

TRUTH AND RECONCILIATION COMMISSION**SECTION 29 HEARING - IN CAMERA****DATE:** 14 JULY 1998**NAME:** MARIO MAHONGO

CHAIRPERSON: Ladies and gentlemen, welcome to yet another session, a Section 29 investigative inquiry, held in term of that Section of Act 34 of 1995.

I believe that the witness before us, Staff Sergeant Mario Mahongo is before consequent upon an invitation that was sent out to him under my hand, inviting him to come and participate in these proceedings and answer questions relevant to issues raised in the body of that invitation.

I understand that he is legally represented as he should be and that he is ready to reply to questions that will be put to him. Evidence gathered in terms of Section 29 of the Act is confidential until the Commission decides to make such evidence available, due regard being given to requirements of the Act, that need to be complied with in that eventuality.

I believe that we may have to take evidence also from Corporal Paul Chimbende, who I understand would be represented by the same firm of attorneys as are representing Staff Sergeant Mario Mahongo. I do not know if Corporal Paul Chimbende is before us at the moment but because we could not take two

witnesses at the same time, it is sufficient that Sergeant Mario Mahongo is before us.

Before we proceed I would like to introduce the members of the panel. My name is Dumisa Ntsebeza. I am a Commissioner and I am the Head of the Investigative Unit. I am also in charge of the Witness Protection Unit. To my left is Zenzile Khoisan, an Investigator in the TRC who has been closely associated with the events that have led to this inquiry. To my right is Head of Special Investigations, Mr Magadla, who also sits with us and is keen to be participating in these proceedings because he normally be charged with writing a report that we would hope should find itself to the final report that will be submitted to the President, about gross violations of human rights in the ...[indistinct] period.

I take it that Mr Roger Chennells represents Staff Sergeant Mario Mahongo and I would therefor ask you Mr Channels, to place yourself formally on record.

MR CHENNELLS: Thank you Mr Commissioner. Yes, my name is Roger Chennells, from the firm Chennells Albertyn. We are acting for both witnesses. I will only be here until 12 o'clock today and after that my partner Glyn Williams will take over as representative for both Mr Mahongo and Mr Chimbende.

CHAIRPERSON: Perhaps Mr Williams must himself on the record at this stage so that it should not be necessary later.

MR WILLIAMS: Thank you Mr Chairman. Yes, I'm Glyn Williams of the firms Chennells Albertyn and I will be taking over after Roger Chennells has left.

CHAIRPERSON: Thank you very much to both of you gentlemen. Before we begin, I would like to swear the witness in.

If he therefore can stand up. May I indicate that we have got translation facilities and Mr Mahongo will be quite welcome to express himself in the language he is fairly familiar with. I use the words fairly familiar with advisedly because if I were to say he must express himself in a language he's best happy with, I might end up with a lot of clicks and no-one would be able to follow that. So if you be far happier expressing yourself in Afrikaans, Mr Mahongo, as I suspect you might be, you are perfectly entitled to express yourself in that language because we will be able to follow it. Also, for those who don't follow Afrikaans, we'll be following it with the translation.

Now, do you have any objection to taking the oath?

MARIO MAHONGO: (sworn states)

CHAIRPERSON: Mr Khoisan?

MR KHOISAN: Thank you Mr Chairman.

Good morning Mr Mahongo, thank you for joining us here today. You have been called, Mr Mahongo, to give evidence relevant to the following issues:

1. The killings of Paulino Dhala, Augustino Khambinda, C Kampisos and Kativa Khameya in 1979, in and around the vicinity of what was then known as: "Jacksons se Pad" in the Caprivi strip in 1979.
2. Several alleged cases of severe beatings and other abuses committed against former members of 31 Battalion.
3. Alleged coercion of members of the !Xu and Khwe communities to participate in SADF operations in Angola, Caprivi and Zambia.

We are very happy that you have taken the time to honour the invitation to join us, and we await to hear your evidence. Maybe before we go ahead and ask you anything about this, if you have a prepared statement, you might want to read that into the record.

MR MAHONGO: Thank you for the opportunity.

"Let me introduce myself. My name is F. Mario Mahongo.

I'm 45 years old"

...[intervention]

CHAIRPERSON: Excuse me, I don't know if you have got sufficient copies of the statement that you would like to read into the record because if you haven't, we could make arrangements for copies to be made.

MR CHENNELLS: Mr Commissioner, we have made one copy for the translators, so they have a copy.

CHAIRPERSON: Oh.

MR MAHONGO: If you wish a further copy, I'm sure we could have one made but it is handwritten, the statement is handwritten ...[intervention]

CHAIRPERSON: Alright.

MR MAHONGO: Thank you very much.

"I am 45 years old. I'm currently in service of the South African National Defence Force, 3SAI Infantry Battalion, stationed at Kimberley, Northern Cape, residing at Schmidtsdrift. Rank: Staff Sergeant, Minister of the N.G. Church. Three years service. I have receive various medal awards from the army. I'm also the elected leader of the !Xu and Khwe communities at Schmidtsdrift, approximately 3 000 !Xu and 1 000 Khwe. My own home language is the !Xu language which I speak. From 1971 in Angola, I was chosen as the leader. I speak today on behalf of my community of approximately 4 000 people living at Schmidtsdrift. I was born in Monongwe, Southern Angola in 1952. At that time the Portuguese ruled the government. They were involved in a war with the freedom movements and they also involved us in this war. As many of those in my community at the age, I at the age of 19, I joined the Portuguese Army. There were very few other choices at

that time, as a result of the war which was happening in the country. We were actually forced to join them.

Due to our skills, we were used as trackers in their army and this was beyond our control. Our people lived in fear. Our decisions revolved around survival at that point in time. The San were intimidated by all other groups and nations, for the reason that we're a smaller and more powerless group.

After 1974, the Portuguese Army left the country and we were recruited by the South African Army in Namibia as trackers and we knew the entire Southern Angola area quite well. The knowledge of the terrain which the San trackers possessed was very necessary and important for the army at that stage.

I wish to emphasise that our situation differed greatly from the many black people who also fought for the army. I don't mean this in a negative sense but I'd just like to give the reason. They were voluntary members but we actually had no other choice.

As a result of our limited area and our membership of the army, our families and communities were protected by the army. We were all in 31 Battalion, operational in the Western Caprivi area, Omega Base. This was where approximately where 6 000 !Xu and Khwe lived. If you can

provide me with a map I would be able to indicate the precise locations where we were.

The army exercised their power over us as bushmen soldiers, as they referred to us, in a very harsh manner. We were the lowest of the low and we felt as if we were treated as animals in captivity. We felt like the prisoners of the army. For example, if a San soldier decided to create or seek out another life and leave the army, large photos of him would be put up at the military police offices and he would be told that he would never be allowed to return even though his entire family resided at the base. This is just one example which I can mention.

Of the course manner by which they controlled us totally, I can tell many tales of the cruel manner in which we the San troops were threatened and intimidated into keeping quiet, but this is not the reason why I appear here today.

In 1979, at a stage when Colonel Piet Hall was the commander of the unit, he was then a Commandant and Major Dupisane was second in command and Captain G Jackson was the commander of Bravo company, an incident took place during which four San soldiers were killed in a very cruel manner. They were beaten and shot. Hundreds of San men were assaulted, the men were assaulted.

I'm in possession of all the statements which were made by eye-witnesses: Paulo Chimbende who lost a brother and who was personally assaulted, he will testify after me, Justino Lourens who lost his brother-in-law, Jakina Dhala who lost her husband and Lekina Khameya who also lost her husband. These statements are all in the possession of your Commission, the Truth and Reconciliation Commission.

I knew all these people, although I was not personally present on the day when it occurred. Within three or four days that it took for them to walk back to the base, they told me the story of what had happened. That is when I heard it. The entire community was deeply shocked by the incident.

As the community leader I heard the story from the mouths of many individuals. If I may, I wish to read the statements of the other individuals, except that of Paulo Chimbende. Basically, the Defence Force was furious that a large group of San soldiers and their families had decided to no longer be involved or in service of the Defence Force. They loaded two "Samels" with approximately 140 San people and told them that they would be driven to Bushmanland. Paulo will elaborate on what happened.

The San were forced to hand in their weapons and they were dropped off at Dam 15. They first drove past Dam 15

until the Kavango River, then radio contact was made with the base. I'm not sure exactly who they spoke to at the base. Then apparently they were driven back in the direction of Omega but they drove past Omega and approximately five kilometres outside Omega they stopped at the rubbish dump. This was the rubbish dump where the refuse was placed. Difficulty and arguing arose there between the Defence Force and the white soldiers and the San people.

I can furnish you with further details regarding what took place there. This was conveyed to me by many eye-witnesses, however this is hearsay. If you wish, I will explain.

In the veld, approximately 80 kilometres further, the white soldiers began assaulting certain of the San soldiers. Four were killed"

...[intervention]

INTERPRETER: The speaker's microphone is not on.

MR MAHONGO:

"and the following day three. All of them were buried without a coffin or a gravestone in the veld. They were buried by their own people, not by the white soldiers who had killed them. I myself and my people know for a fact that the individuals mentioned before were murdered by the

white soldiers during the incidents which have been described but the worst is what happened thereafter.

The deaths of the four people was never officially declared.

They were all soldiers in uniform and had not yet resigned from the Defence Force. Their widows received no recognition of any nature or pension, and this, after these men had worked for the Defence Force for several years and had sacrificed their lives.

As a community leader we never received any documentation, we were all powerless and afraid of asking for an explanation. After we asked questions, Colonel Nel, the commander of the area Sector 2 O, which was the highest in that area, held a parade which was arranged by Commander Piet Hall. The San people in service gathered at the parade and were told to take off their weapons.

After that Colonel Nel asked: 'Are you unhappy regarding that which took place? Those people are dead because they were shit stirrers. If there are people who wish to complain about this, they must raise their hands and they will meet exactly the same fate'. No-one raised their hands. We were then circled by armed white soldiers. Commandant Hall was with his Commander, Colonel Nel on the parade.

I was very unhappy. All the San troops knew that the Defence Force had the power of life or death over us and

that we could do nothing about it. My feeling was that I seriously considered using violence towards them.

During the following years, until we left Namibia, the wound was still very deep in our community. The four people were all !Xu people from my own community and the fact that they could do this without paying for their actions or explaining their actions, led to our perpetual state of fear.

After that many white soldiers threatened us with the Jackson Road, with the approval from above. By the way, some of the white soldiers who killed our people have since passed away. Hurter allegedly committed suicide but the assaults and murders were exercised by junior soldiers following the command from higher authority. The questions which we wish to pose are the following: Who gave the order?

Why was there never an official report regarding the incident?

What appears within the official records?

What about widows and next of kin?

Why should Colonel Hall and his commander not be given legal steps regarding the purposeful murder of innocent San soldiers?

Why should the community remain in a state of poverty so far from our original homeland or our land of origin?

It was never our war but at the end of the process we are the greatest losers. We are victims"

Thank you very much.

CHAIRPERSON: Thank you very much Sergeant Major Mario Mahongo, Mr Khoisan will ask questions from you in expansion of your evidence.

MR KHOISAN: Thank you Mr Chairman.

Mr Mahongo, we are very pleased that you have decided to appear here and that you have testified before us, and especially that you testified regarding things which took place in Namibia and Angola and in the Caprivi, incidents regarding which the Commission has not managed to collect a lot of evidence and has also not had the opportunity to hear such evidence.

I would like to ask you regarding a number of issues. Before you commence with your evidence in chief, I would like to ask you about how you personally joined and how most of your community also joined the South African Defence Force. According to allegations, the !Xu and Khwe and other sources of the San community were brought to the South African Defence by means of coercion. There are allegations for example, that the residences of the !Xu would have been bombed. Is this true and

could you perhaps provide us commentary regarding these allegations?

MR MAHONGO: Thank you very much for the questions. Regarding the bomb, if you will allow me, I would just like to caucus for a few minutes. Thank you very much.

MR CHENNELLS: Mr Commissioner, can we just caucus right here, are you happy with that?

CHAIRPERSON: Yes, that's alright. Do you need an adjournment of five minutes?

MR CHENNELLS: I think five minutes is more than sufficient, thank you.

CHAIRPERSON: Alright. We'll adjourn for five minutes.

COMMITTEE ADJOURNS

ON RESUMPTION

CHAIRPERSON: Sergeant Mario Mahongo, you are reminded that you are still under oath.

MARIO MAHONGO: (s.u.o.)

CHAIRPERSON: Mr Khoisan?

MR KHOISAN: Okay. Mr Mahongo, you have heard the question, do you have any information which you could provide the Commission with regarding that question?

MR MAHONGO: Yes. I would just like to say that the questions that was put to me regarding the bomb, I know for sure that there were different ways in which we were threatened. I

would just like to emphasise something regarding the bomb and the way in which we were threatened, in that we will be bombed.

The fact of the matter is that I come back to the fact that in the first instance we were lied to. A person in the Defence Force who was in command at that time said that they were the only organisation that looked after the San people, that: "We will protect you". In this way they also made use of our knowledge of tracking and they thought that we would be good people to work for them, and that is why we were recruited.

Regarding these aspects, when the Portuguese left Angola the parties who were then in government, there were a lot of problems and people then left the country, fleeing for their lives.

The white soldiers in Namibia at that stage said that they will take us over if we are willing to come and work for them. That is how they found us in the Eastern Caprivi area. We were isolated from everything. That is how it happened.

I'm also saying that their threats, or they threatened us in different ways. The following is regarding operations: I cannot give a lot of evidence regarding the operations because before 1977 I left the operational area, I was at the school and at the church where I worked. I know that a lot a lot of San people were involved in a lot of operations and they were always used as trackers. We also lost a lot of people during the war in this way.

MR KHOISAN: Sergeant Mahongo, when we look at this particular thing, evidence, when we went to Schmidtsdrift and we spoke to various people as you well know, and there were indications that for instance, I'm trying to ascertain whether it was the Portuguese or the South African Defence Force, but in the early '70's when this thing first began you were living as a group, as a community, there were allegations that were put there that were put to us, that for instance: "If you don't join us, we might bomb your villages", did you hear of these allegations from your community? Is there anybody in your community that ever discussed this with you and can you comment upon that? Were there also any threats of, besides what you talked about, the SADF saying that they are the ones who will protect you, were there any, in the beginning, in the very beginning, were there at any time any threats that were made that if you didn't participate that you will receive some negative reaction from the military forces who were in charge at that time and can you discuss that with us?

MR MAHONGO: Thank you very much. Mr Chairperson, I can answer that. I know from my righthand man, Augustino Victorino who died on the 5th of June, he died in a motorcar accident, he was the one who at one stage was threatened in a severe way and it was told to him, and he also told me, that they threatened him to join, that he must join, because he didn't want to join the

Defence Force. At that stage he said: "I'm still too young to join", why do they want to use him in the Defence Force.

I believe it was one of the officers who took him into a landrover, that was still in Angola, they were at a certain place and then they drove with him quite a distance and then they questioned him and asked him if he's still refusing to join, and he said: "Yes", then they dropped him there and said that he can either be found alive or dead and they just left him there. He walked back for approximately two or three days and then returned to the bases. That is one of the threats that I know about.

MR KHOISAN: Very well, you've said that the San people joined as a result of the situation in which you found yourselves as a community and that's why you joined the South African Defence Force. At that point, was the South African Defence Force involved with several operations which according to allegations, led to a number of human rights violations? That was basically regarding certain operations which were launched under the command of the higher authority of the South African Defence Force.

Could you perhaps inform us regarding some of these operations? It is very important for us to know and it will be considered within the Commission when make a decision, not in this hearing as such, but within the Commission as a system that

we will hear this evidence. Could you for example, discuss operation Savanna and what took place there, and perhaps one or two other operations, so that we can form a picture of how your community was used in the operations of the South African Defence Force?

MR MAHONGO: Thank you Mr Chairperson, what I would actually like to answer here I've already said. I cannot put the facts on the table because I was not physically involved myself because I wasn't there. Everything that I can say here is only hearsay. Some of the things I can remember, I know that there were a lot of operations and all that I can say is that regarding most of our people, because of their knowledge of the veld, they were used as trackers. What I know about the negativity of the situation, if people refused to go with them and if they said: "I'm too tired now to go on an operation", there people would immediately be chased out of the Defence Force. They would say: "Give back your uniform and just leave". Sometimes they would take a photograph of that person and leave it at the military police offices, meaning that they will not be able to return. That is all that I can tell regarding this.

MR KHOISAN: You joined the Defence Force during 1971, is that correct?

MR MAHONGO: Yes, that is correct. In 1975 I joined the South.

MR KHOISAN: 1975.

MR MAHONGO: June, yes.

MR KHOISAN: Maybe you can talk to us about how you personally, if there were any, did you ever participate in any operations inside of the SADF?

MR MAHONGO: I can once again only say I was not part of the operations. The things that people talked about, I do not know if I can talk about it as facts.

MR KHOISAN: Okay. Did you live under the - you were living basically as a leader and a teacher of the community, is that correct?

MR MAHONGO: Yes, since the end of 1977.

MR KHOISAN: Did you undergo any basic military training?

MR MAHONGO: Yes, just basic training but I was taken over with the knowledge that I gained in Angola.

MR KHOISAN: By the South African Defence Force?

MR MAHONGO: Yes, there I received my basic training and I was then immediately appointed as a Sergeant within the Defence Force.

MR KHOISAN: Okay. And in your rank as a Sergeant, did you ever hand, were you ever asked to give over orders to people under your command?

MR MAHONGO: In the beginning of 1977 I was a Platoon Sergeant, I did operations, I did protecting, yes, and I came back.

MR KHOISAN: What kind of operation did you do?

MR MAHONGO: It was more about border protection, the patrolling of the borders.

MR KHOISAN: Now when your people came back, you were a leader of the community and after your people came back from operations, because you were a leader of the community - the reason we are asking you this is because you are appearing here as a member of the former South African Defence Force, however you are also appearing as the leader of the !Xu and Khwe community who were used by the South African Defence Force, and before we come to the allegations regarding human rights violations which took place, which allegedly were launched by officers from the South African Defence Force, we must formulate an idea of how your community was used. I understand that it is difficult and I feel that perhaps this is not what you are prepared for, however we must endeavour to understand how your community was used so that we can get to the allegations which have been brought by your community to the Truth and Reconciliation Commission.

MR MAHONGO: Thank you very much. From the beginning we lived for many years in the Defence Force base. Our woman or wives are used to the base because they also work in the unit and the children grew up in front of the Defence Force. From my side I cannot mention these matters, they were very sensitive.

You will not hear everything that happened and only the things that touches you or has got something to do with yourself you will hear about. I know that a lot of the people had to do certain tasks through the threats that were made against them. It is all that I can say about that, they were forced to do the work.

NO SOUND

...[inaudible] and if you today look at the suffering of the community is that the Defence Force used the people. They didn't have means to help themselves and that is why today with teenage pregnancies, there wasn't another life, the people lived together and they were used to, and they were caught up within this war situation and under these people's command. You didn't have a choice, you had to stay there and work there.

CHAIRPERSON: Mr Khoisan, perhaps this is a convenient stage to take the tea adjournment for about 15 minutes. Let's take tea now until a quarter to twelve and then we should pursue this line of questioning until lunch time.

COMMITTEE ADJOURNS

ON RESUMPTION

CHAIRPERSON: Mr Mahongo, you are reminded that you are still under oath.

MARIO MAHONGO: (s.u.o.)

CHAIRPERSON: Mr Chennells, I think when the time comes you should just indicate by a nod of your head that you are leaving

and then Mr Williams will automatically take over in terms of the earlier arrangement which is on record.

Mr Khoisan?

MR KHOISAN: Thank you Mr Chairman. We were on the question of questioning Mr Mahongo about certain operations and his knowledge about that, and it wasn't for the purpose of placing the witness in a corner or forcing him to discuss matters that are beyond either his comprehension or his competence. We don't want him necessarily to freelance with the truth in this Commission or before this Committee but it our objective to gain as full as possible a picture of how it came to be that this community was used by the SADF and they are still within the SADF's grasp.

In order to understand the allegations that were brought concerning the matters that happened in 1979, we had to understand the relations between the people who were used and the SADF which was the superstructure within which they existed. I hope the witness understand that.

CHAIRPERSON: I believe that the witness is a serving member of the SANDF, is that the position?

MR MAHONGO: Yes, I am still involved with the Defence Force.

CHAIRPERSON: ...[inaudible] place you at ease, that if there are any issues about which you might not be happy to deal with

on the basis that they might amount to a violation of any of the conduct codes that govern your relationship with your employer in the SANDF, that Section 31 and especially Sub-Section 3, does make provision for people who testify before us to be immune from being assailed by criminal courts and/or any other institutions or body. Just for the record, I need to into the record, Section 31, Sub-Section 3 which says:

"Any incriminating answer or information obtained or incriminating evidence directly or indirectly derived from a questioning in terms of Sub-Section 1, shall not be admissible as evidence against the person concerned in criminal proceedings in a court of law or before any body or institution established by or under any law, provided that incriminating evidence arising from such questioning shall be admissible in criminal proceedings where the person is arraigned on a charge of perjury or a charge contemplated in terms of Section 39D(2) in this Act or in Section 3193 of the Criminal Procedure Act"

In other words there may be instances where you might be compelled to give an answer to questions that you feel might incriminate you and I'm just placing that on record, that if you have any reservations about other questions that are put to you, you must rest assured that the Act makes provision for you to be

protected about any evidence obtained in terms of this process being used against you in a court of law or at any institution and for me, even a Military Tribunal would be such an institution where evidence obtained in these proceedings would not be usable against you.

In any event I think Chapter 2 of the Constitution and especially Section 35, Sub-Section 5 also does protect people who give evidence. I will read Sub-Section 5 of the Constitution into the record:

"Evidence obtained in a manner that violates any right in the Bill of Rights must be excluded if the admission of that evidence would render the trial unfair or otherwise be detrimental to the administration of justice"

Therefore, there are incidents and situations where you will be entitled to remain silent and if you were compelled to testify in relation to issues where you would have preferred to remain silent, you can always rely on Sub-Section 5 of Section 35 of the Constitution.

So I'm just placing that on record in view of Mr Khoisan's remarks. I'm not suggesting by any means that you have evidenced an indication in your testimony that you need to be compelled to give answers which you otherwise would not give.

I'm simply saying if there is an uncertainty on your part as to how safe you would be in testifying about things whilst you are still a serving member of the Defence Force, I need to say to you that evidence given to us in the course of these proceedings should not, and in my view, will not be admissible against you in any proceedings, whether it is in a court of law or any body or institution.

Mr Khoisan?

MR KHOISAN: You've heard that Mr Mahongo. The law and the Constitution are always there to protect you against any institution which might want to take steps against you according to information which you provide for the Commission.

Mr Mahongo, can you explain to us how the system functioned within the South African Defence Force between the !Xu soldiers and the other soldiers and officers within the Defence Force? Could you perhaps inform us regarding the functions of the system in terms of operations and orders?

MR MAHONGO: Thank you Chairperson, thank you for the Constitution which protects me and let me just say for once and for all that I'm talking of very complicated matters here but at that point in time the apartheid system enjoyed a stronger presence and function within the Defence Force and things were not always the same for the whites and the San together.

If one looked at the structure of companies, the commander would be white, the platoon sergeant would be white. All of those who occupied positions of authority or issued orders were white, and the San were the lower ranks. We occupied the lowest levels and we couldn't take any decisions.

We had no knowledge of secret meetings which were held, we only knew what they told us, where they told us to go, what operations we had to take out, who would be involved. People would go away for two weeks and after they returned there would be problems and then the whites would act against them and say that they were insubordinate and they weren't doing what the Defence Force told them to do.

These people were powerless, they couldn't take any actions, they just had to do what they were told. I can also say that those who were referred to as the trackers did what they were ordered to do, even though they were called trackers. They didn't care about this community, they didn't care about training and educating our community,

If we look at the present situation of poverty which prevails within the community, it is the result of them all being caught up within a war situation and doing what the army told them to do and now they don't know anything else. Our community still suffers as a result of that today.

MR KHOISAN: So for example Mr Mahongo, before this incident took place in which four soldiers were allegedly killed and where people were assaulted, allegations were made that something happened in Angola, not in Angola, in Zambia, where an operation was launched, I think it was with the Bravo company, where an operation was launched and in which there was dissatisfaction between !Xu soldiers and the other soldiers of the South African Defence Force. Is there information that you can provide to us regarding this incident?

MR MAHONGO: Thank you Chairperson. All that I know, because I was not involved with that operation and everything that I'm saying here today is based upon hearsay regarding that which they told me about the incident, they said ...[intervention]

MR KHOISAN: Who told you that Mr Mahongo?

MR MAHONGO: Amongst others, this is information which I received from Paulo Chimbende who will also be a witness here, as well as Justino Lourens. They told me that when they were there there were SWAPO bases and they went to reconnoitre such bases and when they went in to attack there was an order that they may not remove anything from these bases, as far as I know.

Apparently one of the white soldier said to the sergeant that he could take a chair for himself, it was a certain type of traditional chair with cowhide on it and that's where the whole story started because after the captain had seen the chair he

became very angry with the sergeant and the sergeant said: "It's this white guy who told me to take the chair", and this person denied ever having said that.

They consequently accused the sergeant because he wasn't allowed to take these items. This led to a lot of dissatisfaction among the entire company. It wasn't the sergeant, it was another person who was now denying his responsibility in the story. This led to a lot of fighting between the white and San soldiers and they were told that they were being insubordinate, they were told that they were not allowed to speak up against the white soldiers.

When they returned to the base the next day, the then commander, Colonel Piet Hall was asked to go and listen to this case and they were told that they had to take off their uniforms and hand back their uniforms and their weapons and they were then taken away and brought back to Omega Base.

When they arrived there they were taken to Dam 15 where Paulo and Lourens remained at Omega Base. When the company returned on the Friday or the Thursday, I'm not sure, they took them to Dam 15 and fetched other people and they were on their way to Bushmanland as it had been told to them. Approximately 60 kilometres from Omega Base on the way to Bushmanland, there was radio connection and from there they turned around and returned to Omega Base, drove past Omega Base and drove in the direction of Angola.

Somebody had to have given orders which changed the decisions, we don't know who because we are the ones who suffered as a result of this and we don't know who gave the order.

MR KHOISAN: If I understand you correctly, the way you saw it was that before this happened there was this matter, this incident that had occurred in Zambia but after they heard the case people were asked, we've got information that people were asked if they wanted to return to Bushmanland, is that the truth?

MR MAHONGO: Yes. The reason was that some of our San people had already been stationed in Bushmanland and they preferred to join the other people there and they were asked after this incident, seeing that they were shit stirrers and they didn't want to listen, they were asked where they wanted to go and they said they wanted to go to Bushmanland and that was the idea.

MR KHOISAN: So approximately how many people decided that they wanted to return to Bushmanland?

MR MAHONGO: It's a difficult question, I haven't been prepared for that but I assume that it was an entire platoon of soldiers, approximately 30 people. These were not only members of Bravo Company, they were also members of Charlie Company who had left the Defence Force a little while before and who were also going to Bushmanland and they were also waiting at Dam 15 for transport to Bushmanland.

MR KHOISAN: According to allegations that we heard there were woman and children who were also in this group who wanted to go back to Bushmanland, is that correct?

MR MAHONGO: That's correct, because the soldiers who wanted to go had wives, children and members of their family, such as aunts and uncles who were their dependants. All these people were going to go with them to Bushmanland, that was their expectation.

MR KHOISAN: After the people decided that they want to return to Bushmanland, what happened then, were they in military vehicles or were they put in military vehicles, did they go on foot or what happened?

MR MAHONGO: Yes. I'm not sure of the precise arrangements but the Omega Base under the commander of Colonel Hall at that time arranged for vehicles to take these people to Bushmanland and that is why they made the two Samel 100's available. The commander of the convoy, Captain Jackson was to take them to Bushmanland.

MR KHOISAN: Will I be correct to say or to speculate that approximately 200 people were put in those vehicles on their way to Bushmanland?

MR MAHONGO: I estimate approximately, along with women and children, it would have been 140 people because a Samel 100 could accommodate approximately 65 passengers and according to

those people who were in the vehicles, both vehicles were fully loaded.

MR KHOISAN: Okay. You say in your statement that appears before the Commission, and if you'll pardon me I'm going to read it in English. In the second paragraph:

"Two brothers were my two cousins, my father's sister's two sons. Another was my cousin, my father's brother's son and one was my brother-in-law. All four of them who were murdered there were my family. I was very unhappy. No-one can describe the feeling I had. I was so angry I couldn't speak to anyone about it. It made me want to leave the Defence Force. After a lot of convincing I stayed. I was very unhappy. This thing hurt me a lot"

According to your evidence, is this the truth, that you were family of the people who were killed according to allegations made in that incident?

MR MAHONGO: That is correct, yes.

MR KHOISAN: And they were well known to you?

MR MAHONGO: That's correct. I grew up with one of them and he was like an older brother to me because we had grown up together since we were children.

MR KHOISAN: You say that you received a message or heard a message and you say in the first paragraph in the second line:

"Because I was always part of the community and was the second person to receive the message after it happened, I was the first guy to go to the officer in command and report what happened and say that I am very unhappy about what your people are doing. I was the one who went to Major Dupisane who was second in command at the time, to go and look where the other people were left and we organised transport from them to go and fetch them"

Can you just put this in a picture, how this happened, who gave you the message and in what circumstances it was?

MR MAHONGO: I have not kept any records of that time but I think that it was in the evening, I had already gone to sleep and I heard someone knocking at my door and when I opened my door Paulo Chimbende was standing there and I asked him: "What now, where have you come from, you left just the other day", and he told me: "I just wanted to give you a message so that you will know what happened to us and he told me that four people had died.

He gave me their names and he told me how everything took place and he also told me that the others were too afraid to return because of what had happened and he said: "I don't care if I die but I want the right people to know what happened to us". That is how I received the information. I had a sleepless night

that night, and the next day I went to make my statement according to the facts which I've presented in this statement and I went along with Major Dupisane to go and find these people. After we had found them transport arrived to pick them up and we dropped them off outside Omega, approximately two kilometres outside Omega. They stayed there for approximately two to three days before they came back.

MR KHOISAN: According to what Paulo Chimbende said to you when he knocked at your door and gave you the message, how did he seem to you, did it seem as if he was assaulted?

MR MAHONGO: Yes.

MR KHOISAN: Can you give us more information regarding this?

MR MAHONGO: He had head injuries from having been struck and he showed me his knee as well. I saw it with my own eyes, I could see that he had been beaten.

MR KHOISAN: Was he seriously assaulted or was it only a light injury?

MR MAHONGO: Seriously assaulted.

CHAIRPERSON: What do you mean by: "seriously assaulted" and how are you saying it was a case of serious assault, not just a beating?

MR KHOISAN: What I mean is that he looked very bad with these injuries on his body.

CHAIRPERSON: Thank you.

Mr Khoisan?

MR KHOISAN: Okay. After you went to Major Dupisane and gave him this report from Paulo, what did he say, what did he do and what was his reaction?

MR MAHONGO: To tell you the truth he accepted what had happened but he didn't really want to hear what had happened. Had he known before, had people come to tell him what had happened I can't tell whether or not he was unhappy about that or whether or not he was unhappy about what I had come to tell him.

MR KHOISAN: You say in the third paragraph of your statement, and I will read it:

"What happened a lot of fighting within the unit between Piet Hall, Major Dupisane and all the people who were involved in this incident, the officer in charge of Sector 2 0 who was a Colonel, he was called and he said he will come to see us. With our weapons we waited on the parade grounds for Nel to receive information. It was 2 o'clock in the afternoon and he did not arrive. They said that we would be called as soon as he arrives. We went home. I was not aware of his reason but the story that he would come to the parade grounds. Their weapons were taken away from them, the heart of the weapons were

taken away and the weapons were handed back and they were surrounded by white soldiers and they could not call out"

MR KHOISAN: Okay. Did this happen on parade? Were their weapons taken from them on parade?

MR MAHONGO: I was involved with the morning episode but during the afternoon with his sudden arrival I wasn't there. When they returned from the parade I asked them where they have been and they said: "We have been at the parade, didn't you know that the Colonel has been here?"

MR KHOISAN: So you were one of the people who left the parade ground, who walked away because Colonel Nel did not arrive before 2 o'clock in the afternoon?

MR MAHONGO: Actually all of us were told to go home and that they would call us back. I don't know how they received the message because I didn't receive the message of his arrival.

MR KHOISAN: Okay. Who was the man who gave you the message that there was a parade and that people were branded as shit stirrers?

MR MAHONGO: ...[no English translation]

MR KHOISAN: Okay, I didn't hear that, can we have that interpretation?

Can you just repeat that information please?

MR MAHONGO: My neighbour, Augustino Victorino who came to tell me, when I saw him approaching I asked him what had happened and he told me that they had returned from the parade and he told me the rest of what had happened, what the Colonel had said, what had happened, the whole issue about weapons and that is when I heard.

MR KHOISAN: You know the procedures in the South African Defence Force. At that stage you were a soldier for four years in the Defence Force, so you were familiar with the procedures of the Defence Force. Do you not find it strange that people's weapons are taken from them and that they were surrounded by the co-workers?

MR MAHONGO: What you are saying is absolutely correct, that has been my experience regarding the entire story. What I realised was that we were powerless and that we were working for someone and all these things happened because they knew that we were angry about the events and they knew that if they allowed us to remain armed we could at any time out of malice, because of what had happened to us, act against them.

The whites there were limited in number and we would have been able to conquer them. That is why they did what they did, so that they could remain in power and so that they could be the ones giving the orders.

MR KHOISAN: So would it be correct to say that the Defence Force was worried or concerned that the !Xu soldiers would come up in arms against the authority in that instance?

MR MAHONGO: That's correct.

CHAIRPERSON: Now when you say: "this is correct", what is correct? Is it either or both of the suggestions?

MR MAHONGO: The correct one is that the people were very upset and angry regarding what had happened and the Defence Force didn't want to explain to them why these things had taken place.

MR KHOISAN: According to yourself, after you organised transport to take the people to the base again, some of the soldiers who returned to the base and who were at the parade, were they soldier who were for example assaulted in this incident in Jackson's road?

MR MAHONGO: Those who returned who were assaulted were not part of the parade, they weren't anywhere near it. It was only the soldiers who were still part of the Defence Force in uniform who were there at the parade and the Colonel wanted to discuss what had happened with them. That is what happened.

MR KHOISAN: And the soldiers who were brought back with the transport that you organised, where were they during this parade and this whole scenario that you sketched to us?

MR MAHONGO: I can't exactly tell you where they were, they must have been at Bagani because they had spent two days approximately two kilometres outside Omega and they went to Bagani where they turned around at the Kavango River and I think that they were there at that stage.

MR KHOISAN: Okay. The allegations are very serious concerning the assaults as well as the alleged murders, but the thing is people were, according to allegations and evidence that you gave and also other versions of witnesses and eye-witnesses of this incident. I want to know from you, were you personally there or present with that transport of, or when those people were fetched?

MR MAHONGO: I was with Major Dupisane, we drove in front and the Samel drove behind us to the place where the people were. I went to speak to the people, I greeted them and I took them water. After we had spoken to them they were quite afraid of climbing back onto the vehicle and returning to the base. They only returned because I was there and they had seen me, and that is when we returned to the base.

MR KHOISAN: What were the circumstances when you found these people? How did they appear to you, did it seem as if they were assaulted? Did they look like people who did not have food and water for a few days? What was the psychological circumstances of these people when you found them and where

did you find them, was it in the bush, was it in the middle of nowhere?

MR MAHONGO: They appeared as people who were sick, hungry and thirsty and the children looked quite bad because they hadn't had water for a number of days. They were in the Caprivi strip, they were over the Angolan border which was approximately 20 to 30 kilometres away from Omega base, more to the western side where we fetched them.

MR KHOISAN: And you now explained to us that Paulo Chimbende appeared as if someone assaulted him, what about the other people that you found, because according to allegations there were various soldiers who were assaulted before the people were killed. Can you tell us what their appearance was, did they also have similar injuries such as Paulo's?

MR MAHONGO: That's correct, one of them was so seriously assaulted that his knee had swollen and he was unable to walk and when I went to fetch these people this person wasn't with them because he had gone to fetch another group. From the Angolan region they walked in the direction of Bagani and we only reached them much later, but this was the previous group of which most were women and children and some of them were soldiers.

MR KHOISAN: So the allegation is that the white soldiers assaulted them, killed four soldiers and then left the people in the desert, is that the truth?

MR MAHONGO: That's correct. According to hearsay ...[intervention]

MR KHOISAN: When you say: "hearsay", are you referring to testimony that was given to you?

MR MAHONGO: Yes, that's correct, the way that the people told me what had happened to them because I wasn't there, I only know what they came to tell me. They killed the first person and after that they drove to Dangando and slept over. They kept the women and children apart from the soldiers. Those with whom they had a problem they took aside.

The next day when the three were murdered they left the corpses as well as those who had been assaulted there, said goodbye and drove away, far away from everything. The people buried these three people who had been killed in their own manner and they walked back in the direction of the place where the women and children had been dropped off, they told them what had happened and from there they started walking back.

MR KHOISAN: So the allegation is that the Defence Force or soldiers of the South African Defence Force left women and children in the middle of "no man's land"?

MR MAHONGO: That is correct.

MR KHOISAN: So they could have been assaulted or maybe shot or killed by animals?

MR MAHONGO: Yes, it could have happened, someone would have seen it if it happened, yes.

MR KHOISAN: Was that area where they were left, was it known to the people?

MR MAHONGO: No, it was an unfamiliar area.

MR KHOISAN: So they had to track in order to return to the base?

MR MAHONGO: They followed the tracks of the vehicles in order to return. They followed the tracks of the vehicle.

MR KHOISAN: Mr Magadla?

CHAIRPERSON: I just want to pick up on that and then just ask a few questions. When you were dumped in this place in the middle of nowhere, was there any provision made for healthcare services in any sense of a developed way? I mean 4 000 people in the middle of a desert in the way in which you describe, are bound to need developed health service.

MR MAHONGO: In answering your question, we're not discussing the 4 000 people who reside at Schmidtsdrift. At that point it was 140 people who experienced these events. There was no health services, no food, no water, they had to fend for themselves and that is why they had to return to tell what had happened.

CHAIRPERSON: Okay, thank you.

Mr Magadla?

MR MAGADLA: During the whole course of your service in the SADF, have you received, I think you mentioned receiving medals, have you received any medals?

MR MAHONGO: I can't remember the names of the medals I received but I received six medals as well as certificates in connection with my work.

MR MAGADLA: Can you perhaps describe as to what sort work was it that you were being honoured for? You had six, maybe the first one, what was it about?

MR MAHONGO: The first one was Prepatria. All of those who had been in service of the military received the Prepatria medal.

MR MAGADLA: And the other ones?

MR MAHONGO: One was a 10 year medal.

MR MAGADLA: And the other one?

MR MAHONGO: And the other the Southern Cross medal. Another was a Unita medal.

MR MAGADLA: The Southern Cross medal, what was it for?

MR MAHONGO: All of those who had served on the border received that medal and we of course were on the border.

MR MAGADLA: And the other medal?

MR MAHONGO: Unitas ...[intervention]

INTERPRETER: I beg your pardon, I didn't get that last name.

MR MAGADLA: Sorry?

INTERPRETER: I didn't get the name of the last medal.

MR MAGADLA: Yes, this is what I'm trying to get too.

CHAIRPERSON: What was the Unitas medal?

MR MAHONGO: Unitas?

CHAIRPERSON: Yes.

MR MAHONGO: It was for good service.

CHAIRPERSON: Now this 10 year service medal, did it have a special name or was it just called: "10 year service"?

MR MAHONGO: In the military, for every 10 years you would receive a medal and after 20 years you would receive another medal. It was about being committed to your work and in order to thank you for your service, all of those who had served on the border.

CHAIRPERSON: Okay.

MR MAGADLA: What would have been your specific function, where you talk about good service, what would they be meaning?

What would that have been for, what good service would that have been?

MR MAHONGO: When at Schmidtsdrift, there was a Chaplain from the military and that was me and the commander decided to award me for my work as a spiritual leader. A report was written about my work and it was approved by the commander and that is why they gave me the medal for my good service.

MR MAGADLA: As spiritual leader, would they have at any time called you to find out whether your spiritual work within the

community is such that the community is happy and that the community accepts your spiritual work and that there are no problems?

MR MAHONGO: I don't know how to describe it but I was the pastor there and I was active in the community and I was the Chaplain, I would participate in parades, I would engage in spiritual discussions with the people there and they wanted to express their gratitude for the work that I had done in the community. Is that clear?

MR MAGADLA: This is difficult but did it ever happen that you would say to them: "Look I am trying to do my work here as a Pastor but it's difficult because the people are not happy, the conditions are such that really my work gets difficult sometimes"?

MR MAHONGO: I think it's about my involvement everywhere, probably, I'm not sure.

MR MAGADLA: You didn't on your own perhaps report to them that as a Pastor you are finding it really sad because the people that you are serving are not happy for whatever reason? I mean the conditions were such that, as you have described, the people could not have been happy.

MR MAHONGO: I think it's actually about the army viewpoint. They didn't care what was happening in the community, they only cared about what was happening in the Defence Force and if you

were committed to your work and if you were obedient in your functions they would praise you for that.

I could have brought along the report which was written about me if I had known that you were going to question me about this, so that I could explain how they put these matters and what the motivation was for awarding me with the medal.

MR MAGADLA: You see I'm putting these questions to you Mr Mahongo, because when the time comes that we ask questions to the people that would committed these crimes on the people, the people who were in charge, their defence may just be that they may even want to call you as their witness.

They may be saying: "Look, we had Mr Mahongo, he was a Minister and we gave him medals and he was happy and he never told us of any problem with his people and indeed there Mr Mahongo is, he's our witness". This is why I'm asking so that perhaps you could make it easier for us when we deal with them, when we talk to them.

So maybe let's go on. Was there any political influence taking place within your people, were they being influenced to take whatever route in terms political affiliations?

MR MAHONGO: Thank you Chairperson. I don't know because as I knew the people, they had very little knowledge of politics. I think that when the people were tired they were unhappy, they didn't want to carry on and it wasn't a question of politics. We

didn't really have much contact with politics, we were very far away from other people from other urban areas so therefore we weren't very politically active. At this point in time yes, because we have much better contact with other people and we come into greater contact with the political context of society but not at that point in time.

MR MAGADLA: Was there any education taking place there, were there any schools and things?

MR MAHONGO: Yes, at that point there were schools and the teachers were all from the Defence Force, there were no civilian teachers. The teachers were those who were doing their border duty and who were studying to be teachers and had been called to do their military service and they were the ones who were implemented as teachers.

MR MAGADLA: Now if some of the pupils or students went to an extent where they had to go for further education somewhere, would they have left the camp to go to further their studies somewhere else?

MR MAHONGO: Especially during that time it was very difficult to do so and the school was not capable of providing advanced education. Those who left to study in Windhoek only left in 1983/84 when the civilian Department of Education became involved. None of this happened at that time. I'm referring to Omega but at Schmidtsdrift we experienced different problems.

MR MAGADLA: Now those who went to study in Windhoek, would they have not perhaps come into contact with people to whom they would report these difficulties that were there? Did that happen?

MR MAHONGO: The first person who went to study unfortunately passed away three years ago. He completed his course in teaching and returned to Omega but this was only in 1990 when he began a school there. Unfortunately he has passed away three years ago and he wasn't part of the !Kung group, he was actually part of the !Xu group and thus these issues which effected the !Kung did not affect him.

MR MAGADLA: Now this mutiny you talked about, was there a tribunal of highranking officers who sat around and tried the people, the people who were later executed?

MR MAHONGO: I beg your pardon, the problem of these four persons who were murdered, is that your question? Is this about the four people who were murdered?

MR MAGADLA: Well if the mutiny relates to them - when you talk about the mutiny, are you talking about the mutiny that as a result of which those people were killed?

MR MAHONGO: I'm simply trying to answer the question if it is about the four persons who were murdered, so that I can tell you what happened there. If I understand your question correctly, you asked me if after the deaths of these people any court case

took place to determine what had happened, is that a correct understanding of your question?

CHAIRPERSON: Maybe let me intervene here. Is it your understanding that these people did not - is it your evidence that these people were murdered? The four people that you are talking about, were those people murdered or were they killed as a result of a hearing that found that they should be executed because they ...[indistinct]. I think Mr Magadla proceeds on the basis that certain people were executed because the attitude of the authorities was that they had done something ...[indistinct] mutineered.

MR MAHONGO: Very well, I understand your question. For me as a person it is somewhat difficult. At some point I said that the first person had left the military for a year already and the reason why he left the Defence Force was because of the white soldiers' attitude towards him and that he was unhappy there. As a result of this he left the Defence Force and they regarded him as one who had been insubordinate because they expected of him always to say yes and never no. That was the first person.

The other three persons, one was a Sergeant, the other one was a Corporal and the other one was a Rifleman, they were told to leave. What I don't understand is that if this had been part of their punishment, they could have undertaken this punishment in an appropriate manner so that everybody would know that they

had been found guilty of certain things but the way in which they were killed was cruel and I don't regard that as punishment. They were murdered.

MR MAGADLA: Thank you. That is exactly what I wanted to hear, if it was that kind of case because you know the SANDF will say they're a professional army, they would take people before a tribunal, try them and if they're found guilty and if it deserved that they be executed then maybe they would be executed but is they came out there and said: "Now you, you, you, you are not prepared to tow the line, get shot and then they give instructions for someone to shoot them. Do you know if the company of the !Xu or those battalions ever went to KwaZulu Natal at any point to perform duties there, during the conflicts between the IFP, if you've heard about that, IFP and the UDF?"

MR MAHONGO: Yes. Last year in February they went to KwaZulu Natal. I visited them in my office as a Chaplain, I went to the areas where they were and I went to speak to them. Their period of time there was about patrolling the area known as the: "Red Area" where people were being shot, and they caught some people in possession of guns and who were causing trouble but they were actually working with the police.

So in effect the military is cooperating, the police would take statement if someone was to be caught, if a murder or a robbery took place then the police would be the ones in control of

the procedure. The military is operating in KwaZulu Natal but in cooperation with the police. They were deployed from Schmidtsdrift to KwaZulu Natal.

MR MAGADLA: Do you remember which area in KwaZulu Natal, the one that you visited? You wouldn't? Now before that, around the late '80's, did they go to KwaZulu Natal?

MR MAHONGO: No.

MR MAGADLA: Before the elections.

MR MAHONGO: No, we weren't here then.

CHAIRPERSON: There was a report I think just after 1990 after a group of people from 32 Battalion which possibly was your group but I do not know if it was, maybe it was another group and you might be aware of that, but if you are you possibly could assist us, there was a report that a group of people who had been held at a place called Grootfontein and had been removed from there to a place in the Karoo, were later used or were taken into KwaZulu Natal as part of a contingent of army people to assist in the unrest situation in KwaZulu Natal.

In fact F W de Klerk was quizzed about this in Parliament if I'm not mistaken and his explanation was to say those people are part of the South African Defence Force and they are used in KwaZulu Natal to assist in the unrest situation there. Would you have any knowledge about this?

MR MAHONGO: In the specific year I don't believe that the task group of people to whom I belonged was more than that that I mentioned last year. If it was then I don't know about it.

MR MAGADLA: Now did your people ever get posted to Rekkie 5 in Phalaborwa?

MR MAHONGO: No. I know that most of them at Phalaborwa Rekkie 5 were 32 and not 31.

MR MAGADLA: Thank you.

CHAIRPERSON: Mr Khoisan.

MR KHOISAN: Thank you Mr Chairman.

So just, Mr Mahongo, there is this confusion that exists between Battalion 31 and Battalion 32 and a lot of people when they speak about Buffalo Battalion 32, they usually speak in the same breath of saying 31 and 32 because in Battalion 32 there were also San soldiers involved there according to information, now can you tell us what according to your understanding is the difference between 31 and 32? What we're trying to find out here is if 31 was ever used internally in the country, internally inside South Africa for any reason but maybe you can help us by giving us the difference between 31 and 32 according to your knowledge.

MR MAHONGO: 32 is more black Portuguese as they are referred to, there aren't any San people there. There are mostly black Angolese or they are referred to as black Portuguese.

These are people who were part of Rekkie 5 in Phalaborwa, so I don't know how they operate because they're nowhere near us.

These are the people who were at one stage involved in Gauteng and at a stage I attended a conference in Johannesburg where they accused our people while it was in actual fact not our people. As you said there is definitely a confusion between those in 31 and those in 32. Sometimes when people refer to 32, they implicate 31 as well.

CHAIRPERSON: So what you are actually saying is that there were a group of black Portuguese speaking Angolans who also came to South Africa as part of the South African Defence Force and that unit was called 32 Battalion, is that your evidence?

MR MAHONGO: That is correct.

CHAIRPERSON: And your evidence is that it is those sort of people who are likely to have been used in the violence in KwaZulu Natal, in the operations in Gauteng, not even, even much much earlier, for instance if you talk about the unrest situation in the '80's, the likelihood would be that if they were Portuguese speaking it would have been people from 32 Battalion, black Angolans from 32 Battalion?

MR MAHONGO: I suppose one could say yes under circumstances but they were only transferred to South Africa in 1989, so therefore I don't know.

CHAIRPERSON: Mr Khoisan?

MR KHOISAN: Thank you Mr Chairman.

According to your evidence of course you are, right now we are about to go to lunch but I want to just get a couple of things, one more thing about you. You see -so you say your community as a whole remained in 31 Battalion together? The whole group of you remained in 31 Battalion and you were transferred together to Schmidtsdrift?

MR MAHONGO: There might be a difference in name but let's keep it with 31. They started with 31 and later they went to 201 as an area force in Namibia and after that they returned to South Africa and they once again became 31 Battalion. There is only that difference, but they had always stayed together from that time.

MR KHOISAN: It is also your evidence that - or shall I put it to you just as we're going out of this, the way I began because your community as a whole was translocated from Namibia to South Africa and now you live in South Africa, in the borders of South Africa. Shall I put it to you and ask you to respond that the usefulness of the San soldier, the !Kung and Khwe soldiers inside the South African Defence Force was for offensive operations in the borders, particularly with regard to Northern Namibia, Angola, Caprivi and Zambia.

MR MAHONGO: You'd like to know whether or not they were involved, is that your question?

MR KHOISAN: Ja, I'm putting it to you directly Mr Mahongo, because the fact is that you are saying that you were part of the SADF. The SADF at that time, it's what is referred to as the Western Front. The Western Front is one of the areas that the SADF has in fact refused to discuss because some of the most brutal operations according to allegations were launched there and I'm trying to find out now from you, the San soldiers you say were not used inside the country, so I'm trying to say they were used in Angola, they were used in Caprivi and they were used in Zambia, am I correct to assume that those are the three areas within which the San soldiers were used?

MR MAHONGO: I can't give you any other answer but yes, they were on the border and they were used on the border.

CHAIRPERSON: Mr Williams, your body language seems to suggest there's something you want to say?

MR WILLIAMS: Yes, thank you Commissioner. Just before we adjourn for lunch and perhaps before you finish with the witness, I'm not aware if there is a procedure that clarity can be sought by the legal representatives. There is only one small point of clarity ...[intervention]

CHAIRPERSON: Oh no, you can in fact yes.

MR WILLIAMS: Would it be an appropriate time Commissioner, to seek that now just before we adjourn, it's one very small point?

CHAIRPERSON: Yes.

MR WILLIAMS: In fact the Commission may assist because it just appeared to me to be a slight discrepancy when Mr Mahongo was questioned by the Commission to what he said when he read his initial statement out and that concerned the disarming of the remaining San troops on the parade ground when they were addressed by Colonel Nel.

In the statement that Mr Mahongo read he mentioned that the heart was taken out of the weapons and the impression that I got when he was questioned about it was the Commission appeared to believe that he said they were in fact disarmed. I'm not sure if the Commission is aware of the distinction or not and if the Commission perhaps isn't aware of the distinction, Mr Mahongo could describe that to the Commission.

CHAIRPERSON: If you could clarify that?

MR MAHONGO: I don't know exactly what the question is but is it about the disarming of the heart of the weapon? What I tried to say at that point, and that was my opinion about the situation which took place on that day or at that stage, the situation was so serious that the white soldiers began to realise that an uprising might emanate from the level of dissatisfaction of the San troops and that is why they had the heart of the weapon removed because that would render the weapon ineffectual.

And another thing was that the San troop would be held captive by being surrounded by white troops that were armed. If

they tried to rise up they would have been shot on that parade ground and therefore things could have gone terribly wrong on that parade ground. That is my opinion regarding what happened there on that day. We were placed in a position of powerlessness.

CHAIRPERSON: So even though you had these weapons they were useless to you?

MR MAHONGO: Yes.

CHAIRPERSON: Because they were not usable in any sort of efficient way?

MR MAHONGO: That is correct.

CHAIRPERSON: As weapons either of offence or of self-defence?

MR MAHONGO: Yes.

CHAIRPERSON: I think this will be the appropriate time to take the lunch adjournment. I do not know if we - Mr Khoisan, how long are you still going to be with this witness, given that there is another witness who is coming and there was an indication by Mr Chennells that it may well be that with the other witness you should be given some time to straighten the evidence so that it should zoom onto the areas which he was of the impression we really want to canvass with that particular witness?

MR KHOISAN: It's my understand Mr Chairman, that the witness will arrive sometime during the lunch break, so maybe it would be appropriate for us to resume at possibly around two

fifteen or two thirty. That will give us enough time, because the witness will arrive during lunch and then he can spend some time with his counsel. I'm not sure if that is appropriate or if that will work for you. I'm not sure what Mr Magadla's ideas on this matter are but I thought that we could actually accede to those requests.

CHAIRPERSON: Yes, I haven't got a problem with that. Mr Williams?

MR WILLIAMS: Yes, Commissioner, I don't have any difficulties with that. I'm more that happy to consult during lunchtime. Perhaps I could just have clarity whether the Commission is finished with Mr Mahongo for the moment?

CHAIRPERSON: That is what I wanted to canvass.

Mr Magadla, do you have any questions?

MR MAGADLA: No, I haven't got any further questions.

CHAIRPERSON: Mr Khoisan?

MR KHOISAN: I have no further questions. I also just wanted to put on record that part of the investigation also related to the treatment of the SADF of the !Kung and Khwe community but I think that we have already, we were able to film the conditions and so as a matter of evidence, the conditions in which the people are existing are on film and I think that that would be sufficient for the Commission at this stage. I didn't think that that would actually need to be explored any further here.

CHAIRPERSON: ...[indistinct] Mr Mahongo for purposes of this inquiry is excused.

WITNESS EXCUSED

MR WILLIAMS: Mr Chairperson, I don't know whether it's appropriate to raise the point now or after I've consulted with Paulo Chimbende. I do understand he is illiterate, he will be speaking to the Commission in Afrikaans but his command of Afrikaans is not particularly good. Written statements have been prepared and I believe are with the Commission and Mr Chennells and myself were wondering whether it would not be appropriate, perhaps we can clarify it after I've consulted, that I in fact lead him through his evidence, given that he won't be able to read his statement into the record.

CHAIRPERSON: That in fact is permissible. It will still be his evidence except that you will be assisting the Commission in the canvassing thereof.

MR WILLIAMS: Thank you, I'm obliged.

CHAIRPERSON: Then we will breaking for lunch until half past two or as soon thereafter as counsel is ready to lead Mr Chimbende. We are adjourned.

COMMITTEE ADJOURNS