

TRUTH AND RECONCILIATION COMMISSIONSECTION 29 HEARING"IN CAMERA"

DATE: 09.06.1997

NAME: GENERAL CHRISTIAN HENDRICK VAN ZYL

HELD AT: CAPE TOWN

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CHAIRPERSON: Ladies and gentlemen we are ready to start. This is a Section 29 inquiry. It's an investigative inquiry. It's conducted by the sub-committee of the Commission in terms of a resolution that was passed by the Commission.

Before we start let me indicate that this investigative inquiry is held in terms of Section 29 of Promotion of National Unity and Reconciliation Act.34 of 1995 --as amended. It is held in camera in that no other person except the persons testifying and/or officials of the Commission needs to be present here whilst testimony is given.

There is also a provision in that section which says oral evidence that has been deposed to in these proceedings will remain confidential until the Commission has made a decision as to whether, and if they have to publish, which portions of those proceedings will be made available to the public.

This session is not intended to make findings. As I have indicated it's an investigative inquiry. As and when it is the intention of the Commission to make findings on the basis of testimony given here the relevant notices in terms of Section 30 of the Act will be given to those who will be affected by that finding. But it is not the function of this particular sub-committee of the Commission to make any findings. In the nature of things it is an investigation.

The witness, who today is General van Zyl, will be put questions to, and I am happy to notice that he is legally represented. It is also a requirement of the Act that witnesses who appear before this investigative inquiry should be legally represented, and I will ask the legal representatives in a moment to place themselves on record.

Those are generally the ground rules that should govern our conduct. I believe certain information was requested and that was provided. I do not know if there is anything that counsel will want to place on record with regard to the sufficiency or otherwise of that information.

I am told by investigators that they also endeavoured to produce prints of certain photographs which they would like to put to General van Zyl, but they have not succeeded to do so. I will allow time during tea for the photographs to be handed over to the legal representatives of General van Zyl so that they can have as much time as it is possible for them to look at the photographs and so that if we have to use them in trying to obtain some measure of clarity as to the contents thereof then the witness and his legal advisor will have had opportunity to have sight of them. We are very sorry that it has not been possible for us to do this ahead of time. But it was also due, as I understand from the investigators, to the nature of obtaining the information around the photographs. It appears the source was quite reluctant to make them available.

As for the rest there will be a tea break which we will take at 10:30 and there will also, if we go that far, I hope not, be a lunch break. But before we then proceed with the proceedings it is customary, in fact it is a requirement of the Act that the witness should take an oath or affirm, and I will therefore ask General van Zyl to indicate whether he is going to take an oath or he is going to make a statement of affirmation

GEN VAN ZYL: Chairperson I am quite willing to take an oath.

CHRISTIAN HENDRICK VAN ZYL: (sworn states)

CHAIRPERSON: May I just welcome you General and say that the Commission, who I represent, is quite happy that it has been possible to get you to agree to come and testify before us, and I believe that you would have done so even if we had not issued a subpoena, and we therefore welcome your preparedness to come and assist us.

I wanted to say from the very word "go" that you are not on trial here, that if I could invite you - it's just that it is cold, I would say take off your jacket and relax because we are not intending to put you on trial.

We have been given a very invidious task by the Nation, by Parliament, by all political parties to be the midwives of a process that seeks to expose the truth about what happened in the past, a process which is not always very nice and easy, but also, hopefully, in doing so, we will be able to pave the way for the future, maybe not for us but the future of our children, and which is why therefore we were very, very appreciative that you are here and you are ready to assist us as much as it is humanly possible to do so.

May I also welcome your legal representatives and to say to them we are very pleased that you have come and that you are going to assist as much as it is possible your client in an endeavour for us to be able to obtain our objectives. May I ask both the attorney and counsel to place themselves on record.

ADV BRAND: Thank you Mr Chairman. My surname is Brand, my initials are CFJ, counsel from Pretoria. My instructing attorney to my right is Mr du Plessis, initials HJ, attorney, from Pretoria.

May we also thank the Commission for the information that was supplied to us as a result of a query, I think this will shorten the proceedings. Just to put it into perspective, my client General van Zyl received the summons and there were somewhat vague allegations in consequence whereof we addressed a letter to this honourable Commission requesting certain information which was supplied to us by fax on the 4th of June. Attached to the fax was in fact a copy of an article which apparently appeared in a magazine, the Scope, of the 16th of June 1978, more in particular referring to certain photos which were also made available to us, and in consequence thereof I could consult fully with General van Zyl and we could deal with the aspect of the photographs.

We have prepared an affidavit dealing with the various queries and with your permission Mr Chairman I would like to hand copies of the affidavit to the honourable members, and my client the magazine more fully. (General laughter)

CHAIRPERSON: Yes. As is customary maybe what we then should do is to allow General van Zyl to read his affidavit into the record., General van Zyl would, with your permission, read it

into the record and you can direct such questions as you may deem fit with regard thereto to General van Zyl.

CHAIRPERSON: Thank you Mr Brand. I take it that the information that you referred to the one referring to, or purporting to refer to a Scope, or a magazine called Scope of June the 16th 1978?

ADV BRAND: Indeed.

CHAIRPERSON: And I am equally sure that the photograph on the outside has nothing to do with these proceedings.

ADV BRAND: I was of the opinion that ...(intervention)

CHAIRPERSON: It may be quite appealing to us but I don't think it is forming the subject matter of the proceedings. (General laughter)

ADV BRAND: We would have liked to see the centre-spread then we could have identified

GEN VAN ZYL: Mr Chairperson, Honourable Members of the Commission with your approval I would like to read this affidavit in Afrikaans. After that I am quite willing to answer any questions which you might put to me in English, if that meets with your approval?

CHAIRPERSON: You can use any language both in deposing and in answering questions. I mean the essence is that you should be using the language that you are free and able to communicate fully in.

GEN VAN ZYL: Thank you Chairperson.

"I Christian Hendrik van Zyl declares under oath as follows:

I am a Major General in the South African National Defence Force and I am currently the Commander General of the Western Province Command.

The contents of the statement falls within my personal knowledge unless it appears differently from the context and to the best of my knowledge it is true and correct.

During the period 8 August '75 to the 30th of June 1978 I was stationed at Headquarters 2 Military Area, Oshakati, Namibia, with the rank of captain and later major. My appointment was that of a staff officer concerning civil affairs.

Civil affairs had the following objective:-

- A. To motivate the own troops and to keep them up-to-date with developments.
- B. To obtain the favour of the local population, and
- C. To demoralise the enemy which at that stage was SWAPO.

As far as paragraph 5(B) above is concerned we acted in two different ways.

Firstly, by the provision of education, agricultural information and technical advice as well as assistance by National Servicemen. On the other hand we also established communication channels with the local population.

As far as paragraph 5(C) is concerned we focused on the People's Liberation Army of Namibia or PLAN, chiefly by means of a pamphlet campaign in which they were encouraged to lay down their arms and to surrender.

I was under the command of three successive commanding officers, namely, Commandant GJC van Niekerk, 1975 - 1976; Colonel JJ Bischoff, 1976-1977, and Colonel AJ Liebenberg, 1977-1978.

During my period in Namibia there were no special forces or units under my command. In my section I was in command of 16 people, namely a lieutenant, a sergeant who did printing work, 11 National servicemen, a photographer, an artist and a section clerk.

The only anti-SWAPO campaigns performed by my section was done by means of the distribution of pamphlets during 1976 or possibly 1977 in which the leader of SWAPO, Mr Sam Njoma was depicted as a caricature.

Furthermore newspaper clippings of various newspapers were enlarged and left at various public places. By means of personal contact with the local population we endeavoured to, in respect of lies which SWAPO published, we tried to bring that to the fore and to rectify that.

I have no knowledge, whatsoever, of any activities or special forces during which people were killed or during which human rights violations took place.

All liaison with the media was done by the army headquarters in Pretoria. I was not authorised to issue press statements and the like. My only contact with the media took place during authorised media visits to the operational area, and during some of these visits I did answer questions.

The SABC operated Radio Ovambo as a regional radio service and the service was operated from Windhoek and my section did convey certain clinical news to the local representative of the radio service.

The photos which appeared in the Scope, the section attached to the Truth Commission's letter of the 4th of June 1997, are photographs taken, posed and taken by my section.

The background relating to the photographs is, very briefly, that SWAPO during this period had, in respect of several people, politicians, adults and children had abducted and killed and tortured these people according to the information which we obtained. My section was partly concerned with the disclosure of these atrocious human rights violations. In an attempt to change the disposition of the population and their attitude, the purpose was to pose the photographs and to use it as part of a pamphlet to focus on specific atrocities.

Briefly the information indicated murder committed by SWAPO, a photograph would serve as a graphic depiction of a murder to make a visual impact on the reader. After the photographs were taken they were, on the instructions of Command South West Africa Headquarters in Windhoek, sent to them, as well as the information which we had at our disposal. The reason for this was that the command had more information concerning these atrocities and wanted to consider this information at a command level.



The photographs and information as mentioned above were sent to the Command, South West Africa Headquarters and no pamphlet or other document in which the photos were used appeared in Namibia to the best of my knowledge.

I was totally unaware of the fact that the photographs were used by the said magazine and I became aware of this for the first time when I read the Cape Times of the 9th of May 1997 and saw the allegations in the newspaper there. I am not aware of how the photographs came to be in the possession of the magazine".

CHAIRPERSON: Thank you very much General. And without further ado I will ask the investigators to put whatever questions they would like to put to you. May I just introduce the panel. On my extreme left, and it has nothing to do with his politics, is Mr Wilson Magadla. He is the Deputy National Director of Investigations. He is deputy to Advocate Glen Goosen. To his right we have Mr Zenzile Khoisan who is one of the investigators of the Western Cape Investigative Unit. My name is Dumisa Ntsebeza I am a Commissioner and in charge of the Investigative Unit.

MR KHOISAN: Good morning General, how are you?

GEN VAN ZYL: I am fine thank you.

MR KHOISAN: Okay. I am glad that we have the chance now to talk and this Section 29 inquiry is going to provide a way that you know that maybe you can assist us. Already I have seen, and I feel confident by the way you've set out your statement that there is a way in which we can work together and you can be helpful to this Commission.

Before we get into the specifics of this inquiry with regard to specific actions and stuff like that, before we get to the issue of the Scope magazine, and as you have already put it in your statement, the posed photos etc, and what the motivations for that were, we want to get a little bit of your background and a sense of what was going on at the time that you had taken your command.

So maybe we can, since you've agreed that you were at 2 Military Area, I think that's what it was called at the time, 1976 - 1978, we can proceed to the next question, which is in terms of your call-up as a Captain to 2 Military Area, what were the terms of reference?

GEN VAN ZYL: In 1975 I was serving as an officer instructor at the Military Academy at Saldanha Bay. I was included in a group of approximately 13 officers scheduled to appear before a selection committee at Army HQ in Pretoria in, to the best of my recollection, the beginning of July. During the briefing prior to the selection board we were informed that the purpose of this selection board was to select a suitable officer to be appointed as the civic action officer in Ovambo. The selection board identified me to take up that post, and I was therefore, during July 1975, transferred to firstly Ondangwa, because at the time Ovamba was known as 13 Sub-Area of 1 Military Area, and I was therefore technically appointed as the SO3 Civic Action at 13 Sub-Area forming part of 1 Military Area which headquarters were situated at Rundu in Kavango.

MR KHOISAN: And in terms of your move from there to 2 Military Area?

GEN VAN ZYL: The headquarters were initially located at Ondangwa which is approximately 20 kilometres from Oshakati and subsequently it was in the beginning of 1976 the command level was upgraded and Ovambo became known as 2 Military Area with the headquarters at Oshakati.

The reason for the move to Oshakati was the Commissioner General for the northern regions of the then South West Africa, Mr Jan de Wet, had his offices located in Oshakati and it was felt that the headquarters would be better located at Oshakati.

MR KHOISAN: Now General in terms of the move to the headquarters to 2 Military Area at Oshakati I am trying to understand, you are an officer of the SADF, a very disciplined structure, what was your brief in terms of orders and what would you identify as the scope of your command in terms of your arrival at 2 Military Area?

GEN VAN ZYL: My brief was to act as a staff officer dealing with mainly informing own members about military affairs and happenings within the command responsibility of the Headquarters. Secondly, to establish communication and render support to the population by means of educational, agricultural and technical help. Thirdly, to consider such communication related activities as to contribute to the demoralisation of the military wing of SWAPO known as the People's Liberation Army of Namibia.

MR KHOISAN: Okay. So how many people would you say you had under your command?

GEN VAN ZYL: It differed from time to time. In the beginning all the teachers, agricultural advisors and technical advisors were also under my command. At the most they could have numbered anything between 35 and 45. These members were deployed in co-operation with the relevant departments of the Ovambo government.

MR KHOISAN: Okay. And what was - did you ever encounter or know about or participate in any way in establishing or making sure that it was published, a newspaper or magazine by the name of Bospos?

GEN VAN ZYL: That is correct, we established the Bospos.

MR KHOISAN: Can you tell us a little bit about Bospos, what is it?

GEN VAN ZYL: Bospos was a newspaper for the troops. It was not considered to be a product for general consumption. It was one of the ways which we used to keep the interest and the motivation of own forces up to standard.

MR KHOISAN: Now in terms of the civil action, I am just trying to translate it into Afrikaans, would it be correct to say that I would be "Burgersaak"?

GEN VAN ZYL: That's correct.

MR KHOISAN: Now in terms of this whole Burgersake question it not only involved the winning - did it involve winning the hearts and minds of the local northern Namibia population and keeping the morale of the troops up, was that part of the whole project of Burgersake?

GEN VAN ZYL: With the exception of the demoralising actions aimed at the military wing of SWAPO all other activities, including the motivation of own forces, centred around the concept of the hearts and minds battle.

MR KHOISAN: So in terms of the chain of command in 2 Military Area, where would Colonel Bischoff be in that?

GEN VAN ZYL: Colonel Bischoff was the officer commanding of the Military Area in the period 1976 - 1977 and I reported directly to him.

MR KHOISAN: Okay. Now in terms of the chain of command, from 2 Military Area to SADF Headquarters, how did that go?

GEN VAN ZYL: On my arrival at Ovambo during the time when Ovambo was known as 13 Sub-Area the Headquarters at 13 Sub-Area reported back to 1 Military Area based at Rundu. 1 Military Area reported back to South West Africa Command Headquarters in Windhoek. South West Africa Command Headquarters in Windhoek reported back to Army Headquarters in Pretoria. And Army Headquarters reported back to Defence Headquarters also in Pretoria.

Subsequently when 2 Military Area was established for a brief period a specific task force was established at Grootfontein, that task force headquarters was known as 101 Task Force, and for a brief period 2 Military Area reported back to 101 Task Force at Grootfontein who reported directly back to Army HQ. But this reverted, I think, in the middle of 1977 when all the military areas in the northern part of Namibia came under the command of the Headquarters South West Africa Command in Windhoek, who then reported back to Army HQ in Pretoria and subsequently to Defence Headquarters.

MR KHOISAN: Okay, let's separate those two issues. In terms of South West Africa Command in Windhoek who was the senior officer there?

GEN VAN ZYL: To the best of my recollection the first general officer commanding South West Africa Command was Major General Geldenhuys, later to be Chief of the Army and Chief of the Defence Force.

MR KHOISAN: And this same General Geldenhuys, on several occasions, he personally visited and inspected the troops at 2 Military Area is that correct?

GEN VAN ZYL: That is correct.

MR KHOISAN: Okay. Now Task Force 101 who was the senior officer there, and how was the command structured, that's in Grootfontein?

GEN VAN ZYL: I can remember two officers serving there as the general officers commanding. I cannot give you the sequence. To the best of my recollection the first one was Major General Andre van Deventer, and the second one was Major General Ian Gleeson.

MR KHOISAN: Okay. Now General in terms of the situation that you were in, you are at 2 Military Area, at that time you were a Captain - just by the way let me just square a couple of other officers, the then Sergeant Slabbert, you worked with him at 2 Military Area?

GEN VAN ZYL: He was the Sergeant operating the printing press.

MR KHOISAN: Okay. And he was also part of your general domain?

GEN VAN ZYL: That's correct.

MR KHOISAN: Let me just square a couple of other people here so that I know, so we have a sense of who we are dealing with, the then Lt Frans Vervoets(?), was he also one of the people who worked with you?

GEN VAN ZYL: That was the lieutenant I was referring to.

MR KHOISAN: Okay, and then Slabbert was there. Did you ever, under your command, have a group of people who had specific tasks besides the winning of the hearts and minds and the general civil action projects that you have described here before us today?

GEN VAN ZYL: No.

MR KHOISAN: General I want to just through a couple of people here, do you know or have you heard of a man by the name of Dan Taljaard?

GEN VAN ZYL: Jan Taljaard.

MR KHOISAN: Jan Taljaard.

GEN VAN ZYL: Yes.

MR KHOISAN: Okay, and what was his role?

GEN VAN ZYL: To the best of my recollection he was a photographer.

MR KHOISAN: And Jan Snoekie(?)?

GEN VAN ZYL: He was one of the 11 National Servicemen I referred to.

MR KHOISAN: Okay, and Anton de Beer?

GEN VAN ZYL: He was the clerk of the section.

MR KHOISAN: And Frans Schoeman?

GEN VAN ZYL: I don't recall the name.

MR KHOISAN: Okay. And you referred to a photographer?

GEN VAN ZYL: Yes.

MR KHOISAN: Can I ask you, did you at any point have occasion to recruit somebody who was part of Burgersake who had come there - shall I put the question to you directly, did you recruit anybody who was working on another project to come and be a part of your project here at 2 Military Area?

GEN VAN ZYL: We did involve Black troops from the Ovambo battalion to act as translators and interpreters. I cannot recall their names.

MR KHOISAN: Okay, now in terms of the photographer, can you give us the name of the photographer who was part of your group?

GEN VAN ZYL: To the best of my recollection it was Jan Taljaard.

MR KHOISAN: Jan Taljaard.

GEN VAN ZYL: But I'm not quite sure of the name.

MR KHOISAN: Okay. Did you ever recruit anybody else, maybe somebody who had come and been part of Bospos?

GEN VAN ZYL: No the Bospos was run between the first photographer which we had, and I cannot recall his name, and the sergeant who operated the printing press.

MR KHOISAN: And that is Sgt ...(intervention)

GEN VAN ZYL: Slabbert.

MR KHOISAN: Sgt Slabbert. Okay. Now General, in terms of the situation that you were in you obviously were - this was post-Angolan independence, am I correct?

GEN VAN ZYL: That's correct.

MR KHOISAN: Ja, so would you describe that area, northern Namibia as essentially placed on a footing of high military alert?

GEN VAN ZYL: Yes, after the withdrawal after Operation Savannah which took place in the spring and summer of 1975 and the first few months of 1976 the Angolan forces moved south. South African troops withdrew south of the international border and the possible action of the Angolan forces were not clear to us, therefore a high level of military preparedness did exist at the time.



MR KHOISAN: Okay, and would I be correct to say that 2 Military Area would be specifically key, or one of the strategic points in terms of a military installation of the then South African Defence Force in terms of that particular situation?

GEN VAN ZYL: To the best of my recollection there were more troops deployed in 2 Military Area than the other areas in the northern part of Namibia. But one should also bear in mind that approximately 50% of the inhabitants of Namibia stayed in Ovambo.

MR KHOISAN: Okay. And in terms of the parabats did you have a section of 2 Military Area and a military installation there that had catered for, and from which a group of parabats operated?

GEN VAN ZYL: To the best of my recollection there was a small group of paratroopers who comprised the reaction force of the area and they were located at the air field at Ondangwa.

MR KHOISAN: Now General in terms of your particular role, you are essentially a man, and from what I have gleaned from you in terms of what you have told us today, you ran that hearts and minds sections, you were very concerned with that, so essentially your command would involve, or shall I say your mission, your brief would involve extensive contact with civilians?

GEN VAN ZYL: That is correct.

MR KHOISAN: And you also were involved in sort of relief for the local population, say for instance that there was a flood, you would be one of the officers involved in bringing relief to those people by helping them out, is that correct?

GEN VAN ZYL: That is correct.

MR KHOISAN: And in terms of schools and stuff like that you also would be involved in trying to get staffing, you know get things going in the schools in the area?

GEN VAN ZYL: That is correct.

MR KHOISAN: Because the SADF at the time had a strategic function in terms of the civil affairs of that place.

GEN VAN ZYL: Yes, I think in terms of civilian qualified personnel Ovamboland at the time was not a popular destination for a lot of public officials, and the military's contribution was to make suitably qualified national servicemen available to alleviate the existing personnel problem.

MR KHOISAN: Now General in terms of the particular situation with regard to the population that you encounter today Namibia is an independent country and it would be unfair of us to say that we can put today's Namibia in the then Namibia because essentially there were two different situations, one in which you and your troops who were under command, under direction from your superior officers had gone there to carry out a mission, which, as I understand you, you did to the best of your ability, but in your assessment of the civilian population would you say that they were pro-SADF, pro-SWAPO, or would you say that they were detached, they had no real opinion of the situation? How would you grade that, the civilian population in and around the 2 Military Area?

GEN VAN ZYL: I think a lot depended on exactly where one endeavoured to measure public opinion. It would also differ from time-to-time depending on what happened. You can go to the population with the best intentions, you can provide very urgent medical and educational services, but the harsh reality was that armed intimidation did affect the situation from time-to-

time. And in some areas where there was a greater insurgent presence than others, obviously there would be a difference in terms of attitude.

MR KHOISAN: Okay, so if I follow you correctly you are saying that in some areas there could be - the reaction to the SADF could have been favourable at the time and in some instances it could have been hostile, is that correct?

GEN VAN ZYL: Depending on the situation existing at the time.

MR KHOISAN: If I read you correctly you are saying that the degree of favourability or hostility of this population relates to the impact that SWAPO, and particularly its military wing would have on the area?

GEN VAN ZYL: Yes, amongst others.

MR KHOISAN: Did you ever have occasion General to, in that area, encounter SWAPO, or shall I say to use the lexicon of the time, SWAPO insurgents?

GEN VAN ZYL: No the troops under my command to the best of my recollection never had a direct contact or conflict with SWAPO, person to person.

MR KHOISAN: Okay. And in 2 Military Area was there any time, was there any instance in which you had occasion to, in consultation with other sections of the command, to establish a prisoner of war area in that area?

GEN VAN ZYL: No we were not involved in that, we were not part of that arrangement whatsoever.

MR KHOISAN: Okay. Would I be correct to say that you were part of the command of 2 Military Area?

GEN VAN ZYL: I was a staff officer functioning at the headquarters of the area.

MR KHOISAN: Okay. And SO3 that puts you at a certain level, that means that you have the vetting, the clearance and the access to engage in a certain level of discussions and review of strategy and so forth, right?

GEN VAN ZYL: Yes, but a relatively low level. Even after I was promoted to the rank of major there were still lieutenant colonels above me, and the officer commanding who was a full colonel at the time.

MR KHOISAN: Did you at any point General have any occasion to bring anybody into your unit or integrate anybody into the men under your command to go and photograph certain situations in which you encountered people who may have been killed?

GEN VAN ZYL: The photographer was utilised by the Intelligence personnel to take photographs of insurgents killed in conflict. The purpose for this was to make such photographs available to the Police in order to identify the individuals. But this was not part of my responsibility. We had only the one photographer at the headquarters and he was requested to do this.

MR KHOISAN: Okay, now this photographer that was requested to do this work, who was tasked to do this work by the Int officer -by the way who was the senior Intelligence Officer in 2 Military Area?

GEN VAN ZYL: When I arrived for duty it was a Major J N de Jager and he was subsequently succeeded by Major D G Roux.

MR KHOISAN: Okay, so the officers from Intelligence tasked this photographer, and by the way what is his name?

GEN VAN ZYL: I cannot remember. The first one, to the best of my recollection there were two of them during my term of duty, I think the second one was Jan Taljaard, I am not quite sure.

MR KHOISAN: Okay we'll leave it at that. But when they arrived at these situations where people have been, as you put it, killed in battle or killed in a skirmish or whatever, they had two functions, one which was to photograph the crime scene as such or to record this is a terrorist who has fallen in battle, and number two, which was to perform another function, a sort of as an auxiliary force for the police force, to help them to ID this ...?

GEN VAN ZYL: No the only photographs which, to the best of my recollection, were taken in this regard were taken at the headquarters in Oshakati and the bodies were brought back.

MR KHOISAN: Okay. So they brought bodies back and stuff like that?

GEN VAN ZYL: Yes.

MR KHOISAN: Now we will get to the bodies a little bit later but I want to ask you about some of the stuff. Would it be that people's fingerprints would be taken once they were brought back to 2 Military Area?

GEN VAN ZYL: I am not aware of that.

MR KHOISAN: Now you said that - you've just raised the issue of them being, that there was a need for the police to identify these people, how would the police ID this?

GEN VAN ZYL: The Police had a thick book of known insurgents and they used the photographs to compare. Whether they took fingerprints I don't know, we were not involved.

MR KHOISAN: Okay. I will let Mr Magadla take over for a while.

CHAIRPERSON: For the record, Mr Magadla.

MR MAGADLA: ....during the reading of your statement, but I think I will have to go back to it again. What was your precise mandate there, your own unit in South West Africa? The terms of reference of your own unit.

GEN VAN ZYL: It was to use communication methods to firstly enhance the level of motivation of our own forces. Secondly, to establish good relations and the maintenance thereof with the local inhabitants. Thirdly, to contribute to the demoralisation of the opposing military force.

MR MAGADLA: So how did you go about doing that?

GEN VAN ZYL: In terms of own troops I personally briefed all newcomers to the area in the training area which was located at Oshivelo, it's in the south of Ovambo, where specific coverage was given to the do's and the don'ts. It was imperative that the troops conduct themselves in such a way so as not to alienate the population from the military. Therefore ways of greeting, the correct way of entering a homestead or a kraal as it was popularly known up there, the status of traditional leaders, the infrastructure problems, warning them against stopping next to the road and buying cooldrink or whatever from little shops without first enquiring to the price thereof, practical sort of arrangements. Then the periodic updating the deployed troops with the development of the situation in Ovambo and giving them a wider perspective as to what was happening elsewhere in the then South West Africa meaning Kavango and the Eastern Caprivi, as well as the southern part especially in the later term of my stay up there.

In terms of communication with the local population it was to create a channel to and between us and the local population, to be utilised to convey information to them but also to be utilised should the local population have any grievances pertaining to the misconduct of troops so that this could be brought to the attention of their headquarters. It was initially thought that this could be done by means of pamphlets but the distribution of people, and in some cases the level of literacy led us to believe that it would be better to establish two-way communication and that is what I used the lieutenant and the 11 National Servicemen for.

We endeavoured to utilise Radio Ovambo for day-to-day happenings in terms of local developments, warning people against driving on certain roads where there was information that landmines could be found on such roads.

We also used traditional gatherings to talk to the traditional leaders of the area, visiting schools and hospitals to ensure that the services being rendered by the deployed national servicemen was up to standard.

And we also facilitated deployed troops involved in the combat role to render such aid as could be rendered when required. I am now specifically referring to when a patrol should visit an area and the water pump was broken rather than to wait for the Department of Works to arrive there a week or two weeks later, if they were in a position to do the repairs themselves, to do it then.

As far as the demoralisation of the opposing military forces we focused on specifically two approaches, the one was a surrender programme trying to get them to lay down the weapons

and to surrender, and secondly after finance has been made available to offer rewards for any weapon or ammunition or landmine to be handed in.

MR MAGADLA: Had you been invited, according to your knowledge, into Namibia by the Namibians or by the then government of Namibia, you as the South African Defence Force?

GEN VAN ZYL: At the time Namibia was administered by an Administrator, which to the best of my knowledge functioned on exactly the same level as a provincial administrator in South Africa functioned. I would therefore consider that the military presence in Namibia was at the request of the then Administrator. Looking back into history there was a time when the South African Police were deployed to ensure border protection. However, the escalation and the size and shape of the conflict then developed into a much more military type of problem and I presume that the Cabinet at the time made the decision to gradually replace deployed police elements with defence force elements.

MR MAGADLA: Did you ever have occasion to study SWAPO policies and aims as to what SWAPO wanted to do in Namibia in the event of them becoming government in that country?

GEN VAN ZYL: With the exception of a few documents which we could lay our hands on, nothing, because up to a certain stage the area north of the so-called red line, meaning and including the Kaokoveld, Ovambo, Kavango, the Western and the Eastern Caprivi were not accessible to SWAPO politicians. This situation only changed after the appointment of the Administrator General which was a totally new dispensation and I believe this took place in 1977, to the best of my recollection.



MR MAGADLA: Had there been any advocacy on their part of turning that country into a communist country if they took over? Was there anything that said there were communist party members or communist inclinations or inclined people within SWAPO that you knew of?

GEN VAN ZYL: To the best of my recollection the grammar used, the language used, the terms used by SWAPO at the time was, in my opinion, similar to terminology within the USSR. In terms of a communist state I cannot answer to that.

MR MAGADLA: Perhaps to make an example, the South African Government felt that under no circumstances should South Africa be allowed to fall into the hands of the ANC which had communists amongst them and that would then mean that there would have been a communist take-over in South Africa, and that is the one issue that started the whole problem in South Africa. And that of course it was the kind of frenzy really created that would also get sympathy from the Western countries which were also vehemently anti-Communist. Therefore the one thing that South Africans or South Africa would not want to happen in this country was a communist take-over, where members within the ANC and outside the ANC publicly announced their being communist.

Why I am making this example is because I am saying, therefore, that what was it that the South African Government felt that SWAPO should have been stopped by all means as well in their endeavours to gain their own liberation?

GEN VAN ZYL: With all due respect Chairperson I think that's way beyond the level where I operated. I was a junior officer at the time. I was instructed to do a military job which in my frame of reference fell into the concept of a military operation. The only parallel which I can

draw is that the entrance of Cuban forces into Angola, in a soldier's perception, definitely brought in a degree of a communist threat. But I cannot talk on behalf of the government, on behalf of the factors which they considered. I think they made that decision and in my mind that was a political decision.

MR MAGADLA: Well I thank you for that. But I am just thinking, maybe just as a way of perhaps comment, that even that it would have been one natural thing for the Angolans or whoever to do to go to people that were exposed to them, people that were willing to help them, they would not have gone to America, they would not have gone to the West for whatever help insofar as that was concerned, the Angolans and those people had already also fought for their independence and they had just got it and therefore they had had the help of SWAPO as well. But I understand when you say that you worked within the parameters of a soldier carrying out those instructions to operate within that mandate that you were given.

But coming back to the demoralisation of SWAPO you said you would have them to hand in their guns or their weapons, but how would you go about - how would that demoralise anyone, any other person?

GEN VAN ZYL: At the time the South African forces had withdrawn to south of the Ovambo/Angolan border. There was an absolute political restriction in my time that South African forces should not cross the border. The People's Liberation Army of Namibia was aware of this and therefore started moving their tactical basis southwards soon coming within walking distance of the border.

We endeavoured to make pamphlets available to such PLAN members deployed on the other side of the border. Firstly, endeavouring to make them think about the possibility that they might lose their lives if they should enter Ovambo, then suggesting the option of rather surrendering, and then affording them with a pass which will ensure their safety should they surrender.

MR MAGADLA: Would you then, to those who would have surrendered, would you then turn them to work with you?

GEN VAN ZYL: No the undertaking at the time when I was involved in this was to ensure them freedom to carry on with their lives. The reason for this being that we had information that many people were abducted from Ovambo, taken under force to Angola, and that many of them wanted to return - or some of them.

MR MAGADLA: Ja, but these that you capture were not people who were wanting to return, people who were looking for help from somebody, they were soldiers who were coming to fight, to win the war. And I don't think we would categorise them as people who needed this kind of treatment that you say that you - as if they were people who had been found somewhere, perhaps awaiting to be moved to some place by SWAPO, and you were to say to them people don't go with trouble because we can see when we came here the people who were guarding you fled because now we know you were captives of those people, so well come home, here we can look after you. Now these people were soldiers coming in there and coming in there fighting anyway.

So I am trying to find out whether this demoralisation would not have been perhaps a kind of killing them for instance and taking these photos to show to people to say this is what we do to people who take a chance and try to come and cross onto this forbidden area, I mean that would demoralise other people to see those things and think - people let's think twice before we venture into that area. I mean a good talk to a determined soldier would not - I don't know how it would demoralise him.

GEN VAN ZYL: I think it could be an option and maybe it was, but a surrender programme of sorts has always been part and parcel of psychological action within war against an enemy even if it brings zero results, it puts on a strain on the opposing commanders to ensure the loyalty of their own forces. And I would have been a commander and my troops would be subject to the possibility of deserting and I was not quite sure of their loyalty for sure I would not be very comfortable with the situation.

MR MAGADLA: What would you have done if you captured a person and you found that he was 100% even at that point, 100% loyal to SWAPO?

GEN VAN ZYL: I cannot recall such an incident, so as to what could have happened would only be speculation. But the military wing of SWAPO was a banned organisation at that time, so I would presume that such a member would be charged, but that would be a criminal procedure within the Police and Justice department environment.

MR MAGADLA: Would you then recall any of such an incident where some of your people had to go to court to give evidence against a SWAPO terrorist whom they would have arrested and whom they found to be really beyond sort of reform?

GEN VAN ZYL: To the best of my recollection none of the people serving under my command ever did that.

MR MAGADLA: Okay thanks. And you were saying that this article in this magazine where there were these photos, you first saw it in 1997?

GEN VAN ZYL: The article itself, yes.

MR MAGADLA: The article itself. But at the time when the photos were taken and when you looked at the articles did you then recall, did it come into your mind that oh yes I remember these people, this happened there at my base and ja, I remember this incident, but I did not know and I don't know how these things happened to be in this magazine?

GEN VAN ZYL: I recalled the photographs which I have seen in the newspaper. When the article was provided the names in that article and the rest of it I knew nothing about.

MR MAGADLA: Now to which magazine did you provide those articles? Which magazine did you aim to carry that article?

GEN VAN ZYL: The original purpose of the photographs was to produce leaflets for Ovambo. The arrest by SWAPO of Mr Andreas Shapanga in 1976 and Mr Shapanga was a member of the Central Committee if I can remember correctly, he was arrested as well as a number of other people. During the course of 1977 we had information which indicated that the parents of people, or the families of people living in Ovambo were worried about their relatives under arrest by SWAPO. They were arrested because they were considered to be South African spies. We then had information pertaining to four or five individuals originally from Ovambo who were in captivity, held in captivity by SWAPO, the purpose of the photographs which I had

taken was to produce a leaflet for distribution within Ovambo highlighting these activities of SWAPO. When I discussed this with the next level of command the indication was given to me that they are in possession of more information because they had the whole of Namibia under their control, not just part of it, and I was therefore requested to forward these documents to Windhoek which I did. I have never seen that article, and to the best of my recollection I was not aware that it would end up with the Scope.

MR MAGADLA: These were then photos of people who, Namibians who had been captured by SWAPO?

GEN VAN ZYL: No it was photographs which I staged and had taken.

MR MAGADLA: Oh I see.

GEN VAN ZYL: Based on the information which we had at the time, the circumstances. It was intended to be a graphic depiction in accordance with the information at our disposal.

MR MAGADLA: The information had been saying that SWAPO had captured people some of whom they killed and hanged?

GEN VAN ZYL: That is correct.

MR MAGADLA: And these pictures were meant to say what - were they meant to say these are the people that SWAPO captured and hanged?

GEN VAN ZYL: No, not at all. They were only taken as a graphic depiction of the action which we were then planning to expose, but it was then forwarded to Windhoek.

MR MAGADLA: Did you not actually see the counter-productivity of that plan as perhaps if you sent that type of thing to SWAPO would it not convey a message to the Namibians that

hey, if you play around with SWAPO you get hanged like that, so let's be loyal to SWAPO or let's play loyal to SWAPO?

GEN VAN ZYL: No, we were not in a stage of the development of this thing to formulate the final product. What we had was information that a number of Namibians were in fact arrested by SWAPO, ex members of SWAPO, that some of these people were killed, others were held in captivity, the programme did not develop any further than that.

I reported this as I did with all the activities we were involved in, and the feedback which I received was that in Windhoek they had more information pertaining to this situation and I should therefore forward the information which I had to them, and this is what I did. I did not, in terms of a vision at that time, have a clear picture as what to do with these products.

MR MAGADLA: Are you aware of any situation where SWAPO would have been found or caught red-handed driving people, who they would have captured maybe from schools towards the borders where they would have wanted to take them to their own camps perhaps?

GEN VAN ZYL: I cannot remember the detail but there were cases where secondary school children attending school close to the international border were taken across the border and individuals did succeed in escaping and coming back.

MR MAGADLA: Making their own escape?

GEN VAN ZYL: Yes.

MR MAGADLA: And not that SWAPO was caught with these people and these people were then helped by the Army back to their people, back to their communities. Because I think that would achieve what you wanted to achieve in terms of winning people's minds, where you were

saying look, we've caught SWAPO now driving these people towards the border and here are your children, call a big meeting, because I think the government then had that capacity, and then you would have been seen to be - well these people are here to help.

GEN VAN ZYL: I can remember the local Minister of Agriculture, a gentleman with the surname of Taypope(?) whose son was abducted. To the best of my recollection his son came back and on a political level the Minister made a lot of noise about this. But the question of abductions were not privileged information at the time.

One should also bear in mind that the escalation of force levels only took place after 1978 and prior to that Ovamboland was in actual fact occupied by a relatively low force level from the Army. The northern border was in excess of 430 kilometres in length and it was impossible to cover the whole area.

CHAIRPERSON: Yes maybe this is a convenient stage to take the tea adjournment.

#### COMMITTEE ADJOURNS

#### ON RESUMPTION

CHAIRPERSON: This is a resumption of the Section 29. I believe General you have been shown some photographs, have you seen them Mr Brand?

ADV BRAND: I have in fact seen them and I have sorted them out according to the instructions of my client in two separate batches for purposes of the further questions that we envisage.

CHAIRPERSON: Okay, thank you. Are we in a position to proceed on that basis? Thank you Mr Brand, thank you General. Mr Khoisan.



MR KHOISAN: Thank you Mr Chairman. In terms of proceeding General van Zyl, before we get into the substance and/or the context involving the photographs and the situations that derive therefrom I want to get into a little bit more of the nuts and bolts of how your operation worked in 2 Military Area. One specific point I would like clarification on with regard to this, and in respect of this investigative hearing, is what was the relationship of the command structure at 2 Military Area to Western Air Command and how did you interact?

GEN VAN ZYL: The relationship between 2 Military Area and South West Africa Command?

MR KHOISAN: Yes, Western Air Command ...(intervention)

GEN VAN ZYL: Western Air Command?

MR KHOISAN: Yes.

GEN VAN ZYL: At the Headquarters in Oshakati there was an Air Force liaison officer who did the liaison between the Army and the Air Force, but the Air Force under command of Western Air Command was a separate entity. We could only, therefore, submit air requests to the Air Force liaison officer who would then take it up with the Air Force whether such a request could be met or not.

MR KHOISAN: Okay. And in the period which is the substance of this investigative inquiry, 1976 to 1978, who was the liaison officer?

GEN VAN ZYL: To the best of my recollection there was not a full-time liaison officer, they rotated and they were there for about two months and changed around.

MR KHOISAN: Okay, let me put it another way, what was the rank of the liaison officer? What would be the rank of somebody who would engage in this form of liaison in respect of air requests etc?

GEN VAN ZYL: At first it was a major and I think he was succeeded by a lieutenant colonel and I think in the latter stages of my term of duty it could have been a colonel.

MR KHOISAN: Do you have any information on the major, the lieutenant colonel or the colonel?

GEN VAN ZYL: No I can only recall one Air Force officer whom I knew and who was a student at the Military Academy.

MR KHOISAN: But you don't know his name?

GEN VAN ZYL: It was a Major van Rensburg.

MR KHOISAN: Okay. Now in terms of this particular project that was going at 2 Military Area, you know as has been stated before that you wanted to - you were engaged in, for argument's sake for all intents and purposes in a war with an enemy which had been specified by the military command as SWAPO, is that correct?

GEN VAN ZYL: As PLAN.

MR KHOISAN: As PLAN, the People's Liberation Army of Namibia?

GEN VAN ZYL: That's correct.

MR KHOISAN: And therefore its command would essentially have been delineated as the enemy?

GEN VAN ZYL: Yes.

MR KHOISAN: Okay. Now in terms of this particular thing what was your view of SWAPO internally, in and around Oshakati and Northern Namibia in general?

GEN VAN ZYL: With the exception of a few months, the last few months which I served up there we had no contact with the internal political structures.

MR KHOISAN: Okay now did you at any instance or on any occasion issue any instruction to any person under your command to engage in any form of covert or overt collection of the SWAPO structures in the region?

GEN VAN ZYL: No.

MR KHOISAN: Did you order anybody to take photographs of SWAPO gatherings and meetings?

GEN VAN ZYL: Photographs were taken at the first SWAPO meeting to be held at Uluno after the Administrator General rescinded the restriction on SWAPO political activity north of the red line.

MR KHOISAN: Okay who took those photos?

GEN VAN ZYL: I am not sure, it could be Taljaard.

MR KHOISAN: That's Jan Taljaard?

GEN VAN ZYL: Yes.

MR KHOISAN: Okay. Now in respect of this what was your view, the command structure at 2 Military Area, what was your view of SWAPO internally and its supporters? Did you view them with suspicion or potential targets etc?

GEN VAN ZYL: We did not have any contact with them. There weren't any structures in Ovambo in my period of time.

MR KHOISAN: Okay. Now I've shown you a batch of photographs there, I think there is one there of a SWAPO gathering, do you have photographs General?

GEN VAN ZYL: Yes I've seen them.

MR KHOISAN: Okay. And did you have any occasion to view those photographs before today?

GEN VAN ZYL: Not that I can recall.

MR KHOISAN: But you know the people in those photographs, are they known to you?

GEN VAN ZYL: No I do not identify any individual.

MR KHOISAN: And just for the record we have shown the General a picture of - several pictures in a batch marked, I think "SWAPO Gathering", is that correct?

~~ADV BRAND: SWAPO Vergadering.~~

MR KHOISAN: SWAPO Vergadering, ja. In terms of the persons who worked under you, shall I say would you say that they were people that were performing special operations?

GEN VAN ZYL: No.

MR KHOISAN: They were just doing ordinary Burgersake and etc?

GEN VAN ZYL: I trained them to do a type of operation which we called "Interface Operations". The Afrikaans version was "Vaskyk Operasies". And this was solely a

communication operation which we used them to cover a vast piece of area talking to the local population either at their points of congregation such as a shop or in their kraals.

MR KHOISAN: Okay. Now in terms of this General did you train them for instance to unofficially enter gatherings for the purposes of collection?

GEN VAN ZYL: No I was not, apart from the normal type of information which one picked up during the execution of your work they were not Intelligence personnel.

MR KHOISAN: Now when we spoke earlier General you talked about the fact that there was an Int, there was a J N de Jager and a D G Roux who were the Int officers who were stationed in and around 2 Military Area, right?

GEN VAN ZYL: That's correct.

MR KHOISAN: Did you ever have occasion to liaise with them on specific work that they needed doing?

GEN VAN ZYL: Not which ...(intervention)

MR KHOISAN: In respect of this particular question I've just asked.

GEN VAN ZYL: No.

MR KHOISAN: Not at all?

GEN VAN ZYL: No.

MR KHOISAN: Okay. Now in terms of photos did you, I mean we've shown you a set of pictures of the SWAPO Gathering, was that something unusual? And it is our view, without revealing where we obtained these photographs, it's our view that those photographs were taken

by a military person who may or may not have been under your command, but was there any occasion when you tasked somebody to go and take photographs?

GEN VAN ZYL: Yes I did that because the first meeting that took place after the Administrator General rescinded the restriction was a high profile meeting and it was attended by a lot of media representatives, a lot of government officials, the public, it was an open meeting, and because it was the first meeting since SWAPO was allowed to hold public meetings in Ovambo, of course it was out of the ordinary.

MR KHOISAN: Was it a point of concern to you and to the rest of the command structure, 2 Military Area, that these, this organisation that had, especially it's military wing had been delineated, had been identified as the enemy, that they were now operating openly?

GEN VAN ZYL: Well it was a political decision.

MR KHOISAN: But was it a point of concern to the military command at 2 Military Area in respect of the fact that this organisation now had the right to operate, shall I say officially without doing things clandestinely? ...

GEN VAN ZYL: I can only speak on my own behalf and say to me it wasn't a concern because it was a political development which was in line with the general political developments in Namibia at the time.

MR KHOISAN: Okay now let me push forward here. General on any occasion did you identify people in the broad civilian population who are sympathetic to SWAPO and possibly conduits for planned operations?

GEN VAN ZYL: No we never identified individuals.

MR KHOISAN: Okay. Were there any people who may have been worrisome to the structure because you know SWAPO was in Angola, was coming in, infiltrating from Angola and you put it to us earlier that their forward base was quite near the international border, and as such that would have been a concern, would that not have been to the command at 2 Military Area?

GEN VAN ZYL: A military concern, yes.

MR KHOISAN: It's a military concern. And in terms of a military concern, if I follow it to its logical conclusion, here you have an infiltrating "terrorist" grouping coming forward headed directly towards you and into the territory that they wished to take by force of arms, to put it that way, in order to do that it's well-established principle, especially because of the fact that they were fighting at that time a guerrilla war, that they have to have shall I say a civilian or an internal apparatus to facilitate this project, would you agree? That they couldn't just do it on their own, that they needed some kind of people that were sympathetic to them in such a country?

GEN VAN ZYL: Yes.

MR KHOISAN: Okay. Now in terms of the military concern, while you have identified the primary enemy, on a secondary basis the persons who would provide quarter, comfort and succour to those infiltrating insurgents would also be a concern would it not?

GEN VAN ZYL: Yes, but our focus in terms of a military approach was the population at large and focusing on individual supporters was not within our mandate and our frame of reference.

MR KHOISAN: Now the 16 or 17 people that - including the photographer, and this includes the line of command that goes from Lt Frans Vervoes, Sgt Slabbert etc, all of these people who were working, did they do a lot of their work at night or during the day?

GEN VAN ZYL: There were the 11 national servicemen which I referred to, together with Vervoes, were involved in interface operations. These operations mostly took place during the afternoon, especially the late afternoon. After finishing such an operation they would lie up because we considered should there be a military enemy presence in the area they would then approach the people to find out what has been said. After a short period of lying up they then had to move at night time to be ready the following day to repeat the operation in an area as far as possibly removed from the previous one to avoid establishing a predictive pattern.

MR KHOISAN: Okay, now in terms of them moving around, we have it there are 11 and Sgt Slabbert ...(intervention)

GEN VAN ZYL: No he was not involved in that.

MR KHOISAN:-- Okay, and Lt Frans Vervoes.

GEN VAN ZYL: It was Lt Vervoes.

MR KHOISAN: Lt Vervoes. And they would guard and work mostly in the late afternoon into the night time?

GEN VAN ZYL: Yes.

MR KHOISAN: Okay. And would their work consist of, for instance, interfacing people at sort-of isolated kraals etc?

GEN VAN ZYL: Yes that could be included.



MR KHOISAN: Now we have shown you a series of photographs General and they relate to - there is one photograph there, maybe you can read it into the record of a family at a kraal. I don't know, at the back of the photograph there should be a number, of the big photos here. For the record can you read the number at the back of that?

GEN VAN ZYL: Number 22.

MR KHOISAN: Okay. Now in photo 22 there is a photograph of a family, shall I say for maybe just for clarification's sake, an average Ovambo family who lives in the rural areas around the kraal, and the situation involving that photograph, photograph 22, we've been given to understand that the elder man of that kraal had been murdered, allegedly by SWAPO. The view is that when those photos were taken that the photographer was brought to the scene by some members of these 11 people and Lt Frans Vervoes, to take that photo of that family who the father and the husband allegedly had been killed by SWAPO, would that have been something commonplace for them to encounter?

GEN VAN ZYL: No, as a rule a photographer did not accompany the patrol.

MR KHOISAN: No, no, no, I am not saying accompanying the patrol, I am saying being brought in after to photograph a situation that had been encountered by the patrol in the late afternoon and the evening as you put it to me.

GEN VAN ZYL: It could also have been under the situation where something else happened and people were then brought in and he was included in it, not necessarily a patrol which I controlled.

MR KHOISAN: Okay. Now there are several photos that actually show what you are talking about, which is that there would be a pool of photographers who would go in and photograph this stuff, in fact there are quite a couple there which show a bunch of journalists and photographers coming there and taking pictures. So the view is that the group would go out and conduct their work and then come back and say, look here at such and such a place we found such and such a situation, at that place we found that situation, 50 miles to the west we find that situation and they would go and photograph that. Now could it have been that those people lost their family member, not so much to SWAPO but actually to a pseudo-operation conducted by your forces themselves?

GEN VAN ZYL: Not by the forces under my command. They were never in a contact.

MR KHOISAN: Is there any time that you know of that you can talk about now under oath when your forces may have talked about encountering a dead person that they said was killed by SWAPO?

GEN VAN ZYL: No.

MR KHOISAN: Not at all?

GEN VAN ZYL: Not at all.

MR KHOISAN: So we've shown you a number of pictures there, there's a batch of pictures over there - I'll go off that for a second, I'll come back to that, there's a batch of pictures there that relate to the Doeie Terroriste, it's in the small batch, is it probably in a packet, it's a lot of photos together, it's probably the big one right underneath there. Right I think it's that one, is it?

Ja.

Now there's a series of photographs there in terms of Doeie Terroriste, now we don't want to beat about the bush here General, we want to be very clear about this, there are lots of reports from Namibia that have come in that claim that you know their family members have disappeared or have died and they want to know what happened to those family members. Now in 2 Military Area was there ever an occasion where dead people were brought in maybe on a truck or by themselves and stuff?

GEN VAN ZYL: Yes, yes.

MR KHOISAN: And who were these dead people?

GEN VAN ZYL: I cannot answer that question. They were brought in by other patrols or by the police.

MR KHOISAN: But you are saying that the chaps that you had trained for interface ops, you can say definitely and under oath, that they didn't do that?

GEN VAN ZYL: I say that definitely and under oath, they were trained to communicate with the population at large...

MR KHOISAN: Could it have been that they may have, you know, far away from the command and as we know our soldiers are sometimes - discipline is a problem, and it's not always possible for the commander to have his finger on every little problem all the time. Sometimes soldiers might have the view that look here let's try to find a way to bump up our productivity, and productivity in that which is an extension of an operational area essentially would have meant, you know, being able to show that we are making headway in the fight

against PLAN, could it have been that they could have freelanced and carried out an operation which you were not aware of?

GEN VAN ZYL: No, they were trained to do exactly the opposite. Their productivity was not to be measured in terms of contacts, their productivity was to be measured in terms of the occasions which they created to speak to the people.

MR KHOISAN: Now in terms of 2 Military Area, and let me just get the - in the hangar, sometimes you were in the hangar, you spent a lot of time in the hangar there with Sgt Slabbert, right?

GEN VAN ZYL: Yes.

MR KHOISAN: Was there any area in the hangar that had AK47s, boots, fatigues, which were typical of those that were used and worn by SWAPO people?

GEN VAN ZYL: That hangar was also used as the stores and the weapons of dead combatants which were brought in were then registered and kept in that store. We did not have an own supply of enemy arms.

MR KHOISAN: So the view is that there was a section of the stores that held, or shall I say kept the arms, the ammunition and the uniforms, the typical uniforms of the enemy combatants as you put it, there in the hangar and right there behind you.

GEN VAN ZYL: Yes, but not under my control.

MR KHOISAN: But you knew about this?

GEN VAN ZYL: I say the Quartermaster's store was, part of it, was also located in that hangar. I only used a small part of it where we had the printing press and a darkroom.

MR KHOISAN: Okay. Now you have just put it to us in your statement that, for instance that Scope article, was a, shall I say it was a propaganda, shall I say a communication project, maybe a strategic communication project but let's say a communication project for now, and in order to do these communication projects it's well established fact that when you are going to stage something you are not going to use your own logistics. Because if you want to say that PLAN is doing X, Y and Z, PLAN is planting these kind of landmines, PLAN is using these kind of AK47s, PLAN is using - these are their boots, this is the way to recognise them, you wouldn't use SADF issue logistics to be able to stage something, you'd use the logistics of the targeted enemy as such, isn't it?

GEN VAN ZYL: What we used on that specific occasion was captured enemy equipment.

MR KHOISAN: Ja. Now the captured enemy equipment that you used came out of the hangar right there in the stores, there where the Quartermaster's area is, in the hangar?

GEN VAN ZYL: We drew it there, yes.

MR KHOISAN: So you were aware that there were more things there?

GEN VAN ZYL: No...(intervention)

MR KHOISAN: Because I mean that particular - and we've been given to understand that there was absolutely no way that you couldn't know that there were AK47s there, it was a very clear thing. We are just trying to understand how - whether you were aware of what was behind you and stuff like that because you were based in the hangar a lot, you and Sgt Slabbert.

GEN VAN ZYL: Yes but we only use approximately one quarter of the hangar.

MR KHOISAN: Okay.

GEN VAN ZYL: I did not have access to the rest of the hangar. The rest of the hangar was not under my control.

MR KHOISAN: Now were there live people, sometimes you brought in dead people, these were dead terrorists, as you put it, and sometimes there were live people, sometimes there were live people that were brought in, isn't it true?

GEN VAN ZYL: Yes.

MR KHOISAN: Okay. And they ...(intervention)

GEN VAN ZYL: Not my personnel.

MR KHOISAN: And they stayed in an area of the camp which was directly diagonally across from the HQ, right?

GEN VAN ZYL: Yes.

MR KHOISAN: Okay. Now when they came in there, would they be wearing their own uniforms, they would definitely be stripped of everything they had?

GEN VAN ZYL: I never saw anybody brought in, I am talking about a live person. The persons who were killed were brought in dressed in the clothes that they were dressed in when the contact took place.

MR KHOISAN: But I just put it to you that directly across from the HQ there was an area where live people were.

GEN VAN ZYL: Yes.

MR KHOISAN: Ja. And that was sort-of a POW camp.

GEN VAN ZYL: Yes.

MR KHOISAN: If we are going - and in terms of the POW camp, and I am going to hand over to Mr Magadla right now, in terms of that POW camp was it structured and run along the lines as prescribed by the Geneva Protocols?

GEN VAN ZYL: I cannot answer that because that facility was not under my control and I did not have access to that facility.

CHAIRPERSON: Can I just before Magadla ask some questions, can I just clarify an aspect. If I understand your evidence well you are saying in that hangar there was also a printing press to which you accessed because that was the area of your specialisation, is that correct?

GEN VAN ZYL: That is correct.

CHAIRPERSON: And that you didn't access any other sections in the hangar, for instance a section where weaponry which had been collected from dead combatants was stored, is that correct?

GEN VAN ZYL: To the best of my recollection, yes.

CHAIRPERSON:— Now-but you were aware that there was a specific place where these weapons were stored?

GEN VAN ZYL: All weapons taken off during contact had to be taken into custody, they had to be recorded. Every case at the time was treated by the Police as a murder case and these were to be transferred there for evidence purposes.

CHAIRPERSON: Yes, ja, no, no I think we are saying the same thing but I just want to know for the record whether what you are saying is that was a matter that took place as a general rule or whether in fact you are aware, if somebody came to you there and said which section of the

hangar contains weapons that have been confiscated from dead combatants you would have been in a position to say that is the area concerned?

GEN VAN ZYL: I would have been able to say it is within the Quartermaster's section. Or let me put it this way, it was under the control of another function in the Headquarters.

CHAIRPERSON: Exactly.

GEN VAN ZYL: Let me be clinic about it.

CHAIRPERSON: Yes. Now, to the question that was put to you, when you said you were aware that certain people did come there, in other words the Police and other patrols brought in dead people there, is it something that you know of because it was common knowledge in the area or is it something that you once had an experience of seeing as it happened?

GEN VAN ZYL: I had seen dead people brought back from a contact to the Headquarters.

CHAIRPERSON: Thank you.

MR MAGADLA: Thanks. You were saying that your communication unit would go out in the afternoon or in the late afternoon and also would go out at night, what would have been the purpose of going out at night?

GEN VAN ZYL: It was to move from one point to another point because movement by day would have been picked up and the principle philosophy behind the concept of interface operations was to plan a pattern which could not fall into a specific routine, therefore when finished with one operation in the late afternoon, and after a short lay-up, the patrol then had to cover a big distance to be in another area the following day. They did not use vehicle transport due to the lack of roads, they moved by foot.



MR MAGADLA: Would then the other people, the other forces who would move into areas and sometimes get into action or an encounter, would they have also moved through these places where you had your people moving through?

GEN VAN ZYL: Yes we operated within the areas of responsibility of subordinate units, and as a base facility we used the base camp of that facility. There were three main, four main base areas outside Oshakati. So we would go and deploy within such unit. Our movement would be cleared with the local commander to ensure that his people knew about the patrol I deployed in the area and if necessary to give it support. In many cases where the threat was low the 12 available personnel were divided into four groups of three men each and they were then supported by local soldiers.

MR MAGADLA: Who would have then measured perhaps the intensity of the threat if there was a threat? Would it be a question of your unit going into these areas, doing whatever they needed to do and at some stage liaise certain information to other operationals from the SADF?

GEN VAN ZYL: Before deployment it was crucial to be briefed by the sub-unit in whose area we were deploying, and it was also practice that prior to leaving the area they would report back to that sub-unit and share the information which they have picked up with the local commander.

MR MAGADLA: What I am actually driving at is where - I am trying to find out whether your unit, with regards to its going out in the afternoons and at night, when we talk about how one measured your own productivity, would it not have been one of the criteria of measuring that kind of productivity that one would have counted how many incidences of information that you imparted to the other forces, information as you gained on the ground as your people also went

out there even at night sometimes, would you have liaised whatever information you got in terms of gauging the feelings of the people in those areas at a particular time?

GEN VAN ZYL: With the local commander?

MR MAGADLA: Yes.

GEN VAN ZYL: Yes. The type of information which was gathered was not sensitive or unique, it was designed to make it possible for the local commander to operate with as good a basis for information as possible. It was not information of a tactical nature, it was more in terms of what bothered the people, what the needs of the people were and what problems did exist in the area.

MR MAGADLA: If what bothered the people was a particular individual who, according to maybe those people whose hearts you would have won, whose ideas ran contrary to those of those people, would you have reported this to the local commander of that area, to say to them look as we went along we've come upon one character or one individual there whom we think you need to focus on in terms of your own mandate, meaning those, the command of that - the local command?

GEN VAN ZYL: The negative information which we did pick up was normally from shopkeepers, and we would pass back information that the owner of such and such a shop, as an example, was not happy with whatever, or the local church leader. But again I emphasise that again the information which we had picked up pertained to human aspects and not necessarily to tactical aspects.

MR MAGADLA: Ja I do understand that. But what I am actually looking at is, would it not have happened that the information you have, or you would have passed on to those other operatives, necessitated their taking action against that individual in which case perhaps they would go and pick that individual up, bring him to the camp, whereupon your people would be assisting by identifying or by saying yes, this is the individual we were talking about?

GEN VAN ZYL: Not during my time.

MR MAGADLA: The information that you would give these people would have been the kind of information that would have not been acted upon by the recipient of it?

GEN VAN ZYL: I again emphasise that the information which we did obtain was in the main not of a tactical nature. It was more a human background applicable to the area in which they sub-unit functioned. The sub-units had an area study facility which meant that on maps they kept up-to-date with where the local headman was living, where the closest clinic was, where the closest technical facility in terms of water pumps, repair or whatever might be and most of the information which we passed back was related to these things, to maintain their data packs.

MR MAGADLA: Would it be within your knowledge whether captives who would have been brought in, alive or dead, would have been recorded individually with identification if that became possible and a record of that being kept perhaps for reporting to whoever as to on a monthly basis how many people were brought in dead, how many were brought in alive?

GEN VAN ZYL: That kind of statistic was not kept by us. I am aware that in the monthly reports, even the daily reports that went in, reference was made to contacts and the outcome of

such contacts. Whether individuals were identified or not I don't know. It was not part of my responsibility.

MR MAGADLA: Ja, when speaking to those areas which were not part of your responsibility I will be saying perhaps would you have had knowledge of a particular thing having been in the immediate vicinity of where things were happening and of course if it was happening at a place where really you wouldn't have any knowledge of. This is the context in which I am asking these questions ...(intervention)

GEN VAN ZYL: No there was never a contact which I can recall which took place in the immediate vicinity where we were deployed. If you mean vicinity, in the Headquarters.

MR MAGADLA: No, no, I mean the vicinity where people were brought in and as you have said before that you saw people being brought in there dead and others being brought in alive and things like that and that is the immediate vicinity that ...(intervention)

GEN VAN ZYL: Yes.

MR MAGADLA: Yes, that I am referring to.

GEN VAN ZYL: That was the vicinity at the Headquarters.

MR MAGADLA: Yes.

GEN VAN ZYL: The dead people were brought to the Headquarters and the people who were captured were brought into the facility that has been mentioned.

MR MAGADLA: Could it have been then within your knowledge as to what used to happen to the captives in terms of interrogations, whether these captives were interrogated at some stage?

GEN VAN ZYL: No I was not involved in that at all. I don't know. I was involved with a single individual who used to work in the post office and my staff was requested to take him out to shop for new clothes. He was injured at the battle which took place in June 1978, Operation Reindeer, and that's the only individual I can recall, a man by the name of Willie Omutenya who used to work in the post office, he was brought back after that attack. At some stage my people were requested to accommodate him to a shop for him to buy clothes.

MR MAGADLA: Nothing about interrogation?

GEN VAN ZYL: No.

MR MAGADLA: Nothing about de-briefing him as opposed maybe to interrogating, finding out from him as to who he was and what he can tell the unit in terms of what was happening there?

GEN VAN ZYL: We were not involved in that. That was done by Intelligence. This man was given, his identity was given to us as Willie Omutenya, he lost an arm and his clothes were damaged in the blast, in a blast, and we took him to a local shop where he was clothed. That is after he recuperated. And that's the only occasion which I can remember where we had anything to do, whatsoever, with this facility.

MR MAGADLA: With those people?

GEN VAN ZYL: Yes.

MR MAGADLA: There is, I think in one of those photos, a photo of a man who is in a truck and behind the steering wheel and he's dead, is that photo there?

GEN VAN ZYL: I have seen that photograph.

MR KHOISAN: Can you record the number at the back of the photograph just for the record.

No, no, it should be one of the big ones too.

GEN VAN ZYL: The photograph is no.38. I cannot recall that incident at all.

MR MAGADLA: At all.

GEN VAN ZYL: No.

MR MAGADLA: You were talking about a Minister whose son fled from his captives, what were the circumstances behind or around that situation?

GEN VAN ZYL: No we were not involved in it. I cannot give you any information regarding the circumstances, I just know that this Minister, the Minister for Agriculture, a man by the name of Taypope who was later killed, did create a lot of noise about his son being abducted.

MR MAGADLA: Was he accusing SWAPO ...(intervention)

GEN VAN ZYL: Yes.

MR MAGADLA: ....for this abduction?

GEN VAN ZYL: Yes.

MR MAGADLA: Now under what circumstances, if you do know, did he himself die now?

GEN VAN ZYL: To the best of my recollection he was assassinated.

MR MAGADLA: Allegedly by SWAPO?

GEN VAN ZYL: SWAPO. The first Chief Minister was assassinated, his successor was assassinated. Mr Clemens Kapua was assassinated, there was a whole series of them, including quite a lot of traditional headmen in Ovambo.

MR MAGADLA: Are you aware of whether at any stage the assassins were found or caught by the forces, security forces there?

GEN VAN ZYL: Not in my time, I am not aware of it.

MR MAGADLA: Did your unit give any assistance to the next of kin or the relatives of the people who - like those people who died allegedly by - killed by SWAPO?

GEN VAN ZYL: No, the unit in question was only formed later in '77 and to the best of my knowledge there were no such cases in that period.

MR MAGADLA: Thank you.

MR KHOISAN: Now General you have put it to us that it seems like a lot of these things happened and happened without your knowledge, but I am going to put to you a couple of points.

There is a photograph there and maybe we can identify it and call it into the record, of a lot of civilians in a truck with a bunch of SADF soldiers looking over it, can we find the photograph and call it into the record. Young children, girls etc. No, no, there is one of a bunch of - let me help you.

CHAIRPERSON: Very well Mr Khoisan.

MR KHOISAN: Now General there are two photographs that I have put in front of you, can you call them into the record in terms of the number at the back of them.

GEN VAN ZYL: Number 3 and number 11.

MR KHOISAN: Okay. In photos 3 and 11, that is for the record those are pictures of about 10 people in the back of a truck it seems, maybe more, maybe less, right?

GEN VAN ZYL: Four people.

MR KHOISAN: Four, five people, some of them are children, is that not correct, appear to be children, is that true? A little girl.

GEN VAN ZYL: There is a picture of a female which could be a little girl, a teenager.

MR KHOISAN: A teenager. Okay. Now those photographs General one of them has a bunch of military people looking over, do you recognise those soldiers?

GEN VAN ZYL: No.

MR KHOISAN: But those are the uniforms of the South African Defence Force, the then Defence Force, right?

GEN VAN ZYL: Yes.

MR KHOISAN: Okay. Do you recognise the area where that picture is being taken?

GEN VAN ZYL: No.

MR KHOISAN: Okay. No it's not a problem. Now you put it to us earlier that yes there were times when dead terrorists were brought into the camp.

GEN VAN ZYL: At a specific time all dead terrorists were brought to the Headquarters to be photographed.

MR KHOISAN: Okay. Now could it have been that like a 10, 11 year-old girl would be a terrorist or classified as a terrorist? I mean she doesn't seem to have fatigues on or anything like that, she seems an ordinary child just going about doing her work around the kraal or something like that, she doesn't strike me particularly as a terrorist ...(intervention)

GEN VAN ZYL: I don't want to speculate.



MR KHOISAN: Now could it have been that - I am going to ask you again, that you, your operation was interface operations and essentially you were involved in comms, communications, trying to do two things, one build up the morale this side of the border, win the hearts and minds of people in and around 2 Military Area and Northern Namibia and also create demoralisation to SWAPO, to the PLAN cadres who were advancing, that was part of the project you had told us ...(intervention)]

GEN VAN ZYL: Yes.

MR KHOISAN: Now let's hold that for a - I've separated two other photos, can you call them also into the record. The one is somebody who has his, the top of his head shot off.

GEN VAN ZYL: 37.

MR KHOISAN: In photo 37, do you recognise that man?

GEN VAN ZYL: No.

MR KHOISAN: Okay. Now photo 38, is that 38 or what is it?

GEN VAN ZYL: 49.

MR KHOISAN: Photo 49, do you recognise those two soldiers there?

GEN VAN ZYL: I recognise the one on the right.

MR KHOISAN: Now who is the one on the right?

GEN VAN ZYL: Private Dekker.

MR KHOISAN: Private Dekker, and who was Private Dekker? Did he work with you?

GEN VAN ZYL: He was an artist.

MR KHOISAN: In the interface operations he was part of the group.

GEN VAN ZYL: No.

MR KHOISAN: No, he was an artist but he was in the camp?

GEN VAN ZYL: He was in the camp.

MR KHOISAN: But he was not part of the ...(intervention)

GEN VAN ZYL: No.

MR KHOISAN: Okay, and the other one you don't recognise?

GEN VAN ZYL: I don't recognise.

MR KHOISAN: Now who is the third person in that picture?

GEN VAN ZYL: I do not recognise him.

MR KHOISAN: Now the view is that - I want to get back to this thing, was it ever - or you were part of the command of this camp, of 2 Military Area, you were part of the command, you were a captain and beyond you there was Colonel Bischoff, if I am correct?

GEN VAN ZYL: Yes.

MR KHOISAN: Okay. So you were part of the command structure for all intents and purposes of the 2 Military Area?

GEN VAN ZYL: Yes.

MR KHOISAN: So did you ever, as part of your communication programme, know about, engage or use the fact that there was the turning of PLAN cadres, that there was rehabilitation as you put it of PLAN cadres in the base?

GEN VAN ZYL: There was no rehabilitation of which I am aware. I was aware of captured personnel.

MR KHOISAN: Okay, now what happened when you captured these people, what happened when these people were captured? They were just allowed to smoke cigarettes and roam freely across the ...(intervention)

GEN VAN ZYL: I don't know, I had, I had ...(intervention)

MR KHOISAN: What happened ...(intervention)

GEN VAN ZYL: I had no access to that facility.

MR KHOISAN: Now you worked in communications.

GEN VAN ZYL: Yes.

MR KHOISAN: So essentially your job was to demoralise the advancing PLAN army; to win the hearts and minds of the local population and at the same time to build up the morale of your own troops?

GEN VAN ZYL: Yes.

MR KHOISAN: Wouldn't it be, and there are instances where this happened in other places, and also with regard to the SADF, that you would use this situation to say, look here, we have got your people, so did you ever use the photographs that were taken of these captured people for any purpose? For any propaganda purpose as it is that you were in comms, which is propaganda.

GEN VAN ZYL: Not that I can remember.

MR KHOISAN: You never used any photograph of any dead terrorist for any propaganda purposes?

GEN VAN ZYL: We could have used it, but I can't remember a specific instance.

MR KHOISAN: Now the photographer, our information is, and we may be wrong, that every day or almost every day at about six o'clock he was pulled off in a Landrover, I think we have a picture of the Landrover that he was driving in, somewhere, we will find it for you, he was pulled off and then he had to go and photograph these things. He said there were lots of these things, or the view is that there were lots of these things.

GEN VAN ZYL: What things?

MR KHOISAN: There were lots of these dead people which were allegedly killed by SWAPO, they were photographed by the person, by one of the people who was under your command.

GEN VAN ZYL: I have stated that I had the only photographer in the headquarters, he was therefore used to photograph dead bodies coming in.

MR KHOISAN: Yes. Now I'm saying to you, was it ever used for propaganda purpose, for instance were those photographs of that dead person like that person with his head half shot off, was that ever used for any propaganda purposes like for the dropping of pamphlets in southern Angola or somewhere around there?

GEN VAN ZYL: It's only speculation, I cannot confirm it.

MR KHOISAN: Did you ever send a signal to Western Air Command, or was a signal ever sent from 2 Military Area to Western Air Command that you need a, what did you call it, you need the use of aircraft to drop pamphlets?

GEN VAN ZYL: Yes.

MR KHOISAN: Okay. Now was any of those signals that were sent to Western Air Command was it ever in relation to some of these photos that are before us today?

GEN VAN ZYL: No I cannot remember a specific occasion.

MR KHOISAN: Okay. Now General in terms of the civilians what is the position in 2 Military Area when you deal with civilians that are being brought in, I am not talking about terrorists, I am not talking about people who are suspected terrorists, I am talking about people who are civilians who are killed in unexplained circumstances in the field of operation, in the theatre of operations, what is the position with regard to that?

GEN VAN ZYL: I was not involved in that at all.

MR KHOISAN: But you were part of the command structure?

GEN VAN ZYL: That doesn't mean I know everything in the command.

MR KHOISAN: No, but I am saying that you were there for at least from 1976 to 1978 so you should know something about the fact that if, in that period, if 20 people came in who could not be classified as SWAPO terrorists, who were obviously children, who were obviously like that businessman, who were obviously people that are disconnected to the hard part of the conflict between the SADF and PLAN, what would be the position? Or maybe let me go into - try to get the benefit of how you would operate as a commander in that respect, if a civilian was brought in, who is obviously a civilian, obviously maybe disconnected to the conflict what would be the position, what would be done in that case?

GEN VAN ZYL: I can only speculate, but ...(intervention)

MR KHOISAN: Help us ...(intervention)

GEN VAN ZYL: The Military did not follow up such cases, the Police were there in strength. If somebody was suspected to be a sympathiser or a helper or a helper or whatever it could be called it would not be - I never experienced anything like that, civilians.

MR KHOISAN: You never saw civilians being brought in to 2 Military Area, dead civilians, in the whole time that you were there? I am trying to just be clear here.

GEN VAN ZYL: I cannot confirm that because I cannot recall a specific incident where I saw such a thing. It could be that people were brought in dressed in civilian clothes, but that again, to the best of my recollection is speculation. I was not involved with dead people being brought in.

MR KHOISAN: Now in terms of comms, in terms of comms, now let's go back to comms, it's our view, and it's the basis of our investigation that signals were sent through from 2 Military Area to Western Air Command in respect of the fact that you needed the logistical support of aircraft in respect of ferrying pamphlets which needed to be spread. And let's say for argument's sake in southern Angola so that the advancing PLAN troops could understand, look here, if you come over here this will happen, look at your ouens, they are over here, they are dead, you know you probably know this guy and that guy and that guy, those are direct shots of their heads, now I am trying to find out from you General if at any instance, if at any instance you personally went and photographed - you allowed some - okay, I am sorry I will stop there.

ADV BRAND: I am just trying to establish Mr Chairman is the question, or is the allegation that photos were to be distributed or pamphlets containing photos or pamphlets carte blanche,

that's what I don't understand? And I don't want the General to give an answer to something he perhaps does not understand.

MR KHOISAN: Okay, then let me just quickly clarify that, and thank you Counsel. I think that what we are trying to get to here is that it's our view, it's the basis of our investigation, that photographs were taken of terrorists who came into 2 Military Area, that's clear, the General has agreed to that.

ADV BRAND: That's a fact.

MR KHOISAN: Okay, that's a fact. The second thing is that there were signals that were sent to, from 2 Military Area to Western Air Command, that's our investigation and that has been confirmed by the General in respect of them needing aircraft. I'm trying to find out, now in terms of the pamphlets, because there were pamphlets that were dropped, I'm saying were any of these photographs that we see in front of us, or photographs like them used as part of the pamphlets that were used in the demoralisation campaign for PLAN incoming into Namibia? That's the question for the General.

GEN VAN ZYL: That could have been but I must confirm that the Air Force had no authority on our level to go beyond the international border.

As far as the utilisation of photographs it could have been, but I cannot, from the photographs which you've put in front of me, identify a specific photograph which was used for that purpose.

CHAIRPERSON: Can I just follow that up. Do you know of any photographs at all that were ever shown to you by your unit that you know of that were used for propaganda purposes of any

of the people who were photographed being dead combatants? Not necessarily those in front of you. In your time there were there any dead bodies which had been photographed ever used for purposes of propaganda?

GEN VAN ZYL: Sir I would like to give you an honest answer but I cannot recall a specific incident, but if I could speculate about it, it could have been possible, specifically aimed at PLAN combatants.

CHAIRPERSON: Now it would have been something that would have been discussed with you by the photographer? Like for instance you would bring a group of photos and say now listen we would like your authorisation because I think this will obtain maximum effect in demoralising, not only SWAPO combatants but also those who are fellow travellers, these are the photos we would like to use, for instance this is the manner in which we would use - in other words you would be part-and-parcel of a discussion that focuses on these dead combatants and the photographs concerned and all that. Would that have been something that could conceivably happen?

GEN VAN ZYL: Yes.

CHAIRPERSON: Mr Magadla.

MR MAGADLA: Thank you Mr Chair. I think we have agreed that the article that is on the magazine that you have just seen, that that article was sort-of authored by your unit even including the pictures that were there of the people hanging on the ...(intervention)

GEN VAN ZYL: No.

MR MAGADLA: We haven't said that.



GEN VAN ZYL: No, no. I have said that I have staged the photographs.

MR MAGADLA: Yes.

GEN VAN ZYL: And that's it.

MR MAGADLA: The article itself would not have come from your people in terms of your carrying out of the winning of the minds of those people?

GEN VAN ZYL: No.

MR MAGADLA: Would you, if you saw this article at that time, would you have objected to this article being ...(intervention)

GEN VAN ZYL: - The content?

MR MAGADLA: Yes.

GEN VAN ZYL: I think the content is in line with the information which we had at our disposal.

MR MAGADLA: You see ...(intervention)

GEN VAN ZYL: But not, not the name.

MR MAGADLA: In this article there is a person used as a character, Matthias Nangombe, as the person that is relating this story that is in this article to the, perhaps the journalist I think, now he says on - there are no pages but it is the page just before the last page where it's "Evidence I saw", you have that? Ja, there where it says "Evidence I saw", no not that page, the other page.

MR KHOISAN: It's page 20 and 21 in the article.

MR MAGADLA: The evidence I saw -

ADV BRAND: We've got this page.

MR MAGADLA: Ja that page I think, just below Matthias 29 and below "SWAPO since 1967", on the file on the right-hand side.

ADV BRAND: The last column, "And so began the great adventure"?

MR MAGADLA: Ja, well he says,

"Everything went well while we were all in agreement about the freeing of Namibia from the slavery of the Boers".

he says.

"Then we realised that we could not carry on any longer. On one side SWAPO started killing, torturing and beating deserters. On the other side the Boers and guerrilla fighters from Unita showed us no mercy. We were caught between two fires. When we realised that the possibility existed that Namibia could be freed without force of arms we told our leaders that the struggle was no longer worthwhile. There was no longer any point in killing our brothers on the other side of the border".

That would have been in line with the type of propaganda you would have used?

GEN VAN ZYL: Yes, but the content of this article, I've seen this for the first time when it was brought to my attention. I have not seen this before.

MR MAGADLA: Now we get to the last page which the heading on top says, "Photos made him desert from SWAPO", you've got that?

GEN VAN ZYL: Yes.

MR MAGADLA: Then we start from the top,

"Under the bush. I don't remember how much time passed but when I stopped running my friend was already dead. His name was Elias and he was the leader of our group. We had spent more than a year together in the operational camp east of Oshakati. I dug a hole with my panga and buried him. We were very close to the border of Namibia. Before covering Elias' body with earth I searched his pockets and took the papers we had been ordered to take to the political commissar then I marched again for many hours before I stopped to rest. The envelope was not sealed and my curiosity overcame my training. Matthias paused for a moment before pointing towards the photographs spread on the table in front of us. I found those, it was those photographs that made me decide to desert from SWAPO. Those were my brothers-in-arms hanged by the neck and by the feet. Those who had been thrashed, tortured and tortured, those were also my brothers. If they had killed my brothers they could as well kill me. The struggle was no longer worthwhile, not against the Boers or against the others".

He seems here to be referring to the photos, which we agree, you know about, but you say the content you have no knowledge of?

GEN VAN ZYL: I have no knowledge of the content.

MR MAGADLA: But we do agree to that, but this would carry the message you have wanted carried in line with these photos, or in support of these photos?

GEN VAN ZYL: Yes it could have, although I don't think PLAN read the Scope.

MR MAGADLA: Why would you not think they did?

GEN VAN ZYL: Because I think the Scope was a magazine published within South Africa and to try and get the Scope into Angola doesn't make sense to me.

MR MAGADLA: Wouldn't it have been the aim to use Scope to convey this message to PLAN or to whoever you aimed at winning their minds?

GEN VAN ZYL: We could speculate about it.

MR MAGADLA: Then in the same vein why would we speculate that it would not land in the hands of the people that it was intended to go to, or PLAN?

GEN VAN ZYL: In the three years that I spent up in Ovambo I didn't see a single Scope.

MR MAGADLA: Thank you.

MR KHOISAN: Let me just follow up that quickly. You know I had the opportunity of speaking with the editor of Scope magazine, the man who was the editor at the time that this was published, and he did raise the issue that the middle management of the SADF at that time was concerned about Scope because of some of the explicit material that was used in respect of the pin-ups and so forth and the effect that that could have on a disciplined, moral, God-fearing army. But the view is that - there are two things here General. With regard to this particular article the passages that have been read into the record by Mr Magadla definitely show that there is a direct connection between the article and the photograph, they are not two disjointed people, so they are part of a, so we would say they are part of a, would you agree they are part of a very sophisticated disinformation campaign?

GEN VAN ZYL: I can confirm that we took the photographs in Oshakati. The scenes depicted in the photographs were selected as graphical material based on accurate information which we had at the time. When I brought this to the attention of the headquarters South West Africa command I was given the indication that they are in possession of more information than I had. I therefore provided the information and the photographs to South West Africa Command headquarters. I want to reiterate that during my three years in Oshakati I had no direct access to the media whatsoever.

MR KHOISAN: Okay, I want to get to two areas and I want to first square the one. With respect to this article you had the photos staged and taken, then you got in contact with the people at South West Africa Command, who did you speak to there in respect of these photos, and in respect of the information which is relevant to that information contained in that article?

GEN VAN ZYL: I cannot recall the name of a specific person.

MR KHOISAN: But it would have been at command level?

GEN VAN ZYL: It would have been at staff officer level.

MR KHOISAN: Which is translated as?

GEN VAN ZYL: The section in the headquarters in South West Africa Command dealing with civic action.

MR KHOISAN: Civic action and who would that most probably have been?

GEN VAN ZYL: At the time the senior staff officer responsible for that was Colonel GJC van Niekerk.

MR KHOISAN: Van Niekerk, GJC van Niekerk. Now what about the Int guys, the Int officers?

GEN VAN ZYL: At South West Africa Command?

MR KHOISAN: H'n.

GEN VAN ZYL: No I didn't have any contact with them.

MR KHOISAN: Because there were at least two Int officers in 2 Military Area, the way the Military is structured and the way we know it today, is that the Intelligence arm of the Military is a very important arm, so I am saying in order to make this happen there were certain things that had to happen like for instance you had to get this past an editor, because this was obviously a ruse, I mean it's pegged as a world exclusive on the front page, world exclusive. On the front page of Scope magazine it's pegged as a world exclusive, so who would have opened the way for this to go forward?

GEN VAN ZYL: No, that I cannot answer. Again if one can speculate I have mentioned in my evidence this morning that my focus in terms of SWAPO was on PLAN. There were, however, other State agencies also represented in South West Africa such as the old Department of Information; such as the old Bureau for State Security; such as the old Security Branch of the Police Service. MR KHOISAN: Ad the National Intelligence Service.

GEN VAN ZYL: That's the old Bureau for State Security.

MR KHOISAN: Right. So were you aware or did you ever have knowledge of the fact that a certain percentage of military correspondence or correspondence, military and political correspondence were in the employ of the then Bureau of State Security, later the NIS?

GEN VAN ZYL: No.

MR KHOISAN: Or any other security agency?

GEN VAN ZYL: No.

MR KHOISAN: When you took these - you would have dealt with communications, so dealing with the press would have formed part of your (...indistinct)...(intervention)

GEN VAN ZYL: That's correct.

MR KHOISAN: And making sure that the press was offered the story that would help them get the picture that the Military wanted them to get of the situation in Namibia, is that correct?

GEN VAN ZYL: I've stated in my affidavit that the control regarding the press was centralised in Pretoria. We therefore had very well structured and organised press visits in the time when I was up at Oshakati to the operational area.

MR KHOISAN: Now you were a comms officer, you were running interface operations, now who was the senior officer who was handling the contact with the press and making that liaison possible in Pretoria?

GEN VAN ZYL: No I cannot remember his name because I did not work directly with this section.

MR KHOISAN: But you were still a comms officer, you - nobody could have really, if you were in 2 Military Area General and the way the Military works, like if I am a captain and the ranking structure on the base goes from Captain to Colonel, which is in two military area the buck stopped with Colonel Bischoff, right?

GEN VAN ZYL: Yes.

MR KHOISAN: Okay. And that put you in the direct line of command, you were part of the chain of command on camp because Colonel Bischoff and then - I mean beyond a colonel I believe, if I am correct, a major ...(intervention)

GEN VAN ZYL: There were a couple of lieutenant colonels, a couple of majors and a couple of captains.

MR KHOISAN: But you had your own fiefdom in 2 Military - you had your own specific project in 2 Military Area?

GEN VAN ZYL: Yes.

MR KHOISAN: Which was not to be confused with any other project?

GEN VAN ZYL: Yes.

MR KHOISAN: It's a very specialised project.

GEN VAN ZYL: Yes.

MR KHOISAN: You had at your disposal a photographer. You had at your disposal a printing works and you were putting together certain communications projects.

GEN VAN ZYL: Yes.

MR KHOISAN: Aimed at demoralising the enemy, primarily.

GEN VAN ZYL: No. Primarily we were fighting for the hearts and the minds of the people.

MR KHOISAN: Winning the hearts and the minds.

GEN VAN ZYL: Yes.



MR KHOISAN: Now, who was your contact person in terms of communications because I would assume that you would be in touch with somebody in Pretoria, for instance after the Kasinga massacre?

GEN VAN ZYL: I again emphasise the channel of command which I have spelt out in the beginning of this session. I worked back to South West Africa Command. I did not work back to Pretoria.

MR KHOISAN: So in South West Africa Command we will say that you, basically they are with Colonel CJC van Niekerk?

GEN VAN ZYL: Ja.

MR KHOISAN: Okay, that's fine for us. Now let us proceed further colonel. That photograph there, that photograph of that alert SWAPO terrorist there smiling with the two of the officers, one of whom you have actually identified as Private Dekker, I think you have seen the photo there?

GEN VAN ZYL: Yes.

MR KHOISAN: Now you see earlier we asked you about this POW camp, there was a POW camp which was directly adjacent to the HQ. Now I am trying to find out whether that particular photograph, those kind of photos, because if I am a communications person, if I want to win the hearts and minds of people in the local area, target area, and if I want to demoralise the advancing army I will show them, look here, here's your soldier smiling and taking a cigarette with the SADF soldiers, they are no longer enemies. That photo is not about enmity, it's about new found friends, would you agree it might be?

GEN VAN ZYL: Speculating I might agree with you.

MR KHOISAN: Could you have posed a photo like that? Could you have made somebody pose a photo like that?

GEN VAN ZYL: I cannot ever remember deliberately posing a photo like that.

MR KHOISAN: But could it have been, because you were in comms, you were trying to do ... (intervention)

GEN VAN ZYL: It could have been, yes.

MR KHOISAN: Because that fell in your line, your purview.

GEN VAN ZYL: Yes.

MR KHOISAN: What your job description was all about.

GEN VAN ZYL: But if there was an ex-PLAN combatant who decided to desert and walk over that could have been because that has been the main aim of the demoralisation process. I have mentioned earlier this morning that we did have a campaign which was aimed at a desertion programme.

MR KHOISAN: Okay, now in terms of demoralisation, we've seen it internally inside the country, particularly with regard to those elements within the SAP who had done service in Namibia and the then Rhodesia. I am talking about what is now known as Vlakplaas, Eugene de Kock and many of his fellows have on one or other occasion done a tour of duty in Namibia, and it seems very much that Vlakplaas is a recent development, but I am trying to get to the rehabilitation aspect.

You see the issue is that a bird in the hand, or shall I say a terrorist in the hand is better than two terrorists in the bush, because now you have one and would it have been that that particular person could have been rehabilitated and in such a way that now you can use him in your propaganda campaign? Look, this is now no longer the SWAPO terrorist that we fear but somebody who is standing for the right side of things, is that true?

GEN VAN ZYL: I am not aware that in my period of service up there there was a deliberate rehabilitation programme. By speculating it could have been possible that individuals who used to be a member of the People's Liberation Army of Namibia decided to desert. It could have also been people who were arrested and then for some reason unknown to me decided to work with the South African forces. This is speculation. I am not aware that in the period 1975 to 1978 a programme existed to bring this about, a deliberate programme.

MR KHOISAN: Did you ever take that photo, are you aware of that photo ever having been used for one of the pamphlet drops over Southern Angola?

GEN VAN ZYL: I cannot recall that specific pamphlet drop, but again I speculate it could have been.

MR KHOISAN: It could have been.

GEN VAN ZYL: Yes.

MR KHOISAN: Because that would have formed part-and-parcel of the broad job description.

GEN VAN ZYL: Yes.

MR KHOISAN: In terms of strategic communication to demoralise the enemy.

GEN VAN ZYL: Yes.

MR KHOISAN: I am getting ready to go into another area, but I just want to find out from you, with regard to - did anybody ever accuse you or any of the other command at 2 Military Area, are you aware of allegations that people under your command painted themselves black, went out into the night, drove around masquerading as SWAPO, using logistics like uniforms and weapons and boots that have been taken from the stores in the hangar right near to you, where you operated from, to kill people, are you aware of any such operations? Have you ever come across any such information?

GEN VAN ZYL: No, but the soldiers who worked for me did paint their faces as did most of the other soldiers from a purely camouflage point of view. My troops never dressed in any other uniform for operational purposes except the South African Army uniform. And I am not aware of any such activities.

CHAIRPERSON: Can I just follow that up General. I've heard that the tenor of your testimony has been to say your unit was given a specific task and that task was seemingly to act as communication agents.

You have also indicated that there were moments as part of what you called an interface aspect of your duties that they had to travel long distances at night so that the pattern that was part-and-parcel of your communications exercise should not be defeated by them going during the day. And I think what I would like to know is, following on the question that has just been put, are you ruling out a possibility that there would be some people in your unit, who not necessarily following your instructions, because it is clear from my evidence that you were very strict as to what area of your operations was, who would have gone out there, contrary to what

their duties were, and done exactly the same thing that is the content of the question put to you, is it possible, is it probable, or are you saying that it was impossible that such a thing could have happened?

GEN VAN ZYL: The way I knew the people working for me, the instructions which were given to them and the nature of their operations, to me makes it totally impractical that such an approach could be followed. I cannot rule out individual uncontrollable actions but that never happened to the best of my knowledge. These people working together as a group, not only worked in isolation, most of the times they worked with other soldiers.

I would like to submit that if ever there was ever a self-signed death sentence it would be for a South African soldier to operate in Ovamboland, dressed in the uniform of the enemy and armed with the rifles of the enemy, because it was inconceivable that Police deployments, Army deployments could be of such a nature that with a reasonable degree of success you could run the risk of running around undetected. Our purpose for camouflage was not to present the troops as Black people, it was a general and accepted way of camouflage in those days.

CHAIRPERSON: Mr Magadla.

MR MAGADLA: Thank you Chair. There has been mention of some police units having been in that area of Oshakati during that time, did they also have occasion to come to that

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Headquarters, your Headquarters where you were?

GEN VAN ZYL: No. I only saw the Chief of the Uniformed Police who visited the Headquarters and the Chief of the then Security Branch visiting the Headquarters. There might

also have been the odd policeman in-between who visited it, but the Headquarters was not out bounds to the Police, it was in town.

MR MAGADLA: Would you recall as to who those gentlemen were, those Chiefs of Security and of the Police?

GEN VAN ZYL: The District Commissioner, the Uniformed policeman was a Major Pool, P-O-O-L, and the Security policeman was Lt Colonel Schoon, S-C-H-O-O-N.

CHAIRPERSON: Is that the gentleman who retired as Brigadier Schoon, Willem Schoon?

GEN VAN ZYL: Yes.

CHAIRPERSON: The one who later took command of Vlakplaas?

GEN VAN ZYL: I have picked up his name in connection with Vlakplaas from the newspapers.

CHAIRPERSON: Mr Magadla.

MR MAGADLA: Thank you. So did you have any working relationship with those people, the Police then?

GEN VAN ZYL: No.

MR MAGADLA: Did they also operate in the same areas where your people operated?

GEN VAN ZYL: Meaning, my people meaning the Army?

MR MAGADLA: Meaning the unit that was under your command.

GEN VAN ZYL: Well our unit operated in the whole of Ovamboland and the Police were also deployed at police stations and bases in Ovamboland.

MR MAGADLA: So they would have met and discussed things pertaining to the areas, and pertaining to the attitudes, and pertaining to the conditions, and pertaining to their work in terms of yours being what you described and theirs being what they would have described to your people as what they were up to there themselves?

GEN VAN ZYL: No, if the soldiers under my command met with the Police it would have been by chance. We ran the interface operations as a unique military operation and to the best of my recollection no other structure in Ovambo had a similar operation, rather the deployed policemen were performing jobs in comparison to what the other deployed soldiers did, in the time when I was up there.

CHAIRPERSON: If I could just follow that up Mr Magadla. I think maybe, I don't know I don't want to inter(...indistinct) what Mr Magadla is wanting to say, you see what I would like to know is whether it would not be known - or let me put the question directly. Did the police, as a matter of policy, know that you were engaged, amongst other things, in the unique interface project? Did the police know officially that part-and-parcel of your duties is to go out at night and do the things that you did as part of the interface operation?

GEN VAN ZYL: I never briefed them about the nature of the operation, because in this regard I had no association with them. We used military facilities wherever possible. The structure of the police was of such a nature that they had different elements deployed in Ovambo. There was the normal uniformed branch, then there was the security police and then there was the counter-insurgency branch, they used to call them TTN, "teen insegensie", and those people

were deployed in a role similar to the rest of the Army, but I had no reason to brief the Police about, for instance, interface operations, because this was a unique army operation.

CHAIRPERSON: Now how could that operation have avoided an accidental clash with elements of say for instance counter-intelligence, insurgency, or even the security police who would be out at night also in search of combatants?

GEN VAN ZYL: We operated in the areas of sub-units under Army command, and we therefore had to clear our activities with that Headquarters. At that level there was a joint planning should there be Police in the area, and the Army commander will then inform the Police that a new patrol was in the area, and this applied to all activities within a specific area of responsibility.

CHAIRPERSON: You see I am asking this because, I mean if there was joint planning at that level then I cannot see that there would have been a danger to your people as part and parcel of your interface operation, in them painting their faces black, wearing SWAPO fatigues and using AK47's as part of this proposition that was put to you, because they would know that - they would go into an area which has been cleared, where the patrols would have been told look there will be our people there, they will be in the form of an interface operation, operated by the Army, and therefore a particular area would be cleared, in what way then would there have been a danger to those operatives who were carrying on the interface operation? Because I am saying this in the light of your earlier reply that you know there was no surer death sentence for any of your troops than for them to wear battle fatigues identifiable with SWAPO and carry weapons identifiable with SWAPO.



GEN VAN ZYL: Sir I want to put it on record that to the best of my recollection and within the framework of this sworn oath, the troops under my command, with the exception of the photographs which were posed, never wore anything but South African uniform and arms because it would be contrary to the whole concept of an interface operation. The purpose of this was to promote the image of the Army. To therefore present yourself as something else is just not conceivable.

CHAIRPERSON: You see the way I understand it is that, one, the reason that the operation was carried on at night and under those conditions, namely that SWAPO fatigues would be worn, AK47s would be used, was in fact to discredit SWAPO. Because the aim of that particular operation would be for instance to attack a village or attack people who were known to be SWAPO sympathisers, after an intelligence report had given who was suspected to be SWAPO sympathisers. And people would be killed but it would be done in such a way that some people would have been able to see who had been mounting the attack. And because it was done at the crack of dawn the people would immediately come to the conclusion that who they saw mounting the attack were SWAPO guerrillas. And that the propaganda then would be that a group of SWAPO guerrillas and they are saying it was SWAPO guerrillas because in the insufficiency of light at that moment when the attack was mounted they appear to have been Black, they were wearing SWAPO fatigues, they were using AK47's, that would then be a conclusive way of saying the attack was by SWAPO when in fact it was by the South African Defence Force soldiers, whose aim was to perpetuate an image of SWAPO amongst the

villagers that SWAPO were just a marauding and murdering group of people. Now that is the theory.

Now what I want to know from you, and I am asking you knowing full well that as a commander you don't know everything and anything that happens, are you adamant in saying no one in your unit could, under the guise of an interface operation, have done what I have indicated the theory suggests was being done by members of your unit?

GEN VAN ZYL: I emphatically state that no such operations by people under my control took place.

CHAIRPERSON: Mr Magadla.

MR MAGADLA: Thank you Chair. You say amongst the Police units that were sent there, there were the uniformed police, there were the Security Branch, there were Counter-Insurgency people, now from the Army side what kind of units with regards to - in relation to the types of units, the Police and the - did the Army send the Military Intelligence and what else was sent there by the Army to operate in that area?

GEN VAN ZYL: The main force consisted of infantry soldiers. They were supported by a small element of armoured cars. At one stage after the withdrawal out of Angola tanks were made available but not used. There were artillery and anti-aircraft artillery. The engineers were deployed in a counter-landmine role. The signals component was there. Logistics was there. There was a small element of the Military Police. And there was an Intelligence function within the Headquarters which was responsible for the tactical intelligence in the area. There was a single representative from Military Intelligence who was not part of the Headquarters.

MR MAGADLA: Were you then aware of the role that was played by the Police in that area?

GEN VAN ZYL: I was aware of the role in broad terms, in terms of normal policing at the police station, at the Security Police who were primarily focused against known insurgents, the Counter-insurgency group who conducted operations very similar to Army operations, and then there was an individual or two working for the Gold and Diamond branch. That's what I am aware of.

MR MAGADLA: Didn't it cause any overlapping or confusion? I mean all these forces are there and they are sort-of doing a duplication of each-other's functions.

GEN VAN ZYL: There was only a duplication in terms of the Police's counter-insurgency branch, and this was overcome by giving them a specific area of responsibility. That is why I said the type of work they did was just about the same as which deployed Army soldiers did. But what the Police did I had not insight in what they were doing. It was a separate State department.

MR MAGADLA: You were talking about laying a lot of emphasis on the conduct of your unit as to how they would conduct themselves when they dealt with the communities in the areas where they operated. Now had you before you got there had you been, or at the time when you got there, were perhaps informed of any misconduct by other forces who were there before your people went there?

GEN VAN ZYL: Yes it happened from time-to-time when stock were taken from shops by soldiers or in their quest for fresh meat they took a goat. Such cases were picked up. Where

possible the culprits were tracked down and financial retribution was made. That was one of our purposes.

MR MAGADLA: Could there have been records of those incidences anywhere?

GEN VAN ZYL: There would have been records if the complainant complained officially, meaning he either approached the nearest military base or police station or whatever the case might be. In the latter stages a more formal structure to deal with such claims was set up by the Headquarters at 2 Military Area and in some of these cases I was personally involved in sorting out what had happened.

MR MAGADLA: Would therefore there have been cases where SWAPO members complained and their cases attended to as you have described?

GEN VAN ZYL: SWAPO members?

MR MAGADLA: Yes, SWAPO members in those areas.

GEN VAN ZYL: Complaining about the conduct of the troops?

MR MAGADLA: Yes.

GEN VAN ZYL: I am not aware of SWAPO members complaining, but it could have been. To the best of my recollection there was no prerequisite that you need not, or shouldn't be a member of SWAPO to complain. I again emphasise that in most of my stay up there there was no political structure up there from SWAPO's side.

MR MAGADLA: In other words those thefts or whatever you may call them were committed on people who were loyal people?

GEN VAN ZYL: No it was acts of bad discipline.

MR MAGADLA: To people who were loyal to that government ...(intervention)

GEN VAN ZYL: It could have been to anybody, to anybody.

MR MAGADLA: During the time of, was he Colonel or Captain Willem Schoon there?

GEN VAN ZYL: Yes.

MR MAGADLA: Did you hear of a presence of a person called de Kock there?

GEN VAN ZYL: No.

MR MAGADLA: You have heard of de Kock now from the press and from - when you read in the press about this de Kock it doesn't ring a bell to you to say oh so this is the de Kock who was in that camp in Oshakati and so forth?

GEN VAN ZYL: No I personally knew very few policemen. I did not, as I have indicated before, in terms of my work I did not have a common area with them, a shared interest.

MR MAGADLA: So if the Police were to be saying, because from time to time we do have police members here with whom we have these similar discussions we are having with you today, if some of them were to be saying, look us, we as policemen went out there and just did police duties, where there would be encounters, skirmishes and other things and sort-of capturing of activists and terrorists and things like that, that would have been done by the Army and not us, what would you say to that?

What would be your comment there?

GEN VAN ZYL: I would say the Counter-insurgency section of the Police acted, in my opinion, in the same way as deployed troops acted. They had their own base and I can only

think that it is conceivable that should they find themselves in a situation where contact resulted they would have acted in exactly the same way as soldiers reacted.

MR MAGADLA: Ja, finally, as I have said we have dealt with a lot of people in this similar exercise, but where we seek to find as to whether at any time people who were arrested or captured in those areas, operational areas, whether they were ever taken to court there seems to be no such response, there seems to be no positive response to that type of question. People simply say well those people were captured and they were arrested but people don't know what happened to them.

You said this morning that people would be taken to court but of course you were not able to say, to quote one instance where you know of any of your members who would go to court to give evidence about someone who was taken to court for any - whatever infringement that would have been.

GEN VAN ZYL: I referred to the personnel working for me.

MR MAGADLA: Yes.

GEN VAN ZYL: And they would have only gone to court had they been involved in the actual arrest of another individual or in a contact with another group. And to the best of my recollection none of them were in such actions, involved in such actions. Whether other soldiers ever gave evidence in court I cannot say this, I do not know.

MR MAGADLA: But you have never heard of any such incidents where any of the other policemen going to court to give evidence about an activist or a terrorist whom they would have captured or would have arrested?

GEN VAN ZYL: No I am not aware of such evidence.

MR MAGADLA: Thank you.

MR KHOISAN: Okay. General this is just quick. You mentioned that in the hangar with you you had a chap there from Military Intelligence, what's his name?

GEN VAN ZYL: No he wasn't in the hangar.

MR KHOISAN: No but he was at the HQ there, at 2 Military Area, you just told that to Mr Magadla, I just want to get the name of the MI guy who was there.

GEN VAN ZYL: No, he asked me whether there were other forces there and I gave him an indication of the other forces who were there.

MR KHOISAN: Yes but the MI guy, who was the MI guy who was there?

GEN VAN ZYL: Van Niekerk, it's not the van Niekerk I referred to previously, I can't remember his initials.

MR KHOISAN: Van Niekerk, right?

GEN VAN ZYL: Ja. And then he was succeeded by another chap whose surname I can't remember.

MR KHOISAN: Okay when was this - this was '76/77?

GEN VAN ZYL: Yes about '77 the other chap took over.

MR KHOISAN: So he was MI, what was his grading in MI, did you know?

GEN VAN ZYL: No. His rank?

MR KHOISAN: H'n.

GEN VAN ZYL: Major.

MR KHOISAN: He was a major. Okay. Right, I've just got one more question. Now all this stuff related to this hearts and minds and whatever else project that you were running, Operation Interface, of course you sent all the records through and they should be at the archives, right?

GEN VAN ZYL: Yes. I don't know what is in the archives. When I finished my term of duty I handed over to my successor. What I did do was to introduce that type of operation in our training programme.

MR KHOISAN: Okay. Who was your successor there?

GEN VAN ZYL: It was Colonel Coetzee.

MR KHOISAN: Colonel Coetzee. And just before you go, the person who you succeeded - your predecessor here at the Castle at WP Command, General Lamprecht.

GEN VAN ZYL: Yes.

MR KHOISAN: He was also in that project with you, wasn't he?

GEN VAN ZYL: No he was ...(intervention)

MR KHOISAN: He was in 2 Military Area.

GEN VAN ZYL: He was a lieutenant colonel up there at the time.

MR KHOISAN: Lieutenant colonel, and what was his duty there?

GEN VAN ZYL: He was the second in command if I can remember correctly.

MR KHOISAN: Okay. But you had some form of record-keeping around Project Interface, right?

GEN VAN ZYL: It's not, it wasn't called interface.

MR KHOISAN: What was it called because you must have had a code name for it?



GEN VAN ZYL: No it wasn't a code name it was just a type of operation. It was not a project such as the other projects listed. It was all our activities.

MR KHOISAN: But you had a kind of record-keeping around it?

GEN VAN ZYL: Yes, yes.

MR KHOISAN: Meticulous record-keeping.

GEN VAN ZYL: Yes.

MR KHOISAN: I am going to say that we are going to proceed with this thing but I don't know if it's okay with the Chairman if we can release the General now, because we still have a number of other areas to go into at another point.

CHAIRPERSON: I don't understand you Mr Khoisan. Are you saying that for today you don't have anymore questions to put to the witness?

MR KHOISAN: Yes that is correct Mr Chairman. There are a lot of things that we need to look at and consider and also I think that to be fair we don't want to just keep the General and go on and on and on. There is some other stuff that has come up that we want to look at. If it is at all possible.

CHAIRPERSON: Do you have anything to say to that Mr Brand?

ADV BRAND: No Mr Chairman if there are no more questions obviously we would not like to sit here fruitlessly.

CHAIRPERSON: Yes. In this event then I should indicate that for my part I need to thank the General again for having made himself available. It is always an inconvenience to have to

prepare for an inquiry, for a trial. I must thank again the legal representatives of General van Zyl for having made themselves available.

I can also not order all of us to sit here if those who - when the reason for us being here are indicating that they have exhausted their questions. I would therefore assume that arrangements, and proper arrangements will be made by the Unit to consult with the legal representatives ahead of time in that the adjournment, if it becomes an adjournment, should be to a date to be arranged between the parties.

On that basis therefore, these proceedings are adjourned to a date to be arranged between the two parties. Thank you.

INQUIRY ADJOURNS

