

PLEASE NOTE: There are four different operations covered here:

- 1. Sasol, 31 May-1 June 1980**
- 2. Voortrekkerhoogte, 12 August 1981**
- 3. South African Air Force, 20 May 1983**
- 4. Wits Command, 30 July 1987**

TRC Amnesty Hearings, Johannes Mnisi, Part 3

ON RESUMPTION 8TH MAY 1998

JOHANNES MNISI: (s.u.o.)

CHAIRPERSON: Good morning everybody, I apologise for the late start but certain matters had to be attended to before we started today. You'll recall that when we adjourned yesterday it was for purposes of Mr Knight who only came in yesterday to represent one of the applicants, a Mr de Sousa, to prepare himself for the cross-examination if any, of the present applicant Mr Mnisi who is giving evidence.

It's been indicated to me that Mr Knight is still not in a position to proceed with his cross-examination at this stage and I know I made certain statements yesterday concerning the desirability of Mr Knight cross-examining before Mr Visser does and that was the reason why we adjourned early but I also did state that by adjourning early yesterday we would only be losing about an hour of an hour and a half of business.

But with the situation now, we don't want to be in the situation where we may lose a day or even more and so it's been agreed that we will proceed with the evidence of Mr Mnisi and that Mr Visser will cross-examine him and that Mr Knight's cross-examination of Mr Mnisi will be reserved for a stage later in the application. He can be called for purposes of cross-examination if required.

Mr Knight has not stated that he's definitely going to be cross-examining, he's still got to determine whether there are any questions in cross-examination. So we will then proceed with the application today with Mr Visser cross-examining any questions by re-examination, any questions by the Committee but we'll reserve Mr Knight's cross-examination.

And then if we have time we will proceed with the further applicants' evidence today and then come back to that problem later. What I've said, is that correct Mr Knight?

MR KNIGHT: Mr Chairman, yes I confirm that that is correct.

CHAIRPERSON: Is there anything any of the other legal representatives wish to say at this stage?

MR VISSER: No Mr Chairman.

MR MODISE: No Mr Chairman.

CHAIRPERSON: Thank you, then I'll ask Mr Visser if he has any questions.

Sorry, you've finished your evidence in chief?

MR MODISE: Yes, but I want to say two things. Firstly I've got the statements here, can I ...[intervention]

CHAIRPERSON: Yes, thank you Mr Modise.

MR VISSER: Now Mr Chairman, really, I'm on the point of starting cross-examination, I haven't seen that document at all. Really!

CHAIRPERSON: Are you objecting to it being ...[intervention]

MR VISSER: I'm not objecting with it Mr Chair, I'll try to deal with it as I sit here now.

CHAIRPERSON: Is that statement a written version of what was said?

MR MODISE: It doesn't depart, not even with any sentence or word, it's just the same as yesterday.

CHAIRPERSON: Yes, because I think there's ...[intervention]

MR MODISE: It's just for Mr Visser's convenience that I'm handing it over.

CHAIRPERSON: Yes, I think if can then hand it out and Mr Visser if before you conclude your cross-examination, if you want some time to take a look at it before you finally finish, we will certainly afford you such time.

MR VISSER: Thank you Mr Chairman. I would rather hope that we can finish it once and for all.

CHAIRPERSON: This statement will then be received as Exhibit E.

CHAIRPERSON: Mr Visser, do you have any cross-examination?

MR MODISE: Mr Chairperson, I said I had two things.

CHAIRPERSON: Sorry, sorry Mr Modise, yes?

MR MODISE: The other thing is that you would have seen that the application of Mr Mnisi, his amnesty application is really in the name of Johannes Minisi so at this stage I just want to make a formal application that his name, his MK name be substituted with his real name which is Johannes Mnisi, for the purposes of these proceedings.

CHAIRPERSON: Yes, is there any objection to that?

MR VISSER: Mr Chairman, no. And in fact I may inform you that there has been precedent, I think it originated in the Motsamai/Ngo matter in Bloemfontein, to say that the Committee

has the authority to exercise a discretion in regard to amendments of applications. I don't have any objection.

CHAIRPERSON: Yes, I think it is certainly also desirable Mr Modise that we deal with Mr Mnisi with his real name rather than with his assumed name and accordingly your application is granted and wherever on the application form or in the proceedings the name Molefe is used we'll substitute that with the name Mnisi.

MR MODISE: Thank you Mr Chairperson.

CHAIRPERSON: Mr Visser, do you have any questions?

CROSS-EXAMINATION BY MR VISSER: Thank you Mr Chairman. It appears that I have to refer you to page 4 of Exhibit E which has just been handed to us. It would seem that that is where at paragraph 13 at the top of that page, you start dealing with the Church Street Bomb, is that correct?

I'm sorry, I've got a technical problem Mr Chairman. I'm sorry Mr Chairman, may I enquire whether that has been interpreted to the witness, I didn't hear.

CHAIRPERSON: Mr Mnisi, did you hear what Mr Visser said? Was it translated to you?

Yes, it has been translated Mr Visser.

INTERPRETER: May you please repeat your question?

MR VISSER: I'm asked to repeat my question to you Mr Mnisi, it's not really a question. I'm referring you to Exhibit E which has just been handed to the Committee, at page 4 thereof, paragraph 13. And I would like to ask you some questions about that.

You say in paragraph 13 that you were involved in the unit which planned with Church Street car bomb attack on the South African Airforce headquarters in Pretoria to which we've been referring to as the Church Street Bomb, that is correct is it not?

MR MNISI: Yes.

MR VISSER: Now will you please tell the Committee exactly what your involvement consisted of?

South African Airforce

MR MNISI: As I've already indicated yesterday my involvement there was to try and get two comrades and to test the remote control device that will be used in Pretoria.

MR VISSER: Alright. Now were you involved in the division - I don't know what you want to refer to it as but special operations, were you part of special operations?

MR MNISI: Yes, I was part of special operations, I was a member of the special operations.

MR VISSER: Where were you stationed in 1983?

MR MNISI: In Mozambique.

MR VISSER: Alright. Just tell us about that, did you share a building with other commanders of special operations or what was the position?

MR MNISI: I was living alone with my family in a residence where the movement had organised us for.

MR VISSER: And did special operations have an office in Maputo?

MR MNISI: Yes, there was place where it functioned or it operated.

MR VISSER: Was that a place where people went to do their work in special operations, like an office or a headquarters or whatever the case may be? Is that the situation?

MR MNISI: In Mozambique there was an office, ANC office that is and most of the MK people never used to go there because the majority were people who were preparing to come back home so they were not supposed to mix with the people who are not taking any part in this.

So the special ops had its special area or place of operation, it was not mixed with the other involvement of other people.

MR VISSER: And if you would go there on a typical day, who would you find in that office of special ops?

MR MNISI: I will say you will not go to that office with no objective at all, you would go there for a purpose and you will meet somebody each time you go there because one would not just wake up and go there for no apparent reason, you will go there for a specific reason.

MR VISSER: Well your reason would have been that you were part of special ops?

MR MNISI: Yes.

MR VISSER: So I'm talking about that. If you on any particular day went there, any typical day I should say, what would you find in that office? Who would you expect to be there?

MR MNISI: When we have arranged that we will meet in that office on a particular day I would usually find Rashid and the late JS, that is Joe Slovo.

MR VISSER: Are we to understand then that they were really the two people who manned that office or am I wrong?

MR MNISI: I would say that.

MR VISSER: You yourself, typically in the performance of your duties, would you often go to do something at that office?

MR MNISI: I will go on a call each time they call me for a certain reason I will go there.

MR VISSER: And for the rest of the time you would stay at home, is that the picture?

MR MNISI: Yes.

MR VISSER: Now, are we then to understand that you were specifically called to the office in Maputo by someone to tell you that you should provide two comrades to execute the attack on the Church Street Bomb?

MR MNISI: As a member of MK and special operations, I will take orders from the two people. Each time there would be a mission like this or an operation like this I will be called to organise that particular mission, like for instance the power station. That is how we operated, that's the procedure we followed, you can't just do your own way.

MR VISSER: And did that general procedure also pertain to this particular case of the Church Street Bomb?

MR MNISI: That's true.

MR VISSER: Was it on that occasion or on another occasion that you were told to test the device, the triggering device?

MR MNISI: Yes.

MR VISSER: Yes what? Was it on the same occasion or on another occasion?

MR MNISI: There was a time when we left with Rashid to test the device. I was told by Rashid that we should test the device?

MR VISSER: And was that on a different occasion to the occasion when you were called and told to obtain the services of two people to attack the target?

MR MNISI: Yes.

MR VISSER: Alright. Now on the first occasion then, that was to obtain the services of people, who called you to the office?

MR MNISI: I was called by Rashid.

MR VISSER: And when you arrived at the office was he the only person there or was there someone else there?

MR MNISI: It was himself and the late Joe Slovo.

MR VISSER: Look, if you don't remember you must please say so, it's a long time ago. I'm not expecting you to remember everything.

MR VISSER: Were there any specific instructions regarding the type of person that you required or that Rashid required to execute this task?

MR MNISI: One thing I know is that as a work that supposed to be undertaken in Pretoria, we will want people who are based in Pretoria and those were the only two we knew, that I knew, since they were based in Pretoria and they are able to work better if they are not occupied other things because there were other things that they were doing that I didn't know of.

MR VISSER: And had you known these two people before that time? I'm talking about Freddy Tshongwe and Izekial Maseko? Had you known them before the time you were called to the office?

MR MNISI: Yes, I knew them.

MR VISSER: And you were certain that they would follow the instructions if they were given instructions to bomb a target?

MR MNISI: Yes.

MR VISSER: Were you told what kind of device would be used?

MR MNISI: Me, I don't understand your question quite well, who was supposed to tell who about the kind of device that was supposed to be used?

MR VISSER: I'm trying to find out from you what Rashid told you. Did he tell you that there would be -first of all, you knew or let me ask you this, did you know what the target would be that these two people would have to attack, Tshongwe and Maseko? Did you know what target they were supposed to go and attack?

MR MNISI: Yes, I knew because I had already been told.

MR VISSER: Were you part of the decision taking as to the target that was selected, were you part of that process?

MR MNISI: I was already briefed, because we would discuss each and every target, between Rashid and Oliver Tambo and Joe Slovo. They will discuss about the kind of target, I will just receive it as an order, it will be after it had been discussed.

MR VISSER: That answers that question. Did you know how the Church Street - did you know how the South African Airforce headquarters in Church Street would be attacked?

MR MNISI: They had already briefed me, as I've indicated earlier on, they had already told me.

MR VISSER: Okay, so you knew when you contacted Tshongwe and Maseko that it would be a car bomb that would be used and you also knew that the car bomb would be triggered with an electronic device?

MR MNISI: Yes, I already knew.

MR VISSER: And you then say later you received instructions to test that electronic device, the triggering device?

MR MNISI: Yes, that is correct.

MR VISSER: Did I understand you correctly to say in your evidence that you tested that device in Lusaka?

MR MNISI: Yes, that is correct.

MR VISSER: Would you explain that to me please, because you're sitting in Mozambique, Maputo, how does it come about that you tested the device in Lusaka?

MR MNISI: People were given jobs in many ways. For example the testing of the device, it was not done in two days it took some time. As Rashid had already explained that each and every operation of the special ops would take months before something was implemented, everything had to be checked.

That is why it also took some time for this device to be checked as well to make sure that it was going to do the job without having to do any mistakes. That doesn't mean that, like you have asked me, did I stay at home at the time, I said yes because I knew that each time I had to be called in I was available to carry out any operation.

MR VISSER: Now you haven't answered my question. My question is this: What was the particular reason why this device could not be tested in Maputo?

MR MNISI: I cannot give you an answer to this. We had to go and test the device in Zambia following an order, an order that came from the commanders. I therefore cannot answer to that question. They must have had reasons why the device had to be tested in Zambia, that is perhaps how they saw it. And I could not object to the decision of testing the device in Zambia.

MR VISSER: Yes, I'm not blaming you and if Rashid had given this evidence we would have asked him what his reasons were. How did you exactly test this device?

MR MNISI: I did not test it, we tested it because I was not alone. There were two of us, myself and Rashid.

MR VISSER: How did the two of you test the device?

MR MNISI: I don't know how to explain this because the question here is, one has to be a kilometre or two away so that we should be able to determine as to whether the signal can reach the distance and make out any disturbance that may occur and establish at the same time as to whether the device can hit when it is time to do so.

MR VISSER: And you say that took days?

MR MNISI: Yes, it took some time because we wanted to make sure that no mistake happened so that innocent people died.

MR VISSER: Alright, well going onto exactly that point, did you discuss - let me ask you this first of all, did you come from Pretoria originally, before you went to Mozambique? Did you live in Pretoria before you went to Mozambique?

MR MNISI: Yes.

MR VISSER: And would it be fair to assume that you knew Pretoria fairly well?

MR MNISI: Yes.

MR VISSER: Well, did you know that area where the South African Airforce headquarters was fairly well?

MR MNISI: I did not know the place quite well.

MR VISSER: Yes. Did you know that a lot of people work in that building?

MR MNISI: As I've just explained here, I did not know the building quite well. There are many people working in buildings in Pretoria. I only got to know about this when I received the report to the fact that there were people working in the building.

MR VISSER: Did Rashid discuss the question of civilians with you that may be affected by this explosion or didn't he?

MR MNISI: As I have already explained that the reconnaissance had already been done, they were already aware of such things.

MR VISSER: I'm asking you whether it was discussed with you, while you were testing the bomb for example?

MR MNISI: Us, we did not discuss it at the time when we were testing the device.

MR VISSER: Did you discuss it at any time?

MR MNISI: No. I want to believe that this was already discussed by the commanding staff.

MR VISSER: You know Mr Mnisi, I don't understand - I'm sorry, I keep not giving sufficient time, I do apologise to the interpreter.

Mr Mnisi, I'm trying to make my questions as simple as possible but you don't seem to answer them, why is that? Don't you understand the questions?

MR MNISI: I do understand what you are saying.

MR VISSER: Try to answer this simple questions.

CHAIRPERSON: Sorry Mr Visser, but my notes, unless I misheard, your question was: "Did you discuss it at any time"? and then his answer was: "No, I believe it was discussed by senior staff".

MR VISSER: That's right.

CHAIRPERSON: Now, isn't that an answer, he said: "No"?

MR VISSER: Mr Chairman, he's talking about other people where I'm addressing my questions[intervention]

CHAIRPERSON: He says: "Did you discuss it at any time"? - answer: "No, I believe it was discussed by the senior staff".

MR VISSER: I see. I see what you're saying Mr Chairman and I don't want to be unfair and if I am unfair I do apologise.

Let's make it quite clear, did you, Johannes Minisi discuss with Rashid the issue of civilian, possible civilian casualties at any time?

MR MNISI: You asked me as to whether we discussed this when we were testing the device and I said: "No". I think I have answered that questions.

MR VISSER: I'm now asking whether you discussed it at any other time.

MR MNISI: No, we did not discuss it.

MR VISSER: Did you in fact brief the two operatives, Tshongwe and Maseko, did you brief them on what they had to go and do?

MR MNISI: I was not the only person who briefed them, Rashid was also present when the briefing was done when the training had to be conducted for the two operatives pertaining to the use of the device.

MR VISSER: Mr Mnisi, can you please answer this question, did you Johannes Minisi brief Tshongwe and Maseko on how the attack was to be carried out?

MR MNISI: You see, I was given instructions to call them to Swaziland to discuss this so that Rashid was the one who was to brief them about this and I did that. Instead - I was given instructions to call them to come to Swaziland, instead only Freddy Tshongwe came to Swaziland, the other one did not come. By then Rashid was in Swaziland where Freddy was briefed by Rashid about the whole operation. I was also present during the briefing. And he was also shown the device and he had enough time to show the device to the operative.

MR VISSER: Alright, I hear what you say. So what you're saying is that you were present when Rashid briefed Freddy Tshongwe, have I got that right?

MR MNISI: Yes, that is correct.

MR VISSER: Did Rashid discuss the question of civilian casualties with Freddy Tshongwe?

MR MNISI: I do not remember.

MR VISSER: Tell me this, you say you were involved in other operations as well, attacks carried out within the borders of the Republic of South Africa?

MR MNISI: Yes, like power stations, Voortrekkerhoogte.

MR VISSER: Were you present when Rashid briefed the operatives in regard to some of those attacks as well?

MR MNISI: I was not present most of the time because I was busy with other things.

MR VISSER: Were you present some of the time?

MR MNISI: Yes, that is correct.

Sasol 1980

MR VISSER: Can you remember perhaps which occasions, in regard to what attacks were you present? Perhaps I can make it simple for you, were you involved at all in the Sasol attacks?

MR MNISI: No, I was not present.

MR VISSER: Alright. Did you at any - can you today remember that Rashid when he briefed operatives, spoke to them about avoiding civilian casualties?

MR MNISI: I don't remember.

MR VISSER: Thank you. Give us a rough estimate, over the years how many briefings such as the one we're talking about now did you attend, a rough estimate?

South African Airforce

MR MNISI: It was only the Voortrekkerhoogte perhaps, and the power stations, the two power stations and a sub-station and this very one, the one that involves Freddy.

MR VISSER: Okay. Were you personally interested at all in the question of how the attack might effect civilians? You yourself, were you concerned about that?

MR MNISI: It did not occur to me because the target was already known and therefore I did not think about the civilian questions.

MR VISSER: Was Freddy Maseko, sorry Tshongwe trained in the use of this device?

MR MNISI: Yes, he was trained.

MR VISSER: And did this take place in Swaziland?

MR MNISI: Yes, that is correct.

MR VISSER: And how long did it take to train him?

MR MNISI: Two days if I'm not mistaken, two or three days.

MR VISSER: Mr Chairman yes, I'm afraid I wasn't watching my watch and with the late starting I'm not certain how you want to arrange the short adjournment to be taken. I can stop at any time, I'm never bothered by things like that, as to reach a certain point.

CHAIRPERSON: I think, unless anybody's got an urgent need to have an adjournment, if we can proceed I think seeing that we started so late.

MR VISSER: Yes, alright Mr Chairman.

What did this training consist of, will you just tell us. I'll tell you, I'm not wasting time Mr Mnisi. Let me tell you why I'm asking you this, because it appears to us if you look down the list of attacks that were carried out by special ops, it seems that everything always went wrong at the last minute. Perhaps I'm exaggerating but most of the time things went wrong so I'm asking you what did this training consist of?

MR MNISI: He used the remote control device for the training, showed him as to how it operated. That was the main important thing for which he was called because this person was a member of the MK and he knew some of the things.

MR VISSER: Mr Mnisi, this electronic device, did it have buttons or levers?

MR MNISI: Mr Chairperson, may the speaker please repeat the question.

MR VISSER: Did this electronic triggering device have a button or buttons or did it have levers with which you had to activate the device?

MR MNISI: It had buttons, it used buttons.

MR VISSER: So you would say to Freddy Tshongwe: "When you want the bomb to go off you press this button"?

MR MNISI: I thought I have answered the question that the person who trained the person was Rashid. It was not just the question of showing him the buttons but he had to show him generally as to how the device worked.

MR VISSER: Tell us what was so involved about this, I don't understand.

MR MNISI: I don't understand what you are trying to say because I have just indicated to you that Rashid was showing him how the device was working. That is not just a question of showing him the button because if that was the case, in a second he would have shown him how the button could be pressed and just let him go.

CHAIRPERSON: You see, I think the question asked by Mr Visser is - you said earlier that it took two or three days to train Mr Tshongwe with regard to the use of the device and you've said it operated by having a button being pushed.

Now what Mr Visser wants to know is what did you do during those two days other than just showing how to push a button, what else was involved in the training of Mr Tshongwe? Did you have to repeat what was done in Zambia by going distances apart or whatever? Just explain that, why it took two or three days.

MR MNISI: The reason was for the operative to understand the operation of the device to try and avoid what had happened because we don't quite understand what led to this happening.

MR VISSER: So the short answer is, you can't tell us why two days were taken up with the training, that's the short answer?

MR MNISI: I don't know whether I should say that or not. I just indicated to you that the person was called in to be trained as to, into the use of the device. I don't know whether you want something else that I don't know.

MR VISSER: I'm not going to labour the point, I'll make certain submissions on your evidence and your refusal or lack of information.

In paragraph 14 of Exhibit E you gave figures and you say that:

"As a result of the explosion 19 people were killed including 11 airforce officers?"

remember that?

MR MNISI: Yes, the 14 here indicates that the information gathered came through the press, we only obtained this number through the media.

MR VISSER: I put it to you what is strange is that we one week down the line with the hearings of these applications and we've made it perfectly clear in our cross-examination that the figures which are incidentally the same as you mentioned, mentioned by Rashid were not correct. I find it strange that this morning you produce a document in which you still say the same figures.

MR MNISI: These figures are the very same that Rashid spoke about. We only got this information from the media and I therefore can not surely attach to the figures that came to the press but these are the figures that we have.

MR VISSER: Are you prepared to accept that 19 people died, you say so yourself, 19 people died in this attack, do you accept that?

MR MNISI: I don't whether I should say yes or no. It's difficult because there was also a debate about this figure between the panel in the TRC. There was a debate pertaining to the figure because it is not exactly known how many people died and therefore it becomes very difficult for me to acknowledge the figures because I am not the one who has come with the figures but the press is.

MR VISSER: No, you see, I understand your practical approach to the matter but legally this is your evidence and I'm putting it to you your evidence is incorrect. The correct evidence is that seven defence force personnel were killed.

MR MNISI: Exactly. I am still repeating that the very same information that you too have, comes from the press, it doesn't come from me.

MR VISSER: Our information does not originate from the press Mr Mnisi please, just stick to the answers. Just stick to answering the questions. 10 civilians were killed, can you dispute that?

MR MNISI: I cannot deny that, I was not there, I don't know.

MR VISSER: Yes, and Freddy Tshongwe and Izekial Maseko were also killed, we know that. As far as the injuries are concerned ...[intervention]

MR MNISI: Yes, I did hear that.

MR VISSER: Yes. As far as the injuries are concerned, I put it to you that 86 defence force personnel were injured and 114 who had absolutely nothing to do with the defence force, civilians in the sense that they had nothing to do with that building, 114 of them were injured. Can you dispute those figures?

MR MNISI: I cannot deny that, you are the one that is telling me this now.

MR VISSER: I'm sorry Mr Chairman, I believe I'm just about through. Yes, Mr Chairman, if I may for the moment just address you on one short issue, and I don't want to detain the witness. We did mention at one point in time that the two operatives according to our information had been convicted or had previously been convicted, I think was what we said and it was then taken up Mr Chairman. At the time, I don't even remember in what context I mentioned it but it wasn't the intention of ...[intervention]

CHAIRPERSON: I think there was a report drafted by the - I've forgotten what it's called, the Terrorist Institute or something, which referred to them as hired ...[intervention]

MR VISSER: Criminals or something.

CHAIRPERSON: Hired gangsters and criminals I think.

MR VISSER: Thank you for reminding me, I thought I might have done so. Mr Chairman, frankly the - nothing turns on that point in our argument and our approach to the matter but insofar as a member of the Committee has expressed interest in it, will you allow me one question in that regard.

You say these two people, Tshongwe and Maseko were friends of yours, do you know whether they had previous convictions?

MR MNISI: I still remember feintly that they were once convicted before they left.

MR VISSER: Can you remember feintly what they were convicted of?

MR MNISI: ...[no English translation]

MR VISSER: I didn't hear your answer.

MR MNISI: Yes, they were convicted for stealing money.

MR VISSER: Money, alright. Well Mr Chairman as I say, we take that point no further. Mr Chairman, as presently advised and depending on what might transpire when Mr Knight starts addressing you or cross-examining the witnesses or presenting his witness, we don't have any immediate further questions thank you.

NO FURTHER QUESTIONS BY MR VISSER

CHAIRPERSON: Thank you Mr Visser.

Mr Steenkamp, do you have any questions?

CROSS-EXAMINATION BY MR STEENKAMP: Mr Chairman, thank you Mr Chairman, a few questions.

Mr Mnisi, if we can turn to your document, Exhibit E page 3, paragraph 11. If you look at line number 4 starting with:

"We said ourselves up at the operational site"

do you see that?

MR MNISI: Yes.

Voortrekkerhoogte

MR STEENKAMP: Can you tell us who that "we" is, who were all the people involved in this incident, the Voortrekkerhoogte incident, you're talking about "we"?

MR MNISI: Bani.

MR STEENKAMP: Just repeat that.

MR MNISI: It was Bani Molokwane, Vicks Sidney Sibepi, Johnny and the late Philemon.

MR STEENKAMP: If we go down in the same paragraph, the line starting with:

"We approached him"

the same paragraph. In the middle of that paragraph on the righthand side you will see there's a sentence starting:

"We approached him and asked him for a lift, he refused. Bani Molokwane panicked and shot him in the stomach"

Do you see that?

MR MNISI: Yes.

MR STEENKAMP: This person that was shot, was this an Indian person?

MR MNISI: That was an Indian and Lodium is the area of the Indian, Indian area.

MR STEENKAMP: Were you present when this person was shot?

MR MNISI: When we were going to look for transport, it was myself and Bani.

MR STEENKAMP: Because I want to refer you to volume 4, index 4 and we can start at page 32 paragraph 2, do you have that?

CHAIRPERSON: Page 32?

MR STEENKAMP: That's correct Mr Chairman.

CHAIRPERSON: There's no paragraph 2, that 2 is the page number, it's part of paragraph 3.

MR STEENKAMP: On paragraph 3 on the top of the page, the sentence starting with:

"Nadat"

I'll read the sentence for you:

"After the shots had been fired they left me next to the road, I don't know in which direction they left. I know how many shots had been fired"

Do you understand that? You see, is we look at your statement, your **Exhibit E** paragraph 11, again on page 3, according to your statement, I'll read the sentence two thirds down of the paragraph starting with:

"We then ran in the direction of where Vicks, Sidney and Sibebe and Johnny were hiding"

Okay, I'll read it again:

"We then ran in the direction of where Vicks, Sidney, Sibebe and Johnny were hiding"

Now correct me if I'm wrong, this statement was taken - this statement starting on page 31 in bundle 4 is actually the statement of Mr Zahied Ibrahim Patel, the Indian person who was shot. According to his statement it looks to me that he was robbed of his vehicle after he was shot and according to your statement you ran in direction after he was shot.

CHAIRPERSON: Sorry, where do you get that from? They said:

"After the shots had been fired they left me next to the car and left"

Now my impression of that is that after the shots were fired they left me next to the car and hit the dirt or ran away.

MR STEENKAMP: That's exactly why I'm asking the question Mr Chairman, it's a bit confusing to me.

CHAIRPERSON: Did you take the motor vehicle?

MR MNISI: We did not take the motor vehicle because when the person left, alighted from the car he took his key with and we ran towards the direction where the other comrades had hidden. We left the car with Bani, we did not take the car. This is why I said to Bani they should go back to the base, I will follow them.

I will go to Mamelodi to look for more transport. If we had taken that transport we had no problem therefore we could not go and look for other transport because we will be already having one. We left the gun because we did not have transport, that's where the police captured us because they found lying there on the firing point.

MR STEENKAMP: Right. If you look at page 30 index 4, you will see there's a report, an examination in a case of alleged assault. This is the medical report of the person who was actually shot. According to this report Mr Patel was shot three times in the back and not in the stomach. Can you explain that, why was he shot in the back?

MR MNISI: What I know is that Bani shot him once to the stomach and that is when we left. That was the time when we heard firing shots we ran towards the kombi's direction. If the other shots were fired it meant he was shot by his people but I only heard one shot from Makaroff.

South African Air Force

MR STEENKAMP: Just bear with me Mr Chairman.

Mr Mnisi, just turning to the Pretoria incident, Mr Tshongwe and Mr Maseko, were they ever informed about the policy of the ANC? Were they trained in the policy, the decisions of the ANC? You said they were well trained, can you just tell me were they informed that the policy of the ANC was not to hit civilian targets but as Mr Ismail put it, military targets?

MR MNISI: They knew that very well, they were MK members and African National Congress as well.

MR STEENKAMP: Did you inform them again before this attack?

MR MNISI: I think Rashid made that known to them because I have no recollection of me doing that.

MR STEENKAMP: Can you just tell me, who did the reconnaissance of the

Voortrekkerhoogte incident or attack, who did the reconnaissance there?

MR MNISI: The information that I gathered from Rashid is that the reconnaissance was done by Bani and the two foreigners he was with at the time.

Wits Command

MR STEENKAMP: And in turning to the Wits Command incident, who gave Mr Grosskopf instructions, or did anybody give him instructions to take the Wits Command, do you know?

MR MNISI: I have no knowledge in as far as that is concerned. I have already indicated that I only prepared the material from Lusaka in as far as that incident is concerned.

MR STEENKAMP: Did you plan the operation?

MR MNISI: No.

MR STEENKAMP: Because if you look at your statement, Exhibit E, paragraph 20, please correct me if I'm wrong, I'll read for you:

"I was not involved in the actual carrying out of the operation.
My role in the operation was in the planning and the
preparation of the material"

Now you're saying you were not involved, you're saying now you were not involved in the planning only in the preparation of the material.

MR MNISI: I was not involved in the planning. The only planning was to plan to forward the material to the comrades in Botswana, that was the only planning. But as far as the operation, it was already in place. I bear no knowledge in as far as that is concerned. I wouldn't know, maybe Rashid will be in a better position to explain to that effect.

MR STEENKAMP: Can you give us some more information about the material that was used and where did you get the material from?

MR MNISI: When the material left it was sent to Botswana to the auxiliary comrades that were working hand in hand with Vusi and Tome. They were the people who received the material that we sent.

MR STEENKAMP: Did anybody assist you in preparing this operation? Except for Mr Ismail and yourself, did anyone else assist you?

MR MODISE: Mr Chairperson, I think the witness has already stated that he did not plan the operation so for Mr Steenkamp to ask that question I don't know what he expects him to say. He said he was involved in the preparation of the material as well as the planning for the material to go elsewhere but to ask him more than twice if he was involved in the planning of the operation, I don't think it helps. I think the question has been answered. I don't think Mr Steenkamp can get more than what he wants. The question will never be different - the answer will never be different from what he's answered.

MR STEENKAMP: I think the question - I'll try and make it as easy as I can. When you prepared the material to be used in the attack did anybody assist you in that, not the operation, the planning of the operation but the actually preparing the material to be used? Did anybody assist you?

MR MNISI: We prepared that material with Rashid, nobody else.

MR STEENKAMP: So it was only you and Rashid?

MR MNISI: Yes.

MR STEENKAMP: Nothing turns on it, I just want to ask, is there any reason why you didn't mention Mr Rashid in paragraph 20 as being the person who assisted you?

MR MNISI: The person I was working with was him, I wasn't working alone.

MR STEENKAMP: Thank you Mr Chairman.

NO FURTHER QUESTIONS BY MR STEENKAMP

CHAIRPERSON: Thank you Mr Steenkamp.

Mr Modise, do you have any re-examination?

MR MODISE: No, Chairperson.

CHAIRPERSON: Mr Knight, I take it you're still reserving your cross-examination or do you want to at this stage put any questions?

MR KNIGHT: No, not at this stage.

Mr Sibanyoni, do you have any questions?

MR SIBANYONI: Thank you Mr Chairperson, just one question.

Mr Mnisi, your position did it put you in a situation where you were part of discussions leading to making of decisions?

MR MNISI: Often time I would not be involved. The command will finish up everything and send the orders to us for us to implement them.

ADV MOTATA: Now in implementing these orders, were you in a position to use your discretion as to in what way those orders should be implemented? Would you be in a position to change the manner in which an order should be implemented?

South African Air Force

MR MNISI: The work that already is planned, there was no way that I will change it. For instance the Power Station, I would be in the position to use my own discretion to change because I would have been the one who has done everything and conducted the reconnaissance as well, so in a way I will be in a position to change the manner to how we approach the whole thing but otherwise I will not be in a position to do that.

ADV MOTATA: Would I be correct to describe your situation or position as being that of a foot soldier?

MR MNISI: I don't understand that foot soldier, in what way?

ADV MOTATA: In the way that all you were supposed to do was to carry out orders.

MR MNISI: Yes.

ADV MOTATA: Thank you, no further questions Mr Chairperson.

CHAIRPERSON: Thank you.

Mr Motata, do you have any questions?

ADV MOTATA: Just one Mr Chairman.

Voortrekkerhoogte

Mr Mnisi, you said you fired the rockords, rockets, I'm referring to Voortrekkerhoogte, how many rockets did you fire?

MR MNISI: We fired 5 rockets at Voortrekkerhoogte.

ADV MOTATA: Thank you Mr Chairperson, I've got no further questions.

CHAIRPERSON: Thank you.

Doctor Tsotsi, do you have any questions?

DR TSOTSI: No.

CHAIRPERSON: Judge Pillay?

JUDGE PILLAY: None.

CHAIRPERSON: Mr Modise, any questions arising from questions that have been asked by the panel?

MR MODISE: No, Mr Chairperson, no questions.

CHAIRPERSON: Mr Visser.

FURTHER CROSS-EXAMINATION BY MR VISSER: If it pleases you Mr Chairman, one.

Let's get back to this question of a foot soldier, let me explain to you what the Honourable Commissioner means when he asks you whether you were a foot soldier. A foot soldier is like a constable or an ordinary member on the ground who just executes and follows orders, he's not allowed to think for himself, he doesn't train others, he doesn't instruct others. Was that truly your position?

MR MNISI: If you recall the MK and the operation member it's not according to the way that you are explaining it, that you will be told to take this and put it there and do it just that. There are things that you may question because at every briefing people ask questions.

MR VISSER: Yes, but I'm talking about your role and your position in special ops. You were a person who tested devices, not so?

MR MNISI: Yes.

MR VISSER: Did you instruct persons on the ground? Were there persons on the ground that you had to instruct on what they had to do? Did that happen?

MR MNISI: You see, this is the situation. If you've been given a task to carry as I've already given an example about the power station, you'll be told your responsibility. It will be up to you especially if you've done the reconnaissance, to change according to the way the situation presents itself.

People who might change, other people who might change will be those who will be undertaking the operation direct.

MR VISSER: This is not at all what we're talking about unfortunately. What I'm talking about is your position in special ops and all I'm asking is, where you not one who received orders from Rashid and would then carry those orders over or give instructions to other cadres?

MR MNISI: At time it would be like that.

MR VISSER: Did you have a rank, what did they call you? What were you?

MR MNISI: There were no ranks there like the SADF.

MR VISSER: But there were commanders weren't there?

MR MNISI: Yes, there were commanders.

MR VISSER: Rashid called himself a commander.

MR MNISI: The MK units, for instance if you've been given four or three people and you are the fourth or the fifth one, it will be taken that you are the commander as you go and undertake the operation. It's not taken for granted that you will be the commander for the rest of that time.

MR VISSER: But just to make it absolutely clear. Freddy Tshongwe and Maseko, I would suggest to you they were foot soldiers. They were told to go and do a job and they did it.

MR MNISI: Yes, they were told to do that job and one of them was a commander.

MR VISSER: But you weren't in their class, you were somewhere above them isn't that so?

MR MNISI: I may say so, that I was their superior because I participated as well.

MR VISSER: Thank you Mr Chairman.

NO FURTHER QUESTIONS BY MR VISSER

CHAIRPERSON: Mr Steenkamp, any questions arising?

MR STEENKAMP: No thank you Mr Chairman.

CHAIRPERSON: Yes, thank you Mr Mnisi, you may stand down subject to the possibility that you may be required to come back and give evidence if Mr Knight has any questions to put to you, which we'll only know some time in the future. Thank you.

MR MNISI: Thank you.

WITNESS EXCUSED

CHAIRPERSON: I think, would this be a convenient time to

take a short adjournment and then is it Mr van der Berg, will you be calling a further applicant after that? We'll take a short adjournment at this stage.

COMMITTEE ADJOURNS

TRUTH AND RECONCILIATION COMMISSION

AMNESTY HEARING

DATE: 8TH MAY 1998

NAME: SIPHO MATTHEWS THOBELA

DAY: 5

Sasol 1980

ON RESUMPTION

CHAIRPERSON: Mr van den Berg?

MR VAN DEN BERG: Thank you Mr Chairperson. You need to guide me just in terms of your time constraints, I see that it's already midday. Is the intention that we complete as close to 1 o'clock as possible?

CHAIRPERSON: Yes, some people have to be travelling and have to leave for the airport shortly after 1 o'clock.

MR VAN DEN BERG: Thank you Mr Chairman, I don't imagine that this will take terribly long. Mr Chairperson, one of the matter which this Committee had indicated that it wants to hear evidence on is the attacks on Sasol 1 and 2.

A person by the name of Siphso Matthews Thobela was involved in those attacks. He's not an applicant before this Committee however he has lodged an application for amnesty. It's the only incident for which he applies for amnesty and accordingly we believe that it would be best if it's disposed of at this time and so I'm bringing an application to join his amnesty application with the other applications already before this Committee .

CHAIRPERSON: Yes, the other application, was that lodged prior to the cut-off date which was the finally extended cut-off date, I think it was September 1997?

MR VAN DEN BERG: That is correct Mr Chairman.

CHAIRPERSON: So it's properly before the Commission?

MR VAN DEN BERG: Yes, it was lodged together with all of the other applications, lodged on behalf of the ANC and MK and was in fact lodged together with Mr Ismail's application.

CHAIRPERSON: Mr Steenkamp, is there any reason why it wasn't initially included with the other applicants in this hearing because it would seem that this is the hearing for it to be dealt with?

MR STEENKAMP: Sure Mr Chairman, I think that the position is that, if I'm not mistaken the contents of the application of Mr Thobela was not I think regarded at that stage as hearable matter but surely it must be dealt with now.

CHAIRPERSON: So if it's - the only application is in respect of the Sasolburg attack then the due notification to victims, if any the interested parties, implicated person etc., has been complied with in respect of the other applicants who have applied so there would be no objection from that point or no difficulty from that point in joining the ...[indistinct]

MR STEENKAMP: Absolutely Mr Chairman.

CHAIRPERSON: Mr van der Berg, I think the practical and wise thing to do would be to join Mr Thobela as an applicant in these hearings. Are there any objections from any of the other applicants in this regard, to that occurring?

MR MODISE: Certainly not from the applicants that I have consulted with Mr Chairperson.

CHAIRPERSON: Mr Visser?

MR VISSER: Mr Chairman, I'm just listening to my attorney, we're not involved in this type of thing so I don't think I've got anything to say, thank you Mr Chairman.

CHAIRPERSON: Yes, if his application is properly before the Commission and has been filed in timeously and it seems that the only reason why it's not before us at the moment is because it was separated from the others because it was considered to be an unhearable as opposed to a hearable.

Then the obvious route to follow to join him and he is so joined but I must say Mr van den Berg, it will just be subject to us getting the application form. I think we must have the application form in front of us because there are other applicants involved in the same incidents notification to victims, interested and implicated persons has been complied with so Mr Thobela's application will then be considered at this hearing.

MR VAN DEN BERG: Mr Chairman, I have copies of the application form, together with a statement which is being prepared by ourselves and I'd like to hand those up before he takes the oath.

CHAIRPERSON: Thank you Mr van den Berg. Mr van den Berg, I take it that there is a proper application form before the Committee because this one I see is unsigned.

MR VAN DEN BERG: I will take the applicant through the reason for it being unsigned. A signed copy - his evidence will be that a signed copy is before the Committee.

CHAIRPERSON: Yes. And this is a true copy of the signed copy?

DR BURTON: ...[indistinct]

CHAIRPERSON: This then will be - the application form will be received as Exhibit F and the statement by Mr Thobela will be received as Exhibit G. Yes Mr van den Berg?

MR VAN DEN BERG: The applicant will testify in English Mr Chairman.

CHAIRPERSON: That's your choice Mr Thobela.

MR VAN DEN BERG: His other choice is to testify in German which I think might be a little difficult.

CHAIRPERSON: Yes, it might. Yes, Mr van den Berg, do you want to - sorry.

Mr Thobela, do you have any objection to taking the oath?

SIPHO MATTHEWS THOBELA: (sworn states)

CHAIRPERSON: Is it correct Mr Thobela, that your full names are Sipho: S-I-P-H-O, Matthews: M-A-T-T-H-E-W-S, Thobela: T-H-O-B-E-L-A?

MR THOBELA: Yes.

CHAIRPERSON: Mr van den Berg?

EXAMINATION BY MR VAN DEN BERG: Thank you Mr Chairman.

Mr Thobela, you have before you which is now Exhibit F, a copy of your application form, could you have a look at that? Would you turn to page 6 of the application form? You will note that it is unsigned, can you give an explanation for that/

MR THOBELA: Yes, it's unsigned because initially I signed an application form with certain people who mentioned my name in these operations.

CHAIRPERSON: Sorry Mr Thobela, I don't want to interrupt but you pushed to button on your microphone? It just makes me nervous when these lights don't come on, I'm not sure whether it's working or not.

MR VAN DEN BERG: Could you repeat the answer to that question?

MR THOBELA: Yes. Initially when we applied for amnesty we signed an application form with Paula McBride and they were all handed to the ANC head office.

MR VAN DEN BERG: You've had a look at Annexure F?

JUDGE PILLAY: You're talking about a copy or this would be a copy of the original one you signed, Exhibit F?

MR THOBELA: Yes, that would be it certainly.

ADV MOTATA: Mr Thobela, just before Mr van den Berg commences, did you receive any acknowledgement from the Truth and Reconciliation Committee, that is the Amnesty Committee wing, that your application was duly received?

MR THOBELA: Yes, I received a letter that was like a feedback that said to me I'll be called for hearing by the Amnesty Committee.

MR MOTATA: I see.

MR VAN DEN BERG: Do you have a copy of that letter?

MR THOBELA: Yes, but presently I don't have it.

MR VAN DEN BERG: Could you get that to me so that I can make that available to the Committee?

MR THOBELA: Yes.

MR VAN DEN BERG: You've had a look at Annexure F, do you confirm that that is your application for amnesty?

MR THOBELA: Yes.

MR VAN DEN BERG: You've also prepared a statement which is Annexure G before you. I'd like you to take the Committee through this statement, adding where you need to add. I may interrupt you from time to time as may members of the Committee.

MR THOBELA: Yes.

MR VAN DEN BERG: Thank you Mr Thobela.

MR THOBELA:

"I was born on the 24th of May 1956 in Chatterston township near Nigel. The township was later removed to Duduza. I schooled in Nigel, starting my high school there. However I later moved to a boarding school in Nelspruit where I attended school until 1976. At the time 1976, June 16 uprising my fellow students started questioning the authorities on the deaths of our fellow students in Soweto and other townships. We began organising in our school around the issue of Afrikaans. However maths and science subjects in our school were done in Afrikaans and we found it difficult to receive education in Afrikaans.

We distributed placards and pamphlets and that led to the presence of police on the school. The students proposed that the school be closed for a period of mourning"

MR VAN DEN BERG: Can I interrupt you there?

MR THOBELA: Yes.

MR VAN DEN BERG: When you say the students proposed, were you a party to that proposal?

MR THOBELA: Yes, I was part of the SRC in the school.

MR VAN DEN BERG: Please continue.

MR THOBELA:

"As a result of these proposals I and a number of students were arrested and I was detained for approximately two months during the period which I was intensively interrogated and tortured. I was asked questions about my involvement in Sasol, my attitude towards the ANC and Frelema.

At one stage the torture was so extreme that I pretended to be ill. I was taken to a doctor who advised the authorities that there was nothing wrong with me"

DR TSOTSI: Mr Thobela, just before you proceed I would request you to take it slowly because we've got the interpreters and they are indicating that they have problems in keeping pace with you.

MR THOBELA:

"Towards the end of my periods of detention I was charged with sabotage. When the case was postponed I was released into the custody of the principal of my school. I went home in Nigel. In Nigel I realised that there was a total war between students and the police. We as students had no means of defending ourselves. I was also afraid of further detention.

And the prospect of being jailed, arising from sabotage charges which charges were devoid of substance, I arranged with a number of other friends to leave the country. I left South Africa in early '77 travelling to Swaziland. There I joined the ANC for a period. I worked locally for the ANC in Swaziland.

In March 1977, I went to Angola via Mozambique. I received initial training at Nova Kateng Camp. This camp was later bombed by the SADF. In April 1978 I went for specialised reconnaissance training in USSR. I returned to Angola and received further training at Fazenda.

I was called to Funda Camp to join a special unit which was being trained by Rashid. After a period of training we were re-deployed in Maputo. In Maputo I was instructed by comrade Joe Slovo to conduct reconnaissance at Sasol 2 plant in Secunda. I was to conduct reconnaissance with comrade Mutudi, another member of special operations.

I was appointed to do reconnaissance because I knew the area reasonably well, having lived in the East Rand and travelled mostly to Nelspruit"

MR VAN DEN BERG: Can I interrupt you there Mr Thobela? We know from the evidence that has been presented to this Committee, that reconnaissance was also done at Mobil and at Sasol 1, did you know about that at the time?

MR THOBELA: You see we used to operate on the basis of, you give information to those who require it. We used not to know the other sub-unit, what was it doing. That was not our way of working, that we know everything about special operations.

MR VAN DEN BERG: Would you continue at paragraph 8?

MR THOBELA:

"We conducted the reconnaissance for approximately two weeks, pretending to be persons seeking employment at Sasol 2. We stayed in the hostel area and the area around, occasions at the police station nearby"

MR VAN DEN BERG: Could you explain how that happened?

MR THOBELA: You see in Sekunda, because Sasol it's a national keypoint, so always there was a presence of police, always this nearby police station near the hostel. So whenever you come, being a stranger in a hostel, you report to a police.

You take out your ID book, the police notes you down, already notes. Early in the morning we are going for work while we are doing reconnaissance, that's what was happening. Those police were very kind for us.

MR VAN DEN BERG: Would you continue.

MR THOBELA: Alright.

"By so doing we were able to speak to a number of people which enables us to supplement what we were able to observe. On our return to Maputo we reported to comrade Joe Slovo and Rashid. They instructed us to start planning an attack on Sasol 2.

I was the commander of the unit which comprised of Victor Kayane, David Mohese whom we call Lords and Mutudi"

CHAIRPERSON: Sorry, is that Lords: L-O-R-D-S or L-O-T-S?

MR THOBELA: We used to call him Lords: L-O-R-D-S.

CHAIRPERSON: Alright.

MR THOBELA: Why? He was a Lord because he was very brave.

"After a period of planning, which planning was overseen and vetted by comrade Joe Slovo and Rashid, we were instructed to infiltrate the country. Material had already been made available to us through a DLB. We arrived in the country on Friday"
...[intervention]

CHAIRPERSON: Sorry Mr Thobela, if I can just remind you to keep your pace a little bit slower for the interpreters.

MR THOBELA: Sorry.

"We arrived in the country on Friday after a mishap of involving a motor car which overturned, planned to execute the mission of Saturday. The was on the Republic Day, 31st of May 1980. The attack was planned to coincide with the Republic Day.

After a final reconnaissance we commenced the operation approximately as 21H00. We cut through the fence"
...[intervention]

MR VAN DEN BERG: Mr Thobela, would you add to what you've set out in paragraph, just give a little bit more detail about the operation?

MR THOBELA: Alright. As we were staying in a hostel at the time, now and then early in the morning we used to look at the shifts so that we avoid loss of life of civilians, workers, even some of the engineers. So we had to take time because even at 9 o'clock on Friday we had to go to the target and observe how many people were there especially when we knew exactly where we were going to plant the limpet mines.

We couldn't just plant a limpet mine where we could see that it could affect our own people on top of it, our own fathers, our own brothers who are working there.

So that is what we were busy during that Friday night, morning. I think I've answered your question **Sir**.

MR VAN DEN BERG: Yes, thank you Mr Thobela, would you continue with the statement? We were at paragraph 10.

MR THOBELA:

"After final reconnaissance we commenced the operation. At approximately 21H00 we cut through the fence, placed the limpet mines in the appropriate place then withdrew"

...[intervention]

CHAIRPERSON: Approximately how many limpet mines did you place Mr Thobela? When I say: "you" I mean you plural.

MR THOBELA: Each and everyone had at least two mines.

CHAIRPERSON: So you planted up to eight mines?

MR THOBELA: Yes.

MR VAN DEN BERG: In other words eight mines were placed?

MR THOBELA: Not exactly eight because there was also a mistake somewhere where a mine was lost just on the nearby ravine there, while we were crawling.

MR VAN DEN BERG: Would you continue?

MR THOBELA:

"We were not detected and we did not encounter anybody in the process. We immediately returned to Swaziland where we met comrade Obadi and comrade Rashid, then they directed us to Maputo on the very same night.

In the operation no person was killed because that we could have heard during our way to Maputo, we were listening to radios now and then"

CHAIRPERSON: What did you hear through the media relating to the result of your operation?

MR THOBELA: It was the - actually we were overwhelmed to put it straight, because we were also exited to do such a big operation to undermine and prejudice the apartheid system. We heard that fire was raging in Sasol and they announced both Sasols although then I didn't know, my fellow comrades they were also part of this coordination of attack. We were highly, you know, motivated and highly encouraged to fight more.

MR VAN DEN BERG: Were there any injuries in the incident?

MR THOBELA: Not as far as we know except that later we heard that somebody was injured. We don't know how was he injured because that was not in my set of the operation.

MR VAN DEN BERG: Would you continue at paragraph 12?

MR THOBELA:

"On the 30th January 1981 I was also involved in an incident known as "Matola Raid". This occurred in a residential area in Maputo in a house which I and a number of MK cadres resided, was attacked by what we believed, mercenaries, it was not SADF per se because those people, we know SADF, the style

of attack, we know everything about them. Those were pure mercenaries"

To site an example in this, why we say those were mercenaries, first they painted their faces with black polish because they were White, they couldn't infiltrate a black township being white.

Secondly their helmets were written Nazi schwartztechers. I can even quote some of the schwartztechers were written: "Kak and kak and kak, take me to hell". Those are tendencies of

mercenaries.

"And then in a house in which MK cadres were resided was attacked by believed mercenaries. Whilst I was preparing to go and sleep I heard a sound of gunfire whereby all the comrades were lined up like in a firing squad"

If you have ever seen somewhere in Nigeria how they fire people on a line, closed eyes, shooting, barbarous killing, that's what they were there to do.

"So they started shooting. When they started shooting I peeped through the window, I could see a gang of mercenaries approaching and shooting at our comrades. I had to retaliate to defend the comrades. Later when I escaped in that house, I escaped through the roof, parachuted on a tree. I realised there was a body lying but later when I was in hospital I was discovered that it was Mike Hutchinson(?) that was from the press, and when the family from London was coming to collect him, the corpse in Mozambique. Now this shows again that the main attack was mercenaries"

And I hope that those people have also applied for amnesty in this country.

MR VAN DEN BERG: Mr Thobela, did you sustain any injuries in the attack?

MR THOBELA: I was shot with four bullets and then I went for intensive care for a period of three months in Mozambique. And then, later when I asked some friends who were coming to visit, I asked how many people died and they said five comrades died in our residence and the other residences also some people died.

But what was funny with that is that their ears were cut with the bayonet. After shooting a comrade they cut the ear. We showed that - the mercenaries had to go and put the ear on top of the table and then get paid their fat cheques.

MR VAN DEN BERG: Once you were discharged from the hospital in Maputo, what happened to you then?

MR THOBELA: When I was discharged from Maputo military hospital the President suggested that due to my ill health I could no longer proceed with operations and I should

then be taken to school to get some skills in some way although my career was petroleum engineering at the time but my health was not up to standard, then I was sent to East Germany to study welding technology.

MR VAN DEN BERG: Would you resume at your statement at paragraph 17?

MR THOBELA:

"My injuries were of such a nature that I could no longer act as an operative, accordingly fulfilled various administrative roles in the ANC. I was not operationally deployed after this time. As a result of my involvement in the ANC and MK my family which remained behind in Duduza were harassed. My two sisters were killed in a bomb that was thrown into our home. My father was detained together with a number of prominent activists, example Popo Molefe and Terror Lekota. He was initially part of Delmas Prison Trial but due to illness he was unable to stand the trial. He died mysteriously, under mysterious circumstances in Germiston hospital"

MR VAN DEN BERG: Thank you Mr Thobela. Can I refer you back to your application for amnesty, that's Annexure F, sorry Exhibit F. Could you just briefly explain to the Committee your political motivation for joining MK and for being involved in the operation which you've just described?

MR THOBELA: To explain more detailed, during my torture in Nelspruit the South African special branches especially taught me hatred, they taught me how to do some of the things. Was it not the ANC with provided us with political education maybe things would have gone out of hand, so we were still keeping in principle with the ANC and we can't defy our leaders on what we were advised on.

MR VAN DEN BERG: Can I refer you to paragraph 10(a) and 10(b) of **Exhibit F**, that's page 3. Would you have a look at those?

MR THOBELA: Yes.

MR VAN DEN BERG: Do you confirm that that is the basis on which you seek amnesty today?

MR THOBELA: That is correct Sir.

MR VAN DEN BERG: Thank you Mr Chairman, I have no further questions.

NO FURTHER QUESTIONS BY MR VAN DEN BERG

CHAIRPERSON: Thank you Mr van den Berg.

Mr Knight, do you have any questions to put to the witness?

MR KNIGHT: Mr Chairman, I do not.

CHAIRPERSON: Mr Visser?

MR VISSER: Mr Chairman, insofar as it may be relevant to, in fact so far as it is relevant to the evidence of Mr Ismail, Mr Aboobaker Ismail, would you allow me just to ask the witness on one aspect?

CHAIRPERSON: Certainly.

CROSS-EXAMINATION BY MR VISSER: You explained that you had to make certain that your brothers who worked at Sasol would not be affected or injured, killed, why do you specifically confine it to your brothers?

MR THOBELA: Yes, because the majority of the workers in Sasol is blacks, that is why I had to confine that.

MR VISSER: Yes, you weren't concerned with the whites?

MR THOBELA: I was also concerned because there are also good whites but there are also those hard who don't want to change Sir.

MR VISSER: So how do you distinguish between those different kinds of whites when you go and place a bomb?

MR THOBELA: You see what, engineers, those are the people who are developing the country but to think I can compare police, a white a police at that time and an engineer, I couldn't. A police was ruthless as far as I'm concerned Sir.

MR VISSER: Yes, you see Mr Ismail, Aboobaker Ismail on a question, I believe it was from Mr Motata, gave the same answer. He said he considered whether there might be danger to the residents of a black - I've forgotten the name, Zandela.

MR VAN DEN BERG: With respect Mr Chairman, Zandela relates to the Sasol 1 attack, we're dealing with the Sasol 2 attack.

CHAIRPERSON: Yes.

MR VISSER: That's not the point Mr Chairman, I'm saying that he gave similar evidence.

And what I want to put to you - perhaps I should add this as well, we have a note here that - and I'm just going to refer to him as Rashid, that Rashid said that you were a person who killed Nazi soldiers, I think the note reads. Would that be a fair description of you? He said: "He killed Nazi soldiers", do you have any comment on that?

MR THOBELA: No, I ...[intervention]

MR VAN DEN BERG: Mr Chairman, with respect, that related specifically to the Metola incident and it was prefaced by reference to the Metola incident.

CHAIRPERSON: Yes, and then it was explained why the word Nazi was used, because some of the invaders had schwartztechers emblems on them.

MR VISSER: And the very next question following from that is: "Are you actually saying that the Metola raid was carried out, not by the South African Defence Force but by mercenaries, is that your evidence"?

MR THOBELA: Yes, Sir.

MR VISSER: I see.

Thank you for the indulgence Mr Chairman.

NO FURTHER QUESTIONS BY MR VISSER

CHAIRPERSON: Mr Steenkamp, do you have any questions?

MR STEENKAMP: No questions, thank you Mr Chairman.

NO QUESTIONS BY MR STEENKAMP

CHAIRPERSON: Mr Sibanyoni, do you have any questions?

MR SIBANYONI: Thank you, no questions Mr Chairperson.

CHAIRPERSON: Mr Motata, do you have any questions?

ADV MOTATA: Just probably two for clarification Mr Chairman.

Mr Thobela, are you presently with the Defence Force, South African National Defence Force, are you employed by the South African Defence Force?

MR THOBELA: Yes, I'm employed by the National Defence

Force.

ADV MOTATA: And secondly, in your statement you mentioned that you were questioned about your involvement in SASO, South African Students Organisation, were you a member of that organisation?

MR THOBELA: I was not a member of SASO but I was highly inspired by their being pure black and clear.

ADV MOTATA: When you were questioned, when you tortured and interrogated, were you then a member of the ANC at that ...[indistinct]?

MR THOBELA: No, I used to favour the ANC, especially I used to favour one person. I used to favour the President, Nelson Mandela.

ADV MOTATA: Thank you Mr Chairman, I've got no further questions.

CHAIRPERSON: Doctor Tsotsi, do you have any questions?

DR TSOTSI: You say that the attack on your group in Mozambique was made by mercenaries?

MR THOBELA: Yes.

DR TSOTSI: How do you know that?

MR THOBELA: I know that because if it were Afrikaans speaking I would have said it's Afrikaans, the so-called SADF but due to the nice English, pure British English one could simply distinguish between a Boer and a British and the way those people attacked, shooting even meat in the fridge, shooting everything that was there because they believed that a guerilla can change himself to be a meat in the fridge, that's what I believed. Now you could see those are acts of mercenaries. By cutting the ears of comrades you could also prove it. They need an ear to go and be paid.

DR TSOTSI: Do you know who employed those mercenaries?

MR THOBELA: Look, the SADF if it's afraid of embarrassment of its troops they simply employ mercenaries in instances. For instance in Angola most of these Executive Outcomes they're from mercenary groups, you see that. Some of them are former SADF soldiers.

DR TSOTSI: So you say that the mercenaries were employed by the SADF?

MR THOBELA: Yes.

CHAIRPERSON: That's your opinion?

MR THOBELA: That's my opinion.

CHAIRPERSON: Judge Pillay, do you have any questions?

JUDGE PILLAY: Just one.

Mr Thobela, I don't know if this has been covered with you. For all your contributions, the MK, the ANC, were you ever paid a reward for whatever you did?

MR THOBELA: Not even a cent Sir. Our army was not an army of mercenaries where we worked for pay, we were volunteers to liberate this country.

CHAIRPERSON: Mr van den Berg, do you have any questions arising from questions that have been put by the panel?

MR VAN DEN BERG: No, Mr Chairman I don't, thank you.

NO QUESTIONS BY MR VAN DEN BERG

CHAIRPERSON: Mr Knight?

MR KNIGHT: No, no questions

NO QUESTIONS BY MR KNIGHT

CHAIRPERSON: Mr Visser?

MR VISSER: No, thank you Mr Chairman.

NO QUESTIONS BY MR VISSER

CHAIRPERSON: Mr Steenkamp?

MR STEENKAMP: No, thank you Mr Chairman.

NO QUESTIONS BY MR STEENKAMP

CHAIRPERSON: Thank you Mr Thobela, you may stand down.

WITNESS EXCUSED

MR VAN DEN BERG: Mr Chairperson, there is one further applicant in respect of the Sasol incident, unfortunately due to personal circumstances he is not available today. I'm not sure that we would have finished him in the time that is allowed in any event so perhaps this is an appropriate time for us to adjourn.

CHAIRPERSON: Yes I think so, see it's twenty five to one and if we did start somebody we'd probably not conclude the evidence in chief.

As stated previously, we will be adjourning now for the day and we'll then resume again in this hall next Monday, hopefully at 09H30 in the morning. We'll then adjourn till next Monday, that will be the 11th of May 1998 at this hall at 09H30, thank you.

COMMITTEE ADJOURNS