

PROCEEDINGS IN TERMS OF SECTION 29

HELD AT

DURBAN

ON 2 DECEMBER 1996

[PAGES 1 - 66]

ON 1996/12/02

RECORDING MACHINE OPERATOR AND INTERPRETERS DULY SWORN
IN

DISCUSSION REGARDING RECORDING APPARATUS ENSUES

CHAIRMAN: All right we have sworn in the transcriber and the interpreters. We will not proceed to swear in the witness. Can you give us you full names please, Mr Hlope.

MSIZI JETHRO HLOPE (Sworn states) (Through Interpreter)

CHAIRMAN: This is an investigative inquiry in terms of Section 29 of the Promotion of National Unity and Reconciliation Act. The Commission believes that you are in possession of information which it requires in order to fulfil it's obligations as set out under the Act. For this reason a notice has been served upon you calling on you to come here today to answer questions. This is an inquiry and no findings will be made against you today. In terms of Section 31 of the Act you are obliged to answer any question put to you even though your answer to that question may incriminate you. If you refuse to answer any question you may be legally compelled to answer the question and your further refusal may lead to criminal charges being brought against you under the Act. In terms of the Act no evidence or information which is of an incriminating nature which you might deliver at this hearing, none of that information is admissible against you in a court of law except where you may be charged with perjury arising out of conflicting or differing versions of the same incident or event. You

are under an obligation to be

/truthful

truthful to the Commission and if we are of the opinion that you have not been truthful or that you are giving conflicting versions of the same incident, you may be charged with perjury. Furthermore if you wilfully mislead the Commission, give the Commission false information, you may also be charged. You have obviously the right to legal representation and we note that you are legally represented here today. Okay, those are the opening remarks. Mr Govender.

MR GOVENDER: Thank you, Mr Chairman. Mr Chairman, Mr Hlope is represented by Advocate Shongweni who would like now to address the Commissioners.

CHAIRMAN: Thank you, Mr Shongweni, if you could read the - it's the typed affidavit which you gave us earlier, is it?

MR SHONGWENI: That is correct, Sir.

CHAIRMAN: Okay. I think it will be necessary to read that into the record. Could you just make sure that your light is on.

MR SHONGWENI: Before reading can I just have brief consultation with ... (incomplete)

MACHINE SWITCHED OFF

ON RESUMPTION:

MR SHONGWENI: Thank you, Mr Chairman. My name is Mongezi Shongweni, an advocate at the Johannesburg bar. I have been asked by Msizi Jethro Hlope to assist him with regard to the Section 29 investigative inquiry. Before reading his affidavit, I would like to put on record that Msizi Jethro Hlope would like to provide the Commission with a brief statement which is

going to enlighten the Commission about the incidents and give

/clarity

clarity on other contradiction that emanated from the beginning of his arrest up to his contact with the Truth and Reconciliation Commission. I would like to submit this affidavit as a true statement which has been submitted to the Truth and Reconciliation Commission's amnesty committee as part of his application for amnesty. What Msizi Jethro Hlope is going to answer today will be on the basis of the affidavit and he is willing to give details, full details, to the questions that will be posed by the Commission. If the Commission allows me to read the brief statement first.

CHAIRMAN: If you can just ask him to confirm that that is his statement.

MR SHONGWENI: Msizi, this statement, is this the statement you took to the Commission? --- Yes, it is so.

And you asked for amnesty on the basis of this and you also signed it? Is all what's contained here the truth? Do you want the Commission to read this and ask you questions regarding this statement? ---

Yes.

If the Commission allows me to proceed. This is a brief statement of Msizi Hlope.

MR GOVENDER: If my learned friend could distinguish between two statements. I believe there's a short statement and there is the major statement. If he can distinguish for the record so there's no confusion on what statement is being read now and what will be read

later, if he could.

CHAIRMAN: Okay, I understand that the statement that will be read now is the document which - shall be give it a number? Shall we just call it - it's a document

/headed

headed "Brief statement of Msizi Jethro Hlope" and we'll call it Document A, because it's not an annexure. We'll just mark it "A" and the affidavit will be "B".

MR SHONGWENI: I'm indebted to you.

CHAIRMAN: Thank you. So we'll start with "A".

MR SHONGWENI: I would like to put on record that there are two statements before me. One will be referred to as a brief statement, Document A, the other will be a detailed statement, Document B. I'll first read Document A which is headed brief statement of Msizi Jethro Hlope.

"1. My name is Msizi Jethro Hlope presently serving a prison sentence of 22 years for murder of the following persons.

(a) Nicholas Mkhize, and

(b) Zazi Khuzwayo.

I am presently incarcerated at Pretoria maximum prison under the witness protection programme in terms of Section 35 of the Act, that is the Promotion of National Unity and Reconciliation Act.

2. I have disclosed to the Truth and Reconciliation Commission's amnesty committee other incidents that were not dealt with by the court. This has been done by submitting an application for amnesty to

the amnesty committee.

3. I would like to state that I had previously provided both the investigating officers of the South African Police Services and the Court with false information for the

/following

following reasons.

- (a) I did not trust the investigating officers because I was not sure whether they were on the side of Mr Jamile or not because he was in good relation with most of the policeman in the area especially from C R Swart, Pinetown and KwaDabeka police stations.
- (b) Mr Jamile instructed me not to disclose the fact that I was an IFP member and his bodyguard. These allegations have been stated in my application for amnesty.
- (c) My legal representative, Advocate Colin Steyn ..."

We not sure of the spelling, both the name and the surname.

"... told me not to admit guilt on charges that were put before me. I told him that since I was charged on 16 counts, I will admit what I knew and deny what I did not know but he instructed me to deny all the charges laid against me and he arranged for me and Mr Jamile to discuss the matter.

(d) A meeting between me and Mr Jamile was also arranged by Warrant-Officer André Bosman of the Pietermaritzburg new prison at night in the bathrooms. He used a master key to open for us because we were in separate single cells. During that meeting Mr Jamile instructed me to tell

/the Court

the Court that all what I said about him was not true. Instead I should say that I was paid by Claremont residents, Mr Richard Phiri not Raymond and C Njalinjali in order to implicate him.

In conclusion, I would be grateful if the Commission takes the above statement into account in order to provide clarity on other issues. Signed, Jethro Msizi Hlope."

CHAIRMAN: And Mr Hlope confirms that that is his statement. --- Yes, indeed it is so.

Mr Shongweni, shall we deal with then statement B and then we can ask questions about A and B after you've read B into the record as well. Because I understand you're going to read B as well.

MR SHONGWENI: That is correct, Mr Commissioner.

CHAIRMAN: Okay, because there are a couple of questions I would like to ask about A but I think we will leave our questioning until you've done ... (intervention)

MR SHONGWENI: All the statement.

CHAIRMAN: Ja.

MR SHONGWENI: I would like to read statement B,

referred to as an affidavit signed by Msizi Jethro Hlope. The affidavit reads -

"I, the undersigned, Msizi Jethro Hlope, state under oath and say the contents of this affidavit are within my personal knowledge except where indicated to the contrary. I am a South African male person.

I was born on the 4th December 1972 at Glenaville a place

/where

where I also grew up. My parents are Rose Hlope, who is my later mother, and Jabulani Hlope is my father. My parents had a house at 21st Street, house No 2514, Glenaville.

My parents house is in the immediate neighbourhood of Mr Jamile's house. I was charged and convicted for murder of the following persons -

1. Zazi Khuzwayo, and
2. Nicholas Mkhize.

It started in 1987 when I first met with Samuel Bekisizwe Jamile in a sense of a personal contact. I was not affiliated to any political organisation. I was neither Inkatha nor UDF. I had absolutely nothing to do with politics. It happened in the year 1987 that Mr Jamile was attacked with eight hand-grenades. During the attack he was with Nkosi Kaula of Umzumbe and Nkosi Lushaba. They were attacked whilst driving a Nissan Langley vehicle. After this attack Mr Jamile was supplied with bodyguards by

KwaZulu government. Amongst these bodyguards there was Vusi and Vela. Others used to some in uniform whereas Vusi and Vela were always in plain clothes. During this period my father, Jabulani Hlope, was renting a room from Jamile's house. My father's occupying room No 8 with my stepmother. I was therefore using Jamile's premises. I was entering his house and even getting food from the house in the

/morning

morning and in the evenings. In 1987 after the grenade incident Mr Jamile was sworn at by a group of UDF Comrades who were standing on top of a hill near KwaMajozi. They were heavily swearing at Mr Jamile. I was called by my father, Jabulani Hlope, to Jamile's place saying that Mr Jamile wanted to see me. They, both Jamile and my father, took me behind the houses. Behind the house Mr Jamile asked me is I knew the boys who were swearing at him the other day. I answered positively. It was during the night. Jamile further asked me if I could go with the police and show the UDF Comrades to the police. I again answered yes. The Comrades names were Bikilida Msomi or Luthuli, Delani Kolelia Sikakane who resided near the house of Mrs Shabalala. He then instructed me not to disappear any more. I then went to stay with Vela and Vusi. Whilst with the two, Jamile came in with

three overalls and balaclavas which he gave to us. He was also in possession of ammunition which was in a Standard Bank plastic bag. He gave ammunition to Vusi Mbethe and Vela and I was given a torch. At about 12.00pm Jamile told us that we could go. We went out down the river. When we are the river we then put on our issued clothes. We went up to where we were going to. I was not informed as to what we were going to do there but I could feel that the boys who swore at Jamile were going

/to be shot

to be shot since we had our face covered and the fact that we were using short-cuts. If we were going to arrest these people, we should have gone straight to the place without hiding. So I had that picture that these people were going to be shot, though I was not told. On our arrival I pointed the house. Vela and Vusi drew their weapons. They stood from both sides of the door with their weapons on hand. At no stage did Jamile instruct them in my presence that the Comrades should be killed. Vela and Vusi told me to kick the door which I did and at the same time shed there the torch light. Both Vela and Vusi started firing from both sides at the boys who were on the bed. One of the boys cried and asked why they were being shot at. I identified his voice as being of Bikilida as I of course knew the

boys. After the voice was quiet the firing ceased and we left thereafter. I don't know who left the house first between me and Vela. We returned back to Mr Jamile's house running, that time with the torch switched off. Mr Jamile met us asking how the operation went. We told him that very well.

He thereafter took us to the bathrooms where he gave us muti to swallow and the other one to wash with. He thereafter advised me to go home and I did so. The following morning my father again called me from home. Remember at that time I was not

/staying

staying with my father in Room 8. On my arrival I met Mr Jamile who asked me to go to the previous day's scene to view the situation. Indeed I went to the place. I found that there was a crowd of people. The place was full of blood. I learnt that the boys, that is our victims, were not dead as they were only shot in their feet. I went back to Mr Jamile and told him that all the boys survived. Mr Jamile told me to call Vela and Vusi. I called them. Jamile appeared to be unhappy about the results. Having pointed out this place to Vela and Vusi Jamile started to have confidence in me. He started calling me to his house now and then. I was by this time aware as to what taking place. He, that is Mr Jamile, was using my father to call me or at times

he would leave a message with his wife to tell me not to move away as "the boys" were coming since Vela and Vusi used to be away at certain times. We get alone some time with Jamile meeting and parting. I ended up knowing Daluxolo Luthuli. I met him at Mr Jamile's bathroom. He introduced himself to me Madlanduna. I happened to know the name. I ended up knowing the other Caprivi trainees like Sosha. We were all using room No 5 which was in fact used by the police that provided security at Jamile's house. One day Mr Jamile told me not to move that day as the boys were coming. I knew who the boys he was

/referring

referring to. It was the Caprivi trainees.

I also knew that there would be an operation. I waited as told. On arrival it was Sosha and others that I did not know.

Mr Jamile called me. He informed me that he would like me to go with the boys to Zazi Khuzwayo's place. I said it's okay. I got into the car and we drove away. They were four and I was the fifth one. It was Sosha and three others whom I did not know. We joined Madlanduna - that is Daluxolo Luthuli - on the car who drove us. I directed them to Khuzwayo's shopping complex. Luckily at that time Zazi was not present but I managed to show them where Zazi stayed. I also informed Mr Jamile that I have shown the

boys Zazi's place. I was used to Vela. He is the one whom I asked about what was going on. He informed me briefly that we are still going to go a long way together. We were still going to Zazi's place to kill him. He therefore told me to disappear. I agreed. I was always around Jamile's place."

The following paragraph, that is 18, will deal with the death of Zazi Khuzwayo.

"Zazi Khuzwayo was a member of Inyanda Chamber of Commerce which was aligned to the IFP. Mr Jamile was also a member of this organisation. This was around 1984 or '85.

Inyanda was later split into two factions, one aligned to the UDF and the other to the IFP. This resulted in Mr Khuzwayo aligning himself

/with

with the UDF ... (Side A ends mid-sentence)

(Side B commences mid-sentence) ... day I was called by my father that I was called there by Mr Jamile. At Jamile's place I found Vela, Sosha who is B Khumalo, Daluxolo Luthuli and others I did not know. Jamile told me to accompany the abovementioned persons to Mr Zazi Khuzwayo's place. We drove to Khuzwayo's place in a car which was driven by Daluxolo Luthuli. On arrival I pointed out where Khuzwayo stayed. The car drove back to Jamile's place. At Jamile's place Vela Mcunu told me that we would go

back to Khuzwayo's place to assassinate him.

On the day Khuzwayo was assassinated I was called by Jamile at his place. Jamile told me to accompany Sosha, Vela Mcunu and other two males I did not know. The car was driven by Jamile's eldest son, Hlaganipani.

I believe Hlaganipani is now owning a butcher at Esikaweni, Empangeni. The car was parked next to Glenaville post office.

I was told to go out of the car and see if Khuzwayo was present. Khuzwayo was present and I went out of the shop, waved my hand signalling to my company that Zazi was there. I did not return to the car. I went on my own to my stepmother who was staying at Jamile's place. I later saw Vela at Jamile's place. He told me how they assassinated Khuzwayo. He, that is Vela, said that he was the one who pulled the trigger. They found Khuzwayo

/counting

counting money in his shop. After shooting Khuzwayo when they were retreating, they shot someone who was entering or was in the shop premises at that time. That evening soldiers were brought in the area together with the South Africa Police riot unit and most of the time they were at Jamile's house. They would make braai, drink liquor and fire shots in the air celebrating the death of Khuzwayo. I thereafter went home to sleep. I agree that as a result of my

participation in pointing out Khuzwayo's place and subsequent confirmation of his presence in his shop, I took part in the killing of Zazi Khuzwayo. I would also like to inform the Truth and Reconciliation Commission that what transpired in court was not a true reflection of what took place. This was as a result that Mr Jamile promised me that he will take care of everything and I should not tell the truth. Mr Jamile further told me that I should not disclose that I was his bodyguard and a card-carrying member of the IFP because such disclosure would discredit KwaZulu Police as well as Chief Mangosuthu Buthelezi. I was 19 years old at that time. I would further like to inform the TRC that I will disclose acts of offences other than those for which I'm convicted of."

Paragraph 22 will deal with Nicholas Mkhize.

"One day I was just working at Jamile's

/premises.

premises. He, that is Mr Jamile, called me and asked me if I knew Mkhize who was a caretaker in one of his dens. I told him that I knew him. He further asked me if I could go and kill him. I said yes. He said I will be required to go and kill him and should wait for further instructions. A few weeks later I was at the washing area where I met Daluxolo Luthuli, that is Madlanduna.

I did not recognise him at that moment

because he was wearing a hat and dark glasses. Daluxolo greeted me and proceeded to Jamile's home. I met him at Jamile's house. He asked me to accompany him to the bus stop as he was leaving. On the way he asked me whether Mkhize carried a firearm. I told him that I believed he did because he was a taxi man. He then explained to me that he was on an operation to eliminate Mkhize but he could not because Mr Jamile was not present. Daluxolo left that day. The next visit by Daluxolo was when Mr Jamile called me to his place. He told me to go and check if Mkhize was present and what car he was using. I found that he, that is Nicholas Mkhize, was present and using a red Chevrolet 3.8 and there were other cars in the yard. I went back and informed Mr Jamile. I did not hear Jamile reporting anything to Daluxolo but I suspected that Jamile passed the information I provided him, that is concerning Mkhize, to Daluxolo. I

/later

later learnt that Mkhize was murdered in his car. My sister, Lindiwe, came to our house to report that Mkhize was dead. She also passed the message to Jamile's wife. Mrs Mkhize also came to report to Mr Jamile's house the death of her husband. To my knowledge Daluxolo was alone when he killed Mkhize. I cannot confirm this as I was not

present. That day Vela and Sosha were also not present. I believe that Jamile and Daluxolo were directly involved in the killing of Mkhize. I was not getting paid for what I was doing. Mr Jamile used to give me money but not as a remuneration for my services but for buying food. He used to give me R10,00 or R5,00 at times. I would like to submit to the Truth and Reconciliation Commission that I did not kill Mkhize as reflected from the court records but I provided information as required by Jamile. I therefore believe that my participation in gathering such information has a direct bearing on his death. I want to make my position clear in this matter. Firstly, I was not part of the plans that Jamile was making to kill or eliminate the people I have mentioned and in those I will mention below. Secondly, I only participated when the targeted people were to be pointed out or identified because the people who actually conducted operations were not familiar with the area. And lastly, most of the operations /were were not conducted in my presence except the few which might be indicated in this statement. In doing all this, that is pointing out these places and people, I was complying with Jamile's orders whom I regarded as a parent and a senior member of my organisation. As a parent, in the first

place, I grew up in Jamile's neighbourhood.

In some instances my father will call me for Jamile and I have reasons to believe that my father was aware of these things and approved of them as he had at no stage objected when Jamile was about to give me orders. In particular I had never shot a person in Claremont. I have no reason to have something hidden. This statement I have made can also be verified or confirmed by Daluxolo Luthuli who is known as Madlanduna who was the man in charge of all these operations. Like in the case of attempted murder of Mrs Shabalala, Madlanduna is the one who prevented me from going out of the car."

Paragraph 28 will deal with the other incidents which are related to Msizi Jethro Hlope and Mr Jamile.

"Another incident I want to make mention of is about Tokozile Shabalala and her lover Bekuwisa Khumalo. That is the ones that were killed in or found killed at Mambaveli.

On the day they were taken away I was in room No 5 at Jamile's house, the room which was used by police. I saw them taken into the car.

/Madlanduna

Madlanduna was present with other males he had brought along that day. Mr Jamile was also there. He even called for his big firearm from his wife who gave it to him.

They thereafter left. On the following day

I heard of the Mambaveli incident. I was only present when they were taken away. It was Mr Jamile, Madlanduna who was driving as usual, Thokozi and his husband Bekuwiza and three of Madlanduna's boys whom I did not know having only saw them at a distance. Skweqe Msweli, who is presently at Pietermaritzburg prison, would confirm this incident or allegation. My father Jabulani Hlope knew things. He even asked me about them. My stepmother also knew things. My father knew Madlanduna and the boys. I could not tell these things to anyone like my sister, for instance. I saw no reason to tell her as she was going to be killed. Regarding the offences of escaping from Pinetown police cells I was aided by police Warrant-Officer Coetzee and a certain black policeman who had a beard. I don't know his name but I can identify him without difficulty. I was informed that I must escape. Mr Jamile's offered to stand for these cases on his own. I asked them how. The police, that is both of them, that is Coetzee spoke and the black policeman interpreting, asking me if I could make use of an iron saw. I said yes. The saw was

/arranged

arranged for me. We planned that I must escape on a Friday. On that day they were going to wait for me outside the police yard on a car that was going to take me away. On

the eve of that Friday I abandoned the plan of escaping. I had a bad dream. In my dream I saw as if I was shot or injured and my family was surrounding me. These dreams suggested a danger I had. As a result I abandoned the plan. The bearded policeman asked me about our plan. I told him that I failed. We agreed that we will arrange another day. The person who gave me the saw was a plumber working at the police station.

I did escape together with Rasta and another boy. I did not tell anybody about who made it possible to escape. When I now analyse my first plan of escape I realise that perhaps these policemen wanted to eliminate me as I had already implicated Jamile. It was going to be easier for them to kill me under the impression that I was escaping. There existed a possibility that they were hired by Jamile. I was of the escaping idea because I feared for my life because of ANC Comrades who were in prison and moreover I was arrested for things I did not do. The people who actually committed the acts were not arrested. It was only me and Jamile who are suffering. Jamile too did not kill but hired killers. These killers were walking free. One day Mr Jamile told me that

/he was

he was looking for a brave man whom I trust to work with me. He asked me if I could

bring along one. I went for Thokoza Njalinjali. I introduced him to Mr Jamile. Jamile explained to Thokoza that he wanted us to do a certain operation. He gave us a revolver to demonstrate whether we know how to handle a firearm. I did successfully but Thokoza failed. Mr Jamile demonstrated how we should handle the firearms after operations. This was going to help as he did not want the result of failed operation to backfire at him. Jamile informed me that Warrant-Officer Coetzee, who's stationed at Pinetown, told him that Njalinjali was informing police about our activities. Jamile said that I should eliminate Njalinjali. He gave me a .38 revolved and ammunition. He ordered me to stay with Njalinjali so that I could monitor his movements and eliminate him when a chance to do so arises. I wanted to clean myself after these killings so I arranged for a herbalist who was going to clean me. The promised killing of Njalinjali by me was at Jamile's instruction. I did not want to use Jamile's muti. I wanted my own herbalist. I trust Jamile's. I then borrowed the sum of R500,00 from Njalinjali which I was going to pay to the herbalist. I was not going to pay it back because I was sure that I was going to kill him. He was going to be dead when

/payment

payment was due. I was using this herbalist for the purpose of strengthening myself against Comrades. I was due to go to the herbalist the following day, the herbalist being Bhemu of ... (inaudible) ... Njalinjali promised to give me R500,00 the following morning. He told me the money would be available after he had sent her daughter, Zimu, to go and withdraw. Njalinjali knew that it was the end of the road for me as he arranged with the police for my arrest. I was going to sleep at Njalinjali's place so that it was going to be easy to take the money and leave for ... (inaudible) ... on the morning. At night about 23:00 I heard a knock. The knocker identified himself as a policeman. Njalinjali was the one who opened the door and the police entered. It was Mr Makadla the policeman I recognised and other policemen. Before I was arrested Makadla asked my name. I told him I was Thembisio Mkhize and I reside at Fanini. The police did not worry Njalinjali. The police went out to fetch Vusi who told the police that my real name was Msizi Hlope. I was arrested and taken to police custody.

Another incident where I had to go and point out a place was when I accompanied Vusi Mbeje and others to Qashana's house. Mr Khuzwayo, a teacher. Again I was asked by Mr Jamile to point out the house of Qashana

to them. Having pointed out the house I was taken back

/by car.

by car. They, Vusi and others, went back to Qashana's house where they killed him. After Qashana was killed there were not celebrations as was with death of Zazi. It was quiet as if nothing ever took place. It again happened that my father called me and told me that Jamile was calling. My father always used the name neighbour when referring to Mr Jamile. I went to Jamile's place as informed. On arrival I found that there was a Cressida in the parking area which had its doors opened. There were people inside. There were five people in the car. Two in the front, one of which was Madlanduna, and another whom I did not know.

At the back there were three and among them I only knew Sosha Khumalo. As they were parking they were ready to go and it was in the evening. Mr Jamile was also there. He ushered me into the car. He told me to accompany them in order to show them the way back. Upon my getting into the car the occupants prepared their firearms and we drove off. I was not told where we were going to. They were all armed. We drove up Clement Road. The car was parked near a certain house with a garage. The three with whom I was seated alighted and the one sitting with Madlanduna also alighted. I

attempted to alight but Madlanduna strongly warned me not to. He ordered me not to go out but to remain in the car as I did not know where the others

/were

were going to. The four went on foot. Shortly the car also moved and parked next to Ziphathele School. Madlanduna ordered me to leave the back door slightly opened. I did so. As we were driving slowly down the road we passed the four of them. They were standing on both sides of the road. I cannot remember on which side of the road Sosha was but he was pairing with another one. Shortly Mrs Shabalala's car, a Cressida station wagon, passed by, Daluxolo's men were standing apart from each other. When Mrs Shabalala's car drove past the first pair started shooting at it. The car accelerated. The other two also fired at it as it passed in a high speed. The first two quickly got into the car. Amongst the attackers the other one did not know the area. After the shooting he ran away rolling on the ground. The other three managed to get to the car and he drove back using a road towards Masango's place. We joined Clement Road up to Ndudumane cemetery. The car proceeded to the vicinity of Ndumani bottle store or Ndlelo's bottle store. The car dropped us all there. The car with Madlanduna, still driving of

course, drove back to look for the missing person and because he did not know Claremont area. We arrived at Jamile's house. It seemed that he was waiting for us as he took us to his office and he asked us how the operation went and

/they

they told him that they missed her. He openly complained about the fact that the attackers missed her. One could see that Jamile was worried. Mr Jamile realised later that I was present and I was not the fourth attacker perhaps as he should have thought. When realising my presence he advised me to go home and sleep because I was a young boy. One of the attackers, who was missing, later came back to Jamile's house. He was brought back by Madlanduna and reported unhurt. The following day Mr Jamile called me to assess the situation at Mr Shabalala's place. I took Thokoza Njalinjali with me to the place. On arrival I saw the car which was damaged at the back. After ascertaining the damage I went back and reported to Jamile. He told me it was okay, I can go back home.

Amongst other things my functions were to take firearms hide them and carry them away using footpaths so that police could not find these weapons.

Another thing I wish to mention is that I had an appointment certificate of KwaZulu

Police which was arranged by Mr Jamile for me. I had also police and military uniform.

The appointment certificate was helping me to carry firearm. I was also ranked as a special constable and paid R600,00 per month. My appointment certificate and police uniforms were taken away by Mrs Ivy Jamile. My father, /Jabulani

Jabulani Hlope, had knowledge of my activities. He even asked me about them. My stepmother also knew about my activities.

My father knew about Daluxolo Luthuli, that is Madlanduna.

Regarding the incident where Obed Mthembu was attacked, I know nothing about, that is as to how and where he was attacked. What I know about Mthembu is that he was one of the speakers at Mrs Shabalala's funeral. Though Jamile was not attending the funerals of his victims he was sending someone to go there and report to him. One of these people was Mrs Esther Mbele who had an affair with Mr Jamile. I used to accompany her to the funerals. I accompanied her too to the funeral of Mrs Shabalala.

Concerning Mr Richard Phiri's plot to be killed, I was requested by Mr Jamile to go with a certain Constable Zulu to show or point Mr Phiri's house to him. We were going to be taken to Mr Phiri's house by ...

(Side B ends mid-sentence)

would like to submit that this statement has

spelling mistakes. If the Commission would - I would say, forgive us for that. A proper statement which has been checked is the one which has been submitted to the Truth Commission but we are prepared to give you the correct version of this document. If the Commission would allow to accept this document with it's mistakes.

CHAIRMAN: No, certainly we will accept that and it has /been been read into the record and you have filled in certain gaps where there have been grammar mistakes. Mr Shongweni we would like to put some questions to Mr Hlope arising out of those two statements A and B and if he will be answering those questions himself. Okay, Mr Hlope, you mentioned that this incident where these boys were shot at, the UDF boys, Msomi, Sikakane - the boys who has sworn at Mr Jamile and they were shot by Vusi Mbethe and Vela. Do you know when that was. You said it was in 1987. Do you have any clearer idea as to when that might have been or are you not sure about the date. --- I think - I cannot remember completely the month. I happened in 1987 but I cannot exactly remember the month but that is the year where I met Mr Jamile where he started using me where I would point out people who would be killed.

Thank you. Now, you've mentioned Vusi and Vela. Vusi - is that Vusi Mbethe and what was - if you can confirm that and just tell us what Vela's surname is?

--- Vusi Mbethe - his full name is Vusimuzi Mbethe. Vela is Vela Mcunu but there was also another name he was using here in KwaZulu/Natal, Uvisanise(?)

Masango.

And were they Caprivi trainees or were they special constables or were they just ordinary people like yourself? --- During that time that I was with these people during this I didn't know these people that they were trained at Caprivi but I eventually found out this information that they were trained in Caprivi.

Do you know if anybody was convicted for that shooting. There must have been an attempted murder case that was opened? --- Could you please repeat the

/question.

question. I didn't understand.

Do you know if anybody was charged or convicted for that shooting of those boys, Sikakane and Msomi. There must have been an attempted murder docket that was opened. --- As far as I know nobody was every charged with murder. This issue has just been revealed by me. Nobody was arrested about this issue because nobody knew who had shot these people.

Now, the other person who you mention a bit later on your statement is Sosha. Can you just tell us who he is and what position he held? --- Sosha is a nickname. His real name was Bekuwisa Alex Khumalo. He's one of the people who were trained in Caprivi.

And is it correct that he is presently in prison?

--- As far as I know I think he's under the protection programme of the government - protection programme of the witnesses.

And Vela Mcunu? --- Vela Mcunu died so has Vusi Mbethe. They have died.

Do you know how they died? --- I can never give a full explanation but I heard that Vela was shot in Hammarsdale and Vusi Mbethe was shot at the station just a few months ago.

Now, you said in your statement that the court records in the Zazi Khuzwayo case are different to what you have stated here. You've said that - you've told us what you say is the real story about Zazi Khuzwayo's murder here whereas you say that the court - a different story came out in court. Just very briefly what was the version which the Court accepted and on which the Court convicted you? --- I did not understand it. Could

/you please you please repeat the question, I did not understand it.

UNIDENTIFIED COMMISSIONER: Mr Hlope, in your affidavit you mentioned that you provided false information to the investigating officers as well as the Court because you did not trust them and suspecting that they might be on Jamile's side. Can you tell us what did you tell them that was false?

--- Yes, I will tell you that. What I explained to them in the court I said to them I denied all the charges. The statements that I made, that all the statements that I said relating to Mr Jamile were false, that I said I had told this statement because I had been bought by the Claremont people so that I could implicate Mr Jamile.

Mr Hlope, I'm trying to understand. Are you saying that the previous statements which you had made implicating Mr Jamile later on you referred to those

previous statements as false and saying that you had been hired or paid money by the Claremont residents to implicate Jamile. Is that what you're saying? ---

Yes, that's what I said.

And can I assume that you did that after the meeting you held with Jamile and other people which was organised by André Bosman? --- Yes, that's true. I met with Mr Jamile in new prison in Pietermaritzburg and Warrant Bosman opened by cell. It was 10.00pm and we were not allowed to meet Mr Jamile but Warrant Bosman made it possible because what I have said about him was implicating Mr Jamile.

CHAIRMAN: Now, in your affidavit when you're dealing with Nicholas Mkhize you say -

"I would like to submit to the Truth Commission /"that "that I did not kill Mr Mkhize was reflected from the court records but I provided information as required by Jamile."

So you're saying here that you didn't kill Nicholas Mkhize whereas the Court in fact found you guilty of Nicholas Mkhize's murder, is that right? --- That is correct. Even now I still deny that. I didn't kill Mr Mkhize even if I'm serving that sentence. This was the findings of the Court and the Court found me guilty of killing Mr Mkhize.

Who gave evidence against you in in court which the Court accepted that you killed Nicholas Mkhize?

--- There is a certain man, his name is Elijah Buthelezi. This is the man who killed Mr Mkhize and Mr Mkhize came to his house to fix the Kombi and he asked Mr Mkhize and he came there looking for a place

because he was from KwaNdengezi and KwaNdengezi were involved in political violence so he was running away.

Therefore he was testifying for the Mkhize family.

So did he - who gave evidence against you? There must have been a State witness that gave evidence saying that you killed Nicholas Mkhize. Was the Elijah Buthelezi. --- It was Mr Buthelezi. He's the one who pointed me and he said to the Court he can identify me because of my round face.

Now, in the Zazi Khuzwayo matter you were convicted of the murder of Mr Zazi Khuzwayo whereas you're saying here that you did not actually kill him.

You merely pointed him out to the other people. Is that correct? --- That's correct.

But in court what was the finding of the Court?

/Was it

Was it something different? Did the Court make a finding that you had actually participated in the shooting? --- I will put before you that the witnesses who were in court from Khuzwayo family, they didn't point me and against I would like to clarify that even the police who arrested me, they didn't do any identification parade and the people who were there when the attack was lodged at Zazi's house - and again I'll explain to you that the testimony that made the Court to find me guilty - the testimony which was put before the Court was that I went to Mrs Mkhize and Mrs Khuzwayo and talked to them and I talked to them in Court and I talked to them because a white policeman took me from the cell and I explained to them that I didn't kill Mr Mkhize. And I told them that I will put this evidence in court and I told them

that I went to the shop and bought a cigarette so that I'll make sure he was there. And one guy knew me. His name was Phumulani and if he was there he could have seen me. And I told them I will tell the Court inside and then that's when they started changing their statements. They went to the investigation officer and they changed their statement and they said I must agree that I did kill the man. And the person who sent me to kill this man was Mr Jamile. This was the testimony which led to my conviction and Mr Jamile was never sentenced but the findings proved that I did this under Mr Jamile's instruction. They said he was the one who sent me to kill these people but I didn't kill them and the Court found me guilty of killing Mr Mkhize.

Do you know who actually did the killing? Was it /Luthuli Luthuli or was it Sosha of Vela? Who was it? --- In my knowledge is that the person who killed Mr Mkhize is Daluxolo Luthuli and he doesn't deny this.

And Zazi Khuzwayo? --- I cannot be certain about Zazi because after I pointed his house I left. I went back home. But Luthuli told me that he shot Mr Khuzwayo. Vela told me that he shot Mr Khuzwayo and a person who was leaving the shop.

UNIDENTIFIED COMMISSIONER: Do you know the person who was killed on their way out? --- His name is Charlie Madlala.

CHAIRMAN: Now, in paragraph 28 of your statement here you mentioned someone called Msweli - Skweqe Msweli. Who is that? --- Skweqe Msweli was a IFP

youth and he was staying in 'Maritzburg. The last time I heard about him is that he was serving seven life sentences. He was in new prison in Pietermaritzburg. We were staying with him there.

Are you saying that he was involved in the murder of Bekuwisa Khumalo and the attempted murder of Tokozile Shabalala at Mambaveli? --- I explained this to the investigation team from the Truth Commission that when I was in 'Maritzburg, Skwege when he realised that I am in Jamile's side and then he explained to me that he was there when they killed Shabalala. And he also asked me that how come I am the one who's implicated in this case and then he told me to deny this case because I wasn't there. He's the one who was there. And again I also explained to them that even if they can go to him and ask him, because he's a IFP member he won't give them the real truth about this thing.

/In paragraph

In paragraph 30 of your affidavit you said that you were going to be assisted to escape from Pinetown police cells by a Warrant-Officer Coetzee and a black policeman with a beard. Why were you in the police cells? Had you been arrested? For which case? ---

I was arrested for these cases, 16 of them. Six of them were murder and other six was attempted murder and forcing other people to go and kill.

You also said that in paragraph 40 you said -
"Amongst the other things, my functions were to take firearms, hide them and carry them away so that the police could not find the weapons."

Whose firearms were they or who provided you with those firearms and where did you take them to? ---

The firearms that I've mentioned they were used for killing people and Jamile had given me instructions that every time after the operation I should take the guns or weapons and then go and hide them so that when the police searched the car which was used for operation, they won't find any weapons in it.

And were those home-made guns or were they revolvers or were they Rls or shotguns or ... (incomplete) --- Different kinds of guns - revolvers, pistols.

And were they kept by Mr Jamile or other people?

--- In my knowledge these people used to carry their own guns.

Now, you said that you had a uniform and an appointment certificate of the KwaZulu Police. ---

That's correct.

/But you

But you never received training as a KwaZulu policeman. Is that correct? --- I never received any training but the only training that I received was I went to hope(?) patrol in Pinetown. It was only for one night and I was trained to shoot using a shotgun. That's the only training I received.

And with regard to your membership of the special constables did you receive any training to be a special constable? --- I never received any training.

But you did receive - for some time you did receive a - your were actually ranked as a special constable and you received a monthly salary. Is that

right? --- That's correct. It started in 1989.

From 1987 to 1988 I didn't receive any salary and I was never a special constable. But from 1989 that's when I started receiving this rank and money. And all these cases which I was implicated to were from 1987 to 1988.

Who arranged for you to be listed as a special constable? --- It was Mr Jamile who arranged everything and they took a photograph of me here in town.

UNIDENTIFIED COMMISSIONER: Who paid you? ---

Mr Jamile used to give me my money in an envelope - my name had been written on that envelope - on the 25th of every month.

The envelope was it written any name of an organisation or an office? Was there anything written on the envelope? --- It was just a white envelope written by a pen, only my name.

Thank you, Mr Hlope, I just want to ask you quite a few clarifying questions. You referred to Bikilida

/Msomi.

Msomi. Is he the same person as Johannes Luthuli?

--- Yes, that is so. I got this name from the document which had been sent to me that all the people that I'm going to talk about them I must just put them down. Those are the people.

In your statement you also say that you already knew Madlanduna's name. How did you know it? ---

In reality during the time he introduced himself in Mr Jamile's bathroom, he introduced himself as Madlanduna but as time went on I really knew his name that it was Daluxolo because he's given himself under

the witness protection programme that he will reveal all the truth that he knew from the orders that gave from the senior KwaZulu officials.

Your statement starts by saying that you were neither IFP nor UDF. Somewhere later you mentioned that you were an IFP member. When did you join IFP?

--- That is true. In reality when I started I was never a member of IFP nor a UDF member but once there was a relationship between me and Jamile and I got closer and closer to him, as time went on I got in problems and I saw that my life was no longer safe. The UDF people were looking after me. That is what led me to join IFP because my life was in danger. I joined the youth brigade of the IFP.

When did you join the IFP youth brigade? What year? --- I am not quite certain which year but I did join this organisation after I have been involved with Vela and Vusi where I showed the UDF boys who had been insulting Mr Jamile. It was after that incident.

Why did you kill Mkhize? What was his sin? ---

/Could

Could you please repeat the question? I didn't hear well.

Mkhize was killed, whether by yourself or one of your group, at the instruction of Jamile. Why was he killed? What had he done to be killed? --- I cannot give a full explanation before the Commission because Mr Jamile he would not give me all the reasons why these things were happening. As I've already said before in another paragraph of my statement that I was never part to any planning at all. I would only be brought in just to point out those people that they

had intended to kill. Because these people were under Madlanduna. He was their commander. They were not Claremont people, these people that I had to lead. So I as a Claremont child, I had to go on orders of Mr Jamile because I respected him. So I would just go this and point out these people.

I just want to ask a few questions about your family. Where is your father now? --- My father as far as I know he's there in the address I've written in the statement, 2514 21st Street ... (inaudible) ... and under code Glenaville 2602 that is my home where I lived.

Why did he have to rent a room at Jamile's place when you had your own house? --- I can never understand why he did that. Possibly in our homes there are rooms that were being leased out but according to me it was my stepmother who was Iris Zulu whom we also knew as Mgubane.

The name of the plumber who gave you the saw, can you recall him? --- His name I cannot recall but I /did see did see him very well. Even if I met him now I'll be able to recognise him. I would identify him very easily without any difficulty.

Somewhere in your affidavit you mentioned that Mr Jamile approach you and Njalinjali about the job that you were supposed to do but your affidavit doesn't tell us exactly what job was that. --- I would request to give some explanation before this Commission on that issue. During that time when Mr Jamile sent me to go and get a brave man that I could work with him, it was in 1988 during that time

and Daluxolo and other Madlanduna's boys were no longer there. They'd already left. According to me, I think Mr Jamile wanted us to continue with all the operations that used to be done by Vela and Sosha and Vusi Mbethe but because they were not working for him only - they used to work to protect IFP in other areas, at Umzumbe and other regions where there are IFP members who were attacking - so sometimes they were not at Mr Jamile's place. That's why in this statement I explained that at some stage they would leave and Mr Jamile would tell me that I shouldn't go anywhere because the boys would be coming back.

Any activities that you and Njalinjali were involved in, specific activities? --- Some of the operations we were involved in with Thokoza Njalinjali was to carry furniture from chemist to Ulundi. We also used to help around at home, housekeeping, washing the cars, off-loading any packages from the cars and medicines of his because he was also an inyanga herbalist, Mr Jamile. We used to do a lot of general assistance for him because we also respected him as our

/father.

father.

Thank you, Mr Chairman. I'll hand it back to you.

CHAIRMAN: Mr Govender, I think if you just go through the document there and put to Mr Hlope the other incidents on which we have information about his involvement.

QUESTIONED BY MR GOVENDER:

Mr Hlope, is it correct that around 1987 you

would have been about 15 years old. Is that right?

--- In 1987 I was 16 years old.

Were you schooling at that time? --- I'd already left school at that time because of the life I was living at that stage.

And were you living with your father at that time? --- I would say the person I was living with at that time who was looking after me, it was my elder sister Maureen Mantombi Hlope who was staying at home.

My father wasn't at home most of the time. He used to stay with Jamile at Room No 8 that he was staying with, with my stepmother. I used to go at Mr Jamile's house, I used to eat lunch and breakfast and supper at Mr Jamile's house.

Did your father testify in your trial? --- No, he's never given any evidence in court with regard to my cases.

Has he taken an interest in you since you've been in prison? --- I cannot say he looks after me nor does he not look after me but at some stage he did come to visit me when Jamile was also in gaol. He would visit Jamile and then see me as well. But after Mr Jamile was out of gaol my father never visited me.

/Were

Were you visited by Jamile after you were convicted? --- Could you please repeat that question? Are you talking about when he was released? Has he visited me since he left me in prison? Is that what you're referring to?

After you were convicted. --- We were sentenced together. He was also convicted for attempted murder of Mrs Miriam Shabalala as well as

the murder of Mr Bekuwisa Joseph Khumalo. We were together in gaol. He was released in 1993 after making an amnesty request but my application was turned down.

Well, after he was released did he visit you in prison? --- No, he didn't visit me but I used to make a reverse charge call and I would talk to him and I would ask him what is happening about me? When am I going to be released because I would say to him, "My father, I can only rely on you. What is happening about my case. You know I have not killed anybody. The people who had killed are actually outside".

After you made approaches to the Truth Commission did Mr Jamile make contact with you in any way? ---

No, we've never met.

Did he make contact with you via a third person?

--- Yes, he has tried to do that. He used the social workers in Westville prison where he said through this social worker - I was told I must stop all this nonsense. There will be money that will be given to me - 2 000 - so that I should not continue with this statement. I had to sign an affidavit that all the things that I've said to the Truth Commission was not the truth.

/Mr Hlope,

Mr Hlope, can I just get this right? Are you saying that he said to you that you mustn't co-operate with the Truth Commission and that he will pay you money for that. Is that what you're saying? ---

Yes, that is what I was told by the social worker who contacted me on his behalf. I did not hear him say that but this social worker said that to me.

And what has happened? Did you co-operate? ---

Yes, I agreed with that. I co-operated and I asked this social worker to please give me a portion of this money and I requested R400,00 and this social worker did give me this R400,00. But because at Westville prison we're not allowed to have R400,00 money but I requested to put it with one of the men I trusted there. After that then I contacted the head of the section and I asked him that I would like to phone the Truth Commission people and inform them. I asked him to please take me to phone the Truth Commission people so that I can explain to them. They said, but the Truth Commission people are not going to be able to investigation inside. We must go to their office. But inside there Warrant-Officer Govender will investigate this issue before and then after that arrangements will be made with the Truth Commission so that they can set a trap for this social worker and I will give information to her that I was still prepared to co-operate with her but I wanted to get the origin of the whole situation.

And did that happen, Mr Hlope? --- No, it did not happen. I went to Mr Govender. Mr Govender contact Mr Madlala and Mr Madlala came very quickly and he was with the lawyers for human rights, Advocate Minnie

/Shembe,

Shembe, they came to me and I explained everything to them of what had happened. So they went to contact ITU so that ITU would investigate this matter. After that there was elapse of time before ITU came back.

Mr Madlala used to contact Mr Govender and he would

also ask about my condition. And thereafter the very same prisoner that I had negotiated with to hold this money for me went to the same social worker and he said they must take the number of all the monies so that if I report this issue it will just bounce back to me. So I explained that to Mr Madlala. I called them and I explained to them what this other plot was happening with this guy. So that's how the whole think lapsed.

Mr Hlope, why were you transferred to the Pretoria central prison from the Durban Westville prison? --- It is because I didn't feel safe. There were a lot of people who used to come to me and say, "Listen, you must be alert. You must be aware," but other things, another reason that removed me is that the same section that I was in, all the police were there in gaol. They were working with Mr Jamile.

They used to organise mutis for him and Warrant-Officer Mncube he was the one who used to meet Mr Jamile and they used to meet outside and he was told that he must look out for me in prison and see what attempts am I making to implicate him. So he would monitor me and go and report back to Mr Jamile of what I was doing. So I didn't feel safe at all. I thought I could be stabbed or be poisoned at any time or be killed in some other ways.

The boys that you speak about - the UDF boys that were attacked on that occasion, Msomi, Sikakane, where

/are those

are those boys now, do you know? --- I am not certain if I know where they are but when people from home visit me they do tell me that those boys are

still there because they are our neighbours. We grew up together. I know them. But they are alive.

Was there no subsequent - that you know of, subsequent attempts made on their lives? --- I have no knowledge of that.

In paragraph 15 of your affidavit you say that Mr Jamile told you not to move that day because the boys were coming and you say you knew were the boys he was referring to. How did you know who these boys were? --- I got to know these boys because these are the boys I would go together in all these operations. These were the same boys. When he talked about the boys, I knew which boys it would be because they were always involved in with operations. Although Mr Jamile was not explaining to me what were things that we'll be involved in but I knew. Because I was still young, he would just say accompany these boys to such-and-such a place. So I knew at that stage what was happening in Mr Jamile's home.

Now, listen to what I'm going to say very carefully. Did you know at that point in time on that day that these were the Caprivi trainees, that they were trained in the Caprivi Strip. Did you know that?

--- I didn't know that at that stage.

What did you know - you knew that these were the people that were involved in all the operations. That's all you knew. Is that right? --- Could you please repeat the question. I didn't understand it well.

/Well,

Well, these were the boys that used to conduct all the operations for Mr Jamile. Is that right?

--- Yes, it is so.

And did you know them to commit operations just for Mr Jamile or were they involved with any other person or leader of any organisation doing operations for them? --- During that time I didn't know but as time went on, I realised that they used to Umzumbe, Mr Collier's place. They also used to Pietermaritzburg and also used to go Ntombela. They also used to Velapindlovu. They used to move around with all those KwaZulu officials.

Mr Hlope, how did you know that they were going to the different leaders? Did you do with them? ---

During that time when I was fully involved in these activities I also used to go to Hammarsdale and Pietermaritzburg and I also used to meet other guys and would discuss these things. They would ask me who has been in Claremont and when did they come and other would come and say, "Ah, so-and-so is at such-and-such a place at the moment". That's how I came to know. Because I really came to know many, many other. Nqovela Mashonia, and Ambush and Rango and Hammarsdale. I also got to know all these other boys who were involved in these activities. Umabi Cele, another guy who my sister was involved with Tandi Cele.

What did you do in Hammarsdale and these areas when you went? --- During that time in Hammarsdale, I used to go and stay there. Sometimes I'd be running away from Claremont because things started hearing up and people wanted to kill me in Claremont. They wanted to necklace me so I used to go to hide in this place in

/Hammarsdale

Hammarsdale. In Lindelana I also used to go and hide there under Mr Shabalala. And also Ulundi, I also used to go there as well.

Mr Hlope, what do you know about an incident involving a Emmanuel Khuzwayo who was an influential principal in Claremont? What do you know of an incident involving him? --- Before the Truth Commission what I do know is that I was called by Mr Jamile who asked me that I must accompany Vusi and the two other boys that I didn't know, that I must go and show them Mr Qashana Khuzwayo. I showed them Mr Khuzwayo's house. After that I was taken back with the car where they went back on the same day and they went to shoot him.

Sorry, you said they went to shoot him. Who went to shoot him? --- It was Vusi and the two other guys that I didn't know.

And did you see them shoot him? --- No, I did not see them but Vusi told me how they arrived there at Mr Qashana's house. They found him, he was on the telephone and how he had shot him.

CHAIRMAN: Vusimuzi Mbethe? --- Yes, indeed it is.

MR GOVENDER: Mr Hlope, the incident involving a woman by the name of Esther Mbele arising out of the surveillance on the funeral of Pearl Shabalala, could you tell us about that? --- What I would say before this Commission with regard to the knowledge that I have with regard to Esther Mbele, Ms Esther Mbele, she was the chairperson of the women's section IFP. She was staying in KwaDabeka where we knew this

place at KK. She was in love with Mr Jamile although Mr Jamile was married. He used to take me out. Mr Jamile would ask

/me to me to accompany Esther Mbele to go to the funeral of all the victims who would have been shot so that she would go and listen to them and find out what suspicions and speculations they had. I used to wait outside. I didn't go. And then when she came in and the after she'd finished I would accompany her back again to go and report to Mr Jamile. We also went to the funeral of Mrs Shabalala. She also went there to listen.

Can you tell us what happened at the funeral of Shabalala, Pearl Shabalala? --- I cannot give detailed explanation - was that the main speaker at Mrs Shabalala's funeral was Mr Obed Mthembu. This Mr Mthembu is also connected to some of these cases and he was eventually attacked in his house with his wife. Do you know of the circumstances under which he was attacked? Who attacked him and so forth? ---

I have no knowledge of that.

Was he attacked as a result of his speech that he made at Mrs Shabalala's funeral? --- It might be. That might be the situation because there'll always be ears. Ms Esther Mbele would always be listening so I think it was because of that.

Do you know whether Jamile had anything to do with the attack on Obed Mthembu? --- I have no knowledge of that.

CHAIRMAN: And with regard to Mrs Pearl Shabalala's death do you know - what do you know about that? ---

I have no knowledge about her killing but in the first attack I was there.

The second attack, you don't know who was involved in that. Remember she - I don't know if you recall.

/She was

She was shot. She was trying to hide under her motor vehicle and she was shot by some people who shot her while she was hiding under her motor vehicle. ---

I really have no knowledge about that, about what happened and how it happened because I wasn't there.

MR GOVENDER: Mr Hlope, do you know of the conspiracy to kill Aubrey Nembesi and Richard Phiri? --- Yes, I do know.

And Archie Gumede. --- Yes, I do.

Tell us about that ... (inaudible) --- What I could say is that Mr Jamile asked me to take Constable Zulu and go with him to show him Mr Phiri's place where we will be fetched by Bekuwisa Joseph Khumalo in his car but I don't know what happened thereafter. But I heard that Mr Khumalo was dead - the one who was supposed to have taken us to show Phiri's place. With regard Mr Nyembeza's house, I was going to go with Zulu to point out the place and Mr Jamile has asked me to do that.

So, Mr Hlope, you're saying that much of the work that you did for Mr Jamile was to point out people's houses. Is that right? --- Yes, that's what I said.

And you were used to point out Nyembeza's house, Phiri's house and Archie Gumede's house. Is that right? --- Yes, indeed it is so.

Who were the people that you pointed these houses to? --- I used to show these to Madlanduna and the other boys who were with him, Sosha, Vusimbele and the other three that I do not know and Mr Jamile would have instructed me to point those houses out.

And did you point these houses to these people?

/--- Yes,

--- Yes, I did.

Was this pointing out done in advance of the actual operation or was it done on the day that the operation was to take place? --- I used to go with him in advance and then they would take me back home and then thereafter they would go to do that and I wasn't there. And I was not supposed to be there because the Claremont people knew me and I grew up there. That's why even the car that we were driving in had black windows because I was not supposed to be seen by the Claremont people.

Could you just clarify that for me? Was it the same night or the same day that you showed or point out these houses that the operation would take place, that is, after they took you and took you back, would they come back and then do the operation. Is that right? --- Sometimes it would be on the same day but sometimes it wouldn't be on the same day, it would be in advance.

CHAIRMAN: Sorry, Mr Govender. And when you pointed out the house were you aware that the reason that you were pointing out the house was that the people in the house were going to be attacked? You were aware of that? --- Yes, even though Mr Jamile would not

tell me that they were going to kill people, yes, I did know. Eventually I did get to know but there was also no way that I could oppose that.

Are those things, for example, this one of Nyembezi, have you applied for amnesty for those incidents because if you knew that people were probably going to be killed there, you see, that would open you up to a charge of conspiracy to murder, something like

/that.

that. So are those things that you have applied for amnesty for? --- No, I haven't asked for amnesty for that part but I was advised by my lawyer Mr Mungezi that I must ask for amnesty on all the charged I've been convicted on but the other ones because I was not found guilty of, I will give further explanation so that the Commission can see that I'm speaking the truth, that there's additional information that I would give over and above that I've been sentenced and convicted for.

You see, it's not only - when you apply for amnesty, it's not only for things for which you have been convicted, it's for things that you may still be convicted for, you see. You still may be charged with these crimes - conspiracy to murder these people. Because pointing out, even though it's not pulling the trigger, it's still participating in a plan to have somebody killed. So when you make your application for amnesty ... (recording interrupted) ... otherwise these are still things for which you can be charged for. You see, it's not only the things that you have been convicted for. --- Yes, I do understand that.

Thank you very much for advising me that.

MR GOVENDER: Did you then, Mr Hlope, know, or come to know subsequently that Aubrey Nyembeza's house was burnt down subsequently after you pointed it out?

INTERPRETER: Excuse me, the interpreter didn't understand the question.

MR GOVENDER: The question was did you come to later on understand or hear that Aubrey Nyembezi's house had been burnt down after you had pointed it out to those people? --- Yes, indeed, I did hear that.

/Did you

Did you hear of an attack on any of the other people? Archie Gumede and Richard Phiri. --- Yes, I heard about that and I also want to clarify something here. In connection with me pointing Mr Nyembezi's house, I also explained to the investigation unit of the TRC as that I heard that Mr Nyembezi's house was attacked in 1986 and at that time I didn't know Mr Jamile. I only knew Mr Jamile from 1987. I heard about this but when I went there to point his house it was after his house was attacked.

Sorry, Mr Hlope, you're saying that you pointed his house out after it had been attacked. Is that what you're saying? --- When I went with Constable Zulu to point his house we didn't find Mr Nyembezi there and it was after his house had been attacked. I only went there to point the house for Mr Zulu from Ulundi police station. He was also working with Njalinjali. It was in 1989.

Was that for the purpose of investigating the attack? --- I would like you to repeat the question for me. I can't understand it.

I'm a bit confused. You, on the instructions of Mr Jamile, had pointed out Nyembezi's house to the group of people you've mentioned, Luthuli and other people, for the purposes of an attack. You went away and then you subsequently heard that the house had been burnt and now you raise the problem that you'd been told that the house in fact was attacked in 1986 but you only knew Jamile in 1987. --- I would like to apologise on this. I didn't understand your initial question. When you asked me about me pointing the houses and you asked

/me that me that I knew if I was pointing these houses, were going to attack and you also asked me that if the attacks were done immediately after I pointed the houses. Now, I was explaining to you that when I went to Mr Nyembezi's house I only went there with Constable Zulu from Ulundi and I went there to point the house to him. That's where I got confused.

So in other words you didn't, on the instructions of Jamile, point out Nyembezi's house to the group of people? --- I do agree that I went to point out Mr Nyembezi's house and I was instructed by Mr Jamile and I was with Constable Zulu. I don't know his full names.

So you didn't point Nyembezi's house to Luthuli and these people at any point in time, did you? ---

Yes, that's correct. I only pointed the house to Constable Zulu and I also explained this to the investigation unit from TRC that what happened about the attack to Mr Nyembezi's house happened in 1986 not in 1987.

Yes, but you pointed out to Constable in Jamile's instructions, is that right? --- Yes, that's correct.

What was the reason for you pointing it out to this constable? --- He didn't tell me his reason but according to me, because it wasn't for the first time I was doing this, I knew that he wanted me to point this to Constable Zulu so that they don't shoot him.

Who doesn't shoot him? --- (No response)

Sorry, the question is, you said so they don't shoot him. Who are you referring to "they" and "he"?

--- I said according to me, as you've asked me that

/when

when I went with Constable Zulu to point Mr Nyembezi's house, I said to you that according to my knowledge, I told myself that he was going to shoot this person. I knew that Zulu was going to kill Nyembezi even though Mr Jamile didn't tell me because he never told me of all the incidents. Vela was the one who was telling me.

What was this constable's first name and where is he from? --- As I've already said, I don't know his full names but Lawrence Nhlanhla Njalinjali can help you in connection with his name.

Now, Mr Hlope, during your time with Mr Jamile and whenever he gave you instructions to do these pointings out was he always alone or were there other members of his Inkatha Party present? --- In reality is that everything happened to his house. In my neighbourhood there were no members of any

organisation. It was just him.

So whenever he gave you these instructions he gave them to you on his own. He was on his own. Is that right? --- Madlanduna and the others used to be present but not Inkatha members. Only the people who were involved in the operation were always there.

Did you ever meet any other high-ranking members of the Inkatha Freedom Party? --- (Reply not translated)

Did you ever meet any of the other high-ranking leaders of the IFP or members of the IFP? --- I would like to put this before you that I only met the IFP members in prison or some of them I used to see them at his house, at Mr Jamile's house, visiting him.

So you did no work for any of the other IFP leaders /or members, or members, only Mr Jamile? --- That's correct. I only know them by seeing them. I was never introduced to them. Sometimes Mr Jamile would ask me to wash their cars while they came there visiting Mr Jamile. Chief Mshaba and others, they used to come to his house.

Mr Hlope, just to get clarity, in your first statement A that's been read into the record, you say that your legal representatives at that time told you not to admit guilt on charges that were put to you.

--- Yes, that's correct.

Did you want to admit guilt? --- The truth is I wanted to admit all the cases that I knew and deny those I didn't. And I also wanted to give before the Court the details of the incidents which occurred in my presence.

And you said your legal representatives arranged a meeting with Mr Jamile for you to discuss the matter. Is that right? --- That's correct.

And was your legal representative present when you had a discussion with Mr Jamile? --- Yes, he was there but I cannot know whether he knew what we were talking about because we were talking in Zulu.

At that meeting with Mr Jamile what did you talk about? --- He was telling me about the cases, that I must deny all the cases. And he also told me that I mustn't reveal to the Court that I was an IFP member because this was going to implicate the IFP and Dr Buthelezi.

One last question, Mr Hlope. Warrant-Officer Coetzee, do you know his first names. In the Pinetown police cells? --- No, I don't know his name.

/CHAIRMAN:

CHAIRMAN: Mr Hlope, when you met with Mr Jamile in Pietermaritzburg new prison - you said that you met in the toilet or in the bathroom - was that after Mr Jamile had been released or was he also still a prisoner at that stage. You said that you met Mr Jamile in 'Maritzburg. --- All of us we were detained and we were not allowed to meet each other. I was in cell 18 and he was in cell No 11.

Now, when you were first arrested do you recall that Lawrence Njalinjali played a tape recording to you in front of - or it wasn't - in fact Lawrence Njalinjali had made the tape and he gave it to Wilson Magadla, the policeman, and then Magadla came to talk to you about these things that you had done and you denied it. And then Mr Magadla played the tape for

you and then you confessed to certain things. Is that correct? --- Yes, that's correct. There was a tape where Njalinjali taped my speech and it was where I was telling Njalinjali that I killed. And again I'll agree that Magadla played this tape to me because he was investigating these crimes and even though I agreed to Mr Magadla but I did tell him that I didn't kill. I was always with the people who were killing and Mr Jamile was instructing me to do so. Even though I was giving him the truth but it wasn't the full truth, it was just half of it, because I didn't know whether he was together with Mr Jamile or he was a real policeman.

UNIDENTIFIED COMMISSIONER: If you did not trust people like Mr Magadla, what assurance do we have that you are trusting us, you are telling us the truth?

--- I do have trust in you because you are the Truth and

/Reconciliation

Reconciliation Commission and I know now that the President who's the President of this country now, is trying by all means that people should tell the truth and never be killed because of telling the truth. But before, policemen used to work with the IFP and I never trusted them because sometimes I would think that Mr Jamile sent them to ask me. Even though I used to tell them the truth, it was never a full truth, it was half of it.

There are a few names - I'm sure it's an exaggeration to say a few - one or two names that I want to check. You mentioned that Busi identified you to Mr Magadla and Mr Dutton. Who is Busi? ---

Busi is from Njalinjali family because she's the daughter of Njalinjali's brother. She is there. She's still staying next to my home.

Can I take you back to the prison situation where Mr Jamile through the social worker was trying to persuade you not to co-operate with the Truth Commission. From other prisoners, were there similar attempts from the IFP to do that? --- Yes. Mr Tillett who was the chairperson of the IFP used to come to prison. I wasn't there but someone was there and he listened and he was telling IFP members that they mustn't fill in any forms for the Truth and Reconciliation Commission and they will never be released and IFP will be the one who will make it possible for them to come out. And he also told them that he is the one who's going to bring the forms to them. Everything that they want to tell the Truth Commission, they must tell him.

/Do you

Do you know anybody who has been helped by Ed Tillett or any other IFP officer to fill in the forms? --- No, there isn't anyone that I know but I heard this from someone who was sitting there listening for me that he called everyone who were IFP members who were in prison.

Did you attend that meeting yourself? --- No, I didn't because I wasn't in that prison Medium B but someone was there to listen for me and he came back and told me and other IFP members also told me. They told me exactly what the person told me, the one who was listening for me.

The social worker who was liaising between you

and Mr Jamile, what is her name or his name? ---

Lindiwe Nkambule.

Did you know her before that incident? ---

No, I didn't. It was my first time to meet her in Westville prison.

You don't know whether she a member of the IFP or not? --- No, I don't have information on that one.

CHAIRMAN: Just to go back to that time when you were arrested by Mr Magadla after the tape recording had been played to you and you admitted to him certain things. Mr Magadla has told us that Mr Frank Dutton - do you know Colonel Dutton? --- Yes, I do.

Now, he went and reported what you had said. He went and reported to his superiors, that's Brigadier Marx and the head of the security police - at that stage it was a Colonel or a Brigadier Steyn - he went and reported what you had told him to those people.

Now, the next day after Mr Magadla had arrested you and after /he had

he had played the tape recording to you, you denied everything. You said no that's not your voice and you denied any knowledge of doing work for Mr Jamile or pointing out houses. Why was that? Why did you first admit it to Mr Magadla and then the next day you denied it? Can you tell us why that happened? ---

Mr Magadla when he first asked me about the tape, he played the tape for me and I didn't deny anything. I agreed everything and I told him that I knew all these things. I never agreed and then denied later. I agreed to him and I told him that this wasn't the truth and I tried to lie to him because he wasn't treating me nicely. Him and together with other

policemen who were working under him, special branch, they took me to Chesterville and they arrested Malvane Sithole and they took both of us to Durban station to their police station and they brought us in one empty room where there were no blankets nothing and they opened an airconditioner and I was scared and I didn't know what they wanted to do with me. I thought they were going to kill me. I asked them to report home for me and they denied and they handcuffed and cuffed my legs and they took me to Chesterville and then they locked us. The next morning we slept there sitting and I tried to peep out through the lock and I explained to Mr Magadla that he must try and notify Mr Jamile that I was arrested. And Mr Magadla started interrogating me and he told me that Mr Jamile's story has been over and the KwaZulu government is over. I must tell the truth. There I was scared. I was intimidated. All of them - there were eight and they were carrying guns and they were tearing

/the statements

the statements and they were telling me I was lying and I tried to explain to them that I was hungry. As he was interrogating me, he put the tape and then he told me I must talk there and then he would ask me to talk while the tape had been off and then later ask me to talk when the tape had been on. And that's when I started telling stories other things were not true and he was angry and I only told what he wanted me to say.

But I didn't agree to him that I killed anyone from Claremont.

During that period did any person from the police or from the special branch, while you were in prison,

did they ever come to you and say that you must deny things or you must withdraw that statement that you made to Magadla? Did anybody tell you to stop talking to the police or stop admitting things and to start denying things? Did anyone put any pressure on you or anyone say anything to you while you were in prison that night or that day after you were arrested? ---

No, there was no one but when I was detained in C R Swart a certain lady, who was a policeman even though she was not wearing a uniform - I think she was a constable - she came to me and she told me that she had been sent by Mr Jamile to ask me why I was arrested and I explained to this lady that Njalinjali is the one involved or behind my detention. And the police had told Njalinjali that they won't allow anyone to meet me and this lady is the one who went back to Jamile and that's why Njalinjali was attacked.

Where's Njalinjali now? --- I don't know his whereabouts but police know where he is because they were the ones who used to go and fetch him to come to
/the court.
the court.

You said in your statement that you respected Mr Jamile and you thought of him as a father or as your father. Do you still believe that now or do you believe that he used you for his purposes? ---
Now, I believe that Mr Jamile used me for his own purposes and for his organisation. He never thought of me. Even though he had a father and he had children, some of them were my age, and he was taking his children to school but with me he didn't do that.
And I never had a mother. He used me and he never

took me to school and then he left me in prison and now I'm nothing.

UNIDENTIFIED COMMISSIONER: Mr Hlope, can I take you back to the situation where you and Njalinjali had to work together. I'm still not clear here as to why Mr Jamile wanted a brave man to work with you. The activities that you related earlier on entailed a kind of a messenger type of activity where you were fetching stuff, delivering it and taking it here and there, does that kind of a job require a brave man?

--- No, the job we were doing was just things we were helping him but what we were going to do was to shoot people. We were going to kill people. As I've already explained to you in my statement that once I'd announced Thokoza he gave us the gun. He also gave Thokoza to demonstrate but I was able to assemble this gun and put it together again but Thokoza couldn't do.

Is Thokoza the same person as Lawrence? ---
Thokoza is a brother to Busi who's - Thokoza is the son of Njalinjali's brother.

How long did you work together with Thokoza?

--- /I think
I think it was about a year but there was nothing we did together with regard to killing. We didn't do the killings together. Mr Jamile would call us to his house and he would ask us that he wanted to see us and then after that we will just leave. But we didn't do anything. What we did with him was the housework we had to do for him. I don't know what came to his mind but even Thokoza can attest to what I'm saying because Mr Jamile used to tell us in the bathroom - he would tell us how we must shoot the gun, how we must handle

the gun, that if you meet anybody along the way you must shoot anyone you see because he didn't want us to be arrested and implicate him. He also used to say put the gun in something, a bag, and tie it together on both sides so that when you hide it was you would be able to easily retrieve it again.

I'm sure you'll appreciate my confusion. I'm just imagining Mr Jamile when he has been desperate looking for a brave man. When you found him the brave man he has been looking for, he keeps that brave man for a year without using him. I find it difficult to believe it. --- As I've already explained this is what actually happened. He didn't make use of this brave man but this was the man who would accompany me to be engaged in these activities but we didn't do that at that stage during that time but it happened exactly as I'm relating here.

Did you know Skweqe before you met in him prison?

--- No, I didn't know him.

Did you meet him for the first time in prison?

--- Yes, I met him in gaol but I found that he knew

/me.

me.

Tell us more. How did he know you and what did he say to you? --- He told me that he used to see me in Hammarsdale, that he also used to come to Baba Jamile's place. He would be with Madlanduna. He would come to Mr Jamile's. In that time I was young.

Amongst other places he once saw you in Hammarsdale? --- Yes.

You did mention to Mr Govender, my colleague, that you used to go to Hammarsdale, Ulundi and

according to your statement it was only for hiding.

Can you tell us more about it bearing in mind what Commissioner Lyster said, that it's not only the things that you were convicted on. Even things that you were not convicted for but which you were involved in, you need to share them especially if you are applying for amnesty. Can you tell us more about your activities or involvement in all these places where you used to go to? --- There are no any other activities I was involved in in those places I used to go to except that the family that we used to go there we would also be looking after so that if there are people who would be attacking this house, I would also take part in defending and fighting back. But I used to run away because I was trying to save my life from Comrades because the Comrades were looking for me high and low. They knew that I used to accompany Mr Jamile. They wanted to kill you. That is the reason I wasn't staying in one place. I was moving around all the time.

What was Skweqe convicted for? --- According to me when I heard it from the Radio Zulu because his case

/was broadcast

was broadcast on Zulu is that he had shot the UDF Comrades in Pietermaritzburg and then he was sentenced seven life sentences for that.

UNIDENTIFIED COMMISSIONER: After Mr Jamile was released has he visited you in prison? --- No, he has never visited me. As I've already said before that I was the one who used to phone him through a reverse charge call. I would try to find out from him

and say, "Baba, why am I not released. You know that I've not killed anybody but the people who have killed are out and are walking around free." I used to ask that from him through a reverse charge call.

Has anybody from the IFP visited you in prison?

--- Nobody, except the following people. It's Mr Zeba Jiyane and also Ed Tillett who's the spokesperson of the IFP and one of the son of the member of IFP Sabelo, even that son has also died. These are the people who filled in the forms for me, the one I had requested for amnesty and they opposed it and there was no success in indemnity attempt at that stage. Another thing - it's Patrick Faulkner who was representing many of us. They said he was the one representing us because he's been recommended by Ed Tillett that is representing the KwaZulu police. He had helped many people in Pietermaritzburg to be released. He was the one who represented us to be released.

Mr Hlope, did Jiyane visit you at Westville prison. Did he come to Westville prison? --- Yes, he had come to visit me and another person, national organiser of youth brigade of IFP, Reboth Mtwemafole.

He had come to see us together. Together with the others was a

/Peter

Peter Ntuli during that time. And he promised that he will try and represent me and I told him that the situation was not very healthy between me and Jamile.

He said, well, they will sort all that out for me.

He was accompanied by another person who introduced himself to me as Mr Ntsele bit I didn't know his first

name.

Okay, can you come steady with the names, you were too fast. He visited you and who were the other people that you mentioned? --- Peta Mtwemafole, Peter Ntuli. Those are the people I was with.

How long ago was this visit? --- I do not remember well. I think it might be '95 or '96 but that is recorded in the prison books because it's Captain Swan who was in charge of my section who came to fetch me so there will be records of that in prison.

Do you know if Captain Swan is still at Westville prison. --- Yes, he's a colonel now. He's in another section of the prison but it's still the same structure in this prison. It would be easy for you to locate him if you need him.

Can I ask you to try and remember as much as you can the conversation between you and the first lot, that it Zeba Jiyane, Ed Tillett, late Nzwandile Sabelo and you said Patrick Faulkner and the things that you discussed on that day and also the things that you discussed during the last visit by Zeba Jiyane and Mr Ntsele who accompanied him? Can you tell us more just in detail? --- Yes, I could give that to you.

Truly speaking, I'll first speak about Mr Ed Tillett and Patrick Faulkner who was representing us members of the IFP. We were told that he was a good lawyer. He's

/managed

managed to release many KwaZulu police in Pietermaritzburg. Tillett used to come and tell us what was happening about our application for indemnity

and what were the reports from the board of indemnity because we really were quite anxious to be released. And he also came back again to tell us that we must vote for IFP. When people will be coming to give us an opportunity to cast our vote he said we should never vote ANC because IFP will be the one that must take over. That ANC people was just popular because its leader had stayed in gaol for 27 years. That's the only thing that was pulling people. But we must vote for IFP and not ANC. And then he said he will come and give us more briefs on what was happening. Some other times there would be IFP women - I've just remember this - that Mrs Shandu - he even gave me her telephone number - I used to get her at the refugee office in Durban and the wife of Mr Bhengu of IFP from KwaMashu also came to visit and others did come to pray for us and to visit all of us. And we would also give them our complaints.

Besides doing prayers did they say anything?

--- Yes, there was something else that they did say.

Firstly, they said to us we must not think that they've abandoned us. They'd like to apologise that they've not abandoned us because they're not visiting us. It just was they didn't have transport but they've tried to come to us to see us and they've also told us about money, that we're also going to get R20,00 per person so that we would be able to buy some things in prison. And also that there was a march that they'd organised campaigning for our release but since the government started

/releasing

releasing people they had not released the IFP

prisoners, they were only releasing the ANC prisoners.

Those are the things they said to us.

At some stage the media, especially UmAfrica newspaper, reported Dr Jiyane as having visited the prison where amongst other things he discouraged you people belonging to the IFP from co-operating with the Truth Commission. Can you throw some light on that?

--- I cannot be certain about that but what I do know that Tillett came to us. I cannot remember if Zeba Jiyane came together with Ed Tillett, where Tillett told us that the members of IFP, if they want to be released, they must fill in the forms with him.

They mustn't fill the forms with the Truth Commission, they mustn't co-operate with the Truth Commission. He said it is the IFP that will give evidence on their behalf and do testify that they are indeed members of the IFP.

The last visit by Dr Jiyane and Mr Ntsele what did they discuss with you? --- I complained to them that I think I'd been abandoned, that there was nobody who was helping me. I explained to them that the relationship between me and Mr Jamile had soured.

I mean, originally I didn't realise that he was not in my side but when he visited, he came back to visit to visit a policeman and didn't visit me. But I felt that he'd been using me but he was not visiting me in prison. That's the time I began to realise that the relationship had soured between me and Jamile and I realised that it was because of Mr Jamile who was not facilitating my release, because the way they had filled my indemnity form, they way I'd put things - I had filled in the

/forms,

forms, I said I'd been used by Claremont people and been paid R500,00 to implicate those. Even in my indemnity form it said this person was used and given R500,00 to implicate Jamile. I explained all those things.

Thank you, Mr Chairman.

MR GOVENDER: Just a final question. Mr Hlope, the operations that were ordered by Mr Jamile, the times when you pointed out certain places, those people that went out on the operations, did they wear any special clothing? Did they perhaps wear balaclavas and overalls or anything like that, do you know? ---

They were not wearing any specific clothings. They were wearing their own general clothes. When they had worn clothes that were covered themselves, that's when they were killing. Vela had perms on his hair but sometimes they used to wear caps, the hang-ten caps, the leather caps, others will just be wearing some woollen hats.

A balaclava that goes over the face with the holes? --- No, they were not wearing balaclavas.

CHAIRMAN: Is there anything that you want to add, Mr Shongweni, before we close. You don't have to of course but ... (incomplete)

MR SHONGWENI: Unless Msizi Jethro Hlope has something, I cannot really speak on his behalf.

CHAIRMAN: Is there anything else that you want to say, Mr Hlope? Please bear in mind that this is not your amnesty application. This is just an inquiry to assist us with investigations to look at who may be involved in crimes, etcetera, and you've given us lots

of information obviously. You will be having a chance to appear before the amnesty committee which is in public

/where

where you will tell you whole story again and they will require it in much more detail than we have required it. So you will be appearing before the amnesty committee again. But is there anything else that you want to say now? You don't have to say anything but if there's anything else that you want to say you can have a chance to say something. ---

Yes, as I've already explained to you that I'll be given another opportunity where I will be revealing everything. I am very prepared that I will explain everything and including even those things that I actually myself did not commit but I do have a knowledge. But then my worry is that it's a long time since this happened. Some of them I might have forgotten but really I am very, very prepared if I get the opportunity to reveal everything so that I can get amnesty. I want to show that I was used by Mr Jamile.

MR GOVENDER: If he does remember any incidents that he can't remember now, if he can communicate those to us of his incidences and just to say that we will adjourn this inquiry sine die on the basis that if any new information that Mr Hlope remembers or we need any more information we will reconvene the Section 29 by mutual arrangement with his advocate, my learned friend, and we can take it on that basis - adjourn it on that basis.

UNIDENTIFIED COMMISSIONER: Thank you, Mr Chairman.

Just to check one thing. Do we know if Mr Hlope's

application for amnesty has been received by the amnesty office. I'm just worried that some people has it.

CHAIRMAN: It has. And if there's anything that you feel that needs to be supplemented by - you know, if there's another affidavit which you feel Mr Hlope should /make make which relate to incidents for which he was not convicted but for which he may be charged, then I think it would be definitely worthwhile sending that information to the amnesty committee as a supplement or addition to his existing application for amnesty.

MR SHONGWENI: I'm indebted to you, Mr Commissioner. I want to inform you that I was acting on behalf of Msizi Jethro Hlope per instructions that were given to me by him.

CHAIRMAN: Yes, of course.

MR SHONGWENI: But I've taken that in consideration and I'll see to it that we further have consultations in order to deal with other incidents. Should there be any information that emanates from the other incidents, we'll duly inform the respective Commissioner concerning the inquiry and the amnesty application. And a follow-up answer to what the Honourable Commissioner has just asked, we have received a letter acknowledging receipt of Msizi Jethro Hlope's application for amnesty and a reference number has been allocated to his application.

CHAIRMAN: Thank you.

MR GOVENDER: Would his father be willing to talk to us? Can we go and see his father? --- I do not know it will come from him but I'm explaining what

happened and how I came to meet Mr Jamile. But if my father is prepared to come and speak the truth, that will be all right.

CHAIRMAN: Well, thank you, Mr Hlope and Mr Shongweni. --- I also thank you.

Thank you. We ask you to get in touch with us - Mr Madladla, who you know - at any stage if you are

/approached

approached by anybody in prison. Because of the nature of your application it's possible that you may be threatened. We understand that you moved up to Pretoria because you felt under threat and it's very important that you communicate that information to us if it happens and as soon as it happens. And with regard to remarks which were made by Mr Tillett that the IFP would ensure your release from prison, I think it's important to say that this is the only forum - the Truth Commission is the only forum which can authorise your release by means of granting you amnesty. No one else can. The IFP cannot do that. The ANC cannot do that. It's only the Truth Commission that can do that. So if there is anybody from the IFP or from the police or from anywhere else that comes to you and says to you, "You must not co-operate with the Truth Commission", you must advise us immediately that happens. --- Thank you very much.

I understand you very well.

CHAIRMAN: Thank you very much. We will adjourn now.

It's possible that we may call you back and then we will arrange a date with your advocate and the prison authorities and we will ask you to come back if necessary. Thank you very much. --- Thank you

very much. I also thank you.

PROCEEDINGS ADJOURNED

/TRANSCRIBER'S