former MK Special Operations members to be heard in Durban next Monday, The Why Not Bar/Magoos Bar, will be the first on the roll of matters to be heard.

Ten applicants have applied for five sets of incidents which include acts of bombings, sabotage, possession of firearms and murder. The incidents happened in and around Durban from 1981 to 1986.

In the bombing of the Why Not Bar/Magoos Bar on the Durban Beach in which 3 revellers were killed and 73 injured, five applicants will appear before the Amnesty Committee.

They are Aboobaker Ismail, Robert McBride, Zarha Narkedien previously Greta Appelgren, Mathew Lacordier and Johannes Mnisi.

Other matters to be heard for the next three weeks include the double bombing of an electrical sub-station in Jacobs near Durban on January 10, 1986 in which one policeman, Bobby Wellman was killed, while four others were injured.

The applicants in this incident are Aboobaker Ismail and Robert McBride and Gordon Webster.

Five applicants, Aboobaker Ismail, Robert McBride, his father Derrick McBride, Zarha Narkedien and Mathew Lacordier have applied for the shooting of five policemen while rescuing a fellow MK member, Gordon Webster at the Edendale Hospital. The incident occurred on May 4, 1986.

Robert McBride and Mathew Lacordier are the only applicants for a grenade attack on the house of Yuill Peter Klein and his wife Brenda Klein in Wentworth on May 5, 1986.

The hearings are to be held at the Durban Christian Centre, cnr. Smith and Warwick Road, Durban.

For more information call : Mbulelo Sompeta - 082 452 7870.
September 23, 1999

TRUTH AND RECONCILIATION COMMISSION

MEDIA ADVISORY

The Amnesty Committee of the Truth and Reconciliation Commission will hear a number of amnesty applications from the African National Congress and Self Defence Unit members next week Monday.

The hearing will start on Monday September 27 at the JISS Centre, Mayfair in Johannesburg. The hearing is set down for week.

Joseph Makhanye and Jabulani Makhanye, both members of the African National Congress, will be applying for amnesty for killing Mfanayedwa Manana who was a municipal policeman. Also applying are, Motsepe Ezekiel Mametse and Daniel Ndoda Moele for being involved in armed robbery of the Ormonde Satellite Police Station and the Transvaal Galvanised Company.

They claimed to be members of the African National Congress who took arms from a police station for SDU's activities and money for the same activities. Also applying is Dennis Lukas Kgatitsoe an ANC Your League member for the killing of Marvin Binder who was suspected of siding with the Inkatha Freedom Party during the time of the ANC and IFP conflict.

Velaphi Lot Dlamini an MK commander is also applying for amnesty for killing several IFP members at Meadowlands and the Mzihlophe Hostels. The incident involved the shooting of IFP people with AK47's, hand grenades and RPG rocket launchers.

People believed to be members of Inkatha Freedom Party were killed whilst they were on their way to funerals at night.

Inquiries: 082 458 8463.
October 6, 1999

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

The Amnesty Committee of the Truth and Reconciliation Commission is to hear 41 amnesty applications by former Special Branch Members for acts committed in the areas of Northern Transvaal, Bophuthatswana, Botswana and Soweto in the late 1980's.

The acts committed by these policemen included abduction, kidnapping, interrogation, torture and murder of youths belonging to the ANC/MK. The acts also include the murder of an informer.

Northern Transvaal Security Branch Members, Hendrick Johannes Prinsloo, Sarel du Plessis Crafford (deceased), Chenney William More, Ernst Bester, Smuts Mathebula, Kokela Jeremiah Matjeni, Jose Antonio Tyixyiva Dos Santos and Johannes Jacobus Stijdom are applying for amnesty for killing former ANC courier Petrus Lubane (combat name Comrade or Comrade X).

Lubane is alleged to have recruited for the ANC in the East Rand in the 1986/7 period. It is also alleged that he was instructed by Gebhuza (former MK commander, now SANDF head Siphiwe Nyanda) to monitor Wachtuis, (the South African Police headquarters in Pretoria) for a possible attack. The amnesty applicants, with the help of an informer, abducted Lubane and interrogated him for four days before shooting and destroying his body with explosives.

In another application ten Special Branch Members are seeking amnesty for detonating limpet mines on the body of Justice Mbizana (combat name Mandla) in Phokeng, Bophuthatswana between 1987 and 1988. Mbizana is said to have operated in the Eersterust area and was monitoring residences of SAP members in Mamelodi. The policemen were to be killed to avenge the killing of an ANC activist Frans Ting Ting Masango and other MK cadres.

Police informer and suspected double-agent Ernest Ramango was killed between 1987 and 1988 near Mamelodi after falling out of favour with his handlers. Three Security Branch Members are applying for amnesty for this act.

Six Special Branch Members are seeking amnesty for killing Nceba Cassius Snuma, Caswell Castro Khumalo and Elias in Soweto between 1988 and 1989. Nceba, Castro and Elias were sold by an informer to the Soweto Special Branch and led to believe they were to commit acts of sabotage on railway lines in and around the township. They were intercepted by the Special Branch and executed.

Two Security Branch Members are applying for amnesty for a cross-border operation 1986. Police had planned with an informer that the latter go to Botswana and convene a meeting with ANC/MK operatives in a motel in Gaberone wherein Special Branch Members would detonate a bomb.

Three Special Branch members are seeking amnesty for the kidnapping and interrogation of Moses Morudi. Morudi was kidnapped from his home in Potchefstroom by members of the Special Branch after an informer had spilled the beans that he wanted to join MK and undergo military training.

Six Special Branch Members here are seeking amnesty for killing Mahlangu, who is alleged to have been training youths around Mamelodi with the use of AK 47's and hand-grenades. Police used Askaris (turned liberation army soldiers) to infiltrate Mahlangu's activities. He was killed and his body blown up near a railway line.

These hearing are scheduled for five weeks starting on October 11 to November 12, 1999 at the Idasa Centre in Pretoria.

Inquiries: Nhlanhla Mbatha - 082 458 9968.
October 7, 1999

TRUTH AND RECONCILIATION COMMISSION

The Amnesty Committee of the Truth and Reconciliation Commission will hear an amnesty application of six members of Umkonto We Sizwe next week.

The hearing will take place at the JISS Centre, Mayfair in Johannesburg starting on Tuesday October 12 - 15.

The applicants are John Dume an MK Commander, Tsepo Stanley Mshibe, Peter Shabangu, Vusi Khumal, Musa Mandondo, Patric Masha and Temba Zondo. The applicants were involved in the killing of a policeman, attempted murder, shooting of a police vehicle and bombing of a house.

Inquiries: Phila Ngqumba - 082 458 8463.
October 8, 1999

TRUTH AND RECONCILIATION COMMISSION AMNESTY HEARING

Six amnesty applications involving IFP and ANC supporters will be heard at the Marian Centre in Pietermaritzburg this week. The first applicant Sbusiso Richard Mbhele is seeking amnesty for several murders that he committed during 1993 in Ixopo and surrounding areas. He claims that he was a full member of the IFP and serving as the Self Protection Unit member at the time. He is currently serving a life sentence and thirty one years at the Westville Correctional Services.

Also appearing for amnesty is Brian Muzokhona Luthuli an ANC member who later joined the IFP, for killing Elias Mumfe Dlezi an ANC member because he was scared of him as he was a threat. He stabbed him seven times after an argument between them ended up in a fight. He also tried to cut off the head of the deceased but was distracted by passersby and ran away.

Another IFP member Magogo Bheki Magoso is applying for amnesty for the burning of houses in the area of Kwa-Mashu and his involvement in the gun fighting that took place between residence of Kwa-Mashu and Richmond farm during 1989 and 1990. Richmond farm was at the time an IFP stronghold and all residents of Kwa-Mashu were labeled ANC supporters.

Ntuthuko Chuene an ANC member is seeking amnesty for killing Mr. Godfrey Frederick Lanz Heuer and robbing him of his firearm after breaking into his home in Vryheid in 1992. He says the purpose of the robbery was to obtain arms and ammunitions so as to defend his community from the IFP. Also from the ANC is Dumisani Eugene Nkabinde applying for amnesty for killing Umzizi Francis Sahabane, an alleged member of the Kapnaars gang, on 30 March 1991 at Umlazi in KwaZulu Natal. It is alleged that the deceased had been part of a group collaborating with the KwaZulu Police and IFP who had been responsible the death of two ANC members who had been killed at Gumede's house. Gumede also an ANC member was one of the co-accused who was also convicted for Shabane's death.

The committee will also hear the application of Musa Mahambane, who is applying for amnesty for the murder of Mr. Derek Pringle Walters on 28 October 1991 at Umhlanga Rocks Centre. The applicant and his accomplices were on a mission to rob NBS at Hilton Centre and whilst trying to escape from police, they came across Mr. Walters in his car. He was shot at, and his car was used as a getaway car. They were apprehended before they could escape with the money.

The matters are set down for a week starting October 11 - 15.

Inquiries : Nosisi Tyantsi - 082 458 8459.
STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

MEDIA ADVISORY

The Amnesty Committee of the Truth and Reconciliation Commission will hear an amnesty application by two Cape Town Security Policemen for the killing of 2 political activists next week.

Michael Phillip Luff and Yizaya Patrick Siyali both Security Policemen will appear before the Amnesty Committee on November 18 - 29 at the TRC offices, 10th floor, 106 Adderely Street, Cape Town. Luff is applying for amnesty for killing William Dyofi on November 3, 1985 in Zwelethemba in Worcester.

The applicant alleges the deceased was part of a group that stoned the hall in Zwelethemba. The deceased was shot by Luff as he was regarded the leader of the group that stoned the hall. The applicant and Chris Geldenhuys searched the area on foot and found the deceased in a shack and arrested him. Luff alleges as they were leaving the shack the deceased started running and a shot was fired killing him.

Another Security Policeman, Siyali is applying for shooting Bongani Jonas during 1987 on the N2 near Guguletu. Siyali alleges that Jonas was wanted for acts of terrorism. The car in which the victim was driving was spotted on the N2 when Siyali gave chase. Jonas was shot by Siyali when he tried to run away from the scene. He was taken to the Security Police Headquarters in Culemborg where he was handed over to the senior members of the police to be interrogated.

Also applying for amnesty in the same hearing will be Johannes Nhlopo for the murder of George Beenton and Cedrick Jansen in August 1980 in Klipfontein Road near Crossroads. Both victims were driving along the Klipfontein Road when their vehicles were stoned in separate incident's. Two other applications to be heard are that of Zola Yekwana and Fumanekile Booi. Yekwana an SDU member is applying for amnesty for killing Mzonke Pro Jack who was also an ANC member. Booi applies for amnesty for killing Sgt. Nicholas Els in July 1990 in Langa. The deceased died in a shoot out between the police and the applicant's unit. The incidents took place before Chris Hani's public address in the Western Cape.

Also applying for amnesty is Moegmat Annez Salie, Vanessa Rhoda November and Sydney Henricks. The 3 applicants are applying for amnesty for a bomb blast that occurred in September 1988 in Bonteheuwel in which a civilian Moegmat Bartlett sustained serious injuries.

The applicants were part of the Ashley Kriel detachment and were under the command of Salie when a limpet mine was placed in a milk carton at the Bonteheuwel Rent Office. The victim was on his way home when he picked up the milk carton and it exploded.

Also applying for amnesty will be Derrick Grootboom for the attack on the Rent Office and Civic Center, with a petrol bomb. He is also applying for amnesty for occupying a police station and submitted community grievances which resulted in confrontation with the police in Dysselsdorp in June 1991.

Inquiries: Phila Ngqumba - 082 458 8463
STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

AMNESTY HEARING

The amnesty committee will be hearing applications of five Security Branch members from various police stations in the former Transvaal and Northern Natal. Messrs. Schalk Visser, Donald Gold, Des Carr, Gert Schoon, Johan Martin van Zyl are seeking amnesty in respect of offences which include abduction, murder and unlawful possession of explosives.

In April 1980 - a Soweto-based MK operative MK Scorpion, believed to be Oupa Ronald Madondo; was detained for several months. A number of Security Branch operatives from various police stations were drawn together and instructed to kill him because he was suspected of being a double agent by his alleged handler, Major van Rooyen (now deceased).

Scorpion was shot dead and his body was disposed of with explosives at an Island at Jozini Dam, in the Northern Transvaal. All five applicants are seeking amnesty in respect of this incident.

The hearing will take place at the Durban Christian Centre in Durban from October 18 -20.

Inquiries: Nosisi Tyantsi - 082 458 8459.
STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

AMNESTY DECISION

The Amnesty Committee of the Truth and Reconciliation Commission today granted amnesty to nine former Security Police including former head of the Security police, General Johannes Coetzee, former head of Valkplaas, Eugene De Kock and Craig Williamson for their role in the bombing of the ANC offices in London.

Also granted amnesty are Wybrand Du Toit, Roger Raven, Peter Caselton, John Mc Pherson, John Adam and James Taylor. The policemen are also granted amnesty for malicious damage to property, conspiracy to bomb the South African Communist Party offices in London, obtaining false passports, illegal possession of weapons and explosives.

These offences were committed by the applicants on or about March 14, 1982. The applicants applied for amnesty at the beginning of the year in Pretoria. The Committee found that the applications complied with the requirements of the Act.

"The acts, omissions or offences to which the applications relate are acts associated with a political objective and committed during the course of the conflict of the past." The panel pointed out that the offences committed were advised, planned, directed, commanded and ordered inside South Africa. Although South African courts may not have jurisdiction to conduct criminal trial, they would have jurisdiction in civil matters against the applicants who are all domicile in South Africa.

The dependant's of the victims are South African citizens also domiciled in South Africa, they may wish to institute action against their fellow South Africans who committed offences ordered inside South Africa. The Committee found that the act by the applicants was primarily directed at political opponents, that it related to the conflict of the past, and was carried out under the orders of the then Minister of Law and Order, Mr. Louise Le Grange. The Committee also found that the former Security Policemen have made full disclosure of the relevant facts.

Inquiries: Phila Ngqumba - 082 458 8463.
STATEMENT ON ARCHBISHOP TUTU

Archbishop Desmond Tutu will be admitted to hospital in Atlanta in the United States on Thursday for tests to determine new treatment for prostate cancer.

Recent tests in Atlanta have indicated that there has been a recurrence of the prostate cancer first diagnosed and treated in 1997. "I understand this is a fairly normal occurrence two years after radiation treatment," Archbishop Tutu said in a statement from Atlanta.

"On Thursday I will have an operation to determine whether the cancer has spread beyond the prostate gland. If it is confined to the prostate, I expect to undergo cryosurgery - a technique in which the affected tissue is frozen with liquid nitrogen."

"If it has spread, I am likely to undergo renewed hormone treatment, which ran concurrently with my radiation therapy in 1997.

"But I am feeling fine."

Contact: John Allen - 091 - 404 - 727 6601.

ends
The Amnesty Committee of the TRC today has granted amnesty to ten ANC tow PAC members for different acts committed in the course of the liberation struggle.

In its amnesty decisions, the amnesty committee has satisfied itself that the applicants have complied with the broad requirements of the Act governing TRC operations.

In the first application, Ntela Richard Sikhosana, a former Kwazulu-Natal MK regional commander, has been granted amnesty for training members of the Self Defence Units at Natal Midlands in Kwaszulu-Natal. He has also been pardoned for possession of illegal arms and ammunition during 1993 and 1994.

Solomon Mampane, and ANC Special Operations member from Soweto, has been granted amnesty in respect of unlawful possession of arms and ammunition during mid-1980's at Emndeni - Soweto.

Duncan Seabe-abe, has been granted amnesty for unlawful possession of an AK47 rifle without a license and unlawful possession of a magazine and three rounds of ammunition. An ANC employee in the Department of Information (DIP) at the time of his arrest, Seabe says he required arms to defend himself and other ANC supporters who were being attached by the Inkatha Freedom Party in Thokoza on the East Rand.

Four former members of the ANC's army - Umkhonto we Sizwe have also been granted amnesty for eight unlawful acts which include bombings, attempted murders, arson and murder.

The applicants, Tebogo Christopher Kebothlale, Elfas Ndhlovu, Molwedi Mokoena and Phumuzi Ernest Sigasa had applied in respect of the following offences:

Malicious damage to property when they attacked a "Whites only" bus terminus at Germiston during July 1988.

The attack on the Wimpy Bar Restaurant on July 30, 1988. One person was killed and six others injured during the attack.


The four had also applied for one count of malicious damage to property when they attacked a railway line near Katlehong during September 1988.

They also applied for one count of arson for their attack on an Electrical Sub-station near Katlehong during September 1988.

They also applied for an arson attempt on an SAP Barracks at Motsamai Section Katlehong during October 1988.

The applicants attacked and injured six members of the South African Police (SAP) outside Lindela Hostel during October 1988.

And lastly, they have been granted amnesty for blowing the Dawn Part Sewer Tank at Boksburg during August 1989.

In granting amnesty to the four applicants, the Committee is satisfied that the applicants have complied with the requirements of the Act.

A Numsa member, Joseph Mdumiseni Bhengu, has been granted amnesty for five acts of attempted murder, two counts of murder and possession of arms and ammunition for offences committed during a strike at Haggie Rand on October
1989. Bhengu had on many occasions, fired shots at temporary workers who continued to work which 250 Numsa members were on strike.

The Amnesty Committee has granted amnesty to Dennis Lucas Kgatitsoe for the murder of Mervin David Binder for robbery with aggravating circumstances and malicious damage to property in November 1991. The applicant claimed that he killed the deceased following an information that there were whites who frequented Kagiso Hostel to orchestrate violence between the ANC and IFP in Kagiso near Krugersdorp.

Pan Africanist Congress and Apla member, Bandile Joyi has been granted amnesty in respect of the following offenses: To enter the country illegally in 1987, terrorism in terms of the Internal security Act and illegal possession of firearms and ammunition.

Another PAC member, Lesoana Samuel Makhanda had been granted amnesty for stealing Mortar bombs from the Voortrekkerhoogte Military Base in Pretoria and leaving the country without valid documents.

Inquiries: Mbulelo Sompeta: 082 452 7870.
STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

The Amnesty Committee of the Truth and Reconciliation Commission will hear an application to present new evidence by George Bizos S.C. representing the "Cradock Four" in an amnesty application of seven former Security Policemen including former Vlakplaas head, Eugene De Kock, next week Monday October 25, 1999, a one day hearing at the Centenary Hall, New Brighton, Port Elizabeth.

Bizos will make an application before the Amnesty Committee to present new evidence that was not dealt with during an amnesty application in 1998.

Mathew Goniwe, Fort Calata, Sparrow Mkhonto and Sicelo Mhlauli formed part of the Cradock and United Democratic Front (UDF) leadership in the Eastern Cape. According to the evidence of the applicants, the four were kidnapped at a roadblock outside Port Elizabeth and taken to the bushes where they were killed using shot guns and knives to cut their limbs and bodies, and a car was burnt.

Applying for amnesty for the killings are Eric Taylor, Johannes Lotz, Nicholaas Van Rensburg, Harold Snyman (deceased), Johan Van Zyl, Hermanus Barend Du Plessis and Eugene De Kock.

A decision on their amnesty application is pending.

Inquiries: Phila Ngqumba - 082 458 8463.
12 January 1999

AMNESTY FOR 18 PEOPLE, 5 REFUSED

Issued by: Truth and Reconciliation Commission

At least 18 people across the political spectrum have been granted amnesty and five others refused by the Amnesty Committee of the Truth and Reconciliation Commission. They were applying for amnesty for crimes ranging from murder, conspiracy to murder, sabotage to illegal possession of arms and explosives committed shortly before the 1994 elections.

Among those granted amnesty is an Inkatha Freedom Party member Boy Vusimuzi Gwamanda who applied for amnesty for the 1990 conspiracy to kill Mpumalanga Premier Mr Matthews Phosa and for embarking on sporadic shooting spree in the then strife-torn Ndwendwe district near Durban in 1993. Gwamanda testified at his amnesty hearing that he was ordered by Mr Dingizwa Mfayela, an IFP leader at Ndwendwe to embark on a shooting spree in the area targeting African National Congress supporters.

Announcing its decision, the Committee said: "Little is known of the conspiracy to assassinate Mr Phosa, but taking into account (his) high political profile, the only reasonable inference that can be drawn is that the conspiracy had a political objective. ( Gwamanda) was manipulated and used by the prison's authorities who were involved in the conspiracy.

"We are of the opinion that the applicant was not part of the conspiracy merely for personal gain, but that he was being used by the conspirators to effect their plan and as such was an agent of the conspirators".

The Committee also said while Gwamanda was not a satisfactory witness, it was of the view that he had made full disclosure of all the relevant facts as required by the laws governing the TRC. "There is no reason why (he) should present false testimony. He has not been arrested, charged or convicted in respect of any of the incidents and it is his evidence that has brought these incidents to light. He (was also) subjected to cross examination by the legal representatives of various implicated persons as well as the legal representative of Mr Phosa," the Committee said.

Other people granted amnesty include two members of the Afrikaners Weerstandsbewiging (AWB) Pieter Magiel Breytenbach and De Wet Johann Strydom for the murder of Mr Kleinbooi Ramolla near Bultfontein in 1994 and for sabotage, former ANC's armed wing Umkhonto weSizwe member Philane Zondi for the murder of an IFP supporter Sihle Makhapheni Mpanza at Empangeni in 1994, two members of the former Pan Africanist Congress's armed wing African People's Liberation Army (Apla) Mangaliseni Bhani for the murder of Mr Joao Manuel Jardim in Randfontein in 1994 and Mduduzi Cyril Ngema for the murder of Mr John Khanyile at Umlazi and Mr Christopher Nhlanhla Myeza near the University of Durban Westville in 1992 respectively, Ntsikelelo Jackson Zwayi for the 1994 murder near Swartkopies Road in Alberton.,

John Fanyana Mndebele, Sipho Silas Nkonyana, Nicholas Mfundisis Zwane, Jabu Mkhwanazi, Mzwandile Gushu, Paulos Pistol Nkonyane, David Elvis Majola, Mandlekosi Enoch Mnisi, Mpumelelo Livingstone Lukhele, Bongani Sibusiso Khaba and Lucky Petros Mbokane all members of the ANC who were applying for amnesty for murder and attempted murder of Black Cats and IFP members at Wesselton near Ermelo between 1990 and 1993. At least 17 people were killed and scores of others injured in the conflict between the Black Cats and IFP supporters.

The committee said :" Having regard to the motives for the attacks, the context in which they occurred, in particular, the fact that the attacks were directed against political opponents who had the actual or perceived support of the police, we are satisfied that the applicants are entitled to amnesty. It is clear that some of the victims were caught up in the cross fire and we accept that the attacks were mainly directed against those who were responsible for the violence."
Those refused amnesty are Phakamile Cishe and Kwanele Msizi who murdered two policemen and an alleged informer in Zwide Township, Port Elizabeth in 1990, Nkosinathi Emmanuel Ntuli who murdered Mr Nhlanhla Msane at Kwa Makutha in 1991, Pelele Lawrence Shongwe for the murder of Mr Ernest Malele in Ermelo in 1994. However, Shongwe has been granted amnesty for the 1993 murder of Mr Bongani Malinga in the town. Petros Bhekinkosi Mthalane has also been refused amnesty for the murder of Mr Clement Mxolisi Mchunu near Ixopo in 1993.

The Committee recommended to the Commission's Reparation and Rehabilitation Committee that the dependants of the deceased and those who were injured in the attacks should be considered for compensation and relief as laid down in the law that governs the TRC.

ends
12 January 1999

BOIPATONG MASSACRE HEARING RESUMES

Issued by: Truth and Reconciliation Commission

Thirteen Inkatha Freedom Party members will appear before the Amnesty Committee of the TRC next week for their role in the attack and killing of Boipatong residents on June 17 1990.

On this evening, about 200 men armed with automatic rifles and other weapons from Kwamadala hostel attacked the Boipatong township. Residents were hacked, stabbed, shot, beaten and disembowelled.

The Boipating massacre in which 46 people lost their lives nearly scuttled peace negotiations between former National Party leader FW de Klerk and the ANC.

The partly heard matter will be heard over a two week period, from January 18 to 29 at the Iscor Recreational Club in Vanderbijlpark.

The hearing was first heard on July 6 1998 at the Sebokeng College of Education. The applications of Victor Mthandeni Mthembu, Vincent Khanyile, Mhlupheki Shabangu and Jack Mbele were heard during two hearing periods July 6 to 14 and August 11 to 14 1998.

During this time, the amnesty application of Andries Nosenga was introduced to the panel. The applicant is seeking amnesty for his alleged involvement in the Boipatong massacre amongst others.

Zuko Mapoma will lead evidence during the hearing.

ends
AMNESTY HEARING IN PORT ELIZABETH

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission will hold an amnesty hearing in Port Elizabeth early next week from Monday to Friday January 22.

Twelve people are applying for amnesty for crimes ranging from assault with intent to do grievous bodily harm, robbery to murder, some of which were committed in the late '80s. Two members of the disbanded African National Congress aligned-Self Defence Unit Tamsanqa Mali and Lulamile Stemele are applying for amnesty for murdering a farmer in Ado. Another applicant Lumko Mnkumanda is seeking amnesty for robbing a bakery killing a security guard Mr Norman Beaton of Kok Street, Port Elizabeth.

In terms of the law governing the operations of the TRC, victims or their next of kin have the right to attend, adduce evidence and be legally represented at the hearing.

The hearing at the Centenary Hall, Ntsehekisa Street, Port Elizabeth will be chaired by Acting Judge Sisi Kampempe.

ends
18 January 1999

BELLINGAN AMNESTY HEARING - PRETORIA (25 to 29 January 1999)

Issued by: Truth and Reconciliation Commission

A former captain in the Security Branch of the South African Police will appear before the Amnesty Committee of the TRC in Pretoria next week, applying for amnesty for the murder of his wife whom he claims he killed in order to silence her, as she was about to spill the beans about his illegal activities and also threatening to make public information that would compromise the SAP.

Michael Bellingan will appear before a three-member amnesty panel applying for the murder of his wife and mother of his two children, Mrs Janine Bellingan, whose body was found at their home in Gallo Manor near Sandton. She had been strangled and bludgeoned to death on September 21, 1991. A break-in had been simulated to create the impression that she was killed by robbers.

Her husband was subsequently arrested and was sentenced to 25 years imprisonment in March 1995 after a sensational trial that attracted a lot of media interest at the time. He is presently serving his sentence at the Johannesburg Maximum Prison.

Bellingan’s hearing will be at the Idasa Centre in Prinsloo Street in Pretoria. The hearing is scheduled for a week, from Monday January 25 to Friday January 29.

In his application Bellingan admits to killing his wife saying that she was about to expose, among other things, an elaborate scam in which he was involved in with other senior police officers in which they intercepted large sums of money intended for the National Union of Metalworkers of South Africa (NUMSA). He claims they stole the money with the help of their contacts at a prominent bank.

Bellingan has also applied for amnesty for a variety of other offences, including arson, housebreaking, blackmail, perjury and invasion of privacy.

ends
25 January 1999

SDU HEARING CONTINUES

Issued by: Truth and Reconciliation Commission

About Thirty Seven Self Defence Unit amnesty applicants, are due to appear in the first week of February 1999 before the Amnesty Committee of the TRC, for acts committed during the East Rand war in the early 1990's.

All in all, Fifty Five applications are scheduled to be heard from January 1 to 19.

The applications which will be heard at the Central Methodist Church in Johannesburg, from February 1 to 12, form part of over a hundred applications by SDU's that were received from by the committee.

The first group of applicants was heard from November 23 to 11 1998.

Due to the nature of the conflict in Thokoza, the majority of applications did not mention specific dates or acts but rather referred generally, to defending communities over a period of four years.

Last year's hearings were held at three venues, the Vosloorus Community Hall, Jiss Centre in Mayfair and Palm Ridge near Thokoza.

The SDU hearings involved amnesty applications from all areas of the Thokoza community and participants were from SDU commanders, "Amajoni" or foot soldiers and the political leadership who sat on the central command meetings.

Andre Steenkamp will lead evidence during the hearings.

ends
HEARING POSTPONED FOR ONE DAY

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has postponed the sitting today until tomorrow following the failure of the applicants to appear before it this morning. Nine former Umkhonto we Sizwe cadres (the African National Congress's disbanded armed wing) are applying for amnesty for different incidents ranging from the murder of three policemen and a spate of bombings which left at least 21 people injured and scores of buildings damaged in Soshanguve and Atteridgeville, near Pretoria, in 1988. The applicants are Francis Pitsi, Rodney Toka, George Mathe, Thapelo Kgotsa, Peter Maluleka, Jospeh Nkosi, Reginald Legodi, Alfred Kgase and Johannes Maleka. They all escaped from jail while awaiting trial but were later granted indemnity.

Mathe is also seeking amnesty for murdering three policemen, constable Barney Mope, constable Andrew Mphahlele and constable Nelson Phenanye at Atteridgeville in 1988. The committee chairman, Judge Selwyn Miller, postponed the hearing until tomorrow. The hearing, at Telkom Country Club, north of Pretoria will continue until Friday.

ends
28 January 1999

AMNESTY HEARING IN PINETOWN

Issued by: Truth and Reconciliation Commission

Eight people, all of them members of the Inkatha Freedom Party (IFP), will appear before the amnesty committee of the Truth and Reconciliation Commission, at week-long Amnesty Hearing in Pinetown near Durban starting from Monday, February 1 1999.

All the applicants are applying for amnesty for incidents of killing political opponents, in different parts of KwaZulu/Natal. The murders were committed at the height of political violence between the IFP and the African National Congress. Among the applicants is a person who was sentenced to three death sentences for the murder of three people and attempted murder on ten people in Umlazi Township in 1989. The sentences were later commuted to life.

The hearing which starts on Monday and will continue daily until Friday February 5, will be at the new TRC offices based at the Pinetown Magistrate's Court in Chancery Lane. It will start at 9am each day.

The first applicant who will testify on Monday is Vusi Thokozani Manqele who is seeking amnesty for his role in the murder of a Mr. Bhengu and the attempted murder of Mr Bhengu's wife in an incident that happened in KwaMakhutha in July 1991. Manqele claims that Bhengu who was a staunch ANC member brought in people in the area who attached IFP members. Manqele says these people who were brought in by Bhengu in the area were also responsible for the death of his three sisters. Manqele was convicted for these attacks in 1992 and sentenced to eight years imprisonment.

On Tuesday two brothers Mbuzeni Magwegwe Nsindane and Mzwandile Johnson Nsindane from the Amahlongwa Reserve near Umgababa on the Sout Coast, have applied for incidents where they killed Thabani Mgothozi (18) on October 18, 1990 at Amahlongwa and killing a member of the SADF and a woman the following day. They say that they killed to drive out ANC members from their area which was a known IFP stronghold.

On Wednesday a Mr. L.M. Sima is scheduled to appear (Please note: relevant documents were not available at the time of preparing this release). On Thursday Solomon Khanyile will appear before the committee applying for amnesty for the murder of three people in Umlazi, Sebenzani Saraphina Sikhakhane, Tholakele Rejoice Mkhize and Thulasizwe Theophilus Nyembe whom he says were all members of the UDF at the time. Khanyile has applied also for the attempted murder of ten people, arson and malicious damage to property.

Wanda Bongani Mdletshe will also appear on Thursday applying for an unrelated incident. Mdletshe is applying for the killing of an ANC member Khelhla Ntshingila in Driefontein in March 1992. He is serving a twelve year prison term for the killing.

On Friday February 5, Bongani Saviour Ngubane will appear for the murder of Mmenezi Nxumalo an ANC member at Obonjeni in March 1994. Mr. S.M. Mhlongo is scheduled to be the last applicant for this particular sitting of the Amnesty Committee.

ends
January 28, 1999

SOUND EQUIPMENT STOLEN

Issued by: Truth and Reconciliation Commission

Sound equipment belonging to the TRC with an estimated value of R250 000, was stolen in Vereeniging last night, hours after the Amnesty Committee hearing on the Boipatong Massacre had been adjourned.

We are appealing to members of the public in the Vaal Triangle area to report anyone who is seen selling sound equipment. The equipment stolen is of such a nature that it cannot be used by the public.

We believe a vehicle was used to transport the stolen equipment because of its size. We, are also appealing to anyone who might have seen individuals outside of Weaver's Nest Guest House where the truck was parked for the night, to report to the nearest police station in Vereeniging.

It is of concern that this theft will cause a delay with our amnesty hearings schedule.

ends
2 February 1998

AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

Four people were granted amnesty this week by the Amnesty Committee of the Truth and Reconciliation Commission. Among the four, is a former high-ranking official of the Department of Correctional Services who had applied for amnesty in connection with the aiding and abetting of the escape from prison of former Ciskei strongman, Brigadier Charles Sebe.

Three applicants who had applied for a variety of offences, including murder and robbery were refused amnesty.

Willem Hendrik Willemse (61), a former commissioner of the Department of Correctional Services, applied for helping Brigadier Sebe escape from the Middledrift Prison in 1986.

Two of the four people who were granted amnesty are members of the ANC's self-defence unit (SDU) who had applied for illegal possession of weapons of war. The fourth applicant is a member of the PAC military wing APLA who had applied for offences ranging from attempted murder to arson.

Aaron Masuku (36) a former SDU in the East Rand, was granted amnesty in respect of illegal possession of 6 AK 47 rifles and ammunition at the Vosloorus Hostel in January 1991. Another SDU member, Nicholas Mabuya (30) was granted amnesty of illegal possession of a handgrenade in Vosloorus in January 1992.

APLA soldier, Silimela Ngesi Qukumbana (31) was also granted amnesty in respect of the following offences, attack on an East London petrol depot on August 19 1993, on attempted murder of a number of policemen in a shootout in East London on the same day, malicious injury to property and unlawful possession of an assortment of firearms and rocket launchers.

The three people who were refused amnesty were two APLA cadres, Xabiso Aaron Dingane and Bonile Stephen Wanga in respect of the following; armed robbery of Johan Klaassen committed in Port Elizabeth in November 1988. Armed robbery of Robert Chapman in Grahamstown in December 1985. Illegal possession of firearms and escape from prison. Dingane and Wanga are serving 13 years and 24 years in prison, respectively.

Mncedisi Jeffrey Mfazo also a member of the PAC was refused amnesty in respect of the killing of Thozamile Ntoni in Noupoort near Port Elizabeth on 4th April 1993. The amnesty committee found that there was no political motive for the killing.

ends
3 February 1999

AMNESTY HEARING IN BOKSBURG

Issued by: Truth and Reconciliation Commission

Four Umkhonto weSizwe members have applied for amnesty for the killing of a prominent student leader, Sicelo Dlomo. At the time of Dlomo's death he was the leader of the Congress of South African Students (Cosas).

The applicants are John Dube, Sipho Tshabalala, Wiseman Zungu and Nhlaula Makhubu. The four were MK Unit members operating inside the country and their Commander was Dube.

In their applications they claimed that Dlomo was killed because he was a police spy. At one stage the applicants found a police detector in Dlomo's possession.

Another matter to be heard by the Amnesty Committee is the Ellis Park car bomb incident involving four applicants. They are Eddie Shoke, Harold Matshididi, Lester Dumakude and John Dube.

Their applications were partly heard last year and it was postponed. The incident happened on July 2, 1988 where two people were killed and many injured.

The hearing will be held at the Boksburg City Hall from February 15 to 19.

ends
February 3, 1999

AMNESTY DECISION

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today refused amnesty to an Inkatha Freedom Party member Anthony Mhletsha Ndlangamandla.

Ndlangamandla was seeking amnesty for the murder of Mr. Ben Nkosi at Piet Retief in 1993. He was sentenced to an effective ten years imprisonment for the incident.

In its decision the Committee said: "... he was not a very good witness, his testimony was fraught with numerous inconsistencies and contradictions."

ends
04 February 1999

AMNESTY HEARING IN PIETERMARITZBURG

Issued by: Truth and Reconciliation Commission

An African National Congress supporter who played a leading role in the massacre of 13 people at a night vigil in Verulam on 12 January 1990 and an IFP official who killed 7 people and attempted to kill four others during a three-month reign of terror in Imbali in the late 80's, are both among 13 people who will appear before the Amnesty Committee of the TRC in Pietermaritzburg next week.

The hearing scheduled for five days, from Monday 8 February to Friday 12 February 1999, will be at the Marian Centre, at No. 532 Loop Street in central Pietermaritzburg. The hearings will start at 9am each morning.

The applicants will appear before a three-member panel, at a hearing chaired by the Honourable Judge Hassan Mall, the chairman of the Amnesty Committee and a Durban High Court Judge.

Bongani Gilbert Ngobese (43) an ANC member currently serving a 45-year prison term has applied for two separate offences. Firstly for the killing of 13 people at the home of IFP chairman Dingindawo Xulu in Cottonlands near Verulam, during February 1993.

He has also applied for the murder of a Mr Thulani Mzikayifani Mthembu in Cottonlands on 26 December 1991. A group of ANC supporters led by Ngobese attacked Mthembu at his home where he was viciously assaulted before being killed.

The five other people who have applied for amnesty for Mthembu's killing are Lucky Christopher Mnembe (27), Bheki Elliot Mgenge, Sibusiso Mhlongo, Orient Khambule and Philani Luthuli.

Phumlani Derrick Mweli (25), who says he was deputy chairman of the IFP youth brigade in Imbali and is presently serving a life sentence, has applied for the murder of 7 people and attempt on the lives of four other people in Imbali between 27 October 1988 and 16 January 1989.

The other applicants who will appear before the committee next week are Sibusiso Mbi Dladla (29) who says he was IFP youth organiser and leader of the self protection unit in Emahhashini Section in Estcourt is applying for killing a local school teacher, Mr Mduduzi Owen Mabizela on 27 August 1993.

Linda Geodfrey Xaba (40) an MK soldier who was trained in Cuba, has applied for the murder of Frederick Sydney Baxter, a fellow ANC member whom he suspected of being a spy who had infiltrated the ANC. He shot him dead in Mount Ayliff in November 1993.

The last applicant is Sikhulu Patrick Hlengwa, an ANC member who killed a fellow ANC member Hlakaniphani John Mbeko in Mfume in the early 90's.

ends
5 February 1999

IFP MAN REFUSED AMNESTY

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today refused amnesty to a member of the Inkatha Freedom party (IFP); bringing to two the number of IFP members to be denied amnesty at the Committee's hearing in Nelspruit, Mpumalanga this week.

Solomon Mtambo, currently serving twelve years imprisonment, was seeking amnesty for the murder of Mshengu Phungwayo, a prominent member of the African National Congress at Kwadela, Davel, Mpumalanga in May 1993. The Committee earlier this week turned down a bid by another IFP member, Anthony Ndlangamandla, also seeking amnesty for murder.

In both men's testimonies the Committee found that: "...they were fraught with numerous inconsistencies and contradictions. It is clear to us that these are aimed at establishing a political context to support their (respective) assertions that their acts were associated with a political objective".

ends
February 12, 1999

AMNESTY REFUSED TO WESTBURY MAN

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today has refused amnesty to Julian Dion Plaatjies of Westbury, west of Johannesburg.

Plaatjies, 30, who is serving a life sentence for the murder of Mr. Arulla Padayachee at Coronation on January 15, 1993, appeared before the Amnesty Committee in Mayfair this morning. Before his failed amnesty bid, he told the Committee that he killed Mr. Padayachee and wounded his friend Mr. Dirandiran Makanjee after he thought they were policemen who were apparently investigating him for gun running in Westbury.

The Committee heard that the deceased and his friend were abducted and taken to an open veld where they were severely assaulted and subsequently shot at. Mr. Padayachee died and Mr. Makanjee sustained injuries. Their car was later set alight.

In its decision, the Committee chairman Judge Sisi Khampempe said the committee was not satisfied that the incident was politically motivated as required by the TRC Act. She added that it was the view of the Amnesty Committee that Plaatjies and his accomplice were driven by their personal agenda and that their actions amounted to a criminal act.

The hearing continues next week.

ends
February 12, 1999

SDU HEARING CONTINUES

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC will hear 19 Katlehong Amnesty applications by ANC aligned Self Defence Unit members.

Fourteen of the 19 matters will be heard in public, while five will be heard in chambers.

For the past two weeks, the committee dealt with Thokoza SDU matters and has granted 11 amnesties while refusing 2.

Among matters to be heard as from February 16, is the admission by an applicant who had participated in the killing of over 50 victims. He claims to have burnt 98% of the victims.

In another matter, amnesty will be sought for the killing of an IFP leader, Absalom Boy Shozi in July 1993.

All the matter will be heard on February 16 at the Central Methodist Church, Johannesburg.

ends
SDU AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

Eleven of the thirteen members of the Thokoza Self Defence Unit have been granted amnesty by the Amnesty Committee of the TRC.

The hearing, which was heard at the Central Methodist Church in Johannesburg, clearly stated that the "core of the fight between ANC aligned SDU's and IFP Self Protection Units was for political power".

The Amnesty Committee further stated that the following applicants satisfied all the requirements of Section 20 as amended.

a) Vusi Mbatha has been granted amnesty for the murder of Bheki Khanyile and possession of unlawful firearms.

b) Victor Wanda Mabaso - alsias Mochacho ahs been granted for his role in the killing of Steven Radebe and Bheki Khanyile who were IFP emmbers, and unlawful possession of firearms.

c) Sydney Vincent Nkosi has been granted amnesty for the murder of Jabulani Bube an IFP member, and damage to property of Bishop Mbongiseni Khumalo.

d) Four applicants, Solomon Dlamini, Themba Sibeko, Moses Kubheka and Chris Ngcobo have been granted amnesty for armed robbery, assault and malicious damage to property. The four applicants raided Klipriver Police Station and demanded keys to the safe. They took 6 Pistols, 3 R1 Rifles and 6 Pumpguns and ammunition which were distributed to other members of the Self Defence Units in Thokoza.

e) Amnesty was also granted to Aubrey Radebe for the murder of a policeman, attempted murder of an unknown number of policemen, theft of a police armoured vechile and attempted murder of occupants of Khuthuza hostel on board of the police vechile.

f) Amnesty was also granted to Goodman Mbuli for killing an IFP member, Pin Pin Ramaisa and also for unlawful possession of a firearm.

g) Sakhile Jethro Mtshali and Mziwazi Nxumalo have been granted amnesty for kidnapping and attempted murder of an IFP member, Ngubane who was Taxi Rank Marshal. Ngubane survived two attempts to kill him. The applicants has applied for kidnapping, pointing a firearm and unlawful possession of a firearm.

h) Mbongeni Otto Shabangu was granted amnesty for his role in the killing of an unidentified Kwazulu-Natal policeman in Thokoza. Shabangu applied for assaulting the policeman with a stick and kicking him in the ribs. Other SDU members shot and killed the policeman.

i) Bongani Nkosi an SDU commander, has been granted amnesty for killing an IFP informer, an unidentified IFP member from Kwazulu-Natal, 11 counts of arson, unlawful possession of a firearm and malicious damage to property.

j) Tankiso Koena was granted amnesty for the murder of Morris Ngoza who it claimed was an Internal Stability Unit Informer.

k) The Amnesty Committee refused to grant amnesty to Joseph Motsoene for his attempted murder of two school teachers at Maphanzela Primary School in Thokoza. It also refused amnesty to Jimmy Makonde in respect of murder of a policeman. However, the committee granted amnesty to the two SDU members for possession of firearms.
In another hearing at Mayfair, Levi Ramonana Makoe was granted amnesty for the killing of Anna Mingi Feni in Sebokeng in 1992.

ends
16 February 1999

AMNESTY DECISION ON DEATH OF STEVE BIKO

Issued by: Truth and Reconciliation Commission

Four former officers of the security branch in Port Elizabeth who applied for amnesty for the murder of Black Consciousness leader Steve Bantu Biko in September 1977, were this week refused amnesty by the Amnesty Committee of the TRC and their applications were dismissed.

The four officers are Major Harold Snyman who led the investigation team that interrogated Biko, Daniel Petrus Siebert, a former bodyguard to Prime Minister B.J. Vorster, Jacobus Johannes Oosthuysen Beneke, and the 76-year-old Rubin Marx.

Their accomplice and fifth applicant, Gideon Johannes Nieuwoudt, whose application was heard by a different amnesty panel, was refused amnesty in December last year.

In refusing amnesty to the four applicants, the committee based its decision on the following reasons:

- The killing of Biko was not an act associated with a political objective as required by the Amnesty Act.
- The committee was not satisfied that the applicants had made a full disclosure as further required by the Act.
- It was not satisfied that the applicants testified truthfully to the events leading to the injury of Biko and further concluded that the applicants' version of how Biko sustained the fatal head injury, to be "so improbable and contradictory that it had to be rejected as false."
- Instead, the committee concluded that the attack on Biko appeared to have been actuated by ill-will or spite towards him.
- Finally the committee said it was satisfied that the killing of Biko was wholly disproportionate to any possible objective pursued by the applicants, particularly the stated one of extracting information or admission from Biko with a view to a possible criminal prosecution.

The three-member amnesty panel that refused amnesty on the Biko matter was made up of Judge Hassan Mall, Judge Denzil Potgieter and Advocate Ntsiki Sandi. The panel also officially declared the next of kin of Mr Biko as victims (of gross human rights violations) in relation to his killing and therefore entitled to appropriate reparation.

ends
Two brothers, also Inkatha Freedom Party supporters, who killed a 16 year old African National Congress supporter in the then strife-torn KwaZulu Natal in 1990, are among four people granted amnesty by the Amnesty Committee of the Truth and Reconciliation Commission.

The siblings, Mzwandile and Mbuzeni Nsindane were serving 28 and 12 years imprisonment respectively for the murder of Thanbani Mgobhozi and attempted murder of Thulani Miya and Michael Majola.

Other people, granted amnesty are Gladewell Selahle who was serving a lengthy prison term for the murder of Mr. Josepf Mkhabela in Vosloorus in 1994 and Andries Mandla Nzima who was arrested in Vosloorus for illegal possession of a firearm.

However, the Committee has refused amnesty to Julian Dion Plaatjies - a self confessed one-time gun runner who is serving a life sentence for the murder of Mr. Arulla Padayachee and attempted murder of Mr. Dirandiran Makanjee in Westbury, west of Johannesburg in 1993.

The Committee recommended to the Committee on Reparations and Rehabilitations that the victims or their next of kin of these incidents should be regarded as victims of gross human rights violations as provided in the TRC Act.

ends
17 February 1999

VLAKPLAAS OPERATIVES GET AMNESTY

Issued by: Truth and Reconciliation Commission

Five leading members of the notorious Vlakplaas death squads were granted amnesty today by the Amnesty Committee of the TRC, including for some spine-chilling murders and atrocities that they perpetrated with impunity in various parts of the country in the mid-80's.

Offences that these killers were granted amnesty for include the brutal slaying of 10 youths who were lured from their homes in Zeerust in 1987 under the pretext that they were being assisted to leave the country for military training. The Vlakplaas gang "ambushed" the combi transporting the youths which was driven by askari, Joe Mamasela.

The youths were injected with an unknown chemical which knocked them all out. Their combi was pushed by the applicants over the cliff, it burst into flames and they all perished in the blaze.

The five applicants are Jan Hatting Cronje, the leader of the pack and Vlakplaas Commander during 1985, Willem Wouter Mentz, Paul Jacobus Jansen van Vuuren, Roelof Jacobus Venter and Jacques Hechter.

They were also granted amnesty for the killing of Zweli Nyanda the younger brother of the current SANDF chief, General Sphiwe Nyanda who was assassinated in Manzini Swaziland in 1983. They were also granted amnesty for the murder of Piet Ntuli in July 1986. Mr Ntuli was Minister of Interior at the KwaNdebele homeland at the time of his murder.

Some of the applicants were also granted amnesty for the role they played in the events that led to the cold-blooded murder of popular Soweto medic, Dr Fabian Ribeiro and his wife at their home. During his application in connection with this matter, Cronje told the committee that he was personally only involved in the conspiracy and planning of the slaying of the Ribeiros but did not take part in the actual killing. He told the committee that the couple was murdered by two black soldiers who had been flown in from Angola especially for the hit and they were flown home the same night.

Apart for the murders the five were also granted amnesty for either conspiring or attempting to kill high profile political opponents including attempts to kill current deputy national Education Minister, Father Smangaliso Mkatshwa, in Durban in 1985, conspiracy to kill leading businessman, and former PAC deputy president, Advocate Dikgang Moseneke, in Pretoria in 1987 and other high-ranking personalities.

Another applicant was granted amnesty for assaulting top right-wing leaders while interrogating them in detention. Assaulted right-wing leaders include Eugene Terreblanche and Jan Groenewaldt. The incidents happened in 1994.

The applicants were also granted amnesty for the deaths of a number of young activists from KwaThema in Springs, whose cell had been infiltrated by Vlakplaas askari, Mamasela, who supplied the youngsters with booby-trapped handgrenades. They died in numbers after attempts to use the grenades.

Venter was granted amnesty for his role in the killing of another Vlakplaas askari, Brian Ngqulunga, who was part of the team of Vlakplaas murderers that killed Durban human rights lawyer, Griffiths Mxenge. Ngqulunga was killed by his colleagues when they suspected that he was about to spill the beans about Mxenge. His murder was ordered by Colonel Eugene de Kok.

The five applicants were also granted amnesty for a number of other murders, attempted murders, arson, a number of cases where they bombed properties, burned down homes in the townships, instances of torture, cases of severe assaults and abduction.
They were refused amnesty on few instances where they failed to furnish the committee with enough details to establish whether the acts they were applying for had a political objective.

They were also refused amnesty for acts that were committed outside the borders of South Africa. They were also granted amnesty for killing a policeman, Richard Motsabi in Hammanskraal during 1987, whom they suspected of being a secret agent of the ANC. But they were refused amnesty for the killing of the policeman's wife, Mrs Irene Motsabi, who was killed to silence her because she had recognised Mamasela among her husband's killers.

ends
17 February 1999

JEFFREY BENZIEN GRANTED AMNESTY

Issued by: Truth and Reconciliation Commission

Former senior member of the SAP Anti-Terrorist Unit, Jeffrey Theodore Benzien, was today granted amnesty by the Amnesty Committee of the TRC for the killing of popular ANC Cape Town activist, Ashley Kriel, who was gunned down at his home in Athlone on 15th July 1987.

Benzien who presently holds position of captain at the Airwing of the South African Police Services in Cape Town, was also granted amnesty for the use of his "favourite" torture method, known as the "Wet Bag Method" during the torture and interrogation of a number of political activists, including a leading ANC MP, Tony Yengeni.

He was granted amnesty for the severe torture and assault on Ashley Forbes on 16th April 1986 at the Culemborg Police Station. Forbes suffered a damaged eardrum. He was granted for the torture of Bongani Jonas whom he denied medical attention after being seriously wounded in a shooting, and instead carried on interrogating while he laid on the floor wringing in pain.

He was granted for the torture of Peter Jacobs on whom he administered his "Wet Bag" method and the electric shock method, continuously for more than 5 hours during interrogation. And also for Nico Pedro who was arrested near Lesotho on 15th August 1987 and severely assaulted and tortured, almost "to the verge of death".

He was also granted amnesty for assault with intent to do grievous bodily harm on Gary Kruser, whom he tortured and severely assaulted while trying to get information out of him.

Benzien's Wet Bag method which was widely publicised when he displayed it during a public hearing, entails making the suspect to lie on the ground on his stomach, with his hands handcuffed behind his back. He would then sit on the small of the suspects back and pull over his head a wet cloth bag, twisting it tightly around the suspects neck, cutting off the air supply to the victim.

Benzien bragged during his hearing, saying that his method was so effective that he invariably got the desired results within a matter of thirty minutes.

He was also granted amnesty for committing perjury in the trial of Gary Kruser and at the inquest proceedings on Ashley Kriel's death.

ends
February 17, 1999

HEARING IN PRETORIA

Issued by: Truth and Reconciliation Commission

Lawyers representing the late Maruis Schoon in the London Bombing Amnesty Hearing will be calling about 5 witnesses next week.

The hearing is set for 2 weeks starting February 22 - March 5, 1999 at the Idasa Centre in Pretoria.

The matter was partly heard by the Amnesty Committee towards the end of last year.

Craig Williamson, John McPherson, Johannes Coetzee, Roger Raven, Wybrand Du Toit, John Adam and Eugene De Kock are applying for amnesty in the London Bombing incident.

Also applying for amnesty for the murder of Janet and Katryn Schoon are Williamson, Raven, Dirk Coetzee, Izak Bosch and Willem Schoon. Williamson, Raven and McPherson are also applying for amnesty for killing Ruth First and attempted murder on Joe Slovo in Mozambique in the 1980's.

ends
February 17, 1999

AMNESTY HEARING IN BOKSBURG

Issued by: Truth and Reconciliation Commission

Three IFP applicants, Bheki Sunset Xaba, Norman Mandlakhe Mbatha and Thulani Terence Mlaba will appear before the TRC's Amnesty Committee in Boksburg next week.

The three applicants, will appear before the committee in relation to a shooting incident at the funeral of the wife of a notorious East Rand IFP leader, Bishop Mbhekiseni Khumalo.

It is alleged that when a shooting erupted at the funeral following a rumour that there could be trouble, Mbatha shot back, killing Monna Philemon Skonyana.

Lucky Mkhonza, Msawenkosi Dlamini, David Mdavu and Aaron Sithole were initially charged and convicted with Mlaba, Xaba and Mbatha for the killing. The applicants are serving their sentences at Boksburg, Johannesburg and Zonderwater prisons respectively.

Another matter to be heard in Boksburg is the amnesty application by 5 IFP applicants for acts of murder, attempted murder and possession of unlicensed firearms.

The applicants are applying for an attack on the Zevefontein squatter camp in which three people were killed and six others were injured on February 12, 1994.

The applicants are serving 15 years for murder and 8 years for attempted murder, 5 years for possession of a machine gun and 2 years for ammunition.

The hearing will be held at the Boksburg City Hall from February 22 to 26. Lynn Lockhat will lead evidence during the hearing.

ends
18 February 1999

MORE AMNESTY DECISIONS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the TRC today granted amnesty to a number of people for a variety of crimes, including murders and bombings but also refused amnesty to a few others.

Two former security policemen from the Free State who applied for amnesty for the bombing of Mrs Winnie Mandela's home in Brandfort in September 1985 and the petrol-bombing of a clinic she ran in the area at the time, were among the applicants granted amnesty.

The two policemen, Mphithizeli Nelson Ngo and Mohonaetsi Stephen Motsamai were granted amnesty for a number of offences, including the bombing of Mrs Mandela's properties, however, they were refused amnesty on a number of other offences including murder, attempted murder and robberies that they committed between 1985 and 1986 in Free State townships.

Wanda Bongani Mdletshe an IFP member from Drifontein who appeared before the committee in Pinetown on 4th February 1999, was granted amnesty for the killing of a political opponent, Kehla Ntshingila, whom he killed on instructions of a local IFP leader. He was serving a 12-year prison term.

Lu Patrick Sima an ANC Youth League member from Port Shepstone on the Natal South Coast, was granted amnesty for killing prominent IFP member Kulo John Mbili, who he stabbed to death at the Margate bus rank on 9th April 1994. He appeared before the committee in Pinetown on 3rd February 1999. He was serving an 8-year prison term.

Solomon Khanyile, a 61 year-old IFP supporter who killed three people in Umlazi in January 1987, and attempted to kill 10 others was refused amnesty on the grounds that the offences had not been politically motivated. He is currently serving a 45-year prison term. He appeared before the committee in Pinetown a week before the last.

Six ANC supporters who were part of a mob that attacked and killed IFP supporter, Thulani Mzikayifani Mthembu at his home in Cottonlands near Inanda on 26th December 1991 were also granted amnesty.

The six who appeared before the committee in Pietermaritzburg last week, are Bheki Elliot Mgenge, Sibusiso Mhlongo, Orient Khambule, Philani Luthuli, Lucky Christopher Mnembe and Gilbert Ngobese.

ends
23 February 1999

AMNESTY FOR MURDER OF SIZWE KONDILE

Issued by: Truth and Reconciliation Commission

Former Eastern Cape Security Policemen granted amnesty for the murder of Eastern Cape activist Sizwe Kondile.

The Amnesty Committee of the Truth and Reconciliation Commission today has granted amnesty to four former security policemen for the abduction and murder of an Eastern Cape activist Sizwe Kondile near Komatipoort in 1998.

The Amnesty Committee's decision to grant amnesty retired generals Nic van Rensburg, Gerrit Erasmus, Captain Hermanus du Plessis and Inspector Johannes Raath for the murder of Kondile comes in the wake of a similar decision last week when the Committee pardoned a former South African Police's anti-terrorist unit operative Jeffrey Benzien for the murder of a Cape Town activist Ashley Kriel in 1987.

Kondile, a confidante of former Umkhonto we Sizwe Leader Chris Hani, was captured near Bloemfontein by the security branch, taken to the Eastern Cape and spirited away to a bush near Komatipoort where he was drugged and shot dead. His body was later incinerated on a wood pyre and the remains thrown at the Komatipoort river.

Former Vlakplass commander Dirk Coetzee testified about Kondile's murder during the 1990 Harms commission of inquiry into "hit squad" activities and during his own amnesty application to the TRC in 1996. Coetzee claimed that General van Rensburg had told him personally that Kondile had suffered severe brain damage while in security detention in police cells at Jeffreys Bay, Eastern Cape and that police had decided to kill him and dispose of his body to avoid another "Steve Biko affair".

Announcing their decision, two Amnesty Committee judges assisted by two Senior Counsel said: "Coetzee's evidence seems to dispute the date of the death (of Kondile) and whether he was injured or not before he died. In our view this is not central to the important requirements to be considered and does not affect the political objectives of the applicants.

"In any event the application is not directed at any assault or the causes of injuries as referred to by Coetzee and (Ginotry) Danster. Clearly the deceased was murdered for political reasons as he was a threat to the machinery of the security police, who by their own admission, sought to protect the (former) Nationalist Party government."

The Committee also ruled that Bantu Kondile, the son of Sizwe Kondile should be considered as the victim of gross human rights violation as provided by the law governing the operations of the TRC.

Meanwhile, the Committee has also granted amnesty to a member of the Inkatha Freedom Party in Katlehong, Jacob Simon Belle, who was serving an effective six years imprisonment for illegal possession of an AK47 and ammunition.

ends
26 February 1999

AMNESTY REFUSED TO BHEKI SUNSET XABA

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today has refused amnesty to a former Tokoza self defence unit member Bheki Sunset Xaba for the murder of Mr Monna Philemon Skonyana in 1993.

Xaba is serving seven years at Boksburg Prison for the 1993 murder.

Refusing his amnesty application, the Amnesty Committee said: "His testimony was fraught with numerous inconsistencies and contradictions.

When asked to explain these he conceded that he had been vague in his application and had lied in his first affidavit sent to the TRC and in court during his trial. As a result we are not satisfied that the applicant has made full disclosure of all material facts."

For an amnesty application to be successful, the TRC law requires that an applicant should show, among others, political motive and disclose all facts relating to the offence for which amnesty is sought.

ends
AMNESTY REFUSED TO EIGHT MEMBERS OF AWB

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today has refused amnesty to eight members of the Afrikaner Weerstands beweging who murdered four blacks and injured six others at a bogus roadblock, west of Johannesburg in 1993 in an attempt to scupper South Africa's first all race elections.

Andre Franswa Visser, Deon Martin, Petros Johannes Matthews, Phillipus Cornelius Kloppers, Marthinus Lodewikes van der Schyff, Gerhardus Johannes Diederichs, Carel Hendrik Meiring, Marius Ettienne Visser and Frederick Jacobus Badenhorst sprayed ten black people with gunfire in a mock roadblock on the Krugersdorp-Ventersdorp road, west of Johannesburg, using a blue traffic department light and clad in reflective jackets on December 12, 1993. They later cut off the ear of one of their victims to show to their commander as a "trophy", they told the Committee their amnesty hearing last year.

However, the Committee pardoned Van der Schyff for the murder, assault and illegal possession of a firearm and ammunition saying he had made full disclosure of the facts relating to the incident. The applicants are serving life sentences for the incident.

Rejecting the applications, the Amnesty Committee said: "The applicants conceded that they had been consuming liquor prior to the (incident) and on the way to the spot where the roadblock was set up. The Committee accepted that the setting up of the road block was in line with general AWB policy and that the prime objective was to obtain weapons. The Committee does, however, accept that it was the policy to kill people at the roadblock."

"The inevitably conclusion is that this was no more than a one-off incident gone wrong. This was, in fact, the gist of the evidence given by Kloppers at the criminal trial where he testified that the reason for the roadblock was to obtain arms, that they were under the influence and that the incident had sadly gone wrong."

The Committee further argued that there was no reason to believe that the victims were legitimate targets and rejected the applicants' version that the victims had admitted to being members of the African National Congress.

"It is highly improbable that they would have done so in the circumstances and there is evidence to the contrary from the victims as well as one of the applicants. Had the incident been properly planned, as alleged and had the applicants been as sober as they now want us to believe, it is improbable that the majority of the victims would have survived," the Committee said.

ends
10 March 1999

AMNESTY GRANTED TO THREE FORMER UMKHONTO WE SIZWE

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today has granted amnesty to three former Umkhonto we Sizwe operatives - African National Congress's disbanded armed wing, for sabotage and illegal possession of arms, ammunition and explosives.

Molwedi Mokoena, 33, has been granted amnesty for bombing an electrical installation and railway line in Katlehong in 1988 and a water reservoir at Dawn Park, Boksburg the following year.

Vusumuzi Mvakali, 37, for bombing a vehicle belonging to the former Ibhongo Senior Secondary School principal Mrs A Mtshali in Soweto in December 1989 and Themba Hlongwane for illegal possession of arms and ammunition.

The applications were processed in chambers as the offences for which the men applied for amnesty do not fall within the ambit of gross human rights violation as described by the TRC law.

ends
11 March 1999

AMNESTY GRANTED TO ANC SELF DEFENCE UNIT MEMBER

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today has granted amnesty to a former African National Congress-aligned self defence unit member Jeremia Mbongeni Mabuza for incidents ranging from murder, arson to illegal possession of a large quantity of weapons and several rounds of ammunition in the political violence riven East Rand shortly before 1994 general elections.

These include, among others, launching an attack on Inkatha Freedom Party-aligned Mshayazafe Hostel dwellers in Thokoza, East Rand in April 1994, illegal possession of a large quantity of weapons such as AK 47, R4 rifle, pistols and revolvers and several rounds of ammunition.

Mabuza was also part of a group of SDU members who went amok at the height of political upheavals in the area setting ablaze houses belonging to suspected IFP supporters in Ngema Section Katlehong and later derailed a train ferrying commuters from Germistone to Kwesine Station and doused two couches with petrol before setting them alight. Mabuze was never charged for the incidents.

Delivering its verdict, the Amnesty Committee said it was satisfied that: "there was no personal malice or ill will in the actions that Mabuze took against the opponents of the Katlehong Community nor did he gain personally from any of these actions." It added that Mabuze had disclosed all facts relating to the incidents and that the incidents were politically motivated in the context of the violence which had engulfed East Rand townships shortly before the 1994 general elections.

* Meanwhile, the committee has granted amnesty to an Afrikaner Weerstandsbewiging (AWB) member Jacobus Frederick de Beer for illegal possession of explosives and a bombing incident which occurred at Boomstreet, Flamwood, Kerksdorp in 1994. De Beer was never sentenced for the incident pending the outcome of his amnesty application.

ends
AMNESTY GRANTED TO FOUR

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today has granted amnesty to four people for incidents ranging from illegal infiltration of the country and illegal possession of AK 47's refusal to be trained by the apartheid government's army.

Two Inkatha Freedom Party members Obed Mbatha and John Mbatha have been granted amnesty for illegal possession of weapons including AK 47 assault rifles at Kempton Park and Albatroos Roads in 1993 respectively.

Naomi Nonhlanhla Xaba, a former Umkhonto we Sizwe operative, for infiltrating the country from Swaziland with the aim of toppling the previous government between 1986 and 1987. Tom Wiltshire Robbins, a former member of the National Union of South African Students (Nusas) for refusing to report for military training by the former South African Defence Force in January 1993. In his amnesty application, Robbins argued that by reporting for conscription he would have served to bolster the former apartheid regime.

The amnesty applications were processed in chambers as the offence do not constitute gross human rights abuses as defined by the TRC Act.

+ends
19 March 1999

RESPONSE TO MEDIA REPORTS ON DR. BIKI MINYUKU

Issued by: Truth and Reconciliation Commission

We deem it necessary to respond to certain media reports which have come to our attention regarding the position of Dr. Biki Minyuku within the TRC process. Dr. Minyuku, as is widely known, occupied the position of Chief Executive Officer and Chief Accounting Officer of the Truth and Reconciliation Commission. Subsequent to the suspension of the TRC, Dr. Minyuku continued in that position under the auspices of the Amnesty Committee which has been charged with the responsibility to also complete certain outstanding matters which previously fell under the TRC. Dr. Minyuku has resigned his position as CEO/CAO with effect from the end of March 1999. It was with regret that we had to accept the resignation of an official who has played an outstanding and pivotal role in the TRC process.

We are deeply appreciative of Dr. Minyuku's selfless efforts often at great personal sacrifice. We also feel obliged to record that Dr. Minyuku's integrity has always been beyond reproach. It is partly for this reason that we wish to rectify the following wrong impressions created in the media reports on this issue:

1. Dr. Minyuku has never attempted to retain his position as CEO/CAO simultaneously with his new position at the University of the North. Any suggestion that he might have done so to obtain some unwarranted financial benefit is scandalous and without any basis whatsoever. Both the TRC and Dr. Minyuku reserve their rights herein. However, in view of the cardinal role played by Dr. Minyuku and his immense relevant experience and skills, the Amnesty Committee is exploring the possibility of obtaining the assistance of Dr. Minyuku when needed. There is no question of any payment being made to Dr. Minyuku should such future assistance be obtained.

The Amnesty Committee is presently considering various options in filling the vacancy left by Dr. Minyuku's resignation.

2. There is no truth in the suggestion that Dr. Minyuku neglected his duties as CEO/CAO due to his participation in the Ministerial Commission to Transform the Defence Intelligence. This participation was considered and approved by the TRC after being satisfied that this would not have a negative effect on his duties as CEO. This is an unpaid activity.

3. The references to Dr. Minyuku's remuneration package as CEO and its comparison with that of Commissioners is uncalled for. Dr. Minyuku's contract and terms of employment have been negotiated like any other TRC official and have been approved by Parliament as required by the law. No constructive purpose can be served by a debate in this regard at this stage.

In conclusion it is our view that the whole country owes Dr. Minyuku a debt of gratitude for his immense contribution towards the process of truth, national unity and reconciliation which is so vital for all our futures.

ends
23 March 1999

AMNESTY FOR 5 ANC MEN

Issued by: Truth and Reconciliation Commission

Five members of the African National Congress were granted amnesty this week by the Truth and Reconciliation Commission, Amnesty Committee.

They are Richard Sodo, Lawrance Selekoe, Kenani Phineas Malio, Nkosinathi Moses Sithole and Moroka Isaac Mantutle. Also granted amnesty was a member of the Pan Africanist Congress, Mandla Mavundla.

All these matters were considered in chambers by the amnesty committee. However the committee refused amnesty to one Allan Notle from Durban and surroundings.

He applied for amnesty for unlawful possession of 10 pipe guns, 38 special revolver and 54 rounds of 38 special revolver.

ends
29 March 1999

AMNESTY FOR TWO ARMS SMUGGLERS

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has today granted amnesty to two people, for smuggling of weapons from Swaziland to South Africa in 1993.

The applicants, Vuzumuzi Derrick Ngobese and Mandlenkosi Clifford Makhoba were arrested at the Golela Border Post with a huge arsenal of weapons. The weapons were:

1. 13 Stechkin 9 x 19mm pistols with 26 magazines;
2. 9 Makarov x 18mm pistols with 18 magazines;
3. 2 RPG 7 rocket launchers;
4. 6 PG 7 rockets;
5. 6 PG primary loads;
6. 34 F1 hand grenades;
7. 40 UZRG hand grenades detonators;
8. 2800 AK 47 bullets.

The amnesty applications were processed in chambers as the offences do not constitute gross human rights abuses as defined by the TRC Act.

ends
30 March 1999

AMNESTY FOR 7 SDU MEMBERS

Issued by: Truth and Reconciliation Commission

Seven members of the self-defence units in Thokoza were granted amnesty this week by the Truth and Reconciliation Commission, Amnesty Committee. They are Simphiwe Nemaorani, Kali Letsopa, Lawley Shein, Phineas Vusumzi Mpela, Micheal Bongani Xaba, Kenneth Bleki Mini and Jonguxolo Wiseman Mulenzana. The applicants committed offences ranging from being in possession of fire arms, AK 47's and distribution of ammunition between 1990 and 1993.

They claimed that during that period they were engaged in a war with the Inkatha Freedom Party. Also granted amnesty this week was Makhosini Motlana in respect of malicious damage to property in Pretoria in 1987.

Motlana directed a bomb at a public bus causing it to be extensively damaged during a stayaway. Amnesty Committee found that all the applicants have satisfied the requirements of the act.

ends
1 April 1999

AMNESTY APPLICATIONS RELATING TO FORMER GOVERNMENT'S FORCES

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission will this month hear amnesty applications relating to various attempts by members of the former government's security forces to destabilise the Eastern Cape in the late 80s as well as applications arising out of two failed separate attempts to overthrow military regimes which ruled the province's former homelands of Transkei and Ciskei respectively.

The hearings will take place at the Catholic Centre, Queen's Street, Cambridge, East London from April 6 to April 30 at 9am.

Christofell Pierce "Joffel" van der Westhuizen and Johannes Ludewikus Griebenouw are seeking amnesty for their role in a military operation dubbed "Katzen" aimed at amalgamating the two former homelands into a "Xhosaland" to counteract the activities of the liberation movements. The operation culminated in the abduction of former Ciskei's president Lennox Sebe's son Kwane from a hotel in King William's town and a subsequent daring escape of Mr Lennox Sebe's estranged brother Charles from a maximum prison in Middledrift, Eastern Cape. The hearing will swing into action on Tuesday April 6 to Friday April 9 next week.

The Amnesty Committee will also hear an amnesty application relating to the abduction of a Transkei businessman Mr Vulindlela Mbotoli following a failed attempt to topple then Major General Bantu Holomisa's Transkei government by his former right hand man-turned rebel Colonel Craig Duli.

Mr Mbotoli was captured in Johannesburg by the homeland's intelligence agents drugged, bundled into a car and spirited away to Transkei to stand trial for his role in the abortive coup. Duli and his body guard Boetie Davies were killed when troops loyal to Holomisa crashed the coup in the late '80s.

An Austrian businessman, Rainer Maria Moringer is applying for amnesty for his role in the abduction of Mr Mbotoli. His application will be heard from Monday April 12 to Friday April 16. Mr Holomisa, now the leader of the United Democratic Movement (UDM) is among several people who have been duly notified by the Amnesty Committee about the hearing in line with the requirements of the TRC Act.

Former Vlakplaas commander and convicted murderer Eugene de kock, Willem Notjie, Martthinus Ras, Daniel Snyman, Nicholas Vermeulen Jan Anton Niewoudt and Phumelele Gumengu are seeking amnesty for their role in arming Col Duli in the aborted coup. Their applications will be heard from Monday April 19 to Friday April 23.

Clive Brink and Anton Niewoudt are applying for amnesty for their role in the murder of Ciskei's Brigadier Oupa Gqozo's former right hand man turned rebel Onward Guzana and Brig Gqozo's fierce foe Charles Sebe at a roadblock on the road between Stutterheim and King William's town in January 1991.

Col Guzana died at the roadblock and Sebe was shot dead in execution the next day after they were lured into Ciskei from Transkei by military intelligence agents under the pretext that the former homeland's soldiers had staged an insurrection against the former Ciskei's strongman. The hearing is set down from Monday April 26 to Friday April 30.

According to the TRC law, victims, next of kin or any other interested party have the right to attend, adduce evidence and be legally represented at the hearings.
AMNESTY REFUSED TO 79 ANC MEMBERS

Issued by: Truth and Reconciliation Commission

Amnesty Decision

The Truth and Reconciliation Commission, Amnesty Committee today refused amnesty to the 79 African National Congress members and leaders.

This group is the second group to be refused amnesty recently. On 9 May 1997 the Truth and Reconciliation Desk of the ANC submitted a number of applications for amnesty to the Amnesty Committee, requesting the committee to consider them jointly. In the ANC application they maintained that the applicants were members and leaders of the ANC who collectively took responsibility for policy decisions that led to cadres committing human rights violation.

In a further exchange of communication between the ANC and the Amnesty Committee it was made clear that none of the applicants had been involved in any individual action for which they would be required to seek amnesty.

The Committee found that whereas an act, omission or offence must be the subject matter of an application and in this instance no such act, omission or offence had been disclosed. The Committee then concluded that the applicants did not comply with the requirements of the act.

"Having considered the application of the below named applicants the committee find that the applications similarly does not comply with the requirement of the act and therefore fails," the Committee concluded.

Among those refused amnesty are Geraldine Fraser Moleketi, Frene Ginwala, Pallo Jordan, Panuell Maduna, Tenjiwe Mtintso, Santie Tembi-Mahanyele, Joe Nhlanhla, Zola Skweyiya, Manto Tshabalala-Msimang, Sbusiso Ndebele, Tony Yengeni, Dullar Omar and Baleka Mbeti-Kgositsile.

ends
AMNESTY DENIED TO HANI KILLERS

7 April 1999

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission today refused amnesty to the two killers of Mr. Chris Hani.

Janusz Walus and Clive Derby-Lewis on 10 April 1993 shot and killed Mr. Hani in the driveway of his home, Dawn Park in Boksburg. Walus had been reconnoiting the Hani home for some time prior the incident with a view to executing the plot to assassinate him, which was devised by Walus and Derby-Lewis.

The Committee found that both applicants failed to make a full disclosure and political motivation in respect of any of the relevant and material issues set out in the Act.

"In all circumstance, we are not satisfied that the applicants comply with the requirements of the Act, in particular the provisions of Section (20) (2) (a) thereof. The applicants, moreover, failed to make disclosure as set out.

"It is common course that the applicants were not acting on their express authority or orders from the Conservative Party which they purport to represent in assassinating Mr. Hani. The CP has never adopted, propagated or espoused a policy of violence or assassination of political opponents."

The Committee found that it was clear the two were not acting within the course and scope of their duties or express authority from CP in assassinating Mr. Hani. " The clear evidence of Dr. Hartzenberg negated any claim that the public utterances of the CP leadership constituted implied authority for the assassination.

"It would in any event be futile for the applicants to rely on such a claim, given the fact that they were both active CP members acquainted with the party structures and constitution as well as the policy of non violence. Derby-Lewis in particular was part of the CP leadership and national decision making structure and cannot reasonably rely on the utterances of his colleagues for the inference that the applicants has implied authority from the CP for the assassination."

The Committee maintains that Walus and Derby-Lewis also failed to discuss their intended actions with any other figure of authority or structure within CP. On whether or not Walus acted on orders from Derby-Lewis the Committee found that it was abundantly clear from the record that Walus was not acting as a mere functionary.

"He had a clear understanding of the political situation and was active in rightwing politics. He was clearly actuated by his personal desire to stop the communist from taking over the country. He participated fully in political discussions and hatching the plot to assassinate Mr. Hani.

"Walus was under no duress or coercion and executed the plan as he deemed fit. In fact, Derby-Lewis indicated that he was taken by surprise by the timing of the assassination and that he actually needed some more time to consider the planned attack upon Mr. Hani.

"There is no suggestion that he was ever previously ordered by the CP to commit any unlawful acts, let alone commit murder".

The committee was satisfied that Walus was a co-conspirator and that he was merely acting on orders from Derby-Lewis. With regard the role of Mrs. Derby-Lewis in the assassination the committee said, "we do not regard it as strictly necessary to finally decide on the issue concerning the role of Mrs. Derby-Lewis and according declined to do so. However, the committee found the list of names prepared by her was a hit list.

ends
8 April 1999

AMNESTY HEARING AT METHODIST CHURCH, JOHANNESBURG

About eleven members of the African National Congress and three Pan Africanist Congress are applying for amnesty for committing arson, murder and attempted murder in a political conflict between ANC and Inkatha Freedom Party in the 1980's.

The hearing will be held at the Central Methodist in Johannesburg from April 12 to 16. The other feature of the hearing will be dealing with a political conflict between Pan Africanist Students Organisation (Paso) and Congress of South African Students (Cosas).

A number of people were killed in both incidents that happened in KwaThema, Thembisa and Sebokeng. Most of these applicants are currently serving long jail sentences.

The same week there will be another hearing at the JISS Centre. The hearing will be a continuation of an amnesty application by a former security police Mike Bellingam who is applying for killing his wife.

Both hearings will start on Monday. An amnesty hearing will be held between 3 and 21 May 1999 at the Central Methodist Church, Johannesburg. Amongst the matters to be heard, will be the abduction of Herbert Mbali. Herbert Mbali was abducted from Lesotho in 1972 and 1973. He was later returned by the South African police to Lesotho after intervention by the Lesotho government. We have been unable to find Herbert Mbali and would like to request that he, or any of his relatives contact Chandre Gould at the Truth and Reconciliation Commission in Cape Town, the number is (021) 4245 161.

Also to be heard will be an attack on an ANC safe house in Botswana on 31 December 1986. The intended targets were two MK members whose MK names were Sadi Pule and Take Five. Neither of these two people were at the house at the time of the attack. However, a woman died when the house was fired upon by the South African security forces. Anyone who has any information relating to the identity of the victim or the two MK members is requested to contact Chandre Gould at (021) 4245 161.

In 1972 a member of the ANC who was working for the security branch lured two ANC members to South Africa. They were met in Zeerust where one of the victims was shot and killed. The other was interrogated and then shot some time later. Anyone who has any information relating to the identity of the victims or the two ANC members is requested to contact Chandre Gould at (021) 4245 161.

ends
9 April 1999

AMNESTY FOR 5 MEN

Issued by: Truth and Reconciliation Commission

The Truth and Reconciliation Commission, Amnesty Committee today granted amnesty to four African National Congress activists and a member of the Afrikaanse Weerstand Beweging (AWB).

Johannes Christian Visser, AWB member, was granted amnesty for placing a bomb in a building in Krugersdorp in 1993. Visser in his amnesty application stated that he committed sabotaged in order to stop black people from taking over the country and to protect what whites had.

Also granted amnesty were three Self Defence Unit members, Motumi Tsepe Edwin, Micheal Bongani Xaba and Musa Buthelezi. They were granted amnesty for being in possession of AK 47’s, firearms and ammunition in 1991 in Soweto and Johannesburg.

Petrus Gcinumzi Malindi a former member of Congress of South African Students (Cosas) was also granted amnesty in respect of public violence offence he committed in Soweto in 1981.

ends
FOUR FORMER SDU MEMBERS GRANTED AMNESTY

The Amnesty Committee of the Truth and Reconciliation Commission today has granted amnesty to four former members of the African National Congress-aligned Self Defence Units in the then strife-torn Thokoza for illegal possession of arms and ammunition between 1990 and 1993.

Mahlomola Israel Mabote, Sidney Siphiwe Nemaorani, Kali Letsopa and Joseph "Parkson" Pako Gaelatse were never prosecuted for these offences.

Granting their applications, the Amnesty Committee said it was satisfied that the men had met all the requirements of the TRC Act relating to the granting of amnesty. "We are satisfied that the applicants were members of the SDU's and that the SDU's were established because of the political struggle between the African National Congress and the Inkatha Freedom Party in the area at the time," the Committee added.

The applications were considered in chambers as the offences for which the applicants applied for amnesty do not constitute gross human rights violations as defined by the TRC law.

ends
HEARING CONTINUES IN EAST LONDON

The month-long amnesty hearing in East London will resume tomorrow to hear amnesty application from a former Transkei military intelligence operative and Austrian businessman Mr Rainer Maria Moringer relating to the 1991 abduction from Johannesburg to Transkei of the former homeland's coup suspect and businessman Mr Vulindlela Mbotoli.

The hearing was adjourned on Thursday last week after the Amnesty Committee had finished hearing applications for amnesty from the former South African Defence Force's chief of intelligence Lieutenant-General Christoffel van der Westhuizen and a member of the former South African Police Colonel Jan Gribenauw regarding the previous government's failed operation to create a bizarre Xhosaland in the Eastern Cape aimed at fighting the activities of the liberation movements in the late 1980s.

Mr Mbotoli, the husband of an actress Dambisa Kente, was captured, drugged, bundled into a vehicle and whisked away to the former homeland after he had been lured by intelligence agents into a house in Johannesburg. This followed after numerous attempts by the then Transkei government to have him extradited to Transkei failed.

He was kept at a military barracks for months before he was convicted and sentenced to 20 years imprisonment for treason. He was pardoned by President Nelson Mandela and released from St Albans Prison in Port Elizabeth where he was serving his sentence. Mr Mbotoli's abduction came in the wake of deteriorating relations between him and the then Transkei government over millions of rands which Mr Mbotoli alleged was owed to his construction company by the Transkei government.

Mr Moringer claims in his amnesty application that soon after General Bantu Holomisa's former right-handman Colonel Craig Duli's failed bid to overthrow Holomisa's government in November 1990, it became clear from military intelligence sources that another coup was imminent. He also claims that due to the need to keep the former homeland "independent" during the transitional period leading to the country's democratic dispensation, Gen Holomisa's government decided to abduct Mr Mbotoli to Transkei to stand trial and not to "eliminate" him.

Mr Moringer further claims that the abduction of Mr Mbotoli was carried out "with the express approval and knowledge of Gen Holomisa", although the order came from the former homeland's director of military intelligence Colonel Washington Ndzwayiba. Gen Holomisa, now the leader of the United Democratic Movement (UDM) is among people who have been duly notified in accordance with the TRC Act.

In terms of the TRC law victims, their next of kin or any other interested party have the right to attend, adduce evidence and be legally represented at the hearing. The hearing will continue from tomorrow Thursday April 15 until Friday April 16 at Catholic Centre, Queen's Street, Cambridge, East London. Mr Justice Selwyn Miller will chair the hearing.

ends
15 April 1999

AMNESTY DENIED TO NINE FORMER SECURITY POLICEMEN

Issued by: Truth and Reconciliation Commission

The Amnesty Committee of the Truth and Reconciliation Commission has denied amnesty to nine of the fourteen former security policemen who had ambushed and killed six MK members near Alldays in the former Western Transvaal.

The committee has also granted amnesty to five of the policemen for

their role in the killing of MK members in the Alldays matter.

The six MK members had just infiltrated the country and were being driven in a Kombi by a police informer, Maropeng Mathews Sehlwana from Botswana when they were ambushed.

Among those who's amnesty was denied include, Andries Johannes Erwee, Nicholas Stephanus Coetzee, Jacobus Petrus van der Berg, Willem Johannes van Dyk, Johannes Andries Strydom, Pieter Andries Dreyer, Willem Johannes van der Merwe, Josef Venter and Phillip Theunis Fourie. Their amnesty was denied in relation to making false affidavits in connection with the murders of Umkhonto we Sizwe members, namely, Lenepa Montgomery Moloi, Thlabane Rantho Mogashoa, Walter Titus Alset and three other unknown members. The six were killed on the road between Breslau and Alldays.

On the other hand, the committee has granted amnesty to four of the nine policemen for submitting false affidavits to the inquest proceeding in which they deliberately lied. The policemen are: A.J.G. Erwee, F.C.S. Swarts. P.A. Dreyer and J.H. Van Dyk.

According to the committee, "the false information was aimed at preventing the truth from coming out. There is no doubt that had the truth come out, the then government would have been politically embarrassed. We therefore find that whatever offence was committed, it was an act with a political objective".

On the same matter, amnesty has been granted to Maropeng Mathews Sehlwana, Paul Phillipus Francois Fuchs, Joachim Heinrich Kruger, Laurens Martin Pretorius and Frederick Christiaan Swarts for their role in the killing of the six MK members.

Committee members who presided on the matter were Judge Bernard Ngoepe, Sisi Khampepe and Chris De Jager. Full test of the decision is available.

ends
April 22, 1999

RESPONSE TO LETTER FROM BANTU HOLOMISA

The Amnesty Committee of the Truth and Reconciliation Commission is in receipt of a letter from Mr Bantu Holomisa claiming 5 million rands for what was allegedly said in an amnesty hearing by Eugene De Kok in East London on Monday this week.

Mr Holomisa claimed he was not informed by the committee that his name was going to be mentioned in that hearing by De Kok. Mr Holomisa is correct in his assumption that implicated persons in terms of our act have to be notified of those instances where they are being implicated by amnesty applicants.

The Amnesty Committee has all the time adhered to this requirement in those cases where it was evident from the applications or where it became clear through our investigation that a person or persons are being implicated. Hence our notification to him in the case of the Moringer and Van der Westhuizen applications.

Regarding the application of specifically De Kok, the Amnesty Committee at no stage was aware that he is going to implicate Mr Holomisa. This was never stated in his application nor in supplementary statements submitted by De Kok.

At the hearing in question, for the very first time De Kok testified that he heard from another unidentified person that Mr Holomisa was present at the killing of Craig Duli. The hearing did not deal with applications for the killing of Duli, but for the act of supplying weapons to him to overthrow the Transkeian government of the time.

De Kok’s testimony was, for the purpose of the hearing not relevant because it did not relate to the matter being heard and more importantly his testimony was based on inadmissible hearsay evidence. Unfortunately the Amnesty Committee has no control over facts or in this case alleged facts reported by the media nor the way in which they reported it.

The allegation made in letter regarding the integrity and the perceived objective of the Amnesty committee, it is very unfortunate and devoid of any substance. The commission reserve its right maybe Mr Holomisa should rather direct his concerns to the media who reported on this alleged hearsay allegations.

In terms of section 30(2) of the act and in line with our practice, in those instances where allegations of which the Amnesty Committee was unaware of prior to the hearing, were made against individuals, we will supply you with a copy of the transcript of the proceedings, as soon as it becomes available to enable Mr Holomisa to respond accordingly.

Media Enquiries Phila Ngqumba 0824588463
April 28, 1999

TRC RESPONSE TO 'PROSECUTION LIST'

The Truth and Reconciliation Commission would like to put into perspective, the "prosecution list" as reported in the media today.

While not denying the fact that we have been meeting with the office of the National Director of Prosecutions, Bulelani Ngcuka, it should be stated that we met for the following reasons:

The meetings we have had, were to discuss strategies in order to fulfill the recommendations of the TRC in its final report.

The meetings have been in the nature of working discussions to explore mechanisms to deal with the process.

Whilst it is true that a list has been handed over, it would be correct to say that this list contains names that are already in the TRC final report.

Whilst the number of perpetrators is being bandied about, it would be inappropriate to discuss names and numbers at this point.

Both parties have agreed that names on the list as well as other information pertaining to the list will be confidential, and we ask the media to respect that confidentiality.

We would like to state categorically that no names have been disclosed at this stage to the media, and neither has there been any discussion of Gen. Magnus Malan as is reported in the media.

For inquiries call Mbulelo Sompeta - 082 452 7870
13 FORMER SA SECURITY BRANCH MEMBERS AMNESTY HEARING

The Amnesty Committee of the Truth and Reconciliation Commission will next week hear amnesty applications from thirteen former South African Security Branch members in connection with a spate of separate incidents ranging from kidnapping and killing of activists to petrol bombing of homes belonging to suspected activists in and around Pretoria in the 1980s.

Lieutenant-Colonel Jan Hatting Cronje, Captain Jacques Hechter, Captain Andre Roos, Captain Eric Goosen, Colonel Willem Johannes Momberg, Brigadier Gilles van de Wall, Sergeant Deon Gouws, Adjutant-Officer Adriann Stephanus Oosthuizen, Captain Jansen Van Jaarsveld, Warrant-Officer Paul Van Vuuren, Vlakplaas operative Sampina Hendrick Bokaba, Jacobus Venter and Hendrik Johannes Prinsloo are applying for amnesty for the incidents. Some have already appeared before the Amnesty Committee seeking amnesty for other incidents.

Mr Walter Ledwaba, Mr Andrew Makupe, Mr Jackson Maake, Harold Sefolo, and Sanna Puleng Letsie are among the people who were killed in separate attacks in which some of these policemen were involved. A number of houses were completely destroyed after being petrol bombed.

Former Vlakplaas operative Joe Mamasela is among people who have been duly notified as they are implicated in some of the incidents. According to the law governing the operations of the TRC, victims, their next of kin or any other interested party have the right to attend, adduce evidence and be legally represented at the hearing.

The hearing will be held at the Idasa centre, corner of Prinsloo and Visagie Street, Pretoria from Monday May 3 until May 21.

Media inquiries : Vuyani Green, media officer : 082 452 7858

ends/
April 29, 1999

BOIPATONG MASSACRE HEARING CONTINUES

Hearings on the Boipatong massacre will resume for the fourth time on Monday at Van Der Byl Park near Vereeniging. The hearing will be held at Iscor Recreational Club from May 3 to 21.

During the past three sittings, all sixteen IFP applicants explained their role in the massacre which left close to 50 people killed.

One applicant, Andries Nosenga whose evidence is still going to be heard, differs with his co-applicants in defining the events of that fateful night of June 19, 1992.

While all sixteen applicants have denied police and party political involvement in the massacre, Nosenga has implicated senior Vaal Triangle policemen who have been duly notified.

Inquiries: Phila Ngqumba - 082 458 8463.

Ends/
APLA MEMBERS APPLY FOR AMNESTY

Three Azanian Liberation Army (APLA) members Brian Clifford Thobojne, Thomas Njobeni and Donald Mukhawana are applying for amnesty for killing the Swanepoel family in Tzaneen on March 27, 1993.

The applicants in their amnesty applications maintained that in 1993 the PAC and APLA declared the year as the year of "Great Storm". Their main concern was white people, especially white farmers who were regarded as definite targets for their attaches.

They further alleged that their intentions was to overthrow the government. During 1993 orders were issued by the APLA command to the effect that all white farmers and government buildings should be attached.

On the 27th March, 1993 the applicants unit was instructed to go and attach a chicken farm owned by Johannes Swanepoel in Tzaneen. They fired several shots at their house injuring Swanepoel and killing his wife.

Also appearing before the amnesty committee will be Josef Nesnari, Gabriel Ramushwana, Phumula Manga, Ledwick Ramaligela and Carlson Netshivela. They will be seeking amnesty for the assault and torture of six victims in Venda.

The applicants are also applying for defeating the ends of justice. They were never prosecuted for these incidents. The hearing will be held at the Tzaneen Show Grounds, R71 Phalabora Road, Tzaneen

Inquiries : Nosisi Tyantsi - 082 458 8459
May 4, 1999

BRIGADIER WILLEM SCHOON HEARING - CNR SMAL AND PRITCHARD STREET, JOHANNESBURG

PANEL: JUDGE DENZIL POTGIETER

ADVOCATE LEAH GCABASHE

ADVOCATE CHRIS DE JAGER


TUESDAY AND WEDNESDAY, 4th and 5th May. Abduction of Joe Pillay from Swaziland. Applicants are: WF Schoon, Dirk Coetzee, Spyker Tshikalange.

THURSDAY, 6th May. Attempted murder of Take Five and Sadi Pule. Applicants are: WF Schoon, F Crause, MM Modise, CJDP Smit.

FRIDAY, 7th May. continuation of any matter that rolled over or incident where Schoon is the only applicant. That will be decided on Thursday which one it will be be.


WEDNESDAY, THURSDAY, FRIDAY, 12th, 13th, 14th May. Disappearance of Nokuthula Aurella Simelane. Applicants are: WHJ Coetzee, MP Lengene, NL Mkhonza, FB Mong, A Pretorius.

MONDAY, 17th May until we finish. Murder of 2 PAC detainees. Applicant is WF Schoon
Murder of ANC member in Swaziland. Applicant is WF Schoon
Murder 2 ANC ANC Cdres in Zeerust. Applicant is WF Schoon

For inquiries call Mbulelo Sompetha at 082 452 7870.
May 14, 1999

APLA POLITICAL COMMISSAR GRANTED AMNESTY

Amnesty Committee of Truth and Reconciliation Commission today has granted amnesty to a former Azanian Peoples Liberation Army (Apla) political commissar, Nkululeko Louie Dlova.

Dlova currently a member of the National Intelligence Agency (NIA) applied for amnesty for illegal entry of South Africa in 1988, illegal possession of firearms and explosives. He was also involved in the attempted murder of an unknown number of members of the South African Police force near Litcheburg in a shootout at roadblock.

The committee concluded that Dlova has made full and proper disclosure of his role and did not act for personal gain. They were satisfied that everything was done in pursuance of the goal and objectives of the Pan Africanist Congress.

Also granted amnesty by the committee were three Apla cadres who were involved in shooting of houses in Fickburg area in 1992. Phila Dolo, Lerato Abel Khotle and Luvuyo Kulman applied for amnesty last month for offences flowing from attacks on town houses, attempted murder of Sergeant Otto Coetzee in a shootout in Fickburg and murder of Mrs Leonie Pretorius during an attack on the farm known as Danside.

The committee further granted amnesty to Morton Christie, Harry Jardine and Andrew Howell for conspiring to damage the Seychelles Restaurant, the offices of the African National Congress and Nationalist Party in Port Shepstone in February 1994.

Enquiries Phila Ngqumba 0824588463
May 17, 1999

Eugene De Kock Hearing

Vlakplaas commander, Eugene De Kock's amnesty applications for gross human rights violations starts next Monday on May 24 until June 25 at the Idasa Centre in Pretoria.

The coming hearings are among many of De Kock's matters that have been staggered and spread over the next four months until the writing of the Amnesty Final Report later this year.

The De kock 1 hearing, will among other matters include, the attack on the Chand house and the attack on the Chand family on 22 and 23 April 1990.

His six other co-applicants on the matter are Douw Willemse, Johan Tait, Marthinus Ras, Willie Nortje, David DJ Britz, Nicholas Vermeulen and Izak Daniel Bosch. According to Willemse, Vlakplaas had received information that the Chand family assisted "terrorists" to leave and enter South Africa.

De Kock, Simon Radebe an Askari, David Baker, Willie Nortje and Willem Bellingham have also applied for the murder of Brian Ngqulunga on July 19, 1990 in Bophuthatswana.

Wouter Mentz who is implicated has been heard and granted amnesty on the matter, while Charlie Chate is implicated by Bellingham.

In his application, De Kock claims that Ngqulunga had to be killed as he had been emotionally unstable. He says there was fear among Vlakplasers that he could give sensitive information to the Harms Commission.

In another matter, De Kock and five other applicants will have their applications heard on the killing of Johannes Mabotha at Penge Mine in October 1989.

William Flores, Daniel Snyman, Kobus "Chappies" Klopper, Dawid Brits, Nicholas Vermeulen and Jan Potgieter. According to Snyman, Mabotha was an Askari who had returned to the ANC. Soweto special branch claimed they had monitored Mabotha talking to Winnie Madikizela-Mandela.

A cross-border raid into Swaziland and the killing of Keith Mcfadden and Zwelakhe Nyanda is among De Kock's amnesty applications.

James van Zweel, Willem Schoon, Chris Rorich, Paul van Dyk, Frederick Pienaar and Almond Nofomela are applicants in this matter.

Two applicants, Chappies Klopper and Johan Tait have applied for the killing of four unknown arms smugglers on April 21, 1991 at Komatiepoort.

In his application, Tait claims the weapons were being smuggled for use by the ANC, APLA, IFP and AWB. The alleged smugglers were led to an ambush by former Koevoet members including Simon Himbwasa and Lukas Kalino who claim that the motive for the killing was not political.

Inquiries: Mbulelo Sompeta 082 452 7870
JUSTICE BEKEBEKE AMNESTY HEARING

One of the highly publicised trials in this country’s judicial history relating to apartheid repression will come under the spotlight before the Truth and Reconciliation Commission’s amnesty committee in Bloemfontein early next week.

An African National Congress member, Justice Bekebeke, now serving life sentence is applying for amnesty for his role in the brutal murder of a municipal policeman at the height of political repression in Upington, Northern Cape in November 1985. The policeman, Lucas Tshenolo Sethwala, was murdered in front of his home at Paballelo township after he had allegedly fired a shot at a group of toyi-toying residents wounding an 11 year old boy David Visagie. He was later attacked by the irate residents and stoned to death and his body set alight.

Bekebeke and 13 of his accomplice were later convicted of murder and 12 others acquitted in a trial which ran for almost 18 months. Among the defence team was the slain Swapo activist Anton Lubowski who was assassinated in Namibia by the former apartheid government’s shadowy Covert Co-operation Bureau while the trial was still proceeding.

In a separate matter, three men claiming to be members of the Pan Africanist Congress, Thembinkosi Ngubeni, Trevor Masilo and Edwin Thozamile Silemane are also seeking amnesty for their role in a cash-in transit-heist in Cleveland, Johannesburg in September 1991. Two accomplice David Williams and Moses Manuel and a guard were fatally wounded in ensuing exchange of gunfire with the security guards. The robbers managed to escape with an undisclosed amount of cash. Attempts by the TRC to trace the whereabouts of the guard’s next of kin have drawn a blank.

Ngubeni is also seeking amnesty for attempting to escape while in prison in July 1993. The men are serving 28 years sentence for the incident.

According to the law governing the operations of the TRC, victims, their next of kin or any other interested party have the right to attend the hearing, adduce evidence and be legally represented. The hearing will take place at Anglican Church Hall, corner of St George’s and Salzmann Streets, Bloemfontein from Monday May 24 to Friday 28.

Media inquiries: Vuyani Green, 082 452 7858.
BEKEBEKE AMNESTY HEARING IN BLOEMFONTEIN

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Media inquiries: Vuyani Green, 082 452 7858.
May 18, 1999

COSAS CHAIRMAN APPLIES FOR AMNESTY

Umkhonto We Sizwe instructor and former chairman Congress of South African Students Congress (Cosas) Mziwoxolo Stokwe is applying for amnesty for killing Skune Tembisile Maarman who was suspected of being an informer in Jansenville in 1985.

Maarman was sentenced to death in a meeting of Cosas chaired by Stokwe. A group of students stoned Maarman to death and then necklaced him.

The victim was abducted from a disco and brought to a gathering of about 200 students including Stokwe. Also appearing before the Amnesty Committee is Khanyiso Arthur Malgas and Mxolisi Sokhiya for killing Marike De Jager and Koos De Jager in their farm in Kirkwood in June 1985.

The applicants are claiming to be members of Addo Youth Congress an affiliate of the United Democratic Front (UDF) at the time. Malgas was never arrested for this offence as he left the country to go to exile.

Sokhiya was sentenced to twenty years imprisonment and was released on parole during 1991. Mncedisi Oats Jowdwana is also applying for amnesty for murder of Pheli Collen Vaalyn and attempted murder of Bhiya sidwell Vaalyn in October 1986 in Grahamstown.

The hearing will be held at the Catholic Centre, Cambrigde, East London on May 24 to 28.

Enquiries: Nosisi Tyantsi - 0824588459

ends/
May 21, 1999

TRC RESPONSE TO PRETORIA HIGH COURT DECISION

The Amnesty Committee of the Truth and Reconciliation Commission welcomes the decision by the Pretoria High Court to uphold the refusal of amnesty in respect of the two applicants.

An application was brought on behalf of Johannes Van Wyk and Jean Du Plessis, the only serving members of the National Socialist Partisans, and were refused amnesty last year.

They were applying for amnesty for motor vehicle theft, three murders, attempted robbery, housebreaking, robbery and illegal possession of weapons. The applicant’s lawyers took the Amnesty Committee’s decision for refusal on review in the Pretoria High Court on the grounds that there were factors that were to be taken into consideration.

On Wednesday this week, the High Court, Judge. P.J. Van Der Walt refused the first review proceedings to set aside a decision by the Amnesty Committee. The judge said the Amnesty Committee took into consideration all facts, every offence, and correctly found that the applicants offences amongst three murders were far removed from the aims to be politically motivated.

The Executive Secretary of the TRC’s Amnesty Committee, Adv. Martin Coetzee, who welcomed the High Court’s decision said, "this confirms what we have always said that we are just doing what the law requires us to do, and that we are acting within the framework of the law".

Inquiries : Phila Ngqumba 082 458 8463.

Ends/
21 April 1999

IFP/ANC CONFLICT IN KZN AMNESTY HEARING

The conflict between Inkatha Freedom Party (IFP) and African National Congress (ANC) in KwaZulu Natal areas will become a focal point in an amnesty hearing at the Christian Centre in Durban on Monday next week.

Three ANC members Jabulani Turene Ncokwane, Isaac Mhlekana Shange and Jabulani Doda Cele will appear before the Amnesty Committee for killing six people in the Illovo area near Amanzimtoti. On April 27, 1992 six people were killed and eight injured in an AK47 and shotgun attack on a bus by men wearing army uniforms.

The three applicants were convicted of six murder charges, eight attempted murder and unlawful possession of fire arms. They now apply for amnesty in respect of these offences.

Also applying for amnesty is Prince Khoni Khwela an ANC member for killing and inflicting injuries to the IFP residents of Empusheni. Seven people were killed and three injured during the attack.

Thulebona Mzobe an IFP member is applying for amnesty for killing two ANC members on 24 April, 1993 at Bhubhayi near Port Shepstone. The applicants is serving long sentences at Westville Prison.

Another IFP member Dennis Felamandla Gumede will also apply for amnesty for killing an ANC supporter during a political unrest in the Greytown area on 18 July, 1991. The matter is set down for a week.

Media Enquiries: Nosisi Tyantsi 082 458 8459 / 082 783 9782
AMNESTY GRANTED FOR RIBEIRO KILLING

The Amnesty Committee of the Truth and Reconciliation Commission today has granted amnesty to thirteen members of the former security forces for their role in the murder of a Mamelodi doctor, Fabian Ribeiro and his wife Florence and a former Kwandelbele cabinet minister Piet Ntuli in July and December 1986 respectively.


The Ribeiros were gunned down at their home in Mamelodi and Ntuli died after an explosive was planted under the seat of his car in Siyabuswa.

Joubert, Naude, Loots, Crause, Verster and Vorster have also been granted amnesty for their role in the murder of ten African National Congress supporters on their way to Botswana for military training in June the same year.

The youth Abraham Mokolane, Samuel Masilela, Sepo Sibanyoni, Jeremia Mfundi, Thomas, Phiri, Jeremia Mkabula, Morris Nkabinde, Matthew Kekutle, Stephen Makenna and Ellit Sasage were first injected with a drug which rendered them unconscious and doused with petrol before being set alight in a minibus kombi in which they were travelling. The youth had allegedly been lured by former Vlakplaas operative Joe Mamasela pretending that he was a member of the ANC’s armed wing.

The committee said it was satisfied that the offences were associated with a political objective, committed in the course of the conflict of the past and that the applicants had made full disclosure of the relevant facts as required by the TRC Act. The names of the victims’ next of kin have been referred to the committee reparations and rehabilitation to be considered as victims of gross human rights violation.

Media inquiries: Vuyani Green, 082 452 7858

ends/
May 21, 1999

DE KOCK HEARING ROLL

DE KOCK CLUSTER 1 HEARING ROLL

AMNESTY PANEL:

Judge A Wilson
Adv. N Sandi
Mr. J B Sibanyoni

EVIDENCE LEADER:
Ms. R Patel

TO BE HEARD AT IDASA CENTRE, corner of Prinsloo and Visagie streets, PRETORIA

ROLL:
WEEK 1: 24 -28 May 1999 - Background to Vlakplaas Komatipoort 4 incident
WEEK 2: 31 May - 01 June 1999 and 03 - 04 June 1999 - Chand incident
WEEK 3: 07 - 11 June 1999 - Mabothe incident
WEEK 4: 14 - 18 June 1999 - Nyanda and McFadden incident
WEEK 5: 21 - 25 June 1999 - Ngqulunga incident

Inquiries: Mbulelo Sompeta 082 452 7870
Senior IEC Officer Granted Amnesty

A senior Independent Electoral Commission officer in the Northern Cape today has been granted amnesty for the brutal killing of a municipal policeman in Upington in 1985.

Justice Bekebeke, 38, now the IEC Northern Cape Director was convicted of murder in 1989 together with 14 accomplices for his role in the murder of Mr. Lucas Sethwala at Paballelo township, Upington. The deceased was stoned to death and his body doused with petrol before being set alight in a running battle between angry residents and police in the town.

Testifying before the TRC in Bloemfontein today, an eloquent and composed Bekebeke, who elected to represent himself, described in gory details how the policeman met his fate prompting one of the deceased next of kin to wail uncontrollably. "I stuck him twice on the head with the butt of a gun after I had disarmed him of his firearm. As he laid down on the ground unconscious, angry residents numbering more than 100 joined in the attack and started stoning him," he testified.

As he was leaving the scene, Bekebeke saw the deceased body being sprayed with petrol and set alight. Asked to identify the people who burned the policeman’s body, he said he could not remember as the body was surrounded by scores of angry residents. The committee also heard that the deceased was attacked after he had shot at the protesting residents wounding an 11 year old boy, David Visagie. The protestors were fleeing from police who had broken up their meeting in the township.

Bekebeke and his accomplices were convicted of the murder and given a death sentence in 1989 in a highly publicised trial which ran for 18 months with slain Swapo activist, Anton Loubowski as one of the defense team. The sentence was however commuted to 10 years imprisonment following an appeal. Bekebeke and his accomplice were released from jail after they were granted indemnity in 1992.

After and adjournment, Judge Denzil Potgieter, flanked with assessors announced that after careful consideration of the application and Bekebeke’s testimony, the amnesty committee had found that the killing of the policeman was politically motivated and that the applicant had made full disclosure as required by the TRC’s Act. The policeman’s mother Mrs. Beatrice Sethwala was declared a victim of gross human rights violations, thus making her stand in line for reparations from the Presidents Fund.

A visibly elated Bekebeke said he was glad that his name would now be expunged from the criminal record. The family of the deceased did not oppose the application. The hearing will resume on Wednesday May 26, 1999.

Inquiries: Vuyani Green 082 452 7858
May 26, 1999

AMNESTY FOR RIVONIA TRIALIST

The Amnesty Committee of the Truth and Reconciliation Commission today had granted amnesty to a former Revonia trialist, Ahmed Mohamed Kathrada.

Kathrada applied for amnesty in respect of charges of sabotage that led to him to be sentenced to life imprisonment on June 12, 1964. The committee was satisfied that the applicant met the requirements of the TRC Act.

However, Kathrada was not granted amnesty in respect of other offences where he is accepting collective responsibility as part of the leadership of the African Nationalist Congress. The committee found that whereas an act omission or offence should be the subject matter of an application and in this instance no such act or omission of offence had been disclosed.

Also granted amnesty were Zukile Hoya of Duncan Village in east London for unlawful possession of a hand grenade and Nhlanhla Knowledge Mtabela in respect of unlawful possession of a firearm and ammunition.

The committee further refused amnesty to Ambrose Armstrong Ross for the killing of Isaac Magae and Johannes Bokaba. The applicant is currently serving twenty years imprisonment for the offence.

Ross who claimed to be a member of the ANC and Self Defense Unit launched an attack on a Ledig police station and killing Magae and Bokabe. The committee found that it was highly improbable that an operation of this nature to go and rob would have been undertaken by the Self Defense Unit.

"Having regard to the evidence as a whole, we are satisfied that the attack on a police station and killings of Magae and Bokabe were not acts associated with a political objective as contemplated in the Act," the committee concluded.

Inquiries: Phila Ngqumba 082 458 8463
AMNESTY HEARING FOR KILLING OF 'TRUST CASH' SECURITY GUARDS

Three members of the Pan Africanist Congress former armed wing APLA told the Amnesty Committee of the Truth and Reconciliation Commission today how they killed two security guards in a cash in transit heist in Cleveland, south of Johannesburg in 1991.

Edwin Simelane, Trevor Masilo and Thembinkosi Ngubeni, serving 28 years imprisonment for killing two "Trust Cash" security guards Mr. David Williams and Mr. Moses Manuel on a junction road near Cleveland on September 20, 1991. The men testified that three of their accomplices Bongani "Matsapa" Moyo, Freddie Makwe and Clive Majola were shot dead by the police a few months after the incident.

Testifying in Bloemfontein about how they attacked the vehicle transporting cash, the men told the amnesty committee that they had been tailing the van before it came to a halt at a junction road near Cleveland. Three members of the group armed with AK47 rifles accosted the van and a number of shots were fired forcing the driver of the security ban to flee badly injured. The attackers then drove away with the vehicle and another guard. The body of the guard was bundled out of the vehicle and the vehicle later abandoned at a dumping site between Spruitview and Vosloorus and the men made off with more than R150 000 in cash.

After realising that the police net was slowly closing in on them, the men fled the area for hiding, they said. Three of them were shot dead by the police after allegedly attempting to resist arrest and Simelane, Masilo and Ngubeni arrested separately following intensive investigation by the Brixton Murder and Robbery Unit.

They also testified that the money was handed over to their commander Moyo who later gave it to the PAC which was cash-strapped at the time. The committee also heard that Ngubeni managed to escape from Leeukop Maximum prison, Johannesburg after a firearm was smuggled into the prison. However, he was later re-arrested following a shoot-out with the police in which he was slightly injured.

Attempts by the TRC to contact the deceased’s next of kin drew a blank.
May 27, 1999

Amnesty Hearing Bloemfontein

Three members of the Pan Africanist Congress former armed wing APLA told the Amnesty Committee of the Truth and Reconciliation Commission today how they killed two security guards in a cash in transit heist in Cleveland, south of Johannesburg in 1991.

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Attempts by the TRC to contact the deceased's next of kin drew a blank.

Ends/
AMNESTY DECISION FOR 2 IFP MEMBERS

The Amnesty Committee of the TRC has refused amnesty to two IFP members for their role in the killing of four ANC supporters at an informal settlement of Zevefontein on February 12, 1994.

IFP applicants, Alfred Ndlovu, John Mbuynane Sithole, Elias Mbatha, and Mlandelwa Mpungose were involved in a 1994 pre-election confrontation that left four ANC members killed and seven persons seriously injured.

The applicants were all charged with four counts of murder as well as with counts of unlawful possession of firearms and ammunition. All the applicants, was well as two witnesses testified at the hearing.

It is apparent from the evidence that the incident which occurred on February 12, 1994, was the first instance of violent conflict between the ANC and IFP communities at Zeverfontein. Prior to all that, problems and differences between the two communities were peacefully settled through discussion and negotiation by their leaders.

The 1st applicant, Alfred Ndlovu, stated that he did not have a firearm during the course of the conflict but only handled a fellow IFP member’s handgun. Applicants 2nd, 3rd and 4th stated that they all had firearms. The 4th applicant, Mpungose, denied that he was involved in a shebeen fracas on the day in question.

The effect of the applicants’ evidence is that the ANC group attacked them and that the first shots were fired by members of the ANC group. They contend that the IFP only returned fire when they were attacked.

Section 20(1) of the promotion of the National Unity and Reconciliation Act, provides that amnesty shall be granted in respect of an act if it is satisfied that the act is associated with a political objective in the course of the conflicts of the past.

The Amnesty Committee however, notes that violence at Zeverfontein occurred with a political context. We are however, not satisfied that the version given by the applicants constitutes a full disclosure as required by the Act.

For more information call: Mbulelo Sompeta - 082 452 7870
KOEBERG POWER STATION AMNESTY DECISION

May 31, 1999

The Amnesty Committee of the TRC has today granted amnesty to two former members of the ANC’s armed wing, UmKhonto WeSizwe, for bombing Koeberg Power Station in Cape Town on or about December 18, 1982.

Rodney Lawrence Wilkinson and Heather Wilkinson (nee Gray), were attached to the Special Operations Unit of MK at the time, when they were ordered to damage the Power Station.

The proposed attack was part of the overall strategy of attacking apartheid and its installations and consequently, the previous government.

The applicants disclosed that four limpet mines were used to cause the damage.

In another decision, the Amnesty Committee has granted amnesty to Ebrahim Patel for perjuring himself in the case of the State vs. Donald Mattera in the Johannesburg Regional Court in and during September 1978.

For more information call Mbulelo Sompeta : 082 452 7870
June 1, 1999

TRC RESPONSE TO BOTHA RULING

The Truth and Reconciliation Commission has just been informed that the Cape High Court has upheld the appeal of Mr PW Botha against the judgment of Mr Victor Lugaja in the George Magistrate's Court on the 21 August 1998 on the basis of a "so called technical defence". Mr PW Botha was convicted for refusing to appear before the Commission in terms of Act 34 of 1995 and sentenced to a fine of R10 000 or 12 months imprisonment.

The Commission notes the reason for the decision to uphold Mr. Botha's appeal is of a technical legal nature and is in discussions with the Attorney-General as to the possibility of an appeal. The TRC also notes with interest that the Court, because of the technicalities did not deal with the material reasons for Mr. Botha's refusal to appear before the Commission.

The Commission respects the decision of the High Court in this matter but is disappointed and feels that should this decision stand Mr. Botha will once again not suffer the consequences of his actions during the worst period of the excesses of apartheid under his rule. It is also sad that Mr. Botha's reliance on such technical legal defences should outweigh the nation's need for truth and reconciliation.

ADV. MARTIN COETZEE

CHIEF EXECUTIVE OFFICER
ADVISORY BY THE TRUTH AND RECONCILIATION COMMISSION

The Amnesty Committee of the Truth and Reconciliation Commission today (Thursday) heard how a wedding ceremony was turned into a bloodbath when gun-toting IFP members from Dube Hostel embarked on an indiscriminate shooting spree leaving two people dead and several others injured in their wake.

Velaphi Makhaye, serving a 25 years sentence for the murder of Mr. "Tebogo" Lifa Mthimkhulu and Mr. Simon Ndlovu told the amnesty committee that the attack on the people in Zone 4 Meadowlands, Soweto was an attempt to avenge an earlier attack on the Dube Hostel dwellers allegedly by ANC supporters.

However, he admitted under cross-examination that the attack had gone horribly wrong as innocent bystanders were caught in the cross fire. One of several people injured, Douglas Keswa is now wheelchair bound due to spinal injuries sustained in the attack.

Makhaye also told the committee, that after they had opened fire on the well-wishers, an exchange of gunfire ensued between them and some of the people who were at the ceremony in which he was slightly injured and one of his accomplices, Mandla Mchunu shot dead. He was later arrested by the police after he had fled to another house to seek refuge.

The next of kin of the deceased and those who were injured are opposing his amnesty application on the grounds that the wedding was a social occasion and not a political rally.

The hearing continues at Telkom Country Club, Montana Gardens, north of Pretoria.

Enquiries: Vuyani Green 082 452 7858
June 3, 1999

FORMER SDU MEMBER GRANTED AMNESTY

The Amnesty Committee of the TRC today has granted amnesty to a former member of the Self Defence Unit, Zakhele Jan Simelane, who was sentenced to twenty years for robbery in 1991.

Simelane together with others robbed a person of a motor vehicle and proceeded to rob a Volkskas Bank. They robbed the bank but were caught when their car broke down.

The committee found that the applicant committed crimes with a political objective and has made full disclosure. Also granted amnesty are three Self Defence Unit members, Bafo Gift Ngqunge, Mtheltheleli Crosby Kolela and Mabitana Mani, all from King William's Town.

They applied for amnesty in respect of charges of attempted murder and possession of two F1, one RGD hand grenade, one Stechin pistol and two loaded magazines of ammunition. The weapons were stolen from Ciskei Defence Force members.

Another member of the Self Defence Unit Mxolisi Duma, was also granted amnesty in respect of attempted murder of unidentified members the South African Police and possession of an unlicenced firearm and ammunition in 1990. Mzolisi Mhlakaza an ANC member was granted amnesty in respect of murder, assault and malicious damage to property.

The committee refused amnesty to three ANC members who were involved in the ANC/IFP conflict in Tembisa, Tsakane and Mandela informal settlement. They are Mazwi Mkukwana, Themba Nhlapo and Milton Bkeki Mhlongo.

Inquiries : Phila Ngqumba 082 458 8463
June 3, 1999

IFP AMNESTY APPLICATION HEARD

The Amnesty Committee of the TRC today will hear amnesty applications from 2 Inkatha Freedom Party Members for the murder of 3 people in Meadowlands, Soweto and Pongola, KwaZulu Natal in the early 90’s.

Nkosinathi Mavuso, 32, is applying for amnesty for the murder of a prominent ANC leader in Pongola, Mr. Michael Mcetshwa in November 1993. Velaphi Makhaya, 33, is seeking amnesty for the murder of Mr. Lifa Mthimkhulu and Simon Ndlovu and injuring scores of other people who were apparently attending a wedding ceremony in Zone 4, Meadowlands in April 1992. One of the injured people Mr. Douglas Keswa is bound to a wheelchair as a result of injuries sustained in the attacks. Both applicants who were brought before the amnesty committee this morning in leg-irons are serving lengthy prison terms for the incidents.

The hearing is underway at Telkom Club, Montana Gardens, Zambizie Road outside Pretoria and is expected to continue until tomorrow.

Enquiries : Vuyani Green - 082 452 7858
MEDIA ADVISORY ON DE KOCK HEARING

The Amnesty Committee of the TRC has heard two of the five scheduled matters of the former Vlakplaas commander, Eugene De Kock at the Idasa Centre in Pretoria over the past two weeks.

The first matter, from 24 to 28 May, was about the killing of the four unknown arms smugglers at Komatiapoort on April 21, 1991. The applicants on this matter were Chappies Klopper and Johan Tait. Implicated persons were Wouter Mentz, Willie Nortje and Sarel Janse van Rensberg.

In the second matter involving the killing of the Chand family on the Botswana border, on April 22, 1990, legal arguments have been concluded today, June 4, 1999.

According to the applicants, Eugene De Kock, Douw Willemsen, Johan Tait, Marthinus Ras, Willie Nortje, Nicholas Bermeulen and Dawid Britz, the Chands were murdered because their house was a transit facility for "PAC terrorist" entering or leaving South Africa.

Next week Monday, June 07, the Amnesty Committee will hear amnesty applications of Eugene De Kock, Nicholas Vermeulen, Jan Potgieter, Dawid Britz, Chappies Klopper, Daniel Snyman and Lionel Flores for the killing of Themba Mabotha an Askari, at Penge Mine on the East Rand on October 5, 1989. De Kock alleges that Mabotha joined the Mandela United Football Club after his release from Protea Police Station and that the possibility exists that he compromised names of Valkplaas security police and Askaris. Mrs. Madikizela Mandela has been notified in accordance with the requirements of the Act.

Other matters after the Mabotha hearings will be the cross-border raid into Swaziland which led to the killing of Zweli Nyanda and the murder of Vlakplaas Askari, Brian Ngqulunga in Bophuthatswana in 1990.

For more information: Mbulelo Sompeta - 082 452 7870
AMNESTY HEARING ON POTSANE KILLING

A former member of the ANC’s former military wing UmKhonto weSizwe today told the amnesty committee of the Truth and Reconciliation Commission how he sprayed a prominent KaNgwane homeland politician David Lukhele with a machine-gun fire leaving his body drenched in a blood bath in 1986.

Neo Potsane, now a member of the National Intelligence Agency, was testifying before the TRC at the Telkom Club outside Pretoria where he and three other former MK’s "elimination unit" members, Frans Ting-Ting Masango, Joseph Elias Makhura and Jabu Obed Masina are seeking amnesty for the murder of Mr. Lukhele and the bomb blast at a bus stop in Silverton, Pretoria which injured 17 people in 1986. The TRC heard that the unit was set up to assassinate people the ANC considered "collaborators" including homeland leaders and members of the security forces. Enos Mabuza was regarded as an ANC sympathiser, said Potsane.

Mr Lukhele, an opposition party leader in the former homeland and Mrs. Busisiwe Dludlu were gunned down at his home in Mamelodi on June 6, 1986. His wife, Elizabeth, was wounded when Potsane burst into their home and sprayed them with high-caliber gunfire. Describing this incident, Potsane said Mr. Lukhele fell foul with the ANC in exile after he had penned and distributed a document which called, among others, the incorporation of KaNgwane into Swaziland.

Potsane said homeland leaders were perceived as legitimate targets for elimination, "Mr. Lukhele was targeted by our unit and killed by me only after the specific authorisation of the ANC was sought to eliminate him", said Potsane. He added that after the ANC had given Mr. Lukhele’s assassination a thumbs up, he was deployed to reconnoiter the deceased’s movements. After ascertaining that Mr. Lukhele would be at home on Friday June 6, Potsane accompanied by Masina left for Mr. Lukhele’s home. "We left the vehicle we were travelling in a few paces away from his home and walked into the yard armed with an AK47 with two magazine while Masina stood guard outside".

"I knocked at the front door, someone opened the door and I burst inside with my AK47 already drawn. I fired at least 31 rounds at Mr. Lukhele who fell on the floor. While lying dead on the floor I continued pumping his body with more than 31 rounds of ammunition. His wife was also hit in the leg as she was crawling towards the door apparently attempting to escape", testified Potsane.

He added that he escaped with his accomplice Masina leaving behind Mr. Lukhele’s body riddled with bullet wounds and drenched in a pool of blood. "The impression I had when I left the scene was that Mr. Lukhele was dead and that his wife was slightly injured. But I was shocked to read from newspaper reports later that another woman who was at the house at the time, Mrs. Dludlu had also been killed", said Potsane. He expressed regret at the murder of Mrs. Dludlu and the injury of Mrs. Lukhele, whom he said were not intended targets for elimination.

Addressing the committee the applicants’ lawyer Danny Berger said the fact that the applicants were prepared to face the death sentence during their trial testified to the commitment to the just cause they were fighting for. He appealed to the committee to grant them amnesty arguing that their actions fell within the ambit of the TRC amnesty provision. Mrs. Lukhele and the surviving victims of the Silverton bomb blast did not oppose the applications.

Meanwhile, the TRC heard how a group of five AK47-toting and axe-wielding men embarked on a pre-dawn rampage, attempting to ambush a bakery delivering vehicle and eventually killing a security branch policeman, Contable Samuel Satekga near his home in Rockville, Soweto on February 5, 1993.

The group fired shots at the vehicle but the attempt was foiled when a security guard returned fire forcing the attackers to flee. Minutes later they approached Constable Satekga and fired shots at his vehicle. The policeman died later in hospital. An attempt to disarm him of his service firearm was thwarted by the arrival of the police at the scene. Marvin Maesela and Eric Nathaniel Tokane, serving life sentence at Pretoria prison, are applying for amnesty for the incidents. They claim they were members of the MK’s underground structures and the weapon was going to be given to a self defence unit structures in the then strife-torn East Rand townships.
The hearing continues tomorrow.

Vuyani Green : 082 452 7858

ends/
AMNESTY HEARING ON MABOTH A KILLING

The Amnesty Committee of the TRC in Pretoria adjourned at midday today to enable the delivery of a subpoena to Daniel Potgieter for his role in the killing of an Askari, Johannes Themba Mabotha in 1992.

A Soweto security branch member at the time, Potgieter arrested and detained Mabotha whom he later handed to Vlakplaas commander, Eugene De Kock.

De Kock and five other security policemen are seeking amnesty for their role in the murder of Mabotha. Following release at Protea Police Station, Mabotha was abducted, shot and his body blown with explosives at Penge Mine near Burgersfort in Mpumalanga.

Potgieter, who is not an applicant in this matter, is being subpoenaed to testify about his knowledge on the arrest, detention, interrogation, release and murder of Mabotha.

The next sitting for the Mabotha hearing has been set for June 21. Amnesty applications for the killing of Brian Ngqulunga by De Kock in Bophutatswana in 1990 will also be heard in the same week.

Next week Monday June 14, the Amnesty Committee of the TRC will hear amnesty applications of Eugene De Kock and others for killing Zweli Nyanda and Keith Mcfadden in Swaziland in 1983.

In the following week, the committee will hear De Kock’s application on the killing of another Vlakplaas Askari, Brian Ngqulunga in Bophuthatswana in 1990.

For queries please call Mbulelo Sompeta - 082 452 7870.

Ends/
AMNESTY DENIED FOR ZUNGU MURDER

The Amnesty Committee of the Truth and Reconciliation Commission today refused the amnesty application of Prince Bhekisisa Shangase for robbery and the murder of Victor Zungu at Sikhawini in KwaZulu Natal in 1993.

Prince Shangase is currently serving a long term of imprisonment as a result of his involvement in the attack. He was a member of the South African Police and IFP at the time of the incident.

The applicant told the committee that he was an IFP member and there was no evidence that the deceased was a member of any political organisation. There was no evidence whatsoever that the applicant participated in the offence with the purpose of achieving a political objective. Shangase's application was refused.

Also refused amnesty was Dennis Gumede for two murders and unlawful possession of a firearm and ammunition. The committee found that murders committed by Gumede where not associated with a political objective.

The committee granted amnesty to Cyril Bongani Thusi, a Caprivi Trainee and IFP member for the killing of seventeen ANC supporters in Richmond on June 21, 1991.

The second incident in which Thusi was involved, was the attack of Prince Petrus Zulu in Ulundi in 1994. The committee found that Thusi has complied with the requirements of the Act.

Amnesty was granted to Prince Khoni Khwela in respect of six murders and three attempted murders committed near Mpumheni Reserve in August 1992. He is currently serving seventeen years for the offences.

The committee has granted amnesty to Rainer Maria Moringer who took part in the kidnapping of a Transkei businessman, Vulindlela Mbotoli in April 1991. Moringer's application was not opposed.

The committee was satisfied that the role played by the applicant in kidnapping of Mbotoli was associated with a political objective. Moringer applied for amnesty in April in East London.

Also granted amnesty were David Solomon Simelane and Ephraim Shingane Mnisi of Johannesburg. Simelane and Mnisi applied for amnesty in respect of the killing of Fikipos Matlheri Selepe, a member of the Security Branch in November 1983 in Mamelodi. The committee found that their acts constituted acts associated with a political objective as defined by the Act.

Inquiries: Phila Ngqumbe 082 458 8463
TERREBLANCHE AND RUDOLPH GRANTED AMNESTY

A leader of the AWB, Eugene Terreblanche and Petrus Johannes Rudolph were recently granted amnesty by the Amnesty Committee of the Truth and Reconciliation Commission.

The two applicants were also granted amnesty for malicious injury to property belonging to the University of South Africa in Pretoria on March 28, 1979.

Terreblanche and Rudolph were also granted amnesty for illegal possession of arms and ammunition in Venterdorp in 1982. The committee also granted the Right Wingers amnesty for public violence committed in Ventersdorp in August 1991.

The committee found that the two applicants committed acts with a political objective in the course of the political struggle of the time. The applicants were also found to have made full disclosure of their role in the incident.

The applicants testified that they were fully aware of the high political tension the prevailed and that they foresaw that conflict would arise from their actions which they regarded an exercise of their democratic right. They were intent on conveying their political sentiments to the leaders of the government of the time.

Terreblanche and Rudolph claimed that their organisation was in favour of a Volkstaat for the Afrikaners and were prepared to fight for it even outside the law. Both applicants applied for amnesty last month in respect of various acts of public violence committed in Ventersdorp when the former State President, Mr. F.W. De Klerk, endeavoured to hold a meeting which was not open to certain members of the public including the two applicants.

Terreblanche further applied for amnesty in respect of tarring Prof. F. Van Jaarveld of the University of South Africa on March 28, 1979 and in respect of the possession of illegal firearms and ammunition for which he was convicted and sentenced in 1983.

Ends/
AMNESTY HEARING FOR PAC MEMBER

A former General Secretary of the Media Workers Association of South Africa, Sithembele Khala and Vontjie Mzimkhulu Moti will be applying for amnesty next week in Johannesburg.

The hearing will be heard at the JISS Centre, Mayfair on Monday June 21, 1999. Khala alleges that during 1990 APLA embarked on a fund raising campaign which entailed inter alia, robbing of banks which were identified as legitimate targets in their struggle for liberation.

On March 28, 1990, Nedbank on Fox Street in Johannesburg was attacked and robbed. After a successful robbery the applicants and others came across the police and shooting ensued.

Khala and Moti were charged with attempted murder of police officers. Khala is currently serving a prison sentence of fourteen years whilst Moti was sentenced to 155 years.

Also appearing in the same hearing will be Temba Petros Shangase a PAC member. Shangase attacked a frozen food company and robbed them of an amount of R50 000. The applicant claimed that he was carrying out a PAC mandate of robbing in order to fundraise.

Inquiries: Phila Ngqumba 082 458 8463
AMNESTY HEARING IN DURBAN FOR ANC MEMBERS

Two ANC members are applying for amnesty for killing Mzikayifani Cele and Samson Mavundla and attempted murders of two other people in the Durban area on July 20, 1991.

The hearing will be heard at the Durban Christian Centre, Durban on Monday June 21, 1999.

Themba Mshini Ngcobo and Phazamani Joe Mcishane claimed that their victims were members of the IFP. The applicants alleged that the police in the area collaborated with the Inkatha Freedom Party in the attacks on ANC members.

It is alleged that the victims whose Malukazi Leaders, after having launched an IFP branch in the area, has ordered all those who refused to join the Inkatha to emigrate to Umtata where Mandels's xhosas lived. The political tension in the area had resulted in fighting with subsequent loss of lives and possession of both sides of the political spectrum.

Another ANC member Mlunigisi Khumalo is also applying for amnesty for killing Bhekabantu Cele an IFP member at Nkula Zingolweni. Khumalo was convicted for murder, attempted murder and escaping from prison. He is currently serving a long sentence at Westville Prison.

Also applying for amnesty is Humphrey Phakade Magwaza the then youth organiser of Masibambane Lamontville Youth. Magwaza is applying for amnesty for killing Mphikwana Khanyile and Bongani Mkize on April 1, 1983.

Inquiries : Phila Ngqumba 082 458 8463
June 18, 1999

**KILLERS OF PEBCO 3 DENIED AMNESTY**

Four Security Police involved in the abduction and killing of three leaders of the Blacks Civics Organisation (Pebco) in Port Elizabeth were refused amnesty today by the Amnesty Committee of the Truth and Reconciliation Commission.

All the applicants arise out of disappearance of what is known as the Pebco Three leaders, Sipho Hashe, Qaqawuli Godolozi and Champion Galela. The three community leaders were abducted at the Port Elizabeth airport on May 8, 1985 and subsequently murdered near Cradock on a farm known as Post Chalmers. Their bodies were collected, burnt and thrown into the Fish River, according to the applicants.

The amnesty applications were heard in Port Elizabeth in November 1997. The amnesty applications by the Security Police were opposed by the widows of the three leaders on the basis that there was no full disclosure.

Those refused amnesty are Herman Barend Du Plessis, former Commanding Officer of the Security Police in Port Elizabeth, Johannes Martin Van Zyl, Gideon Niewoudt and Gerhardus Johannes Lotz, all attached to the Security Branch.

Du Plessis was refused amnesty for conspiring, ordering the abduction and murder of the three deceased.

Van Zyl, Niewoudt and Lotz were refused amnesty for abduction and murder of the three leaders. The reason for refusal being the failure to make a full disclosure in respect of the assaults. The Committee said it would be too artificial and absurd in the circumstances of the case to separate the two offences as they were both committed in a continuous chain of events.

Another Security Police officer Gerhardus Cornelius Beeslaar was refused amnesty for offences of abduction and assault on Sipho Hashe. The Committee found that Beeslaar has not shown that he had any political objective when he assaulted Hashe. Beeslaar has not made a good impression to the committee and his evidence displayed a selective memory of the events. "He has not disclosed his part in and knowledge of the role of others in the assaults and torture".

The committee also refused amnesty to Van Zyl because there was no evidence that he had any political objective when he took possession of the said firearm in 1975 and the fact that it was used in 1985 in the elimination of the Pebco 3, does automatically alter its possession into an offence associated with a political objective. Van Zyl was also refused amnesty for unlawful possession of an unlicensed firearm and defeating the ends of justice.

The committee refused amnesty to Johannes Koole for abduction of the Pebco 3 and assault on Hashe and Godolozi.

The only senior Security Police Officer who was granted amnesty in respect of conspiring and ordering the abduction and murder of the Pebco 3, was former Head of Security Police in Port Elizabeth, Harold Snyman. Snyman failed to attend his amnesty hearing because of health reasons and he has since died.

Also granted amnesty was Kimani Peter Mogoai an Askari in respect of the abduction of the three leaders and for assault on Hashe and Godolozi. The committee declared the widows of the three leaders as victims for purposes of Rehabilitation and Reparation.

A former ANC Cadre and Askari, Joe Mamasela was the only witness who gave different evidence about the events leading to the abduction and killing of the three leaders. The committee found that Mamasela was alone in his evidence that all Vlakplaas group members and a members of Security Police were involved in what he described as a brutal torture and murder of the deceased after they were abducted.

The applicants claimed that the three leaders has to be killed because they posed a danger being involved in the underground operation of the ANC in Port Elizabeth.
Inquiries: Phila Ngqumba - 082 458 8463
June 18, 1999

NEXT EUGENE DE KOCK HEARING IN PRETORIA

The Amnesty Committee of the TRC will hear the killing of Brian Ngqulunga by former Vlakplaas commander, Eugene De Kock next week. The hearing is the last to be heard of the first cluster of De Kock's five matters at the Idasa Centre in Pretoria.

Ngqulunga was killed by Vlakplaas operatives in Bophuthatswana in 1990, allegedly for fear that he would testify to the Harms Commission about the Vlakplaas activities.

The first matter however, on Monday June 21, will be testimony of Daniel Potgieter for his role in the killing of Johannes Themba Mabotha in 1989.

Potgieter, who is not an applicant for the murder, has been subpoenaed by the Amnesty Committee to clarify his knowledge on the arrest, detention, interrogation, release and subsequent killing of Mabotha.

Potgieter, called De Kock to ask him to make a "Plan" with Mabotha who had absconded from Vlakplaas to join the Mandela United Football Club headed by Winnie Mandela.

Mabotha claimed in his statement that he had been abducted by MUF Club members and taken to Mandela's house.

Other matters that have been concluded by the committee include, the killing of Zweli Nyanda and Keith McFadden in Swaziland, the killing of four unknown arms smugglers at Komatipoort and the killing of five members of the Chand family in Botswana.
June 24, 1999

AMNESTY HEARING - WILLEM SCHOON

The Amnesty Committee of the TRC is to hear amnesty applications of Brigadier Willem Schoon - a part heard matter, on the abduction of Nokuthula Simelane, an ANC activist from Swaziland in 1982.

Four applicants, Willem Coetzee, Norman Mkhonza, Frederick Mong, Frederick Williams, Nomrod Veyi, Jacobus Ross with the exception of Lazarus Selamolela have already testified before the committee in May.

Peter Lengene who had applied for amnesty died three months ago. All the seven applicants were members of the Soweto Special Branch Unit under Coetzee.

They are applying for their role in the infiltration and killing of ANC underground activists in Soweto in the early eighties.

The Schoon hearing will take place on June 28, 1999 in Pretoria at the Idasa Center, cnr Visagie and Prinsloo Street.

For more information call Mbulelo Sompeta : 082 452 7870.
AMNESTY HEARING IN VENDA

Former Venda military ruler Brigadier Gabriel Ramuswan and three of his former colleagues are re-appearing before the Amnesty Committee seeking amnesty for the assault and torture of six victims in Venda.

The applicants are also applying for defeating the ends of justice. The application which was partly heard in Tzaneen last month - has been moved to Venda after a request by the affected community of Venda. The hearing will be heard at the Old Parliament Building, Thoyohabdou, Venda from June 28 - 29.

Also appearing before the Amnesty Committee will be three APLA members - Brian Clifford Thobojane, Thomas Ngobeni and Donald Mukhawana who are seeking amnesty for killing the Swanepoel family in Tzaneen on March 27, 1993. The applicants claim that during 1993 (which was declared by the PAC and APLA - as the year of Great Storm), orders were issued by the APLA command that all white farmers and government buildings should be attacked.

They further claim that their unit was instructed to go and attack a chicken farm owned by Johannes Swanepoel in Tzaneen. They fired several shots at the Swanepoel house injuring Mr. Swanepoel and killing his wife. The hearing will be heard at the Tzaneen Show Grounds, R71 Paleborwe Road, Tzaneen on June 30 and July 1, 1999.

Inquiries : Nosisi Tyantsi 082 458 8459
The Amnesty Committee of the Truth and Reconciliation Commission today granted amnesty to Michael Phama who was convicted of 21 murders and 16 attempted murders.

Phama was sentenced to life imprisonment for murder, attempted murders and ten years for possession of arms and ammunition. Phama last week testified in support of his application which was opposed by a number of victims.

The applicant was a member of the ANC and Self Defence Unit at Phola Park. Phama having received news that the IFP was preparing to attack residents he armed himself with an AK47 assault rifle which was loaded with a magazine containing 30 rounds. He opened fire on a group of IFP people who were going towards the Thokoza Stadium to attend a rally called by their leaders. He and his companions opened fire on this group killing sixteen and left many injured.

The Committee found that having considered all the evidence and arguments Phama's evidence was neither contradicted nor rebutted by evidence tendered by victims. Phama was also involved in a taxi shooting that left five people dead and a number injured. He was also granted amnesty for the taxi and traffic officers shootings.

The committee found that Phama made full disclosure of all relevant facts and that all incidents constitute acts associated with a political objective.

Inquiries : Phila Ngqumba 082 458 8463.

Ends/
June 29, 1999

HEARING ON PONGOLO ANC LEADER, MCETSHWA

On Monday July 5, 1999, the Amnesty Committee of the TRC, will hear amnesty application of an IFP member, Nkosinathi Emmanuel Mavuso for the murder of a Pongolo ANC leader, Michael Mcetshwa in January, 1993.

According to the applicant, Mcetshwa was killed for canvassing to IFP members to join the ANC.

Amos Mntungwa instructed the applicant to carry out the killing. Also present at the meeting was the late Sandanezwe Ndlangamandla who discussed the issue of firearms with the applicant.

Mcetshwa was assassinated in broad daylight in the centre of town. The assailant was subsequently arrested by civilians and is currently serving 25 years in prison.

The hearing will be held at the IDASA Centre, Corner Visagie and Prinsloo Street, Pretoria.

For more information: Mbulelo Sompeta - 082 452 7870.

ends
From July 12 to 16, the Amnesty Committee of the TRC will hear amnesty applications of ten former security policemen for their role in the killing of Japie Maponya in May, 1985.

The Maponya matter forms part of the De Kock 2 Cluster of four amnesty applications to be heard in Pretoria and Durban between July and August.

Maponya was employed as a security guard by the United Bank in Krugersdorp at the time of his murder.

The police, who initially abducted him, had hoped that he would lead them to his brother, Oderile Maponya. Oderile was an MK operative who the police claimed, was responsible for "acts" of terror on the Reef in the mid-eighties.

The applicants, Eugene De Kock, Almond Butana Nofomela, Willie Nortjie, Eugene Fourie, and Askari Chris Mosiane, David Jacobus Van Der Walt, an Askari Johannes Mbelo, Johan Le Roux, Simon Radebe and Eric Sefadi abducted and killed Maponya after he failed to lead them to Oderile.

The applicants claim that it was at the request of the Krugersdorp Special Branch that Vlakpaas's help was sought.

The first plan was for Askari, Chris Mosiane to try and indirectly obtain information from Maponya. When that failed, other Askaris, Johannes Mbelo and Almond Nofomela grabbed and forced Maponya into a car and drove to Vlakplaas where he was assaulted and tortured.

At an isolated spot at the Nerston Border post near Swaziland, they unloaded Maponya, shot and killed him. He was subsequently buried in a shallow grave.

For more information: Mbulelo Sompeta - 083 462 7870.

Ends/
AMNESTY HEARING FOR ZERO-ZERO HOUR

Former Vlakplaas commander Eugene De Kock and eleven other apartheid security policemen will appear before the TRC's Amnesty Committee next Monday for their role in the murder of eight UDF youth activists on the East Rand on June 25, 1985.

Dubbed the Zero-Zero Hour incident, the activists were killed when Joe Mamasela and another Vlakplaas Askari, Daniel Nkala supplied the activists with zero-timed grenades and limpet mines to blow themselves up. Seven other activists were seriously injured as a result of the blasts.

Mamasela who played a major role in the operation approached the youths under the false pretence of being an MK soldier sent by the ANC to train local activists.

The Zero-Zero Hour hearing forms part of the De Kock Cluster 2, which contains amnesty applications for the killing of Japie Maponya currently being heard at the Idasa Centre in Pretoria.

Two other Piet Retief incidents in which De Kock is also an applicant and is part of the De Kock 2 Cluster, will be heard in Durban later this month.

According to some of the applicants, the operation Zero-Zero Hour was approved by cabinet ministers, including former State President, P W Botha.

The intention was to stem the tide of revolt and increasing politicisation of East Rand townships residents especially of Thokoza, Kablehong, Duduza, Daveyton, Kwaithe and Vosloorus.

The Duduza handgrenade incident, which led to the necklacing of Maki Skosana, provided Mr. PW Botha with potent propaganda material regarding the violent nature of opposition politics and provided legitimisation to declare the first State of Emergency on the eve of her death.

Applicants in the Operation Zero-Zero Hour operation include; General Johan Van Der Merwe, Brigadier Willem Schoon, Eugene De Kock, Daniel Nkala, Captain Roelf Venter, Marthinus Delpoort, Frnacois Steenkamp, Kobus Kok, Japie Kok, LCM Prince, Andre Roos and Wal Du Toit.

Implicated persons in the Zero-Zero incidents are; Sgt. Gert Kruger, Gene Joep Joebert, Ex-Minister Louis Le Grange (deceased), General Johan Coetzee, General Schutte, Brian Ngqulunga (deceased), Moses Nzimande (deceased), Eric Maluleka, PW Botha, Cornelius Beeslaar and Tebogo Michael Mathikinca.

The hearing will be heard at the Idasa Centre, Cnr Prinsloo and Visagie Street, Pretoria.

For more information please call : Mbulelo Sompeta on 082 452 7870.
MEDIA ADVISORY - BOIPATONG MASSACRE HEARING RESUMES

Hearings on the Boipatong massacre will resume on Monday at the Iscor
Recreational Club in Van Der Byl Park near Vereeniging, from July 19 to
30, 1999.

During the past sittings IFP applicants explained their role in the
massacre which left close to 50 people killed.

One applicant, Andries Nosenga, whose evidence is still going to be heard,
differs with his co-applicants in defining the events of that fateful

The applicants have denied police and party political involvement in the
massacre, while Nosenga has implicated senior Vaal Triangle policemen who
have duly been notified.

/ends
MEDIA ADVISORY - DE KOCK HEARING DELAYED

The amnesty hearing in which former Vlakplaas operative Eugene De Kock and eleven other former Security policemen have applied for the killings of UDF activists on the East Rand in 1985, will only start on Wednesday July 21 and not Monday July 19, 1999 as originally scheduled.

Applicants in the Zero Zero Hour incidents include, General Johan Van Der Merwe, Brigadier Willem Schoon, Eugene De Kock, Daniel Nkala, Captain Roelf Venter, Marthinus Delpoort, Francois Steenkamp, Kobus Kok, Japie Kok, LCM Prince, Andre Roos and Wal Du Toit.

Other implicated persons are PW Botha, Sgt. Gert Kruger, General Joep Joebert, Ex-Minister Louis Le Grange (deceased), General Johan Coetzee, General Schutte, Brian Ngqulunga (deceased), Moses Nzimande (deceased), Eric Maluleka, Cornelius Beeslaar and Tebogo Michael Mathikinea.

Eight activists were killed and seven others were seriously injured, when Vlakplaas Askari, Joe Mamasela and Daniel Nkala, infiltrated the activists under the guise of being MK members.

The Zero-timed grenades and limpet mines they supplied, killed eight activists and left seven others seriously injured when they tried to hit targets they had identified.

Monday July 19 - 20, 1999 the Committee will try and finish amnesty applications on the killing of Bank Security Guard, Japie Maponya which started on July 12, 1999.

/ends
MEDIA RELEASE - DE KOCK HEARINGS CONTINUE

Twenty two former security policemen, including Vlakplaas Commander Eugene De Kock, are to appear in two different sets of amnesty applications due to be heard in Durban next week.

The amnesty applications relate to two separate ambushes and killing of MK members following their infiltration by police in Swaziland and their subsequent murder at Piet Retief from 8 to 12 June, 1988. The hearings are to be heard at the Durban Christian Centre as from July 26, 1999.

In the first incident of June 8, Eugene De Kock states that he was asked by the Piet Retief security police to assist them with an operation concerning trained ANC members infiltrating the country from Swaziland.

At this stage, the Piet Retief security police had infiltrated the MK's network and movements of people to and from Swaziland. A driver, Lieutenant Moshe (deceased) who was a Vlakplaas operative, picked up 4 MK members and drove them to a pre-arranged spot where the ambush would take place. The occupants, Lenny Naidu, Lindiwe Mthembu aka, Nontlantla Magagula, Makhosi Nyoka and Nontisikelelo Cothoza were killed.

Applicants in this matter are, Eugene De Kock, Leon Flores, Marthinus Ras, Jury Hayes, Flip Theron, Gerrie Barnard and Frederick Pienaar. Also implicated are Leonard Gwebu, Christo Deetlefs, Roelf Venter, Brigadier Willem Schoon and Adriaan Vlok.

In the second incident of June 12, Eugene De Kock, Frederik Pienaar, Marthinus Ras, Johan Tait, Paul Van Dyk, Cornélius Botha, Christo Deetlefs, James van Zweel, Jury Hayes, Gerrie Barnard, Flip Theron, Chris Rorich, Leon Flores, Nicholaas Vermeulen and Willem Nortjie have applied for their role in the killing of 4 ANC members who were from Swaziland. A fifth person, Bongani Emmanuel Gaga was killed on Swaziland side of the border by Tait, Van Dyk, Ras and Botha on the same date.

Following the first incident, De Kock states that he was again asked by the Piet Retief Security Branch to assist in an operation dealing with a second group of MK members led by Charles Ndaba. As in the first incident, an E20 kombi was dispatched by police to pick-up Mk members who were ambushed. Boxer Mthembu, Jabulani Sibisi, Sifiso Nxumalo and Innocent Nkosinathi Thenjwayo were killed. Bongani Emmanuel Gaga was
killed on the Swaziland border on the same date.

Persons implicated in this matter include, Adriaan Vlok, Sgt. Manzini, Johannes Combrink, Jury Hayes, Krappies Engelbrecht and Brigadier Willem Schoon.

Ends/
MEDIA RELEASE - HEARING POSTPONED

The amnesty hearings into the killing of eight UDF activists, in different parts of the East Rand townships in June 1985, has been postponed to a later date.

The amnesty applications, in which Vlakplaas supplied zero-timed grenades to activists to blow themselves up, has now been provisionally scheduled for August 2, 1999. A number of unfinished part-heard matters in the past few weeks have had an impact on the decision to postpone the Zero-Zero Hour grenades hearings.

Due to involvement of many victims and the public interest into the matter, the Amnesty Committee felt that the Zero-Zero Hour could not be finished in three days, hence the postponement.

/ends
July 30, 1999

MEDIA ADVISORY - HEARING IN PIETERMARITZBURG

The Amnesty Committee will be hearing application of 2 ANC members in respect of different incidents at the Marion Centre in Pietermaritzburg from Monday August 2, 1999.

The first applicant Skhumbuzo Masondo applied for amnesty for killing Thokozani Mtombu, a member of the South African Police on February 5, 1993. Masondo also applies for amnesty in respect of robbery and unlawful possession of a firearm and ammunition, after he disposed the victim of his service firearm and fired several shots at him. Mtombu later died in hospital of multiple gun shot wounds.

Also applying for amnesty is Vusumzi Ngcobo for killing Bongani Kunene and robbing him of his firearm on October 31, 1993. The applicant alleges that Kunene was suspected of being an informer and had been collaborating with the SAP and Zulu Police. It was also believed that the deceased (victim) was involved in killing Mlikosakharumbe (“Mliko”) a commander of the MK who was assassinated early in October.

Both applicants are currently serving their respective sentences at the Westville Prison.

/ends
AMNESTY DECISION FOR 3 ANC MEMBERS

Three members of the African National Congress today were granted amnesty for the killing of two IFP members and attempted murders near Malukazi and at Mguqule area of Ezinqolweni in and around Durban in 1991 and 1993.

Granted amnesty by the Amnesty Committee are Tembani Ngcobo, Phazamani Ncishane and Mlungisi Kumalo. The applicants testified that in the 1990's the respective areas were engulfed by political violence arising from a political conflict between the ANC and IFP in their quest for political turf. The Amnesty Committee found that there was no evidence to the contrary and that there were no political conflicts between the IFP and ANC, nor that the applicants were not members of the ANC.

The committee referred that relatives of the deceased, Amos Cele, Samson Mavundla and Mhekabantu Cele to the Reparations and Rehabilitation Committee. Another panel also granted amnesty to Peter Maluleka, a former MK member for planting an explosive that caused damage to the Van Asweger's store building and other buildings in the vicinity.

Maluleka in his application said that he was carrying out an order by his MK commander. The explosion was intended to make a political statement of the ANC's presence in the country. The committee found that Maluleka made full disclosure and was able to show a political motive.

Also granted amnesty for defeating ends of justice and perjury are Takalani Nesamri, Gabriel Ramushwana, Phumula Managa, Ledwick Ramamligela and Carlson Netshivhale from Venda. The applicants are all former Security Police of Venda Homeland. They applied for amnesty for taking part in the assaults and torture of now Northen Province MEC of transport, Tshenuwani Simon Farisani and various other suspects and defeating ends of justice. The committee found that the applicants made full disclosure of all relevant facts.

The committee further refused amnesty to Nesamari, Managa, Ramamligela for assaults and torture of Farisani, Mbulaneni Phosiwa and Jon Ravele.

Ramushwana and Netshivhale were granted amnesty for the assaults and their participation in the torture of Tshifiwiwa Tshikororo and Petrus Phaswana. The assaults on detainees took place in Venda in 1982. The application relates to incidents that occurred in Venda involving the torture of
several persons following an attack on the Sibasa Police Station in 1981, in which two policemen were killed.

Ends/
5 August 1999

AMNESTY DECISION - MENYATSOE

A former member of the Bophuthatswana Police Force, Ontlametse Bernstein Menyatsoe was granted amnesty today for the killing of three AWB members in Mafeking in March 1994.

Menyatsoe applied for amnesty for killing Jacobus Stephanus Uys, Alwyn Wolfaardt and Nicollas Cornelius Fourie. The applicant shot and killed the deceased after receiving a report from his neighbour that the AWB had taken over the military base.

The report distressed the applicant as he feared that the police would also be taken over and that he was not in favour of Bophuthatswana being controlled by the Right-Wingers. The next day Menyatsoe went to his workplace and found that the situation was extremely volatile as a AWB convoy of vehicles drove through the streets of Mafeking.

The situation was extremely volatile and shooting broke out. Members of the AWB shot at people alongside the road and they were being shot at by members of the Defence Force and the Police.

Many people in the area were injured and killed. The incident took place when South Africa was preparing for its first democratic elections. Bophuthatswana, particularly in the Mafeking/Mmabatho area, was experiencing severe unrest.

It is believed that the AWB moved in defence of Lucas Mangophe's regime at the time. The application by Menyatsoe was opposed by the Uys family and the AWB.

The Committee found that the events which led to the general chaos and violence which reigned in Mafeking that day were clearly politically driven. The applicant did not shoot the deceased persons merely out of malice or for personal gain.

The Committee accepted the applicants evidence that he at the time was in favour of Bophuthatswana being reincorporated into South Africa and that he was angered by the presence of the Right-Wing elements who he believed were supporting the Bophuthatswana Government on its stance against reincorporation.
The panel was satisfied that the crimes committed by the applicant were acts associated with a political objective and that he made full disclosure of all the relevant facts.

The spouses, children and parents of the three deceased were referred to the Reparation and Rehabilitation Committee for consideration.

Inquiries: Phila Ngqumba - 082 458 8463
August 5, 1999

AMNESTY DECISION - KHOTSO HOUSE BOMBING

Former Minister of Law and Order, Mr. Adrian Vlok and former Commissioner of Police, General Johannes Van Der Merwe were part of a group that was granted amnesty today for their involvement in the bombing of Khotso House in 1988.

Also granted amnesty for the same offence are former senior and junior security police officers, General Gerrit Erasmus, Willem Schoon, former Commander of the C Unit at Vlakplaas Eugene De Kock, Wahl Du Toit, Paul Erasmus, Douw Willemse, Charles Zeelie, Andries Van Heerden, Izak Bosch, Jacob Kok, Larry Hanton, Nicholaas Vermeulen, Hendrik Van Niekerk Kotze, George Hammond and Michael Bellingan.

Amnesty was granted to all applicants in respect of public violence and malicious damage to property, the unlawful possession of arms, ammunition and explosives for the purposes of bombing Khotso House.

They were also granted amnesty for defeating the ends of Justice, by inter alia spreading misinformation about the possible involvement of Shirley Gunn, in the explosion and any other offence directly or indirectly linked to the explosion caused at Khotso House based on facts disclosed in evidence before the Committee.

Evidence was led before the Committee that Minister Vlok, discussed the plan to bomb Khotso House with General Van Der Merwe who was then head of the Security Police. They submitted a report to P.W. Botha, the then State President and the matter was discussed by the Security Council.

Botha instructed Vlok to look into the matter in depth and take the necessary steps to make the building unusable. Schoon, the former Commander of the Security Police in Pretoria instructed De Kock, the Commander of Vlakplaas to take the necessary steps to carry out the explosion.

After the explosion the Strategy Department of the Police then built a theory on the circumstantial evidence and implicated Shirley Gunn as a suspect responsible for the explosion. In his evidence before the Committee, Vlok apologised to Gunn for falsely implicating her in the Khotso House bombing.
The Committee found that the applicants complied with the requirements of the Act in that the offence is an act associated with a political objective. The Committee was of the opinion that they made full disclosure of all relevant facts.

The objective was to render the building unusable and was directed at a political opponent and was committed in executing of an order with the approval of the Minister of Law and Order.

Inquiries: Phila Ngqumba  082 458 8463
August 6, 1999

MEDIA ADVISORY - MK KILLING AMNESTY HEARING

The Amnesty Committee will hold a hearing starting on Tuesday where a group of security police officers will be applying for amnesty for the killings of MK cadres.

The hearing will be held at the Durban Christian Centre from August 10 - September 3, 1999. Seven applications in respect of different incidents, kidnapping, torture and murder will be heard by the Committee.

The alleged killing of ANC and MK members took place in the KwaZulu Natal province between 1986 and 1990. Applying for amnesty will be Andrew Taylor, Jeremias Brooks, Hendrik Botha, Laurence Wasserman, Frans Labuschagne and Anton Verwey.

Among the people killed were Mbova Mzimela, Bhekayena Mkwanazi, Blessing Umela, Charles Ndaba and Mbuso Shabalala. Also tortured by the applicants are Rayman Lalla and Pravin Gordham in 1990.

Inquiries: Nosisi Tyantsi - 082 458 8459

ends
AMNESTY DECISION ON SDU'S

The Amnesty Committee of the Truth and Reconciliation Commission today granted amnesty to sixty members of the Self Defense Unit (SDU's) from the Thokoza and Katlehong townships.

The applicants were granted amnesty for their involvement in a political conflict between members of the African National Congress and Inkatha Freedom Party.

All the applicants were granted amnesty for having collected money for the purchasing of firearms and ammunition and supplying them to members of the SDU. They were also granted amnesty for committing murder, attempted murder of unknown IFP members and police during clashes.

The panel further granted amnesty for unlawful possession of AK47, R4 and other arms and ammunition. The applicants were granted amnesty for conducting unlawful patrols and barricading streets and inciting Phola Park squatter camp residents to attack IFP members.

The Committee found that their acts was associated with a political objective and the applicants have made full disclosure of all relevant facts in the circumstances leading to the conflict. The Committee referred victims and dependants of various deceased persons and those who were injured to the Reparations and Rehabilitation Committee.

Evidence was led before the Committee that during the period of 1990 and 1994, most of the SDU members who applied for amnesty participated in patrols and barricades. An integral part of the activities was to search residents and confiscate any illegal firearms.

The objective of this, the SDU members explained, was not to deter others who might use their illegal firearms against the community, but also to control the influx of firearms and other dangerous weapons into the community.

The turning point was the attack on an IFP march during September 1991, which shattered the relative peace prevailing at the time. The attack was ostensible launched by Phola Park SDU members on a march by the Thokoza IFP branch to Thokoza Stadium.
Approximately 22 people were killed and 23 injured in the attack. It subsequently transpired at the hearing of the Goldstone Commission Of Enquiry, that persons who gave the order to attack was a police agent. The violence appeared to have been orchestrated by sources outside the contending groupings. The attack led to retaliatory attacks and general violence and it is estimated that between 2 000 to 3 000 people lost their lives.

The sixty SDU members who received amnesty are:

Glen Vilakazi     Dumisani Mbatha
Tumelo I. Sinakgomo Mosa Danto Msimang
Nicholas Majiki     David Zolile Mhlawuli
Michael Feni Bennet Semi Mayisela
Patrick Radebe Danny Radebe
Bongani Victor Radebe Edgar Qoza Mhlope
Alpheus Maseko Phodi Eddy Khambule
Lerato Lollen Nteo Simon Alton Ngwengwa
Doctor Nkonyane Vusi Lawrence Sibiya
Oscar Msibi Wilfred Thabo Miya
Cyril Ndlondlo Khumalo Arthur Bongani Ndaba
Simphiwe Godfrey Ndlovu Vusi Msiza
Richard Thulani Mbatha Mzikayise Tshabalala
James Sompele Masoka Siphile Madondo
Johannes Amos Methula Alpheus Vusimezi Twala
Johannes Dingane Nkosi Ebenezer Monwabisi Mhambi
Simphiwe Godfrey Ndlovu Bhekumuzi Emmanuel Tshabalala
Goodman Mondli Motaung Patrick Mphikeleli Zikhali
Jeremiah Velaphi Mazibulo Davis Bhekendile Ndwangu
Samuel Lehlohonolo Khoza Kenneth Vusumuzi Mabizela
Thedima Naphtazi Khumalo Aaron Jabulani Ngwengwa
Fanekaya Herman Marhinqi Mazulwandle Ephraim Mzondo
Johannes Pheello Nyakama Isaac Radebe
Bafana Easu Radebe Veli Nhlapo
Johannes Tshabalala Lucky Soko
Carlson Sibuko Dlamini Sipho Steven Ngubane
Jim Jabulane Mpele Buli David Gumbi
Patrick S'busiso Coka Sakkie Sakhile Maseko
Aubrey Mahlema Maile Fanyana Potong Nhlapho
Thulani Mahlangu.

Inquiries : Phila Nqgumba - 082 458 8463
AMNESTY DECISION - ZWANE

The Amnesty Committee of the Truth and Reconciliation Commission today granted amnesty to Bongani Charles Zwane for three murders, attempted murder and possession of a firearm, ammunition and explosives.

The committee found that Zwane participated in the killings of Masango Thshabala, Nomrod Nkumanda, Jabulane Mngoma and attempted murder of Mbulelo Kapu in execution of an order given to him by his commander. The applicant believed that the killings of the policemen would further the political struggle which was waged by the ANC against the regime. The panel said that the applicant, a former MK member, met with the requirements of the Act in making a full disclosure and by proving a political motive.

Zwane committed these offences on January 20, 1998 at Meadowlands in Johannesburg. Zwane testified that it was the policy of the ANC to target policemen in general for elimination and that when he was ordered to identify a place where the targets could be found, he knew that the objective of such identification was to eliminate them. The Committee referred the relatives of the deceased and victims to the Reparation and Rehabilitation Committee for consideration.

Also granted amnesty was Mcedisi Oats Jodwana from Grahamstown for one murder and six attempted murders. The deceased Collen Vaaltyn and victims were believed to be police informers by the applicant. The committee found that Jodwana committed these acts in the bona fide belief that victims were police informers. The panel concluded that Jodwana had complied with the requirements of the Act.

The mother of the deceased, Nozibele Patosi and six victims were referred to the Reparation and Rehabilitation Committee for consideration.

Phila Ngqumba : 082 458 8463. /ends
August 16, 1999

MEDIA ADVISORY - AMNESTY APPLICATION WITHDRAWN

Three former security policemen who were seeking amnesty for the murder of three suspected robbers at the Carousel Casino near Hammanskraal in 1992, have withdrawn their applications.

The reasons advanced by their legal representative, Wim Cornelius was that his clients did nothing wrong and that they committed no crime.

Johannes Swart, Ben Burger and Johannes Petrus Hannekom had applied for conspiring and killing Dillon Moses Mayiza, Sibusiso Mbatha and Mazunka Moyo. All the deceased were from the Alexandra township near Johannesburg.

The killing of four other suspected robbers in Nelspruit on 26 March 1992, will be heard on Wednesday afternoon. Amnesty applicants in the matter are Eugene De Kock, Johannes Swart, Rolf Gevers, Willem Nortje, Johannes Hannekom, Ben van Zyl, Deon Gouws and Kobus Klopper.

The killing of Tisetso leballo, who was a personal bodyguard to Winnie Mandela, will be heard simultaneously with the Nelspruit four.

For more information call Mbulelo Sompetha at 082 452 7870.

Ends/
The Amnesty Committee of the Truth and Reconciliation Commission, today granted amnesty to three policemen for the killing of the Kwandebele nine in June 1986.

Jacob Van Jaarsveld, Deon Gouws and Stephanus Oosthuizen, participated in the fatal shooting of Abram Mokolane, Samuel Masilela, Sepo Sibanyoni, Jeremia Mfundi, Thomas Phiri, Jeremia Mkabula, Morris Nkabinde, Mathew Kekutle, Stephen Makema and Elliot Sasage.

The applicants applied for amnesty for their involvement in the gruesome incident. They also assisted in setting the deceased bodies alight.

At the time the policemen were members of the Investigative Unit deployed in Kwandebele to investigate unrest related incidents assisting the Security Police.

The applicants were also granted amnesty for arson, malicious damage to property and assault with intent to do grievous body harm. The Committee remarked that the evidence was unsatisfactory, but it was the only version before it.

The Committee concluded that Van Jaarsveld, Gouws and Oosthuizen met the requirements of the Act.

Inquiries: Phila Ngqumba 082 458 8463.
**August 19, 1999**

**AMNESTY DECISION**


Pumelele Hermanus, Mlulami Maxhayi, Lungile Mazwi and Fundisile Guleni were also granted amnesty for the attempted murders of Keith Rumble, Thomas O'Keefe and Brett Rumble. The Committee found that the killings of the Weakley brothers had a political motive.

The Committee felt that the applicants have not exaggerated their case and it was clear that the victims were at the wrong place at the wrong time. It could have been anyone else and clearly the reason for the applicants actions were related to the assassination of SACP leader Chris Hani.

The panel concluded that their actions were associated with a political objective and all relevant facts related to these crimes have been disclosed. There was no evidence that they acted for personal gain or out of malice.

The dependants of the deceased and those injured in the attack were declared victims by the Committee and referred to the Reparations and Rehabilitation Committee for consideration.

The applicants testified that on April 10, 1993, Hani was assassinated and this sparked violence in many parts of the country. As a result they decided to attack the deceased and victims who were holiday makers in the area in retaliation for the Hani murder.

Meanwhile, three APLA members from Fort Beaufort were also granted amnesty for robbery and a for shot belonging to Giovanni Francescatto on September 6, 1992 and unlawful possession of a shotgun and ammunition.

Sipho Mabhuti Kiko, Winile Veveza and Mzwamadoda Yengeni shot Francescatto with a pistol and the applicants claimed that they were carrying out orders of an APLA commander to attack white houses in town and repossess weapons for APLA cadres use.
Inquiries: Phila Ngqumba 082 458 8463.
AMNESTY DECISION - MAGWAZA

The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to an African National Congress member Humphrey Phakade Magwaza for the murder of Bongani Mkize of Lamontville on May 21, 1993.

The Committee found that the killing of Mkize was associated with a political objective, directed at a political opponent and Magwaza made full disclosure of all the relevant facts.

The applicant testified that the gruesome killing was intended as a lesson to other members of the Mashaolin Gang that supported the councillors of Lamontville. Gugu Mkize and Bongani's sister were declared victims.

Meanwhile, Skumbuzo Masondo, a member of the ANC Youth League was refused amnesty. Masondo was refused amnesty for the murder of Sydney Mthembu, robbery with aggravating circumstances and possession of a firearm and ammunition.

The Committee found that Masondo could not establish any political objective which he aimed to achieve by killing Mthembu who was a policeman. Mthembu's children were declared victims and referred to the Reparation and Rehabilitation Committee for consideration.

Inquiries : Phila Ngqumba 082 458 8463.
The Amnesty Committee of the Truth and Reconciliation Commission has granted amnesty to four Azanian People's Liberation Army (APLA) cadres, for murdering a farmer, Mr. J.J. Fourie of the Stormberg farm in the district of Verkeerdevlei on February 12, 1992.

Those granted amnesty are Hendrik Leeuw, Daniel Magoda, Meshack May and Sebolai Petrus Nkgwedi. The applicants are serving long sentences from eleven to fifteen years for the murder, robbery with aggravating circumstances, illegal possession of a firearm and ammunition.

The Committee found that the four applicants met with the requirements of the Act that of making full disclosure of facts and their acts were associated with a political motive. The panel referred the dependants of Mr. Fourie and Ms. Adrey Catharine May, who was assaulted by the applicants to the Reparations and Rehabilitation Committee for consideration.

The applicants testified that they were part of operation "Great Storm" of APLA, to drive white farming community from their farms in order to get the land back. They were instructed to take the property and hand it over to their commander who would sell it in order to obtain money for the struggle.

The applicant's testimony was supported by Pan Africanist Congress and APLA's submission to the Commission that operation "Great Storm" involved killing of farmers and stealing their weapons.

Inquiries: Phila Ngqumba - 082 458 8463.
odile@iafrica.com
October 26, 1999

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION
AMNESTY DECISION

Two of the three amnesty applicants were granted amnesty by the Amnesty Committee of the Truth and Reconciliation Commission in Pretoria today.

Former security branch policemen, Johannes Petrus Roodt, Daniel Jacobus Kruger and the late Sarel du Plessis Crafford had applied for amnesty for their role in the murder of Ernest Ramango of Mamelodi in the late 1980's.

Ramango, who apparently was a police informer and fell out of favour with his handlers after confessing to them of being a double agent, was blown up in Mamelodi with explosives.

In granting amnesty to Roodt and Kruger, Judge Sisi Khampepe of the Amnesty Committee said the two had met the requirements of the Act in as far as the murder and the desecration of the body of Ramango was concerned.

Khampepe said Crafford's application would still go before the committee for further consideration.

Inquiries: Nhlanhla Mbatha - 082 458 9968.
odile@iafrica.com
STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION
MEDIA RELEASE

The Amnesty Committee of the TRC is to hear two amnesty applications next week at the JISS Center, Mayfair, Johannesburg starting on November 1 - 5, 1999.

IFP applicant, Boy Mhlongo and ANC's Peter Mbala, are the two amnesty applicants expected to appear before the Committee for acts committed between 1993 and 1994.

Mhlongo is serving a sentence at the Leeuwkop prison for killing Caleb Ngwenya in Denver Johannesburg, in an attempt to rob him of his vehicle and ferry weapons to an IFP conference in Ulundi in 1993.

Mbala is serving a sixteen year imprisonment for the murder of Bonginkosi Ndaba and Sipho Sithole at the Power Park Squatter Camp - Soweto in 1994.

Mbala was part of a group of armed persons who confronted the deceased about their failure to patrol on behalf of an ANC.

The proceedings will start at 9.30am.

For more information call : Mbulelo Sompeta on 082 452 7870.
odile@iafrica.com
STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION
MEDIA ADVISORY

The Amnesty Committee is set to hear various applicants in respect of offences which arose from the shooting incident that took place at Port St. Johns during the pre-election period. The incidents which include shooting at the pre-election workshop on/about March 28, 1994, murder of Mapipa and murder of the alleged APLA six, took place out of a conflict between the ANC and supporting SDU's and the PAC's armed wing APLA on April 20, 1994.

All six applicants Lusindiso Poyo, Zamekile Pato, Fundisile Guleni, Dumisa Mdlulwa, Mfanelo Matshaya and Pumelela Hermans, are claiming to have been associated with the ANC at the time. There are also pending criminal charges relating to some of these incidents.

Also appearing before the Amnesty Committee is Vuyani Memani who claims that as a member of the MK in the Eastern Cape, he raided Frankfort Police Station in the former Ciskei on August 12, 1992 for weapons. One of the two officers attached was injured in this incident. The applicant who was with four other accomplices at the time was never charged or prosecuted for the incident. Memani is also seeking amnesty for a shoot-out incident between his group of friends (of which he was part) and the police. Their car was stopped by police in the Mdantsane area but they did not heed to the warning. Gunshots were fired after which Memani and one of his friends ran to the police van and took the arms.

Xolisa Mkonwana is also seeking amnesty in relation to the incidents of arson and murder. Mkonwana states that around 1985 - 1986 he was involved in the burning of the Rent Office, Public Works Department and a house in Sada. He also participated in the killing of Nomboniso Sakwe and Letitia Parker who were alleged to be informers.

There are two other matter relating to robbery and murder which are set to be heard during this sitting. The hearing will be held from November 1 -5, 1999 at the Catholic Centre, Queens Road, Cambridge, East London.

Inquiries: Nosisi Tyantsi - 082 458 8459
odile@iafrica.com
November 10, 1999

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION
MEDIA RELEASE

The Amnesty Committee of the TRC will next week start a four weeks hearing schedule of nine sets of amnesty matters which include among others, the spreading of AIDS by turned ANC/PAC members or Askaris in Hillbrow in 1990.

The nine matters form part of De Kock's Cluster 5 of amnesty applications set to be heard in Pretoria as from November 15 1999. The hearings will be held at the Idasa Centre, corner Prinsloo and Visagie Streets, Pretoria. In the first matter of spreading of AIDS, Andries Van Heerden and Willie Nortje are the only two applicants. De Kock, W/O Bellingan, Lt. Charles Zeelie, Paul van Dyk and four Askaris, Ndam, Stretcher, Vietnam and Sebole have been implicated. The Askaris who had AIDS were used to spread the disease by infecting prostitutes in two Hillbrow Hotels, the Chelsea and Little Rose in May 1990.

In the second matter which involves the attempted murder of Dirk Coetzee and the subsequent killing of Bheki Mlangeni, nine former policemen have applied for amnesty. They are Jakobus Kok, Izak Bosch, Willie Nortje, Willem Bellingan, Eugene De Kock, Jacob Francois Kok, Wybrand du Toit, Simon Makopo Radebe and Kobus Klopper.

In the third matter, Eugene De Kock, Willie Nortje, Johan Tait, Leon Flores and Izak Bosch are seeking amnesty for the murder of an ANC, MK member, Xolile Sam a.k.a MK Valdez in Germiston on November 8, 1988. In the fourth matter, Schalk Visser, Christo Deetlefs, Frederick Pienaar and James Van Zweel are seeking amnesty for abducting from Swaziland, Chris Mosiane, Vikelisizwe Colin Khumalo - Goodwill Sikhakhane (deceased), Michael Daliwonga Matikinca a.k.a MK James and Ernest Nonjwanagu - MK Bhuye. Former ANC intelligence Chief, Ronald Kasrils is an interested person in the matter.

In the fifth matter, Eugene De Kock, Willem Schoon, Gert Visser, Willem Nortje, Schalk Visser, Daniel Greyling and Izack Bosch are seeking amnesty for abducting and killing Jabulani Msibi, a bodyguard to former ANC President Oliver Tambo from Swaziland in 1986.

In the sixth matter, ten amnesty applicants, Eugen De Kock, Paul van Dyk, Christo Deetlefs, Frederick Pienaar, Frans Smallberger Labuschagne, Jan Greyling, Eugene Fourie, Izak Bosch, Almond Butana Nofomela and Cornelius Johannes Botha for ambush seven MK cadres at Nerston border near Swaziland in 1986.

In the seventh matter, Frans Smallberger labuschagne and Eugene De Kock are seeking amnesty for killing Thophilus Dlodlo MK Viva, Thulani Nkwanyana, Nomusa Mildred Msomi and injuring Candy Ntshontsho, Shezi Msimang and Shongwe on May 1987 in Swaziland.

In the eighth matter, twelve applicants, Almond Butana Nofemela, Eugene De Kock, Douw Gerhard Willems, Izak Daniel Bosch, Frederick Pienaar, Eugene Fourie, Johannes Koole, Nicholas Vermeulen, Schalk Visser, Paul van Dyk, Christo Deetlefs and Willem Schoon are seeking amnesty for abducting and killing Glory Sedibe from Swaziland. Sedibe a.k.a MK September who was Joe Modise's brother-in-law became a Vlakplaas operative after his abduction from Swaziland.

In the last matter, Kobus Klopper, Eugene De Kock, Johannes Swart and Nicholas Vermeulen have applied for amnesty for killing an alleged arms smuggler, Sweet Sambo at Komatiepoort in 1991. His body was later blown with explosives at Verdrag Training Centre near Pretoria. All sittings of the tribunal starts at 9.30am.

For more information please call Mbulelo Sompetha at 082 452 7870. mbulelos@iafrica.com
November 11, 1999

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

The Amnesty Committee of Truth and Reconciliation Commission next week will hear amnesty applications caused by conflict between the African National Congress (ANC) and Inkatha Freedom Party (IFP) during the 1980's.

The hearing will start on Monday, November 15 to 19 at the Durban Christian Centre in Durban. Bhekisisa Nkwanyana and Khetha Mpilo Khuzwayo who are members of the ANC are applying for amnesty for the murder of one businessman, Makhosi Mthembu and attempted murder of Mandlenkosi Sibiya on May 3, 1994.

Also featuring in the IFP and ANC conflict is Albert Smangaliso Maseko. Maseko a member of the ANC opened fire causing injury to victims Siyabone Ngcobo and Sikhumbuzo Mdlalose. The victims were perceived to be IFP supporters at the time of the shooting.

Alex Hlongwane a member of the Self Defence Units\ANC is also applying for amnesty for attempted murder, robbery and malicious damage to property. The incident happened on February 28, 1991 at the Natal Luggage Factory in Ladysmith.

One person was shot in the arm in this incident. Meanwhile, Jones Juda Mdluli seeks amnesty for the murders of Samuel Sipho Hlongwane and Jerome Khuzwayo as well as attempted murders of, Christopher Ngcobo and Zebulon Dube at Ntaphuka Store in Ndwendwe in March 1990.

The deceased were members of the police escort and were guarding the pension team on that day. Mdluli claimed that he was an ANC supporter and he wanted money in order to assist ANC affiliates who were under constant attacks by the IFP.

Zenzile Terrence Dlamini an ANC member is applying for amnesty for attacking a temporary police station with a hand grenade in Sobantu township in Pietermaritzburg. Dlamini was charged, found guilty, and sentenced to ten years imprisonment.

Inquiries : Nosisi Tyantsi  082 458 8459.
odile@iafrica.com
NOTIFICATION TO VICTIMS IN TERMS OF ACT 34 OF 1995 (THE PROMOTION OF
NATIONAL UNITY AND RECONCILIATION ACT)

The Amnesty Committee of the Truth and Reconciliation Commission is going to hear and consider the Amnesty Application of Eugene de Kock and others at the IDASA Centre, corner of Prinsloo and Visagie streets, PRETORIA from the 15th of November to the 10th of December 1999.

The Amnesty Committee is trying to locate the following victims and/or next of kin:

1. Alpheus Sidlane Sithole - The next of kin of Shadrack Sithole, who was killed in an ambush on the Nerston/Amstredam road on or about the 14th of August 1986 (previously from Mankanyane, Swaziland)
2. Christina Phuthego Kone - The next of kin of Mbongeni Kone, who was killed in an ambush on the Nerston/Amstredam road on or about the 14th of August 1986 (from Shayandima, Venda)
3. Vikelisizwe Colin Khumalo - who was abducted from Swaziland together with Gaboutlwelwe Christopher Mosiane during 1984, or his next of kin if deceased (from Swaziland)
4. Ernest Nonjawanagu - who was abducted from Swaziland together with Gaboutlwelwe Christopher Mosiane during 1984, or his next of kin if deceased (from Swaziland)
5. Michael Dauwanga Matikinca - who was abducted from Swaziland together with Gaboutlwelwe Christopher Mosiane during 1984, or his next of kin if deceased (from Swaziland)
6. Candy Ntshonsho who was injured when the car in which she was travelling and in which Theophilus Dlodlo and Nomsa Msomi were killed in May 1987 in Swaziland. (from Swaziland)

The Committee would appreciate it if people known as "Ndam", "Stretcter", "Sebole" and "Vietnam" who were used by the security forces operatives to spread AIDS in the Hillbrow area during 1990 can contact:

Tania Hosking on (021) 245161 x 2240 or by fax (021) 422 2221 or Mr. Yunus Dhoda on (011) - 331 1471 or by fax (011) - 331 1109.
November 15, 1999

AMNESTY DECISION BY THE TRUTH AND RECONCILIATION COMMISSION

MEDIA ADVISORY

The Amnesty Committee of Truth and Reconciliation Commission today has granted amnesty to six security policemen who were implicated in offences related to the conspiracy to commit murder and attempted murder of the current General of the SANDF General Lambert Moloi and three other ANC activists in Botswana in 1987.


During 1987 the Sowetan Intelligence Unit under the command of General Ignatius Coetzee one of the applicants and other informers successfully infiltrated the MK underground structure in Botswana. The MK unit was active in South Africa and specifically in Soweto, and was responsible for recruitment, training and infiltration of trained cadres.

The applicants conspired to kill General Moloi, Mark Shope, M.K.Sipho and M.K.Jackie who were staying at the Oasis Motel in Gaberone. The applicants were part of a group of security policemen who applied for amnesty last week in Pretoria for a number of offences. The committee found that the applicants made full disclosure of all relevant facts and their acts were associated with a political motive. The committee further granted amnesty to three ANC members Jabulane Walter Nxumalo, Vusi David Khumalo and Patric Musa Madondo. Nxumalo as a member of the MK and was granted amnesty for terrorism and sabotage offences committed in 1977.

Meanwhile, Khumalo and Madondo Self Defence Unit members were granted amnesty for attempted murder of a policemen and unlawful possession of arms and ammunition in April 1994 in Katlehong. The committee was satisfied that the actions of the applicants constituted acts associated with a political objective.

Also granted amnesty was a Free State policeman Jacobus De Ru for killing Jonas Ramphalile and Zacharia Mofekeng and defeating ends of justice. De Ru testified that he killed the deceased because he felt they were part of the PAC operation "Great Storm" killing the farmers and policemen in Ellington, Steynrust and Edenville in the district of Kroonstad.

Inquiries: Phila Ngqumba 0824588463
odile@iafrica.com
The attempted murder of Dirk Coetzee and the killing of Bheki Mlangeni will be first matters of the roll to be heard by TRC's Amnesty Committee in Pretoria today.

Nine applicants including former Vlakplaas commander Eugene De Kock are seeking amnesty for their roles in the commission of murder, accessory to murder and culpable homicide. The matter occurred when De Kock and others prepared a parcel bomb made of a tape cassette which was sent to Dirk Coetzee in Lusaka. After it transpired that the parcel has not been collected, it was resent to South Africa, the address of sender - Bheki Mlangeni. One of the applicants, Willem Bellingan posted the parcel to both victims addresses.

The hearing into the matter is scheduled to last three days or more.

To follow on the Dirk Coetzee and Mlangeni matter, is the amnesty application for the killing an alleged arms smuggler, Sweet Sambo in Komatipoort in 1991. Kobus Klopper, Eugene De Kock and Nicholas Vermeulen are seeking amnesty for the acts. It might take two days or more.

The third matter to be heard sometime next week, is the killing of ANC member Sam Xolile - MK Valdez in Germiston in November 1988.

The fourth matter to be heard later next week, is the spreading of AIDS in Hillbrow by Vlakplaas members using turned ANC/PAC members or Askaris in May 1990.

The hearing of other matters, like the abduction of MK member Chris Mosiane and others from Swaziland, the killing of the late ANC president bodyguard, the abduction of Glory Sedibe, brother-in-law to former Minister of Defence Joe Modise from Swaziland, ambushing of MK members at the Nerston border and abduction and killing of ANC member MK Viva and others also from Swaziland will heard towards month end.

The hearings are scheduled to start today November 15 to December 10 in Pretoria at the Idasa Centre, corner Prinsloo and Visagie Streets. The hearing is one nine matters that will be heard over a period of four weeks in the De Kock's Cluster 5 of amnesty applications.

For more information call Mbulelo Sompetha at 082 452 7870.
odile@iafrica.com
Nigerian Visit

The Nigerian Truth and Reconciliation delegation will visit South Africa's Truth and Reconciliation Commission this week, to do a comparative review of what happened in other countries whose experiences are not dissimilar to that of Nigeria.

The Nigerian delegation will be led by a highly regarded judge, Justice Chukwudufdi Oputa. The other members of the delegation are Mrs Elizabeth Pam, Mrs Modupe Areola, Mr Aduma Bamali, Mr Bala Ngilar, Mr Matthew Kukah, Mr Nu'uman Danbatta and Mr Adamu - Alhajim.

As part of the Nigerian's effort to build confidence in the population and to reassure the Nigeria people that the new dispensation will not be a case of business as usual, the government inaugurated a seven member Human Rights Violation Investigative panel. The panel was inaugurated by Nigeria president Obasanjo in June this year and will investigate human rights abuses from January 1, 1994 to May 28, 1999.

The delegation's visit is sponsored by Centre for Democracy and Development, in collaboration with the Institute for Democracy and Electoral Assistance (IDEA) in Sweden. They will also visit other countries in particular Argentina, Chile, Ethiopia and Uganda.

Recently TRC's commissioners Dumisa Ntsebeza and Hlengiwe Mkize visited Nigeria as part of the retreat sponsored by IDEA to share their experiences. The delegation will be interacting with TRC's commissioners, Amnesty Committee members and Staff.

As part of their visit the delegation will visit Robben Island. The delegation will address a press conference on Friday, November 19 at 10.00am at the TRC offices, 7th floor, 106 Adderley Street, Cape Town.

Inquiries: Phila Ngqumba 0824588463
odile@iafrica.com
9 December 1999

THE TRUTH AND RECONCILIATION COMMISSION -

Year End Summary

AMNESTY
At the moment the Truth and Reconciliation Commission is dealing with the last leg of its work, the Amnesty applications. The TRC had three components namely Human Rights Violation Committee, Reparation and Rehabilitation Committee and The Amnesty Committee.

One of the reasons for the TRC's planned extension during the year 2000 is that all amnesty applications have not yet been finalised and have to be processed. The Commission wishes to inform members of the public the status of the amnesty applications as at November 15, 1999.

Finalised Amnesty Applications

<table>
<thead>
<tr>
<th>Decisions</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Amnesty granted</td>
<td>568</td>
</tr>
<tr>
<td>Amnesty refused</td>
<td>5287</td>
</tr>
<tr>
<td>Amnesty partly refused/partly granted</td>
<td>21</td>
</tr>
<tr>
<td>Amnesty Applications withdrawn</td>
<td>161</td>
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<tr>
<td>Decision outstanding</td>
<td>272</td>
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<td>TOTAL</td>
<td>6037</td>
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Outstanding

<table>
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<tr>
<th>Chamber matters</th>
<th>311</th>
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<tbody>
<tr>
<td>Hearable matters</td>
<td>347</td>
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<tr>
<td>Scheduled for hearings</td>
<td>157</td>
</tr>
<tr>
<td>TOTAL</td>
<td>815</td>
</tr>
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</table>

From the above statistics the following can be noted:
* The Amnesty Committee have dealt with 91% of all applications received, compared to the 70% at the end of 1998.
* It is estimated that only 5% of amnesty applications received, still need to be scheduled for a public hearing.
* These statistics should be compared to those of June 1997 when only 20% of all applications had been dealt with.
* Originally 2500 of the total number of applications received had been identified as matters that had to be heard at public hearings. During 1996, 70 applications were scheduled to appear before the Amnesty Committee, 200 during 1997, 720 during 1998 and approximately 1204 during 1999.
* This means that approximately 300 applications may still need to appear before the Amnesty Committee. Although the Amnesty Committee has lost 6 of its members during the course of 1999, it has managed to hear 90% more applications than in 1998.

BREAKDOWN AS PER POLITICAL AFFILIATION

<table>
<thead>
<tr>
<th>Political Affiliation</th>
<th>Granted</th>
<th>Partly Granted/Partly Refused</th>
<th>Refused</th>
<th>Total</th>
</tr>
</thead>
</table>
The above statistical information shows that both staff preparing and presenting the amnesty applications as well as The Amnesty Committee dealing with the applications, have increased their productivity enormously.

**FINALISATION OF AMNESTY PROCESS:**
In the absence of unforeseen circumstances, The Amnesty Committee is on track to finalise all hearable applications by end of March 2000 and to submit a final Amnesty Report to the President by end of June 2000. The objective is to use the months of April, May and June to deal with any specific applications that may require attention, to finalise the audit of all applications and to certify that all have been dealt with according the Act.

**REPARATION AND REHABILITATION COMMITTEE**
The main focus of the committee's work since June 1998 has been on implementation of interim reparation and matters relating to long term policy development. To date, the number of completed and assessed applications for reparations sent to the President Fund is 9165.

The President Fund has processed 4608 of the 9165 applications received from the Committee. This represents the expenditure of R15,815,317.00. The major component of the interim reparation recommendations received from the Committee is the service recommendation, the President's Fund informs the victim of what services has been recommended and refer them to a relevant department.

To date the following referrals have been made by regions, to the following services.

<table>
<thead>
<tr>
<th>Province</th>
<th>Education</th>
<th>Housing</th>
<th>Employment</th>
<th>Physical Health</th>
<th>Mental Health</th>
<th>Welfare</th>
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</thead>
<tbody>
<tr>
<td>Gauteng</td>
<td>647</td>
<td>181</td>
<td>75</td>
<td>688</td>
<td>1189</td>
<td>692</td>
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<td>Eastern Cape</td>
<td>142</td>
<td>77</td>
<td>42</td>
<td>350</td>
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<td>Northern Cape</td>
<td>12</td>
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<td>1</td>
<td>31</td>
<td>28</td>
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<tr>
<td>Free State</td>
<td>23</td>
<td>18</td>
<td>5</td>
<td>42</td>
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<td>North. Province</td>
<td>8</td>
<td>22</td>
<td>2</td>
<td>16</td>
<td>32</td>
<td>18</td>
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<tr>
<td>Mpumalanga</td>
<td>40</td>
<td>35</td>
<td>2</td>
<td>48</td>
<td>88</td>
<td>53</td>
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<tr>
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<td>13</td>
<td>1</td>
<td>2</td>
<td>31</td>
<td>31</td>
<td>14</td>
</tr>
<tr>
<td>Western Cape</td>
<td>156</td>
<td>76</td>
<td>41</td>
<td>206</td>
<td>214</td>
<td>133</td>
</tr>
</tbody>
</table>
RECOMMENDATIONS
The Reparation and Rehabilitation Committee has held numerous discussions with the Inter Ministerial Committee on reparations, the Premiers of the nine provinces, as well as the Director Generals of the relevant Ministries. The purpose of these discussions was to create an awareness and understanding of the long term nature of reparations or victims/survivors as found in the reparation policy.

Most recently the Committee has focused their efforts to communicate the pressing need to establish a process within government which lead to the formation of reparation co-ordinating structure at local and national levels. This structure would be responsible for implementation of a long term reparation process, and serve as the responsibility for all outstanding reparations e.g. community, symbolic, administrative and legal, following the life of the Reparations Committee.

Given the emerging picture of the survivors needs, it is apparent that some are dire, life threatening, and cannot be met through a generalised reconstruction and development programme. The attempt to facilitate the reparations process from the TRC offices and President's Fund, when all the service resources are within government department has not been satisfactory, and has happened as a result of the absence of such a structure.

An ideal structure would be one similar the Inter Ministerial Committee for the children at risk initiated by government in 1995 or the current Youth Commission Structure. As with this structure, it will be essential for this structure to mandate the involvement of representatives of relevant Ministries, in consultation with NGO's, Victim group, the private, and other interested parties. The key principal is that the reparation office should have powers to enforce co-operation from all the Ministries.

It is essential that the proposed co-ordinating structure is located within government as from the beginning of December 1999, so as to allow government officials time to master information related to the reparation process before the end of March 2000, when the committee intends to close down its operations.

HUMAN RIGHTS VIOLATION COMMITTEE
The Human Rights Violations Committee identified at the end of October 1998, the following outstanding tasks:

* The completion of findings in respect of victims and the gross human rights violations they have suffered;
* The national audit of the more then 5000 negative findings made at regional level;
* The establishment of an Appeal mechanism to deal with the negative findings that had been confirmed at a national level;
* The finalisation of "Out of the Shadows", the "popular" edition of
The Truth Commission report;
* The finalisation of the “Victims Volume”, which would contain a summary on each victim.
* The Committee had also undertaken to furnish the Minister with three additional reports, i.e.
  * an exhumation report which would identify outstanding exhumations;
  * a report on disappearances which would detail all disappearances reported to the Commission and classify them into classic abductions, missing in combat, disappearances in exile and missing persons;
  * a report on combatants.

The Committee in the course and scope of its work in January and February 1999, identified that the database would need to be audited to ensure that proper summaries could be written for each victim and to prevent the possibility of multiple payments to reparation beneficiaries. The transfer of assets and records from the regional offices of the TRC to the National office has engendered a certain degree of chaos. A database audit team was appointed in March 1999 to begin the clean up and began work in April 1999. They completed their work in November 1999.

As at the 1st December 1999, the Commission has completed all outstanding victims findings. In addition the national internal audit of negative findings has been completed. This has resulted in the confirmation of approximately 1500 negative findings which include those out of mandate, those not considered to be political and those with insufficient information to make such a finding. The communication of negative findings to victims is receiving a great deal of attention from the commission to ensure that it is handled in the most sensitive and humane manner. The Commission is also considering the setting up of a special victims’ line to deal with the queries that will be generated through the communication to victims.

The Commission is still receiving applications from victims’ groups that they be considered for reparation.

The "Popular Edition" was completed in September 1999 and was ready to go into print. However, the consensus within the Amnesty Committee is that it should be held back to allow the current work being done by the commission to be reflected in the Popular version. This will in all probability mean publication in June 2000.

The Summary writing project began work in October 1999. Already 50% of the summaries have been written and are ready for the first round of editing. It is envisaged that the vast majority will be edited by February 1999. It is envisaged that this Volume will be published with the codicil to the final report. The remaining reports will be completed in February 1999.

The Commission is of the view that discussions need to begin with government on who will take over the outstanding work of the HRV committee particularly on an Appeals process. Presently the Commission deals with a vast amount of queries from victims and government will need to take this on board as well.
LEGAL ASSISTANCE PROGRAMME
The TRC is empowered in terms of the provisions of section 34(3) of the Act 34 of 1995 to appoint a legal representative at a prescribed tariff to appear on behalf of any person. The commission realised at the beginning of the year that the TRC appeared to be footing the bill for virtually all categories of persons appearing before the Amnesty Committee whether they were victims, applicants, implicated persons or witnesses.

As a result hereof the Commission investigated the situation and discovered that approximately R327 806.23 had been paid on the TRC's behalf by the Legal Aid Board to amnesty applicants who were members of the various liberation movements. In terms of paragraph 3(5) of the submission of the Minister of Justice to the Executive Deputy President, such members of liberation movements could be assisted by the State Attorney in obtaining funding legal assistance.

The TRC and the Office of the State Attorney in Pretoria agreed that in future such liberation forces members including IFP, Rightwing Groups would be assisted by the State Attorney. The State Attorney agreed to refund the TRC the amount which had been paid on behalf of liberation forces applicants for the last financial year.

PAYMENT TO LEGAL REPRESENTATIVES
Payments by the TRC to legal practitioners is strictly in accordance with the tariff which is prescribed in the Regulations Prescribing Tariff of fees. In exceptional cases and upon application to the National Legal Officer and after consultation with the Amnesty Evidence Leader a higher daily appearance or preparation fee may be justified.

LEGAL AID BOARD MATTERS
During August 1999, the Amnesty Committee resolved to terminate the mandate of the Legal Aid Board and gave that responsibility to the TRC's Legal Department.
10 December 1999

AMNESTY DECISIONS

The Amnesty Committee of the Truth and Reconciliation Commission this week granted amnesty to IFP's Phumlani Derrick Mweli (25) for murders and attempted murders he committed in Mbali, Pietermaritzburg, between 1988 and 1989. Mweli, who was then 14 years old, committed seven murders on United Democratic Front (UDF) members in a space of four months. He is currently serving a total of 32 years jail term.

Another IFP member, Goodman Musawakhe Ngcobo, was this week granted amnesty for a series of murders and attempted murders he committed in the district of Ezongolweni in KwaZulu Natal between 1990 and 1992. Ngcobo was sentenced to death by the Natal division of the Supreme Court in 1993 for killing 10 people, attempting to kill four others and the unlawful possession of a firearm and ammunition.

Sandile Msongelwa of the Azanian Peoples Liberation Army was also this week granted amnesty for murder, escape from custody and unlawful possession of a firearm. The Eastern Cape born Msongelwa was granted amnesty for two murders and two prison escapes, save for the escape he committed in 1997.

Sikhulu Patrick Hlengwa was granted amnesty this week by the TRC's Amnesty Committee for the 1991 murder of Hlakanlpha John Mbeko. Hlengwa, a member of the ANC, was imprisoned for 15 years for the murder he committed in Umgababa, south of Durban.

Sibandiso John Nkuma was granted amnesty this week for the 1986 murder of Samuel Amos Mpapane (Mbango).

Mandlakayise Joseph Mkhize got his amnesty this week in respect of 10 attempted murder charges, unlawful possessions of firearms and ammunition and the contravention of the Explosives Act.

Sipho Peter Blose was also granted amnesty for his role in the 1987 murder in Soweto of Thomas Mothobi, a former bodyguard of the late ANC leader Oliver Tambo.

Madumetsa Frans Ranoto got his amnesty this week in respect of charges of high treason, attempted murder, malicious damage to property and illegal possession of arms and ammunition.

Amnesty was also granted to a former KwaZulu Natal policeman Jonas Juda Mdluli (39) for crimes committed in 1990. Mdluli who was sentenced in 1992, is currently serving an 18 year jail term for murder and robbery with aggravating circumstances. This is a sequel to his role in the murder and robbery attack of a security van that was escorting a pension team in Mdwedwe, north-east Durban.

He and four others shot and killed two policemen, Samuel Sipho Hlongwane and Ngqongqoshe Jerome Khuzwayo and attempted to kill another policeman,
Christopher Ngcobo as well as a pensioner, Zeblon Dube.

Mdluli, who claimed to be an ANC supporter during his application, said he wanted to rob the policemen of their firearms and hand them over to other ANC supporters in the area to defend themselves against the IFP.

The Amnesty Committee found no indication that Mdluli was an ANC supporter and found it highly improbable that his actions were politically motivated.
December 10, 1999

MEDIA RELEASE: AMNESTY HEARING IN PINETOWN

The amnesty committee will be hearing two applications by ANC members in what was an ongoing conflict between ANC and IFP in KwaZulu-Natal. Fanyana Ngubane is seeking amnesty for the killing of Mfanafuthi Mbokazi of Umgabagaba on the 1st January 1992. He alleges that on the said date, he was with Isaac Msomi when seven IFP members armed with the home made firearms and assegais approached them. They both ran away and were chased after by the attackers. The deceased (Mfanafuthi Mbokazi) caught up with the applicant. The applicant stabbed him two or three times. The deceased died on the way to hospital.

Also applying for amnesty is Mfanalo Mafu, in connection with the murder of Ndukuzempi Mkize. The applicant claims that he was a member of the ANC and a leader of the ANC Youth Brigade. He also operated under Operation Vula for 2 years - from 1988, at which time there was violence between ANC, IFP and the police in Natal. He further states that as one of his duties in the organisation he had to protect the members of his organisation who were harassed by the IFP and the KZN police. He alleges that the deceased who was a member of the IFP was killing ANC members. It was therefore decided in a meeting by the ANC to kill him. In June, 1990 the applicant with other ANC members attacked Mkize's house, killing him and injuring his son. The applicant was convicted and sentenced to life imprisonment on the 14th July 1991.

The hearing will start on Monday 13-15 December, 1999, at the Pinetown Magistrate Office, 2nd Floor, 15 Chancery Avenue.
The following people were this week granted amnesty by the Amnesty Committee of the Truth and Reconciliation Commission.


The applicants had applied for amnesty for their role in the murders, attempted murders, malicious damage to property and contravention of the Explosives Act.

Their acts included, among others, the bomb attacks in Bree Street, Johannesburg, cnr of Odendaal and Victoria Streets in Germiston, Blood Street, Pretoria, Westonaria, Krugersdorp, Taxi Rank in Bloemfontein, district of Koster in Rustenburg and the Johannesburg International Airport a few days before the country's first democratic elections in 1994.

Their amnesty applications were heard between June and September of 1998 in Boksburg, Gauteng.
The Truth and Reconciliation Commission

Amnesty refused to former Security Branch Police

Nine former security branch policemen, including former commander of Vlakplaas Eugene de Kock, we refused amnesty for their role in the 1989 murder of four of their colleagues in Port Elizabeth.

De Kock, Daniel Lionel Snyman, Nicholaas Janse Van Rensburg, Gerhardus Jacobus Lotz, Jacobus Kok, Wybrand Du Toit, Nicolaas Johannes Vermeulen, Marthinus Ras and Gideon Johannes Niewoudt were responsible for the death of Warrant Officer Mbalala Glen Mguduka, Sergeant Amos Temba Faku, Sergeant Desmond Daliwonga Mpipa and an Askari called Xolile Shepherd Sekati, also known as Charles Jack.

The four died when the police vehicle they were travelling in was blown up. According to the amnesty applicants the four were involved in a fraudulent scheme which entailed intercepting and appropriation for personal gain, cheques mailed to various trade unions and political organisations.

Police were under pressure to charge them but the deceased had allegedly threatened to expose the unlawful activities of the security police.

Afrikaaner Weerstand Beweging member and former policeman, Johannes Petrus Olivier, was granted amnesty for his role in the 1994 aborted plan to discharge a bomb in the East Rand.

10 former UDF members were also granted amnesty for murder, arson, malicious damage to property, dealing in and distribution of firearms and ammunitions, unlawful possession of firearms and ammunition.

The ten - Anthony Ndumiso Maci, Ellen Vathiswa Barnabus, Daniel Manese Booi, Sipho Albert Mkhotno, Thulani Vincent Nhlapho, Sipho Japhtha Maduna, Lucku Themba Buthelezi, Victor Peter Moloi, Bruno Skhosana and Thambiso Zakwe - were all residents of Thokoza in the East Rand and were involved in a war for territory with the rival IFP-aligned hostel inmates late in the 1980's and early in the 1990's.

Yizaya Patrick Siyali, a former Cape Town security policeman, was refused amnesty for attempting to kill Bongani Jonas, a former soldier of Umkhonto we Sizwe, in 1987. Siyali had also applied for - and refused - amnesty for his police activities in the area between 1985 and 1992.

The Amnesty Committee granted amnesty to former SDU members John Radebe and Fannie Sbram Mkhwanazi for murder, attempted murder and possession of illegal firearms and ammunition. The two were residents of townships in the Vaal Triangle and in August 1993 in Sebokeng they shot and killed Martha Hapile Ndumo, Maletsatsi Marumo and tried to kill Elsie Mokoena. The victims, according to the applicants, had been identified as informers.
December 15, 1999

TRUTH AND RECONCILIATION COMMISSION
AMNESTY DECISIONS

Mbekiseni Mgcabeni Jili was refused amnesty for a May 1993 incident in Umkomaas Valley in the district of Ixopo in which two people were killed.

Jili was however granted amnesty for robbery that took place at the same place on the same day. In his application for amnesty he said he was a member of the UDF and that his organisation and the IFP were fighting each other at the time.

He said the deceased, Vetelo Joyce Ferrero was a wife of a farmer and they were members of the AWB and were sympathetic to the IFP. The other deceased, Mbabhama Mtolo was a farm worker.

On the day of the murder Jili said he and his accomplices had gone to the Ferero's to rob the family of firearms to use against the IFP.

The Amnesty Committee was unable to grant Jili amnesty for robbery. The committee found no political objective in the murders.

In another amnesty application Sibakhulu Mqalo was granted amnesty for malicious damage to property committed in February 1992 near Malasi Village in Bisho.

Mqalo onANCYL said the townships had called for a boycott of white owned businesses to put pressure on the government to change. He was arrested when he and a group of other youths stoned and burnt white owned delivery vehicles coming into black townships.

The Committee found a political objective in Mqalo's acts and amnesty was therefore granted.

Ngobese Bongani Gilbert was refused amnesty in relation to 13 counts of murder, two counts of attempted murder and arson - crimes for which he is serving a 45 year jail term.

Gilbert, who says he was a UDF supporter, was a resident of Mahlabathini, Cottonlands in KwaZulu Natal at the time of the murders. Residents of that area belonged to both the UDF and the IFP and were always at war.

It is alleged that the local chairperson of the IFP, Dingindawo Xulu forced people, irrespective of the membership, to pay a certain amount of money into the coffers of the IFP. Sometimes residents were forced by Xulu to attend IFP meetings.

Early in January 1990 two of Xulu's sons were stabbed to death allegedly by UDF supporters. Fearing revenge from Xulu, Gilbert and other supporters of the UDF then attacked the home of Xulu at night and wiped out the whole family.
The Amnesty Committee found the reason to attack Xulu's house to forestall a revenge unacceptable and not a defensive action. The Committee also found the offences disproportionate to any political objective.
January 14, 2000

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

MEDIA ADVISORY

The Truth and Reconciliation Commission will continue with the amnesty application of IFP's Nkosinathi Emmanuel Mavuso in Pretoria on Monday.

Mavuso is serving a 25 year jail term at the Barberton prison for a November 1993 murder of Michael Mcetshwa in Pongola, Mpumalanga. Mcetshwa was the chairperson of the local branch of the ANC.

Two other people who are testifying against Mavuso, together with the family of Mcetshwa are represented by George Bizos.

Mavuso has implicated eleven business people and high-ranking officials of the Pongola branch of the IFP.

The hearing is scheduled for a week starting on Monday January 17 at the IDASA Centre, cnr Prinsloo and Visagie Streets in Pretoria.

Inquiries; Nhlanhla Mbatha 082 458 9968

ends/
January 14, 2000

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

Media Advisory

Three former Durban security policemen who are seeking amnesty for Gross Human Rights Violations committed during the apartheid rule, are to appear before the Amnesty Committee of the TRC on Monday January 17, 2000.

Johannes Steyn, Laurence Wasserman and Mathys Botha have applied for amnesty for their roles in the shooting and killing of Thabani Memela, Blessing Mabaso, Luvuyo Mgbohozi and Mbongeni Zondi in what is known as the "Quarry Road" incident near Durban. As a part-heard matter, the hearing is scheduled for 2 days.

On Wednesday, the Committee will hear the amnesty application of Christo Nel for his role in the torture of Yunus Shaik at the C.R. Swart Police Station in 1985. That is expected to last two and a half days.

On Monday, January 24, the Amnesty Committee will hear three different sets of amnesty applications of Frank Sandy Bennetts.

In the first application, he has applied for his role in the torture of UDF activists in Chesterville near Durban. Among his victims were, Zonke Innocent Mngadi, Prince Jabulani Ngcobo and Olina Octavia Nxumalo.

In the second matter, Bennets seeks amnesty for framing Bongani Mkhize, another UDF Chesterville activist. Bennetts accompanied by a certain W/O Kruger left an amount of R500.00 with Mkhize's sister at his home. This later led to the "necklacing" of Mkhize by other township activists who believed Mkhize was a police informer.

In the third matter, Bennets seeks amnesty for conspiracy to murder and his subsequent "planting" of a grenade next to the body of a PAC cadre, Themba Zaba at Inanda Newtown on February 27, 1992.

All these matters will be heard at the Durban Christian Centre, Durban and will start at 9.30a.m.

Inquiries; Mbulelo Sompeta - 082 452 7870

ends/
January 18, 2000

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

MEDIA ADVISORY

Re: change of venue for Amnesty Hearings in Durban

Journalists are advised that the Pinetown Magistrate's Court will, as from January 19, be our venue for different sets of amnesty applications by former Durban security policemen currently being held at the Durban Christian Centre.

Matters on roll include an amnesty application of Christo Nel, for his role in the torture of Mr Yunus Shaik in 1985. Police tortured Shaik because they thought he was keeping a car which belonged to Mr Ebraihim Ismail Ebrahim. They claimed the car was being used to transport weapons from Swaziland to South Africa.

Other matters will be announced in due course.

For queries call Mbulelo Sompetha at 082 452 7870.
TRUTH AND RECONCILIATION COMMISSION

MEDIA ADVISORY

The TRC Amnesty Committee is scheduled to hear various applications in Umtata and Bisho/King Williams Town during the week of January 31 to February 4, 2000. The amnesty applications relate to acts of gross human rights violations committed in the former Transkei and Ciskei between 1987 and 1992. The incidents include the attempted coup of the former Transkei Military Government, Bisho Massacre and the murder of three Unitra students and an MK cadre.

In Umtata the Committee will hear six applications from five former members of Transkei Security forces and a former member of Transkei Parliament for their roles in the Craig Duli led attempted coup on November 22 1990. Seven soldiers of the TDF were killed while 33 were injured during the incident in and around Umtata. The applicants are Phumelele Gumengu, Thomas Ntisana, Sydwell Ntisana, Hlumelo Mxutu, Zandisile Bongweni and Fundelkile Nombanga. They were convicted and sentenced between eight (8) years and fifteen (15) years and amongst others high treason, murder and conspiracy to overthrow the then former homelands government. They escaped serving their full sentences when they received the Presidential Pardon in July 1995.

Still in Umtata, the Committee will hear the amnesty application of Phumelele Gumengu and Aron Tyani for the attempted murder and subsequent murder of an MK cadre Sithembele Zokwe of Ngqamakhwe in 1987 and 1988 respectively. Both applicants were members of the Transkei security forces at the time. On August 8th 1987, at the Libode District in the Transkei, Gumengu with other unnamed perpetrators, shot the deceased and left him for dead. They were later charged with attempted murder. On January 11th, 1988, the applicants allegedly arrested the deceased and a friend at Butterworth. They took the deceased in handcuffs to his home in the Mkiva district where they shot him dead. The applicant claims that they acted under the instructions of the late Major Mfazwe.

Also set to give evidence is Bongani Wana, a former Transkei security policeman, about his role in the murder of three Unitra students and critically injuring another. This relates to an incident which took place on February 5th, 1988, when Zolile Sangoni was driving through Umtata in his Honda Ballade. Along the way he picked up his friends Thozamile Nkume, Lizo Macanda and Zonwabile Mayaphi. The four went to a butchery to have lunch after which they proceeded to drop off Mayaphi and Macanda in an Umtata suburb. A white minibus started to follow them from the butchery. The occupants who included Bongani Wana, three askaris and Mpumelelo Madliwa and East London Sergeant, indicated to them to pull over, which they did. The minibus occupants leapt out and opened fire on the Honda, killing Macanda and Sangoni, Mayaphi was critically injured and died soon afterwards, while Nkume was also critically injured. These matters will be heard at the Umtata City Hall during January 31 - February 2, 2000.

Moving to King Williams Town, the Committee will hear tow Bisho Massacre amnesty applications from Vakele Mkosana and Mzamile Gonya. Thirty people were killed and at least 112 injured when CDF soldiers opened fire during the ANC protest march on September 7, 1992, demanding the resignation of Brigadier O.J. Gqozo (the then military ruler) and free political activity.

Vakele Mkosana who was a Lt. Col. in the CDF at the time, made various statements about the incident, which in general confirm that he radioed his superior, Van de Bank, to request permission to open fire on marchers. The request was on the grounds that the marchers were running towards and were shooting at the troops. This request for authorisation was granted and was confirmed by Van de Bank and Oelschig both to the CDF inquiry and to the TRC. Meanwhile, in his application Rifleman Mzamile Gonya states that he fired two Rifleman granades on Mkosana's direct orders.

The Bisho Massacre will be heard at the Good News Centre, Cnr Maitland and Wodehouse Streets in King Williams
Town on February 3 and February 4, 2000.

Enquiries: Nosisi Tyantsi 082 458 8459.
January 25, 2000

TRUTH AND RECONCILIATION COMMISSION

Amnesty Decision

The Truth and Reconciliation Commission, Amnesty Committee today granted amnesty to an African National Congress operative, Neo Ignatius Phalane for attacking Sharpville police station on October 1 in 1989.

Umkhonto We Sizwe Unit attacked the police station and disarm and obtain weapons. The committee found that the acts of the applicants were associated with a political objective committed during the conflict of the past.

The committee was satisfied that Phalane has made full disclosure of all relevant facts. The victims who are policemen were referred to the Reperation and Rehabilitation Committee for consideration.

Also granted amnesty was Simon Bahlezi Mnyakeni for killing Absolom Mnyakeni and Patric Khumalo. The killing took place on March 21 in 1992 at Daveyton in Mandela Squatter Camp.

Mnyakeni and members of the community attacked victims who were suspected of collaborating with the police. The Committee found that the applicant made full disclosure.

A member of the Western Cape riot unit police, Micheal Phillip Luff was refused amnesty for killing William Dyasi on November 4 in 1985 at Zwelethemba township in Worcester. Luff and his team fired shots at a group of people who were allegedly throwing stones at Zwelethemba community hall.

The application was opposed by the Dyasi family. The Committee was not satisfied that Luff's conduct in killing the deceased constituted an act associated with a political motive as required by the act. The applicant was clearly not acting in pursuit of any political objective.

Also refused amnesty was an ANC member Xola Thembinkosi Yekwana for killing an ANC activist Mziwonke 'Pro' Jack. Jack was killed by Yekwana on the night of June 19 in 1991 near Lansdowe road, Nyanga East in Cape Town.

Yekwana's application for amnesty was opposed by the family of the deceased. The applicant indicated that the attack upon Jack was a mistake and that he had known him and would never fired at him. Yekwana claimed that he fired shots at Jack because he was under impression that he was shooting at the police.

The committee found that Yekwana had no reasonable grounds for believing that the vehicle of Jack was a police vehicle. The panel pointed out that Yekwana was not pursuing any political objective at the time when he fired the fatal shots at the deceased.

Phila Ngqumba - 082 458 8463
January 25, 2000

THE TRUTH AND RECONCILIATION COMMISSION

MEDIA ADVISORY

The security forces amnesty applications that were supposed to be heard in Durban starting January 17 to 26, have been postponed until further notice.

The amnesty application of Christo Nel has been postponed to April 3 because notices were not served on time.

Other matters that were to be heard this week, involve Frank Sandy Burnetts who, among other Gross Human Rights violations he committed, had applied for torturing UDF/ANC activists from Chersterville between 1985 to 1989.

Developments on these matters will be announced in due course.

Inquiries: Mbulelo Sompeta - 082 452 7870.
THE TRUTH AND RECONCILIATION COMMISSION

Amnesty Decisions

The Amnesty Committee has this week granted amnesty to four ANC members whilst refusing one, in respect of amnesty applications heard in KwaZulu Natal last year.

Linda Geoffrey Xaba has been granted amnesty for the murder of Mr. S. Baxter, unlawful possession of firearm and ammunition committed on 3 November 1993, in or near Mr. Alyff in the Transkei. Xaba testified that he is an MK cadre trained in Cuba, Angola and Tanzania. Originally from KwaZulu Natal, he went to settle in Mt. Alyff, after returning to South Africa in 1992. Tasked by the ANC in the region to teach rural people about voting, Xaba discovered that Mr. Baxter has misinformed the people into believing that they should put a cross next to a person by don't want, in other words; Mr. De Klerk. Attempts to rectify this misinformation were futile and this problem was viewed seriously by the ANC. The deceased was perceived as a government agent or spy; as a result the applicant in his capacity as an MK cadre decided on his own to kill him. He shot him five times at the roadside where the deceased was selling milk from his truck.

In granting amnesty the Committee, accepted that the applicant acted in order to safeguard persons from being denied their right to vote. It also found that his act was confined to the killing of the deceased and no innocent bystanders were killed or injured. His act was also confined to the elimination of an obstruction in the election process.

Also granted amnesty is Thandinkosi Petros Sosibo. The application arose out of an incident on the 7th August 1986 at "M" section, Umlazi, when a group of youths including the applicant, attacked and killed Themba Cele and seriously injuring Nkosinyani Lubanyana. The deceased operated a business of selling liquor in Umlazi township which he used to deliver to his customers assisted by Lubanyana. On one occasion R500 was taken from the vehicle during delivery. This was reported to the police who were taken to the place where the deceased has seen the suspects. As a result a confrontation ensued between the police and the youths, Nkosinathi Cele was shot dead.

After considering the evidence of the applicant the Committee was satisfied that the applicant and his companions honestly believed that the deceased was working with the police against the UDF supporters and had caused the death of Nkosinath, a UDF supporter, by pointing him out to the police. Also significant in his evidence was the fact that there was unrest in the Umlazi area, and more particularly in the "M" area where the deceased was killed. The Committee further accept that the applicant has given a full disclosure of the relevant facts and has complied with the requirements of the Act.

Amnesty has also been granted to Bhekisisa Nkwenyana and Khetha Khuzwayo in respect of the murder of Eliakim Makhosi Mthembu, attempted murder of Amon Sibiya, unlawful possession of one AK 47 assault rifle, three Makarov pistols and unlawful possession of ammunition, committed on the 3rd May 1994 at/near the kraal of mandlankosi Sibiya, in the Mankwanyanei Reserve, eMпangeni KwaZulu Natal. According to the evidence, the Mankwanyeni Reserve was experiencing a violent political conflict involving members and supporters of the ANC and IFP. Mpilo Khuzway (2nd applicant) was a trained ANC member who returned from exile in 1992. Because of the political conflict he was compelled to flee his home and moved to the Esikhaweni area, from where he operated as a commander of the ANC. His commander Shadrack Mdlatshe who was also the ANC chairman in the area gave him the hitlist of people who were destabilising the ANC election campaign in the area, who on that basis had to be eliminated. The names of both Sibiya and the deceased were on the list. On the 3rd may 1994, Khuzwayo with a group of men he had selected went to execute the plan to attack. The first applicant was not part of the group but fully supported the attack. Having fully considered the matter in all the circumstances the Committee is satisfied that the application complied with all the requirements of the Act.

Meanwhile, amnesty has been refused to Vivian Bhaniya Ncgobo for the murder of Bhekithemba Shandu and Mbuyiselwa Mbokazi, unlawful possession of a firearm as well as unlawful possession of ammunition. On March 22 1994, in the Ngonyameni area in KwaZulu Natal, a meeting was called to resolve a taxi conflict in the area. The
deceased Mbokazi was a local "Induna" and Shandu a peace monitor and both were to address the meeting. At the meeting as the people were still arriving and gathering, the applicant saw Mbokazi in the company of a man he had not seen before and it later transpired that the man was Shandu. Without any provocation he immediately fired two shots at Mbokazi and one at Shandu. Thereafter other ANC supporters fired, killing both Mbokazi and Shandu. Their bodies were found lying in an open space the next day. Police investigation revealed that their pockets had been searched and some personal items were taken. The vehicle in which Shandu traveled to attend the meeting was found torched and abandoned.

The Committee found that in his evidence the applicants credibility was very unsatisfactory in an number of respects and was not being truthful. Also the attack was found to be totally unjustified, and on the contrary the applicant was the one to start the violence.

Inquiries: Nosisi Tyantsi 082 458 8459.
January 27, 2000

THE TRUTH AND RECONCILIATION COMMISSION

Media Advisory

The Amnesty Committee of the TRC is to hear the amnesty application of people from various former anti-apartheid groupings in Pretoria next week.

Koos Kgauta Tsotetsi is applying for amnesty for a March 1994 incident in which he held Boksburg prison warders hostage. Tsotetsi claims his actions were aimed at putting pressure on the government to allow prisoners to vote in the April 1994 elections.

Former Mk soldiers Phillip Makwale Nyalunga and John Itumeleng Dube are applying for amnesty for an October 1988 car bomb blast in Witbank. The two, with the use of two recruits, destroyed an NBS building that housed security police, causing injuries to many.

In September 1988 a bomb exploded and injured many people at the Johannesburg's Vanderbijl Park Bus Terminus (renamed Ghandi Square). Surrounding buildings, cars, busses and shops were destroyed during that incident. John Itumeleng Dube, Edward Tsehisi Mokati and Sipho Nicodemus Mthembu are applying for amnesty for that incident. They are also seeking amnesty for bombing Soweto's Naledi electrical power sub-station.

Former SDU members, Michael Benstwana and Raymond Nqanda are seeking amnesty for an attack in March 1994 on the IFP's Duduza hostel in Nigel where 3 inmates were killed.

The hearings will be held from January 31 to February 4, 2000 at the Idasa Centre, cnr Visagie and Prinsloo Streets, Pretoria.

Inquiries: Nhlanhla Mbatha - 082 458 9968.
February 11, 2000

TRUTH AND RECONCILIATION COMMISSION

Media Advisory

The Amnesty Committee of the TRC is to sit for a week from Monday February 14 and hear several applications at the Christian Centre in Durban, cnr. Of Berea Road and Warwick Avenue.

African National Congress Youth League member Joconia Mafu is applying for amnesty for a murder he committed in June 1990 in Port Shepstone, south of Durban. He is currently serving a life sentence.

Joseph Ngema is serving a 13 year jail term for a 1993 Umgababa, South Coast incident in which two people died and five others were injured. Ngema is a former ANC member.

Former United Democratic Front activists Tom Madlala and Professor Madlala are serving a 15 year jail term each following the death of 10 people in 1990 in the district of Mthwalume, also in KwaZulu Natal. They are applying for amnesty for the matter.

Former MK cadres Tobias Ronnie Mbanjwa and Horale Elvis Ndaba are seeking amnesty for shooting and killing a gang leader in 1993 in Dambuza, Pietermaritzburg.

Former ANC member Fanyana Ngubane is serving a 6 year jail term for a 1992 murder in Umgababa, south of Durban, during a faction fight between pro-ANC supporters and pro-IFP followers. He is also seeking amnesty.

Inquiries: Nhlanhla Mbatha - 082 458 9968.
February 11, 2000

TRUTH AND RECONCILIATION COMMISSION

Media Advisory

The Amnesty Committee of the Truth and Reconciliation Commission will, as from Monday February 14 next week, hear forty five (45) amnesty applications in eight matters, by former police hit-squad policemen who were based at Vlakplaas near Pretoria.

The hearings will be held in Pretoria at the Idasa Centre, corner Prinsloo and Visagie Street, starting on February 14, 2000.

The first matter on the roll is the abduction and killing of Joe Modise's brother in-law, Glory Lefoshie Sedibe - Mk September by Vlakplaas squad composed of twelve applicants.

The applicants are Almond Butana Nofemela, Eugene Dekock, Douw Alexandre Willemse, Izak Bosch, Frederik Pienaar, Eugen Fourie, Johannes Koole, Nicholas Vermeulen, Schalk Visser, Paul Van Dyk, Christo Deetleefs and Willem Schoon. Before his death, Sedibe had been a turned Askari.

The second matter involves the abduction from Swaziland and the subsequent killing of the former and late ANC president's body guard, Jabulani Sidney Msibi by seven applicants. Msibi was killed in 1989 after he refused to be an askari.

The applicants in this matter are Eugene De Kock, Willem Schoon, Gert Visser, Willem Nortje, Schalk Visser, Daniel Greyling and Izack Bosch.

Next week's amnesty hearing will be heard until Wednesday as legal representatives for other applicants have other commitments.

The following week, February 21, the Amnesty Committee of the TRC will hear applications from Eugene De Kock and Daniel Snyman for defeating ends of justice. This relates to an incident in 1992 (date unknown) when a Springs Special Branch member, Willie Odendaal asked De Kock to get rid of the body of an IFP member in Heidelberg. De Kock helped destroy the body with explosives.

Other matters to be heard throughout the four weeks sitting include, an amnesty applications by De kock, Dawid Brits and Daniel Snyman to kill an informer in Nelspruit. Date unknown.

De Kock will be the only applicant in an attack on a transit house in Swaziland. Date unknown

De Kock, Marthinus Ras and Adriaan Baker will have a hearing on their applications for killing an unknown ANC/PAC cadre in Mmabatho near Mafikeng.

Eugene De Kock, Johan Van Der Merwe and six others will have their hearings on their role when they attacked SA refugees in Lesotho on December 19 1985.

Lastly, Eugene De Kock, Nicholas Vermeulen, Lawrence Hanton, Marthinus Ras, Willem Nortje, Simon Radebe, Johan Tait, Willem Bellingan and Johan Albert Hoffman will have a hearing on their applications for attacking an alleged ANC transit house in Botswana near the Rabathlabama border in November 1988.

Announcements on the progress of the hearings and new dates will be made known in due course.

For more information call Mbulelo Sompetha at 082 452 7870.
February 17, 2000

TRUTH AND RECONCILIATION COMMISSION

Media Advisory - Urgent Notice

Three sets of amnesty applications scheduled for Ermelo in Mpumalanga next week have been postponed.

The applications were those of AWB and Conservative Party members, Daniel Benjamin Snyders, Jan Petrus Kruger and Marthinus Christoffel Ras for bombing a magistrate court and a school in Ermelo between 1991 and 1992.

Another application was that of Inkatha Freedom Party's Josias Seemise, who is currently serving a 43 year jail term for a string of murders and attempted murders of pro-ANC supporters in and around Ermelo early in the 1990's.

Former Umkhonto WeSizwe cadre Ratson Nnkiki Mahlakoane's application was for a 1989 attack of a police station in Machadosdorp in which policemen were killed and weapons stolen.

Inquiries: Nhlanhla Mbatha - 082 458 9968.
February 17, 1999

TRUTH AND RECONCILIATION COMMISSION

Amnesty Decision

Three amnesty applications have been granted, one refused and another one partly granted and partly refused in the decision handed down by the Amnesty Committee recently.

Anthony Sbonelo Ndlovu has been granted amnesty in respect of the kidnapping and murder of Velaphi Victor Mthethwa committed at or near Mpumalanga in KwaZulu Natal during July 1989. The applicant and the victim were members of the ANC and IFP respectively. They were living in Mpumalanga which was hard sticken by political violence at the time of the incident.

Also granted amnesty are Mhlambo AM, Tsotetsi XB, Mangula MJ, all member of the ANC for the murder of Thembisile Victoria Mthembu during September 1991 near Jabula Road Nhlalakahle in Greytown. The deceased also a member of the ANC was suspected of having dual membership with the ANC and IFP.

The Committee also granted amnesty to Frank Bigboy Khanyile for the attack on the Nhlalahkle Police station and all acts associated with this attack committed at or near Greytown on October 28, 1991. Tow policemen were injured during the attack but neither of them opposed the application.

In the matter of Xhawulani Thulasizwe Ngcobo the Committee refused amnesty in respect of the murders of Cebo Majola, Simiso Bhengu, Shoti Ndulini, Bhekizani Nzuza, Mandlethu Ngcobo, Ngoma Shelembe, Sihle Mkhize and Siyanda Nqubane. The murders took place near KwaNyavu in the Table Mountain area in KwaZulu Natal during 1991 and 1992. Ngcobo's other application for the murders of Ncamisile Zimu and Sqwilli Zimu in 1996 could not be considered by the Committee as they were committed after the final cut off date on May 10, 1994. He was sentenced to an effective term of 25 years imprisonment for the murders.

Mzamo Thabani Mlaba has been partly granted and partly refused amnesty in two incidents he applied for. In respect of the murder of Secrete Nkonsenhle Mkize committed on March 16, 1994 and unlawful possession of a G3 rifle and ammunition, amnesty has been granted. Meanwhile he's been refused amnesty in respect of the murder of Sbusiso Brian Mlaba, committed on the same date.

Inquiries: Nosisi Tyantsi - 082 458 8459

ends/
February 21, 2000

THE TRUTH AND RECONCILIATION COMMISSION

Media advisory

The De Kock Cluster 6 which contains amnesty hearings by forty five former security policemen resumes on Monday February 21, 2000.

The matter involving the abduction of Glory Sedibe, aka MK September, was dealt with and finished last week. This week, the Committee will deal with

the Heidelberg and Nelspruit incidents. Both incidents involve De
Kock.

On Monday morning, the Amnesty Committee will hear amnesty applications by Eugene De Kock and Daniel Snyman for defeating ends of justice.

The two were asked by Springs Special branch members, Willie Odendaal and a certain Andrejowitz to assist in getting rid of the body of an IFP member in Heildelberg. Odendaal and Andrejowitz alleged that the dead IFP member had weapons with him. They disposed of the body by destroying it with explosives.

In the Nelspruit incident, Eugene De Kock, Dawid Brits and Daniel Snyman have applied for amnesty for the killing of an informer after he allegedly committed a robbery (date unknown). General Krappies Engelbrecht requested De Kock to send one his men to kill a former informer of Captain Willem (Timol) Coetzee. He alleges, it was feared, the informant would reveal sensitive information.

The hearings on the Cluster ends on March 17 with different matters each week.

For more information call Mbulelo Sompetha at 082 452 7870.
February 22, 2000

THE TRUTH AND RECONCILIATION COMMISSION

Amnesty Decision

The Amnesty Committee of Truth and Reconciliation Commission has granted amnesty to four Umkhonto we Sizwe cadres for their involvement in the killing of a student activist Sicelo Dlomo on January 24, 1988.

Granted amnesty are John Dube, Sipho Tshabalala, Clive Makhubu and Precious Zungu all members of an underground MK unit. The applicants during a hearing in February last year claimed that they suspected that Dlomo was a police informer who spied on them and relayed information to the police.

The four maintained that the decision to kill Dlomo was necessary to protect underground activists and its structures. One of the applicants who was also a commander of the unit, Dube, shot and killed the deceased said he had no orders from his superiors but acted on his own initiative.

Dlomo was an eighteen year old youth who was involved in the activities of the Soweto Student Congress and other organisations attracted the attention of members of the security police. On more than one occasion he was detained and maltreated by the security police.

The Committee found that there was no evidence that Dlomo was an informer and worked for the security police. There was also no evidence that the applicants acted for personal gain or out of malice.

On the information available to the applicants which they believed to be reliable the Committee accepted that the applicants came to the decision honestly and accordingly believed they had to take an action to protect themselves, KM and ANC from the police actions.

The Committee was of the view that the offence committed was associated with a political objective. The applicants also gave a full disclosure of the relevant facts.

The committee recommended that Dlomo's next of kin be declared victims and be referred to the Reparation and Rehabilitation Committee for consideration.

Also granted amnesty are Nkomana Mathabathe, George Mogapi, Sandile Ndlungwane, Linda Mntabo and Siza Ndlovu for murder, attempted murders and armed robbery of the Fidelity Guards on November 5, 1988 at Dube.

The Committee found that the applicants have made full disclosure and all offences committed by them were associated with a political objective committed in the course of the conflict of the past. All five applicants were members of the MK unit at the time they committed these offences.

Three members of the security branch were also granted amnesty for the kidnapping and abduction of Moses Morudi from Potchefstroom, Smuths Mathebula, Chenny More and Kokela Matjeni claimed to have been carrying out an order from their commander to look for Morudi at Ikageng township in Potchefstroom.

Phila Ngqumba 0824588463 -- 021 4238741
February 23, 2000

THE TRUTH AND RECONCILIATION COMMISSION

Media Advisory

The hearing into a cross-border operation led by Eugene De Kock and a group of Askaris has been postponed pending a high court application. The hearing was scheduled to be heard today, February 23.

The high court intervention is on behalf of Frans Labuschagne by his lawyer, Roelof Duplessis for condonation of Labuschagne's late filing of his amnesty application.

De Kock, Labuschagne and the Askaris crossed to Swaziland with the aim of abducting an Mk member, Solly Shoke. During a scuffle, Shoke managed to hit one of the Askaris with an axe and disarmed him.

Implicated Askaris were V. Ndam, Xola Frank Mbane, Chris Mogopa, Chippa and Glory Sedibe.

The date of the next sitting will be decided after the high court decision.

For more information, please call Mbulelo Sompetha at 082 452 7870.
February 24, 2000

STATEMENT BY THE TRUTH AND RECONCILIATION COMMISSION

The Amnesty Committee of the Truth and Reconciliation Commission has three former senior officials of the apartheid government and an informer, to appear before it during its sitting next week.

Those subpoenaed are Johan Coetzee, Pik Botha, Joe Coetzer and Elvis McCaskill.

The Committee has subpoenaed the four, to satisfy the committee about the authorisation and the circumstances which led to the raid. This will of course, include various meetings of the State Security Council ("SSC") and other bodies which led to the order being given.

For more on the matter, please refer to the release on the Lesotho raid.

For clarity call Mbulelo Sompetha at 082 452 7870.
February 25, 2000

TRUTH AND RECONCILIATION COMMISSION

MEDIA ADVISORY

The Amnesty Committee of the TRC will hear the amnesty applications of four former members of Umkhonto WeSizwe's Nchabeleng Unit that operated in the former KwaNdebele homeland during 1987.

The four, former unit commander Piet Mohlamme Mathebe, Charles Doctor Mathebe, Chakie Edison Mathebe and Jerome Joseph Maake, are seeking amnesty for their role in the murder of two policemen, attempted murder of a policeman and an attack with limpet mines of a police station and a magistrates court.

The Committee will also hear the amnesty application of an ex-MK soldier, Joas Mabote Tshomane for a 1987 car theft and an attack with bombs of a railway line in Soweto.

During the same week two former Inkatha Freedom Party members will seek amnesty for their various roles in the killing of ANC members in the Vaal Triangle area early in the 1990's. Mthandeni Victor Mthembu and Andrias Matanzima Nosenga are serving 20 and a 15 year jail term respectively for murder, attempted murder and unlawful possession of firearms and ammunition.

These hearings will commence on February 28 and end on March 3, 2000 at the JISS Centre in Mayfair, Johannesburg.

Inquiries: Nhlanhla Mbatha - 082 458 9968.
March 3, 2000

THE TRUTH AND RECONCILIATION COMMISSION

AMNESTY DECISION

The Amnesty Committee of the TRC today has granted amnesty to a former Cabinet Minister of Agriculture, Derick Hanekom and his wife Patricia Hanekom, for passing on classified information to the ANC in 1983 and attending illegal gatherings.

The Hanekom's were also granted amnesty for provision of military hardware and passing on material to the members of the ANC units during 1988 - 1990. Also granted amnesty was Roland Hunter for improper disclosure of information in contravention of the Defence Act.

Hunter was a member of the South African Defence Force and attached to the directorate of Special Task which was a unit of Chief of Staff Intelligence. He supplied classified information to the Hanekom's and members of the ANC.

The Committee found that the three applicants met the requirements of the Act that of full disclosure and that their acts were associated with a political objective. Also granted amnesty was Janet Love for her role in the Vula Operation.

Love applied for amnesty for the unlawful possession and distribution of arms which were under the control of Vula Operation in the Vaal Triangle and Eastern Cape. The Committee found that Love acted with a political objective when transporting and transferring the arms.

Another ANC member to be granted amnesty today was Vusimzi Ngcobo. Ngcobo committed murder of Bongani Kunene and robbery of his firearm at Inanda KwaZulu Natal on October 23, 1993. The Committee found that Ngcobo has made full disclosure of all relevant facts.

Inquiries: Phila Ngqumba - 082 458 8463.
March 6, 2000

De Kock amnesty proceedings update:

Amnesty proceedings into the amnesty applications of former Vlakplaas commander Eugene De Kock and seven others, for killing 6 ANC members in Lesotho in December 1985, as well as three Lesotho nationals will resume on Tuesday.

Legal representative for the victims, Danny Berger will continue with his cross examination of former police Chief, Johan Coetzee. the next witness, Eugene De Kock will probably give testimony at midday. Coetzee, Joe Coetzer, Pik Botha and an informer, Elvis Vincent McCaskill were subpoenaed in terms of the TRC Act which governs TRC operations.


For more information call Mbulelo Sompetha at 082 452 7870.
Amnesty Committee of Truth and Reconciliation Commission today has granted amnesty to four senior security police involved in the killing of a Congress of South African Student (Cosas) leader Siphiwo Mthimkulu and Topsy Madaka in April 1992.

Nicolaas Van Rensburg, Hermanus Du Plessis, Gerrit Erasmus and Gideon Niewoudt applied for amnesty for killing the two activists. Judge Andrew Wilson and Advocate Chris de Jager SC granted the four applicants amnesty meanwhile another committee member Advocate Ntsiki Sandi refused amnesty to the four applicants.

The committee found that the four have met the requirements of the act that of making full disclosure of all relevant facts. "They have certainly disclosed full how they abducted the deceased, killed them, where they killed them and what happened to their remains.

"Not only in evidence but also in their applications they disclosed the facts about the alleged poisoning of one of the deceased. Its is also true that no evidence was laid before the committee to prove that they were responsible for the poisoning ", the committee concluded.

The committee further granted amnesty to Erasmus, Van Rensburg and Du Plessis for the conspiracy to abduct and murder Mtimkhulu and Madaka. Amnesty was also granted to Van Rensburg for perjury committed before the Harms Commission in 1990.

Adv. Sandi in his decision pointed out that the four applicants should be refused amnesty for all offences. He said the applicants failed to met the requirements of the act that of a political motive and full disclosure of all relevant facts.

"The conclusion is inescapable that the abduction and murder of Madaka occurred because he happened to be in company of Mtimkulu that fateful evening. Evidence has been led that Madaka used to transport Mtimkulu with his own vehicle and in the circumstances its was inevitable that one day he would be caught up I a cross fire between Mtimkulu and security police.

"The act not only requires of applicants to show that they acted with the aim of achieving a political objective but they also are required to be truthful to the committee about authentic motive when they committed crimes for which they are seeking amnesty " Sandi added.

Meanwhile two Durban security police were also granted amnesty for shooting and killing an ANC cadre Mthunzi Njakazi at Warwik Avenue near Berea railway police station on January 28 1991.

Tjaart Van Der Walt Fourie and Johhaness Hendrik Cloete applied for amnesty following an incident where the two applicants were instructed by their seniors to assist two askaris. The applicants proceeded to the scene and handed askaris a hand grenade which was planted at the scene.

The committee found that the two applicants have met the requirements of the act. Also granted amnesty by the committee was an Azapo member Kani Naane for his conviction in the Wynberg regional court for escaping from custody and theft.

He was sentenced for four years imprisonment portions of which was suspended.

Phila Ngqumba 021 - 4238741 0824588463
March 7, 2000

THE TRUTH AND RECONCILIATION COMMISSION

Media Advisory

Eight members of the Civil Co-Operation Bureau (CCB), a military unit responsible for the murders of several political activists during the 1980's have applied for amnesty for conspiracy to murder Mr. Dullah Omar in 1989.

Ironically as Minister of Justice in 1996, Mr. Omar (now Minister of Transport) championed the passage of the TRC legislation through Parliament with provisions of extending amnesty for politically motivated crimes. It is on the basis of that law that the eight, Carl Casteling Botha, Leon Andre Maree, Wouter Basson, Abram Van Zyl, Daniel F. Du Toit Burger, Pieter Johan Verster, Edward Webb, Ferdinand Barnard, are seeking amnesty for conspiring in a plan to substitute Mr. Omar's heart medication with a lethal poison. The plan was never carried out.

They are also applying for amnesty for conspiring to murder a journalist, Gavin Evans and bombing the Early Learning Centre in Athlone in 1989.

The amnesty hearing have been set for March 13 - 17 at the Early Learning Centre in Athlone, Cape Town.

Inquiries: Nosisi Tyantsi : 082 458 8459
March 9, 2000

**Botswana Cross-border raid**

The Amnesty Committee of the TRC will on Monday next week, hear the third cross-border raid amnesty applications by nine former Vlakplaas police hit-squad members in which three people were killed. The hearing is part of Cluster 6 of eight matters involving Eugene De Kock.

The applicants, Nichola Johannes Vermeulen, Lawrence Hanton, Martthinus Ras, Willem Nortjie, Eugene De Kock, Simon Makopo Radebe, Johan Tait, Wilhem Belligan and Johan Hoffman have applied for destroying a house with explosives at Dithlarapeng village near the Botswana and Rabatlabama border on December 11, 1988.

The applicants claim that the house was used by ANC guerillas as a transit facility to launch attacks in South Africa.

On the night of the attack, a South African, Ronald Motsebese Mapua, Rapula Thika a Botswana citizen, and an unidentified man, Mshengu Bahumi were killed.

The hearings will be held at the Methodist Church, Pretoria, cnr. Andries and Visagie Streets. Monday's proceedings starts at 12.00.

Meanwhile, the Amnesty Committee could not proceed on Friday in the amnesty applications of Eugene De Kock, Dawid "Duiwel" Brits and Daniel Snyman for killing an alleged informer - Adriano Bambo Nhassopa. In their applications, the trio claims to have killed Nhassopa, a Mozambican, because he was about to reveal sensitive information about his handlers.

The Friday's proceedings have been adjourned until June 5. The Amnesty Committee will be month-end decide whether to subpoena Wilhem Coetzee, Krappies Engelbrecht, Johannes Pretorius and Manuel Olifant. The four policemen have submitted statements which contradict the applicants.

For more information : Mbulelo Sompeta - 082 452 7870
March 9, 2000

THE TRUTH AND RECONCILIATION COMMISSION

Amnesty Decision

The Amnesty Committee has granted amnesty to four of the six applicants who had applied for amnesty in respect of treason in the Transkei in 1990 whilst the other two have been refused. The Transkei Homeland was then ruled by a Military Council under the chairmanship of General Holomisa after a bloodless take-over from Prime Minister Stella Sigcau in 1987. Colonel Craig Duli who led the plan in 1990 was a senior member of the Military Council.

Sydwell Mzwamadoda Ntisana, Zandisile Bongweni, Hlumelo Mxutu have been granted amnesty for their role in the conspiracy to overthrow the Transkei Government during January 1990. The three were approached by Craig Duli through a meeting facilitated by Mazizi Ntisana (a former member of parliament in the Stella Sigcau regime) to lobby support for a planned coup from other lower rank members with the intention of returning Transkei to civilian rule as soon as possible. The plan was called off after the authorities became aware of it. Subsequently they were arrested, charged and sentenced to eight years (four years of which was suspended on certain conditions) imprisonment. They all served their terms of imprisonment.

Mazizi Ntisana (a close friend of Craig Duli) was the fourth granted amnesty for his role in the second botched plan to overthrow Holomisa's Government. He testified that he was strenuously opposed to the government of military council. His main grievance being that it had reneged on an undertaking to hand over to civilian rule. He was not aware of the first plan by Craig Duli until after it was aborted.

Meanwhile, the two refused, Pumelele Gumengu and Fundekile Blackie Nombanga were members of the Transkei Police Force at the time. They both testified that they were ordered to infiltrate the group that was planning the coup. On carrying out the orders they attended a meetings where the plans were hatched and reported back of such meetings to their respective instructors. They therefor deny that they acted in concert with plotters and committed any offence.

The Committee granted amnesty to Ephriam Mottoman Nkosi and ANC member for committing arson to a bus depot in June 1976. Nkosi was refused amnesty for two armed robberies of a hotel and a dry cleaners, and two attempted murders of a policeman and a certain Mr. Du Plooy in Standerton in October 1981.

Inquiries: Nosisi Tyantsi - 082 458 8459
March 10, 2000

THE TRUTH AND RECONCILIATION COMMISSION

Media advisory

The Amnesty Committee of Truth and Reconciliation Commission today decided to change a venue for the hearing of the Civil Co-operation Burea (CCB) operatives scheduled to be held at the Learning Centre in Kewtown.

The hearing will be at the TRC Offices 7th Floor Adderley Street, Cape Town on Monday March 12, 2000. Yesterday former CCB operative Abraham Slang Van Zyl was successful in a High Court application to stop the TRC from hearing his amnesty submission at the Early Learning Centre that was bombed.

Van Zyl applied for the interdict in the Cape High Court because of fears that the venue would pose certain risks to his personal safety because the venue was the subject of the hearing. Subsequent to the urgent application there was a threat of other possible court interdicts and in the interest of victims the TRC decided to have a hearing in its offices.

The commission did not consider option of postponing the hearing because of the interest of the affected victims. The hearing start at 09h00.

Inquiries : Nosisi Tyantsi 0824588459
March 10, 2000

THE TRUTH AND RECONCILIATION COMMISSION

Amnesty Decision

The Amnesty Committee of Truth and Reconciliation Commission today has granted amnesty to two former senior members of the South African Defence Force for being involved in the operation code name "Katzen" in the Eastern Cape.

Brigadier Christoffel Pierre Van Der Westhuizen was a commander of the Eastern Cape Province Command and also chairman of the Joint Management Centre of Eastern Province and Colonel Lodewikus Griebenauw was the commander of the Security Branch in the Border region at the time they committed these offences.

The two applied for amnesty in respect of any criminal activity they may have been involved with regard to their participation in the operation. During 1984 and 1986 political unrest in the Eastern Cape increased.

Political violence and riots became the order of the day and the security from the government's perspective, was threatened and undermined. The two applicants adopted a master plan which if was accomplished would have had far reaching implications for Eastern Province, Ciskei and Transkei.

The Committee found that the two applicants met the requirements of the act that of full disclosure and a political motive.

Inquiries : Phila Ngqumba 021- 4238741
March 14, 2000

Re: Correction on Neil van Heerden subpoena

The Amnesty Committee of the TRC which presided on the amnesty applications of former Vlakplaas police hit squad members, wishes to set the record straight, about misleading media reports on the subpoena of Mr. Neil Van Heerden, former Director of Foreign Affairs.

We want to state that, as an implicated person, Mr. Van Heerden had at all times indicated his willingness to participate in the Lesotho raid proceedings.

We also state that there was never a decision, by the amnesty committee panel which comprised of Judge Sisi Khampepe, Judge Ronnie Pillay and Francis Bosman to the effect that, Mr. Van Heerden will be subpoenaed.

What we said was that, the hearings will be postponed to June 5, to give Mr. Van Heerden enough time to study the record that has been heard so far. Therefore, the reports which appeared in some media about his subpoena have been misleading or plain wrong.

We hope this correct version will be treated with the same vigor the subpoena story was carried out.

To recap, story came as a result amnesty applications by even former Vlakplaas operatives who had applied for their role in the killing six ANC members as well as three Lesotho nationals in 1985.

For more information, call Mbulelo Sompetha at 082 452 7870.
March 16, 2000

Statement by the Truth and Reconciliation Commission

Re: Liberation Movement Amnesty Applications

Venue: Wesley Methodist Church - cnr Andries and Visagie Streets. Pretoria

The Amnesty Committee of the TRC will as from Monday next week, hear eight different sets of amnesty applications ranging from students, former members of ANC armed wing - Umkhonto Wesizwe to Self Defence Unit members.

Proceedings have been scheduled to start on March 20 to 25 in Pretoria.

In the first matter, a former member of Umkhonto we Sizwe Johannes Mandla Shabangu from Mhluzi in Middleburg, has applied for a grenade attack on the house of a policeman, Mr Mayesa Mahaule in May 1980.

The applicant claims the attack on Mahaule was to discourage him from working with the apartheid government. Christine Qunta will represent the applicant.

Steven Mutshutshu Mamphaga, an Mk member from Soweto, seeks amnesty for killing Enock Tinyiko Sithole he claims, was a suspected enemy agent.

Mohale Oscar Motlokwa seeks amnesty for the deaths of Bheki Ndlela and Isaac Zondi.

The applicant shot and killed Ndlela in a moving train between Germiston and Knights Station during the Xhosa/Zulu clashes in November 1993. The second victim, Zondi, died as a result of head injuries sustained as a result of being thrown off moving off the train. Legal representative, Brian Kopedi will represent Mamphaga as well as Motlokwa in the hearings.

In another matters, four Atterridgeville Students Representative Council members, Andrew Chauke, Reginald Jabu Simelane, Alfred Simelane and Robbie Bongani Mabuza for killing Kathreen Masinga who was a police officer.

The applicants together with Clement Mndawe and Joseph Motsepe, were subsequently charged with murder. The decision to prosecute them is still outstanding pending the outcome of their amnesty application.

For more information call Mbulelo Sompetha at 082 452 7870.
March 17, 2000

THE TRUTH AND RECONCILIATION COMMISSION

Amnesty Decision

The Amnesty Committee of the Truth and Reconciliation Commission today granted amnesty to a former Vlakplaas head Eugene De Kock and Andries Johannes Van Heerden.

The two applicants applied for amnesty for all acts associated with the bombing of the house of Dr. Bulbulia, committed at Bakerton in Springs in October 1989. They also applied for amnesty for all offences related to the unlawful possession of explosives used in the incident.

During the hearing the applicants told the Committee that Brigadier Andries Gouws then head of Springs Security Branch, ordered De Kock to bomb the house of Dr. Bulbulia. De Kock in turn obtained clearance from his superiors and instructed Van Heerden to assist him.

One night in October in 1989 they proceeded with two 400g TNT bombs to the house of Dr. Bulbulia and set off the bombs. They applicants claimed that there was no intention to injure or kill anyone and slight damage was caused to the house. Brigadier Gouws applied for amnesty for the same incident and was granted amnesty on June 1, 1998.

The Committee was satisfied that the above applicants acted under instructions, committed these acts within the context of the conflicts of the past, and acted with a political objective. They have made full disclosure of all the material facts pertaining the incident.

Inquiries: Phila Ngqumba - (021) 4238741.
March 17, 2000

Amnesty Decision By The Truth and Reconciliation Commission

The Amnesty Committee of Truth and Reconciliation Commission today granted amnesty to six members of the security police who were involved in the killing of Umkhonto WeSizwe operative, Mbaba Mzimela also known as Dion Cele in July 1989.

The six are Jeremias Brooks, Hendrik Botha, Jacobus Voster, Laurence Wasserman, Frans Labuschagne and Anton Verwey. The applicants applied for amnesty for their participation in the kidnapping and death of Cele.

Cele was a trained MK soldier who worked in Manzini area of Swaziland. The South African security police had information that he was part of the " Natal Machinery of the ANC " responsible for smuggling arms into the country as well explosives inside the country.

During a hearing in Durban in August 1999 the applicants told the Committee that when Cele was abducted and arrested by the security police, he was asked to work for the police and he refused. Fearing that the release of Cele would cause an embarrassment to the then government, it was decided that Cele should be eliminated.

The Committee found that the six applicants met the requirements of the act that of full disclosure and that their actions had a political motive. The Committee further referred the next of kin of the deceased to the Reparation and Rehabilitation Committee for consideration.

Meanwhile a member of the Inkatha Freedom Party, Agrippa Thulebowa Mzobe was refused amnesty by the Amnesty Committee. Mzobe applied for amnesty for the murder of Samuel Ndlovela, and Brain Bazley, attempted murder of Mfanelo Zulu, Dumisani Yinda, Mbulelo Sebenza in April 1993.

The incident happened during the conflict between IFP and the African National Congress in the district of Port Sherpstone in KwaZulu Natal. The Committee found that Sebenza did not make full disclosure of all relevant facts.

Inquiries: Phila Ngqumba 021 - 4238741 or 021 - 4245161
March 22, 2000

TRUTH AND RECONCILIATION COMMISSION

Media Advisory

Three former Transkei and South African security police members will feature prominently in Umtata Amnesty hearing next week when they present their applications before the Amnesty Committee at the Umtata City Hall on Monday March 27.

Bongani Wana a former Transkei security police attached to the then Transkei anti-terrorism unit is applying for amnesty for taking part in the killing of three African National Congress operatives Zolile Sangoni, Zonwabele Mayapi and Lizo Macanda. The applicant also applies for amnesty for attempted murder of Thozamile Nkume.

On February 5, 1988 Wana, other security police and askaris members followed the four to a butchery where they were asked to stop and the police open fire killing three. Another applicant a former South African security member Mphathiswa Malunga is applying for amnesty for the torture and assaults of Thethinene Jordan who is currently a member of the Eastern Cape Legislature.

Jordan a United Democratic Front activist was severely assaulted with a stick on his bare feet and electrocuted on his body. These acts were committed by Malunga during March 1985 at the Duncan Village police station in East London when Jordan was being questioned by the security police in detention.

The other former Transkei security police, Nkosinathi Siqhola, seeks amnesty for torture and damage to the property of Max Jafta at Lurhwayizo near Willowvale in Transkei in the belief that he was harbouring Umkhonto We Sizwe cadres. During the operation Jafta's property was allegedly looted and burnt down by members of the security police.

Siqhola is also applying for amnesty for the acts of gross violation of human rights committed during the 1980's. The applicant states that he participated in the torture of a number of political activists and he is unable to recall the names of some of his victims.

Siqhalo former head of an investigative unit claimed that he assaulted detainees at the Norwood police station on instructions by his superiors in the Transkei security police. Most of the applicant's victims are senior government officials and members of the Eastern Cape Legislature and Cape Town parliament.

Inquiries: Phila Ngqumba 021 - 4238741 or 4245161
March 23, 2000

Media Advisory - Hearings in Durban

The Amnesty Committee is set to hear several amnesty applications from different political affiliations in Durban next week.

Gabriel Thamsanqa Njiyela is seeking amnesty for killing Elphas Ndwandwe and injuring Amos Sithole during a bomb attack at their place on October 31, 1991. The applicant who is an ANC affiliate states that, it was decided in a meeting that house no. 644 Phola Street, Ogies, be attacked as its residents were IFP members.

Meanwhile, two PAC affiliates, Zamokuhle Sithole and Sithembiso Thembe, have applied for murder, robbery and six attempted murders committed on October 8, 1990 in West Street, off Point Road, Beach Front in Durban. The applicants claim that the attack was planned in a meeting because the place was frequented by whites.

Also applying for amnesty is Ziba Gerals Mpanza, for robbery committed at Avoca Wholesalers in Empangeni on March 16, 1992. According to the applicant the order to commit such a robbery was given by Lindani Mthiyane who was the chairperson of the ANC Youth League at the Danganye Branch. The objective was to obtain arms and finances so as to supply the ANC youth of Mgababa.

In another matter, Mbhekiseni Mduzidi Dlamini of Azapo, seeks amnesty for the murder and robbery of Mr. Nicholson who he alleged to be the ex-soldier of the previous South African Government and a AWB member. The applicants states that he has a misunderstanding with the deceased on August 27, 1997. He claims that the deceased advised a Mr. Bennet that he should reduce their wages from R25.00 to R5.00 a day. He used a sharpened rod, stabbing him twice and demanded money from him. He alleges that the robbery was because his organisation was bankrupt.

The Committee will also hear the application of Basi Fani Msibi and Thuso Tshika for three different incidents. On the night of October 10, Osizweni police station was attacked killing one policeman and injuring one. The policemen were shot at whilst getting in to a police van responding to a bogus call asking for police assistance. A month later there was another bomb attack at the Newcastle court. Ex Sergeant V.J. Nene was seriously injured, and lost his lower limb in the attack, whilst another policeman, Simelane who was sitting not far from him also sustained serious multiple injuries all over his body and internal chest area. Simelane has since died, but it is not known whether his death is related to the attack.

It is also alleged that there was another bomb attack at Glencoe railway station in Dundee, the date unknown. The railway officials at the station are all new and bear no knowledge or record of the incident. In a warning statement made by the perpetrator, Thembinkosi Patrick Nkosi (now deceased) he stated that he was the person who planted the bomb. The applicants admits liability for this incident in that it was committed by members under their command and according to their instructions.

The hearings will be heard at the Pinetown Magistrates Court, Durban as from March 27 to 31, 2000

Inquiries: Nosisi Tyantsi 082 458 8459.
March 23, 2000

HEARING FOR FORMER SECURITY POLICEMEN

Several former security policemen will appear before the Amnesty Committee of the TRC at the Wesley Methodist Church in Pretoria as from Monday March 28, 2000.

Phillipus Johannes Cornelius Loots, and Marthinus David Ras are seeking amnesty for their role in the 1987 killings of a former Bophuthatswana policeman Richard Motsai and his nursing sister wife, Irene in the couple's Hammanskraal home.

Jaques Hetcherm Johannes Jacobus Viktor Josephus Daniel Lourens Coester are applying for amnesty for the 1986 attack with explosives of an Atterdagewille home of a youth activist, Oupa Masuku. The attack resulted in the death of Oups's mother Ester, and Oupa being partially paralysed.

Jan Hatting Cronje, Jacques Detcher, Paul Jacobus Jansen van Vuuren, Michael Andries Stephanus Pretorious, Robert Leslie Jubber and Johannes Jacobus Viktor are seeking amnesty for their role in the 1986 bombing of houses belonging to ANC supporters, David Modimeng, Leonard Brown and Sello Ramakoby in Brits. Joyce Modimeng died in the attack.

Schalk van Visser, Christo Petro Deetlefs, Frederik Johannes Pienaar and James Emiel Wilhelm van Zweel are seeking amnesty for the 1984 abduction of MK operatives Chris Mosoane, Tebogo, James and Bhuye in Swaziland.

The hearings are scheduled to last for two weeks starting on March 28 to April 7, 2000. The venue for the hearing is the Wesley Methodist Church, cnr. Visagie and Andries Street, Pretoria.

Inquiries: Nhlanhla Mbatha - 082 458 9968.
March 29, 2000

Media Advisory - Hearing postponed

Hereby notifies journalists that the amnesty hearings into the killing of the five ANC members at Nerston near the Swaziland border on August 14, 1986, by Eugene De Kock and nine other former security policemen has been postponed.

The hearings were scheduled to be heard on Thursday March 30 - 31. The postponement is due to the fact that legal representatives for family victims - Seth Nthai is unavailable due to other commitments.

For more information: Mbulelo Sompeta - 082 452 7870.
March 29, 2000

Media Advisory - Amnesty decisions

The Amnesty Committee of the TRC has today granted two amnesty applications while refusing three others. In the first application, two United Democratic Front members, Tom Jabulani Madlala and Falakhe Professor Madlala have been granted amnesty for acts of political offences committed against Inkatha Freedom Party members on March 25 1990 near Umthwalume, in the district of Umzinto on the Kwazulu-Natal South Coast.

The applicants have been pardoned for their role in the clashes between UDF and IFP which left thirteen IFP members dead and scores injured. About five UDF members were also killed during the fighting. UDF members had launched a pre-emptive attack on the IFP villages to forestall another attack by the IFP.

The IFP had on more than five occasions from January 1 1990 to March 25, 1990, attacked Mahwanqa and Mngangani villages which were mainly occupied by the UDF and its supporters. The applicants told the Committee that they lived at Kwamadlala near Umthwalume in the district of Umzinto on the South Coast, where they were active members of the Youth League of the UDF.

The Amnesty Committee has decided to grant amnesty to the 1st applicant - namely Tom Jabulani Madlala, for his role in the killing of Jabuliswa Thabethe, Nana Shinga, Thulani Gumede, and another person whose identity is not known.

The applicant had been convicted on four accounts of murder on August 8 1990, and sentenced to fifteen years on each count, but the sentences were ordered to run concurrently.

The Committee further grants amnesty to Professor Falakhe Madlala also a UDF Youth League member, for offences committed or on March 25 1990, at or near Mthwalume. The Amnesty Committee is satisfied that the applicants have met the requirements of the act and are accordingly granted amnesty in respect of offences committed.

In the second decision today, the Amnesty Committee has refused amnesty to Mshalaza Nicholas Mzelemu for the murders of two women, Thembekile Ncama Sikobi and lindiwe Sikobi committed on October 19 1992 near Dlovinga in the Zingolweni area on the Kwazulu-Natal. The applicant and his two companions, a certain Shonge and one Gejamapoint Mbulo, shot and killed the two women when they could not find the Sikobi brothers who had been amongst a group of ANC supporters that had earlier attacked his home in Nkulu on New years's day of 1991.

The Amnesty Committee was not satisfied that the applicant was acting on behalf of the IFP in furtherance of a political struggle. Amnesty is refused.

In the third amnesty decision, the Amnesty Committee has refused amnesty to two former Transkei policemen, Phumelele Gumenge and Aaron Tyali who had applied for amnesty for killing a political activist, Sithembele Zokhwe in August 1987.

The two applicants, together with Vulindlela Christopher Shologu, a former member of the Transkei police, took part in the killing of Zokhwe in the former Transkei. On the first account, amnesty has been refused to Gumengu in respect of attempted murder of Sithembele Zokhwe on or about August 8 1987 near Cegcuwana Administrative area in Umthatha. On the second account, amnesty has been refused to Gumengu for the murder of Zokhwe on or about January 11 1988 on or near Mkhiwa at Ngqamakhwe in the former Transkei.

Amnesty has also been refused to Tyali for his role in the murder of Zokhwe on or about January 11 1988 near Mkhiwa near Ngqamakhwe. The Amnesty Committee has found that although Gumengu claimed to have operated under command of the late Captain Mfazwe, who ordered him to eliminate the deceased, who was an enemy of the Transkeian State, the evidence is contradictory on the actual events.

Transcripts of the decision are available if requested.
For more information, call Mbulelo Sompetha at 082 452 7870.
March 31, 2000

Amnesty Decision on Bophuthatswana Coup plotters

The Amnesty Committee of the TRC has today granted amnesty to two former Bophuthatswana soldiers who took part in a coup to overthrow Lucas Mangope - the former Bantustan leader.

The applicants, Jonathan Thlolebe Modisane and Solomon Netsi Mogale have been granted amnesty in respect of their roles in the attempted coup d'etat which took place in Bophuthatswana on February 10, 1998. At the time, the two applicants were privates in the Bophuthatswana Defence Force.

The applicants testified that on February 9, 1988, their Unit Commander, Sergeant Major Timothy Phiri informed them that they would soon be involved in an operation to overthrow the Bophuthatswana government.

They said, Phiri gave various reasons for the overthrow of the government including, mal-administration, corruption, forced removals of chiefs from tribal lands, nepotism in appointments in the Defence Force and the restraint on normal political activity.

On February 10, 1988, the applicants and 150 other soldiers who had converged, were divided into groups which rounded up all Cabinet Ministers who resided at the Presidents complex and took them to a nearby sports stadium. The Ministers were later rescued by the South African Defence Force and the coup came to an end.

In its decision, the Amnesty Committee is satisfied that the applicants made a full disclosure of all the relevant facts relating to the parts they played in the incident.

Transcripts of the decision is available on request.

For more information call : Mbulelo Sompeta - 082 452 7870.
Amnesty Decision on Puseletso Julia Skosana

The Amnesty Committee of the TRC this week granted amnesty to a former East Rand Self Defence Unit commander and head of Intelligence, Puseletso Julia Skosana.

Skosana applied for amnesty in respect of malicious damage to a Duduza hostel in 1993; the illegal possession of a handgrenade and any offences arising from this incident.

The Amnesty Committee is satisfied that Skosana complied with the requirements of the TRC Act of 1995 of full disclosure.

In another decision, amnesty was granted to a former Umkhonto WeSizwe cadre, Joas Mabothe Tshomane for a motor vehicle theft in KwaZulu Natal; the bombing of a railway line in Soweto; and the attempted murder of an unknown schoolgirl during the bomb attack.

The Amnesty Committee is satisfied that Tshomane had acted with political objectives as required by the Act.

Inquiries: Nhlanhla Mbatha - 982 458 9968.
April 7, 2000

AMNESTY GRANTED TO 3 ANC MEMBERS

The Truth and Reconciliation Commission's Amnesty Committee has today, granted amnesty to three members of the African National Congress for human rights violations committed during the apartheid rule.

Forman Mngonmezulu has been granted amnesty for the following offences:

* The murder of Absalom Mnyakeni which took place on March 21, 1992.

* Murder of Patrick Nxumalo which took place on March 21, 1992 in Daveyton.

* Kidnapping of Brenda Gabo and Mongezi Dunga which took place on March 21, 1992 in Daveyton.

Amnesty has also been granted to Johannes Mandla Shabangu for illegal possession of explosives and malicious attack on the property of policeman, Mayeza Peter Mahuale.

Nhlanhla Duncan Mahlangu was granted amnesty for unlawful possession of a firearm and handgrenades and conspiring to commit acts of sabotage near George Goch Street in Johannesburg on June 15, 1977.

Nhlanhla was in the same unit with the late Solomon Mahlangu and Monty Motloung which engaged police in a shoot-out at Goch Street, Johannesburg. Monty Motloung was injured in the gun battle while Solomon was hanged by the apartheid government.

Inquiries: Mbulelo Sompeta : 082 452 7870.
SECURITY POLICE HEARING RESUMES

The Amnesty Committee resumes its sitting next week for the part-heard applications of a group of Security Police Officers applying for amnesty for the killing of MK cadres.

The alleged killing of ANC and MK members took place in the KwaZulu Natal Province between 1986 and 1990. Applying for amnesty are Andrew Taylor, Jeremia Brooks, Hendrik Botha, Laurence Wasserman, Frans Labuschagne and Anton Verwey. The seven applicants are applying in respect of different incidents which include, kidnapping, torture and murders. Among their victims are Eunice Shakes who was tortured, Charles Ndaba and Mbosho Shabalala who were murdered.

The matters which were first heard at the Durban Christian Centre between August and September last year will now resume at the Pinetown Magistrate Court in Durban from April 10 - April 14, 2000.

Meanwhile, in its second week of sittings in Durban, the Amnesty Committee will hear the application of Frank Sandy Bennetts. Bennetts is seeking amnesty for incidents of torture, framing of a Chesterville activist and murder of a PAC man at Inanda. He is applying for the incidents of torture which occurred between 1985 and 1989 in which detainees were subjected to tubing and electrocution when he was a member of the SAP, stationed at the Riot Unit in Durban. Four of his victims were members of the UDF.

In relation to framing Bennetts states that he, together with a colleague, Warrant Officer Kruger left an envelope with R500.00 at the home of Mr. Bongani Mlize. Subsequent to this the deceased Mr. Mlize was necklaced by his "own people" on suspicion of being an informer, which according to him was a desired effect. He also asks for amnesty for consipiracy for a role of providing a grenade which was planted at a murder scene in which a PAC cadre, Themba Zama was killed by members of the Reaction Unit at Inanda Newtown on February 27, 1992.

This matter will also be heard at the Pinetown Magistrates Court in Pinetown from April 11 - April 20, 2000.

Inquiries: Nosisi Tyantsi -- 082 458 8459.
The TRC is to hear amnesty applications of former members of the ANC youth movements that operated around KwaZulu Natal in the late 1980's and early 1990's.

Prince Nkosinathi Shangase is seeking amnesty for a 1993 incident in which he and his comrades robbed a gun shop of fire-arms in Isipingo. According to Shangase the weapons were to be used against IFP supporters in KwaMakutha. He is serving a 6 year jail term for the offence.

Sibongiseni Philani Khumal is applying for amnesty for the 1987 murder of two IFP supporters in Clermont.

Alfred Tinyane is applying for a 1993 incident in which policemen were robbed of firearms in Stilfontein. Tinyane said in his amnesty application the weapons were to be used against IFP supporters who were enjoying police protection.

Lindani Mthiyane is applying for a 1992 handgrenade incident. The grenade damaged a house of an IFP supporter in Umgababa and in the process injured Mthiyane and his accomplices.

The hearing will take place on April 11 until April 13, 2000 at the Durban Christian Centre, Cnr. Warwick Avenue and Berea Road, Durban.

Inquiries: Nhlanhla Mbatha. - 082 458 9968.
April 10, 2000

Media advisory - Hearings in Pretoria

The Amnesty Committee of the TRC will as from Monday, 17 March 2000, hear five different sets of amnesty applications relating to the commission of gross human rights violations ranging from murder, attempted murder and pointing a firearm.

The matters will be heard at the Wesley Methodist Church, corner Visagie and Andries Streets, Pretoria. The first applicant, Isaack Ntoka, an ANC Youth League member, has applied for killing an unknown IFP member at Rathanda near Heidelberg on 21 August 1992.

The applicant has implicated May Mnguni, a councilor in Rathanda Township as the person who issued the instruction, to Winnie Madikizela-Mandela as a supplier of weapons. The matter will be heard on Wednesday. On Monday, the Amnesty Committee will hear amnesty applications of three former members of the ANC’s army, Umkhonto We Sizwe for their role in an attack on an SADF base at Nkowankowa stadium in the Northern Province on 1 April 1990. The applicants, John Khombomuni Ngobeni, Stranger Jabulani Mbhalati and Muhlava Muhlava have also applied for attacking police patrols in the same area.

On Tuesday, the Committee will hear the amnesty application of Frans Tlokwe Maserumule an MK member, for attacking an SADF anti-insurgency base in Tonga in the Northern Province. Proceedings for these matters will start at 9.30am.

For more information call Mbulelo Sompetha at 082 452 7870.
AMNESTY GRANTED TO FORMER SECURITY POLICE

The Amnesty Committee of the TRC today has granted amnesty to ten former high ranking security police officers for their role in the killing and the disposal of the body of Johannes Stanza Maisha Bopape on June 12, 1988.

All applicants were also granted amnesty for the subsequent cover up of the facts leading to his death. Applying for amnesty were Adriaan Van Niekerk, Hendrick Beukes Mostert, Jacobus Engelbrecht, Charles Zeelie, Johann Du Preez, Gerrit Erasmus, Petrus Du Toit, Johannes Van Der Merwe, Schalk Visser and Leon Loggereberg.

The applicants claimed during their testimonies that they were supporters of the Nationalist Party and the government, and they acted at all times in their capacities as security policemen. They regarded themselves as combatants in a war situation and they had to resist the onslaught of the liberation movements.

After arresting Bopape they the applicants used a electric shock machine in order to extract information from him. They said that it was not their intention to kill Bopape and they were all surprised when the deceased died during the interrogation.

The Committee found that the applicants met the requirements of the acts in that they made full disclosure of all relevant facts. The act was associated with a political objective committed in the course of a conflict of the past.

The Committee pointed out that the evidence establishes that at all relevant times the applicants acted in the course and scope of their duties as members of the security branch. The applicants believed that Bopape had connections with a group that was responsible for a number of bomb blasts in the Pretoria and West Rand areas.

The Bopape family was referred to the Reparation and Rehabilitation Committee for consideration. Meanwhile the Committee further granted amnesty to Joel McCord Makanya for the unlawful transportation of firearms, assisting three ANC political activists to escape and attempted murder of a policeman near Umzumbe during July 1991.

Inquiries: Phila Ngqumba 021-4238741
April 19, 2000

Amnesty Decision on torture of ANC activist

The Amnesty Committee of the TRC has granted amnesty to Durban's C.R. Swart Security Policeman, Christo Nel for his role in the torture of Yunus Shaik an ANC activist in July 1985.

Nel was based at the C.R. Swart Square when he detained Shaik and other members of his family.

During his testimony before the Amnesty Committee on April 10, 2000 in at Pinetown Magistrate's Court, Nel said he had received instructions to fetch Shaik from the cells at C.R. Swart Square where he was being detained and take him to the offices of the Security Branch in the building.

During the interrogation, Shaik was tortured and Nel was instructed to assist by holding one of Shaik's arms during such torture.

Shaik was present at the hearing and represented himself. He made a statement in which he detailed the consequences both to himself and his family of the detentions. Shaik indicated that he was not opposing the application and confirmed Nel's account as being a full disclosure of what transpired.

As the Amnesty Committee, we are satisfied that Nel has made a full disclosure of all relevant facts. We are satisfied that the applicant has satisfied the requirements of the Act and grant amnesty in relation to torture of Yunus Shaik during 1985 at C.R. Swart Square, Durban.

Transcript of the matter is available on request.

Inquiries: Mbulelo Sompetha 082 452 7870.
May 3, 2000

Amnesty Committee proceedings in Pretoria

The TRC's Amnesty Committee proceedings at the Wesley Methodist Church in Pretoria which Eugene De Kock and eight other former police hit squad members have applied for their role in killing of two ANC members and one Botswana national in 1988, will only start at 2pm today, May 3, 2000 due to problems beyond the control of the Committee.

Cornelius Janssen, a legal representative for Marthinus Ras, has to attend an appeal late division matter that will hopefully last until midday. Jacob Maribane who represents family victims asked to be given time to study record of the last sitting.

The Botswana attack took place on the Botswana/Rabathlabama border post near Bophuthatswana.

The applicants who are Eugene De Kock Willie Nortje, Johan Tait, Lawrence Hanton, Nicholas Vermeulen, Marthinus Ras, Wilhem Bellingan and Simon Makopo Radebe attacked a house used by the ANC as a transit facility.

All have already testified, with the exception of Lawrence Hanton, Willie Nortje and Nicholaas Vermeulen who are yet to testify. Two survivors are also expected to testify.

For more information call Mbulelo Sompetha at 082 452 7870.
May 4, 2000

Media Advisory - Hearing in Thohoyandou

The Amnesty Committee of Truth and Reconciliation Commission next week will hear amnesty applications from thirty four people who are applying for the murder of twenty six people from Venda in the Northern Province.

The hearing will be held at the Old Parliament Building in Thohoyandou from May 8 to 19. The applicants are serving long term sentences ranging from eight to twenty three years for the attacks committed in 1990.

A total of about twenty six persons in respect of whose murder amnesty is sought, lost their lives. Most of the attacks were committed by applicants in mobs or gangs and the victims would be assaulted and burnt to death.

Applicants, all of whom claim to have been members or supporters of the ANC at the time, seek amnesty in respect of a number of offences ranging from assaults, arson, attempted murder and murder.

The applicants claimed that they perceived the victims as persons who were practising witchcraft in their area and in doing so, working hand in hand with politicians of the Venda government to strengthen and keep them in power.

They further claim that by attacking the alleged wizards and witches they wanted to destabilise the Venda government and thus render it ungovernable. Victims were killed, some injured when attempts were made on their lives and their homesteads were burnt by the applicants.

Phila Ngqumba 021 4238471 or 4245161
May 4, 2000

Hearing on PAC and former SAP members

The Amnesty Committee of Truth and Reconciliation Commission next week will hear amnesty applications from six Pan Africanist Congress members and a former South African Security Policeman from the Eastern Cape.

The hearing will be held at ETC Conference Centre in Port Elizabeth starting May 8 to 12, 2000. Mpathiswa Malunga a former security policeman from East London is applying for amnesty for the torture and assault of an ANC MPL Joe Thethinene Jordan.

Jordan a United Democratic Front activist at the time was detained by the security police who were looking for the Minister of Safety and Security, Steve Tshwete. According to the applicant, Jordan was assaulted with a stick on his bare feet and electric shocks were applied on unspecified parts of his body.

Malunga further states that he tortured Jordan in execution of his duties as an investigating officer of the South African Police. This act of gross violation of human rights was committed on Jordan at Duncan Village police station where he was being held in March 1985.

Also applying for amnesty is Nkoliseko Mbangi a PAC member. Mbangi seeks amnesty for the murder of Samuel Barnard at Hopedale farm in Uitenhage on November 26 1992.

The applicant who is serving twelve years imprisonment is alleged to have assaulted Mr Petrus Barnard as well in the same farm. Another PAC member Zamikhaya Mgandela is also applying for amnesty for robbing Pick Fit and took R10 000 at gun point.

Sithembiso Vanana a member of APLA is applying for amnesty for a robbery, attempted murder and murder which took place in Saradale farm in Dodrecht on August 1, 1993. Vanana and his group claimed they were looking for money and firearms.

Two other PAC members Mnyamezeli Dingani and Lulamile Baleka are also applying for amnesty for armed robbery of Nedbank in Uitenhage. The applicants claimed that they robbed the bank for the purpose of fund raising in support of APLA cadres.

Another PAC member Mziwawo Dlamini seeks amnesty for armed robbery, theft and murder. Dlamini and his group claimed that they robbed an Engineering company at Korsten in Port Elizabeth in 1991. The applicant took an amount of R 109 92. 00 and five firearms.

Dlamini is serving fifteen years imprisonment.

Phila Ngqumba 021 - 4238741 or 4245161
May 8, 2000

Re: Postponement of matters at Pretoria Amnesty Hearings

The Amnesty Committee of the TRC has decided to postpone all four different sets of amnesty application matters that were due to start today, Monday May 8 to 26 by former apartheid security policemen for their roles in the killings, bombings and torture of political as well as non-political victims in the mid to late 1980's.

The matters were to be heard in Pretoria at the Wesley Methodist Church.

The first matter involved four amnesty applicants, Charles Zeelie, Andries Johannes van Heerden, Petrus Lodewikus du Toit, Gerrit Erasmus and Nicholaas Vermeulen for planting a bomb at the Why Not Bar in Hillbrow in September 22 1988, has been postponed to a date yet to be announced.

The reason for the postponement is due to the fact that we have not located those who were injured in the attack who include, Wendy Bhunde, Nontlantla Shaba, Thomas Ngema, Thulani Gumede, Audrey Tsolo, Zolile Zwane, Virginia Tsotetsi, Manuel Langa, Simon Sithole, Justice Tshaka, Gibson Hlatshwayo, Joseph Malebane and Michael Isanga.

The other matter that was postponed today involves two former security police officers, Phillip Johannes Loots and Marthinus Ras who had applied for killing Richard and Irene Motasi in Hammanskraal on December 1 1987.

The applicants claimed in their amnesty applications that they killed Richard Motasi who was a policeman because it was suspected he was relaying information to the Zimbabwean Security and the ANC.

Mamasela, Brigadier Jacob Le Roux and Colonel Koos Klopper had been implicated. Jacques Hechter and Paul Van Vuuren have been granted amnesty for the murder of Richard but not for Irene. Sampina Hendrik Bokaba whose amnesty application was for his role in the killing of an unknown ANC cadre in Bophuthatswana date unknown has also been postponed. Another matter in which Bokaba has applied for torturing Scheepers Morudi while detained at Kameeldrift Prison has also been postponed to a later date.

For more information call Mbulelo Sompetha at 082 452 7870.
May 5, 2000

Re: abduction and killing of activists

The Amnesty Committee of the TRC will hear four different sets of amnesty application matters starting on Monday May 8 to 26 by former apartheid security policemen for their roles in the killings, bombings and torture of activists and non-political victims in the mid to late 1980's.

The matters will be heard in Pretoria at the Wesley Methodist Church.


Thirteen people suffered serious injuries as a result of the explosion. Varying reasons have been advanced by the applicants as to the motive of attack. The first is that, on of the applicants claimed the Limpet Mine attack was a revenge attack for an earlier bomb blast by the ANC at the Wimpy Bars in and around Johannesburg.

Another applicant claimed the reason was a revenge attack for the Vanderbyl Bus Terminus bomb attack by the ANC. And another believed the attack on the Bar to have been an attempt to give the ANC a taste of their own medicine.


In the second matter, two former security police officers, Phillip Johannes Loots and Marthinus Ras will have their amnesty applications heard for killing Richard and Irene Motasi in Hammanskraal on December 1 1987.

The applicants claim that they killed Richard Motasi who was a policeman because it was suspected he was relaying information to the Zimbabwean Security and ANC. Mamasela, Brigadier Jacob Le Roux and Colonel Koos Klopper have been implicated. Jacques Hechter and Paul Van Vuuren have been granted amnesty for the murder of Richard but not for Irene.

Sampina Hendrik Bokaba has applied for his role in the killing of an unknown ANC cadre in Bophuthatswana date unknown. The man was killed after he refused to co-operate with a former security policeman Jacque Hechter who was interrogating the man while driving in a Kombi to Bophuthatswana. He strangled the man with a wire around his neck and later necklaced with a burning tyre. Jacque Hechter and Paul Jacobus van Vuuren have already been granted amnesty for this incident without revealing the name of the deceased. Joe Mamasela and Danny Selahle have not applied for amnesty for the incident although they have been implicated.

In another incident, Sampina Hendrik Bokaba has applied for torturing Scheepers Morudi while detained at Kameeldrift Prison. Other policemen who participated in Morudi's assault and torture include Jacque Hechter, Paul Van Vuuren and Danny Selahle who did not apply for amnesty.

For more information call Mbulelo Sompetha at 082 452 7870.
May 12, 2000

Subject: Amnesty applications hearings in Pretoria on 15 May 2000

The Amnesty Committee of the Truth and Reconciliation Commission will as from Monday 15 May 2000, hear five different sets of amnesty applications of Gross Human Rights Violations committed during the late 1980's.

The first two amnesty applications scheduled for a hearing on Monday will be combined as the acts have been committed by the same applicant, Sampina Bokaba. The matters are about his role in the killing of an unknown cadre in Bophuthatswana in 1987 as well as the abduction and torture of a UDF activist, Scheepers Morudi at Kameelsdrift Prison in 1987.

On Tuesday 16 May, the Amnesty Committee will hear an amnesty application of Andries van Heerden for torturing Peter Bafana Dlamini and Jackie Mncube (now deceased) in Badplaas in the former Eastern Transvaal following a bomb blast at Café Zurich in Hillbrow in July 1988.

On Wednesday 17 May, the Amnesty Committee will hear amnesty applications of Ladybrand former Security Branch members - Antonie Jagga, Lesizi Michael Jantjie, Robert Shaw and Laele Thulo for the kidnapping and disappearances of ANC members - Nomasondo Annah Mashiya, Mbulelo Ngono, Betty Boom and Tax Sejanamane in 1987. By the time the ANC recalled the four members back to Lusaka at some unspecified date, all had already been turned by the applicants and were working as the applicant's intelligence network in the ANC. Boom was the commander of the Lesotho Cell.

Depending on how quickly the Lesotho matter is dealt with, the Amnesty Committee will hear applications of Johannes Loots and Paul van Vuuren for conspiring to eliminate Advocate Dikgang Moseneke in 1987.

Loots is also applying for the attempted murder of current Deputy Minister of Education, Father Smangaliso Mkhathwa in 1987. The second matter is scheduled to be heard on Thursday. There are no amnesty hearing sittings on Friday.

For more information call Mbulelo Sompetha at 082 452 7870.
May 18, 2000

Media advisory an Amnesty Hearings May 22 - 24, 2000

Four amnesty matters that have been postponed by the Committee Panel three times since the beginning of this month, will finally and hopefully be heard at the Wesley Methodist Church in Pretoria next week, for three days.

On Monday, the Committee intends to hear three of the matters, and they are: the abduction and torture of Hilda Mvume who was a nurse at Baragwanath Hospital for her alleged links with the then banned African National Congress in Swaziland. A former Security policeman, Manuel Oliphant is the only amnesty applicant for this incident. Another matter is the torture of Bafana Dlamini and Jackie Mncube (now deceased) by applicant, Andries van Heerden, following the Bombing of Cafe' Zurich on July 1988.

Also on the roll for Monday is the amnesty application by Loots for torturing Father Smangaliso Mkhathshwa who is current Deputy Minister of Education.

On Tuesday and Wednesday, the Amnesty Committee will hear amnesty applications of Marthinus Ras and Loots for killing Richard and Irene Motasi near Hammanskraal on December 1, 1987. The applicants claim that they killed the couple because it passed information to the Zimbabwean Security. Amnesty has already been granted to Jacque Hechter and Paul Van Vuuren for killing Richard but has been refused for the murder of Irene.

Proceedings will start at 9.30 in the morning.

For more information call Mbulelo Sompetha on: 082 452 7870
May 19, 2000

HEARINGS ON INCIDENTS INVOLVING ANC AFFILIATES

The Amnesty Committee will hear various applications which involve ANC affiliates in respect of incidents which took place between 1987 and 1993. S'bongiseni Philani Khumalo is seeking amnesty for the murders of Vusi Maduna and Simi Nzuza, who he alleges were police spies causing activists to be killed. He further alleges that he was nearly arrested because of Nzuza who he claims had a hand in the arrest of Comrades in 1986. His application for amnesty also includes the assault of Bhunu Dlamini, who belonged to a gang of criminals who were terrorising the community by stealing, raping and breaking into their homes.

Also applying for amnesty is Bongani Sydney Dunywa, for the murder of Nyani Xolo in 1990. He alleges that he together with his co-accused wanted to eliminate the victim because of his involvement in gangsterism and that he was collaborating with the then security forces who were against the struggle of the ANC.

In another matter Nkosinathi Shangase, Phinda Wlater kweyama and Hlanganani Isaac Msani all from Amanzimtoti are applying for amnesty for the incident of robbery which took place in April 1993. They allege that they robbed a gun shop to arm themselves against on-going attacks by the IFP members at the KwazMakhutha area. They further allege that their enemies were properly armed because they were supported by the KwaZulu-Natal Police.

The hearings will take place at the Pinetown Magistrates Court in Durban, from Monday May 22 - 26, 2000.

Inquiries: Nosisi Tyantsi - 082 458 8459
May 19, 2000

AMNESTY HEARING ON 4 ANC CADRES

The Amnesty Committee of Truth and Reconciliation Commission next week will consider amnesty applications from four African National Congress cadres who are applying for amnesty for attacks on the South African Defence Force members, police stations and killing soldiers.

The hearing will be held at JISS Centre, Mayfair, Johannesburg from May 22 to 26. John Ngobeni, Mhlavu Mahlavu and Jabulani Mbhalali applies for amnesty for the attack on the SADF members who were stationed at Nkowankowa Stadium in Rita, fatally shooting of Constable Shingane and shooting of SADF members in an army truck.

The incidents happened in April and June in 1990. Ngobeni the commander Umkhonto We Sizwe (MK) unit ordered and commanded the execution of the three operations. The applicants do not have the details of the casualties on the SADF members.

The applicants maintained that all these operations were in line with the ANC policies to attack the apartheid security forces. Another MK members Dumisani Mgudlwa and Aaron Mkwanazi applies for amnesty for the attack of Port ST Johns police station in Transkei and murder of nine soldiers of Bophuthatswana Defence Force respectively.

During 1987 and 1988, the people of Braaklagte were fighting with Bophuthatswana President Lucas Mangope who had dethroned the local chief. A temporary army base was established whereby soldiers harassed the community.

Mkwanazi alleges that he was ordered by the ANC to go to South Africa and do reconnaissance of the army base and make necessary plans to attack it. On July 1, 1989 Mkwanazi and his unit proceeded towards the base, and on the way they met an army truck and began shooting using AK47 rifles killing nine soldiers.

Another Mk soldier Abel Choane is applying for amnesty for accidentally killing a fellow MK soldier known as Rufus. The incident took place at Vienna Camps in Angola.

France Mofapo Mohlala applies for amnesty for the assault of Sergeant Botha during 1998 while he was incarcerated at the Nylstroom Prison. The applicants alleges that he was angered by the fact that whilst in prison detained under state emergency his comrade died without receiving any help from prison officials.

Sgt Botha brought food which included hot soup and the applicant took the soup and poured it over to Sgt Botha's face. Mohlala was charged for assault and in March 1989 he was granted bail and absconded.

For further details contact Phila Ngqumba : (021) 4245161 or 4238721
May 26, 2000

UPDATED FINDINGS ON VICTIMS OF GROSS HUMAN RIGHTS VIOLATIONS

The Human Rights Commission of the TRC has received more than 21 000 statements describing the pain and suffering experienced by our people as a result of our past.

Our founding Act defines what constitute a 'gross human rights violation' and who qualifies as a 'Victim' of such a gross human rights violation.

We have completed the process of making of making 'Victim findings' and have regrettably had to make negative decisions, which affect approximately 4 500 people. These negative decisions relate to those incidents which fall outside our mandate period or do not constitute a gross human rights violation in terms of our Act.

In addition, many deponents have not furnished the Commission with sufficient information. The negative findings have been classified into the following categories:-
M- Out of mandate
V- Not being a gross human rights violations
P- Not having emanated from the political conflict of our past and/or having been planned, directed, commanded by a person acting with political motive.
U- Unable to make a finding because of insufficient information.

The Commission has informed recipients of negative findings and that they have the right to have the findings revisited on terms of the provisions of the TRC Act, provided they are able to furnish the Commission with information which may have the potential to alter the negative finding.

The Commission is conscious of the fact that those who receive such letters may be deeply disappointed and further traumatized and has therefore arranged for counselling and support services to be made available to those who require it.

People who have received negative findings are also informed that when the commission comes to write the codicil, reference will be made to those statements, which covered the fields of different violations of human rights but which did not fall within our mandate.

For further inquiries on the release call Mbulelo Sompetha at 082 452 7870.
May 26, 2000

HEARINGS IN PRETORIA INCLUDING LESOTHO RAID HEARINGS

Two unrelated part-heard amnesty hearings are to be held in Pretoria next week, the first one starting on Monday, being the abduction by former Soweto Security branch members of Nokuthula Simelane from Swaziland, who disappeared while on a mission in Johannesburg in 1983 and the killing of six ANC members in Lesotho on December 19, 1985.

The Lesotho Raid hearings will only resume on Thursday June 1 and finish on June 16 in Pretoria. Both these matters will be held at the Idasa Centre, corner Prinsloo and Visagie Streets.

In the Lesotho one, former minister of Foreign Affairs Pik Botha, former Police Commissioner Johan Van Der Merwe, Brigadier Willem Schoon and Willem Coetzee have already testified.

Still to testify is Vlakplaas Commander Eugene de Kock, Willie Nortje, Izack Bosch and Nicholaas Snor Vermeulen the implicated persons who have been subpoenaed.

The hearing was postponed in February to give sufficient time to implicated persons who had been subpoenaed to study the record of the last sitting.

Thirteen persons were implicated by 8 amnesty applicants in their applications for their roles in the planning and execution of the raid.

Those implicated included Joe Coetser, Anton Adamson, Dr Neil Barnard, Minister Louis Le Grange (now deceased), Basie Smit, Askaris Letsatsi, Thabiso and Gregory Radebe, Captain Fouche (SB Ladybrand) former President P.W Botha and Elvis Vincent McCaskill (an informer).

At our last sitting in February, there was contention as to whether former State President PW Botha should be subpoenaed in his capacity as chairman of the now defunct State Security Council (SSC).

Presiding Judge, Ronnie Pillay has ruled against such a move.

The attack on the ANC members in Lesotho in 1985 took place against the background of soured relations between Pretoria and the Maseru governments with the latter accusing the former of harbouring "terrorists". The exchange of diplomatic notes between Pik Botha and his counterpart in Lesotho has already been dealt with in the last sitting.

With the help of Elvis Vincent McCaskill an informer, the Vlakplaas men managed to get information of ANC "safe houses" in and around Maseru, in June 1985, six months before the raid in December.

Prior to the attack, concerns were expressed in various meetings of the State Security Council whose chairman was PW Botha.

The operation was also discussed in meetings of Co-ordinated Intelligence Committee under Niel Barnard, together with other representatives from various government departments as well as the SADF.

On the night of December 19, McCaskill managed to organise a party which had been funded by De Kock and his men. The plan was to get all the activists together and kill them.

In the subsequent attack, Leon Meyer and his wife Jackie Quinn were murdered at their house. Nomkhosi Mini, Vivian Mathee, Joseph Mayoli and Lulamile Dantile were shot and killed at the party.

Three other Lesotho nationals, Makaelane Mohatle, Boemo Tau and Amelia Lesenyeho were also killed in the raid.

In the matter of Nokuthula Simelane, the applicants, Willem Coetzee, Anton Pretorius, Norman Mkhonza, Peter Lengene (now deceased) Frederick Mong, Nimrod Veyi Sgt Sefuthi and Radebe, have already testified except for
Radebe who could not be located then.

Former Umkhonto We Sizwe in Swaziland in the early 1980's, Albert Thwala was giving testimony when the matter adjourned.

Proceedings will start at 10.00am

For more information, call Mbulelo Sompetha at 082 452 7870.
May 26, 2000

TRANSCRIPTS OF TRC'S SECTION 29 INVESTIGATIVE HEARING INTO THE HELDERBERG AIR DISASTER HELD IN CAPE TOWN ON 1 JUNE, 1998

In it's report to the President, the Commission stated that it is clear that further investigation is necessary before this matter can be laid to rest. It was also the understanding that the matter is still being investigated by the special investigation team of the Director of Public Prosecutions, Gauteng.

The intention of the Commission always was that material in its possession that may be of assistance or relevant in any investigation should be made available to the relevant authorities.

In light of the above kindly be informed that the Amnesty Committee of the Truth & Reconciliation Commission (acting in terms of the provisions of Section 43 (2) of Act 34 of 1995) on 25 May 2000 has directed that a copy of the transcripts of the above Section 29-hearing, which was held in camera, be made available to the Minister of Justice, the Minister of Transport and to the National Director of Public Prosecutions. The copies will be delivered to them by Monday, 29 May 2000.

Adv. Martin Coetzee

Chief Executive Officer
May 29, 2000

AMNESTY GRANTED TO KASRILS' WIFE

The Amnesty Committee of Truth and Reconciliation Commission today has granted amnesty to the wife of Minister of Waters Affairs and Forestry, Ronnie Kasrils, Jenatte Kasrils.

Kasrils applied for amnesty for the bomb explosion of the Central Post Office in Durban in 1962. She also applied for amnesty for theft of dynamite near Marionhill and destruction of electricity pylons near Pinetown between 1962 and 1963.

Kasrils was also granted amnesty for bombing offices of the Durban security police, escape from police custody at Fort Napier in Pietermaritzburg and the illegal crossing of border to Botswana in 1963. The Committee found that Kasrils, met the requirements of the Act in that of making full disclosure of all the relevant facts, found to be associated with a political objective.

Also granted amnesty was Frans Maserumule a former MK cadre for attempted murder of an undetermined number of persons, unlawful possession of explosives and firearms. Tamsanqa Ndlovu, Isaac Ntoka, Lindani Mthiyane, Gabriel Jiyela, Basil Msibi and Thuso Tshika were also granted amnesty for attempted murders, unlawful possession of arms and ammunition, hand grenades and malicious damage to property.

The Committee refused amnesty to Bongani Ngubane an IFP member for killing Mmenezi Nxumalo in March 1994. The Committee found that Ngubane has failed to establish that the killing of Nxumalo was as a result of a political conflict between ANC and IFP.

Mbhekiseni Dlamini who is serving life sentence for the murder of 76 year old Paul Nicholson at Breakfast Hill Farm was also refused amnesty. Also refused amnesty was a member of Pan Africanist Congress Shadrack Twala for the murders of Marian De Freitas, Krel Engelbrecht and escaping from police custody.

Twala claimed during his testimony that it was PAC's policy to kill white people and policemen. The Committee found that Twala failed to make full disclosure of all relevant facts and that offence were not committed for a political reasons.

Inquiries : Phila Ngqumba (021) - 4238741 or 4245161
HEARING IN PRETORIA ON KILLING OF ANC MEMBERS

The TRC amnesty hearings in Pretoria on Thursday on the killing of six ANC members in Lesotho on December 19, 1985, will resume with the role played by the former Department of Foreign Affairs as well the National Intelligence Services in the months before the raid and after.

Former Director of Foreign Affairs Mr. Neel Van Heerden will clarify the role of foreign affairs ministry in terms its warnings to Lesotho about harbouring ANC fighters in its country.

Former Minister of Foreign Affairs Pik Botha testified in February about his ministerial interactions with his counterpart in Maseru in 1985.

Van Heerden's testimony and cross-examination will begin on Thursday and possibly end on Friday.

On Monday, the amnesty hearings will hear evidence from Dr Niel Barnard in his capacity as former Director General of the intelligence department as well as his intelligence service agents role in the attack. His testimony is expected to finish on Tuesday.

The hearings will be held at the Idasa Centre at corner Prinsloo and Visagie Streets in Pretoria.

Proceedings for the next two weeks will be made known in due course, however Pik Botha, former Police Commissioner Johan Van Der Merwe, Brigadier Willem Schoon and Willem Coetzee have already testified in the last sitting.

Still to testify is Vlakplaas Commander Eugene de Kock, Willie Nortje, Izack Bosch and Nicholaas Snor Vermeulen.

The hearing was postponed in February to give sufficient time to implicated persons to study the record of the last sitting.

Thirteen persons have been implicated by the 8 amnesty applicants for their roles in the planning and execution of the raid. Those implicated included Joe Coetser, Anton Adamson, Dr Neil Barnard, Minister Louis Le Grange (now deceased), Basie Smit, Askaris Letsatsi, Thabiso and Gregory Radebe, Captain Fouche (SB Ladybrand) former President P.W Botha and Elvis Vincent McCaskill (an informer).

In the attack, Leon Meyer and his wife Jackie Quinn were murdered at their house and Nomkhosi Mini, Vivian Mathee, Joseph Mayoli and Lulamile Dantile were killed. Three other Lesotho nationals, Makaeline Mohatle, Boemo Tau and Amelia Lesenyeho were also killed in the raid.

At our last sitting in February, there was a dispute as to whether former State President PW Botha should be subpoenaed in his capacity as chairman of the now defunct State Security Council (SSC). Presiding Judge, Ronnie Pillay has ruled against such a move.

The attack on the ANC members in Lesotho in 1985 took place against the background of soured relations between Pretoria and the Maseru governments with the latter accusing the former of harbouring "terrorists".

Proceedings will start at 10.00am For more information, call Mbulelo Sompetha at 082 452 7870.
June 1, 2000

DECISIONS ON MURDERS OF FIRST, SCHOON AND OTHERS

The Amnesty Committee of Truth and Reconciliation Commission today has granted amnesty to former spy Craig Williamson and Roger Raven for their role in the murder of Ruth First on August 17 1982 in Maputo and conspiracy to kill Joe Slovo.

Williamson a Major in the Security Police and Raven his subordinate according to their evidence, they got permission from the Minister of Police through their superior Brigadier Piet Goosen to launch cross border attacks including the bombing of the London Headquarters of the ANC.

Williamson and Ravan were also granted amnesty for the conspiracy and murder of Jeanette and Katryn Schoon at Lubango in Angola on June 28 1984. The applicants were also granted amnesty for transporting an improvised explosive devices, interception of mail and possession of explosives.

Both these applications were opposed by the Slovo and Schoon families. The Schoons and Ruth First were at the time of their death involved in lecturing at universities in Maputo and Luanda. They were loyal and active supporters of the ANC.

The offences were meant to destabilise, demoralise and disadvantage the liberation forces. The Committee found that both applicants have made full disclosures and their acts were associated with a political objective. The next of kin of Ruth First, Jeanette and Katryn Schoon were referred to the Reparation and Rehabilitation Committee for consideration.

Also granted by the committee are Willem Schoon and John McPherson for their role in the attempted murder of Marius Schoon and Joe Slovo in 1982 and 1984 and the Lusaka bomb.

The bomb was prepared and built into a briefcase and was placed at the gates of the ANC offices in Lusaka by police agent. It exploded and caused minimal damage no deaths or injuries were reported. The intention was that the bomb should be left at the office occupied by Slovo.

Two other security police operatives Kobus Klopper and Johann Tait were granted amnesty for killing four alleged arms smugglers at Komatipoort, accessory after the fact to murder and defeating the ends of justice. The applications arise of an incident which occurred at Komatipoort when four arms smugglers were killed and weapons were intended for the military wings of ANC and PAC.

Another security police operative Micheal Bellingan was refused amnesty for theft of various cheques intended for National Union of Metalworkers of South Africa (Numsa). Bellingan was also refused amnesty for murdering his wife Janine on September 20 1991.

As part of normal security police operation at the time, the mail of certain organisations including Numsa was intercepted and inspected. In the course of these operations during 1988 and 1989 a number of cheques drawn in favour of Numsa were intercepted.

With regard his wife Bellingan discovered that the deceased was not happy with Bellingan's work as a security policeman and he discovered she was about to leak some confidential information to the ANC. The applicant decided to kill her because she was a security risk.

The Committee in refusing Bellingan amnesty said it was not satisfied that he made full disclosure and that the murder constituted an act associated with a political objective.

Inquiries : Phila Ngqumba 021 - 4238741 or 4245161
DE KOCK GRANTED AMNESTY

The Amnesty Committee of Truth and Reconciliation Commission today has granted amnesty to a former commander of Vlakplaas Unit Eugene De Kock, several former high ranking security police officers and junior officers for taking part in six incidents involving killings, assaults and abductions of anti apartheid activists in the 1980's.

The group was granted amnesty for killings and abductions of members of the African National Congress and Pan Africanist Congress during raids in Swaziland, Botswana and inside the country. Granted amnesty with De Kock are former Commissioner of Police and head of security police General Johannes Van Der Merwe and Brigadier Willem Schoon for offences related to the conspiracy to kill the members of the ANC unit known as " September Machinery " and the killing of Pantsu Smith, Sipho Dlamini and Busi Majola at Fountains, Mbabane in Swaziland on December 13 in 1986.

Also granted amnesty with De Kock for the same offence in Swaziland are Douw Willemse, Ignatius Coetzee, Willem Coetzee, Lodewyk De Jager, Marthinus Van Wyngard, Anton Pretorious, Schalk Visser, Christo Deetlefs, Paul Van Dyk and Frederick Pienaar. All applicants were members of the security police under the command of Van Der Merwe, Schoon and De Kock.

The second incident relate to the killing of Zwelinzima Nyanda and Keith McFadden in Mbabane in Swaziland in 1983 and 1984 respectively. Granted amnesty with De Kock and Schoon for Nyanda and Mc Fadden's killings are Almond Nofemela, Christiaan Rorich, Paul Van Dyk, Frederick Pienaar and James Van Zweel.

Nyanda is a former commander of Umkhonto We Sizwe responsible for the Natal machinery and is the younger brother of the Chief of the South African National Defence Force, General Siphiwe Nyanda. The applicants claimed the deceased were involved in the planning and conspiracy to kill law abiding South African citizens.

The applicants were also granted amnesty for using false passports, illegal crossing of the border and illegal possession of weapons, arms and ammunition. Nyanda's mother, wife and McFadden's sister were referred to Reparation and Rehabilitation Committee for consideration.

The third incident was planning, abduction, assault and killing of an askari Goodwill Sikhakhane on January 29, 1991 in Greytown. Granted amnesty with De Kock for Sikhakhane's killing are David Brits, Johannes Swart, Willem Nortje, Lawrence Hanton, Andrew Taylor (deceased) and Johannes Steyn.

Sikhakhane had become an askari during 1988 after defecting from the ANC who were apparently intent on sending him to Angola due to disciplinary problems. The applicants assisted Sikhakhane and his wife to enter the country unlawfully and was later killed.

The fourth incident De Kock got amnesty for was being accessory after the facts to culpable homicide of an askari Pumelelo Moses Ntehelang at Vlakplaas in 1989. De Kock, Leon Flores, Douw Willemse, Andries Van Heerden, Izak Bosch, Johann Tait, Martinus Ras, Wilhelm Bellingam, Adriaan Baker and Petrus Snyders all Vlakplaas unit members were also granted amnesty for defeating the ends of justice and desecration of a body.

De Kock was convicted of the accessory after the fact to culpable homicide and sentenced to twelve years imprisonment. In the case of De Kock he also asked for amnesty for fraud consequent upon the arrangement that he made the deceased salary paid to his mother to cover Ntehelang's disappearance.

The fifth incident De Kock and seven other applicants were granted amnesty for conspiracy and murder of the Chand family in Botswana in 1990. Killed during the Botswana operation were Sam Chand, Harija Chand, Redwan Chand Amina Chand Imran Chand and a security guard Poding Pule. The Chand's were PAC supporters in Botswana. Granted amnesty for the Chand's killings are all Vlakplaas unit members De Kock, Douw Willemse, David Brits, Willem Nortjie, Izak Bosch, Johann Tait, Nicholaas Vermeulen and Marthinus Ras.
The sixth incident De Kock and five Vlakplaas members got amnesty for, is the abduction, murder of Johannes Mabotha and desctruction of his body with explosives at Penge Mine near Burgerfort on October 4 1989. The mine was used by Vakplaas operatives with the knowledge and consent of its owners to conduct training excises for askaris and Vlakplaas members.

Granted amnesty for Mabotha's murder and abduction are De Kock, David Brits, Kobus Klooper, Daniel Snyman, Nicholaas Vermeulen and Leon Flores. The committee found that the applicants have met the requirements of the Act in that offences to which the applicants relate are acts associated with a political objective committed in the course of the conflict of the past.

The Committee added that the applicants have made full disclosure of all relevant facts.

Inquiries: Phila Ngqumba 021 - 4238741 or 4245161
FORMER MK COMMANDER GRANTED AMNESTY

The former commander of Umkhonto WeSizwe and now the senior officer of the South African National Defence Force (SANDF) Jacob Mpasa Rapholo was granted amnesty by the Amnesty Committee of Truth and Reconciliation Commission today.

Rapholo and his unit infiltrated South Africa through Botswana with a political objective to destabilise the then government. The applicant was granted amnesty for committing murder of Nicholaas Claasen at the First Hope farm near Ellisras on August 8 1988, attempted murders of Johannes Van Rooyen, Otto Van Dyk and Franci Voster a member of the South African police stationed in Pietersburg in January 1990.

The Committee found that Rapholo made full disclosure of all relevant facts and that the offences were associated with a political objective. Two brothers who were former members of the ANC Youth League, Micheal Phash and Daniel Phasha were also granted amnesty for being involved in the killing a member of Driefkop community who was associated with a local chief.

The Committee found that Phasha's have met the requirements of the Act. Another member of the ANC Youth League Khedamile Tinyane was also granted amnesty. Tinyane was involved in robbery of a firearms and for being in possession of ammunition from two policemen in May 30 1993 at Stilfotein.

The panel further refused amnesty to Zakhele Zulu an Inkatha Freedom Party youth organiser, Thembinkosi Mabika a member of Azania Peoples Organisation and Micheal Leshomo a supporter of the Pan Africanist Congress. The Committee found that Zulu, Mabika and Leshomo a supporter of the Pan Africanist Congress failed to make full disclosure of all relevant facts and offences associated with them had no political objectives.

Phila Ngqumba (021) 4238741 or 4245161
The Truth and Reconciliation Commission is saddened by the uninformed attack launched at it by the Chair of the Justice Committee, Mr. Johnny De Lange during the Justice budget vote yesterday. The Truth and Reconciliation Commission was accused of shirking its responsibility towards victims and of not having set up structures to channel the funds to victims who qualify for reparations. The Truth and Reconciliation Commission was also accused of not spending the funds available to it for reparations, in the Presidents Fund.

Commissioner Hlengiwe Mkhize, Chairperson of the Rehabilitation and Reparation Committee said, "such comments are indicative of a lack of sensitivity to the pain and suffering of those who have been waiting for reparation since the commencement of the Commission."

The claims by the Chair of the Justice Committee that the commission has failed to set up a structure to channel funds to victims is grossly inaccurate: given the fact that the Truth and Reconciliation Commission set up a process already in 1998, via the President's Fund to pay out interim reparation to victims of gross human rights violations. The President's Fund has paid out a total of R30million rand to date, to more than 10 000 victims. In addition, the Commission has assessed the reparation claims of a further 1 500 victims who have already been referred to the President's Fund. A remaining 2 686 forms are still in the hands of victims and will be dealt with as soon as they are returned to the Truth and Reconciliation Commission.

If the claims of all those found to be victims is processed, the fund will utilise the sum of R100 million rand, allocated for interim reparations.

The balance of the funds allocated to reparation cannot be spent until there are further regulations put in place by the Government. These regulations are a matter for government and are outside the jurisdiction of the Truth and Reconciliation Commission as they concern the acceptance of the final reparation policy.

The Commission is saddened by the comments of Mr. De Lange, given that the Commission addressed the Justice Parliamentary Committee only two weeks ago, precisely on this issue. Mr. De Lange is the Chair of that Committee. The Commission was at pains to point out that a Final Reparation Policy had been part of its report handed to government and that the Commission had completed its obligations in terms of the interim reparation policy. Whilst acknowledging that reparations is a complex issue, the Commission also pointed out that it was not a prerequisite of the law, that Amnesty had to be completed in order for the final reparation policy to be dealt with.

In this regard, the Commission wished to point out that the Chair of the Reparation Committee has been in ongoing discussions with the Ministry of Justice on the subject of the unallocated funds and the services component of the reparation policy.

The Truth and Reconciliation Commission is not in the business of attacking government. Nevertheless, we are firmly of the view that it has a legitimate and moral obligation to Victims' to raise the question of reparations and keep it on the national agenda. This is not political posturing or opportunistic as it is claimed. The Commission wishes again to pledge its support to working with government on finding a solution to deal with those people who have suffered during our past.

The Commission is of the view that the suffering of victims should not become a political football. The casualties are those human beings who need their dignity acknowledged and restored by government and the South African Nation.

Inquiries: Phila Ngqumba -- (021) 4238701

Hlengiwe Mkhize - 082 9904 691
HEARING ON APLA ATTACKS IN FREE STATE AND EC

The Amnesty Committee of the Truth and Reconciliation Commission next week will consider amnesty applications by six Azania People's Liberation Army (Apla) members involved in the farm attacks, murders and attempted murders in the Free State and part of the Eastern Cape Provinces.

The hearing will be held at Anglican Church Hall corner of St Goerge and Saltzmann Streets in Bloemfontein from Monday June 12 to Thursday June 15.

The applicants King Lebea, Titus Lebea, Samson Tuis, Bongane Shadrack Khumalo, Ernest Pulumo and Luyanda Gqomfa are applying for amnesty for the farm attacks in Lady Grey, Bethlehem, Brandford, Theunisen and Brandhof.

They are all currently serving long sentences for murder attempted murder and armed robbery offences. The applicants claimed to have been members of the Apla Task Force that was attacking farmers between 1990 to 1992.

The group in their amnesty applications claimed to have carried out orders from Apla by attacking farmers. Also applying for amnesty in the same hearing will be Sello David Thejane an askai who was a former member of Apla.

Thejane received military training in Botswana and on his return to South Africa, he was arrested by members of the South African Police. He was recruited to work for the police and allegedly co-operated. Thejane participated in the torture of Apla and ANC members arrested by the police in Welkom and Ficksburg.


Phila Ngqumba 021 - 4238741 or 4245161
KILLING OF AN UNKNOWN ACTIVIST BY DE KOCK AND TWO OTHERS

The Amnesty Committee of the TRC will, as from Monday June 12, hear amnesty applications in Pretoria, of Eugene De Kock, Marthinus Ras and Adriaan Baker for killing an unknown cadre from Mafikeng in 1989.

The murder of the cadre by Ras and Baker was facilitated by the former Bophuthatswana Intelligence Service agents who had captured him for allegedly reporting houses of Bop policemen to the ANC/PAC.

The applicants claim in their applications, that Brigadier Willem Schoon and De Kock gave them instructions to eliminate the cadre. However, it not clear why the applicants do not have the identity of the deceased.

The applications will be heard at the Idasa Centre, corner Prinsloo and Visagie Streets, Pretoria.

For more information call Mbulelo Sompetha on 082 452 7870.
The TRC Amnesty Committee will resume hearing the application of eight CCB members for some atrocities which occurred in the Western Cape during the late 1980's.

The eight are applying for amnesty for their respective roles in attempts to assassinate Transport Minister Dullah Omar and prominent journalist Gavin Evans as well as bombing the Early Learning Centre in Athlone.

During the first sitting of the hearing in March, Abraham Van Zyl gave evidence for four consecutive days detailing how they tried on several occasions to kill Mr. Omar. The Committee adjourned on the fifth day with Mr. Verster giving evidence.

The Committee decided to set two weeks for the applications to be completed starting from Monday June 12 - June 23 at the Freeman Centre, cnr Main & Upper Portswood Road, Green Point.

For more information : Nosisi Tyantsi - 082 458 8459.
GRANTING AND DENYING OF AMNESTY TO WITCHCRAFT KILLERS

The Amnesty Committee of the Truth and Reconciliation Commission has today granted amnesty to Thirty Three (33) amnesty applicants for killings of people suspected of practicing witchcraft in the former Bantustan of Venda in the Northern Province between 1989 and 1990.

Ten other applicants have been refused amnesty for acts ranging from murder and arson and for failing to satisfy the requirements of the TRC regulations.

In its decision, the Amnesty Committee took note of the unusual nature of the applications as they relate to the practice of witchcraft in the area of the Northern Province, formerly known as Venda.

The Committee found that Chiefs of the districts, who formed a tier of government at the time, were associated with ritual murders which flowed from witchcraft, to maintain their political power. This belief grew among the ordinary folk and those who sought democratic change, particularly those whose who sought re-incorporation into a democratic Republic of South Africa.

The Chiefs were perceived by the youth to be the front for the South African Government and their cohorts in Venda.

In the circumstances, the AC has pardoned Eleven (11) applicants, Nndwamato Amos Muhadi, Nyadzanide Villiers Sioma, Chater Ndidzulathi Ragwala, Rogan Khathuntselo Romasitsi, Johnson Thilivhali Masithulela, David Makana Nemakhavhani, Abel Lufuno Mulady, AD Rambwa, AA Mativha, JM Makatu and Fudumulani Lawrence Maduna for killing Edward Mavhungu, burning his house and committing public violence on or about April 6 1990. The incident occurred near Ha-Mavhunga in Tshitale district.

Others who have been granted amnesty include, Mauba Daniel Malima in respect of murder of Mudzunga Mulaudzi on March 20 1989 near Mpfou Location, Tshitale district.

Josia Davhana Mulaudzi, Norman Ramalata and Samuel Mashudu Matala have been granted amnesty for the killing of Muzhedzi Emily Makulana on March 21 1990 near Mfunzi Village.

Asmuel Kudzingana, Maluta Simon Matshisevhe, Asaph Mamburu and Justice Ramabulana and Walter Mudzwiri have been granted amnesty for murdering Frans Mavhaudu and arson on March 6 1990 near Tshiowzi settlement Tshilwavhusuku village.

Azwindini Cedric Molovhedzi has been granted amnesty for killing Frans Mafulane and burning his house on February 4 1990 in Venda.

Mutshutshu Samuel Magoro nad Salani Philimon Baloyi were granted amnesty for killing Nyamaxhose Maduwa on March 21 1990 Ha-Maila Village Tshitale.


Tshinyaadzo Daniel Mauba, Mbulaheni Victor Mukheli and Freddy Fhatuwani Davhula were granted amnesty for killing Violet Movhe on February 8 1990.

Mmabatho Popular Mulaudzi and Mmbengeni Mutali have been granted amnesty for killing Johannes Limvumu on February 2 1990.

Ta Mashamba was granted amnesty for killing Frans Kgomogwe and for burning his house in Venda 1990.

LF Munyai and N Mulandzi were granted amnesty for killing Madadzhe and Mr Maphaha near Tshino Village during
February 1990.

Another amnesty applicant, unrelated to the Witchcraft matter and who have been granted amnesty, is Sipho Jimmie Mthandi for placing two Limpet Mines at Orlando Police Station in Soweto and for attacking Sgt. Morget's house with a grenade and an AK47.

Amnesty has also been granted to a former SAP CID member, Mphathiswa Godratius Malunga for torturing Thethinene Joe Jordaan in East London in 1985.

Thamsanqa Norman Tshoko and Nkululeko Freedom Sidiya have been granted amnesty for killing Silomo Shadrack Gazu, an IFP member, on January 28, 1993 in Boipatong.

For more information on these matters: call Mbulelo Sompetha at 082 452 7870.
June 14, 2000

AMNESTY MATTERS FOR DURBAN JUNE 19 TO JUNE 30

The Amnesty Committee of the TRC will, from Monday June 19, to June 21, hear amnesty applications of Frank Burnetts, a former security policeman, for the torture of five United Democratic Front activists from Chesterville near Durban in 1996.

The victims of Burnetts' torture were, Cecil Khehla Nala, Olina Olivia Nxumalo, Loretta Mkhize, Theresa Thoko Mthembu and Duma Masikane.

Among other matters, Burnetts has also applied for the killing of a PAC member at Inanda in 1991 who had been identified by an Askari. He has also applied for his role in the framing of a particular individual as an informer in Chesterville who was later necklaced by the community.

From June 22, the Committee will hear a part-heard matter into the killing of an ANC underground Unit which involved Portia Ndandwe who was abducted from Swaziland with the help of two ANC informers to Durban in 1986. She was shot and subsequently buried in a farm near Verulam when she refused to co-operate and inform on others.

The applicants are former head of the Intelligence in Durban, Hentie Botha, Albertus Steyn, Colonel Andy Taylor (now deceased), Roelof Visagie, Colonel JA Vorster, Louis Wasserman. During the last sitting in 1999, the Botha had been asked to reveal the identity of the informers to the Committee, which he still has to do.

Amnesty matters for the week starting June 24, will be announced in due course.

The Amnesty Panel will consist of Judge Wilson, Advocate Sibongile Sigodi and Wynand Malan for the proceedings.

For more information, call Mbulelo Sompetha at 082 452 7870.
June 20, 2000

DECISION ON APLA HIGH COMMAND APPLICATION

The Amnesty Committee of Truth and Reconciliation Commission today refused amnesty application by Azanian Peoples Liberation Army (Apla) high command.

The application by Apla high command was considered in chambers in Cape Town. The Committee found that the Apla commanders did not specify their individual names as applicants, acts, offences or omission committed of which people died others injured and damaged to property according to the application form.

In terms of the Act an applicant has to apply as an individual and specify the actions or offences he or she is applying for. Apla high command in the application took a collective responsibility for any acts committed as a result of their direct or indirect instructions.

The Committee pointed out that an act, omission or offence must be subject matter of any application and in this instance no such act, omission or offence had been disclosed. The Committee further found that the application of the high command did not comply with the requirements of the Act and as such was refused.

The Committee said this would amount to the granting of a general amnesty. The Apla high command application is similar to the one submitted by ANC leaders.

The ANC application as well took a collective responsibility of acts and offences committed by cadres of Umkhonto Wesizwe(MK) under their command. The ANC application was dismissed on the same grounds last year.

Meanwhile the Committee granted amnesty to five ANC cadres for planting limpet mines at Moutse Magistrate Court, Kwaggafotein police station in 1987 and the attack of Klippan Radar station of a military base in Rustenburg in May 1989.

Granted amnesty are Jerome Maake, Piet Mathebe, Chakei Mathebe, Charles Mathebe who operated as an MK unit in Moutse area and Dumisa Mdlulwa an MK commander for the attack on the Klippan Radar station.

The Committee found that the five applicants met with the requirements of the Act in that they made full disclosure of all relevant facts of operations and their motive had a political objective. Victims in both incidents were referred to Reparation and Rehabilitation Committee for consideration.

Phila Ngqumba 021 - 4238741 or 4245161
AMNESTY GRANTED TO VLOK AND OTHERS

The Amnesty Committee of Truth and Reconciliation Commission today granted amnesty to the former Minister of Police Adriaan Vlok and the former Commissioner of Police General Johannes Van Der Merwe and nine security policemen for their role for damaging by explosives, and making bomb scare at cinema theatres to prevent the film "Cry Freedom" from being screened.

These incidents took place at various places in South Africa. Different applicants were involved in different incidents at Kings Cinema Theatre in Alexandra, Johannesburg, Highgate Shopping centre theatre in Roodepoort, Pretoria and Metro 11 in Durban. The explosives and bomb scares happened in July 1988 to prevent the film.

The film dealt with the death of Steve Biko and with aspect of the life of Donald Woods, who later left the country. The South African Police were concern that it would increase racial tension and the revolutionary climate in the country.

Granted amnesty with the two are Petrus Du Toit, Nathys Botha, Johan Le Roux Johannes Steyn, Cornelius Heyneke, Johannes Louw, Abraham Kendall, Adries Van Heerden and Charles Zellie. Applicants who were part of the planning, ordering and execution of these acts testified that their conduct was motivated by the political unrest and violence which prevailed at the time in the country.

The Committee found that the applicants have met the requirements of the Act in that they made full disclosure of all relevant facts and the acts were associated with a political objective. Also granted amnesty are Schalk Visser, Christo Deetlets, Fredereick Pienaar and James Van Zweel all members of security police for the abduction and unlawful detention of Christopher Mosiane and others in Swaziland in April 1984.

The four policemen were also granted amnesty for leaving and entering Swaziland illegal. The Committee granted amnesty to Abel Chone an ANC commander for killing Thabo Makudubete in Vienna Angola and unlawful possession of AK47 and a hand grenade.

Happy Mngomezulu and Thulani Madlala both ANC members got amnesty for killing Mpumelelo Phewa in March 1994 at Wembezi in KwaZulu Natal.

Phila Ngqumba 021 - 4238741 or 4245161
June 21, 2000

HEARING FOR 3 FORMER COSATU OFFICIALS

Three former Cosatu high ranking officials will appear before the TRC's amnesty Committee next week, in connection with the incidents of kidnapping a police officer accused of surveying Cosatu offices. The three, Sydney Mafumadi (now Minister of Local Government and Provincial Affairs), former RDP Minister Jay Naidoo and former MP Moses Mayekiso are seeking amnesty for allegedly keeping Mongi Joubert Moleka against his will inside the Johannesburg Cosatu offices on August 20, 1990. They were later charged with kidnapping and assault but were only convicted on charges of kidnapping.

Another ANC affiliate, Nhlanhla Patrick Modibedi (Radebe) is applying for amnesty in respect of public violence, kidnapping, assault and robbery committed on October 15, 1988 at Sebokeng. The applicant and his accomplices hijacked a furniture truck where upon they proceeded to the homes of three comrades who has turned state witnesses against on of the accomplice's brother. Tow of the state witnesses were found and assaulted. The applicant and his accomplices were later arrested, convicted and sentenced on charges of public violence, robbery, kidnapping and assault.

Also appearing before the AC is Lazarus Mtetwa who is seeking amnesty for killing Alec Mashaba at Tembisa on July 13, 1986. Mashaba was abducted from his home after which he was burnt to death.

Also to be heard during the same week is the matter of Tshepo Stanley Bulali and John Ituweling Dube. The two applicants are seeking amnesty for the bombing of the Zola Municipal Offices in 1987, the ambush of a police vehicle at Meadowlands in 1988 and another ambush of a police vehicle at Emndeni during April/May in 1988.

These matters will be heard from June 26 - 30, 2000 at the JISS Centre, cnr Battery and Queens Roads, Mayfair, Johannesburg.

Inquiries: Nosisi Tyantsi - 082 458 8459.
HEARING ON MK COMMAND ACTIONS AND THE KILLING OF PIUS LANGA'S BROTHER

Military actions by Umkhonto weSizwe, the ANC army, will come under scrutiny at the amnesty hearings at the Pine-Town Magistrates Court in Durban next week, starting Monday June 26.

The amnesty applications relate to bombings of the C.R. Swart Police Station, the SADF Natal Command and Police Radio Headquarters in Ridge Road in 1989 by Aboobaker Ismail, Calvin Riaz Saloojee and Sowetan newspaper Political Editor Rafiq Rohan. The applications will be heard on Monday and Tuesday 26 - 27 June.

On Wednesday, the Amnesty Committee will hear two amnesty applications of George Martins a former MK member from Pietermaritzburg, for killing Benjamin Langa, brother to Constitutional Court judge Pius Langa.

Langa was killed at Pietermaritzburg on May 20 1984 on suspicion of being an informer. George Bizos will represent the family.

Martins is also applying for attacking an SAP patrol in Dube Soweto in May 1988. Implicated in the incident is Winnie Madikizela-Mandela who supplied weapons for the attack. The Amnesty Committee Evidence leader will assist and represent Zizwe Abednigo Mthethwa who was injured in the shooting.

The hearings are expected to last until Friday 30 June, 2000.

The panel will consist of Judge Chris De Jager, Advocate Sibongile Sigodi and Ilan Lax.

For more information, call Mbulelo Sompetha at 082 452 7870.
AMNESTY GRANTED TO GENERAL SIPHIWE NYANDA

The Amnesty Committee of the TRC today granted amnesty to a former Commander of the African National Congress, Umkhonto WeSizwe (MK) and currently chief of the South African National Defence Force, General Siphiwe Nyanda.

Granted amnesty with Nyanda are General Solly Zacharia Shoke and Dick Mkhonto. The three were granted amnesty for acts and omissions committed directly arising out of activities of the ANC operation Cetywayo in 1985 and 1987 in the then Eastern Transvaal.

Part of the operation was landmine explosions near Volksrust and near the Mozambican border, an SADF vehicle detonated a landmine and approximately six SADF members were injured. One woman was killed and an unspecified number of children were injured and damage to property was caused.

Also killed during the operations was Corporal Le Roux who was killed on horseback. The incidents of which all were under Nyanda's command were approved by the ANC leadership in Lusaka.

The Committee found that the applicants made full disclosure of all relevant facts and their acts were associated with a political objective. All victims of these incidents were referred to the Reparation and Rehabilitation Committee for consideration.

The Committee further granted amnesty to Ranston Mahlakoane for the attack on the Emthonjeni Police Station and killing of Solomon Mbatha, attempted murder and theft of firearms in July 1990.

Meanwhile the Committee refused amnesty to ANC member Freddy Tladi for murdering Matule Bapela in August 1992 at the Marishane Village in the Mpumalanga Province. Also refused amnesty was Golden Sekgobela for killing Popply Seerane at Lebaeng in Lydenburg in December 1990.

The deceased was alleged to be a witch and had allegedly caused the death of certain people. The Committee in refusing Sekgobela's application because the murder was not an act associated with a political objective.

PHILA NGQUMBA 021 - 4238741 OR 4245161
AMNESTY APPLICATIONS BY SADF SPECIAL FORCES AGAINST SWAPO

About 50 amnesty applicants are to appear before the Amnesty Committee of the TRC in Pretoria on Monday July 3, for various acts of Gross Human Rights Violations committed in Namibia, Southern Angola, Botswana and Swaziland in the early 80's.

The matters are scheduled to be heard for four weeks with a week break in between.

In the Northern Namibian matter, the applicants, Kevin Hall, Daniel Potgieter, Gert Hugo, Eugene Fourie and Sean Callaghan have applied for atrocities they committed against Swapo guerillas during their service as members of the Security Forces as well as Koevoet. The applicants claim they committed in their fight to stop armed seizure of power during the liberation war.

The atrocities range from torture, driving an army vehicle on a dead Swapo guerilla to chopping hands of killed Swapo members to ascertain fingerprints kept on intelligence files for all active Swapo members.

Isaak Bosch will be appearing before the committee for his role in the killing of Sadhana Naidoo in a Lusaka farm in 1989. These matters will be heard in the first week.

Others matters set for a hearing include the killing of Rodger Nkadimeng a Sactu/ANC official in Botswana on may 14 1985. the applicants are Pieter Crause and Johannes Steyn.

Eben Coetzee, Karel De Bruin and Hendrik Prinsloo have applied for the attempted murder of the late Chris Hani wherein Ernest Ramatolo a Lesotho national, was used to attch a bomb on his car in 1980.

Phillip Krause, Wikus Loots, Willem Schoon Johannes Steyn Christoffel Du Preez Smit have applied for blowing a house belonging to Nat Serache in Botswana.

Former Soweto Security Policemen, Willem Coetzee and Anton Pretorius will be appearing before the committee for abducting the late Peter Lengene from Botswana in 1982.

Fourteen former Security policemen and Special force members have applied for the 1985 raid on Botswana where over ten people were killed. Among those killed were South Africans, a visiting Lesotho national, a Somalian, his pregnant Dutch wife was seriously injured and two Batswana women. A full list of the applicants will be submitted in due course.

Also to be heard is the attack and killing of three women and Mk Naledi in Swaziland in which Wikus Loots is the sole applicant.
Details of the matters will be given in due course before the hearings.

The hearings will be held at the Wesley Church corner Visagie and Andries Streets in Pretoria.

For more information call Mbulelo Sompetha at 082 452 7870.
June 30, 2000

AMNESTY HEARING FOR KASRILS AND 2 FORMER MK MEMBERS

Water Affairs Minister, Mr. Ronnie Kasrils and three former MK members now with the SANDF will appear before the TRC's Amnesty Committee next week.

The applicants are applying for offences arising from planting of landmines in the area of Messina (Northern Province) on the border of South Africa and Zimbabwe. These landmines were allegedly intended for the army and police vehicles who were patrolling the border at the time. Nine people were killed and twenty five (25) were injured during these attacks which occurred between 1985-1986. The youngest victims were from the Van Eck family, 18 month old Eric who was injured and 2 and half year old Ignatuis who was killed.

Also appearing is Zweli Kosolom Mhlongo and Ashley Murphy Masil. On February 6 1994, the two applicants and tow others kidnapped and killed Mr. Pyper near Ebenezer Dam in Tzaneen. They further stole his car, stripped some of its parts and sold them. Five days later the same group killed Mr. & Mrs. Bouwer and attempted to murder their son, with the intention of robbing them.

The hearing will be heard from July 3 - 7, 2000 at the Showgrounds Hall (behind Impala Lily Motel) Pat Harrison Street, Messina.

Inquiries: Nosisi Tyantsi - 082 458 8459
AMNESTY GRANTED TO COSATU LEADERS

The Amnesty Committee of the TRC has today granted amnesty to three leaders of the Congress of South African Trade Unions (COSATU) for kidnapping a policeman Mongezi Joubert Maleka on August 28, 1990.

Sydney Mufamadi, Moses Mayekiso and Jay Naidoo were charged and convicted of kidnapping and assault in the Regional Court. On appeal the High Court set aside the conviction of assault and confirmed the kidnapping conviction.

This week the three leaders applied for amnesty for kidnapping the policeman and were granted amnesty. The Committee found that the three applicants made full disclosure of all relevant facts.

The Committee was satisfied that the kidnapping was an act associated with a political objective. On August 28, 1990 it was reported to the applicants that a man was maintaining surveillance over the building from a point across the street.

On satisfying themselves that the man indeed appeared to be monitoring the building they accosted him and found him to be in possession of a two way radio and photographs of Geraldine Fraser. In the absence of the applicants, the victim was assaulted by some COSATU members.

The applications are not opposed. Also granted amnesty by the Committee were Bkekizizwe Mdlalose a member of the ANC's military wing Umkhonto weSizwe (MK) and Sandile Garane who was a member of the ANC's Self Defence Unit (SDU's) at the Sangweni Section of Tembisa.

Mdlalose was the Commander of a unit in the Transvaal Urban Machinery of the MK that placed a mine on the railway line between Dunswart and Apex. The mine exploded and caused the train to be derailed and nobody was killed or injured in the incident.

Garane was granted amnesty in respect of the murder of an unknown person and attempted murder of another person in Tembisa during October 1990. The Committee found that Mdlalose and Garane made full disclosure and acts were associated with a political objective.

Victims of the murder and attempted murdered persons were referred to the Reparation and Rehabilitation Committee for consideration.

PHILA NGQUMBA 021 - 4238741 OR 4245161
June 30, 2000

CHANGE OF DATE FOR HEARING IN PRETORIA

The TRC amnesty proceedings into the atrocities by former SADF members in Namibia previously to be held as from Monday July 3, 2000 has been postponed to start on Wednesday July 5, 2000 at the Wesley Methodist Church in Pretoria.

For more information call Mbulelo Sompeta : 082 452 7870.
The TRC's Amnesty Committee today refused amnesty to two Ciskei Defence Force (CDF) soldiers who applied for amnesty for their role in the Bisho Massacre which took place on September 7, 1992.

The Committee found that the actions of Vakele Archibald Mkosana and Mzamile Thomas Gonya who were members of the CDF were not actions constituting acts associated with a political objective. The Committee further found that there was no doubt that some of the marchers acted in breach of the conditions of the permit when they burst towards the stadium.

"But to simply open fire on everyone under the pretext of enforcing the conditions of the permit was totally unjustified in the circumstances. Indeed this reaction was irrational and disproportionate and that it cannot be accepted that the leaders of the marchers who left the stadium should have foreseen this reaction," the presiding Judge Denzil Potgieter said.

The Committee also found that the probabilities are that warning would have been sufficient to cause the breakaway group to turn back. The Committee described the conduct of the Ciskei Defence Force troops as reckless on the day of the shooting.

The panel rejected Gonya's evidence that on that day of the shooting he used the rocket launcher in execution of orders from Mkosana who was a Senior Officer. Gonya testified that as soldiers they did not see the need to shoot and hesitated before they carried out the order.

Mkosana however denied having given Gonya an order to use a rocket launcher. The Bisho massacre occurred when leaders of the ANC led alliance organised a march to Bisho demanding the resignation of the Ciskei Military Ruler, Brigadier Oupa Gqozo and that the Ciskei be placed under an Interim Administrator. Twenty eight people were killed and more than 300 were injured when the homeland soldiers opened fire on the marchers.

Also refused amnesty by another Committee are Nkosinathi Nyawuza, Elijah Nyawuza, Francis Meyiwa and Gilbert Ndimande all ANC supporters for the killing Victor Lembede at the Ngonyameni Reserve in KwaZulu Natal in June 1991.

PHILA NGQUMBA (021) - 4238741 OR 4245161
AMBUSHD AND KILLING OF 6 MK CADRES AT NERSTON

The Amnesty Committee of the TRC will resume the hearing on the part-heard amnesty applications of ten former Vlakplaas operatives at the Idasa Centre in Pretoria on Wednesday July 14, 2000, for their role in the ambush and killing of six Umkhonto Wesizwe applicants at Nerston near the Swaziland border in 1986.

The cadres who were lured into the ambush were on their way to South Africa. Of the ten applicants, five applicants including De Kok, have already been heard in this matter. The remaining five consists of Paul van Dyk, Izak Bosch, Almond Butana Nofomela, Douw Willemse and Cornelius and Johannes Botha.

All sittings of the tribunal will start at 9.30am.

For more information please call Phila Ngqumba at 082 458 8463.
ANC APPLICATIONS HEARD IN PRETORIA

The Amnesty Committee of the TRC will as from Monday July 17 to 28 in Pretoria, hear amnesty applications of gross human rights abuses in ANC army and detention camps by twenty two former ANC security applicants.

The "Mbokodo", as the ANC's security apparatus was known, has been accused of torturing detainees suspected of being apartheid security agents who had infiltrated the organisation during its exile in Zimbabwe, Angola, Tanzania, Lesotho and Mozambique.

Thabo John Sphambo has applied for the death of Eric Pharasi in Kibashi, Angola in 1981. Kabelo Nimrod Matlaletsa has applied for the manslaughter of "Jovan" in February 1986 in Morogoro, Tanzania.

Saul Mandlenkosi Mandlazi has applied for screening, interrogation and assault of Sizwe Mabaso in Maputo in 1982.

Mzwandile Leon Ndaba Charles and Martin Lieta have applied for an incident in which Goodluck Bhekinihlanhla Mpungose was interrogated.

Samuel Mathidi Mangena has applied in relation to the assault of Edward Dlamini in Luanda, Angola in 1984.

Wandile Nathan Dlamini has applied for his involvement in the torture of Gabriel Phemelo Sthloke and the gathering of Intelligence information in respect of Isaack Seleke.

George Nkosinathi Thwala and Martin Mmapatla Ramphomane have applied for the killing of Monde "Chief" Mpatheni in Botswana in July 1981.

Keith Mokoape has applied for causing the arrest of several people and collecting information in respect of Dumisani Khoza which was then passed to the ANC's security department.

Oupa Shadrack Khumalo has applied for Human Rights Abuses that may have been committed while a Senior Officer in Angola, Zambia and Zimbabwe.

Moruti Edmund Noosi has applied for the shooting of Mwezi Thwala in 1984 and the assault of Ben Mmaseko during 1981 - 1985 in Angola.

Mzwandile Damoyi has applied for the existence of poor cell conditions in Camp 32 in Angola during 1983 - 1985 which resulted in the deaths of Zaba Maledza and Edward Masuku.

Itumeleng Tsimane has applied for the detention of Diliza Mthembu in Luanda in 1983.

Reginald Rabotapi has applied for the assault on Norman Phiri in Camp 32 (Quatro).

Ndima Saliwa and Kakole Motlatsehave applied for the killing of Isaack Seleke in Maseru in 1985.

Harold Khoabane has applied in relation to alleged supervision of the torture of Sipho Bongani Ngema at the Tirnoava Camp in Angola in November 1988.

Basil Mkhulu Mavuso has applied for Human Rights Abuses that may have occured during 1980 - 1994 in Angola, Zambia, Zimbabwe, Mozambique, Botswana and South Africa.

Ralph Petersen (Lawrance Sekwalo) has applied for acts that may have occured at the prison "CC" in Angola during 1984 - 1988 and the acts perpetrated against Kate - no full names at this stage.

Lulamile Lennox Magajana has applied for the assault on David Mbatha in Lusaka in 1988.
Thlomedi Ephraim Mfalapitsa has applied for the killing of Thembisile Tuku (alias Shorty) in 1980 and the torture of "Disco", "Sewela" and "Tumisang". Mfalapitsa later voluntarily decided to join Vlakplaas while on a mission, is a now priest.

The hearings will be held at the Idasa Centre, Pretoria, cnr Prinsloo and Visagie Streets. Proceedings start at 9.30am.

For more information, call Mbulelo Sompetha at 082 452 7870.
July 14, 2000

VLAKPLAAS AND SECURITY BRANCH HEARING RESUMES

The hearing of ten former Vlakplaas Unit members and the Durban Security Branch members resumes in Durban next week. The applicants Andrew Taylor, Hendrik Petrus Botha, Johannes Du Preez, Adriaan van der Westhuizen, Lurence Wasserman, Roelof Visagie, Marthinus Ras (jnr), Adrian Baker, Simon Radebe and Xolani Mbane are seeking amnesty for the kidnapping and death of Ntombikayise Khubeka in May 1987.

Ntombikayise Khubeka was allegedly an ANC co-ordinator of externally and internally trained MK members living in Kwa-Mashu in 1987. Mbane and Debe who were Askaris from the Vlakplaas Unit, were used to infiltrate the network by pretending to be returning ANC exiles.

The hearing will take place at the Durban Christian Centre, cnr Berea Road and Warwick Avenue, Durban starting July 18 - 28.

For more information - Nosisi Tyantsi 082 458 8459.
DE KOCK'S TRAINING OF ASKARIS, BOTSWANA RAID

The Amnesty Committee of the TRC will hold two different hearings in Pretoria next week - the ANC Quatro matters at the Idasa Centre and Dekock's matters at the Wesley Methodist Church. A separate statement on the continuation ANC Quatro matters which started on July 17, has been issued and the hearings continue until July 28.

In the matters that will take place at the Wesley Methodist Church on Monday July 24, Eugene De Kock, applies for attempted murder, assault, and damage to property. He says he trained Askaris in the use of knives and pistols who were subsequently deployed in Swaziland. The Askari by the name of Ndam, stabbed to death an unnamed ANC member in Swaziland.

In the second matter, De Kock, Wybrandt du Toit and Jacobus Kok are applying for attempted murder and of obstructing justice. He says he was approached by Anton Niewoudt of Directorate of Covert Collection to assist in manufacturing a manuscript with explosives. The manuscript was a biography of an Mk member whom they had intercepted. An ANC courier who opened the package in Swaziland was injured when the package went off. Implicated are Brigadier Willem Schoon and Anton Niewoudt.

These matters are scheduled to be heard from Monday 24 July to 28.


Implicated persons are General Magnus Malan, Colonel Kallie Steyn, PW Botha, General Herman Stadler, General Johan Van Der Merwe, Pik Botha, Commander Charl Naude, General Johan Coetzee, General Constand Viljoen, Major Craig Williamson, General Kat Liebenberg (deceased), Col. Joe Verster, Col. Joubert, Col. Hill, Col. At Nel (Military Intelligence) and Minister Louis Le Grange (deceased).

The victims were Thami Mnyele, Michael Frank Hamlyn, Cecil George Phahle, Lindiwe Phahle, Joseph Malaza, Thembu Duke Matshobane, Peter Masoke (age 6) Mkhulu Basil Zondi- wife and daughter shot and wounded, Busi Mokoena was wounded in the thigh, Elina Mahlangu wounded and is now deceased, Somalian Ahmed Geer and his Dutch wife who was seriously wounded, two Botswana women, Galdys Kesupile and Eugenia Kobole, two people were wounded at a roadblock, a white male wounded in the leg and his black girlfriend was shot in the back.

For more information call Mbulelo Sompetha at 082 452 7870.
July 21, 2000

EIKENHOFF THREE HEARING

The Truth and Reconciliation Commission Amnesty Committee will consider an amnesty application from Azanian People's Liberation Army (APLA) Commander, Phila Martin Dolo for killing of the Eikenhoff Three, as he gave the orders for the attack. The hearing will be held at the JISS Centre in Mayfair, Johannesburg as from Monday July 24 to 28, 2000.

Four other APLA cadres will also be applying for amnesty for various offences including murders, attempted murders and robberies.

Dolo claimed in his application that the Eikenhoff attack was the first special operation in Gauteng. The operation was carried by four APLA operatives using AK47's and a hand grenade.

Dolo was carrying instructions from the APLA High Command when he ordered the attack on the Eikenhoff Three. Dolo is also applying for amnesty for the murder, attempted murder and possession of arms and ammunition.

In May 1993 the applicant attacked a police van in Soweto in which one policeman was killed and the other one injured. Dolo is also applying for amnesty for the ambushes in Lady Grey, Zastron and Ficksburg where farm houses were attacked.

Several people died and many were injured during the attacks and grazing fields were burnt. Thapelo Maseko an APLA Commander of a special unit "Repossession Unit" is applying for robbing an Orlando East garage in 1990 where no one was injured.

Phillip Masilo applies for amnesty in connection with a robbery committed on October 16, 1995 at Capital Park in Pretoria. During the course of the robbery the owner was injured and subsequently died of head injuries.

Pitso Makume also an APLA cadre applies for amnesty for the attack of the Mahlati Butchery in Zandela Township, and the attack on a SADF depot in De Aar in 1992, during which arms and ammunition were taken and an attack at the Panama Farm. In 1993 Makume attacked the Kragbron, Dog Unit and Sasolburg 1 where three police reservists were injured.

Also applying for amnesty at the same hearing will be an ANC member, Daniel Phasha for a murder committed on February 16, 1993. Phasaha maintained that the attack was to protect the community as the victim was said to be a witch doctor who had killed many people.

PHILA NGQUMBA (021) - 4238741 OR 4245161
SUMMARY OF HEARINGS FOR NEXT WEEK INCL. ANC 'MBOKODO' MEMBERS

The Amnesty Committee of the TRC is to hear the remaining Ten amnesty applications next week, by former ANC security "Mbokodo" members for Gross Human Rights Violations they committed in the ANC detention camps at the Idasa Centre, corner Prinsloo and Visagie Streets, Pretoria next week. The matters are scheduled to be heard between Monday and Tuesday July 24 -25.

The "Mbokodo", as the ANC's security apparatus was known, has been accused of torturing detainees suspected of being apartheid Security Agents who had infiltrated the organisation during its exile in Zimbabwe, Angola, Tanzania, Lesotho and Mozambique. Of the original list twenty two members who had applied, eight have been heard while four withdrew their applications during the hearings.

The remaining matters for next week are the following:

George Nkosinathi Thwala and Martin Mmapatla Ramphomane have applied for the killing of Monde "Chief" Mpatheni in Botswana in July 1981.

Keith Mokoape has applied for causing the arrest of several people and collecting information in respect of Dumisani Khoza which was then passed to the ANC's security department.

Oupa Shadrack Khumalo has applied for Human Rights Abuses that may have been committed while a Senior Officer in Angola, Zambia and Zimbabwe.

Reginald Rabotapi has applied for the assault on Norman Phiri in Camp 32 (Quatro).

Ndima Saliwa and Kakole Motlatsehhave applied for the killing of Isaack Seleke in Maseru in 1985.

Harold Khoabane has applied in relation to alleged supervision of the torture of Sipho Bongani Ngema at the Tironova Camp in Angola in November 1988.

Lulamile Lennox Magajana has applied for the assault on David Mbatha in Lusaka in 1988.

Thlomedi Ephraim Mfalapitsa has applied for the killing of Thembisile Tuku (alias Shorty) in 1980 and the torture of "Disco", "Sewela" and "Tumisang". Mfalapitsa who later voluntarily decided to join Vlakplaaas while on a mission, is a now priest.

For more information, call Mbulelo Sompetha at 082 452 7870.
STATEMENT FROM DUMISA NTSEBEZA

The Press Conference apparently held by the PAC on the death of SABELO PHAMA is significant more for its sensationalism than its accuracy. It bristles with the sort of inaccuracies that are always a result of sensational seeking by those who do not first check their "facts", so called, before rushing to the media. I am only dignifying their claims with a response because they mentioned my name specifically, an not because their Press Conference calls for a reaction.

Firstly, there has never been a TRC Commissioner or employee called SARAH WOODHOUSE. WOODHOUSE was "Rich" Verster's lawyer in London.

Secondly, "Rich" Verster never confessed to anything as near to what the PAC claims. Anyone who reads the relevant portion of the transcript will notice that Verster was speculating, propounding what really amounted to another conspiracy theory about the death of SABELO.

Thirdly, after studying the transcript, and comparing it with other information at my disposal at the time (and given our time and capacity constraints) I was firmly of the view that there is not much that one could conclusively link the death of SABELO with any of the claims made by Verster. I did not even bother to check with Eugene de Kock.

Lastly, I would ordinarily resent the insinuation in the statement that the TRC deliberately sought to conceal anything from "the family". For the information of those who were seeking the statement, I was in touch with DUDU, SABELO's wife, to the extent necessary. I was also in touch, on the same basis, with the father of SABELO, to whom I am distantly related, SABELO having been a distant cousin in the African clan relationship terms.

I told all of them that there are a number of theories that raise suspicion - just as there are such theories around the murder of CHRIS HANI, STEVE BIKO etc - but they are inconclusive.

I have therefore always held the view that some things would have to be pursued some other time by some other agencies. The TRC could not do everything given their many constraints.

The PAC can go the TRC as they said they will, but I cannot see that it will not be an exercise in futility.

D.B. NTSEBEZA (Acting Judge and former TRC Head of Investigations)
July 27, 2000

1985 BOTSWANA RAID HEARING

The Amnesty Committee of the TRC will on Monday July 31, consider twelve amnesty applicants who have applied for their roles in the killing of fourteen alleged ANC members in Gaborone - Botswana on June 14, 1985.

Scores of other people were wounded in random shootings while the attackers were retreating.

The matters will be heard at the Wesley Methodist Church, corner Andries and Visagie Streets in Pretoria starting Monday July 31 - August 4, 2000.

The applicants, who were a combined force of Soweto Special Branch members as well as SADF Special Force members, entered Botswana using different vehicles two days before the attack in order to identify targets.


Implicated persons are General Magnus Malan, Colonel Kallie Steyn, PW Botha, General Herman Stadler, General Johan Van Der Merwe, Pik Botha, Commander Charl Naude, General Johan Coetzee, General Constand Viljoen, Major Craig Williamson, General Kat Liebenberg (deceased), Col. Joe Verster, Col. Joubert, Col. Hill, Col. At Nel (Military Intelligence) and Minister Louis Le Grange (deceased).

The victims were Thami Mnyele, Michael Frank Hamlyn, Cecil George Phahle, Lindiwe Phahle, Joseph Malaza, Themba Duke Matshobane, Peter Masoke (age 6) Mkhulu Basil Zondi- wife and daughter shot and wounded, Busi Mokoena wounded in the thigh, Elina Mahlangu wounded now deceased, Somalian Ahmed Geer and Dutch wife seriously wounded, two Batswana women, Galdys Kesupile and Eugenia Kobole, two people were wounded at a roadblock, a white male was wounded in the leg and his black girlfriend was shot in the back.

For more information call Mbulelo Sompetha at 082 452 7870.
NTOMBI KHUBEKHA MATTER

The Amnesty Committee of the Truth & Reconciliation Commission is currently hearing the amnesty applications of Sam du Preez, Laurie Wasserman, Henthie Botha, Brand Visagie, Dave Baker who are former members of the Durban Security Branch, for the death of Ntombi Kubheka during 1989.

The deceased's remains were exhumed on 5th May 1999 from a paupers grave approximately 10 years after burial. This followed an investigation by the TRC investigators into her death having occurred during an alleged interrogation session at the hands of the Security Police.

The deceased was alleged to have been a leader of an ANC MK resistance group based in Swaziland and was captured by the Security branch after being betrayed by an informer.

The applicants allege in their submissions for amnesty that the deceased collapsed during the interrogation and died. Her body was then disposed of at an area known as Bambayi near Kwa-Mashu, Durban.

During the autopsy after the exhumation during May 1999, it was discovered that the skull presented a gunshot wound and in fact a 7.65mm calibre bullet was recovered from the skull.

In an effort to positively identify the exhumed body as being that of the deceased, the TRC obtained a forensic report of Professor Peter Vanezis, of the Department of Forensic Medicine and Science at the University of Glasgow, Scotland regarding the reconstruction and superimposition of the skull to recreate facial identification. - Due to various difficulties securing the attendance of Professor Vanezi's to testify in South Africa the TRC facilitated the evidence being given via a video conference link up between Washington D.C., where the Professor was conducting certain work, and Durban, where the hearings was taking place.

The evidence presented by Professor Vanezis raised a very high degree of probability that the skull was that of the deceased.

The TRC wishes to thank the State Department and Federal Bureau of Investigation in Washington U.S.A., the American Consulate in Durban and the South African Department of Foreign Affairs for their kind co-operation and assistance in making this achievement possible.

A special thank is extended to the following persons without whose help this evidence would have not been able to have been received by the Amnesty Committee:


Inquiries: Paddy Prior - National Legal Officer 082 451 3276
MINISTER KASRILS TO APPEAR BEFORE AC

Water Affairs Minister, Mr. Ronnie Kasrils will appear before the Amnesty Committee of the TRC tomorrow for his role as the Commander of the De Lange Unit, in an application with three other MK members.

The Unit placed explosives at Linksfield Ridge Communication Towers in Johannesburg and near a military bus in the East Rand. No persons were injured at both these incidents. However, three members of the unit under Mr. Kasrils command Michael De Lange, Ian Hugh Robertson and Susan Catherine De Lange were charged and sentenced to between eighteen and twenty five years in November of 1989. They were released during April 1991 in terms of the Pretoria Minute.

Whilst the three are to appear before the Committee this afternoon, Mr. Kasrils who is presently in Cape Town is expected to appear before the Committee tomorrow.

Inquiries contact : Nosisi Tyantsi on 082 458 8549
AMNESTY GRANTED TO KZN ANC AND UDF LEADER

The Truth and Reconciliation Commission's, Amnesty Committee today granted amnesty to the KwaZulu-Natal leader of the African National Congress and United Democratic Front, Muzuvukile Curnick Ndlovu.

Ndlovu applied for amnesty for committing sabotage during December 1961 and June 1963 near Durban. The applicant served a long term sentence on Robben Island for the offence and was part of the leadership of the United Democratic Front in Natal in the 1980's.

Also granted amnesty were Heinrich Enckhausen Bohmke, William David Louw and Moses Bushy Kelobonye for damaging the Conservative Party offices. Bohmke, Louw and Kelobonye applied for amnesty for damaging the office of the Conservative Party and also for unlawful possession of explosives during April 1993 in Roodepoort, Gauteng.

The Committee found that the three applicants have met the requirements of the Act. The Committee further granted amnesty to Ntsumbedzeni Alson Tshitahe for committing arson to government vehicles, arson in respect of government school buildings in Sibasa area Venda and sabotage in 1976.

Tshitahe was refused amnesty for the offences of robbery and unlawful possession of firearms and ammunition. July-Mabakoko Mtsweni, Speelman Mtsweni, Johannes Mahlangu, Phillip Mtsweni and Charles Skosana were granted amnesty for the murder of Emmah Mtsweni in January 1991, in Kwandebele, Mpumalanga Province.

The incident was sparked by the alleged bewitching of the Mtsweni parents. The Committee found that the applicants have made a full disclosure of all relevant facts. The issue of witchcraft was but one factor that played a role in the eventual culmination of events leading to the death of the deceased.

Phila Ngqumba 021 - 4238741 or 4245161
ARCHBISHOP TUTU RETURNS TO CAPE TOWN

The Chairman of the Truth and Reconciliation Commission, Archbishop Desmond Tutu will be coming back to South Africa from Emory University in Atlanta where he was lecturing Theology.

The Archbishop spent almost two years in Atlanta where he was also receiving medical attention. He will be arriving at the Cape Town International Airport with his wife Leah.

A press conference will be held at the airport, in the VIP Boardroom Lounge at 11.30a.m. on Thursday August 17, 2000.

Inquiries: PHILA NGQUMBA (021) - 4238741 OR 4245161
August 18, 2000

AC CHAIRPERSON JUDGE MALL PASSES AWAY

Judge H. Mall the Chairperson of the Amnesty Committee of the TRC has passed away in hospital in Durban today after a short illness.

Our most sincere condolences and well wishes is extended to Mrs. Sylvia Mall, son Envor and wife Savanna, daughters Marciana and Shireen.

Management and Staff Truth and Reconciliation Commission.
Nineteen former apartheid security amnesty applicants will appear before the TRC's Amnesty Committee on Tuesday August 29, for their roles in the burning of the Khanya House Pretoria offices of the Catholic Bishops Conference on October 12, 1988.

The Khanya House matter which was scheduled to start on Monday, has however been moved to Tuesday to allow for the finishing of the matter into the killing Adriaano Bambo by Eugene De Kock, Duiwel Britz and Daniel Snyman in the late 80's.

The nineteen applicants, Eugene De Kock, Robert McIntyre, Douw Willemse, Dawid Britz, Willem Nortjie, Izak Bosch, Jacobus Kok, Jacob Francois kok, Paul Jacobus Hattingh, Johan Tait, Larry Johan Hanton, Hendrik Du Plessis, Nicolaas Vermeulen, marthinus Ras, Wybrand duToit, Wilhem Riaan Bellingan, Hendrik van Niekerk Kotze, George Francois hammond and Leon Flores have all applied for their different roles in the planning and subsequent burning of the church building.

The hearing start at 9.30 and finishes at 16h.00 from Monday until Friday at the Idasa Centre, Pretoria.

Inquiries: Nosisi Tyantsi - 082 458 8459
LATEST AMNESTY DECISIONS RELEASED

The TRC's Amnesty Committee today granted amnesty to thirteen Thokoza Self Defence Unite (SDU) members for killings, kidnapping, robbery, undetermined number of attempted murders, unlawful distribution and possession of an undetermined number of firearms, AK 47's and explosives.

The incidents happened in Thokoza between 1990 and 1994 during the pick of political violence between the African National Congress and the Inkhatha Freedom Party supporters. The political turmoil caused death and suffering of residents of Thokoza and surrounding areas.

Granted amnesty were Jabu Nyethe, Mogoera Modikoa, Thanduxolo Mqibi, Themba Xaba, Perry Dlamini, Sandile Ngubeni, Chichela Machitje, Meshack Thule, Cyril Chisoma, Lucky Molahleli, Embrose May, Kifuwe Nhlapo and Molefe Selepe.

Each applicant made application for amnesty in respect of various offences. The SDU leadership identified the IFP and its members as enemies and attackers of the ANC supporters. The Committee found that the applicants made full disclosures and acted with a political motive.

Also granted amnesty was Mathys Botha, Johannes Steyn and Laurence Wasserman for killing of Blessing Mabaso, Brian Memela, Luvuyo Mgobozi and Mbongeni Zondi on September 7, 1986 on the N2 highway in Durban.

The applicants were members of the South African Security Police and the deceased were allegedly trained members of Umhkonto We Sizwe. The applicants said the police had received information that Memela and his group were responsible for an attack on Winnington Sabelo's home.

The Committee found that the killings were associated with a political objective. The families of the deceased were referred to the Reparation and Rehabilitation Committee for consideration.

Also granted amnesty were two APLA members, Temba Phikwane and Mandla Yende for the attack on SADF members on December 16, 1986 and ANC member Tsepo Buhlali for malicious damage of Zola Municipality offices in Soweto in November 1987.

The Committee further refused amnesty to Zweli Mhlongo and Ashley Masil for the kidnapping and killing of Hendrik Jacobus Pyper in February 1994 in Mankweng in the Northern Province.

PHILA NGQU MBA 021- 4238741 OR 4245161
August 30, 2000

HEARING ON CAPRIVI TRAINEES ATTACK ON VICTOR NTULI'S HOUSE

The Amnesty Committee of the TRC is to consider the amnesty application of Andre Cloete for his role in the murders committed during an armed attack by IFP members on the house of UDF member, Victor Ntuli at KwaMakhutha on January 21, 1987, who were trained in Caprivi by Cloete and others.

The hearing is to be held at the Durban Christian Centre on Thursday August 31, 2000.

Fourteen people were killed when IFP trained Caprivi trainees assisted by the SADF Military Intelligence operatives attacked Ntuli's house.

During the attack, Isabel Kubheka, William Ntuli, Linda Edward Ndwalane, Phumelele Ndlovu, Jabu, Nomfundo Prudence Thusini, Vukile Thusini, Nunu Sithembile Ntuli, Mbusa Thusini and Sanele Thusini were murdered in their sleep.

The "Operation Marion" was an SADF operation aimed at assisting the IFP in para-military training allegedly for self defence.

On December 19, 1985, Directorate of Military Intelligence, Pieter Groenewald, presented IFP leader Mangosuthu Buthelezi's requirements before the State Security Council meeting in Cape Town, that the Defence Force should train a defensive unit of 50 -100 men and an offensive unit of 10-20 men on a covert basis for Buthelezi and Inkatha.

General Magnus Malan, Louis Botha, Johan Gelderhuys, Andreas Liebenberg, Andries Putter, Cornelius van Tonder, Pieter Groendewald, Cornelius van Niekers, John Reeves More, Jan vander Merwe, Jacobus Victor, Gerhardtus Mario Jacobs, Gerrit Gresel, Mekohizedee Zakhele (MZ) Khumalo, Alex Vnlindlela Biyela, Hloni Andreas Mbuyazi, Price Mkhize, Martin Khanyile, Celukwanda Ndlovu and Peter Msame were all acquitted in 1997 for their role in the KwaMakhutha attack.

The attack on Ntuli's house followed extensive preparation, planning, intelligence gatherings and as well as consultation between the Military Intelligence and Ulundi, prior to the killings.

For more information call Mbulelo Sompeta - 082 452 7870.
September 14, 2000

AMNESTY HEARING IN PORT ELIZABETH

The TRC Amnesty Committee is to consider three sets of applications in Port Elizabeth from Monday next week. Amongst the applicants is the ANC dissident Patrick Hlongwane applying for amnesty in respect of two incidents he was involved in. He alleges that he received instructions from Gideon Niewoudt and Col. Roelofse to protect the houses of Tamsamqa Linda and Z.H. Phuthu who were then town councilors alleged to be threatened by UDF. It was during this period that he claims he was involved in the petrol bombing of several houses belonging to the UDF members. He also seeks amnesty for giving false evidence in court incriminating some of the victims to have been involved in the attacking of buses with stones. The victims were later convicted as a result thereof. The incidents took place in the 1980’s. Also applying for amnesty is Andre Cloete a former SADF Sergeant for his role in training as assistance in respect of Operation Marion. This was an SADF operation aimed at assisting IFP in para-military training allegedly for self-defense. Following extensive planning, intelligence gathering as well as consultation between Military intelligence and Ulundi, Caprivi trained IFP members attacked the house of UDF members Victor Ntuli. Fourteen people were killed and four injured during the attack which took place on January 21, 1987. In another matter Thembile Ngxokolo is applying for amnesty for several assaults on the policemen and civilians as well as burning of Kama Primary School, on the 7th August 1976 in Port Elizabeth.

The hearings will be held at the Centenary Hall, in Port Elizabeth from 18-22 September 2000.

For more information contact Nosisi Tyantsi at 082 4588 459.
September 15, 2000

DECISION ON EIKENHOF THREE MATTER

The Amnesty Committee of the TRC today granted amnesty to a Commander of the Azanian Peoples Liberation Army (APLA), Phila Dolo for taking part in the killing of the Eikenhof Three during March 1993.

Dolo applied for amnesty for his role in the killings of Zandra Mitchley, Shaun Mitchley, Claire Silberbauer and attempted murder of Norman Mitchley and Craig Lamprecht on the Johannesburg /Vereeniging Highway.

Dolo told the panel that he ordered and commanded the operatives who carried out the operation because whites in particular were legitimate targets of APLA's attacks.

The Committee found that Dolo met the requirements of the Act in that he made full disclosure and that the Eikenhof Three incident constituted an act associated with a political objective. The next of kin of the deceased, Norman Mitchley and Craig Lamprecht were referred to the Reperation and Rehabilitation Committee for consideration.

Another APLA cadre granted amnesty was Luyanda Gqomfa for murder, attempted murders, malicious damage to property, unlawful possession of an R5 rifle and ammunition. Gqomfa was involved in shootings during March, 1992 at the Ndofela and Mayaphuthi Villages in the Sterkspruit area.

Also granted amnesty by the Committee were the Minister of Water Affairs and Forest, Ronnie Kasrils, Micheal De Lange, Ian Robertson and Susan De Lange for being involved in the De Lange MK Unit from 1986 to 1988. The Unit was involved in respect of infiltration and deployment of MK Units, explosion of a communication mast pole, an airforce bus, attempted attacks on the Rosebank Police Station, the Randburg Commando Headquarters, and for gathering and submission of intelligence to the ANC.

An MK cadre Simon Ngubeni was also granted amnesty for the murders of Peter Rantsaile, Henry Kotzen and Jacobus Swanepoel on December 18, 1993 and for the explosion of a handgrenade at Leeuwhof Prison.

Also granted amnesty was an ANC cadre Jameel Chand for a number of explosions in and around the Johannesburg area. Chand planted limpet mines at the offices of the House of Delegates, Lenasia Management Committee and also the National Peoples Party on October 1, 1987.

PHILA NGQUMBA 021 - 4238741 OR 4245161
SUMMARY OF HEARINGS THIS WEEK, INCL. HARRASMENT OF MZWAKHE MBULI

The Amnesty Committee of the TRC will, as from Monday 18 September, consider nine different sets of amnesty applications in Pretoria for a number of Human Rights violations acts committed against political activists during apartheid rule.

The matters will be heard in Pretoria at the Wesley Methodist Church, corner Andries and Visagie Streets.

The first applicant, Kobus Klopper, will appear before the Committee for his role in the assault, arrest and planting of explosives on Mziwakhe Mbuli on March 17 1989. Mbuli is currently serving time at Leeukop Prison in Johannesburg on robbery charges.

The second matter is that of Christopher Mosiane who has applied for the abduction of Rodney Toka (a.k.a) Mk Bomber in Mamelodi in 1986. He is applying for his role in interrogating, assaulting and tubing of Toka.

Mosiane has also applied for kidnapping an unknown person in Mabopane, date unknown, with Simon Radebe and Colonel Prinsloo. Radebe and Prinsloo are not applicants in this matter.

Other matters for the week include: the attempted petrol bomb attack on a house in Mamelodi/Atteridgeville. Deon Gouws is the applicant.

Three amnesty applicants, Erik Goosen, JDL Coetser and Johannes Viktor have applied for a bomb attack on a house in Soshanguve between September and November 1986.

Goosen, Deon Gouws have applied for a bomb attack in Mamelodi West between January to April 1986.

Goosen has also applied for the assault of an unknown ANC Courier June to December 1987.

JDL Coetser. Johannes Victor and Gouws have applied for a bomb explosion at an activist house in Ekangala between February and March 1986.

Proceedings start at 9.30am.

For more information call Mbulelo Sompetha at 082 452 7870.
AMNESTY GRANTED TO 7 ANC SECURITY PERSONNEL

The Amnesty Committee today granted amnesty to seven African National Congress security personnel for murders, attempted murders, kidnapping and the assaults with intention to do grievous bodily harm in the ANC camps.

The offences were said to have happened in the ANC camps in Maputo, Kibashe in Angola, and Lusaka in Zambia between 1982 and 1987. During this period the ANC security personnel detained and interrogated people who they believed were agents of the state.

Granted amnesty by the Committee were Mandlenkosi Mandlazi, Thobo Sphambo, Mzwandile Ndaba, Motlalenloa Charles Lieta, Mathesi Mangena, Mzwandile Damoyi and Moruti Noosi. The Committee accepted that if the objective was to discipline members the organisation in order to build effective military organisation to fight the political struggle, offences associated with that objective would fall within the definition of the act.

Also granted amnesty were five members of the security police for murder of Oupa Madondo, the desecration of the corpse and disposal of his body near a farm Leeuspoort at Candover. Granted amnesty were Johan VanZyl, Spence Gold, Schalk Visser, Gerhardus Schoon and Disre Carr.

The Committee found that the act, omission to which the application relates is an act associated with a political objective and offences were committed in the course of the conflict of the past. The Committee referred the Madondo next of kin to the Reparation and Rehabilitation Committee for consideration.

The committee further granted amnesty to Joseph Koetle an ANC cadre for acts of sabotage on the railway stations in Mzimhlophe and Phomoleng, murder of Constable P.T. Makhalemele and escape from the Moaroka police station between 1993 and 1987. The panel found that Koetle met the requirements of the Act that of full disclosure and that crimes committed are associated with a political objective.

Phila Ngqumba 021 - 4238741 or 4245161
AMNESTY GRANTED TO SECURITY POLICE

The Amnesty Committee of Truth and Reconciliation Commission today granted amnesty to the former head of Unit B of the Northern Transvaal Security Police Branch, Johannes Cornelius Loots for the attempted murder of the Deputy Minister of Education, Father Smangaliso Mkhatshwa in 1987.

The incident happened at the Durban International Airport where a group of security police attempted to shoot Father Mkhatshwa who was part of the leadership of the Mass Democratic Movement in the country at the time. Loots gave instructions to Jacques Hechter and Paul van Vuuren both members of the security police to take an action against Father Mkhatshwa.

Hechter and van Vuuren were also granted amnesty by another panel for the same incident. The Committee found that Loots met the requirements of the Act in that he made full disclosure of the relevant facts and that the act was associated with a political objective. Father Mkhatshwa did not oppose the amnesty application and he was referred to the Reparation and Rehabilitation Committee for consideration.

Also granted amnesty was Joel George Martins for the murder of Benjamin Langa in May 1984 in Pietermaritzburg, the attempted murder of Zizwe Mthethwa and unlawful possessions of firearms and ammunition.

The Committee also granted amnesty to Sifiso Sphiwe Kunene for the smuggling of firearms and explosives into South Africa, throwing of a grenade through a window of a house in an attempt to kill Nkanyiso Malingan and two members of the KwaZulu police. Kunene was also granted amnesty for ordering the explosions of two CAN branches at West street in Durban during October, 1988.

A member of the ANC Self Defence Units Tshepo Nocodemus Kgosi was granted amnesty by the panel for killing Alfred Mbusyiselo Wilo in December 1990 at Evaton in Vereeniging. The incident took place during the political conflict between the African National Congress and Inkatha Freedom Party.

Phila Ngqumba (021) - 4238741 or 4245161
The Amnesty Committee is to consider four sets of applications by South African Police Service members, for various acts of atrocities committed against ANC members whilst in the employ of the SAP and SADF.

In one matter, Leon Williams Flores, Petrus Snyders and Gaboulwelwe Mosiane are seeking amnesty for their respective roles in the murder of an ANC member known as Mdo in Swaziland as well as arson at a Church in Witbank.

Also appearing is Isak Daniel Bosch and Willem Notje for arson at the home of an ANC activist in Swaziland, abduction and assault of an unknown activist in KwaNdebele, arson at the home of various activists in KwaNyamazane and arson at a church in Vryburg.

In another matter Petrus Snyders is applying for amnesty for the attempted murder of an ANC members in Swaziland and Mozambique. The applicant alleges that he was instructed to come to Swaziland and Mozambique where he and other members would have eliminated members of the ANC. The planned attacks were later aborted.

The hearings will take place at the Nelsville Community Centre, Grace Road, Nelspruit from 9th -13th Oct 2000.

Contact : Nosisi Tyantsi 082 4588 459

October 5, 2000

SA POLICE APPLICATIONS TO BE HEARD
AMNESTY GRANTED IN MBULI CASE

The Amnesty Committee of Truth and Reconciliation Commission today granted amnesty to a former Security Police Officer, Kobus Klopper who was involved in planting explosives in Mzwakhe Mbuli’s house in Pimville, Soweto during March 1989.

Mbuli a renowned poet and musician was actively supporting the liberation movements at the time. Kobus testified that Mbuli was to be removed from society in order to neutralised his political influence.

The Committee found that Kobus met the requirements of the Act in that he made full disclosure and the act had a political objective. Mbuli who did not opposed Kobus's application was referred to the Reparation and Rehabilitation Committee for consideration. Kobus was the only security policeman who had applied for amnesty for the incident.

Also granted amnesty was an Askari, Kimpani Peter Mogai for assault with intent to do grievous bodily harm on Jerome Maake on September 1982 in Tzaneen.

Mogai was also granted amnesty for perjury in an attempt to defeat the ends of justice in a criminal trial and kidnapping, detention and interrogation of Selby Mavuso during 1981 in Zeerust. The Committee refused amnesty to an ANC member Aaron Zibuse Zulu for the murder of six people and the attempted murder of fifteen school children during March 1993 in the Mpumalanga Province.

Refused amnesty is Dannyboy Nyathikazi for the murder of Musa Mahambane and for a bank robbery at the Umhlanga Rocks Centre in KwaZulu Natal during October 1991.

Phila Ngqumba 021 - 4238471 or 4245161
HEARING IN JOHANNESBURG NEXT WEEK

The TRC Amnesty Committee is to consider four sets of applications in Johannesburg next week starting Monday October 16, 2000 at the JISS Centre, cnr Queens and Battery Road, Mayfair. William Charles Smith is seeking amnesty for various incidents of torture, arrest and assault of political activists in the 1980's in and around Gauteng.

It is alleged that during 1980, the applicant was involved in an investigation which was aimed at persons connected with trade unions aligned to liberation movements. These persons were detained, interrogated and tortured both physically and psychologically. Smith together with about 19 (nineteen) of his security Branch colleagues participated in the investigation which was know as the Barbara Morgan investigations. He now seeks amnesty for his involvement therein.

In other matters Izak Daniel Bosch and Eric Goosen are seeking amnesty for monitoring inter alia, Ms Barbars Morgan, Neil Agget, Rene Roux, Carl Niehaus, Cedric Mason and Beyers Naude in the early 1980's.

Also seeking amnesty is Gary Leon Pollock for setting alight a vehicle which was parked in the parkway next to Barbara Morgan's bedroom. The incident took place around February 1990.

In another incident Paul Erasmus seeks amnesty for attempted murder and other related incidents, and also for malicious damage to property, illegal searching of premises, perjury, crimen injuria and theft. These incidents were committed against inter alia Beyers Naude, Shanty Naidoo, Neil Agget, Dr. Liz Floyd and Gavin Anderson in the 1980's.

The hearings will start at 9.00am.

Contact : Nosisi Tyantsi 082 458 8459
October 18, 2000

ARCHBISHOP TUTU IN HOSPITAL FOR TESTS

Archbishop Desmond Tutu is being admitted to hospital today to undergo further examinations under anesthetic. He underwent cryosurgery for prostate cancer last December and has been making a slow recovery.

Phila Ngqumba - (021) 423 8471 / 424 5161
October 19, 2000

UPDATE ON ARCHBISHOP TUTU

The former Chairperson of the TRC, Archbishop Desmond Tutu, has been discharged from hospital today.

He has had investigation for local discomfort thought to be due to an infection. The treatment he received in the United States for cancer of the prostate has been successful and there is no recurrence of cancer.

The Archbishop is well and will resume his normal light working schedule.

Phila Ngqumba - (021) 4238741/4245161
LATEST AMNESTY DECISIONS

The Amnesty Committee of the Truth and Reconciliation Commission today granted amnesty to four members of the former South African Security Police for the arson of the administrative offices of the Soweto Youth Congress in 1986 near the Ipelegeng Community Centre in Soweto.

They are Willem Coetzee, Lodewyk De Jager, Anton Pretorius and Ignatius Coetzee. The applicants were joined by Special Forces operatives during the operation. The Committee found that the applicants met the requirements of the Act in that they made full disclosure and that the explosion and arson was associated with a political objective.

Also granted amnesty is Peter Mbongo for illegal possession of an AK47 rifle and public violence committed in 1984 at Sebokeng.

Andile Amstrong Mntu was also granted amnesty for public violence, malicious damage to property committed in April 1993 in Zwelisha and Whittlesea in the Eastern Cape. Mntu maintained that he committed the offences in reaction to the death of Communist Party leader Chris Hani.

Enoch Msebenzi Nhlapo and Joseph Hlahane were granted amnesty by the Committee for unlawful possession of petrol bombs, committed in October 1992 in Ratanda in the district of Heidelberg.

Thembinkosi Henge who recently applied for amnesty in Cape Town for an armed attack on a Translux bus on August 1993 near Gamka River in Beaufort West was also granted amnesty.

Pan Aficanist Congress member, Sgubhu Abel Dube was granted amnesty for the illegal possession of an AK47 and a 9mm luger pistol and ammunition near Saambu Bridge in the district of Pietersburg. Meanwhile a former commander of ANC's Umkhonto We Sizwe, Paul Ramosetlha Rammusi was also granted amnesty for offences associated with a shoot-out with the police and an attack with a hand grenade on the house of a policeman in 1987 at KwaThema in Springs.

Phila Nqumba 021 - 4238741 or 4245161`
October 26, 2000

HEARING CANCELLED

Due for unforeseen circumstances the Amnesty Hearing that was scheduled to be heard at the IDASA Centre starting October 30 - November 3, has been cancelled.

We will be issuing a hearing schedule for the remainder of November early next week.

Phila Ngqumba - (021) 4245161
AMNESTY GRANTED TO SANDF CHIEF

The Truth and Reconciliation Commission's Amnesty Committee today granted amnesty to the Chief of the South African National Defence Force (SANDF), General Siphiwe Nyanda for committing offences of about thirty seven incidents, bombing of police stations, railway lines and a South African Defence Force building.

Nyanda committed these offences whilst he was commander and commissar of the Umkhonto We Sizwe (MK) Transvaal Machinery. Stationed in Swaziland Nyanda was also part of the ANC's political-military council.

Granted amnesty with Nyanda are former senior members of MK, Solly Zacharia Shoke and Malekolle Johannes Rasekatla. Nyanda as a commander when applying for amnesty, he also applied for incidents unknown to him unless stated by other applicants under his command.

The Committee found that Nyanda and his two applicants met the requirements of the Act in that all actions carried out had a political objective. Although Nyanda was not personally involved in the execution of operations they carried out under his general order and instructions.

The panel was satisfied that Nyanda made full disclosure of all relevant facts pertaining to his conduct as commander.

Also granted amnesty by the Committee was a former member of ANC who later joined the security police and became an askari, Christopher Mosiane. Mosiane applied for amnesty for petrol bombing the house of the late Griffiths Mxenge and that of a trade unionist at Umlazi in Durban.

Themba Nontlntane a member of the ANC was granted amnesty in respect of an attempted murder of "Stewart" a former member of ANC who had defected to the South African police.

The panel further refused amnesty to Franky Bennetts for unlawful detention and interrogation of members of United Democratic Front. Bennetts was also refused amnesty for the murder of a member of the Pan Africanist Congress whose name is unknown to the applicant. The applicants failed make a full disclosure and truthful disclosure pertaining to any of the incidents he applied for amnesty.

Phila Ngqumba (021) - 4238741 / 4245161
CLARIFICATION ON REPARATIONS ISSUE

The Truth and Reconciliation Commission's Reparation and Rehabilitation Committee would like to clarify (in the interests of concerned parties, especially victims) reports flowing on from discussions on SAFM on the 26th October, and related radio bulletins, that gave the impression that the Reparation Committee was allocated funds to distribute directly to victims of gross human rights violations, and that these will be disbursed from them imminently.

Whilst the Committee welcomes the developing awareness concerning the reparations process, it would like to re-emphasise that the Committee does not have, and cannot distribute funds directly to victims.

With regard to interim reparations, The Committee's mandate is to assess applications submitted, and made individual recommendations for grants and referral's. The Financial recommendations that the Committee makes are governed by regulations that limit expenditure to between R2000 and R5000 per interim reparation award.

The allocation of outstanding funds in the President's Fund is a matter for Government to decide, and is being currently considered through a process of costing and analysis of the recommended interventions by the Inter Ministerial Committee. The Reparation and Rehabilitation Committee has no mandate, beyond it's recommendations, to involve itself in matters related to disbursement of funds supplementary to those needed for the current interim process.

The impression that the Truth and Reconciliation Commission, specifically the Reparation and Rehabilitation Committee is able to access the President's Fund's resources and make direct reparation interventions, including financial aid to victims at regional offices is inaccurate and leads to raised expectations that cannot be met by the Commission.

Phila Ngqumba - (021) 4245161 / 4238741
November 14, 2000

DEseudoIIONS ON KHUMALO GANG ACTIVITIES

The Amnesty Committee today refused amnesty to two members of the Khumalo Gang, Themba Stephen Zimu and Thulani Terrance Tsotetsi.

A third member of the gang Nicholas Zwile Chamane was granted amnesty for offences directly associated with the massacre of persons at the Ngema Tavern on January 22 1993 in Natalspruit. Zimu and Tsotetsi applied for amnesty for the same incident but were refused amnesty.

The two applicants also applied for amnesty for their participation in a conspiracy to murder a civic leader and trade unionist Sam Ntuli and Vusi Tshabalala. The leader of the Khumalo Gang, Mbhekiseni Khumako and his brother Mwakhe Khumalo who were also implicated withdrew their amnesty applications at the start of the hearing.

Khumalo and their group were said to be affiliated to the IFP during the conflict between the IFP and the ANC in the Thokoza and Springs area during 1991 - 1993. The Committee found that criminal intent was the major reason for the involvement of Zimu and Tsotetsi.

The Committee was not satisfied that the two applicants have acted with a political objective and their applications were refused. The panel found that Chamane has complied with all requirements of the Act and that he has made a full disclosure of all the relevant facts.

Victims of the Ngema Tavern attack were referred to Reparation and Rehabilitation Committee for consideration.

Phila Ngqumba (021) 423 8741 / 424 5161
The Truth and Reconciliation Commission's Amnesty Committee will continue with the amnesty hearing regarding the Botswana raid where twelve members of the Security Forces are applying for amnesty.

Applying for amnesty before the Committee are Lodewyk De Jager, Johannes Meyer, Anton Pretorius, Willem Coetzee, Manuel Olifant, Philip Crause, Stanley Schutte, Christoffel Smit, Wikus Loots, Petrus Coetzee, Johan McPherson and Johannes Steyn.

All the other applicants have already testified before the Committee and Manuel Olifant will be the only applicant to still give evidence. There is a possibility that lawyers representing victims will call witnesses.

On June 14, 1985, twelve people were killed in Operation Plecksy, where houses and offices were attacked in Gaberone, Botswana. Eight of the dead were South African citizens. The others were Somalian citizens, a Basotho child and two Botswana citizens.

The applicants testified that what triggered the raid was an attack on the house of a Deputy Minister of the House of Representative in Cape Town. The hearing will be held at GISS Center, Mayfair in Johannesburg as from November 20 - 24.

Phila Ngqumba (021) 4238741 or 4245161
November 16, 2000

HEARING ON CCB OPERATIVES THIS WEEKEND

The Truth and Reconciliation Commission's Amnesty Committee will hear legal arguments from the legal representatives of the CCB operatives and victims over the weekend November 18 - 19, 2000.

The hearing will be held at the TRC offices, 8 Floor, 106 Adderley Street Cape Town. The Committee decided to hear the arguments over the weekend because of the unavailability of the lawyers during the week days.

Eight CCB operatives, Joe Vester, Leon Maree, Wouter Basson, Abram Van Zyl, Daniel Burger, Eddie Webb, Ferd Barnard and Carl Botha are applying for amnesty for their respective roles to the conspiracy to murder Transport Minister Dullar Omar, and a journalist Gavin Evans, and for the bombing of the Early Learning Centre in Athlone in Cape Town in 1989.

Phila Ngqumba (021) - 4238741 or 4245161
November 24, 2000

LATEST AMNESTY DECISIONS

The Truth and Reconciliation Commission's Amnesty Committee has today granted amnesty to nineteen Vlakplaas operatives and members of the security police for the bombing of Khanya House, the Pretoria headquarters of the Southern African Catholic Bishops Conference during October 1988.

Granted amnesty is the head of Vlakplaas, Eugene De Kock, Robert McIntyre, Douw Willemse, Dawid Brit, Willem Nortje, Izak Bosch, Jacob Kok, Francois Kok, Paul Hatting, Johan Tait, Larry Hanton, Hendrik Du Plessis, Nicolaas Vermeulen, Marthinus Ras, Wybrand Du Toit, Wilhelm Bellingham, Hendrik Kotze, George Hammond and Leon Flores.

The Committee found that the applicants met the requirements of the Act, and made full disclosure of all relevant facts and their actions had a political motive. As a result of the attack the building was severely damaged and the printing facility was destroyed.

All persons who were present in the building at the time of the incident were declared as victims and referred to Reparation and Rehabilitation Committee for consideration.

With the assistance of the brigade, the persons who were sleeping in the building were fortunate to escape without injury, but having been trapped in the fire for some time, they were all severely traumatised.

Also granted amnesty were five security policemen for the explosion of a car bomb in a Hi-Ace motor vehicle in which people were killed. The offence was committed in April 1987 in Gaberone, Botswana. The applicants are Willem Momerg, Eric Goosen, Philip Crause, Wikus Johannes Loots and Johannes Van Der Merwe. The panel refused amnesty to Nkosinathi Emmanuel Mavuso for the murder of Michael Mcetywa and attempted murder of an innocent bystander.

Phila Ngqumba 021 - 4238741 or 4245161
The Amnesty Committee of Truth and Reconciliation Commission next week will hear an application by former security police Paul Erasmus who is applying for amnesty for incidents of attempted murders, assaults and arson.

Erasmus applies for attempted murder of the late Helen Joseph, arson of the St. Mary's Cathedral in Johannesburg, the attempted murder of Vernon Berrang, assault of Stephen Marais and Dr Rocky Williams, attempted murder of Goodman Mogani and attempted murder and arson of the Alexandra Clinic in 1989.

Also applying for amnesty in the same hearing will be Gary Pollock for assaulting residents of the Alexandra township and the attempted murder and conspiracy to murder of Meshack Nhlapo.

The hearing will be held at JISS Centre, Mayfair Johannesburg from November 27 to December 1.

Phila Ngqumba 021 - 4238741 or 4245161
HEARING IN DURBAN NEXT WEEK

The Amnesty Committee of the TRC is expected to hear five different sets of amnesty applications in Durban next week starting on Monday November 27. The matters will be heard at the Durban Christian Centre corner Warwick Avenue and Berea Road.

However, details of the other three matters will be made in due course of the week with the exception of the following matter.

On Monday, the Committee will amnesty application of Bheki Magoso an IFP member, who has applied for his role in the violence between Richmond Farm Settlement and KwaMashu's K Section in 1989.

Richmond was an IFP controlled area while K-Section was UDF controlled. Scores of people were killed in the fighting and extensive damage was caused to property in the fight for political control.

The fighting is said to have initially started between Amasinyora Gang who later aligned themselves with the IFP and the UDF which controlled the township. The fighting spilled over to the Richmond Farm when some people fled to seek refuge there.

The hearing is also expected to shed light on the role of the former KwaZulu Police (KZP) in the political violence of Kwazulu-Natal.

On Wednesday, the Committee will hear legal arguments on the abduction and the subsequent disappearance of UDF/ANC activist, Ntombi Kubheka who was murdered in the early 80's. The matter has been heard before.

Information on matters that will be heard on Tuesday is sketchy and will be forwarded in due course.

Details of other matters will announced in due course. The hearings are scheduled for five days, Monday 27 November to Friday 01 December.

For more information call Mbulelo Sompetha at 082 452 7870.
November 24, 2000

MORE AMNESTY DECISIONS

The Amnesty Committee of the TRC today granted amnesty to thirteen amnesty applicants in respect of offences committed during the attack on the Boipatong Township and Slovo Park settlement in Vanderbijlpark on June 17, 1992.

The attack left forty five people dead, including elderly people, women and children and many were injured. The incident was accompanied by widespread destruction of property and damage to houses and personal possessions.

Granted amnesty by the Committee are Mqambelini Buthelezi, Bhekinkosi Mkize, Tebogo Magubane, Vincent Khanyile, Timothy Stals Mazibuko, Jack Mbele, Sonny Michael Mkwanazi, Mhlupeki Tsabangu, Sipho Buthelezi, Paulos Meikeleni Mbatha, Richard Dlamini, Victor Mthandeni Mthembu and Sithembiso Mountgomery Khubeke. The applicants were all members of the Inkatha Freedom Party (IFP).

The Committee found that the applicants have met with the requirements of the Act in that they made full disclosure of all relevant facts and their actions had a political objective.

Originally there were 18 applicants but Mr. Thomas Lukhozi, the English applicant withdrew his application and Mr. Mxoliseni Sibongeleni Mkize did not appear at the hearings and his application was accordingly struck off the roll on the last day of the hearing.

The panel further refused amnesty to three other applicants, Mathanzima Nosenga, Moses Mthembu and Petrus Mdiniso. The Committee found that in respect of the three applicants that there was nothing to suggest in the evidence that part of the motive for the attack was to steal the property of the residents. "Those who did so therefore did so for personal reasons and their acts were consequently not politically motivated. Accordingly, amnesty cannot be granted in respect of such acts." Victims in this incident were referred to the Reparation and Rehabilitation Committee for consideration.

The Committee further refused amnesty to Kevin Hall, Hendrik Roelofse, Jacobus De Ru and Josias Seemise. Hall was refused amnesty for the attack and exchange of gunfire where several freedom fighters were shot and killed. He was refused amnesty for the capturing and the torture of four others near the Mapungarvlei Base.

Roelofse was refused amnesty for the murder of Zakhele Mlotshwa on March 21, 1993 near Stilfontein in Klerksdorp. Seemise was refused amnesty for the murder of Zini Shongwe and six attempted murders committed at Kati Township in Ermelo.

An Azanian Peoples Organisation (Azapo) member Motlana Mphoreng was granted amnesty for the murder of a white security guard and unlawful possession of an unlicensed firearm and ammunition.

Meanwhile a member of the ANC's Umkhonto WeSizwe, Patrick Kunene was also granted amnesty for burning the homestead of the former Mayor of Soweto in 1983. Kunene was also granted amnesty for arson on the Don Shopping Complex of Donald Mmesi at Dobsonville in 1983.

Phila Ngqumba (021) - 423 8741
December 11, 2000

HEARING IN DURBAN NEXT WEEK

The Amnesty Committee of the Truth and Reconciliation Commission will hear a review of an amnesty application by David Petrus Botha a commander of a cell of Order Boerevolk.

Botha, Adriaan Smuts and Eugene Marais applied for amnesty for shooting a bus full commuters in Durban. Seven commuters died and twenty seven others suffered serious injuries resulting in many being permanently disabled and disfigured.

Applicants maintained that they launched a counter attacked following the stabbing of white people at the beach allegedly by PAC supporters. The applicants were sentenced to death that was later commuted to life.

Smuts and Marais were granted amnesty by the panel on the grounds that they acted on orders from Botha. Botha was refused amnesty because the operation was his own initiative and he was not acting on behalf of a political organisation. He took the Committee on review and the High Court ruled that his application should be looked at again by the Committee.

The hearing will be held at the Durban Christian Centre, Durban starting on Tuesday December 12 until Wednesday December 13, 2000.

Phila Ngqumba (021) - 4238741 or (021) 4245161
LATEST AMNESTY DECISIONS

The Amnesty Committee of the TRC has today 13 December 2000, granted amnesty to seventeen amnesty applicants while refusing two for political offences committed between 1960 and 1994. The offences consists of murder, torture, illegal possession of arms and ammunition and attempted murders that were committed inside and outside of the borders of South Africa.

Those granted amnesty include:

Mawethu Lubabalo Ntlabathi has been granted amnesty in respect of the assaults on Ms. Matsokoshe and Tebogo, committed in a PAC camp during or about 1992/1993 in or near Tanzania.

Heinrich Joahnnes Grosskopf has been granted amnesty in respect of offences and delicts arising from the car bomb explosion on or about 30 July in or near Quartz Street, Johannesburg.

Establishment of arms cache, consisting of: 4 x limpet mines with fuses and detonators, 2x hand grenades, 1x AK47 rifle with ammunition, committed on or about 24 July 1987 in the vicinity of Emmarencia Dam, Johannesburg.

He has also been granted amnesty for all offences arising from activities as a member of the Special Operations Unit of MK in furnishing the necessary support to operatives of MK carrying out military operations inside South Africa, committed during or about September until December 1989.

Amnesty has been granted to Gerald Herman Giose for theft (commandeering) of motor vehicles, battery and leaving South Africa without valid travel documents, committed during 1960 to 1963 and 1974 to 1994.

Johannes Pope Moshoaliba has been granted amnesty for the unlawful possession of an AK47 offence, committed on or about September 1993 at or near Thokoza, Gauteng.

Zanemvula Patrick Mathosa has been granted amnesty in respect of the illegal possession of explosives, malicious damage of the Jukies Ice Rink, committed during or about 1985 at or near Welkom.

Sandile Gerald Sizani has been granted amnesty in respect of terrorism, the unlawful possession of firearm and ammunition, unlawful possession of grenades and projectiles, explosives, possession of a forged reference book offences, committed during or about 1977 until 1986, and all offences arising from activities as a member of MK PWV region in support of SDU activities near Gauteng.

Basil Dumisani Mafu has been granted amnesty in respect of eight counts of murder related to the killing of Mlibo Namba, Louis Bonisle Mama, Nkosiyewze Zondi, Zamani Mveka, Daliwonga Nototi Mhaya, Warrant officer Ndabeni, Gladstone Mlungiseleli Mooi, and Mxolisi Ngwaqa. He has also been pardoned for attempted murder of five other people, malicious damage to Madeira Police Station, unlawful possession of firearms and ammunition, one count of murder in respect of Thamsanqa Ndzobole, two murders of unidentified victims, bombing of Mzamba Wild Coast Sun Hotel.

Salmon Du Preez, Jacobus Adriaan Vorster and Lawrence Gerald Wasserman have been granted amnesty for unlawful abduction and detention and killing of Bhekhayane Mkhwanazi (AKA MK Tekere) near Elandskop in Pietermaritzburg.

Christopher Mosiane has been granted amnesty for offences directly linked to the kidnapping of Peter Thabuleka and assault on Peter Thabuleka near Pretoria. He has also been granted amnesty for offences directly linked to the kidnapping of an unknown person and the subsequent assault on him near Mabopane in 1986.

Thlomedi Ephraim Mfalapitsa has been granted amnesty for the murder of a person by the name of Shorty, committed during or about 1981 at or near FC Camp at Lusaka in Zambia. He has also been granted amnesty for being an accessory to assault on persons known as DISCO, ACE, WELLINGTON, OSKOSH, DLADLA, DUMISANG AND MOYSE.
DIYAN, committed near Lusaka on or about 1979 - 1982.

Kevin Mabalengwe Mdlankomo has been granted for the killing of Sipho Ngema in Swaziland on or about 6 January 1988.

Enoch Muiseng Mashoala has been granted amnesty for seventeen incidents of bombing and of attempted murder in and around Pretoria as a member of MK in 1988.

George Martins and Martin Mmapatla Ramphomane have been granted amnesty for the murder of Monde Mphatheni on or about July 1981 near Lobatsi in Botswana.

Enock Mbuso Shabalala has been granted amnesty for killing Pat Mafuna on or about 1982 - 1986 near Baragwanath Hospital in Soweto

The two amnesty applicants who have been refused amnesty are: Mbuso Enock Shabalala and Sipho Moses Mbaqa. Shabalala has been refused amnesty for the attempted murder of Leonard Nxumalo who was killed at Thandakukhanya in the district of Piet Rietief while Mbaqa has been refused amnesty for killing of Manne Mokone in Kimberly in May 1993 as well as attempted murder on an unknown number of persons on or about 25 May 1993.

Transcripts for all the matters stipulated above are available on request from Odile Pearce on: 021 4245-205.