

AC/2001/003

TRUTH AND RECONCILIATION COMMISSION

AMNESTY COMMITTEE

**APPLICATION IN TERMS OF SECTION 18 OF THE PROMOTION OF NATIONAL UNIT AND RECONCILIATION ACT,
NO.34 OF 1995.**

ABOOBAKER ISMAIL 1st APPLICANT

JOHANNES MNISI 2nd APPLICANT

MOHAMMED IQBAL SHAIK 3rd APPLICANT

MOHAMMED ABDULHAI ISMAIL 4th APPLICANT

COLIN MARK DE SOUSA 5th APPLICANT

DAVID MOTSHWANE MOISI 6th APPLICANT

SIPHO MATTHEWS THOBELA 7th APPLICANT

DECISION

The applicants, in the main, concern incidents involving members of the Special Operations Unit of Umkhonto weSizwe ("MK"), the military arm of the African National Congress ("the ANC").

Special Operations, which was also known as the Solomon Mhlongo Unit, was established during 1979 by the National Executive Committee of the ANC at the behest of O.R. Tambo, the President of the ANC. Its mandate was to carry out high impact attacks on strategic economic and military targets which would have the effect of both inspiring the oppressed people and undermining the economy of the State. Initially it targeted strategic installations such as oil refineries, the Koeberg Nuclear Plant, fuel pipelines and the electrical power network as well as

military targets such as Voortrekkerhoogte. However, with the increase of cross border attacks and attacks on civilians by the Security Forces it was decided by the Special Operations Command to extend their range of targets to include Security Force personnel.

Special Operations had its own command structure which, in its first few years of existence, reported directly to the President of the ANC. Details of operational planning were classified and only Special Operations Command had full knowledge of the operations that were carried out by the Unit. During or about June 1983 a new military headquarters was established in Lusaka and Joe Slovo, who was up till then, the overall commander of Special Operations, was appointed as Chief of Staff of MK. From then on Special Operations Command reported to military headquarters through Joe Slovo and no longer reported directly to the President of the ANC.

At the commencement of its operations Special Operations had a personnel of fourteen members. At its height it had a membership of approximately sixty people. Its operations were carried out by units, which units, depending on the nature of the operation, varied in membership from two to six persons. All members of Special Operations were specially trained, although from time to time units would recruit other operatives locally to assist them in carrying out of an operation.

There were basically two modes of operations within Special Operations. The one involved specifically targeted operations which were planned by Special Operations Headquarters and carried out by specially appointed units and the other involved operations carried out within policy guidelines by units recruited inside South Africa which had a measure of autonomy.

Not all of the operations carried out by Special Operations are subject to this decision. The operations carried out in Kwa-Zulu Natal by an internal unit under the leadership of Gordon Webster and later Robert McBride were dealt with before another Committee which will give a separate decision concerning such operations.

It will be convenient at this stage to briefly describe each of the specifically targeted operations in respect of which evidence was led and also the operations of the internal unit known as Dolphin in which evidence has been received.

1. THE ATTACKS ON SASOL I, NATREF AND SASOL II

These attacks took place in the night of 31 May/1 June 1980 in order to coincide with Republic Day. Initial reconnaissance was undertaken during July 1979 and two teams of chosen cadres were trained in Angola for the operations. The operations were planned in fine detail to ensure their success and the safe withdrawal of the cadres involved.

The teams were infiltrated into the country and a final reconnaissance was carried out the night before the attacks. On the night of the attack the teams gained access to the refineries by cutting through the perimeter fence. Special limpet mines with thermite were then placed on fuel tanks and the teams withdrew undetected. The limpet mines exploded and eight fuel tanks in all were destroyed.

The team which attacked Sasol I and NATREF at Sasolburg remained in the country for approximately two weeks before returning to Mozambique via Swaziland. The team which attacked Sasol II at Secunda drove to Swaziland immediately after the attack and returned to Mozambique the next morning.

Nobody was killed in the attacks and the only casualty was a security guard at Sasol I who received injuries.

2. THE ATTACK ON VOORTREKKERHOOGTE

This attack took place on 12 August 1981.

Voortrekkerhoogte was the main command base of the South African Army. The initial reconnaissance was carried out by two ANC supporters from Europe, namely Klaas de Jonge and Helene Pastoors. A smallholding which was to be used as the base for the operation was rented at Broederstroom. Thereafter the commander of the unit which was to carry out the operation, Barney Molokoane, was infiltrated into the country. He selected the site from which the rockets used in the attack would be launched. The material to be used in the attack was then brought into the country from Swaziland and cached on the smallholding. The remaining members of the unit were then infiltrated into the country. They were Sidney Sibepe, Vuyisile Matroos, Johannes Mnisi, Vicks and Philemon Malefo.

The unit proceeded to the operational site, which was approximately four kilometres away from Voortrekkerhoogte and fired their rockets at the target. A GRAD-P rocket launcher was used to fire the rockets. However, as they were doing this a crowd gathered to watch them. Philemon Malefo, who was in the getaway vehicle, drove off in order not to be exposed. The unit leader, Barney Molokoane and others then attempted to get an alternative vehicle in nearby Laudium and in so doing a man was shot and injured. The unit members then successfully withdrew from the scene.

The rockets struck in Voortrekkerhoogte and the attack resulted in minor injuries to one woman.

3. THE ATTACK ON SAAF HEADQUARTERS

This incident occurred on 20 May 1983.

The South African Airforce headquarters were situated in a building in Church Street, Pretoria.

After various reconnaissances had been undertaken it was decided to place a car bomb outside the SAAF headquarters in Church Street. Authority to proceed with the operation was received from the President of the ANC.

The cadres selected to carry out the operation were Freddie Shangwe and Ezekial Maseko. They received training, particularly in the use of the device used to set off the bomb. A stolen car was packed with explosives and driven into the country. On the afternoon of 20 May 1983 the two aforementioned cadres drove the vehicle to Church Street and parked it in the close vicinity of the building which housed the SAAF headquarters. The intention was to detonate the explosives at 16h30, a time when many of the SAAF personnel who worked in the building would be exiting therefrom or waiting at a bus stop near the entrance of the building. For some unknown reason the explosives were detonated prematurely at approximately 16h20. A huge explosion ensued causing great loss of life and injury as well as extensive damage to property.

The explosion resulted in 19 persons being killed and 217 persons being injured. The ratio of civilians and members of the SAAF amongst the casualties has not been proved and is unclear. The ANC in its Statement to the Truth and Reconciliation Commission dated August 1996 asserts that at least 11 SAAF officers were killed in the explosion (see page 58). Statistics issued by the SAP reflect that 7 members of the SAAF were killed (see page 101 of Volume 6 of the papers before this Committee). The ANC, at the aforementioned reference, states that over 70 of the persons injured were members or employees of the armed forces. The SAP statistics referred to above reflect that 2 of the injured persons were members of the armed forces. From the description of occupations and work addresses contained in the list of injured persons in the police docket (Pretoria Central MR 673/5/83 - see page 131 **et seq.** of Volume 3 of

the papers before this Committee) it would appear that at least 84 of the injured persons were members or employees of the armed forces. Included in those killed were the two cadres who carried out the operation, namely Freddie Shongwe and Ezekial Maseko.

4. THE ATTACK ON WITS COMMAND

This was a car bomb attack which took place in Quartz Street, Johannesburg on 30 July 1987 at approximately 09h45.

The operation was planned and directed at the headquarters of Special Operations. The operative appointed to carry out the operation was Heinrich Johannes Grosskopf.

A motor vehicle laden with explosives was parked in Quartz Street, across the road from the premises of the Wits Command and adjacent to the Ster Kinekor building. The explosives were detonated and in the ensuing explosion, according to documentation placed before us, one person was killed, 68 people were injured and damage was caused to a large number of properties. The ratio between civilian and security force casualties is not known.

There were, in addition to the operations mentioned above, many other operations against strategic targets that were carried out by members of Special Operations.

THE DOLPHIN UNIT

The Dolphin Unit was established during 1982 at the instigation of Aboobaker Ismail and with the agreement of Joe Slovo. The Unit was established as an internal unit to operate inside the country and to carry out operations within the broad mandate of the ANC and MK.

The members of the Unit were Mohammed Iqbal Shaik and Mohammed Abdulhai Ismail, both of whom were recruited and trained by Aboobaker Ismail. The Unit operated under the general command of Aboobaker Ismail but he did not directly participate in the identification of targets or in the execution of operations. The selection of targets and the carrying out of operations was the responsibility of the other aforesaid members, the commander of whom was Mohammed Iqbal Shaik. The members of the unit also had authority to recruit other persons to assist them in the carrying out of operations if necessary.

The unit operated for several years and carried out many operations, all of which were reported to Aboobaker Ismail. Materials used by the unit in operations were, in the main, supplied by Aboobaker Ismail.

Many of the operations carried out by the unit were executed in such a manner as to avoid the cause of physical harm to any person. Evidence was led at the hearing of this matter in respect of the operations in which people were killed or injured. Such operations include the following:

1. EXPLOSION AT THE CISKEI CONSULATE OFFICES IN JOHANNESBURG

This attack took place on 26 August 1983. The Ciskei Consulate was regarded as a legitimate target as it coincided with an ANC led campaign to discredit the Homeland governments. Reconnaissance of the Consulate offices, which were situated in the Carlton Centre, was carried out by Mohammed Iqbal Shaik and Mohammed Abdulhai Ismail. This revealed that the persons who worked in such offices all vacated them by no later than 17h30 and that the cleaning staff arrived to clean the offices at approximately 20h00. On the day in question Mohammed Iqbal Shaik placed a

limpet mine at the door of the Consulate at approximately 17h30. The mine was set to explode at 19h30. It was not the intention to kill or injure any person. However, in the ensuing explosion one person was injured according to reports.

2. EXPLOSION AT THE OFFICES OF THE DEPARTMENT OF CO-OPERATION AND DEVELOPMENT, MARSHALLTOWN, JOHANNESBURG

This attack took place on 7 December 1983. The offices of the Department of Co-operation and Development were selected as a target by Mohammed Iqbal Shaik because of the function and role played by that Department in the whole apartheid structure. Reconnaissance of the building showed that the offices, situated on the 7th floor, were vacated by 17h30. The said Shaik placed a limpet mine at the offices which was set to explode at 19h30.

The explosion caused damage to the premises and it is not known if anybody was injured.

3. EXPLOSION AT THE SAP SOWETO BRANCH HEADQUARTERS, ROODEPOORT

This attack took place on 17 August 1984. The District Commissioner's offices were situated on the 2nd floor of the Roodepoort City Centre Building. Mohammed Iqbal Shaik carried out reconnaissance of the building for approximately four days. He then placed two SPM limpet mines at the door of the SAP offices. Each mine had a detonation time of ten minutes. Both mines exploded and five policemen and two civilians were injured.

4. EXPLOSION AT THE RAILWAY POLICE OFFICES, CORNER OF PLEIN AND HARRISON STREETS, JOHANNESBURG

This took place on 24 August 1984. The said Shaik placed a limpet mine at the entrance of the Railway Police radio headquarters. The mine was set to detonate after 17h00 when it was expected that the only office to be occupied on that floor of the building would be the radio room. Four railway policemen and two civilians were injured in the explosion.

5. EXPLOSION AT THE DEPARTMENT OF INTERNAL AFFAIRS, HARRISON STREET, JOHANNESBURG

This operation was carried out by Mohammed Iqbal Shaik on 3 September 1984. The Department of Internal Affairs was selected as a target because of the Department's function in the apartheid structure. Reconnaissance revealed that the offices used by the Department on the fourth floor of the building were usually vacated by 15h30. The said Shaik placed a limpet mine on the fourth floor which was set to detonate at 16h00. It did so and in the ensuing explosion four persons were injured and damage was caused to the property.

6. EXPLOSION AT THE OFFICES OF THE DEPARTMENT OF FOREIGN AFFAIRS, MARKET STREET, JOHANNESBURG

This operation was also carried out by Mohammed Iqbal Shaik. It took place on 15 December 1984. He selected the target. Because of the propaganda value it would have for MK. Reconnaissance showed that Foreign Affairs staff usually vacated the offices by 16h30. A limpet mine was placed at the entrance of the offices. It exploded between 17h30 and 18h00. It was reported that seven people were injured in the explosion.

7. EXPLOSION AT SADF TRANSVAAL MEDICAL COMMAND, HILLBROW, JOHANNESBURG

This operation was carried out by Mohammed Iqbal Shaik on 28 May 1985. He considered the offices of the Medical Command to be a legitimate target as they were occupied by members of the SADF. The offices were situated on the fourth floor of a building. The said Shaik placed two limpet mines, which were attached to each other, just outside the lifts on the fourth floor. The mines were seen by a member of the SADF who carried them down the staircase and put them at another place before they exploded. Sixteen people were injured in the explosion.

8. EXPLOSION AT THE KRUGERSDORP MAGISTRATES' COURT

The operation was carried out on 16 March 1988.

During the latter part of 1987 it was decided between Mohammed Iqbal Shaik and his commander, Aboobaker Ismail, to attack police or security personnel in large numbers. The said Shaik thereafter identified the Krugersdorp Magistrates' Court as a target. He considered it to be a suitable target as the entrance to the building was used by police and government officials and also because it was close to the entrance of the police station which was adjacent to the building.

The said Shaik then prepared two charges, the one being a limpet mine and the other a car bomb. The limpet mine was placed in a toilet in the court complex and the car containing the bomb was parked in the close vicinity of the court building. The limpet mine was to act as a decoy, the intention being that it would explode before the car bomb and that police personnel would then come to the scene in numbers and cordon it off from civilians. The car bomb would then explode, killing or injuring mainly police personnel. However, due to some malfunction, the limpet mine did not explode. The car bomb exploded and three people were killed and twenty people were injured. Two of the people killed were members of the police force. The rest of the casualties were civilians.

As already stated, the Dolphin Unit carried out a number of other operations which did not result in persons being killed or injured but which only caused damage to property. These other operations, which took place during the period 1982 to 1987, include the following: a limpet mine explosion at Lawley substation during or about December 1982; a limpet mine explosion outside the Johannesburg Magistrates' Court on 31 December 1982; a limpet mine explosion at the Internal Affairs Building, Roodepoort on 28 June 1983; an explosion at the Ciskeian Embassy, Pretoria during July 1983, a limpet mine explosion at the Temple of Israel Synagogue, Hillbrow, on 6 August 1983; a limpet mine explosion at the Warmbaths fuel depot on 10 October 1983; the placing of a limpet mine at the Warmbaths Municipal Offices on 10 October 1983; an explosion on the railway line at Lawley during 1984; and explosion on an electricity pylon at Villiers during 1984; explosion of a limpet mine outside an SADF building in Anderson Street, Johannesburg during 1984; a limpet mine explosion at the Department of Education and Training Offices, Johannesburg on 23 August 1984; the placing of a limpet mine in the Supreme Court, Johannesburg on 5 September 1984; a limpet mine explosion at the Department of Community Development offices in Armadale House, Bree Street, Johannesburg on 12 December 1983; an explosion of a limpet mine at the National Party offices, Kroonstad on 4 March 1985; an explosion on a water pipeline near Voortrekkerhoogte during 1985; a limpet mine explosion at the Langlaagte Shunting Yard during 1985; an explosion at the Anglo American/Anglovaal building in Marshalltown, Johannesburg on 30 April 1985; an explosion at the Chamber of Mines building, Marshalltown, Johannesburg; a limpet mine explosion at the Southern Cross Fund offices, Rissik Street, Johannesburg on 30 May 1985; an explosion of a limpet mine at the AECI offices, Carlton Centre, Johannesburg on 25 June 1985; an explosion outside Franwell building, President Street, Johannesburg on 1 November 1985; an explosion of a limpet mine at an electrical substation in Bryanston; an explosion on a

water pipeline in Linksfield Road, Randburg; an explosion at the House of Delegates offices in Lenasia; the explosion of three limpet mines in Brakpan, one at the Magistrates' Court, one at the Civic Centre and one at the SAP Dormitory.

After the Krugersdorp Magistrates' Court operation which took place during March 1988 the Dolphin Unit was converted to an ordnance unit and became responsible for the distribution of weaponry inside the country.

The Applicants and their applications for amnesty in respect of acts which are covered by this decision will now be dealt with:

1. ABOBAKER ISMAIL

Aboobaker Ismail was born on 25 December 1954 in Johannesburg. He attended school in Lenasia and after completing his schooling he studied at the University of Durban-Westville. He was politically active while a student and was, at the end of 1974, detained by security police for distributing leaflets and being active in the Human Rights Committee. He was severely beaten during his detention and it was then that he resolved to become more politically active and to undergo military training. He left the country on 12 July 1976, shortly after the Soweto uprisings, and was given refugee status in Belgium. He left Belgium during December 1976 for the German Democratic Republic where he underwent military training, which training had been arranged for him through the ANC office in London.

After completion of his military training he was, during June 1978, sent to Angola as an instructor in military engineering at Funda Camp near Luanda. Funda Camp was later during 1978 closed and moved to Caxito. He was involved in general training as well as in the specialised training of selected cadres who would form a Special Operations Unit. During February 1979 he was appointed as Senior Instructor.

During the period that he worked as an instructor and senior instructor, hundreds of MK cadres were trained either by the Applicant or under his supervision. He was not directly responsible for or involved in any particular operations carried out by MK during this period.

Towards the end of 1979 Special Operations was established and during December 1979 the Applicant was appointed to join the command thereof. Special Operations Command then consisted of Joe Slovo, Montso Mokqabudi and Aboobaker Ismail. This command structure reported directly, through Joe Slovo, to the President of the ANC, O. R. Tambo. The Applicant's responsibilities included the planning of operations, the preparation of equipment to be used in operations and the infiltration thereof into the country, the briefing of cadres in relation to the reconnaissance and the carrying out of operations, the infiltration into and the withdrawal from the country of cadres and also the maintenance of discipline and the welfare of cadres.

Montso Mokqabudi was killed in the Matola raid in Lesotho during 1981 and he was succeeded in the command structure of Special Operations by Chris Nangu. During 1983 MK Military Headquarters was established in Lusaka. Joe Slovo was appointed Chief of Staff of MK at Military Headquarters and Aboobaker Ismail was appointed as the overall commander of Special Operations. The reporting lines to the President also changed and the Applicant, as commander of Special Operations, reported to Military headquarters through Joe Slovo.

The Applicant was the commander of Special Operations until July 1987 when he was appointed Chief Of Ordnance and became a member of MK Military Headquarters.

During the period when the Applicant was part of the command structure and later the commander of Special Operations he was personally involved in the planning and certain other aspects of specifically targeted operations, including those briefly discussed above as well as attacks on the power grid which were designed to destroy the economic infrastructure and also attacks against enemy personnel. He was also during this period, as stated above, the commander of the Dolphin Unit. Where possible units of Special Operations which operated internally with a measure of autonomy reported back to the command regarding the operations carried out by them. Such units were also regularly supplied with equipment and materials through the efforts of the Applicant.

Aboobaker Ismail was the Chief of Ordnance from July 1987 until 1994 when MK was integrated into the South African National Defence Force (SANDF). His responsibilities as Chief of Ordnance included the procurement, storage and distribution of arms and explosives. This entailed, *inter alia*, the use of support structures overseas and of subordinate commands in Botswana, Mozambique, Zimbabwe, Swaziland, Angola and Zambia. Equipment and materials were infiltrated into the country using a number of routes and methods and caches and dead letter boxes were established for the purpose of distribution.

When he was Chief of Ordnance, the Applicant retained his position as commander of the Dolphin Unit and, as already stated, was involved in the planning of the car bomb explosion at the Krugersdorp Magistrates' Court. Save for this operation, he was not directly involved in the planning and execution of military operations when he was Chief of Ordnance, although from time to time he was consulted by Special Operations.

The ANC suspended the armed struggle during August 1990. Aboobaker Ismail returned to the country during 1991. He was some time thereafter approached by Joe Slovo and requested in his capacity of Chief of Ordnance to provide weapons for the arming of self defence units (SDU's) which were or were being established in various ANC communities for purposes of defending themselves from politically motivated attacks. The Applicant complied with the request.

Applicant, in his amnesty application form, applies for amnesty in respect of "**all acts carried out by me or those under my command and which fall within the ambit of the Truth and Reconciliation Act**". The incidents in respect of which he applies for amnesty are categorised into three periods, namely (1) June 1978 to November 1979 when he was an instructor at the Funda and Caxito camps, (2) December 1979 to August 1987 when he was part of the command structure of and also commander of Special Operations and (3) September 1987 to 1994 when he was a member of MK Military Headquarters and Chief of Ordnance. Attached to the application form is an annexure which lists operations that were carried out by members of Special Operations during the period when the Applicant was a member of the command structure thereof. It is explained by the Applicant that such list is not exhaustive as written records of operations were not kept and some operations may have been overlooked in the compilation of the list. The document titled Further Submissions and Responses by the ANC to Questions Raised by the TRC dated 12 May 1997 (exhibit A2.1) contains, *inter alia*, a list of all operations carried out by MK cadres including therein the periods when the Applicant was an instructor and Chief of Ordnance. This list is also, for the same reasons, not exhaustive.

Section 20(1) of the Promotion of National Unity and Reconciliation Act, No. 34 of 1995 (the Act) provides *inter alia* that the act, omission or offence in respect of which amnesty is sought must be an act associated with a political objective and that the applicant must make a full disclosure of all relevant facts regarding such act, omission or offence. Section 20(2) of the Act defines an "act associated with a political objective" as being an act or

omission which constitutes an offence or a delict which, according to the criteria set out in subsection (3), is associated with a political objective and which was advised, planned, directed, commanded, ordered or committed within or outside the Republic during the period 1 March 1960 to the cut-off date. When considering these subsections of the Act in the decision of the amnesty applications of S.A.R. Maharaj and 26 others (AM5514/97 et al), which decision was handed down on 4 March 1999, the Committee, with respect, correctly stated the following:

"It is clear from these sections that for an applicant to qualify for amnesty he should have committed an act which constitutes a delict or offence; he should fully disclose, inter alia, the nature and extent of his participation in respect of the offence or delict for which he seeks amnesty and provide other relevant facts which will be used by the Committee in its application of the prescribed criteria contained in section 20(3) in determining whether or not a particular act, omission or offence qualifies for amnesty ... The sections dealing with the granting of amnesty are quite clear and unambiguous. The individual must, inter alia, fully disclose a specific offence or delict advised, planned, directed, commanded, ordered or committed by herself/himself in order to qualify for amnesty. In the case of the applicants it is quite evident that they are not aware of all the acts committed by their members and one can comprehend their conundrum in this regard".

With regard to the period when the Applicant was an instructor at the camps in Angola, it would be wrong to consider granting him amnesty in respect of any of the specific incidents which were committed during that period by MK cadres and which are listed for that period in exhibit 2.1. This is so as the Applicant was not personally involved in the carrying out of any of these operations and also because there is no evidence before us to suggest that any of the cadres involved in these operations were trained by the Applicant. The fact that the Applicant dedicated himself to and played such an active and important role in the struggle does not, in our view, constitute grounds to attach liability, either criminal or delictual, to him on the basis of common purpose or on any other basis in respect of those specified operations. Any amnesty granted to the Applicant should relate to his own conduct and we are satisfied that he has given a full disclosure relating to his activities as an instructor and that such activities amount to acts committed with a political objective as contemplated by the Act. He is accordingly entitled to amnesty in respect of his activities as an instructor at the Funda and Caxito camps during the period June 1978 and December 1979.

With regard to the next period of involvement by the Applicant, namely December 1979 to August 1987, the Applicant has, to the best of his ability, supplied a list of specific operations carried out by members of Special Operations under his command. (Those operations carried out in KwaZulu Natal are not, as already stated, subject to this decision). Evidence was led at the hearing of this matter in relation to all those operations which involved gross human rights violations. The applications for amnesty in respect of two of these operations, namely the Church Street and the Krugersdorp Magistrates' Court bombings are opposed.

The opposition is based on a number of grounds including the lack of full disclosure, that the target selection in the Church Street bombing was contrary to ANC policy, that the bombings were racially motivated, that the bombings were acts of terrorism and were disproportionate to whatever political objective the applicant professed to attain.

The Church Street bombing took place shortly after a parliamentary debate on the tricameral constitution and subsequent to the December 1982 SADF raid into Maseru in which a number of ANC supporters and Lesotho civilians were killed and the assassination of Ruth First in Maputo. The evidence before us is that the bombing was a planned operation. The target was selected subsequent to reconnaissance being carried out and the bomb was specifically

constructed and infiltrated into the country for the operation. The stated objective of the operation was to carry out a highly visible attack on security force members which could not be covered up by the authorities. The operation was discussed at the highest level of Special Operations Command. It was considered that the target was overwhelmingly military and the question of civilian casualties was taken into account before arriving at the decision to proceed with the operation. Approval to go ahead with the operation was also obtained from Oliver Tambo, the President of the ANC.

We are satisfied that the bombing was an act associated with a political objective as envisaged by section 20 of the Act and that it was not merely an act of anarchy or terrorism. The fact that the bombing took place before the Kabwe Conference does not mean that the target selection was against ANC policy. It was always the policy of MK to target security force personnel and, with regard to the civilian casualties, the operation was given prior approval by the highest authority in the ANC and the ANC acknowledged responsibility for the blast shortly after its occurrence. We are also of the view that the bombing was not racially motivated. The blast occurred in a busy public street and the civilian casualties included both blacks and whites. There was no possibility whatsoever in the circumstances of targeting a particular racial group.

The Applicant, Aboobaker Ismail, testified that at the time of the funeral after the Maseru massacre Oliver Tambo "had raised the issue that if the then government justified its action on the basis that civilians were killed because the ANC had set up bases amongst the civilian population, then would it also not be justified for the ANC to carry out operations against enemy headquarters and bases located within built-up areas." This, as well as the objective of carrying out a highly visible attack against military personnel which could not be covered up were, no doubt, factors taken into account in selecting the target. It was accepted by Special Operations Command that the blast, which would primarily be aimed at the military personnel who would gather at the bus stop immediately in front of the building which housed the SAAF Headquarters would also result in civilian casualties. The blast was an act of war which struck a severe blow at the ANC's enemy and which introduced a new phase of guerilla warfare in the struggle. Although the consequences of the blast were gruesome and tragic and affected many innocent civilians we, after careful consideration, are of the view that the manner of the execution of the operation was not disproportionate to the political objective pursued.

We are also of the view that the car bomb explosion at the Krugersdorp Magistrates' Court was an act committed with a political objective as envisaged by the provisions of section 20 of the Act. We accept the evidence that the target of the attack was police personnel and that the intention was to minimise civilian casualties by placing a decoy limpet mine.

We are also of the view that the other specifically targeted operations carried out by members of Special Operations under the command of Aboobaker Ismail, namely the attacks on Sasol I, Natref, Sasol II, Voortrekkerhoogte and Wits Command were all politically motivated as contemplated by the Act and were all directed against what were considered to be legitimate targets.

We are also satisfied that all the attacks carried out by the Dolphin Unit satisfy the requirements of the Act as being acts carried out with a political objective. The Unit operated for a number of years and it is clear from the evidence before us that its sole objective was to further the struggle against the apartheid system. All of its operations were reported to Special Operations Command and all were accepted as being legitimate and within the guidelines. Most of its targets were either security force personnel and state infrastructures, such as Courts, government offices, power

installations. Some of the operations were what can be termed "propaganda operations" - these include the placing of bombs at Temple Israel, Hillbrow (the night before a visit to the Temple by the State President) and at Franwell House (during the course of a massive crime prevention operation carried out by the SAP). Many of the operations carried out by the Dolphin Unit did not result in personal injury.

The Applicant has, in our opinion, given a full disclosure to the best of his ability in regard to the role played by himself as a Commander of Special Operations and the Dolphin Unit. We are also satisfied from his evidence, the evidence of the other applicants in this matter and the documentation that has been placed before us that the operations mentioned therein which were carried out by members of Special Operations during the relevant period were acts carried out with a political objective as defined in the Act. In certain of the operations the applicant played a direct role in the planning and preparation thereof. In others he gave general orders for units to carry out operations at their discretion so long as they acted within the given guidelines. The role played by the applicant in all operations carried out by Special Operations members under his command was sufficient to attract either criminal or civil liability or both to himself. We are accordingly of the view that the applicant qualifies for amnesty in respect of those incidents which he has identified as having been carried out by members of Special Operations during the period that he was a commander of Special Operations. We cannot, for the reasons stated in S.A.R. Maharaj and 26 others (*supra*), grant amnesty in respect of operations which cannot be recalled and which have not been brought to our attention.

With regard to the period during which the Applicant was Chief of Ordnance we are satisfied that the Applicant has made a full disclosure and that all actions taken by the Applicant in such capacity were politically motivated. It has been submitted on behalf of the Applicant that, in addition to granting him amnesty for acts performed by him in his capacity as Chief of Ordnance, it would be appropriate to grant him amnesty in respect of all MK operations carried out during that period, which operations are listed on pages 93 to 101 of the ANC Submissions and Responses to the TRC dated 12 May 1990 (Exhibit 2.1). There are 134 operations listed in these pages. We are of the view that we would err if we granted amnesty in respect of these listed operations as we are not in a position to determine whether all of such incidents can be linked either directly or indirectly to the Applicant.

2. JOHANNES MNISI

Johannes Mnisi was born in 1952. He grew up in Mamelodi. He left the country in 1979 and went to Mozambique where he joined the ANC. He then went to Angola where he received military training. He specialised in military engineering. During 1985 he went to Moscow where he attended a course on planning military operations.

He became a member of Special Operations during

1980. He was appointed as a commander of a small unit which had the function of attacking power stations and electric pylons. As a member of that unit he physically participated in an attack on the Arnot power station on 21 July 1981. A number of limpet mines were placed at the power station which caused extensive damage when they detonated. Nobody was injured in the attack. He also planned and co-ordinated similar attacks at the Camden power station and the Delmas substation which were carried out by the other members of his unit on the same day that the Arnot power station was attacked. Extensive damage was caused to both the Camden power station and the Delmas substation. Nobody was injured in the operations.

He was also a member of the unit which carried out the operation against the Voortrekkerhoogte Military Base on 12 August 1981. He participated in the firing of the five rockets at the base and was also present when Barney Molokoane, the unit leader, shot a man in Laudium in an attempt to get a vehicle in order to escape to Mamelodi. The man who was shot injured by Molokoane was Zahied Ibrahim Patel.

Johannes Mnisi was also involved in the SAAF Headquarters, Church Street car bomb operation. He assisted Aboobaker Ismail in the initial testing of the detonating device which was used in the operation. Such testing took place in Zambia. He was also instrumental in getting Freddie Shongwe and Ezekial Maseko, both MK cadres, to carry out the operation. It was he who suggested to his commander that they should execute the operation as they knew Pretoria well and it was he who initially communicated with them regarding the operation. He also assisted Aboobaker Ismail in training Freddie Shongwe in the use of the detonating device. Such training took place in Swaziland. The Applicant was in Swaziland when the car bomb exploded in Church Street.

He also played a role in the Wits Command operation. He was informed of the operation and he was responsible, when in Lusaka, for the procurement and preparation of the explosive materials which were used in the attack on Wits Command.

We are satisfied that Johannes Mnisi has made full disclosure of all relevant facts pertaining to his involvement in the above mentioned operations. We are also satisfied that all offences committed by him in the preparation and/or execution of such operations were acts committed with a political objective as envisaged by the provisions of the Act. He, in his capacity as unit commander, carried out the mandate given to him by his command structure in the attacks on the power stations. With regard to the other operations that he was involved in, the acts performed by him were carried out in execution of orders.

3. MOHAMMED IQBAL SHAIK

Mohammed Iqbal Shaik was born in Vrededorp, Johannesburg on 26 August 1958. He became politically active when he was a student leader at the M.L. Sultan Technical College. During 1982 he, together with Mohammed Ismail, travelled to Swaziland where he met Aboobaker Ismail who he had known since his youth. He joined MK and received training in the use of and maintenance of firearms and limpet mines. He and Mohammed Ismail were established as the Dolphin Unit. He received instructions on what constituted legitimate targets. The mandate given to the Dolphin Unit was to reconnoitre and attack government buildings, economic installations, homeland government structures, police or security force personnel or buildings and also to carry out attacks in order to achieve maximum propaganda.

Thereafter he carried out a number of attacks. He and Mohammed Ismail worked together on thirteen operations until 1985 when Mohammed Ismail left the Dolphin Unit. He thereafter continued to operate alone. During or about July 1986 he went to the German Democratic Republic for further military training. On his return he continued to operate alone as a member of the Dolphin Unit. He was involved in sabotage operations until March 1988, the last operation being the attack on the Krugersdorp Magistrates' Court.

Mohammed Iqbal Shaik participated in all the operations which were carried out by the Dolphin Unit. All of the operations are mentioned above. He reported all operations to his commander, Aboobaker Ismail.

After the bombing at the Krugersdorp Magistrates' Court the applicant continued serving MK in the Ordnance Division until its formal disbandment in December 1992. During this period he was involved in receiving and distributing weapons.

The Applicant has made a full disclosure of all of his activities as a member of MK and we are satisfied that all the operations carried out by him as a member of the Dolphin Unit and all his actions as a member of Ordnance were committed with a political objective. He stressed in his evidence that in all the operations he was mindful of the fact that civilian casualties should be avoided and, at worst, kept to a minimum. After giving careful consideration to all the operations we are of the opinion that none of the attacks were disproportionate to the political objective sought to be achieved.

4. MOHAMMED ABDULHAI ISMAIL

Mohammed Abdulhai Ismail was born on 21 November 1985. He grew up in Vrededorp, Johannesburg. He is the brother of Aboobaker Ismail. He became politically active during the 70's when he distributed pamphlets and literature on behalf of the Transvaal Indian Congress. He, together with Mohammed Iqbal Shaik, joined MK in Swaziland during 1982. He received military training and became a member of the Dolphin Unit. He operated as a member of that unit until approximately mid-1985. He thereafter became involved with what he termed "above-board politics" and became active in the Transvaal Indian Congress and the United Democratic Front (the UDF).

During the period that he was a member of the Dolphin Unit he was involved in thirteen operations. In each of these operations he worked together with Mohammed Iqbal Shaik. All of the operations involved explosive devices. The operations that he was involved in were (1) a limpet mine explosion at Lawley substation during or about December 1982; (2) a limpet mine explosion outside the Johannesburg Magistrates' Court on 31 December 1982; (3) a limpet mine explosion at the Internal Affairs building, Roodepoort on 28 June 1983; (4) an explosion at the Ciskeian Embassy, Pretoria, during July 1983; (5) a limpet mine explosion at the Temple of Israel Synagogue, Hillbrow on 6 August 1983; (6) an explosion at the Ciskeian Consulate offices, Johannesburg on 26 August 1983; (7) a limpet mine explosion at Warmbaths fuel depot and the placing of a limpet mine at the Warmbaths municipal offices on 10 October 1983; (8) an explosion on the railway line at Lawley during 1984; (9) an explosion on an electricity pylon at Villiers during 1984; (10) an explosion of a limpet mine outside a SADF building in Anderson Street, Johannesburg during 1984; (11) a limpet mine explosion at the National Party offices, Kroonstad on 4 March 1985; (12) an explosion on a water pipeline near Voortrekkerhoogte during 1985; (13) a limpet mine explosion at the Langlaagte Shunting Yard during 1985.

The only operation which resulted in somebody being injured was the explosion at the Ciskeian Consulate offices in Johannesburg on 26 August 1983. According to reports one person was injured in this incident.

We have no doubt that the Applicant has given a full explanation of his activities as a member of the Dolphin Unit and that he has disclosed all the relevant facts pertaining hereto. It is also clear from the evidence before us that the Applicant was politically motivated in joining MK and carrying out the operations as a member of the Dolphin Unit. We are accordingly satisfied that his application for amnesty satisfies the requirements of the Act.

5. COLIN MARK DE SOUSA

Colin Mark de Sousa was born on 3 December 1971 in Cape Town. During or about May 1987 he, who was a supporter of the ANC, left Cape Town and went to Johannesburg. His intention was to join MK and leave the country to undergo military training. When in Johannesburg he came into contact with a Mr Moeketsi, an ANC official at Khotso House. Mr Moeketsi instructed him to make a surveillance of the Wits Command premises, specifically to note the placement of guards, the time of changing of the guard and to establish places on the perimeter fence where packages could be concealed. The Applicant carried out such surveillance and reported back to Mr Moeketsi.

Thereafter, during June 1987, Mr Moeketsi supplied the Applicant with a SADF uniform and instructed him to obtain information about the interior lay-out of the Wits Command. He donned the uniform and successfully gained entry into the premises of the Wits Command. He reconnoitred the premises for approximately twenty minutes. He reported his observations to Mr Moeketsi.

A few weeks later he read in the press that a car bomb explosion had occurred at the Wits Command. He then realised why he had been instructed to carry out the surveillance at the premises. He was not involved in the planning of the Wits Command operations and had no knowledge of it prior to reading about the explosion in the press.

There is a contradiction between the evidence of the Applicant and that of Charles Jacobus Martin. The Applicant stated that Mr Martin was a MK operative in Cape Town and that he had made the arrangements for him to leave Cape Town in order to undergo military training and that he told him to contact Mr Moeketsi in Johannesburg. Mr Martin denied that he was ever an MK operative or that he made arrangements for Applicant to meet Mr Moeketsi in order to receive military training. He, at that time, was a priest in the United Congregational Church in Bonteheuwel. He did state however that he did arrange for sanctuary to be provided for the Applicant who was being sought by the security branch of the police and that arrangements were made for him to go to the South African Council of Churches (SACC) in Johannesburg. At that time the SACC were housed in Khotso House.

We accept the evidence of Mr Martin and believe that it is possible that the Applicant was under a misapprehension that Mr Martin had made arrangements for him to undergo military training. We are of the opinion that this contradiction in the evidence does not affect the credibility of the evidence of the Applicant relating to his reconnaissance of the Wits Command premises, which evidence we accept as being a truthful account.

We are also satisfied that the masquerading as a SADF soldier by the Applicant and his unlawful entry into the premises of the Wits Command were acts committed with a political objective as contemplated by the Act.

6. DAVID MOTSHWANE MOISI

David Motshwane Moisi was born in Kroonstad in 1956. He attended school in the Kroonstad area until 1976 when he went to Soweto to attend a high school there. He became politically active and was elected Regional Chairperson of the South African Students Movement. He was involved in the rent boycott campaign of 1977 and was arrested and charged with contravening the Riotous Assemblies Act. He was convicted and given a suspended sentence. He left the country in January 1978 and went to Swaziland where he joined the ANC.

He underwent military training in Angola and then, during 1979, received specialised training in urban guerrilla warfare in the German Democratic Republic. He became a member of Special Operations and was involved in the attack on Sasol II. He was a member of the unit which cut through the fence of Sasol II on the night of 31 May 1980.

He personally placed two land mines in the plant. After placing the land mines he and his fellow unit members withdrew and returned to Swaziland.

He was arrested during December 1980 and was convicted of treason. He was sentenced to death but such sentence was commuted to one of life imprisonment during 1983. He was released from prison during 1991 in terms of an accord between the ANC and the government.

The Applicant has made a full disclosure of his involvement in the Sasol II operation. It is evidence that he identified himself completely with the motives of the ANC and MK in the conduct of their liberation struggle. We are satisfied that his application complies with and satisfies the criteria laid down in the Act.

7. SIPHO MATTHEWS THOBELA

Sipho Matthews Thobela was born in Nigel on 24 May 1956. He became active in politics while still at school. His activities led to him being arrested during 1976. He was detained for approximately two months before being released into the custody of his school principal. He had been charged with sabotage and the trial had been postponed. After his release from custody he left the country and went to Swaziland.

He became a member of MK and received military training in Angola. In 1978 he went to the U.S.S.R. where he received specialised training in reconnaissance. After his return from the U.S.S.R. he became a member of Special Operations.

He was instructed by Joe Slovo to conduct reconnaissance at the Sasol II plant in Secunda. This he did with another member of Special Operations on Matudi. They carried out reconnaissance on the plant for approximately two weeks. They reported back to Joe Slovo and Aboobaker Ismail.

The Applicant was then instructed to start planning an attack on Sasol II. He was appointed commander of the unit that was to carry out the attack. After a period of planning which was overseen by his superiors, Joe Slovo and Aboobaker Ismail, he was instructed to infiltrate his unit into the country and carry out the attack. They infiltrated into the country and after carrying out a final reconnaissance, they cut through the fence of the plant on the night of 31 May 1980 and eight mines were strategically placed in the plant. They then withdrew and went back to Swaziland. The mines exploded and caused extensive damage to Sasol II.

The Applicant has given a full account of his participation in the attack on Sasol II. It is clear that he dedicated himself to the liberation struggle and that the offences committed by him in the Sasol II operation were acts committed with a political objective during the course of the conflicts of the past as envisaged by the provisions of section 20 of the Act.

In the result:

1. Aboobaker Ismail is GRANTED amnesty in respect of:

1.1. his training of combatants and other operatives of MK in Angola during the period June 1978 to November 1979;

1.2. those operations carried out by the Special

Operations Unit of MK, including the Dolphin Unit, during the period December 1979 to August 1987 (as well as on 16 March 1988) when he was a commander of such unit, which operations are:

1.2.1. the attacks on Sasol I and Sasol II which were carried out on 31 May/1 June 1980;

1.2.2. the attacks on the Arnot power station, Camden power station and the Delmas substation which were carried out on 21 July 1981;

1.2.3. the attack on Voortrekkerhoogte which was carried out on 12 August 1981;

1.2.4.1. the attacks on a transformer in Witbank, a water pipe at Sasol II and the Evander substation which were carried out on 23 October 1981;

1.2.5 the attack on the Rosslyn substation which took place on 13 November 1981;

1.2.6 the attack on the Capital Park substation which took place on 15 December 1981;

1.2.7. the attack on the fuel depot and Escom transformer at Hectorspruit which was carried out on 28 May 1982;

1.2.8. the attacks on the Total fuel depot at Paul Pietersburg and the railway line at Kemps List Mine which were carried out on 2 June 1982;

1.2.9. the attack on the railway depot and oil pipeline at Scheepersnek which took place on 28 June 1982;

1.2.10. the attack on a railway line at Upington which took place on 26 September 1982;

1.2.11. the attack on a petrol storage depot at Mkuze which took place on 8 November 1982;

1.2.12. the attack on the Lawley substation which took place during or about December 1982;

1.2.13. a limpet mine explosion at the Johannesburg Magistrates' Court on 31 December 1982;

- 1.2.14. the attack on the Koeberg Nuclear Power Station during December 1982;
- 1.2.15. the car bomb explosion outside the building housing the SAAF Headquarters in Church Street, Pretoria on 20 May 1983;
- 1.2.16. a limpet mine explosion at the Department of Internal Affairs building, Roodepoort on 28 June 1983;
- 1.2.17. the attack on Sasol II at Secunda on or about 20 July 1983;
- 1.2.18. an explosion at the Ciskeian Embassy in Pretoria during July 1983;
- 1.2.19. a limpet mine explosion at the Temple of Israel Synagogue, Hillbrow, Johannesburg on 6 August 1983;
- 1.2.20. a limpet mine explosion at the Ciskeian Consulate in Johannesburg on 26 August 1983;
- 1.2.21. an explosion at a power pylon at the Watloo substation during August 1983;
- 1.2.22. explosions at two electrical substations in Sandton on 10 September 1983;
- 1.2.23. a limpet mine explosion at the Warmbaths fuel depot on 10 October 1983;
- 1.2.24. the placing of a limpet mine at the Warmbaths municipal offices on 10 October 1983;
- 1.2.25. an explosion at the offices of the Department of Cooperation and Development, Marshalltown, Johannesburg on 7 December 1983;
- 1.2.26. an explosion at the Department of Community Development in Bree Street, Johannesburg on 12 December 1983;
- 1.2.27. an explosion on a railway line in Lawley during 1984;
- 1.2.28. an explosion on an electricity pylon at Villiers during 1984;
- 1.2.29. a limpet mine explosion outside an SADF building in Anderson Street, Johannesburg during 1984;

- 1.2.30. a bomb blast at the Roodepoort police headquarters on 28 June 1983;
- 1.2.31. an explosion at the SAP Soweto branch headquarters in Roodepoort on 17 August 1983;
- 1.2.32. a limpet mine explosion at the Department of Education and Training offices in Johannesburg on 23 August 1983;
- 1.2.33. a limpet mine explosion at the Railway police offices, corner of Plein and Harrison Streets, Johannesburg on 24 August 1984;
- 1.2.34. an explosion at the Department of Internal Affairs, Harrison Street, Johannesburg on 3 September 1984;
- 1.2.35. the placing of a limpet mine in the Supreme Court, Johannesburg on 5 September 1984;
- 1.2.36. an explosion at a Rustenberg substation on 5 September 1984;
- 1.2.37. an explosion at the Department of Co-operation and Development, Krugersdorp on 14 September 1984;
- 1.2.38. an explosion at the offices of the Department of Foreign Affairs, Market Street, Johannesburg on 15 December 1984;
- 1.2.39. an explosion at the Old Defence Force offices in Marshall Street, Johannesburg on 9 February 1985;
- 1.2.40. a limpet mine explosion at the National Party offices, Kroonstad on 4 March 1985;
- 1.2.41. an explosion of a water pipeline near Voortrekkerhoogte during 1985;
- 1.2.42. a limpet mine explosion at the Langlaagte shunting yard during 1985;
- 1.2.43. an explosion at the Anglo American/Anglovaal building in Marshalltown, Johannesburg on 30 April 1985;
- 1.2.44. an explosion at SADF Transvaal Medical Command, Hillbrow, Johannesburg on 28 May 1985;

1.2.45. an explosion at the Chamber of Mines building, Marshalltown, Johannesburg during 1985;

1.2.46. a limpet mine explosion at the Southern Cross Fund offices, Rissik Street, Johannesburg on 30 May 1985;

1.2.47. a limpet mine explosion at the AECI offices, Carlton Centre, Johannesburg on 25 June 1985;

1.2.48. an explosion outside Franwell House, President Street, Johannesburg on 1 November 1985;

1.2.49. an attack on Sasol II at Secunda on 28 November 1985;

1.2.50. an explosion in the toilet block at the Cambridge police station, East London on 19 February 1986;

1.2.51. a limpet mine explosion at John Vorster Square on 4 March 1986;

1.2.52. the attack on Wits Command, Johannesburg on 30 July 1987;

1.2.53. a limpet mine explosion at an electrical substation in Bryanston, date unknown;

1.2.54. an explosion on a water pipeline in Linksfield Road, Randburg, date unknown;

1.2.55. an explosion at the House of Delegates offices in Lenasia, date unknown;

1.2.56. the explosion of three limpet mines in Brakpan, one at the Magistrates' Court, one at the Civic Centre and one at the SAP Dormitory, date unknown;

1.2.57. an explosion at the Krugersdorp Magistrates' Court on 16 March 1988;

1.3. The procurement, storage and distribution of firearms, ammunition and other weapons of war and explosive materials and devices during the period September 1987 to April 1994 when he was a member of MK Military headquarters and Chief of Ordnance.

2. Johannes Mnisi is GRANTED amnesty in respect of:

2.1. the attacks on the Arnot power station, Camden power station and the Delmas substation which were carried out on 21 July 1981;

2.2. the attack on the Voortrekkerhoogte Military Base which was carried out on 12 August 1981;

2.3. the role played by him in the attempted robbery of a motor vehicle from Zahied Ibrahim Patel on 12 August 1981;

2.4. his involvement in the car bomb explosion which occurred outside the building housing the SAAF Headquarters in Church Street, Pretoria, on 20 May 1983;

2.5. the role played by him in the attack on Wits Command, Johannesburg on 30 July 1987.

3. Mohammed Iqbal Shaik is GRANTED amnesty in respect of:

3.1. a limpet mine explosion at Lawley substation during or about December 1982;

3.2. a limpet mine explosion outside the Johannesburg Magistrates' Court on 31 December 1982;

3.3. a limpet mine explosion at the Department of Internal Affairs building, Roodepoort on 28 June 1983;

3.4. an explosion at the Ciskeian Embassy, Pretoria during July 1983;

3.5. a limpet mine explosion at the Temple of Israel Synagogue, Hillbrow, Johannesburg on 6 August 1983;

3.6. an explosion at the Ciskeian Consulate offices in Johannesburg on 26 August 1983;

3.7. a limpet mine explosion at the Warmbaths fuel depot on 10 October 1983;

3.8. the placing of a limpet mine at the Warmbaths Municipal offices on 10 October 1983;

3.9. an explosion at the offices of the Department of Co-operation and Development, Marshalltown, Johannesburg on 7 December 1983;

3.10 a limpet mine explosion at the Department of Community Development offices in Armadale House, Bree Street, Johannesburg on 12 December 1983;

3.11 an explosion on the railway line at Lawley during 1984;

3.12 an explosion of a limpet mine outside an SADF building in Anderson Street, Johannesburg during 1984;

3.13 an explosion at the SAP Soweto branch headquarters in Roodepoort on 17 August 1984;

3.14 a limpet mine explosion at the Department of Education and Training offices, Johannesburg on 23 August 1984;

3.15 an explosion at the Railway Police offices, corner of Plein and Harrison Streets, Johannesburg on 24 August 1984;

3.16 an explosion at the Department of Internal Affairs offices, Harrison Street, Johannesburg on 3 September 1984;

3.17 the placing of a limpet mine in the Supreme Court, Johannesburg on 5 September 1984;

3.18 an explosion at the offices of the Department of Foreign Affairs, Market Street, Johannesburg on 15 December 1984;

3.19 a limpet mine explosion at the National Party offices, Kroonstad on 4 March 1985;

3.20 an explosion on a water pipeline near

Voortrekkerhoogte during 1985;

3.21 a limpet mine explosion at the Langlaagte shunting yard during 1985;

3.22 an explosion at the Anglo American/Anglo Vaal building in Marshalltown, Johannesburg on 30 April 1985;

3.23 an explosion at the Chamber of Mines building, Marshalltown, Johannesburg during 1985;

3.24 an explosion at SADF Medical Command, Hillbrow, Johannesburg on 28 May 1985;

3.25 a limpet mine explosion at the Southern Cross Fund offices, Rissik Street, Johannesburg on 30 May 1985;

3.26 an explosion of a limpet mine at the AECI offices, Carlton Centre, Johannesburg on 25 June 1985;

3.27 an explosion outside Franwell House, President Street, Johannesburg on 1 November 1985;

3.28 a limpet mine explosion at an electrical substation in Bryanston, date unknown;

3.29 an explosion on a water pipeline in Linksfield Road, Randburg, date unknown;

3.30 an explosion at the House of Delegates offices, Lenasia, date unknown;

3.31 the explosion of three limpet mines in Brakpan, one at the Magistrates' Court, one at the Civic Centre and one at the SAP Dormitory, date unknown;

3.32 an explosion at the Krugersdorp Magistrates' Court on 16 March 1988;

3.33 the unlawful receiving, possession and distribution of

firearms, ammunition, other weapons of war and explosive materials and devices during the period 1983 to December 1993.

4. Mohammed Abdulhai Ismail is GRANTED amnesty in respect of:

4.1. a limpet mine explosion at Lawley substation during or about December 1982;

4.2. a limpet mine explosion outside the Johannesburg Magistrates' Court on 31 December 1982;

4.3. a limpet mine explosion at the Department of Internal Affairs building, Roodepoort on 28 June 1983;

4.4. an explosion at the Ciskeian Embassy, Pretoria, during July 1983;

4.5. a limpet mine explosion at the Temple of Israel Synagogue, Hillbrow, Johannesburg on 6 August 1983;

4.6. an explosion at the Ciskeian Consulate, Johannesburg on 26 August 1983;

4.7. a limpet mine explosion at the Warmbaths fuel depot and the placing of a limpet mine at the Warmbaths municipal offices on 10 October 1983;

4.8. an explosion on the railway line at Lawley during 1984;

4.9. an explosion on an electricity pylon at Villiers during 1984;

4.10 an explosion of a limpet mine outside an SADF building in Anderson Street, Johannesburg during 1984;

4.11 a limpet mine explosion at the National Party offices, Kroonstad on 4 March 1985;

4.12 an explosion on a water pipeline near Voortrekkerhoogte during 1985;

4.13 a limpet mine explosion at the Langlaagte shunting yard during 1985.

5. Colin Mark de Souza is GRANTED amnesty in respect of:

5.1. the illegal entry into a defence force restricted area in contravention of section 89(3) of the Defence Act, No. 44 of 1957, at Wits Command, Johannesburg during or about June 1987;

5.2. the impersonation of a defence force member and the misuse of a defence force uniform, in contravention of section 115(1) of the Defence Act, No. 44 of 1957, at Wits Command, Johannesburg during or about June 1987;

5.3. the conspiracy to commit an act of sabotage at Wits Command, Johannesburg during or about June 1987.

6. **David Motshwane Moisi is GRANTED amnesty** in respect of the attack on Sasol II on 31 May 1980.

7. **Sipho Matthews Thobela is GRANTED amnesty** in respect of the attack on Sasol II on 31 May 1980.

We are of the opinion that the persons mentioned below are victims and these matters are referred to the Committee on Reparation and Rehabilitation for its consideration in terms of the Act:

1. Attack on Sasol I (31 May/1 June 1980)

Robert M. Nthembulaseni.

2. Attack on Voortrekkerhoogte (12 August 1989)

Elsie Sekanka, Zahied Ebrahim Patel.

3. Attack on SAAF Headquarters (20 May 1983)

Those killed in the attack included: Wayne Lawrence Kirtley, Anton Nel, Lengoi Moses Maimela, Johannes de Villiers, Louis Marthinus Van Jaarsveld, Jacob Johannes Ras, Stephen John Page, Jonas Tomy Mahlallo, Pendros Ntemo Khohliwe, Joseph Keane Sambo, Mogale Juda Maimela, Sekgoeti Jim Magatsela, Riaan Hendrik Liebenberg, Adriana Johanna Christina Meyer, Sharon Desire Bos, Isak Johannes Henning, Stefanus Sebastian Walters.

Those injured in the attack included: Christiaan Ignatius Bernado, Annamarie Triegaardt de Villiers, Reinee van Wyk, V. Chaba, J. Chauke, E. Chetty, C. Khoza, P.E. Khozwayo, B. Letsoalo, E. Mabebe, S. Mabena, T. Mabohele, A. Mohlangu, M. Mohlangu, A. ?, M.S. Mnyathela, D. Masango, A. Mashile, I., S. Mdluli, R. Mbhete, J., E., P.M. Mojela, M. Meqabudi, M. Motau, P. Mothapo, E. Ngamone, E. Ntuli, L. Ramjee, M. Ramopo, J. Rampotla, J. Ratau, L. Sebati, P. Sebothoma, J.M. Sethambu, N. Thobejane, S. Tsheoni, G.O. Ackerman, E.M. Achhurst, M.A. de Sousa Alves, A. Anderson, G. Anzilotti, L.E. Barnes, C.R.C. Bauer, C.B. Bester, W.J. Bloem, P.F. Botha, J. Breedt, E.M.M. Brits, L. Bruins-Lich, P. Buckie, J.D. Buckle, I.P. Burrows, W.A. Buys, N.J. Clarence, A.J. Coetze, H.C. Coetze, J.H. Coetze, M.P.A. Coetze, A.T. Coetzer, L.M. Combrink, J.H. de Beer, J.E. Deetlefs, J.J. Deetlefs, P.D. de Jager, M.E. Delpont, W.C. Delpont, K.P. de Leeuw, J.E., P.C. du Plessis, C.J. du Toit, C.E. Ek, J.J. Erasmus, D.C. Fourie, J. Fourie, R.C. Fourie, P. Francke, C.A.R. Freysen, M.L. Geldenhuys, M.B.E. Golschalk, C.M. Gomes, R.J. Gray, A.C. Grobbelaar, D.A. Hoslett, G.B. Hayter, H.S. Human, J.F. Hutter, Z.B. Jansen, A. Janse van Vuuren, J.L. Jordaan, M. Kemp, S.J. Kirsten, L. Klopper, M.M. Kock, S.M. Kleyn, C.E. Knaus, A.E. Konig, E.C. Krahtz, J. Krahtz, D.G. Kriek, G. Kroeger, A.J. le Roux, M.E. Liebenberg, I.P.?, E. Lombard, S. Lubbe, H.S.M. Maritz, J.H. Maritz, A.R. Meiring, P.W. Meiring, J.A. Meyer, J.E.C. Meyer, E.N. Miles, L.C. Noir, P.J. Mostert, C. Naude, G.J. Nel, N. Nel, W.J., A.M. Niemand, M.C.S. Nolte, S.E.?, L. Olivier, G.J. Oosthuizen, J.P. Opperman,

P.J. Opperman, A.P. Otto, M.E.G. Petheridge, M. Petzer, T.D. Pienaar, C.G. Potgieter, P.S.J. Potgieter, H.F. Pretorius, J.E.A. Pretorius, L. Prinsloo, P.A.C. Raath, P.A., W.E. Rademeyer, S.A. Rosenberg, D.M. Raubach, Y. Rautenbach, I. de V. Robberts, J.N. Scheepers, J.C. Scheepers, Vangel Serapimides, K. Shelver, Mr Simpson, W.M. Simpson, W.G. Smalman, A.J. Smit, C.J. Smit, E.P.M. Smith, J.M. Smith, G. Snow, A.B.G. Snyman, I.J. Steele, A. Steenkamp, P.J. Steyn, S. Stokes, A. Swanepoel, D.N. Swart, A.C.E. Theunissen, H.A. Theunissen, S.D. Theunissen, H.J. Toweel, J. Trojak, H. Tullues, J.V. van Antwerpen, S. van der Bank, J.P. van der Lith, A. van der Merwe, P.T. van der Merwe, P.J.L. van der Watt, H.C. van Dyk, C.J. van Jaarsveld, J.S. van Pletzen, Ms van Schaik, J.H. van Schalkwyk, J.D. van Wyk, J.P. van Zyl, M.E. Venter, J.J. Vieira, H.P.I. Vogel, E.L. de S. Walters, S. Wessels, S.E.L. Wilson, S. Wilson, R.W. Witteveen, C. Kwinanga, Mr Mahlangu, S. Makganya, S. Manaka, A. Mathombane, S. Moetsane, A. Mogape, J., J. Nyalunga, S. Ramashu, J. Skosane, A. Tshipane.

4. Explosion at Ciskei Consulate (26 August 1983)

The persons whose name is not known to the Committee, who were injured in the explosion.

5. Explosion at SAP Soweto branch H.Q. (17 August 1984)

Colonel van der Berg, Captain Jonker, Warrant Officer Botha, Sergeant Mmethi, Constable Moroke and the two civilians whose names are not known who are injured in the blast.

6. Explosion at Railway Police Offices (24 August 1984)

The four policemen and two civilians, names unknown, who were injured in the blast.

7. Explosion at Department of Internal Affairs, Johannesburg (3 September 1984)

The four persons, names unknown, who were injured in the explosion.

9. Explosion at Transvaal Medical Command (28 May 1985)

The persons, whose names are not known, who were injured in the explosion.

10. Attack on Wits Command (30 July 1987)

B.A. Neville, J.S. Dube, M. Friedman, R.W. Ward, R.D. Ducroq, V.A. Nel, S. H. Wessels, G.B. Coppin, M.M. Gouws, L. Diale, W.N.H. Kwape, S.C. Micallef, E.B. Goldberg, L.M. Petvella, L.G.R. Da Silva, A. Maphudla, F.M.F. Comacho, M.N. Mans, F. Amod, A.T. Fynn, R. van Jaarsveld Opperman, S. Odler, T. Sayed, Z. Lahner, J.M. Richardson, S.M.L. O'Reilly, M.G.P. Claase, D. Swanepoel, M. Ellis, R.A.C. Roebeck, F.J. Barnard, K.M. Moeketsi, T.L. Mosese, E.K. Seemela, A. Mokoena, P. Dumane, A. Kinnear, P.D. Wilson, L.T. Mokoena, D.G. Chin, G.W. Tshabalala, J.A. Viljoen, W.P. du Plessis, as well as the persons who were killed and the others who were injured, whose names are not known.

11. Attack on Krugersdorp Magistrates' Court (16 March 1988)

H. Niewoudt and the other persons who were killed and injured whose names are not known.

DATED AT CAPE TOWN THIS 16TH DAY OF JANUARY 2000.

