VOL

It is alleged by the complainant that on or about 3rd March 1986, members of the then AP and Security Police assassinated the seven victims known as the Guguletu seven and stage the scene where the incident is said to have taken place to make it appear that the victims were killed in a legitimate police operation aimed at combatting terrorism.

The Investigative Process

The investigation into statement CT / 00100 brought before the commission by the complainant involved the following elements:

- 1) An interview with the complainant
- 2) An inspection of the scene where the incident is said to have occurred.
- 3) Interviews with eyewitnesses General Sibaca, Ronald Benting and Pat Smith.
- 4) An interview with Chris Bateman of the Cape Times who filed the original stories on the incident.
- A thorough search through the microfilm / microphish archives at Newspaper house.
- 6) Several interviews with former attorney general Neil Rossouw.
- 7) A documentary search and seizure at Guguletu Police Station.
- A search and seizure of documents and other articles from the Thomas Boydell Building.
- 9) An interview with the officer commanding Bishop Lavis Police Station.
- 10) Documentary requests to Wynberg Court, and the Cape Town Regional Court.
- 11) Documentary requests to CIS -Loop Street.
- 12) A review of relevent portions od a statement made by a former Askari to members of the Special investigations Unit.
- 13) Discussions with employees in the Military Intelligence and Counter Intelligence establishment.
- 14) A review of the Tony Weaver trial transcript.

Documents and articles retrieved:

- a) An extensive dossier of media reports
- b) Inquest records
- c) Secret inter-departmental correspondence
- d) Investigation diaries.
- e) Weaver trial transcipts.
- f) Affidavits of eyewitnesses
- g) Police video of Guguletu seven crime scene
- h) Relevent excepts of statement made to special investiations unit by an Askari
- Correspondence from the office of the former Attorney General.

The Investigation into statement ct / 00100 has thus far produced the following results:

- i) That many of the victims were shot in the head, resembling execution-style murders, and that the body of evidence weighs very heavily in favour of the findings of Dr Klatzow who testified that the victims were in fact shot at close range.
- ii) That the state destroyed the ballistic evidence even though the weaver trial was pending, leading to the conclussion that the reason for the destruction of evidence

was a willful act to cover up wrong doing by members of the SAP and other branches of the security establishment.

iii) That a concerted attempt was made to reconstruct events to fit in with the official version of events which hadd transpired in Guguletu on 03/03/86.

iv) That the testimonies of the members of the SAP and the Security Police who gave evidence is contradictory.

v) That the involvement of informersources of security police headquarters/ VlakPlaas and the Murder and Robbery Squad points in the direction that the situation on the ground was known to the security establishment and that events were manipulated to achieve the desired result, which was the execution of members of the liberation movement and the creation of a chilling atmosphere of fear and suspicion in the target communities i.e Guguletu and KTC/

vi) That the state acted in a concerted manner to suppress all media reportage or public debate as to the truth about the circumstances and events which led to the deaths of the seven young men in Guguletii.

vii) That the courts acted in concert with the security establishment to coverup the truth by vindicating members of the security establishment of any wrongdoing.

viii) That the state's contention that several of the victim's were involved in various crimes prior to the incident is false in that none of the victims in the records of the cases mentioned particularly by Liutenant Liebenberg were connected to the crimes.

ix) That there was a concerted campaign on the part of the security forces to destroy documents and records related to the events in which the seven victims died.

x) That the Attorney General's office acted improperly and may have been used in a process which resulted in the ends of justice being defeated.

xi) That the entire project seems to have been part of an officially sanctioned plan to undermine



CT/ 00100 - A progress report.

The investigation into statement CT/00100, which involves allegations brought by the complainant of seven acts of gross abuse of human rights.

ACTS 1-7

It is alleged by the complainant that on or about 03/03/86, members of the security establishment murdered seven youths in and around the vicinity of NY 1 and NY111 and then reconstructed the scene to make it appear that the youths were killed in a legitimate police operation aimed at combatting terrorism.

The Investigative process:

The investigation into statement CT/ 00100 has been an extensive one and has involved a mix of interviews with eyewitnesses, documentary searches and seizures at police stations, document requests and retrieval from the courts, searches through news archives, interviews with journalists, politicians, activists and members of the military/ military intelligence establishment.

For the purpose of discussion the retrieved documents added here as annexures as

2) Secret Communications
3) Testimony by forensic experts Klatzow and Fosseus Van dev 8pey
4)

It is apparrent from the documentation retrieved and the information gained from the investigative process that the official version of what happenned on the morning of 03/03/86 stands in stark contradiction with the evidence as emmerged at the inquest and in direct contradiction with the sworn statements of four eyewitnesses who had absolutely no relation to the deceased and therefore would not have any material reason to lie under oath.

Further, the examination of the relevent se3ction of the statement made to the special investigation team by a former Askari, and the unearthing of secret communication between the high ranking officials of the security police and the commanders of Vlakplaas, has given credence to the statement brought by this person, that he was part of a team sent down to the Cape by DeKock to infiltrate the liberation movement local and then set up people for assasination. These communications also expose the fact that a Vlakplaas vehicler was used in the operation, further backing up the statement by the former Askari.

While the official line taken is that police acted on information that there would be an ambushed of a vehicle ferryintg police to Guguletu Police Station, and then took preventative measure strays far from reality, in that the statements of all the police officials differ vastly from each other.

Whether police received information of an intended attack and acted to preempt, or whether police happenned upon a group of township youths in a mini bus and acted out their role to "enforce the law", one thing stands out clearly, the available evidence points in the direction of police having committed a gross violation of human rights

when they executed the seven young black men by shooting them at point blank range with lethal weapons.

 From the interviews conducted by members of the investigative unit with the eyewitnesses who made swom statements at the time of the shooting and in relation to the inquests into the cause of the deaths of the seven and later at the trial of Anthony Weaver, the Cape Times journalist who covered the story and was arrested for his reportage, it is clear that these witnesses are certain about what they saw on that day. Despite the passage of a decade, eyewitnesses General Sibaca, Ronald Benting and Pat Smith all stick to their original statements, almost to the word, without prompting or coaching about what they witnessed that morning. Collectively the statements of the victims concur with the expert opinion of noted forensic expert Dr Klatzow who testified at the 1987 trial of Anthony Weaver who had been arrested and charged under section 27(b) of the police act. At the Weaver trial Dr. Klatzow, drawing on comparisons to numerous shooting tests conducted on the head of a pig demonstrated that the powder burns, and the nature of the wounds (especially the cross examination of Major Odendal by Adv. Jeremy Gauntlet) and SECRET communications between ranking members of the security police and other branches of the SAP, it is clear that the incident which resulted in the deaths of the seven young men in Guguletu may have been part of a broader strategy.

From the available evidence on hand then it is possible to draw the following conclussion.

a) The the security structures were monitoring organised structures of the liberation movement in KTC, Guguletu and Crossroads and wanted to make an example of one group as a means of creating a climate of fear an intimidation and suspicion.:That the members of the murder and Robbery Squad were used as a shield for a sinister assasination and then joined in by reconstructing a legend as part of a coverup.

5)	That what really happenned can only be told when the following people including
	Eugene Dekock and the Askaris are fully questioned by the investigative unit.

(securitypolice)

Major Adolf Odendal Major Brits Major Brazelle

Luit. Liebenberg

Capt. Kleyn W.O.s Barnard

> MacMaster Freeman

Sterrenberg

Theron Stegman Coetzee Bothma

Moggee Bellingan

Sgts.

A. Grobbellar

I. Grobbellar Const. Le Roux La Bushagne

Viljoen

Mbelo

Although he is not placed at the scene and no affidavit was taken from him, it is now clear after perusing all documents available, that Eugene DeKock had knowlege of the operation and after consideration of the statement of the Askari source currently under investigation by the special investigation team, and discussions with Johan Breytenbach, it fits a pattern of operations which were masterminded by Eugene Dekock out of Vlakplaas.

A quick review of this particular list of police, their areas of operation, their squads and spheres of influence reveals that this is no hastily thrown together assortment of police officeers. These are the members of Murder and Robbery, the Detective branch, the Security Police and the Riot Squad. Together they represent a grouping of police personell who hold a high degree of power and influence. This grouping collectively could have been said to have Carte Blanche at the time. As pointed out by Superintendent Josephs of Bishop Lavis Police Station "there was no control" of this group, particularly those police who reported directly to Brigadier Nick Acker, photographs, plans and SECRET high level inter-departmental correspondence, it is clear that the vindication of all the police without any of those involved being convicted of anything, could be interpreted as a travesty and a miscarriage of justice.

- 9) Conflicting statements from the policemen at the scene, especially Barnard and MacMaster who together, in close proximity to each other persued and shot two of the victims numerous times as well as the statements from Captain Kleyn, Major Bris, Major Odendal, Grobbellar and Bellingan as well as the statements from WO Sterrenberg and Constable Mbelo are extremely inconsistent with the the scene reconstructed by these same officers, the location of the victims, the nature of the wounds sustained, the specific information on the powder traces at entry points of the bullets, and the areas where, according to Major Odendal, his men were supposed to be deployed.
- 10) Close ups of the4 photographs reveal a much more gruesome story more consistenstent with young men being shot at point blank range than with trained guerrilla who perished after an intense gunfight. In fact the location of bullet shell, the location of grenades and weapons on or about the persons of the deceased cannot be said to be consistentent with the type or force or the numerous entry points of the bullets which struck them. The inventory of weapons ranged from 9mm pistols to automatic shotguns to R1 rifles, and the officeers reconstruction of the gunfight needs to be put to serioous scrutiny and the ballistics evidence or complete test documentation must be put to scrutiny, Incidently, the R1 is capable of using interchangeable ammunition with and AK47.

It is therfore necessary to bring the entire picture into clear focus by questioning how and why judge Hoffman, sitting to consider the deaths of these seven young men could find absoluterly no culpibility on the part of anyone in the security establishment, and in I my finding to date that the statement CT /00100 brought



before the commission is truthfull and that the victims were indeed victims of gross abuses of human ri9ghts.

STATEMENT BY "SOURCE"

He left the RSA during 1981 and on his return (no date mentioned or even indication of when) was arrested and "recruited" to the ranks of Vlakplaas by De Kock and his men.

WESTERN CAPE OPERATION

With other members from Vlakplaas were sent to the Cape to infiltrate and identify people (terrorists) (task of Vlakplaas members).

They drove down in a combi from Vlakplaas and stayed in a house at Koeberg.

Efforts to infiltrate were done by individuals of the Vlakplaas group.

They started in Khayelitsha. Also included in the fight against the witdocke.

During this period "source" and another Vlakplaas member returned to Vlakplaas to pick up materials and to obtain further instructions. Weapons were given to the Vlakplaas members to train people from Khayelitsha.

Source also mentioned the fact that he was introduced to Chrus Rastaman.

It appears that source and Rastaman were quite close or at least from the same groups.

Later on source and someone else moved from Khayelitsha to Guguletu.

At a meeting at the Community Hall



DMMENTS

- The way of recruitment is in line with other known recruitments of Vlakplaas members.
- The whole operation carries the trade mark of Vlakplaas or more specific Eugene De Kock by organising an ambush and to involve other SAP units to "do the job" such as the Nelspruit and Carousel incidents.
- It is my personal believe that a group of Vlakplaas members stayed on in the house at Kocherg while efforts were made to infiltrate the groups in either Khayelitsha or Guguletu.
- They used the combi in which they drove down for the operationthe reason for this is reflected in the statement.
- Vlakplaas members (E.A. De Kock)? planned the whole operation and did not inform the SAP in the Western Cape fully.

Krappics Engelbrecht and the rest of the chain of command <u>must</u> have been informed. The payment of the money <u>must</u> have been approved on a level higher than that of De Kock.

The people started telling me that they want to fight because they have already been trained. They wanted to start by ambushing a combi, which use to carry senior police officers from one area to the other. This combi used to transport these police on a daily basis. I decided to inform the Vlakplaas about all this information. I was instructed by the Vlakplaas squad to quickly stop these people from doing they were planning to do.

34.

De Kock called me to Koeberg and I reported to him that I have almost nine people there, who are already trained. De Kock arranged with Lt Liebenberg for me to go back to Gugulethu with a box of dagga and R 2000.00 since I told De Kock that those people smoke dagga. When I arrived at Gugulethu, I organised these people and we stole a bakery combi.

35.

them to get off just before the bridge. The aim was to attack that combi, which use to transport senior police officers. An arrangement was already made that the Vlakplaas people will come with a similar combi and then start shooting. While we were approaching the bridge, these people started getting off and I remained in the combi. The Vlakplaas combi came and started shooting. Those people were brutally killed. At least seven of them were killed. I also sustained some minor injuries and I was taken to the hospital. Were rewarded R 7000 each for this mission during our normal parade at Vlakplaas. Those people were trained and armed by us.

36.

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While I was at Vlakplaas, Lt Paul van Wyk requested me to join his unit. The unit consisted of Jeff Bosigo, Chris Magopa, Glory September, Chippa, Ndamu and other white police officers including Eugene De Kock and Mr



iguletu 7

The investigative unit of the TRC took on this case in the period immediately preceding the public hearings held at the Nico Malan Nursing College, Heideveld, 22 - 25 April 1996. From that moment on certain facts about the incident, the victims, the perpetrators and the political/ legal infrastructure have become known to the commission. They are as follows:

1) The main theories about what happenned on 03/03/86 in on NY 1 in Guguletu..., The police version and the version of the eyewitnesses do not fully explain the graphic and gruesome nature of this incident.

2) Whether police received information of an intended attack and acted to preempt, or whether police happenned upon a group of township youths in a mini bus and acted out their role to "enforce the inw", one thing stands out clearly, the available evidence points in the direction of police having committed a gross violation of human rights when they executed the seven young black men by shooting them at point blank range with lethal weapons.

3) There is a web of denial, fabrication, outright lies and official sanction which reaches from within the highest ranks in the police department to the judiciary, the attorney general's office to the command structure at the scene of the incident where the seven died as a result of lethal police

gunfire.

4) There has been a systematic destruction of or deliberate misplacing of crucial domentary evidence which would demonstrate the full extent of the planning and coordination of not only the shootings but also the coverup which may have provided the alledged perpetrators in this case with a blanket

of vindication.

5) From the interviews conducted by members of the investigative unit with the eyewitnesses who made sworn statements at the time of the shooting and in relation to the inquests into the cause of the deaths of the seven and later at the trial of Anthony Weaver, the Cape Times journalist who covered the story and was arrested for his reportage, it is clear that these witnesses are certain about what they saw on that day. Despite the passage of a decade, eyewitnesses General Sibaca, Ronald Benting and Pat Smith all stick to their original statements, almost to the word, without prompting or coaching about what they witnessed that morning. Collectively the statements of the victims concur with the expert opinion of noted forensic expert Dr Klatzow who testilied at the 1987 trial of Anthony Weaver who had been arrested and charged under section 27(b) of the police act. At the Weaver trial Dr. Klatzow, drawing on comparisons to numerous shooting tests conducted on the head of a pig demonstrated that the powder burns, and the nature of the wounds sustained by several of the victims, was consistent with "being shot at point blank range."

 From the sworn statements of police officcers involved, the Weaver trial record (especially the cross examination of Major Odendal by Adv. Jeremy Gauntlet) and SECRET communications between ranking members of the security police and other branches of the SAP, it is clear that the incident which resulted in the deaths of the seven young men in Guguletti was part of a broader strategy.

7) The key players in the Guguletu 7 case, our review of several were part of a specialised killing unit involving mainly white members of the Riot Squad, the Murder and Robbery Squad, the Security Police and the detective branch in the Mannenberg/ Guguletu/ Bishop Lavis corridor. These include some of the main players in attacks on activists or politically activated groupings throughout this period. The command structure of the perpetrators for the attack on the Guguletu 7 listed below reveals a whose who of alleged perpetrators:

(1986 2nd in com 8) CMajor Adolf Odendal (Wingfield 3am) In command lephanus Ponts Brits munder Rob & Major Brazelle Head of (at one 70 int) w (Liebenberg X security police) 1986/7 Murden I grenous bodily warm and Riel land (Major in auge, Nyanga. Luit. Strategy meeting when he took Kleyn - Murden (Robbery Capt. post (Barnard) x leg person (rime luller in W.O.s MacMaster > command. Freeman Sterrenberg Barnard Odendaal 1985 Riff Platon

Theron called RP4. Crigs I New CrossRoads | Nyanga Stegman Coetzee -Liebenberg | Brazella -> knton Fransche Karel Bothma) murder/Reb. Assassivation

Opcentre mannenberg.

Sgts. Bellingan A. Grobbellar I. Grobbellar

Const.

Le Roux La Bushagne

Viljoen

Overall in command for the entire operation was Brigadier Nick Acker.) (M

(murder and Robbery Equad)

A quick review of this particular list of police, their areas of operation, their squads and spheres of influence reveals that this is no hastily thrown together assortment of police officers. These are the members of Murder and Robbery, the Detective branch, the Security Police and the Riot Squad. Together they represent a grouping of police personell who hold a high degree of power and influence. This grouping collectively could have been said to have Carte Blanche at the time. As pointed out by Superintendent Josephs of Bishop Lavis Police Station "there was no control" of this group, particularly those police who reported directly to Brigadier Nick Acker. It will in fact be useful for the commission to ascertain just how many people were killed or mained by this particular group. A high ranking member of the justice department in this period informed the investigative unit that the on site commander of the group, Major Odendal "could be quite sadistic." In the course of investigating this case similar statements have emmerged about several of the policemen on this list.

- 8) From the inquest dockets, trial records (Weaver) and other key documents, photographs, plans and SECRET high level inter-departmental correspondence, it is clear that the vindication of all the police without any of those involved being convicted of anything, could be interpreted as a travesty and a miscarriage of justice.
- 9) Conflicting statements from the policemen at the scene, especially Barnard and MacMaster who together, in close proximity to each other persued and shot two of the victims numerous times as well as the statements from Captain Kleyn, Major Bris, Major Odenda! , Grobbellar and Bellingan as well as the statements from WO Sterrenberg and Constable Mbelo are extremely inconsistent with the the scene reconstructed by these same officers, the location of the victims, the nature of the wounds sustained, the specific information on the powder traces at entry points of the bullets, and the areas where, according to Major Odendal , his men were supposed to be deployed.
- 10) Close ups of the4 photographs reveal a much more gruesome story more consistensient with young men being shot at point blank range than with trained guerrilla who perished after an intense gunlight. In fact the location of bullet shell, the location of grenades and weapons on or about the persons of the deceased cannot be said to be consistentent with the type or force or the numerous entry points of the bullets which struck them. The inventory of weapons ranged from 9mm pistols to automatic shotguns to R1 rifles, and the officeers reconstruction of the gunlight needs to be put to serious scrutiny and the ballistics evidence or complete test documentation must be put to scrutiny, Incidently, the R1 is capable of using interchangeable ammunition with and AK47.
- 11) In fact certain inconsistencies, like the lack of blood on the videotaped bodies of two of the victims fend more weight to the possibility that the bodies were moved or that the scene may have been staged to suit police version of events.
- 12) Finally, it give grave cause for concern when critical forensic evidence is handed in more three weeks after the event and as soon as the "tests are done", this very critical forensic eveldence is destroyed.

So, as we await the photos, soon to arrive with an analysis report from Demoark, and continue our documentary search/ investigation, it may well be that we will find more than the killing of seven youths in Guguletu 03/03/86, but a more involved situation.

	Cec PB: Liebenberg Benzines number (command) (37)
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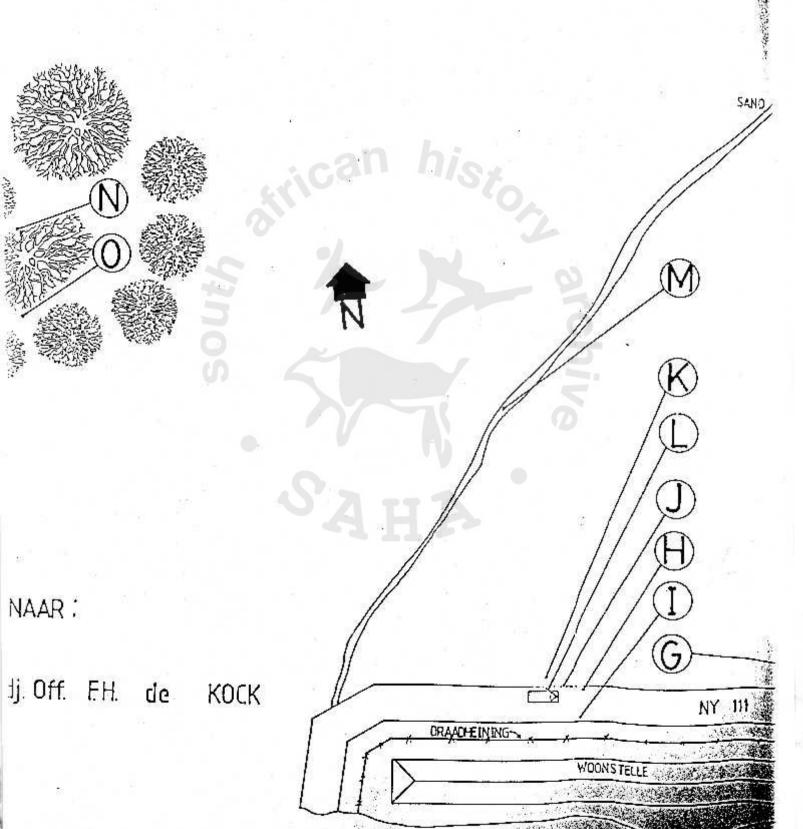
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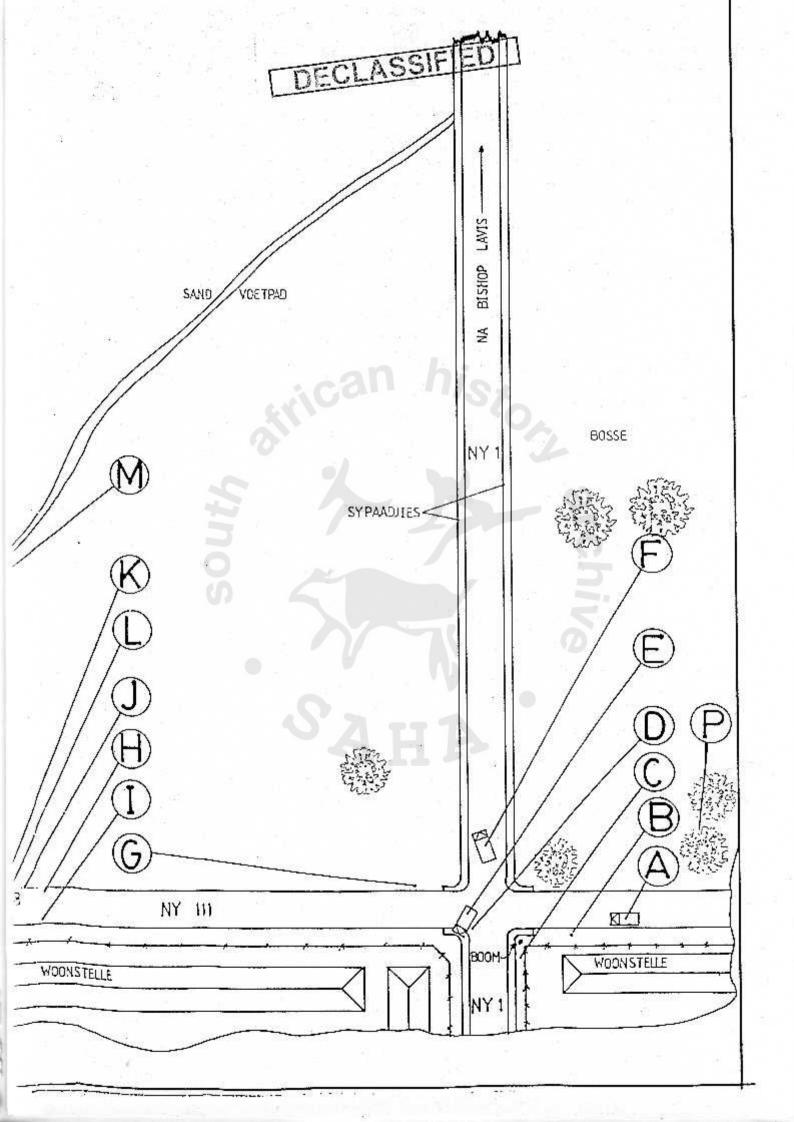
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	60 - T	Malatauman	The assertational is making	CAD	JL
≎T01550		Maqoko	The complainant is making a statement about how the victim was killed and he was shot at the back of his head in 1985 in Old Crossroads.	SAF	*
CT01016	Bonisile Dunjwa		The victim was shot in both legs in April/June '76 in Langa	SAP	ZS
CT01569	Sabatha Moshani	Vuyisite William Moshani	The victim was shot on the 9/03/93 in Old Crossroads The complainants house was also burnt down.	Siphiwe Ntekiso	JL
CT00465	Abduragmaan Mohamed	can	Victim was arrested for his involvement in acts of sabotage in 11/96 He was also interrogated and tortured.		zs
CT01333	Sicelo Sidney Manana	Sipho Samuel Manana	The victim was fatally shot in the back and in his thigh on the 10/04/96 in Crossroads.		JL -
CT00922	Thembelani Stanford Mhlola	Pakamile Holby Mhlola	The victim was killed in Crossroads on 20/06/89 inside the burning house of the complainant.		J1
CT01331	Mawethu Jevu		The victim was shot and killed on the 16/05/87 in Crossroads	Nkampi Swartbooi	ZS
CT01570	Pangalele Nongqayi	Nkombikanina Nothembile Nongqayi	The victim was shot on the 21/02/89 in Old Cross- roads and died a week later. The complainants shack was also burnt down a week after her husbands burial.		ZS
CT00916	Sicelo Qayi	Sophie Nontozakhe Qayi	The victim was shot in Nyanga in June 1990 and later died.		zs
CT00931	September Sikhathile Xecio		The victim was attacked with an axe in December 1976 and was on another accasion shot with birdshot by police.	witdoeke	ZS



- 500					
CT01527	Andile Matshikiza	Lino Nomvula Matshikiza	The victim was shot in Gugulethu in 1985.		LN
CT01559	Simpiwe Vensen Booi		The victim was subjected to a series of violations. On the 16/06/86 he was shot in Crossroads. On another incident his son was abducted and assaulted by Nongwe's people in 1993 in Crossroads. The victims shack was also burnt on two occasions.		LN
CT01012	Ndumiso Tisholo Thosholo		The victim was shot on the 10/12/89 in Old Crossroads.		DP
CT00907	Brenda Dubulekwela	Lindiwe Sylvia Khunana	The victim(1 year old at the time) was dropped by the complainant due to being attack whilst atten- ding a meeting.	3 5 5 10 W 4	OP
CT01557	Alport Singqoto		The victim was shot on the 22/03/90 in Crossroads Two other people also got killed in this incident.	22	DP
CTD1004	Tatana Kolisi		The victim was shot in August 1976 in Langa Township.	*	zs
CT00893	Mteteleli Michael Mbeki	3 H	The victim was shot with pellets in 1986 in Nyanga East.		ZS
CT00889	Nondumiso Leticia Nanci		The victim was shot in October 1995 in Gugulethu		ZS .
CT01007	Mzimkhulu Mgcuwe		The victim was shot in the foot on the 20 June 1993 in Old Crossroads.		ZS
CT01009	Ndoda Ngemntu		The victim was shot in May 1991 in Lansdowne Road, Nyanga East.		ZS

CT920	Siteti William Mantshi	Nofundile Nomatili Mantshi	The victim and complainant were both assaulted in the summer of 1975 in their home in Old Crossroads. The victim was taken away and was later found at Groote Schuur Hospital.	SAP	DP
CT00192	Thobile William Qomoyi		The victim was beaten on 16/06/76 in Langa.		DP

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Report on a meeting held with a former member of the Riot Squad and the Security branch in the Western Cape

On 22 April 1997 I met with a former member of the SAP, from here on known as Mr X. The intention was to question him about the murder of Nelfson Sithole.

Before the interview began we had some discussion about the areas that we could cover in the meeting. Mr X said that he had been involved in the Gugulethu Seven incident, had knowledge of the witdocke conflict and had some knowledge of the Michael Mapongwana murder.

Nelson Sithole

The investigator wanted to speak to Mr X since he had signed a search warrent when he and a felloofficer searched the house of a friend and colleague of Nelson Sithole, on the same night that Sithole was murdered. The people who attacked the Sithole house allegedly asked for firearms when they came in; MX and his colleague were also searching for firearms. I asked Mr X where he had received his information that there were firearms at the house of Sithole's colleague and he could not recall. He said however that at the time he was working in the Firearm Unit and was under command of John Liebenberg, who he suggested may have some more information in this regard, he said however that there would be no records regarding the origin of the information. He said further that he had no knowledge of the murder of Sithole. He said that on the night of the search he was accompanied by his colleague, Paul Matumzi.

Gugulathu Seven

Mr X informed the investigator that he had been a member of the Riot Squad at the time of the Gugulethu Seven incident. He had been concerned about the incident since it had come into the media again after Truth and Reconciliation Commission investigations. He said that the first time he heard that Vlakplaas was involved was when he saw the reports.

He told me that the night before the incident they were called to a briefing at Wingfield. There was a further meeting the following morning which was addressed by Belliguham, who they believed was from Pretoria Security Branch. Bellingham briefed them, informing them that there was a group of terrorists who were planning to attack the police mini bus that drive through gugulethu at 06h50, they were to prevent the attack on the mini bus. They were informed that the same group intended to 'hit' the Mannenberg and