

INQUIRY IN TERMS OF SECTION 29

HELD AT

DURBAN



GERHARDUS STEPHANUS SCHOON

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PROCEEDINGS RESUMED ON 1997/06/06INTERPRETERS AND TRANSCRIBER SWORN IN

CHAIRMAN: Good morning and welcome. This is an inquiry in terms of section 29 of the Promotion of National Unity and Reconciliation Act of 1995. This is an investigative inquiry and not a hearing, and it is held in camera. No findings will be made at this hearing.

I will now briefly outline the duties and obligations set out in the Act. The person subpoenaed has a right to legal representation, and he is represented here today by Advocates Prinsloo and van der Walt. In terms of section 31 of the Act the person subpoenaed to give evidence may be compelled to answer any questions put to him, notwithstanding the fact that the answers to those questions may incriminate him. There are certain conditions applicable to this section as follows. There must have been consultation with the Regional Attorney-General on the issue - Mnr Schoon, verkies jy ... (inaudible) ... Afrikaans?

MR SCHOON: Yes, I prefer Afrikaans.

CHAIRMAN: Can you understand me now in Afrikaans?

MR SCHOON: I hear you.

CHAIRMAN: Mr Prinsloo, does he want me to repeat the things I have said to him, or is he aware of his obligations or ... (incomplete)

MR PRINSLOO: I think just continue from here onwards.

CHAIRMAN: Okay. The second condition is that the Chairperson of the inquiry must be satisfied that the request for information from the person subpoenaed is reasonable, necessary and justifiable in an open and democratic society, and three, the witness must have

/refused

refused to answer the question.

The Act also provides that any incriminating evidence obtained at an inquiry of this nature is not admissible against that person in a criminal court, or in any other institution established by law. There is one proviso. Evidence obtained at this inquiry may be used against him where the person is charged with perjury arising out of the fact that he may have given a conflicting or untrue statement to the Commission.

Finally I just need to draw Mr Schoon's attention to the offences sections contained in the Act. Section 39 (d) (i) and (ii) provide that it is an offence to provide false or misleading information to the Commission, or any staff member of the Commission, and secondly, anybody who hinders the Commission or any staff member of the Commission in their duties shall be guilty of an offence.

I think that brings to an end the opening remarks that I need to make. Are there any questions or clarification you wish to - questions you wish to ask, or ... (incomplete)

MR PRINSLOO: No, no questions.

CHAIRMAN: We will then swear the witness in.

GERHARDUS STEPHANUS SCHOON (Sworn, States) (Through Interpreter)

CHAIRMAN: Are you known as Mr Schoon, or by your rank within the police? --- It doesn't matter. I used to be a captain in the police, but mister is also okay.

Mr Govender.

MR GOVENDER: Thank you. Mr Schoon, can I address you as captain or mister? Will that make any difference?

/CHAIRMAN:

CHAIRMAN: Well, he just said that it doesn't matter or make any difference.

MR GOVENDER: Okay, Mr Schoon, you are presently retired from the SAP, isn't that so? --- That is correct.

And you are living at [REDACTED] is that correct?

[REDACTED]
Are you the brother of Willem Schoon, one time head of Vlakplaas? --- That is correct.

You were appointed to the SAP on the 25th of February 1958, is that correct? --- That is correct.

And after six months of training at the Police College in Pretoria you were posted to the following areas. --- That is correct.

On the 2nd of September 1958 you were stationed at Hlobane.

INTERPRETER: Sorry, I couldn't hear the name. --- My first station was Hlobane. I can't remember the date. You will have to forgive me. The dates aren't important.

MR GOVENDER: The 1st of November 1958 you were stationed at Vryheid. --- Yes, after I left Hlobane I went to Vryheid.

And then in June 1961 you went to Geluksdal(?).

INTERPRETER: Sorry, I couldn't get the name.

MR GOVENDER: After that I was transferred to Tugela Ferry.

Were you in June 1961 sent to Geluksdal. --- Yes, that's correct, I was stationed there as well.

And in January '62 were you stationed in Vryheid?

--- Yes, that's correct.

And then in September 1962 you went to Tugela Ferry, is that right? --- That is correct. I cannot remember

/the dates,
the dates, but the order of the transfers is correct.

No, that's fine, that's fine. I don't expect you to remember the exact dates. June 1963 you then returned to Vryheid again. --- That is correct.

In November 1964 Hlobane again. --- That is correct.

'65, Tugela Ferry. That's August. Is that right?

--- No, I wasn't in Tugela Ferry twice, only once. I can only try and explain that to you. At one stage I was transferred to the Firearms Unit. The Firearms Unit was stationed or based at Tugela Ferry. I worked at Magud(?) under them, although I wasn't at Tugela Ferry.

It might have been a month or two. It was a short period of time. I can't remember exactly, and it was only temporary.

Was that around August 1965, or do you remember that? --- It might be so, yes.

August '66 you were sent to Umbumvuma(?). --- No, Magud. Oh yes, I was there temporarily, but it was only for a month.

November 1967, Magudu. --- That is correct.

April '67, Emanguse. --- That is correct. At that stage it was known as Maputa.

In April '76 you were stationed at Jozini, is that right? --- No. It was '76, not '67.

You were stationed at Jozini in 1976, April. ---

That is correct.

And in 1980 you became the head of the Northern Natal Security Branch. --- No. I became branch commander at Jozini, but when I was transferred to Jozini I was transferred as branch manager. I therefore was never the chief or the commander of the whole area.

/You were

You were branch commander for which area? Jozini only? --- I was branch manager when I was Emanguse or Mafuda. I was transferred to Jozini as branch commander. I was replaced by another branch manager and I stayed on as second-in-command. At a later stage I once again became the branch commander there at Jozini, but I was never a regional commander. The name might have changed at some stage, but the branch managers became the regional managers in name.

Mr Schoon, when you say that the branch managers became the regional managers - commanders.

CHAIRMAN: Sorry, there's just some confusion here. Bevelvoerder is commander, rather than manager. Just for the interpreter's sake. Thank you.

INTERPRETER: Thanks. --- Can I just please try to explain? Initially I was the branch commander at Manguse, or Maputa at that stage. After a couple of years there was a regional commander appointed over the branches at Ingwavuma, Ndumu, Maputa, Manguse and Imbrasuwa(?). There wasn't a branch Jozini at that stage. He was in command of all those branches. I didn't - I wasn't appointed in that post. A certain Hartus Botha was in that post. With my transfer to Jozini Botha was still the regional commander, and I was

the branch commander at Jozini. I was also under him.

I opened the offices at Jozini. After a couple of years, I cannot remember the date - after a couple of years the post of the regional commander was transferred to Jozini and a different regional commander came there, Captain Nienaber. I was under him although I as the branch commander. I think it was at the end of 1979, I might be wrong, but a new police section

/was founded

was founded in Northern Natal. Before that I was under the Natal command structure, with the main branch in Pietermaritzburg. When the new branch was founded I fell under Newcastle. That's where Northern Natal's main office was. Another officer was sent to Jozini. I used to be a warrant-officer at that stage. His name was Dirk Coetzee, Captain Dirk Coetzee. He might have been a lieutenant at that stage. Can I just bring it to your attention that that's not the same Dirk Coetzee as the well known one. He was appointed as branch commander even though he also was the regional commander, and I served under him.

CHAIRMAN: So the highest rank that you achieved then in your career was as branch commander. Sorry, not the rank. The highest rank was captain, but the highest post that you achieved was that of branch commander at Jozini. --- That is correct. The title of branch commander later became area commander, but it was still a branch that you were in charge of and not several branches.

MR GOVENDER: So, would you say that the title branch commander became area commander, you became area commander for the branch - or the area that you were

branch commander for? Is that right? --- I later became branch commander of Jozini again, but then the previous regions which fell under Jozini before became independent branches. With my appointment as branch commander, the second time as branch commander, at a later stage the name was changed to area commander, but it was the same post. It was just a name change which the post underwent.

(Inaudible) ... you became commander for the region. You were still a branch commander, but a different name.

/Is that

Is that what you're saying? --- That is correct. And at a certain stage one more branch fell under me, and that was Bazwane, but still as branch commanders. They were a sub branch at that stage.

You were regional commander of Jozini then until your retirement, is that right? --- Area commander, that's correct.

Now in February, to be exact the 25th of February 1976, you received the SAP medal for faithful service, 10 year's service, is that right? --- Yes, I did receive such a medal.

On the 1st of May 1979, SAP medal, Star for Faithful Service, 20 years. Is that right? --- That is correct.

On the 25th of May 1979 you received the SAP medal for combatting terrorism in 1974. --- That is correct.

In 1988, February 25, you received the SAP Staff of Merit, 20 years' service - 30 years, sorry. --- That is correct.

And April 1st 1988, SAP 75 Anniversary Commemorative Medal. You received that on the 1st of April, is that right? --- That is correct.

And you retired from the SAP on the 31st of January 1993. --- That is correct.

Now, Mr Schoon, you were stationed in Jozini from April 1976 until your retirement in 1993. --- That is correct.

In 1979 you received a medal for combatting terrorism in 1974.

INTERPRETER: Could you just repeat that last part about '74?

/MR GOVENDER:

MR GOVENDER: In 1979 you received a medal for combatting terrorism in 1974. --- As I've said previously I cannot remember the dates, but I can just confirm that I did receive these medals.

Now, this medal for 1974, did it relate to just one incident, or did it relate to a number of incidents that you were involved in combatting, as a result of which you received that medal? --- Perhaps I should just rectify something here. There were different ways in which this medal was awarded. Firstly, if you were involved in a war with terrorist. Secondly, if you - I cannot say the exact period of time, but if you were stationed in an area for a period of approximately five years - I speak under correction - where border duty was done, whether you were involved in a fight or not, if you were just stationed in that area you qualified for the medal in question. And at the second - it is on the second point that I received my medal, and not for any particular incident.

So, for just being stationed at the border you received a medal. --- Where border duty was being done, yes.

Now, can you give us, Mr Schoon, the names, if you can remember, of the members of your unit in Jozini? To be fair to you, from the time you started and - if you can remember that. --- When I started where?

At Jozini. --- Myself, Sergeant Willie Botha, Constable Flip Steenkamp - I am naming all the whites first. Constable Labuschagne, who was also known as Labbie. I think it was Chris Labuschagne. Constable Mathibela, Constable Mthiyane. Those were the people that were there initially, and at a later stage Constable

/Sibiya

Sibiya came and joined us, Constable Kwiya. That was the first group of staff at Jozini, and as time went by they came and went, and many people came and went. I can mention names, but I am afraid I would omit names as well. (Inaudible) ... names that you can remember.

--- I will begin with the commanding officers that were there. My order may be wrong. There was a Frank Holloway, a captain or a lieutenant or something, Dirk Coetzee, whom I have already mentioned, Piet Smit, Tokkie Nienaber. Those are the officers that I can remember. The others were Sergeant Sakkie Tredoux, Jakes Jacobs, who was a sergeant, Aldrin Baker, who was a constable, Jan Raad, Sergeant Nyawu, Sergeant Zulu. I am stuck at this point. There are many more people. If I have time to think I might be able to name some more.

Just before we proceed, as you remember them you can actually give us the names.

CHAIRMAN: Mr Govender, maybe we should just suggest that between now and, say, when we have a tea break a bit later, you might want to just write down the names and give us more or less the time frames when each of those names were, and then you can just hand it in later. --- The times are going to be difficult.

Well, more or less. Whatever you can give us we'll be grateful for. --- I have a problem with the times, but I will give you the names. People came and went all the time.

MR GOVENDER: The Jozini Security Branch operated very much in the Northern Natal area, is that right - in much of the Northern Natal area? --- The Jozini area which was identified was the whole Ubombo police area, an area

SAHWA ARCHIVE FOR JUSTICE /of Hluhluwe of Hluhluwe police area, part or the entire Magud police area, and a part of Ingwavuma police area.

(Inaudible) ... and South Africa? --- No. The areas which I've described did not border directly on Swaziland.

Which Security Branch had then the border between South Africa and Swaziland as its area of operations? Which Security Branch operated in that area? --- Initially, before a branch was opened at Golela, which was later Piet Retief, they fell under Ermelo, and it was the whole area from the Natal border, where Natal, Swaziland and the Transvaal meet, and from there it was the Ermelo area. And at a later stage a branch was established at Golela, and they were responsible for the border area. Thereafter Golel was moved to Piet Retief and they were responsible for that area. May I add that

sometimes we did go to the Golel border post and we had roadblocks and such things there, and we worked there from time to time, but it was outside out area.

When was the branch moved from Golel to Piet Retief? --- It's difficult to say. I really cannot say. I cannot remember the date. It was after '76 anyway, because in '76 the Jozini branch was established.

Well, I don't need the exact date, but can you tell us approximately? Was it the 80s, the early-80s, in the late-70s, when approximately? --- Late 70s or early 80s. I speak under correction.

And from the late - whenever, when the branch was moved to Piet Retief, the Piet Retief Security Branch then had jurisdiction over the border area as such. -

-- That is correct.



/And you

And you say that there were times when you did certain roadblocks and other operations in the area that was formerly - Golela, the Golela area. Did you continue then, Mr Schoon, to do that type of work when the Security Branch was moved to Piet Retief? ---

Yes, we did.

Would you say that there was much co-operation between your branch and the Piet Retief branch? ---

We had good co-operation. I can possibly elaborate. In some cases, because we were closer to Golela at the border post, if there anything suspect at Golela, and the people could not get hold of Piet Retief, they would summon us, and because we were closer we attended to it.

(Inaudible) ... to Piet Retief who was the commanding officer of the branch at Piet Retief? ---

Warrant-Officer Vreek Pienaar.

Now, do you know whether Mr Mkwanazi was a member of the Security Branch at Piet Retief? --- I met Sergeant Mkwanazi outside here this morning. I could have seen him before, but I can't place him, so I can't confirm whether he was there or not. I did not deal with him directly.

Did you know the other members of the Piet Retief Security Branch? --- Yes, there were some members who I knew.

Tell us who they were. --- Warrant-Officer Botha - yes, it was Botha, not Bothas - Sergeant Mabasa, and that's as far as I can go. There was a Barnard too - Barnard.

Was it a very big branch? Did they have many members in it? --- It was a small branch with only a few members.

Do you know of how the security was actually

/structured

structured in terms of its command structure?

CHAIRMAN: Are you talking about Piet Retief?

MR GOVENDER: Piet Retief, ja. --- I think Piet Retief was a sub branch of Ermelo, but their head office was actually Middelburg, with the Eastern Transvaal Division. But I think they also fell under the Ermelo office, which later became an area and became a fully-fledged branch. They were initially a sub branch and not a full branch. They were a sub branch of Ermelo, but I do speak under correction.

And your structure, your structure in Jozini, how was that structure? --- Initially we fell under Pietermaritzburg, I think I did say that, and then our

region - our division was Natal, and later we moved from our division at Natal and we became part of Northern Natal, with our head office at Newcastle.

(Inaudible) --- I think it was towards the end of 1979 - 1978/79. I am fairly certain that it was '79.

(Inaudible) ... your then immediate superior officer? --- Before ... (intervention)

(Inaudible) ... the restructuring. --- The first commanding officer was Colonel - I will get his name. Jaap Burger.

And were there others after him? --- When he left it was Colonel Raas, Martiens Raas.

(Inaudible) ... offices. --- Newcastle.

Sorry, we didn't get that translation. --- I don't think there were any more in my time. I think that was all.

INTERPRETER: Sorry.

MR GOVENDER: So you had to report to at some stage

/Colonel

Colonel Botha, and then Raasler. Was Raasler ... (intervention) --- Raas.

Raas. --- That is correct. I fell under these people.

You would get your instructions from them also from time to time, is that right? --- That is correct.

Did you get any instructions from any other source besides these two officers? --- Well, from any senior in the Security Branch. Any senior in the Security Branch was authorised to give us instructions and we had to act accordingly. And I was merely a junior officer.

Did your Security Branch operate any farms or safe houses in the area? --- We're coming to the place which I mentioned which was Leeupoort, where I mentioned that there was an old deserted house, and maybe I should explain before too much time is wasted. The farm, Leeupoort, is actually State-owned property where there was an old, dilapidated farm house which wasn't livable any more, and with the permission of the farmers in the area the police used that farm house. We had many roadblocks on the road to Swaziland, and then we stayed in that house. And that was the purpose for which the farmers who were renting that ground permitted us to use that place. It was not a safe house, it was just a house which we used, although we also used it for other things, as you can see in my amnesty application. And I might also add that a safe house is a place where a limited amount of people have access to, and which a limited amount of people know about. This farm house was - the Security Branch, the Tin(?) Unit and everything all used it, so it was definitely not a safe house.

/(Inaudible)

(Inaudible) ... used for trips perhaps to Swaziland and back as a base? --- No.

It was used, you say, for staying in overnight when you conducted roadblocks on the Swaziland border?

--- When we were on the national road between Swaziland and Durban, when we had roadblocks there, we stayed there because it was - sometimes it would be a large group of people, and we would go and stay there sometimes because a large group of people were required to work together to do these duties, and we could not

always send everyone back to their stations. We had to stay together and camp at a certain central point.

Was this place used for members of other Security Branches that visited your area? Did they use these premises? --- Warrant-Officer Pienaar, when he worked with us I believe he knew about the place. I cannot remember, but I think he also went there at some stage or another.

Do you know anything about the safe houses - one near Black Rock just near Lake Sibaya? --- There is a hut at Kwesi Lake. There is a hut at Black Rock. There is a hut at Mabibi, which I assume would be the Sibaya one because it's near the Sibaya one, and there is a hut at Island Rock. These huts were used when there were coastal patrols done, and when members were working there they would reside there. Also for the local members who were stationed in the region it was used as a recreational resort for them to go fishing on weekends, and also to go there with their families. It was not a safe house in the true sense as we know safe houses to be.

But were these houses controlled and run by your

/branch?

branch? --- The hut at Kwesi Lake and Black Rock was run by the branch at Ndumu. Black Rock and Island Rock and Mabibi were run by Mabibi at Jozini.

CHAIRMAN: Did Mbazwa - what's it, Mbazwane? Did they control any huts, or have any huts, or access to any huts? Just by way of situating it, you mentioned that there was a branch established at Mbazwane at a later stage, not in the early time. --- Although it was Mbazwane's area, and they did have access to the place,

but at Jozini, where there was a more senior member, Jozini ran the place.

MR GOVENDER: Mr Schoon, were there any askaris in your branch, or housed in any of these houses, that you knew of? --- I said that they were not houses of safety, not as far as my definition of houses of safety, and there were no askaris permanently stationed there. I may add that in the entire Ingwavuma/Imanguse/Ubombo - that whole area there were no permanently stationed askaris, not as far as I know.

Well, you say no permanently - were there askaris that came into the area temporarily? --- Periodically, yes.

Where did they come from? --- Pretoria. I assume Vlakplaas, because that is where their head office was.

And what was ~~their purpose~~ for coming to your area? --- The combatting of terrorism.

Mr Schoon, that's a very broad concept. What actually did they do? --- I do not know what they did in other areas, but they were supposed to report - when they came to work in an area they were to report to the

/branch
branch commanding officer. In the area under my command I told them, "There is a man who is in that area, that is his family. There's another man in that area, and that is his family. See if you can get your people to infiltrate to try and get information." I would also just like to say that I was not involved in any illegal activities with these people.

(Inaudible) ... that you were not involved, are you suggesting that these people were involved in illegal activities while they were in your area? ---

No. I do not know of any illegal activity in that area.

(Inaudible) ... yourself by saying that you were not involved in any illegal operations or activities with these people. Why do you say that? --- I sometimes read newspapers reports and I see what the allegations against people are, and I know that a stigma is attached to these people, so I distance myself from anything that might have been done there.

(Inaudible) ... that you don't know of. --- Well, the allegations which I read about, or what they could have done. They did not do anything in my area to my knowledge, and I believe I would have known if they had done anything. It is probably a bit broad, but I believe that I would have known.

Did you read in the newspaper perhaps, Mr Schoon, of any incidents, alleged incidents in your area that you didn't know about? --- No.

And you maintain that the askaris came into your area, they reported to you, and all they were tasked to do was to infiltrate for the purposes of gaining information. --- That is what they were supposed to have done. If

/they did they did anything else then I do not know about that.

INTERPRETER: Mr Chairperson, just to get clarity on the question. The impression is created here as if Mr Schoon gave the askaris instructions, and I don't think that was said. What was said was that the askaris were

to get there and let him know that they were there.

CHAIRMAN: On whose instructions did the askaris come to be in the Jozini area? --- I assume under their commanding officer at Vlakplaas, Eugene de Kock, but I cannot confirm. I believe that is how the system worked.

(Inaudible) ... that they would be coming, and then did they have to report to your station when they arrived? Were you told in advance that so many people would be coming from the Transvaal? Did they have to report to you? --- Sometimes yes, but the numbers were never revealed to me. I was just told that people would be operating in my area for a certain period.

(Inaudible) ... be housed, or don't you know that?

--- Anywhere. Sometimes they stayed at our single quarters, but it was their choice where they wanted to stay.

And were they under the command of one of their own party, or did they come with a policeman from Pretoria or Vlakplaas or something? --- There were always handlers under whose command they fell. They were never under the branch commander's direct command although they had to report to him.

And was this done on a regular basis? I am not saying frequent, but regular. Did they come at different times during the same year, and again the next year? --- It was periodic.

/I know

I know that, for example, here in Durban askaris were based up in Cato Ridge, which is just outside Durban, and we've had evidence about that from people like Colonel Andy Taylor, and their job was to move

around in Durban, and if they saw any of their ex-comrades or colleagues that they had trained with in Swaziland or Tanzania, they would then advise the police, who would then go in and arrest these people. That's one of the things that they were intended for. Is that what they were doing in Jozini? --- I omitted to mention that that was one of the priorities, one of their priorities, to identify people.

(Inaudible) ... that to you, or wasn't that necessary? Weren't you part of their reporting structure at all? --- Ethically they would have had to report back, but they were not bound to report back. They had their own ways of operating and we did not get involved with that.

And what about their accommodation, and their rations, and just the normal logistical things that would have to be taken care of while they were in the area? Who paid for that, and where ... (incomplete) -- They operated completely independently. When they camped they did not even use our camping equipment. Sometimes we would erect tents for them which they would use, but otherwise they were completely independent. As far as rations were concerned as well.

Did you regard their presence in your area as absolutely regular and lawful, and it was part of your job to accept that they would be there from time to time to assist when requested, accommodate them in the single /quarters quarters if requested, put up tents for them if requested? It was part of - you didn't see it as something irregular or extraordinary? --- It was part of our struggle against terrorism. I regarded it

as correct. I did not see anything wrong with it then, and I still don't see anything wrong with it now.

And was this done, as far as you know, in other areas as well? --- I can state for a fact that it was done in the Ndumu area. They operated there as well. I believe that it was in the other areas as well. It was general knowledge.

You see, the reason why I am asking these questions is because when this Commission was involved in talking to members of the National Party, including Mr de Klerk some weeks ago, questions were put to him about Vlakplaas, and - and not just the unlawful activities about Vlakplaas, but the lawful activities, just the existence of Vlakplaas, and Mr de Klerk said that it was something which politicians didn't know about, and the senior generals in the Defence Force - I mean in the police, didn't know about, and it was - I think he used the word it was an aberration, it was something which, had he known about it, would not have been tolerated, and he regarded Mr de Kock as, you know, using police funds irregularly to run this place. And the picture that's been given to us by people like yourself, and many other people, Colonel Taylor - do you know Colonel Andy Taylor? --- Yes, I know him.

Askaris from Vlakplaas, and in fact Mr Eugene de Kock, came down to Natal on many occasions and went to these farms that were situated outside Durban, and gave

/instructions
instructions as to how askaris were to be deployed, etcetera, etcetera. And you also said in your evidence now that you regarded it as completely regular, lawful,

and part of the fight against terrorism. I am not making any adverse comments about you, I am just commenting on your evidence, and I am telling you why I asked you these questions, because evidence has been given from the former State President that Vlakplaas and all the activities, lawful and unlawful, which went on there were unknown to the Government at the time. So that's really just an observation. You can make a comment if you want to, but you don't have to. --- I cannot really comment. To me it was general knowledge.

If de Klerk now comes and says he did not know anything about it I cannot say he did know. I cannot comment.

(Inaudible) ... should say he didn't know, and that the police generals didn't know about it. ---

De Klerk may be able to get away by saying he didn't know about it, but I don't know about the generals. I know for a fact that the Commissioner had to have known.

I don't know about the other generals.

(Inaudible) ... by many senior policemen who've appeared before this Commission in amnesty applications that the generals went to Vlakplaas on a regular basis.

In fact one of them said that General Basie Smit had his own special bottle of Chivas Regal which he insisted was kept for him there all the time. So, anyway, that's just an observation. --- No general who was head of security in my opinion, as far as I believe - I may be wrong - could say that he did not know about the existence of Vlakplaas. Then he didn't do his job otherwise.

/MR GOVENDER:

MR GOVENDER: (Inaudible) ... translation. Mr Schoon, did you ever receive askaris and their handlers from

Durban Security Branch? --- Yes.

So it was not just confined to Vlakplaas. ---
Before it was only Vlakplaas until the people in Durban started operating, inter alia Colonel Taylor. Colonel Taylor was also in that area, he also operated there.

(Inaudible) ... askaris? --- It was more than thrice. I cannot say the exact amount of times.

And now what period are you talking about? ---

It's difficult. It would have been in the late eighties/early nineties, or possibly only in the nineties. I don't know.

(Inaudible) ... handlers as such, who brought askaris, can you - do you know their identities? Can you tell who they are that came up there? --- People who came from Vlakplaas or Pretoria there were usually two of them who visited the area regularly. One was John Tait - and I will think about the other names, but it was mainly them. It's possible that other people also came, but most of the time it was them.

Okay. And from the Durban Security Branch who were the handlers that came? --- Colonel Taylor, Larry Hansen, and that's as far as I can recall.

CHAIRMAN: Andy Taylor, not Jimmy Taylor? --- Andy Taylor.

MR GOVENDER: Do you know Jimmy Taylor? --- Yes.

Did you work with him? --- Later on when there was a new division, when the entire Natal became a division and we fell under Durban, he was at my head office, but I never dealt with him directly. Perhaps I

/also
also omitted to mention that in my initial explanation, to say that the police divisions were reshuffled and the

lower branches fell under Durban. And may I also mention that the commanding officer was Bertus Steyn.

CHAIRMAN: When did this change happen? Can you remember more or less? It was a relatively recent thing. --- Well, recent is quite a few years. It must have been at the beginning of the nineties somewhere.

You mentioned a couple of names there, people who came up to work in your area, Andy Taylor and Larry Hansen. Were there others? Hentie Botha? --- Yes, I know Hentie Botha. I cannot think of another instance where he operated there.

(Inaudible) --- Wasserman, I know him as well, but I can't think that I ever saw him there. It could be that Hentie came there, but I cannot remember a specific incident. I don't know.

(Inaudible) --- I know Sam du Preez as well. I can't place them really.

MR GOVENDER: Frank Bennett? Did Frank Bennett ever come up there?

CHAIRMAN: Bennetts. --- I don't know him. Maybe if I see him I will possibly know him.

The names I've just mentioned, Botha, Wasserman, Bertus Steyn, are you aware that they've also applied for amnesty in respect of a number of murders, 12 murders in fact? --- I don't know the facts. I know that they have applied, but I don't know the facts of their applications.

MR GOVENDER: Mr Schoon, surely as the security officer in Jozini area you were informed of the fact that the ANC

/base for

base for Natal was in Swaziland. That was common knowledge in the Security Branch, wasn't it? ---
That is correct, yes.

And being so close to the border, and having a close working relationship with Piet Retief branch as such, you must have been involved in a number of border incidents, a number of incidents where infiltrations through the border were taking place and so forth. That type of operation you would largely be dealing with, together with Piet Retief branch, is that correct? ---

No, that is not so. Those people operated on their own. I was not involved in Swaziland. I know there are allegations, but I can say that with a clear conscience. I was not involved.

Were you not involved in any operations jointly with Piet Retief or individually, relating to Swaziland, infiltrations from Swaziland, or cross-border operations into Swaziland? --- That is put a bit too wide. We did perhaps co-operate, but there were never any successes achieved in co-operation, if that could answer your question. We never achieved anything. We did have roadblocks and so on.

Mr Schoon, I am not wanting to know what the successes were. I want to know in what type of operations did you co-operate? What did you do to counter or combat terrorism in that area? --- We had roadblocks, and that was that. That's as far as it went.

Did you do nothing else? You did not other activities to counter - did you do any activities or operations that took security men into Swaziland, either

by your branch, or jointly, or by the Piet Retief
branch?

/--- I

--- I have knowledge of the incident for which I have applied for amnesty.

Is that incident you're referring to the killing of Scorpion? --- No.

(Inaudible) ... kidnapped from Swaziland, is that correct? --- I was not involved in that part of the operation, but it did come to my knowledge. I was told that that had been the case.

Did you know who had kidnapped him from Swaziland?

--- I don't know the facts, but the people who were involved are Captain Paul de Kock - or rather, sorry, Paul van Wyk. Who else were involved, and how the operation succeeded, I didn't ask questions, I don't know.

Paul van Wyk, which area did he come from? ---

Van Dyk.

Van Dyk. Which branch did he come from? ---

He was from Pretoria, Vlakplaas.

(Inaudible) ... anybody from the Piet Retief branch involved in this kidnap? --- The specific incident I am referring to, Warrant-Officer Pienaar was involved, but whether or not he went with to Swaziland I don't know. I won't be able to say.

CHAIRMAN: You make mention of Adjutant Gert Wieslaar(?). Where was he from? --- He was also from Vlakplaas. There was another member. I know his face, but I don't know what his name is. It's a white man.

Where was he from? --- Also from Vlakplaas.

Do you know any of the askaris? You mentioned there were a number of askaris, but you don't name them as such. --- I didn't know those people all that well. I know them from seeing their faces, but I was not up to date

/with

with their personal particulars.

MR GOVENDER: Apart from having roadblocks and such what other work did your branch do in the interests of combatting terrorism? Could you give us a run-down on that, Mr Schoon. --- We followed up on information about the possible presence of terrorists and strangers to the area. We investigated acts of terror, and we took cases to court where we charged people.

Would you say, Mr Schoon, that you were on top of the situation, you were keeping you were combatting the terrorism effectively in that area, your particular branch? --- It's a difficult question to answer, but I thought so at that stage. We had successes. The deeds that were committed, we arrested the people responsible therefor.

Did you have a good network of informers? Had you sufficiently infiltrated the terrorist network? --- I would like to say that they were not really active in that area except for in isolated incidents which did take place. We were well connected with the local people living there. I think that's the best answer I can give.

And would you say that you had the capacity to be able to deal with your operations in your area? Did you have, for example, a sufficient network of informers,

personnel, and so forth, to be able to operate, to keep the terrorism at a level that you thought was successful? --- If you want to ask us whether or not we had informers in the ANC, it is privileged information, but I can tell you we did not have people who infiltrated the ANC. We did have informants from the local people who kept us informed if something happened in the area.

/(Inaudible)

(Inaudible) ... informers in the ANC or not. I think that information is public. What I want to know is that as a branch, security branch, you were quite satisfied that you were doing a good job, that you were sufficiently combatting terrorism in that area? Were you? --- I thought so at that stage.

(Inaudible) ... when you requested help from outside forces? Did you ever? --- We did use help from the outside, but I don't believe that it was really necessary. I think that we had things under control, although we needed manpower from outside to come and help us.

You requested that manpower, did you? --- No. Usually it came from the main branch. They decided whether or not it was necessary.

(Inaudible) ... coming down with handlers from time to time, is that right? --- I didn't think about the askaris, but that might have been part thereof. It was manpower and extra policemen at grass roots levels, who could help us with operations to go through, to search people, to go and search for terrorist bases, and so on. So the askaris that came down there were not at your request, is that right? -

-- I never once asked them to come and work for me. I do not know of any such incidents.

(Inaudible) ... told that they are coming down to carry out an operation, and that you are to co-operate in accommodating them. --- We were sometimes informed beforehand that they were coming, and sometimes they just came there and reported and said they were there, and they're coming to work in the area.

Were you given any information as to the type of /operation operation they were going to conduct and so forth? ---

No. I accepted that that was the usual work as I've mentioned before that they were coming there to do.

You did mention that at some stages they would come to you and you would show them the families and so forth that they needed to get information from. ---

That is correct.

(Inaudible) ... sometimes that they came along and did their own operations without dealing with any of the matters that you needed attention to. --- It is not very clear. I didn't know all the time what they were doing, but I know what they were supposed to do there. But I don't know exactly what they did. They weren't directly under my invigilation.

MR LAX: Sorry, if I can just come in here for a minute. Mr Schoon, really I find that answer slightly strange, for this reason. You're conducting your own constant surveillance operations, investigations, information gathering. In the nature of your work intelligence gathering and security observation is a sensitive matter. You will concede that. You have people that you're observing. You don't want them to be

disturbed unnecessarily. Is that correct? --- Yes.

So that when new operatives come into your area, particularly in the nature of the work they're likely to be doing, there are two things that they would want from you in particular, and that you would want from them. Firstly they would want a briefing from you on what's going on in your area, and what's sensitive, and what they should leave alone, and so on. Isn't that so? What they shouldn't interfere with, what to watch out for. ---

/That is

That is correct, yes.

And secondly you would want to know more or less what they were going to be doing so that they didn't interfere in any of your operations that were ongoing, or that if they did they did it in a way which was not counter-productive. That's obvious. Do you concede that? --- I don't know what we are disagreeing about.

These people came there. I did inform them, "Those families and those families are the people we are interested in." If there was a sensitive area, as you've mentioned, we did tell them to stay out of there.

These people worked under cover. The local people didn't know that they were policemen. They were also grown-ups, we didn't look after them.

The point I am trying to make is even the uniform branch wouldn't know who they were. --- Not necessarily.

From all the evidence we've had so far of these types of operations the whole purpose of sending handlers with them was to run cover for these people in case they got themselves into some sort of trouble with

other members of the police, to make sure that if they were stopped they would be quickly - the matter would be sorted out very quickly so that they wouldn't attract attention, and therefore it would have been important for you and your members, who would be the people most likely to pick them up, or be aware of their activities, to know they were operating in your area. --- As I said, we knew they were working there. They reported most of the time.

The impression you gave - me at any rate, or the impression I gained from what you were saying, was of a

/fairly

fairly laissez faire type of arrangement. I am trying to say to you that it must have been much more organised than that. --- I can only say that I didn't have anything to do with the organising of their operations. They were sent to me. They told me they were going to operate there. They worked on their own, under the command of their handlers. I did give them tasks. I did tell them, "See if you can find information from those families, or find out if these people didn't come back." I asked them to visit certain places, and asked whether or not they saw people who were trained with them, but I didn't tell them each and every morning, "Listen, today you are going to do this," and tonight he comes back and reports that he did this and that. Perhaps it should have been better organised and better controlled, but it wasn't. It didn't work that way.

(Inaudible) ... work that you were doing you would obviously have had contact with the other branches in your area. --- Yes, regularly.

(Inaudible) ... all those areas all along that wide circle or district. --- Yes, we had contact.

(Inaudible) ... share information. What sort of formal structures were there for that? --- There were periodic meetings held at the main branch, main office, where the branch commanders met, and where each branch commander had an opportunity to tell what was going on in his area. We regularly saw each other informally and talked about everything. But I want to add that sensitive information was not spoken about in the open. There was a need-to-know basis. Something that didn't concern me, especially if it was sensitive, I didn't ask questions

/about it.

about it. To the contrary, I didn't want to know what other people's sensitive operations were all about, and I didn't ask any questions.

(Inaudible) ... units in relatively close proximity to you did you have dealings with on a fairly regular basis? --- Ndumu and Mbazwana.

And slightly further afield? --- Vryheid, Empangeni, and we also saw Piet Retief's people regularly even though it was a different region, or a different division.

Mbazwana fell under you, is that not so? --- At a certain stage yes. I just want to quickly write down a name that I just remembered.

Did you have dealings with Eshowe? --- Sometimes, yes, and also Newcastle I forgot to say. But not that often with Eshowe.

Did you know the branch commander there of the Security Branch? --- Henry Bevan. Before him

Vincent Waring. I did know him. I don't think that he was a commander.

(Inaudible) --- Yes, he was.

Just while we're on this tack - Empangeni, who was head there? --- I mentioned a couple of names, Bevan and Waring. They were at Empangeni. At Eshowe Matthieu was one of them. I don't know, Frik Els could have been at Eshowe. He was stationed there. I think he was the commander there at some stage. They came and they went.

In Vryheid there were many. At the last stage I know there was a Peters, but that's a long time ago. Dirk Coetzee, who came to Jozini. He was there before he came to Jozini ... (inaudible - end of Side B, Tape 1)

...

/Naude.

Naude. That was the last one. When I left the force he was the branch commander there.

Just - sorry, you've spoken about Piet Retief. Newcastle? You mentioned some of the very senior guys, but who else would you have dealt with? --- There was a branch and a division at Newcastle. We fell under the division. The person in command of the branch was Dries Venter.

(Inaudible) --- He was also there. He was never in command as far as I know, but he was stationed there.

(Inaudible) ... that were prominent or that you recall? --- Colonel Boschoff. There were actually many because it was a division and a branch.

Did you have dealings with Colonel Dreyer? ---

Yes. He was my division commander up until '79 when we stopped resorting under Pietermaritzburg.

got along with everybody quite well.

(Inaudible) ... with them on a regular basis? -
 -- Not really about security matters. It didn't concern them.

You see, the Bureau was very interested in security issues. I know that because I've had discussions with them on many occasions. --- There were many foundations or organisations who wanted to take over our services, who thought they knew better than the Security Branch. Stories were reported about things that we had to investigate later on, so we didn't go to town with our information, and I was also bound by the law, by a specific Act. I can get the name there.

(Inaudible) ... a bit later, but I think it's time to break for some tea. We've had a long session this morning.

SHORT ADJOURNMENT



 /ON RESUMPTION:

ON RESUMPTION:

GERHARDUS STEPHANUS SCHOON (Still under former oath)

(Through Interpreter)

MR GOVENDER: Mr Chairman, during the break Mr Schoon has given us a list of the names of the members of the Security Branch over a period of time. For the purpose of the record I would just like to ask him to read this into the record. --- May I read fast, or does it have to be - Sergeant Jakes Jacobs, Sergeant Tredoux, Sergeant Botha, Warrant-Officer Chris Labuschagne, Sergeant Willie Botha -not the same as the previous Willie Botha - Warrant-Officer Allan Haydon, Sergeant Sibiya, Sergeant Mathibela, Sergeant Nyawu, Mr

Mwakwiyama, Mr Aldrin Baker, Sergeant Jan Raad, Sergeant Dennis Goodson, Sergeant Jina, Sergeant Anton van der Walt, Sergeant Mzileni. There may be other members, but I can't think of their names.

CHAIRMAN: Thank you. --- I may just add that I have remembered another name, the name of the Vlakplaas man who went to Jozini on a regular basis, and that was Sergeant Willie Nortje.

MR GOVENDER: Obviously as a Security Branch your branch would have had intelligence about the activities of the political factions in that area, namely the IFP and the ANC. Can you tell us any information about their activities in the area? --- In that area it was quiet. In Jozini it was mainly IFP supporters, and there were no conflicts as in other areas.

Were you or any of your members in contact with any of the political organisations in that area? ---

No, not directly. We did liaise with all the captains and headmen, but not on a political area because we tried to

/maintain

maintain a good spirit with them.

Did you, Mr Schoon, perhaps know of the existence of the Mkuze camp?

INTERPRETER: Mkuze clan, was it? Oh camp.

MR GOVENDER: That is correct. --- A camp where people were trained? I had vague information on that, but I had no direct knowledge of that. There was a farm which was allegedly used. I was never there. I had nothing to do with that.

What information did you have, Mr Schoon? ---
That there were members of Inkatha being housed there.

politics is that these were Russian firearms, but as far as I know there was no political motive involved.

And who was the investigating officer in charge of that operation? --- I can't really remember. I know it was Eastern Transvaal's people, and I worked with them, but I cannot recall the name right now. I will think about it again and I'll get back to you as soon as I can remember.

Do you know what happened to those weapons? ---

The people weren't prosecuted locally. They left with the policemen and I do not know what happened with them.

Do you know perhaps of an SADF member, a Lieutenant Mkhize, that was stationed in Jozini? ---

There were Defence Force members stationed there, but I cannot mention any names, or at least recall such a name.

Well, maybe if I give you this information you might remember. Allegedly he was killed for - he was killed because he was alleged to have been smuggling weapons for the ANC. --- I do not know. I cannot say that it is not the case, but I do not even know that there was such an incident. I never heard about it.

/Around

Around 1992/93. --- In my time I do not know about a Defence Force member who was killed. I don't know anything about that.

But if somebody was killed in that period you would have known about it. It was in your area, in Jozini. --- Mr Chairperson, the aspect that my learned colleague is questioning me about no is not contained in our notice. If we were informed about it earlier we might have been able to look into the matter.

And it is not even clear at this point if there was any allegation made against me. I am prepared to answer. I do not know about that. I was never involved in any such incident, and I am not going to say that I should have known about it because I did not know about it. If you say it happened, I do not know about it.

No, it's general information, nothing specifically -no allegations against the witness himself, it's just generally for background information about activities in his area as such, so - okay, I'd like to move on to another incident the Commissioner has nothing further.

Mr Commissioner, I believe that my learned friend had a discussion, and he has no objections to - the witness has no objections to answering questions on Klipas Ndlovu. I'd like to proceed with that. Mr Schoon, do you know the name Klipas Ndlovu. Does it ring a bell?

--- I cannot place it at all.

It's an incident that took place approximately in March, the 25th of March 1976, when the allegation is that Klipas Ndlovu was abducted from Swaziland and was interrogated for 13 days at a place next to the sea in the forests of Kosi Bay area. --- I was never involved in

/any kidnapping any kidnapping in Swaziland. I was involved in many interrogations, but I cannot remember this incident.

CHAIRMAN: (Inaudible) ... there's any allegation that you were involved in the alleged abduction at all, so we're not asking you whether you know about the - whether you were involved in the abduction. Did you know about the abduction of a person, a black person, a male person from Swaziland, who was brought to the

(Inaudible) --- Yes, he was stationed at Pietermaritzburg.

(Inaudible) --- Yes. He was Hans Dreyer.

(Inaudible) --- I can't place him. I don't know who he is, but perhaps I will know him if I see him.

And Ndumu? We just skipped it. Who was based at Ndumu? --- When the branch was founded there were two van Wyks, Martin van Wyk, and Piet van Wyk was the commander of the sub branch. Both of them were Sergeants.

There was a Lieutenant Erasmus from Mbazwana. When was he there? --- Yes, that's right, I can remember him. I cannot give a date.

(Inaudible) ... commanding there. --- Garrant Hoos(?). He was a warrant-officer. He was there for very long. Warrant-Officer Keith Ferguson. The Erasmus we

/spoke spoke about, Stephen Erasmus. It might have been Stephanus, but he was known as Stephen. Des Carr. He was a sergeant or a warrant-officer, I am not exactly sure. I think it might have been sergeant. There was also an Allan Haydon.

(Inaudible) ... before we break, if you will, Chairperson. Obviously Parks Board were active in your area quite a great deal. They had all those - Kosi Bay, Lake Sibaya, all those places, Ndumu, and then at a later stage it became the bureau, the KwaZulu Bureau. What sort of contact did you guys have with each other?

--- There were two organisations, the KwaZulu Bureau of Natural Resources and the Natal Parks Board, and we

Did you perhaps know what the reasons were for them being camped there? --- I had no knowledge about it, and I also did not ask any questions because it had nothing to do with me.

Did you ever visit that camp? --- Never.

Now, Mr Schoon, being so close to the border itself, did you have any information or intelligence about gun-running between Swaziland and South Africa?

--- From time to time we received information about weapons which was followed up, but about specific weapons which came in from other countries, I cannot think of any particular incident right now.

(Inaudible) ... occasion to investigate any of those incidents of gun smuggling? --- No, I cannot think of any at the moment.

Do you know of any investigations that were conducted in relation to gun smuggling by any other agency? --- I know of one incident where a large cache of weapons was brought in via Sodwana Bay by boat.

How did you come to know about this incident? -

--

/I think

I think it was Eastern Transvaal's information. An informant of theirs was involved, and he was also on the boat when the weapons came in and the people were arrested. I cannot remember any names. I was part of the action, but I cannot remember any names and I do not believe that there were any politics involved in this incident.

Mr Schoon, the gun smuggling was not just political, it was also criminal. --- Yes, this specific incident that's - the reason for me mentioning

forest area in Kosi Bay near the sea? --- No, I cannot remember that.

(Inaudible) ... that you spoke of earlier on at Kosi Bay, whereabouts is that at Kosi Bay? I know Kosi Bay well, so can you just give me an idea where it is, or where it was? --- The hut is at the lake near the nature reserve or the Parks Board area.

Is that the last lake before it goes into the sea, because there are three lakes there at Kosi Bay? --- It is the large lake, the third one. It is near the mouth of the lake, near the Parks Board area.

(Inaudible) ... it's the largest lake. And is it in that hilly area, forested area, between the lake and the sea? --- No, it is by the lake, not near the sea.

(Inaudible) --- Well, from an aerial view it's probably close, but on ground approximately 10 kilometres.

(Inaudible) ... hut, or premises, or house, or shelter that is in the Kosi Bay area which is much closer to the sea. --- I think there is a hut at Kosi Bay at the mouth itself, but I was never there. In my time when I was stationed at this place I was never there.

(Inaudible) ... at Sibaya? --- There was a hut at Sibaya near the sea

MR GOVENDER: Mr Schoon, the allegation is that you were

/one of one of the interrogators, together with Lieutenant Taylor - that's Jimmy Taylor - Captain Ellis ... (intervention)

CHAIRMAN: No, that's Captain Els.

MR GOVENDER: Els. Sorry, sorry, I beg your pardon. Erasmus, Lieutenant Erasmus, who was in charge of the camp. And the African members that were there were Zeblon Khulumbisi, Sergeant Mdluli, Mngadi and Mthiyane and Mbazwana.

CHAIRMAN: (Inaudible)

MR GOVENDER: Oh, sorry. I beg your pardon, yes. --- I was involved in many interrogations, but this specific incident which you refer to I cannot remember.

I am not going to deny it, it is possible that it is so, but I am not going to - I cannot remember it.

CHAIRMAN: (Inaudible) ... interrogation could have taken place, and may well have taken place, at one of these houses or huts at Sibaya or Kosi Bay? --- It is possible.

(Inaudible) ... that in general these places were used for recreation and fishing, but it is possible - I mean they were on occasions also used for interrogations. --- I said mainly it was used for people who were working in the areas, who were conducting patrols, and also weekends as recreation facilities, but it is also possible that it was used for other purposes. Because I know that one case where we had that weapons operation near Sodwana we stayed at this place, so we used it for other purposes as well on occasion, not just for recreation.

MR GOVENDER: The allegation, Mr Schoon, is that you were one of the persons that applied wires for electric shocks

/on this

on this person, Ndlovu. --- I cannot remember that.

But are you saying then these sort of things did happen, people were interrogated and electric shocks were applied to people's bodies and so forth, and you're saying that you were not responsible for that? --- Yes, it was done. I know about that, but not first-hand knowledge, but I do know that it was a method, an illegal method.

(Inaudible) ... see it being done? --- No.

Then how do you know that it was done? --- It was general knowledge. It was an open secret, let me put it that way. I cannot say who told me, but I know that it was done.

Just maybe to refresh your memory about this incident, maybe it could help. It was the same time that Joseph Mdluli was arrested. Do you know Mdluli, Joseph Mdluli, who was killed in detention? --- No, I do not know. I do not know about a Joseph Mdluli that was killed in detention.

(Inaudible) ... very widely in the newspapers. --- I don't know about that.

And this Ndlovu was subsequently sentenced to 15 years' on Robben Island on the 25th of July 1977, and was released during 1990. --- I was involved in many interrogations, but this specific incident to which you refer I cannot remember.

You say many interrogations that you were involved in. Did any of the interrogations include the torture methods like the applying of electricity to people, and tubing and so forth take place? --- The tube method, once again I heard about something like that, but I myself

/did not

did not do it. I do not even know how it is done, but I do know that there was such a method.

(Inaudible) --- Also not according to the law, but we kept people awake for long periods of time, and he had to stand on his feet.

(Inaudible) --- Yes, that is all.

Mr Chairman, I want to move on to another area unless the Commissioners want to ask any questions on this incident. Mr Schoon, you have applied for amnesty in relation to the death of Ngomezulu. --- That is correct.

And from the information that you supplied in fact he was abducted from Swaziland in June 1985. --- Once again I cannot remember the date, but I do know about the incident to which I referred.

Were you involved in the abduction? --- No.

Who was involved in the abduction, do you know?

--- Not direct knowledge, but the people who were present were Paul van Dyk, so he would be able to explain much better what happened from the outset. But I do know that he was abducted. That came to my knowledge.

Would you be able to identify this person, Ngomezulu is you saw a photograph of him? --- I cannot remember, but I can give you the name. In my application I mentioned the man's name. His name is Jameson Ngomezulu. I didn't mention it in my application, sorry, I mentioned it later, but I do not believe that the identification would be a problem. I do not know. I could try looking at the photograph, but to show me one photograph is also not going to serve

that much of a purpose. What I meant was that if there were any interim photographs. This

/could be

could be the man, but I cannot swear to that.

CHAIRMAN: (Inaudible) ... the picture indicated to the witness is a photograph supplied by the family of Jameson Ngomezulu, supplied to the Commission by Jameson Ngomezulu, who have made a statement to the Commission that he went missing from Swaziland at the approximate date given in the amnesty application of Mr Schoon. And Mr Schoon has confirmed that he has recalled the first name of Ngomezulu as Jameson Ngomezulu, and he has indicated that he is not certain whether that is the person, but he said it could well be the person in respect of whom amnesty has been applied for. --- I could even provide more information about where he stayed. He stayed at Nchoko in Swaziland. I know that he was responsible for channelling weapons and ammunition to terrorists who had bases in the Ingwavuma area, and I believe he had Swazi citizenship as well as South African citizenship. But he stayed at Nchoko, and he - he stayed in South Africa before, but he then moved. And that is - I think he - sorry, not Nchoko, I think he stayed at Luguli. That is near Nchoko, but Luguli is where he stayed according to information.

MR GOVENDER: Were you involved in this case at what point in time? --- When the man was already at the deserted farm house at Leeupoort.

CHAIRMAN: Is that the house which you referred to earlier in your evidence, which was the house which was leased from the local farmers? --- It was used with their approval. That is the place which I spoke about

which we also used when we had blockades.

MR LAX: (Inaudible) ... that the farmers were leasing
/this house
this house from the Government. It was State land, you
said, and the farmers had the use of it in some way or
other, and it was with their permission that it was
used. --- It was State property on which this house
stood. The farm grazing was rented by the farmers, but
not the house as such. The house is a dilapidated
building.

(Inaudible) ... what vehicle these policemen who
had brought this man to that place were using? The
allegation is that it was a green Cressida, a Toyota
Cressida. --- I cannot remember seeing such a
vehicle. As far as I know there were 4x4 vehicles. I
cannot remember any other vehicle that was there at that
house. If they used it previously or whatever I
wouldn't know.

CHAIRMAN: Sorry, the question earlier on of Mr
Govender was when for the first time were you involved
or in any way connected with this investigation? I
think you said it was when you saw this man at
Leeupoort, or had you - had you come to - why were you at
Leeupoort? --- One of the members - I cannot
remember exactly who it was - contacted me
telephonically, and as a result of the telephone call I
went there and found Paul van Dyk and the other people
there.

(Inaudible) ... about this man? --- That is
correct.

(Inaudible) ... tell you that he had been abducted
from Swaziland, and that he was being interrogated with

regard to - you know, introduction of weapons into this country or whatever, or what did they tell you? ---

I was informed that it was Jameson Ngomezulu, and that he was abducted from Swaziland. I myself knew about his background. I assume that is the reason why I was

/summoned,

summoned, because I was - I had knowledge about what was happening in that area.

(Inaudible) ... knowledge of this man before. He was a known or wanted person, is that correct, in your area? --- No. Because of his activities we received information about the man - not at the stage when he was first arrested. That was not the first time that I came to hear about him. I had heard about him previously. In other words I knew about him, but I did not know him. I knew about his activities.

And then what happened then? You spoke to van Dyk and others. Which others there? Do you remember? Piet Pienaar, Vreek Pienaar, Gert Wieslaar, were they there?

--- Paul van Dyk was there, Vreek Pienaar was there, Gert Wieslaar was there, and there was another member whom I don't know who was introduced to me. I cannot remember his name. And then there were several black members as well.

And they were from Vlakplaas? --- Paul van Dyk came from there, so I assume that they also came from there because these people worked under him.

And then what happened? What did van Dyk ask you to do? --- To question the man, which I did do, but it was quite clear to me that he had suffered a lot of punishment, but still I tried to interrogate him to try and get a story out of him. But I then saw that we were

not going to achieve anything like that, and I told
van Dyk.

Now, can you just give us some idea of what you mean by those words, "het swaar straf verduur" or "baie straf verduur"? Just ... (incomplete) --- It appeared to me

/as though
as though he couldn't think clearly any more. There were no physical signs to show that, but you can see when someone is not totally together.

Did you ask the askaris present in what manner they had interrogated him? --- No.

MR GOVENDER: Was it obvious that he had been interrogated if he was in that condition when you came upon him? --- I cannot say how a person looks at the end of an interrogation, but I could see that he was under pressure. He was very tense and he was not himself. You can see from the person's expression on his face, you can see in his eyes that he is not normal.

CHAIRMAN: Was he lying down as you remember? --- I cannot remember.

And when you spoke to him could he reply to you?

--- He did answer.

And you saw no visible signs of injury on his body at all - blood from his nose, ears, anything? --- I cannot remember seeing anything like that. I am not saying that there wasn't anything, I am saying that I cannot remember seeing it.

(Inaudible) ... any items there which you felt or thought may have been used to extract information from him, like a telephone dynamo or a rubber inner tube? -
-- No, I did not see anything like that, at least not

as far as I can remember.

What did you think, or how did you - what conclusions did you draw, if any, as to how this man came to be, you know, "nie by homself nie", you know, not in his full senses? I mean you must have thought something about it. You must have concluded, "I am going to get no

/more from more from this man." Didn't you think, "Well, I wonder how he came to be in this condition." --- Let us just remember that this man was abducted from Swaziland, and I do not believe that someone was just going to walk along with you willingly when you request that they should go to another country from which they had fled. So, whether or not violence was used, I was not present.

It is highly probable, but when I saw the man his facial expression, his attitude, the way in which he replied, I could see that he was not normal. I did not see anything in the area with which he could possibly have been assaulted, but that also doesn't say anything.

I was not there before the time. I couldn't really answer the question.

MR LAX: I just want to take you back to the precise words you used in your application. I'll read them to you. You said,

"It appeared as if he had taken much punishment already."

It appeared to you that he had taken a lot of punishment. --- It seemed as if violence was used against him.

(Inaudible) ... generally tends to leave indications. For you even after all these years to have

that conclusion, and to be able to write it in your amnesty application, there must have been something that you remembered. --- I tell you honestly I didn't see any marks on the man. I don't say there weren't, but his physical condition seemed to me as if he had suffered punishment. I have questioned many people and I have met many people, and that's what I thought.

It wasn't just his psychological state. It must have been his physical state that gave you that

/impression,

impression, because you go on to say,

"En nie meer helder dink nie."

That's his psychological state, and you differentiate between the two. You agree with me? --- If one asks somebody a question the way in which he answers that question - one can see from that way he answers the question whether or not he is normal, whether or not he is thinking normally. It seemed to me as if he was not thinking like a normal person any more. I didn't ask him only one or two questions, I did my best to question him, and I couldn't get anything out of him. I know for a fact that he had been involved in the things I questioned him about.

CHAIRMAN: (Inaudible) ... if anybody else has applied for amnesty in respect of this particular incident? -
-- Yes. I know what Paul van Dyk and Vreek van Dyk have applied for amnesty. The reason why I say that is that I was not willing to kick somebody in the back. I told them that I was coming to the Commission. I don't know if I acted wrongly, but that's what I did.

(Inaudible) ... those two policemen. --- Yes, the same people who are representing me.

So in your - I'll ask further questions after we've finished off with the evidence relating to Ngomezulu, sorry. Carry on.

MR GOVENDER: You said earlier on, Mr Schoon, that you had information about Ngomezulu's activities, and that he was smuggling weapons and so forth into the country.

--- That is correct.

That was as a result of your own intelligence-gathering? --- That ... (inaudible - end of Side A,
/Tape 2)

Tape 2)

(Inaudible) ... establishment? --- I believe so.

The decision to abduct Ngomezulu from Swaziland, do you know who took that decision and where that decision was taken? --- I don't know. I can't answer. It was definitely not I.

But you were the branch or the area that was responsible in monitoring and gathering intelligence about this person, isn't that so? --- That is correct.

And any information that anybody else would have got about him came via you - I am talking about the security establishment - would have come via you or your branch. --- The information I believe must have come via my branch, but I just want to explain that. There was an investigation about the people who infiltrated at Ingwavuma. If I remember correctly four people were arrested who were named by this man. They received weapons from him. They came from the Ingwavuma area. They went into Swaziland, they got their weapons from him, and they brought them in. I did not investigate

that case. The man who investigated that case was one Dries Venter from Newcastle. He put that case through court as well. That information supplied by those people went directly to Newcastle, and I believe that from Newcastle it went to the main office, the main branch. The Vlakplaas people I believe had insight into any information in the country because they had to work thereon. That is actually all I can say about that.

Sure, Mr Schoon, but did they consult with you before they embarked upon the abduction? It's rather strange, Mr Schoon.

/CHAIRMAN:

CHAIRMAN: Sorry, what is strange?

MR GOVENDER: (Inaudible) ... reply.

CHAIRMAN: Well, you said, "It is strange." What do you mean, "It is strange"? What is strange?

MR GOVENDER: Well, it's the beginning of the question.

I didn't get a reply to the first question. The first question was did they consult you? --- The first time I knew about the abduction, or the planning of the abduction, was when I saw him, or when I was called and told that there was a man there. I have no knowledge of the planning. It was not done at my request. I know Eugene de Kock alleged that it was done at my request, but it is not so.

What is strange, Mr Schoon, is simply this, that you were the man that was responsible for monitoring and gathering intelligence, and the man who knew most about - or your branch knew most about Ngomezulu. In any operation that was launched in order to abduct this man they must - or they should have consulted with you.

MR LAX: Could I put it a bit higher than that? It's totally illogical that they wouldn't have consulted with you, being the person responsible for that area and for that kind of thing. --- Well, I tell you that I was not informed, I was not consulted. I didn't have anything to do with it. I put in no request. Is there a reason for me to deny that, because I tell you I - I assure you that this is the truth I am telling you.

CHAIRMAN: Mr de Kock, in his - from the trial record and from his amnesty application has stated that you requested this man to be brought to - or I don't know whether he said brought to Jozini, but abducted from Swaziland in any

/event,
event, that it was at your request. --- I cannot say. I knew that he lived in Swaziland and I knew that he distributed weapons to South Africa, not only to Jozini, I also knew that he was involved in weapons smuggling to other places. Why Jozini had to be the focus, because this man smuggled weapons into the whole country. I can't see why I had to be asked permission.

It was a decision that was made by the main office. Eugene de Kock made the order. I didn't ask for it, I didn't make the order, and I can't say anything more about it. There is no reason for me to deny this if it hadn't been the fact. De Kock told all kinds of stories to save his own skin when it became obvious that he was going to be found guilty.

MR GOVENDER: Mr Schoon, it's not a question of at your direction, it's a question of simply whether - who were the right people to consult in that operation, and from what you say to us it would appear that you were the

person who had information about Ngomezulu, and you were the person who should have been consulted prior to the launching of that operation because ... (intervention)

--- I am not going to say that. The information that I had was also in the possession of the main branch at that stage. I cannot tell the main branch - I was only a captain. I could not tell them what they had to do, they could do whatever they wanted. I ... (intervention)

CHAIRMAN: (Inaudible) ... leave this issue. The witness has answered. He's not going to change his answer. --- Because it's the truth.

MR GOVENDER: Mr Schoon, when you were summoned to this house, the Leeupoort farm, was it obvious to you that Ngomezulu was abducted and brought to this farm, or ...

(intervention)



/(intervention)

CHAIRMAN: Sorry, he's said so already. He was told on the telephone by van Dyk that Ngomezulu had been abducted and was at Leeupoort. Is that right? Is that what you said? --- Can I just answer? I cannot remember exactly the conversation. I think it might have been van Dyk. I can't even remember that exactly.

I knew I went there and I found van Dyk there. I don't think I knew that it was Ngomezulu beforehand. I knew that there was a man who had to be questioned, but I cannot remember the exact facts. I can't give them to you, I can't remember them.

MR GOVENDER: (Inaudible) ... Mr Schoon, that you were summoned to that house to interrogate Ngomezulu, that you particularly were summoned. --- I believe that was general knowledge that I had been working in that

area for many years, and that I had knowledge of what was going on there. If somebody doesn't have knowledge about what was going on there it would serve no purpose for him to do the questioning. Somebody has to have knowledge to get somebody talking, and that was why I was used.

So you were required to interrogate him at the farm house itself, is that right? --- That is correct.

(Inaudible) ... not entirely correct when you say that those farm houses were not used for these type of purposes. --- No, I put that in my application. I accepted that you would see this an exception. If you read further on in my application it also took place at the same farm house. I am not trying to hide that.

(Inaudible) ... to you that this man was in no condition - was it both psychologically and physically - /to be to be able to answer questions, is that correct? ---

Yes, it seemed to me like that, but once again one can act, and it is always a possibility if one is questioning somebody that he is acting, that he is different from what he truly is.

And I believe you then were instructed to take him to the Swaziland border, is that right? Just correct me. What were your instructions? When it became obvious that you couldn't interrogate him what were you required to do? --- The purpose was to send him back or to try and recruit him as an informant. It was the general use in the Security Branch that if you arrested a man who was already a part thereof it would be better to use him than to actually go and charge him with

something. Somebody who is already within the organisation is worth much to be used rather than somebody who is brought in from the outside, and that was my view of the matter.

CHAIRMAN: (Inaudible) ... to the Swaziland border, and then? What was he going to do there? --- Send him back to bring information to us.

But, Sir, that doesn't appear from - paragraph three on page 35 of your amnesty application. Sorry, page 3 paragraph three. You were going to - you decided that there was no point in questioning him any further, and that you should return the man to Swaziland. ---

Yes, I didn't go into the details. These facts are very bare and essential. I didn't say everything that happened there. That was my view of the matter. I do not know what the other people thought, but that was how I saw it.

(Inaudible) ... back in that state to Swaziland? I am not talking about - I mean he hadn't agreed to be an

/informer, informer, or hadn't agreed to work for the Security Branch, had he? You haven't told us that. --- We could not charge the man because he was in the country illegally. We had to do something else with him, and what I thought was had to do was to take a chance to school him and to send him back. Rather than to put him in front of a court.

"Captain van Dyk and I decided that it would serve no purpose to question him further, and that we had to take him back to the border."

You decided, "Listen, we're not going to get anything more out of this man. Let's take him back to the border." --- I just want to explain a little bit more. The farm house where we interrogated the man must be approximately 15 or 20 kilometres from the border, from the Swaziland border that is. By driving to Jozini that is a detour, we are driving away from the border. That is if we had to go to Jozini to my office, and we were on our way to the border. You will ask me the question later on, and I want to make it clear to you now, from there the idea was to take him to Ingwavuma, and from Ingwavuma to Mac's Pass, which was an uncontrolled area where one could go over the border without being noticed. That was my intention and my idea, but it didn't work out like that.

So it was your intention to take him through this uncontrolled border post and to do what with him? To just drop him off there and tell him to go home, or to ... (incomplete) --- This man was a local of Ingwavuma. He knew the area like the back of his hand. From there on he would have been fine.

/I am

I am not saying that he would have got lost or anything. I am just saying what did you think was going to happen to him when he got to Ingwavuma or Swaziland? What was he going to do? What was he going to - was he going to supply the Security Police or informers in Swaziland with information that would have been to your benefit, act as an informer for you? --- That was the idea, but I can just add that this man was in Swaziland. He smuggled weapons for the ANC. He was involved in weapons smuggling. He could not have gone

to the police because then he would have thwarted his own activities, he would have had to make them known.

That's my argument. I agree with you his physical condition was not good. We took a chance by dropping him off at the border because I could see that he was not okay, but a certain clan at the Ingwavuma is divided in two. Half of it - he could have gone over the border, over the wire to his own people. I am sure he knew them and he would have been helped there.

I understand that part. I am not concerned with that issue. What I am concerned about is why would you send a man back who has now been tortured or injured by a group of askaris, who he obviously could identify. You haven't suggested that he was blindfolded. He must have seen who the people were that were interrogating him. I mean what on earth would be the point of sending such a man back to Swaziland? He would know exactly who had interrogated him. It was of the utmost importance that those askaris should be - their identity should be kept secret. We know that from many, many people, policemen who have dealt with askaris, who have said it was of vital importance to the whole askari project that their

/identities identities should never be revealed. Now, you're sending - you've got a senior ANC man there, or an important ANC person, he's been interrogated there by a group of askaris for some time, and now you take him back to the border, back to Swaziland. I don't understand that at all. --- Chairperson, the entire operation was illegal. What were we to do with the man? Were we to go and prosecute him, or what were we to do

with him?

(Inaudible) ... that it was your intention ever ever to charge him. It would have been a difficult thing to charge him.

MR LAX: Can I just say something? There are countless examples of people who were abducted in Swaziland, in Lesotho, brought back to South Africa and interrogated and charged with offences, put on trial. The issues of their abduction were raised in court on numerous occasions, and our Courts held that that was legal. It was legal to abduct someone in another country and try them in South Africa. It's a rather twisted bit of our jurisprudence, but it was there and it was done. So there are cases in which that was done, and it was upheld. The previous person we spoke about raised that in his case, in that treason trial in 'Maritzburg, and I think Mr Prinsloo was one of the prosecuting people in that case. Not?

MR PRINSLOO: But I know about it.

MR LAX: You know about it? Sorry, I misunderstood you. So, what I am saying is the fact that he was abducted in Swaziland was not in itself a problem to your prosecuting him, and our Courts wouldn't have had a problem with that, certainly not by that stage anyway.

--- Mr Chairperson, we did act illegally. I realise that. We were looking

/for a
for a way out. There were many cases where we turned people around, and that is what we tried to do, or wanted to do.

MR GOVENDER: (Inaudible) ... is that this individual was not turned around, so if you took him and left him

in Swaziland he was not going to be useful to you. Why did you intend to do that in those circumstances? ---

We would not just have taken him and left him there. We would obviously have spoken to him first. But at that stage he did not know. We kept him - we didn't have him informed. He didn't know.

MR LAX: Just from what you've said the - I am going to give you an example of some other of your colleagues who have applied for amnesty, and one of them is Colonel Steyn, who was head of the Security Branch here in Durban, and various other people - Andy Taylor, Hentie Botha. They abducted people from Swaziland and they took them to similar farms to the one that this man was held at, and these farms were just outside Durban here, near 'Maritzburg, and they tried to persuade these people to become informers, askaris, and when they refused to do that, when they refused to become informers, they killed them by shooting them. And they have said in their amnesty applications exactly what you've said. They said this was an unlawful operation at the time, "And we felt that there was not sufficient evidence with which to charge this person, not evidence which would have held up in a court." They seemed confident that a Court would probably not have convicted them because there was not direct evidence that these people had been involved in crimes, so they made a decision then to kill them and to

/bury them.

bury them. And I want to put it to you that - was that not your intention then? You've just said the whole operation was unlawful from the beginning, you couldn't charge this man, it must have been your intention from

the outset in those circumstances that the man should be killed and disposed of. Would you agree that that's a much more probable interpretation of those events than sending this man, who you knew to be a trained ANC operative smuggling guns, sending him back to Swaziland in the hope that he might give you a bit of information? To me it's totally illogical. --- May I respond? I cannot comment on General Steyn and them's stories. I do not know anything about them and I do not want to know anything about them. But in this case was it not a better solution to a problem to try and turn someone around and send him back there not to do that? And we opted for trying to change this man and sending him back.

(Inaudible) ... to turn, because then you would have been faced with the end product that here was a man who wouldn't turn, you couldn't prosecute him. What would you have done? --- It's difficult to say, but there was another alternative, to just leave him on the Swaziland border and deny that such an incident ever took place. That was another possibility. I am not saying that we would have done it. I didn't think about it.

That might have been a possibility but for one small additional problem. All your askaris' covers had been blown by that time, and you wouldn't have left him to go back to Swaziland to blow the cover further. That's why none of these people ever did that. --- Mr Chairperson, many of the askaris were involved in

/arrests, arrests, but the person appeared in court later on and was charged and the askari's identity was known to the

person prosecuting - or the person charged, so to me the identity of the askaris was not such a stumbling block or problem. I never thought about that.

But we know that the Vlakplaas people thought about that a lot, and they all talk about it, and Taylor talks about it. The askaris themselves speak about it, and other people who were their handlers have also spoken about it. For them it was a major consideration that their cover not get blown because they would be in great danger then.

CHAIRMAN: In fact one of the matters in respect of which amnesty has been sought was for the murder of a person who recognised an askari. He recognised him, and they immediately arrested this man as he was boarding a train and they shot him before he could go back to his township, or whatever, and tell his friends or colleagues or whoever that he had just recognised an askari. It was regarded as so important that - and the person who recognised this askari had not been an operative or an ANC person himself, he was just someone who recognised this askari. I think this is the amnesty application of - I can't remember, it may have been Colonel Taylor, I am not sure. But he says it was of such importance that the identity of the askari should be kept secret that it was necessary to kill an ordinary citizen in order to protect that askari's identity. So the point I am making is that it was of vital, vital importance that askaris should be - their identity should be kept secret. And this is what we've heard from any policemen who've dealt with askaris, is

/that it

that it was pointless to have these people working in areas where their primary job was to identify their ex-fellow trainees if their identity as policemen was going to be known. And to interrogate a senior ANC - or an important ANC person, to have him interrogated by askaris - and you haven't told us that the askaris were disguised or blindfolded or anything, or that Ngomezulu was blindfolded, and to return him to the border - and you don't even say in paragraph three of your amnesty application that your intention was to try and turn the man and then return him to the Swaziland border. You just say, "We decided to take him back to the Swaziland border." You see, I am putting it to you that I believe that the more probable scenario is that you intended after his interrogation to kill him. --- That is not the case. I cannot comment on other people's methods of operation, but the idea, as I said, was to put him back over the border.

MR LAX: I just want to add one thing. This man wasn't arrested alone, this Ngomezulu. There were other people who were abducted with him. Are you aware of that? -- I do not know about that. I really don't know about that. I am going to say that it's not the case, but I don't know.

(Inaudible) ... with him, and who were abducted with him, but were released. They may not have been questioned at the same place. That I concede with you.

I give you that. But it's interesting. They allege that they were severely beaten. --- I do not know about that. It's the first time I've heard that there were other people with him. They were definitely not at that farm house.

/I did

I did not see them if they were there.

(Inaudible) ... taken to - amongst other places to Pietermaritzburg. Now, you've indicated that Dreyer might have been involved in this matter, so it's quite likely that they might have gone ... (inaudible) ---

(Inaudible)

INTERPRETER: The speaker's microphone is not on.

TRANSCRIBER: Sorry, could you put your microphone on.

MR LAX: Let me - bear with me one minute. I'll go back and check the facts precisely. (Pause)

INTERPRETER: Mr Govender, sorry to bother you. I have to leave within the next 10 minutes. Are you going to be for the rest of the afternoon or do you think you will finish soon, so that Angela can work on her own? Because the only flight I can get is 20 past two. Sorry? Well, it's not necessary. If you're going only to be half an hour then it's fine. Okay.

MR LAX: Do you know a person by the name of Leonard ... (intervention)

INTERPRETER: The speaker's mike is not on.

TRANSCRIBER: The speakers mike is not on.

MR LAX: I am sorry, it's gone on. Leonard Logudu Ngomezulu. --- It sounds familiar.

(Inaudible) ... David Mkethwa Ngomezulu. ---

There was a David Ngomezulu who was the chief at some stage.

(Inaudible) ... picked up by you near the Golela border post, the Golela/Lavumisa border post, while they were entering South Africa. You obviously had a roadblock there and you must have picked them up. ---

It's possible.

/(Inaudible)

(Inaudible) --- It sounds familiar, but I can't remember the incident. It is possible though. What happened to these people? What is the allegation?

(Inaudible) ... to various places, where they were interrogated - Ndumu and Pietermaritzburg, and possibly Jozini.

Information that may have been obtained in that interrogation may well have been relevant to this Ngomezulu we're talking about, Jameson Ngomezulu.

MR LAX: The allegation is that they were released after one month, and they went back to Swaziland. ---

(Inaudible) ... the allegation that he took them to Pietermaritzburg and Ndumu? (Speaking English)

The allegation is that he was involved in their arrest, and may have been involved in their interrogation? --- ARCHIVE Once again there were many Ngomezulus. Half of Ingwavuma's inhabitants are Ngomezulu. Leonard sounds familiar, but I can't remember the incident. It is possible.

(Inaudible) ... by the name of Nqwangu? --- There was a Nqwangu at Ingwavuma. I knew of him. We must have worked together at some stage, but I cannot remember the incident specifically.

The allegation is that Nqwangu was involved in the interrogation of Leonard Ngomezulu. --- It is possible. I don't know.

(Inaudible) ... involved with Nqwangu, and that's part of the connection that was made. --- It is possible, but I cannot remember the incident. It is possible though.

(Inaudible) ... anybody called Gerrard Ngomezulu

in

/the Vryheid

the Vryheid area? He lives there now. --- There was a Gerald Ngomezulu who was trained earlier by the PAC. I don't know if we're talking about the same person.

(Inaudible) ... an IFP person. He owns a shop in the Vryheid area. --- I don't know.

Now, you say in your amnesty application in the next paragraph that you and Captain van Dyk and Vreek Pienaar loaded Ngomezulu into a vehicle. That's the first sentence of paragraph four.

"Ek, Kaptein van Dyk en Vreek Pienaar het Ngomezulu in 'n voertuig gelaai en met 'n seil toe gemaak en na Swaziland vertrek"

--- It was actually not into a vehicle, but it was on the back of a bakkie.

On the back of a vehicle, and then you sealed the top with a sail, a tarpaulin. --- That is correct.

Who was closed there, Ngomezulu or the vehicle?

--- Ngomezulu.

(Inaudible) ... him up in a sail? --- I cannot remember exactly how we covered him, but he was wrapped - either wrapped or he was covered with it. I can't remember in which way. It is possible that the canvas was pulled over the bakkie itself. I can't remember exactly.

You then went - it says here,

"When he was put on the vehicle he was still alive. The other two white members were driving another vehicle."

--- That is correct.

"We told them to go to the dam wall and to wait for us there while we were going to my house to find out if there were

/any messages."

any messages."

--- That is correct.

And the house was at Jozini, is that correct? -

-- Yes.

In other words you went from the farm to Jozini. You said that it was your intent to go to the Mac's Pass. --- That is correct.

Why did you lift the canvas when you got to the house? --- To make sure that he was still there. He was cuffed, but he was on the back of the vehicle.

To see if he was still there? --- How could he have gotten away if he was cuffed and the canvas was over him? --- He could have jumped off.

How was he cuffed? --- His hands were cuffed.

Only his hands? --- I don't know if he had feet cuffs on. It is possible. In any case I myself lifted the canvas to see.

In which way did he die? --- I have no idea. I don't know.

How did it look to you? --- I don't know. I can't say. He might have sustained injuries during arrest, but I don't know. There was nothing external that I could see.

Could he have suffocated? --- No. If I remember correctly he wasn't wrapped in the canvas. I think we covered the back of the bakkie with the canvas

and we fastened it on the bakkie. But as I said, the detail I might be wrong about. I can't remember.

(Inaudible) --- We decided to get rid of the body.

And where ... (intervention)

/CHAIRMAN:

CHAIRMAN: Sorry, before you do that, why did you decide that? --- I wanted to prevent what is happening today here. I wanted to hide it. But I realised that it had been an illegal matter and we would have to take responsibility therefor.

MR LAX: You weren't involved in assaulting him or killing him in any way. Why did you want to cover that up if you weren't involved yourself? --- (Inaudible - end of Side B, Tape 2) ... as a co-perpetrator I transported him, I questioned him, and a person who takes part in whatever he's doing is as good as the person who does it himself.

But, you see, many policemen were involved in interrogating people who subsequently died, and very few of them were ever prosecuted for that. Mostly the matter was dealt with through an inquest why the man just died, and we don't know how. --- That is correct. This case was illegal from the beginning to the end, and we tried to hide that.

(Inaudible) ... the body. --- For the sake of getting the complete picture I just want to add that when I see the man was dead we decided that we were going on, and we wanted to use explosives to get rid of the body. I had some explosives in my office. I am an explosive expert. I went and fetched the explosives. We drove to where the other people were waiting for us.

We drove to Sodwana. From there we drove next to the coast in a southerly direction to a point where the second vehicle was waiting for us. Vreek Pienaar, myself and van Dyk drove on on our own with the body. On the beach, on the low-water mark - it was low water, I remember that, round

/and about about ebb tide. The sea was very far back. We put the body there, we put the explosives on it, and we made it go off. There was nothing much left to be seen. It was at night. We drove back to where the other people were waiting for us. We slept that night on the beach. It was a couple of kilometres from where the accident had happened. The next morning with low tide we went back.

During the night the tide covered the place where the explosion took place, and the tide pulled back again and there was no sign that there had been an explosion, there was nothing there. After that we went back.

INTERPRETER: I am sorry, I couldn't hear the last part. CHAIRMAN: Will you be able to show us that place? --- Yes, I believe I will be.

Because it will be important to the family of that man to go there and to complete the rituals they need to. --- I will be willing to do that, but I want to say also that if we will have to go and point it out it must be with 4x4 vehicles and at low tide. This specific area is in a military test terrain. It was Kentron(?) test area. That was the case at that stage.

It is not any more. I think the Parks Board took control of the area. In other words there was no local people in the area. That's why we used that specific area.

We'll take a short lunch break. We won't take a whole hour. We'll try and take half an hour. I think we can finish as soon as possible, and see if we can still deal with Mr Mkwanazi. I don't want to waste too much time. We will reconvene as close to two as possible.

LONG ADJOURNMENT

/ON RESUMPTION:

ON RESUMPTION:

GERHARDUS STEPHANUS SCHOON (Still under former oath)

(Through Interpreter)

MR GOVENDER: I want to move on to another incident. Do the Commissioners have any more questions they want to put? Mr Schoon, I want to move now to the incident that you refer to in your amnesty application as MK Scorpion in 1980. Again you allege that you were involved in the disposal of the body of MK Scorpion, is that correct? --- That is correct.

Again, Mr Schoon, I want you to just briefly tell us how you came about getting involved in ... (incomplete) --- On a certain day, I cannot remember the date, I was summoned to the same farm house which we spoke about earlier at Leeupoort. I cannot remember exactly whether it was Brigadier Visser or who it was who informed me telephonically before they went there, but I had to meet them at this specific farm house. I went there, and on my arrival there I encountered Brigadier Schalk Visser, who was a colonel at the time - I think he was a colonel - Captain Sakkie van Zyl, Warrant-Officer Des Carr and Donald Gold, who at the time was either a warrant-officer or a sergeant.

Brigadier Visser - I think he was the one that spoke - told me that they had a man who was from Soweto who had to be eliminated, who was an MK member. I did not ask any questions. I did not ask who the man was. To this day I do not know what his correct details are. In my amnesty application I found out that he was known as Scorpion, and if it was his name or not I cannot confirm, but I did not ask any questions. I knew what had to be done because the instructions came from above.

I then

/planned

planned with them that I was going to meet them at the Jozini Dam. I went back to Jozini, got a boat there, and I went to the place near Jozini Dam, drove to the place near Jozini Dam. I met the people who I mentioned earlier there, and with them they had the corpse of a black man which was wrapped in something. They assisted me in putting the corpse into the boat. I took them to an island in the middle of the dam. I just want to mention that at that stage the dam did not have much water and there were visible islands. On the island we unloaded the corpse from the boat and Don Gold destroyed it with explosives. Thereafter I took the people back, after which I loaded them on again and I went back. I would more or less be able to identify the area where the island was, because at the moment it's covered with water and it is full, but if the dam should be emptied of all water I'd be able to identify exactly in which spot it was. And that is as far as my knowledge goes in this regard.

CHAIRMAN: You said earlier on in your evidence that you received instructions to do away - I wasn't quite

sure what you said. Was it to do away with a person, or the body of a person? --- Well, at that stage I assume the person was still alive, but upon my arrival after I fetched the boat the person was already dead. So how the person died, I was not there, I cannot say. And I cannot even remember seeing the man alive.

(Inaudible) ... received your instruction did you understand the instruction to be that a live person had to be done away with or killed or eliminated? --- I interpreted it to mean that the person was alive at the time, that he was going to be killed, and that the corpse

/had to had to be disposed of. That was my interpretation of it.

And so who did you receive the call from? --- I cannot remember exactly. It was one of the people involved. It could either have been Captain van Zyl or Brigadier Visser. One of them. I really cannot remember. And when you said that the instruction,

"Het van bo op gekom,"

is that who you're talking about, or do you mean higher than them? --- I mean Brigadier Visser at that stage was a colonel. He was the Security Branch commanding officer of the Soweto area, and he fell directly under head office, so I assumed the order came from head office.

That's at John Vorster Square? Or not? Where is - what is "hoofkantoor"? --- When I talk about head office I am talking about Pretoria head office. I assumed - I cannot confirm that it came from them.

(Inaudible) ... received that instruction, or that whatever it was, did you regard that as highly unusual, or unusual, or irregular, or how did you think about that order? --- I knew it was an illegal instruction. Someone cannot instruct you to commit a murder. I realised it. We were in a state of war, and things were done on both sides which were illegal.

Now, I don't really want you to comment on that. I understand what you're saying about that. I am just saying was it an unusual instruction, in the sense that had you received instructions like this before, or did you know that such instructions were given to other people? Did it come to you as a shock or a surprise, or did you say, "Well, dit is maar so." You know, I mean how did you - I am not asking you to comment subjectively on whether



/you thought you thought it was a good thing or a bad thing. That's not our job here. I want you to tell us whether it was a commonplace thing. --- It was an unusual instruction, but I knew that such things were done with the blessing of head office, and I am talking about police head office, Pretoria. As I said previously it was an open secret that such things were done. It wasn't spoken about, but a member of the Security Branch who had been there a relatively long time knew that there were such practices.

(Inaudible) ... these questions, and they are just clarifying questions, I am not trying to put you on a spot, is because at the recent hearing held in Cape Town, which was attended by members of the National Party, including Mr de Klerk, he said such things - he

had no knowledge about them. He said that they were completely irregular, and he said that anybody who did these things were nothing more than criminals. That was his specific response. He tried to paint a picture that suggested that these sorts of orders that you're talking about were completely irregular within the security forces, that they weren't known about at a senior level, and that they were carried out by people who were - I think he said mavericks and criminals. Do you have any comment to make about that? --- I believe that the then commissioner of the South African Police would be in a better position to comment, because I believe he knew. I do not have personal knowledge that he knew, but I believed that he knew. And if he informed the politicians or not I really cannot say. What I - I cannot see how he could do things like that on his own, but I really cannot comment.

You wouldn't describe yourself as a criminal, would

/you?

you? I mean in the technical sense that you have committed a crime, yes, but would you regard yourself generally as a criminal? --- I regarded what I did as having done for kin and country, and I knew it was illegal, but I definitely do not regard myself as a criminal. And I did not benefit in any way whatsoever out of what I did. On the contrary I suffered many a sleepless night.

Mr Govender, anything more on this one of Scorpion?

MR GOVENDER: Ja, just one issue. Mr Schoon, you were never informed by any of these people as to the

circumstances under which this man became - came in that position, and the reasons why he had to be killed. Were you informed about that? --- I was informed that he was an MK member, and that is as far as my knowledge about him went. I did not know the reason for their actions. I accepted that there had to be a good reason.

I did not question. I think I did mention previously that there was something like a need-to-know basis, especially as far as sensitive issues were concerned. If you didn't have anything to do with it it was better that you did not know. That is why I can say with a clear conscience today that I did not know.

(Inaudible) ... know this person only as MK Scorpion. --- I did not even know him by name. According to Brigadier Visser he was an MK. That I said in my amnesty - I discovered that in my amnesty application, but in my amnesty application I mentioned - made mention, but my legal representative included it to be able to differentiate the incidents from each other, and he put it to me that way and that is how I accepted it

/because because I had no idea what the man's name was. And in my subpoena mention is made of Ruben. I do not know anything about any Ruben. Whether his name could have been Ruben is also possible. I really don't know.

You see, Mr Schoon, Don Gold, who was there with you, says that he knew this person that you refer to as Scorpion as Ruben. Now ... (intervention)

MR LAX: (Inaudible) ... was there any other incident of this nature where you were involved with Don Gold, firstly? --- Definitely not.

Gold says that was the only time he was ever involved in such an operation. --- That is correct.

But I would also just like to add Gold was in the group, and I believe while the man was alive still. I saw him after he had died. I did not communicate with him. I knew nothing about his circumstances or his arrest, so I had no reason to ask who this man was except that he was an MK member. That was enough for me.

(Inaudible) ... trying to do is to see whether the person that Gold refers to ties in with information you've given us, and that Scorpion and Ruben are in fact the same person. That's really what we're trying to do, so we can maybe get hold of his family and at least let them know what happened to him. --- If Gold speaks about Ruben, as I said I speak about Scorpion because Brigadier Visser said it was Scorpion. There was a once-off incident of this nature where the same people were involved and where the same place was used. There could not - it could not have been two people, it has to be a mix up of names, because I was only involved in such an incident on one occasion with Gold.

/(Inaudible)

(Inaudible) ... understanding at all. His code name might have been Scorpion, his real name might have been Ruben, and so it's quite possible it's the same thing. --- I cannot comment on that.

CHAIRMAN: (Inaudible) ... that this man was a - I don't know, an ANC person, or a terrorist, or an MK person. --- Brigadier Visser said that it was a trained MK member. And all I know about him apart from that was that he was arrested in Soweto. I don't know

MR LAX: Just one further question. You spoke about two incidents now where bodies were blown up and disposed of. Would you have disposed of those bodies no matter who they were? What if it was a white person? What would you have done? --- It would have made no difference. It was not about racial war, it was about us being in a state of war with organisations which were banned organisations at the time, and who declared war against us themselves. Not verbally, but by their deeds.

What if they told you the person was just an ordinary criminal that needed to be got rid of? --- Then I would not have gotten involved in such things.

(Inaudible) ... an IFP person maybe, for example.

--- If he constituted a danger for the State at that time it might have made a difference, but at that stage we were not in a state of war with the IFP.

(Inaudible) ... of war with the IFP. --- Not as far as I know. I personally got along well with them all along, and they were law-abiding citizens.

Is it not in fact correct that you co-operated with them from time to time? --- I co-operated in the sense that we visited the captains and the headmen, for the simple reason to establish good working relations with these people so that we could get information if anything should go wrong. And if you call that co-operation then

/that is that is what we did.

Well, you see, let me put it to you another way. It's common knowledge that the IFP didn't want people of other political persuasions in their areas. History has

shown that to be the case. --- That is so.

Not to be seen to be just nailing the IFP, other political organisations had the same approach - ANC or UDF or whatever, but we're just talking about the IFP at this point. I am not singling them out as being the only people who had that attitude. --- I know what happened in the country, what was going on in the country, but in the area in which I worked there was no confrontation between ANC and IFP. Also just as well that's why I didn't get involved with such things.

At a later stage, the end of the eighties, early nineties, there were in fact incidents of that nature in your area. It's well known. In areas adjoining your area - Pongola ... (intervention) --- Pongola was outside my area, but if you can tell me about incidents within my area I may be able to comment, because I do not know about such incidents.

(Inaudible) ... Mkuze there were situations where UDF and ANC people tried to form a branch, and there were attacks on those people, particularly youth. The Amabuthos got very upset about that, the chief got very upset about that. Do you remember those incidents? It would have been in about 1989-1990 thereabouts. --- At that stage I had left Imanguse ages ago. Jozini was my area, and there were problems in that area. I did not have first-hand knowledge about that and I was not in charge of that area at the time.

/There's

There's just one incident I want to ask you about. You said that there was no - absolutely no conflict or confrontation between the IFP and any other political party in your area. --- I cannot say that with

absolute certainty. There may have been incidents which I was not aware of. And now I am thinking about something specific. There was a project - I cannot remember the area's name. It was at Mboza, and the locals there were not happy with the management at Mboza because they felt that the people were ANC-orientated, and there was never any proof to that effect.

Did you interrogate people from that project? -

-- Yes, I did.

(Inaudible) --- About what was happening at the project, where they were getting their finances from, who was organising it. But as I say, there were also rumours that the ANC was involved. At that stage the ANC was a banned organisation, and that is why I had an interest in the project.

(Inaudible) --- No, none.

Was that because there was no evidence that they had anything to do with the ANC at all? --- That is correct.

And the people that you interrogated, was that Mr Mnyathi and a white person called Mr Poultney? ---

I can't remember the name of the white person very well, but I can remember Mr Mnyathi. I am the person that interrogated them. But they were not detained, they were not arrested, questions were merely put to them.

And did the information relating to the project come to you from members of the local community who suspected

/that these that these people were members of the ANC, or had to do with the ANC? --- It was not direct information, it

was rumours, and we tried to either prove those rumours, and in the light of being unable to do that we had to accept that they were nothing more than rumours. So, whether the ANC was involved or not we do not know.

Because those two people have advised us that you also asked them about a whole range of other things, including their knowledge as to local school boycotts, stuff like that. Would you have asked them that as well? --- Yes. If I remember correctly there were also allegations that they had incited the schoolchildren to participate in school boycotts. I cannot remember the facts, but now that you mention it I seem to recall something like that.

When you were dealing with that matter did you have anything to do with a man called Gumede, Siphwe Gumede, who was a member of the KwaZulu Legislative Assembly? --- Are we now talking about Simon Gumede?

I think his English name is Simon. --- As I said it was an acquaintance, it was someone whom we liaised with, but not directly in this matter as far as I can remember.

Okay, but just for your information and for the record, the information given to us by Mr Poultney and Mr Mnyathi is that this man, Gumede, because this project, Mboza Village Project, was a successful project, and it was seen to be delivering to the local community, in the sense that it was providing water for them, and primary health care, and assistance with livestock, husbandry, you know, teaching them better ways of raising cattle,

/etcetera,

etcetera, that the local member of the KwaZulu Legislative Assembly wanted to take it over. He wanted to make it an IFP project, and in fact he organised for a group of armed men, traditional warriors, impi or Amabutho, to go into that project and to intimidate people there. And in fact he succeeded in doing so.

The project was closed down for two years, and the allegation is that at that time - it was at that time that they were interrogated by yourself. Do you know anything about that? --- Yes, I do know, firstly, that the project was - I do not know whether it was as successful as you describe it. It didn't appear to me to be that way because I visited it. I know that there were protests by the people, and that they did carry traditional weapons, but the police were not involved with that. That area was under my control at the time, so any policemen who was to have been involved at the time I would have known about. We did not approve of it. If I remember correctly we had people in the area to ensure that no one was injured or any damage done in any way. But I cannot remember the facts any more - it's quite some time ago - but I remember there having been such an incident.

CHAIRMAN: Can you just tell us something about - we've talked about your co-operation with others members of the Security Branch, Piet Retief etcetera. What relationship did your branch have with military units or installations in Jozini? --- We had good contact with the Defence Force. We had regular discussions with them, we exchanged information, but I was not involved in any Defence Force operation at any time. I speak

under correction here. We conducted roadblocks together, but when I talk about

/Defence

Defence Force operations I - apart from road blockades I never participated in any other operation of theirs, legal or illegal.

(Inaudible) --- That is correct.

(Inaudible) --- To an extent. We did not give them everything that we had information-wise.

MR LAX: Obviously they would give you some information. --- That's what they called it most of the time, and most of the time it was a bunch of rubbish.

CHAIRMAN: (Inaudible) ... small settlement, house, hut on the big lake at Kosi Bay, that was occupied from time to time by Dr David Webster. --- I heard about such a place. I never went ~~there personally~~.

(Inaudible) --- Yes, I had.

(Inaudible) ... was killed? --- Yes, I did. I read it in the press.

Where were you at that stage? I think he was killed in 1988. --- If you're asking me for an alibi it's going to be difficult. I believe that I was stationed at Jozini.

(Inaudible) ... in Jozini, he was killed in Johannesburg. --- But the question sounded as though I was to provide an alibi. I was stationed at Jozini from 1976 up until January 1993.

Do you know about his activities, what he was doing there? --- I do not know. It was very suspect to me, but I did not go into that because it was beyond my area. I do not know what he was doing there.

What did Kosi Bay fall under? --- At that stage under Ndumu. The branch, which was Emanguse previously, had closed down.

/(Inaudible)

(Inaudible) ... spoke to you about at tea time, to see whether you were prepared to answer questions on was this person by the name of Stewart, and you said your counsel advised you that you had not heard of her. Do you recall anything about Stewart, Clare Stewart, a white woman living at Manguse? --- It rings a bell.

I never dealt with her directly, but now that you mention that she stayed at Emanguse ... (incomplete)

(Inaudible) ... MCP. --- I do not know which project it was, but I do know that there was a white that was living there.

She ran an Nguni cattle breeding project. --- I do not know. I do not know what it was all about. I knew that there was such a person. I heard from my advocate that she was murdered. I do not know anything about that.

(Inaudible) ... that she was murdered. --- Possibly I heard about it, but it did not - it was not of great interest to me because I never ever gave it another thought, but I cannot imagine that I would have known about it, but I knew that there was such a woman.

Did you ever come across a chap called van der Merwe, who was CID, who worked up in Manguse amongst other areas. I think he was from Empangeni if I remember correctly? --- I think it was a Nick van der Merwe who was at the investigative unit, and I think he was later transferred to Mtubatuba or something. I know of such a person, but whether or not he was at

Ingwavuma or Emanguse doing investigative work I cannot confirm, because there were normal criminal investigations from time to time.

(Inaudible) --- I do not know about that.

Because he was involved in a few matters in which I

/acted,

acted, where people were arrested and charged for murder and in connection with illegal firearms. --- I do not have first-hand knowledge. I do not know about that. It may be so. If you say it is so then it might be so.

MR GOVENDER: Mr Schoon, was your organisation, your branch as such, structured in any way, and if so how was it structured? --- I don't understand the question.

CHAIRMAN: Let me - most Special Branch units were divided in a particular way. There was particular sub division or allocation of - resources if you like, into to different types of activities. --- Jozini ... (inaudible - end of Side A, Tape 3) ... small staff complement. There were not that many activities in the area so there was no purpose in establishing various units to do various tasks. What we did do was that each area was assigned to two people, who were responsible for everything in that area. But it is going to be difficult for me if you are going to ask me which member did which area because, as I say, there were many members, and I will not be able to say which member was responsible for which area.

MR GOVENDER: Well, just to put you at ease, Mr Schoon, I am not going to ask you that question. --- I cannot answer that.

Okay. You said that you liaised with - shared information with some of the military intelligence people. Can you remember who they were? --- I just want to put this right. There was more than one leg in the Defence Force which was responsible for gathering information. I do not know what they were called, but the people with whom I liaised there were some who fell directly under

/Durban,

Durban, and the person who we liaised with was Rory Daniels. And from time to time there were people that did Defence Force training, and they had their own intelligence officers, and that is why I cannot think of names because each time they used different people. There were people who came, who did camps for a month or so. We liaised with them, but we mainly liaised with the commander in charge of the Jozini military base, and I can say that we liaised with him on a weekly basis. I think we had a meeting every Monday, where nothing really was discussed. It was basically a waste of time.

(Inaudible) ... Rory Daniels. What was his name?

--- Rory Daniels I think was a lieutenant, but he fell directly under Durban. He also sat in on those meetings which we had with the commander. I think it was every Monday.

(Inaudible) ... JOC meetings, Joint ...

(inaudible) --- There were many. They came and went.

There was a Kritzinger. There are various names. Once again I'd have to think in order to mention these names.

(Inaudible) ... one of the commanders? --- I don't quite seem to remember Breytenbach. At least not

as far as I know, not at Jozini. I may be wrong, but that name is totally unknown to me.

(Inaudible) ... SAP also in that area involved in these JOC meetings on Monday mornings? --- No, I cannot remember too well, but I don't think so. The uniform branch.

(Inaudible) --- No, not the KwaZulu Police. There were no KwaZulu Police stationed in this area.

There was an SAP uniform branch stationed in the /area.

area. --- Yes.

We'll leave this area. Anything else the Commissioners want to ask? --- I would also just like to put right - there was no police station at Jozini. They fell under the Ubombo police, the Ubombo police area, and the meetings attended by the uniformed branch were attended by Ubombo people.

MR LAX: Was there a police station at Mkuze? --- There is one now, but it was established after I had already left.

Were the Parks Board people at those meetings, or informed about them at least? --- I think at some stage Parks Board knew about these meetings.

Was there ever - the English word is Joint Management Centres, JMCs? --- There were so many names for the various meetings which were held.

These would have included civil institutions as well? --- Those meetings - I attended them most of the time. They were basically a waste of time. Many things were discussed which weren't really relevant. I can say that now because I am no longer in the force.

Did you ever work with a Mr Ras Dubai, or did you ever liaise with him? --- Not as far as I can recall.

He was at the bureau. He was head security of the bureau. He was one of Nick Steele's people. --- I never dealt with him, at least not as far as I can recall. Where is he now?

He is based at Ulundi. --- I cannot remember. I could have seen him once or twice, not knowing his name, but I never had anything to do with him.

He's a big man, slightly bald, with a beard and /reddish reddish hair. --- No.

Do you know Aubrey Mngadi? --- Yes.

Did you work with him? --- He was stationed at Jozini at some stage, and now that you mention his name he was involved in Ngomezulu's matter. He was present.

At that stage he was no longer affiliated to Jozini, he worked with the askaris.

MR GOVENDER: (Inaudible) ... the attempted murder of Dlomo. Mr Schoon ... (intervention)

MR PRINSLOO: Chairperson, this person Dlomo does not appear on the notification at all.

CHAIRMAN: (Inaudible) ... Schoon was in any way involved. We just wanted to know whether he'd ever heard of this incident and whether he has any knowledge of it.

MR GOVENDER: Well, Mr Schoon, Dlomo allegedly was an ANC cadre who was a runner between Mbuthu and the border, and apparently a plan was hatched by the Pietermaritzburg Security Branch to ambush him at the Mlumbohashi/Manzini road in Swaziland. It's also

alleged that a Jerry Fourie from Midlands Security Branch was in charge of this operation. Do you know anything about this? --- No.

The name doesn't ring a bell? --- No.

Do you know Jerry Fourie from the Midlands Security Branch? --- I know Jerry Fourie. He was stationed in Pietermaritzburg, and that's many years ago.

Did he ever come down to Jozini? --- I do not know. I cannot remember him having been there.

(Inaudible) ... a number of incidents that are known as operational or cross-border incidents. I know some of these may not be on the list itself, but purely to find out whether you know about these - you've heard about

SAHWA /these these incidents. None of these are in fact implicating your involvement in those activities. ---

Chairperson, I do not know anything about cross-border operations. In referring to that I am talking about direct knowledge or having been involved. I do not know about that.

CHAIRMAN: (Inaudible) ... told us that you knew about the abduction of Ngomezulu because ... (intervention) -
-- Well, I was personally involved there.

So we're just going to read a list of things just to see whether, in the same way - you heard about these things in the same way that you came to know about Ngomezulu. It's just to assist us with our investigations. We are obliged to investigate a very large number of murders, and we are trying to - we're looking at all ways of getting information relating to

these things.

MR GOVENDER: (Inaudible) ... possibly know about the 14th of December 1984, when Paulos Kwadi was killed in Ingwavuma. Do you know anything about that? --- I beg your pardon, was killed where?

Ingwavuma. --- I think I might know. If I hear his MK name I might know who you're talking about.

I was involved in an incident where a man was shot dead at a base, if we're talking about the same person.

(Inaudible) --- Yes.

(Inaudible) --- Yes.

Do you know anything about what happened there?

--- I made notes. Could I just consult my notes please?

Sorry, Mr Schoon, just in fairness, there's another incident on the 24th of December 1994 - '84, sorry. An ANC insurgent was killed in a shoot-out and a large arms

/cache
cache uncovered in Ingwavuma area. Four people involved with the ANC member were arrested. October 1985 - no, sorry, that's a different incident. Now, these are the two incidents that took place ... (incomplete) --- I know which incidents you are referring to. During 1983/84 a group of terrorists infiltrated the Ingwavuma area. Three different bases were established within the Republic of South Africa, and that is where Ngomezulu, whom I referred to, was involved there. In these operations four people were arrested, inter alia Dumisa Buthelezi, and I cannot remember the other names. And there were two people shot dead at the base. I was involved in the one shooting incident. The person was a

locally trained person, and I showed him the road to the base where these armed people were. We were accompanied by a group of members of the police task force. We took them, myself and the person who showed them to us. I handled him and he and I remained out of sight, and the task force members went to the base by themselves. There was a shooting incident, and after the shooting incident one man was killed. I remember his MK name very clearly. He was called Pulp. I cannot remember what his right name was. I do not know.

CHAIRMAN: (Inaudible) --- It could have been him. I believe it was. What was the surname?

(Inaudible) ... got the name Linda Fikakahle, although Fikakahle doesn't sound like a surname, but anyway. --- No it is not a surname, but I believe it could only have been this person. As I said there were two incidents. This one was near Nkungweni.

(Inaudible) ... 24th of December 1984. ---

/Dumisa

Dumisa was in another group. This man was the commander of the group at the base where he was shot.

MR GOVENDER: (Inaudible) ... talked about. --- The specific place where this man was shot dead where he was the commander was a natural fort in the mountains. It was a cave, and there was a natural rock wall, and if you climbed over that wall there was a big base there. People stayed there for months training locals, and operated from there. As a result of arrests which we conducted we received information and we took them there.

(Inaudible) --- Yes, it was an ANC base.

There was shooting there, and how many people were killed in that base? --- Only one person. There were other people at the base, but they got away.

And the four people arrested were from the base?

--- No, that was another incident. These were affiliated to another base, Dumisa, Buthelezi and two others.

CHAIRMAN: Marupeng is one of them. --- Yes.

Buthelezi. --- Sifiso Buthelezi, Norbert Sifiso Buthelezi.

(Inaudible) ... Mnyeni. --- Nyawu and Mnyeni were locally trained.

MR LAX: (Inaudible) ... of 1985 13 people were charged with that incident.

MR GOVENDER: Sorry, just to get clarity, Mr Schoon, are you talking about two incidents in 1984, one perhaps on the 14th of December and one on the 24th of December?

--- There are two people who were shot dead. The one was affiliated to Dumisa and them's group. His MK name was Thunkie. I was not involved in that incident.

I do

/not know

not know exactly what happened there.

(Inaudible) --- I know about that.

(Inaudible) --- I was involved in the other incident.

(Inaudible) ... was killed and the other people escaped, is that right? --- I do not know how many more people were at the base, but there was at least one who got away. One was shot dead.

(Inaudible) ... perhaps Paulos Kwadi. Do you remember that name? --- It sounds vaguely familiar,

but I cannot remember it. I cannot confirm it.

(Inaudible) ... involved in, the other incident you were not involved, you were informed about it, is that right? --- As far as Dumisa and them's story is concerned I only heard about it, but in regard to the one that we're referring to as Kwadi, I was physically involved there.

Do you know whether there was an inquest held in the first one, the one that you were involved in? Do you know whether there was an inquest? --- Yes, there was an inquest.

Where was it held? In which district? --- I do not know if it was a formal inquest, but it was held in Ingwavuma, or it was held at Ingwavuma Magistrate's Court. Whether or not it was formal I cannot remember, because some inquests are dealt with on paper.

(Inaudible) ... affidavit for that inquest? ---

I testified in court in regard to this specific matter, so I suppose I had to have made a statement at some stage although I cannot remember.

(Inaudible) --- I believe so. That is why I say

/I did
I did testify. I am talking about the trial of Dumisa and them. I am not talking about the inquest.

(Inaudible) ... inquest. I think we're at cross-purposes, Mr Schoon. Did you ... (intervention) ---

The two things are related. I was the person who was responsible for the explosives and the weapons and things which were found, and I testified about that in court and I testified about this as well. Not at the inquest, but at the criminal trial of Dumisa and them.

(Inaudible) ... Mr Schoon, to the incident, the first incident that you were involved in, where one person was killed and nobody was found at the base. You said you don't know whether an inquest was held - whether it was formal or informal, but it was held. I am sorry, you said it was, but you don't know whether it was formal or informal. --- I do not know, but as I say it was related to Dumisa and them's story. It was the same group of people who were divided into three different groups with different bases, and the same infiltration period of the operation of the ANC - I don't know what they called it.

(Inaudible) ... 1987 you gave evidence in Pretoria Magistrate's Court in an ANC trial together with ... (intervention)

CHAIRMAN: PAC.

MR GOVENDER: PAC, sorry, together with Colonel Jack Buchner. The accused in that case was Mabatha Enoch Zulu, who allegedly pointed out areas of infiltration in the Ingwavuma district. Do you remember that? --- I just want to correct. I did testify in Pretoria against Enoch Zulu, but you say I was with Brigadier or Colonel Jacques

/Buchner.

Buchner. I do not even know that he testified in this matter. It's possible that he did testify, but we did not testify together.

(Inaudible) ... may have been together, he may have testified. --- I do not know if he testified.

Was that related to this series of arms caches or a different incident? --- No, it related to the early or late mid-seventies military training by the PAC

in the same area where people were arrested, but I do not believe that any arms caches were found, but I was not directly involved in that investigation. After Zulu's arrest, the period to which you refer, it had to have been more or less then, they did go and identify places. I was present when they went to identify those places, and nothing was found.

The 13th of January 1988, Siphon Ngema was assassinated in Swaziland. Do you know anything about that? --- Repeat the name again please.

Siphon Ngema. --- I do not know about that. I do not know the man and I was not involved.

Do you know anything a police base outside Pongola used by Kufoot(?)? Do you know anything about that? -- I know that there was a unit base at Pongola, but I do not know whether it was used by Kufoot.

(Inaudible) ... the name Samuel Khosana. This person was shot in 1977 in November near Pongola, in an incident where one policeman was injured and this person, Samuel Khosana, was killed. Do you know anything about that? --- The facts are wrong. The name - perhaps I am referring to someone different. I am talking about Mponchana that was shot dead. I was present there.

/(Inaudible)

(Inaudible) ... 77? --- No, that was in the eighties, mid-eighties. I am sorry, but now I think I am confusing it with something else. I am thinking of an incident where a policeman was injured, where I was also made to understand on my subpoena that was a different incident.

There are two incidents. The one incident - this incident - I think he was Captain then - Holloway was involved. He was shot. In the other incident it was Frank Makatha, and he was shot. So maybe you're talking of the one where Frank Makatha was shot. --- I know about the one where Frank Holloway was injured. That is the one incident to which I referred which I was not involved when Holloway was shot in his finger. The other matter I think was in the mid-eighties. Is that the other incident which you are referring to? May I proceed? I made notes, and I would just like to consult my notes please. During 1987 a landmine exploded near the farm at Jozini. The vehicle of a black man - I said I could not remember his name, but his surname was Mpembe - was totally wrecked. His vehicle was totally wrecked, and by some miracle he was unscathed. I was tasked with investigating the incident. Thereafter we received information that a group of ANC terrorist, whom we were aware of as having been outside the country, were back, and that they had robbed a shebeen in the - I cannot remember the name of the area, but in an area in the Ingwavuma district. A group of policemen under the command of Colonel Jacques Burger went to the scene of the shebeen, and from there we did follow-ups and we traced leads, and we found two armed man in the Pongola River,

/who were
who were armed with AK47s. One was shot. I personally found a loaded AK47 next to him in the river. I took him out, and my colleagues went after the other one. The other person went and hid in the bush near the river. We surrounded the area and we tried to get him

out of there, but - there were hand grenades thrown into the bush inter alia, but nothing happened. I do not know at which stage the person who was injured regained consciousness. I suspect that he at the time was affiliated to de Kock's people. How he arrived on the scene I cannot remember or say, but he went into the bush with the intention of getting the person who was hiding there, and he was injured in his leg, and his name was Frank Mkatha. The man was also shot dead, the terrorist. I cannot remember the name too well, but I remember the group that went out was two Mbonjanas and a Madlwane. I think that the two Mbonjanas were shot dead, or at least one of them. The other person I don't know. There was an inquest held. An inquest was held. I don't know if it was formal or not. I was tasked with investigating the criminal element because we had two locally-trained people who assisted in planting the landmines, and we arrested them and they were sentenced at a later stage, and they were both Mkwamubis. That is the incident in the eighties. I think that it could be round about '87, I am not sure.

Do you remember an incident in 1977 where a person was also killed and a policeman was injured? --- No.

Samuel Khosana. --- 1977? I cannot remember it.

I think he said earlier when Holloway was shot. It's the same incident as far as I know. --- Holloway's shooting incident was connected to Dumisa and /them's them's story in '84 - 84/85. It was not in the seventies.

CHAIRMAN: These two people that were shot - no, hang on a second, you talk about one person here in this note. I am just looking at the note. That the allegation ... (intervention) --- Could we just try and get the area?

Pongola. --- That was outside my area. I do not know about that.

Near Pongola. --- I seem to imagine that there was a shooting incident, but I do not have any direct knowledge.

MR GOVENDER: Mr Schoon, do you have any other incidents that you want to tell us about, that you have made notes about that you would like to inform us about?

--- During 1984 a Lieutenant Jan van Vuuren from the Security Branch at Vryheid at Nongoma was killed - was shot dead by terrorists. I was not directly involved. I think I have basically covered the rest. I have tried to answer the questions according to the information which you faxed at a later stage.

Would it be possible for you to try and remember any other similar incidents and also possibly just give it to your legal representatives to send it to us? ---

In which context?

We're trying to assist people whose family members were shot or killed by finding out something about them, so if you can remember any people who were shot dead at any stage, and if you can remember their MK names or their correct names, if you could just make a list which can help us. --- I do not believe that there are any others apart from those that I've mentioned. I can just say the Mbonjanas, which I've mentioned, their families

/knew

● knew about the shooting incident, so they know. The bodies were handed to the families to bury.

MR GOVENDER: (Inaudible) ... graves, or unmarked graves where people who were shot in skirmishes were buried, anywhere in your area? --- Fortunately not.

What we spoke about earlier - as we said earlier, we would appreciate it if you could, perhaps at your earliest convenience, go and identify those two places so that - and also that farm, specifically the one at the beach and the one in the vicinity of the island. -
-- I would need a 4x4 vehicle, and preferably if I was to go to the beach it has to be round about spring, because one has to drive along the beach to get there.

We will make a plan. You can then go fishing. If we could have a telephone number, your present address and your telephone number.

MR PRINSLOO: Do you mean to communicate with us or him?

MR GOVENDER: For the record can we have his address and his telephone number? For the record, if you can just mention it for the record.

MR PRINSLOO: For what purpose would that be?

MR GOVENDER: Well, to make arrangements if we need to contact him for anything.

MR PRINSLOO: I think it will be advisable to communicate with us, and then we will make arrangements.

I think it would be more appropriate.

MR GOVENDER: But is it a problem for him to give us his address? Is there a problem with that?

MR PRINSLOO: Well, he resides in Utrecht, as he's told
the Commission.

MR GOVENDER: Ja, his actual physical address or his
/telephone
telephone number, is it a problem?

CHAIRMAN: Does he choose to have all official
communication made through yourself?

MR PRINSLOO: Yes, that's what he ... (incomplete)

CHAIRMAN: That's okay. That's fine.

MR PRINSLOO: We'll co-operate, that's no problem, to
arrange for that.

CHAIRMAN: We've got your address.

MR PRINSLOO: Yes.

MR GOVENDER: Mr Chairman, that's all we've got to ask
Mr Schoon at this time. If there's anything arising out
of that I'd like there to be a standing agreement
between my learned friends and myself that if we choose
to recall Mr Schoon at any later stage that will be by
way of arrangement rather than by subpoena again.

MR PRINSLOO: (Inaudible) ... we appreciate that.

CHAIRMAN: Okay, if there's nothing further then we
will adjourn this sine die, to a date to be arranged if
necessary. It probably won't be necessary.

MR PRINSLOO: And we'll arrange the matter of the
pointing-out.

CHAIRMAN: Yes. I think just from - you know, we've
done this with many other families, and we know that as
soon as they are in possession of information as to
where their family members died it's extremely important
for them, and they make very urgent demands on us to
point it out to them, and what they do is that they hold
a ceremony at the place where the person disappeared.

What they will want to do obviously is to hold some sort of ceremony at that beach area to - because obviously it's not possible to bury the body, but they do need to take leave of it in a - /so I so I know that will become an important thing for them.

MR PRINSLOO: Yes, we'll arrange that.

MR GOVENDER: I think the matter of the - the next matter I think the - my learned friend are representing also Mkwanzazi.

MR PRINSLOO: Yes.

MR GOVENDER: We need to - are we going to proceed with that now?

CHAIRMAN: No, we're not going to proceed with that now.

MR PRINSLOO: It's been a long day.

MR GOVENDER: It has, yes. Can we adjourn that one also.

MR PRINSLOO: Can we arrange a date with you?

MR GOVENDER: Yes, you can.

MR PRINSLOO: We'll come to you and arrange a date.

MR GOVENDER: Okay, can we have that adjourned also on the record - for the record. Do you want to call him in to arrange it?

MR PRINSLOO: Can we just look at our diaries and arrange a date, and your diary as well obviously.

MR GOVENDER: Ja, can we just have on the record that it's adjourned, so we can arrange - sine die. We will arrange a date.

MR PRINSLOO: He'll be present. There's no problem. You don't have to issue a notice or anything.

MR GOVENDER: Ja, we will set a date.

CHAIRMAN: Okay, for the record the matter - the section 29 inquiry in respect of Mr Mkwanazi will also be adjourned sine die, to a date to be arranged between the legal representatives.

PROCEEDINGS ADJOURNED SINE DIE

/TRANSCRIBER'S

