

TRUTH AND RECONCILIATION COMMISSION**SECTION 29 HEARING****"IN CAMERA"**

DATE: 22-08-1997

NAME: WOUTER JACOBUS BASSON

DAY 1

CHAIRPERSON: ... better start. This is a Section 29 inquiry. It is an investigative process held by the sub-Committee of the Commission in terms of Section 29 of the Promotion of National Unity and Reconciliation Act, 24 of 1995, as amended.

As I have indicated it is an inquisitorial procedure which is aimed at getting or at gathering information. The witness, Mr Wouter Basson is before us via a subpoena and it is apparent from the presence of Mr Du Plessis that he is legally represented.

I have had the pleasure of meeting Mr Du Plessis yesterday and I will officially ask him to place himself on record at an appropriate stage, but already I am aware from his representation of Mr Abraham van Zyl yesterday.

Normally the expectation in these inquiries is that questions would be put to a witness and these questions will more or less be covering areas which have been indicated in the subpoena and any other further documents that have been supplied to the witness.

The proceedings would be conducted in circumstances of fairness, especially to the witness and questions should be put in such a way that fairness is apparent.

The further expectation is that the witness will answer all questions as fully as possible so that we can discharge our mandate of presenting at the end of the day, as a Commission to the President and therefore to the Cabinet and to the Parliament of this country, as complete a picture as possible of events that took place in the context of the political conflicts of the past between 1960 and 1994.

It is for those reasons therefore that we conduct inquiries so that at the end of the day, that report should be one that can stand the test of time, because efforts have been made to gather as truthful and as full information as possible.

I may indicate that this is a private inquiry, in that the Act provides that no person other than members of the Commission or staff members of the Commission will be permitted to attend these proceedings and that information that has been gathered at these proceedings, will remain, shall in fact remain confidential until such time as the Commission has determined that parts of it or all of it, shall be made public at any such stage as the Commission may make such a determination.

Further than that, there will be a tea break at half past ten and there will be a lunch break at one o'clock. I would hope that we should be able to finish as quickly as possible today and that would be because we have had the pleasure of being engaged with Mr Du Plessis in yesterday's proceedings and we more or less, know what we want from each other.

What we are not able to get from each other, and what we hope we can assist the process with. I may just add for the record that I have been pleased with the cooperation that Mr Du Plessis has given to this Commission and this Committee yesterday.

In spite of the fact that we didn't agree on everything, the spirit in which the proceedings yesterday was conducted, was a very amicable one and it has made it easy for us to be able to make some progress in spite of the fact that there were areas in relation to which we were not in total agreement.

That is in the nature of a representation of a lawyer of his clients, and decisions that have to be taken which are very hard decisions at some stages. I would hope that that same cooperation would prevail today and that we should be able to make progress even if we are not able to agree on some issues.

I will have to introduce the members of the panel only to the extent that yesterday Mr Magadla was not here. Mr Magadla is on my extreme left, he is the Deputy National Director of Investigations and he has for a long time been in charge of what we call Special Investigations.

He will be assisting Mr Khoisan in questioning the witness. Mr Khoisan is known to you and I am known to you.

I will therefore ask Mr Du Plessis just for the record, to place himself on the record whereafter if his client has no objection to taking the oath, I will have to swear him in or in any event, he will have to affirm that he will speak the truth. Mr Du Plessis?

MR DU PLESSIS: Thank you Mr Chairman, thank you for your kind remarks. For the record the name is P.J. du Plessis, Attorney from Johannesburg, firm David H. Botha, Du Plessis & Kruger, 18th floor, CCMA Building, C/o Anderson and Ferreira Streets in Johannesburg.

Mr Chairman, my client Mr Basson is willing to take the oath and ready to do so.

WOUTER JACOBUS BASSON: (verklaar onder eed)

CHAIRPERSON: Thank you Mr Basson. May I just indicate Mr Basson that you are at liberty to express yourself in Afrikaans or in whatever language of the official languages that you are most conversant in. If you express yourself in German there will be a bit of a problem.

MNR BASSON: Thank you.

CHAIRPERSON: But if you would like to express yourself in Afrikaans, feel very free to do so. We have the services of interpreters.

MNR BASSON: Thank you.

CHAIRPERSON: Mr Khoisan?

MR KHOISAN: Good morning Mr Basson.

MNR BASSON: Goeie môre.

MR KHOISAN: Thank you for joining us here. As has been pointed out, today you have been called to answer questions in respect of specific matters. The most important document you will be called to deal with today is the issue of your diary. "Die dagboek van Wouter Basson", that is for 1989.

But we also will question you about documents which have been sent to you, through your lawyer, through your Attorney which have a

bearing on this particular matter, more specifically have a bearing on the Civil Cooperation Bureau of which you were a part and constituted in some degree part of the Command element.

Just for the record, Mr Basson, so that we establish it right at the beginning. Are there any pseudonyms or administrative names that you held while you were a member of the CCB?

MNR BASSON: Heeltemal reg, my administratiewe naam was Christo Britz.

MR KHOISAN: Okay, did you also hold an administrative name or pseudonyms M. Reyneke?

MNR BASSON: M. Reyneke, dit was 'n operasionele naam as ek reg onthou. Met ander woorde nie 'n administratiewe naam nie, 'n operasionele naam.

MR KHOISAN: But M. Reyneke was also one of the names that you used while you were yet in the employ of the CCB?

MNR BASSON: Dit is reg, Marius Reyneke.

MR KHOISAN: Okay, Marius Reyneke. Mr Basson, as we proceed today, we hope that we can get through a lot of issues. To state it right at the beginning, the document that has been put on the table, the diary of Wouter Basson, is a diary which essentially serves as some kind of a functional record of some of the activities of yourself and the persons who were under your command or under your direction and with whom you had liaise while you were yet a member of the CCB, is that correct?

MNR BASSON: Dit is korrek.

MR KHOISAN: So it is a document that has a central bearing on your activities, particularly for the year 1989 while you were a member of the CCB?

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay, for the record, Mr Basson, can you tell us who Jack van Staaden is?

MNR BASSON: Ja, dit is die Besturende Direkteur, Joe Verster.

MR KHOISAN: Okay, and did Mr Van Staaden have any other pseudonyms that you know about?

MNR BASSON: Ja, ek is bewus van ek dink dit was, Martin, administratiewe naam, is ek bewus van. Ek is nie bewus van enige ander name nie.

MR KHOISAN: Okay, Mr Martin? Okay we will clarify that in a little while. You also have and can provide us with the name of the Financial Manager, J. Black, he is known to you?

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay, what is his real name?

MNR BASSON: Ek is nie bewus van sy regte naam nie. Dit is moontlik dat dit dalk Swart is, ek is nie seker nie.

MR KHOISAN: Swart?

MNR BASSON: Ja, as ek reg onthou. Ek is nie, ek het nooit kontak weer met hom gehad na die opskorting van die BSB aktiwiteite nie.

MR KHOISAN: Okay, in terms of your role and your work in the Civil Cooperation Bureau, for the record can you state when you became a functional part of the CCB, when you were recruited and by whom?

MNR BASSON: Ek was deur mnr Verster gewerf, dit was hier in die begin van 1987, as ek reg onthou, 1987.

MR KHOISAN: Okay, so to put it quite clearly you were one of the first people and constituted the core of the Civil Cooperation Bureau amongst other people?

MNR BASSON: Ja, ek dink 'n mens kan die afleiding maak. Ek is nie seker hoe lank voor my die aktiwiteite reeds begin het nie. Daar was reeds mense voor my, maar 'n mense kan seker dan nou myself klassifiseer as van die eerste persone.

MR KHOISAN: So you would be correct to state here that you were, if I put it to you, that you were a member of the "binnekring" would that be correct?

MNR BASSON: Dit is heeltemal korrek.

MR KHOISAN: Okay, and the persons who constituted the "binnekring" included the Chairman. Who was the Chairman when you were recruited?

MNR BASSON: Dit was Generaal Joubert gewees.

MR KHOISAN: Joop Joubert?

MNR BASSON: Dit is heeltemal reg.

MR KHOISAN: And he was succeeded by?

MNR BASSON: Deur Generaal Webb.

MR KHOISAN: That is General Eddie Webb?

MNR BASSON: Dit is korrek.

MR KHOISAN: And this person, Mr J. Black, Mr Swart, it seems that we don't have a rank for him right now, also would constitute the Command element and part of the core, "binnekring" of the CCB?

MNR BASSON: Ja, dit is korrek.

MR KHOISAN: And then you would have Commandant (indistinct)?

MNR BASSON: Dit is korrek.

MR KHOISAN: Did Commandant (indistinct) hold any administrative names?

MNR BASSON: Ja, hy moes 'n administratiewe naam gehad het waar ek my nie nou aan kan herinner nie.

MR KHOISAN: Now, this man Mr Theuns Kruger, was he also known as Jacko?

MNR BASSON: Negatief, nee, dit was nie dieselfde persoon nie.

MR KHOISAN: Now, who was Jacko?

MNR BASSON: Dit was die Finansiële Bestuurder.

MR KHOISAN: The Financial Manager, the same person that we just put here as Mr J. Black?

MNR BASSON: Dit is korrek, Jaco Black.

MR KHOISAN: So Jacko is Jaco Black?

MNR BASSON: Dit is korrek.

MR KHOISAN: And according to you this man is not the same man as Theuns Kruger?

MNR BASSON: Dit is korrek.

MR KHOISAN: It is not the same man?

MNR BASSON: Nee, dit is nie dieselfde nie.

MR KHOISAN: Just for the record, how did you, at the time when you were recruited into the CCB, were you a member of the South African Defence Force, the then SADF?

MNR BASSON: Dit is heeltemal korrek, ja.

MR KHOISAN: What was your rank?

MNR BASSON: Ek was 'n Kaptein gewees.

MR KHOISAN: Captain? With which division of the SADF were you associated?

MNR BASSON: Ek was in Spesiale Magte.

MR KHOISAN: Special Forces? Did you work on specialised projects within Special Forces?

MNR BASSON: Ja, dit is korrek.

MR KHOISAN: Would it be correct to say that you worked under the command or the direction of the then Colonel Joe Verster?

MNR BASSON: Nee, nie in my aanwending in die Suid-Afrikaanse Weermag, het ek nooit onder mnr Verster gewerk nie. Daar was ander offisiere in bevel.

MR KHOISAN: Who was your direct Commanding Officer?

MNR BASSON: Dit was Kolonel Bestbier.

MR KHOISAN: Bestbier? Okay, now, in terms of your relationship to the CCB, why do you think you were selected by Mr Verster for recruitment into this organisation known as the CCB?

MNR BASSON: Ek is nie heeltemal seker wat die rede was nie. Ek het net 'n boodskap gekry dat ek hom moet gaan sien vir 'n onderhoud, wat ek

toe gedoen het in Pretoria en die aanbieding was aan my gemaak, waarna ek 'n tyd gehad het om daarvoor te dink en ek dit toe aanvaar het.

MR KHOISAN: At your interview, who were the people who conducted your job interview?

MNR BASSON: Slegs een persoon, by name mnr Verster.

MR KHOISAN: Okay, and once you accepted at what rank were you appointed, at what position were you appointed within the CCB?

MNR BASSON: Op daardie stadium was ek op my selfde rang aangestel alhoewel daar 'n salarisverhoging betrokke was, maar daar was nie 'n bevordering in terme van rang ter sprake nie.

MR KHOISAN: When the CCB was explained to you at your job interview, what did they tell you what would this organisation be concerned with?

MNR BASSON: Daar was woorde tot die effek dat die huidige situasie van so 'n aard is dat Spesiale Magte moet kyk na ander metodes van opereer, meer covert metodes aangesien die politiek van so 'n aard is dat meer openlike metodes aan die verlede behoort, en dat 'n organisasie dan nou gestig is om te kyk na so 'n moontlikheid van voortsetting van die stryd.

MR KHOISAN: Then what was explained to you in terms of your job description, that you would be conducting in terms of your recruitment to this organisation?

MNR BASSON: Ek sou as koördineerder aangestel word van, op daardie stadium, nie van 'n Streek nie. Ek bedoel, dit was nog nie aan my uitgespel watter Streek nie, maar as koördineerder.

MR KHOISAN: So you were employed as the coordinator, across the border as it were?

MNR BASSON: Ja.

MR KHOISAN: That is correct?

MNR BASSON: ja.

MR KHOISAN: Okay, now Mr Basson I would like to draw your attention to a document that I have already put to your counsel, to your defence Attorney here, the Attorney that is with you and Mr Du Plessis, and that is the "Harms Kommissie Verslag - Generaal Majoor J.A. Kloppers". This morning when we arrived at the table, I informed you that we will be using this document which we had sent to you and you confirmed that you had that in your possession?

MR DU PLESSIS: Yes, let me just see, is it part of my file? The one we got yesterday or not?

MR KHOISAN: No, this is part of the stuff that was sent to you and when I brought the document to you, you confirmed that you had it in your possession?

MR DU PLESSIS: Yes, yes, I just have to find it in my files, just a moment.

MR KHOISAN: Okay. And in fact I would like to address your attention to page 2 of that document.

MR DU PLESSIS: Sorry, I have some parts of the Harms Commission of my own here, so I find it a bit difficult to find that specific document at the moment.

MR KHOISAN: All right, while you are looking for the document maybe we can actually hand this document to the witness, because the material is well-known. I just want to address your attention to page 2 of this document which you confirmed that you actually had in your possession, but the document is right here and the content is known to me sir.

If you can just show the witness page 2 of that document.

MR DU PLESSIS: Thank you very much, I am sorry about that.

MR KHOISAN: Can you just show the witness?

MNR BASSON: Thank you.

MR KHOISAN: Okay, on page 2 of this top secret report of Major General Kloppers to the Harms Commission, about the CCB, there is a discussion there about Regions. Is that an accurate description about the Regions of the CCB Mr Basson?

MNR BASSON: As u my sal tyd gee, sal ek net deur dit lees en dit vir u bevestig.

MR KHOISAN: Okay.

MNR BASSON: Ja, dit is korrek volgens my herinnering.

MR KHOISAN: Okay, and in terms of those particular Regions, maybe you can start at Region 1. I will ask you for Region 1, you will read it into the record. What is Region 1 Mr Basson?

MNR BASSON: Streek 1 met Botswana as gebied.

MR KHOISAN: Okay, now who was the Coordinator of Region 1 Mr Basson? Who was the key person in Region 1?

MNR BASSON: As ek reg onthou was dit mnr Heine Muller gewees, was die Streekbestuurder.

MR KHOISAN: Heine Muller?

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay, and in Region 2 Mr Basson, can you read Region 2 into the record?

MNR BASSON: Streek 2 was mnr (onduidelik) as Streekbestuurder.

MR KHOISAN: That is Commandant (indistinct)

MNR BASSON: Korrek.

MR KHOISAN: And Region 3? And what is Region 3?

MNR BASSON: Streek 3 is Lesotho, ek kan nie my herinner aan wie die persoon verantwoordelik was vir Lesotho nie.

MR KHOISAN: And maybe we can get to that at a later stage?

MNR BASSON: Moontlik.

MR KHOISAN: Region 4? What is Region 4 Mr Basson?

MNR BASSON: Streek 4 is Zambië, Angola en Tanzanië.

MR KHOISAN: And who was responsible for Region 4?

MNR BASSON: Ek praat onder korreksie, ek dink dit was ook mnr (onduidelik), dit is ook 'n moontlikheid dat mnr Muller daar was, maar ek is onder die indruk dit was mnr (onduidelik).

MR KHOISAN: Okay and in terms of Region 5, what is Region 5?

MNR BASSON: Streek 5 is Europa en die res van die wêreld as 'n gebied.

MR KHOISAN: And who was responsible for Region 5?

MNR BASSON: Streek 5 was mnr Verster, by name, verantwoordelik.

MR KHOISAN: Okay, Region 6, that was local region South Africa?

MNR BASSON: Ja, dit was mnr Burger.

MR KHOISAN: That is for the record Mr Staal Burger?

MNR BASSON: Dit is korrek.

MR KHOISAN: Region 7?

MNR BASSON: Streek 7 was ...

MR KHOISAN: And what is Region 7?

MNR BASSON: Streek 7 was Zimbabwe. Ek is nie seker die persoon daar verantwoordelik nie. Dit is moontlik dat dit mnr (onduidelik) is en dan dat dat Streek 4 wel mnr Muller was. Ek is net nie seker tussen Streek 4 en Streek 7 wie die verantwoordelike persone was nie.

Dit is moontlik dat dit net die twee verantwoordelike persone daar omgeruil het.

MR KHOISAN: Okay, now Region 8, what is Region 8 Mr Basson?

MNR BASSON: Streek 8 is Namibië. Met die verantwoordelike persoon mnr, ek kan net sy voornaam Frik, onthou. Mnr Frik, ek is nie seker wat sy van is nie.

MR KHOISAN: Okay, and in terms of the two Administrative Regions, Region 9, what is Region 9?

MNR BASSON: Streek 9 is Sosiaal Maatskaplike Steun aan die Organisasie. Ek is nie bewus van 'n Streek 9 nie.

MR KHOISAN: Would that be the Intelligence Support Component?

MNR BASSON: Nee, ek ...

MR KHOISAN: Intelligence/Administrative Support?

MNR BASSON: Mnr die Voorsitter, ek is nie seker wat Streek 9 behels nie. Ek dink dat dit meer te doen het met administratiewe ondersteuning.

MR KHOISAN: And who would have been the person who would have dealt with most of the key administrative matters of the Civil Cooperation Bureau?

MNR BASSON: Dit was 'n persoon met die naam van - as ek miskien net later kan terugkom na u - ek kan nie sy naam nou herroep nie. Ek sal u netnou as dit my byval, sê.

MR KHOISAN: Okay, fine and then Region 10 which is the Financial Support of the organisation, who handled that Region?

MNR BASSON: Dit was mnr J. Black.

MR KHOISAN: The person known as J. Black? Okay, can I please get the document back? Okay, thank you very much. Now, in terms of ...

MNR BASSON: Ekskuus, daardie vorige een was 'n persoon met die naam van Andrew.

MR KHOISAN: Andrew and during the course of this discussion and this interview, you tried to remember the last name? Now this Andrew person handled the administrative, the last one Region 10?

MNR BASSON: Ja, dit was die Finansiële Streek, dit was mnr J. Black.

MR KHOISAN: Mr J. Black, also known as Jacko?

MNR BASSON: Dit is korrek.

MR KHOISAN: Jaco. And Region 9 is the person known as Andrew?

MNR BASSON: Dit is korrek.

MR KHOISAN: The full name we will try to get to later?

MNR BASSON: Ja, dit mag moontlik later in dokumentasie tot my beskikking my herinner aan die volle naam.

MR KHOISAN: Okay, now in terms of this particular situation known as the CCB, when you became involved in the CCB in 1987, did you know of a document that had been drawn up or did you ever see a document that had been drawn up by Mr Verster which was essentially his "jaarbepanning vir 1987"?

MNR BASSON: As u miskien vir my die dokument kan wys, dan kan ek vir u daarop sinvol antwoord. Ek dra nie kennis van die ...

MR KHOISAN: Okay, it is, in fact let me address you and let me address your legal representative to Annexure 1 and it is "BSB Samewerkingsburo", it is a top secret document.

MR DU PLESSIS: Sorry Mr Chairman, is that now again the document we have just had a look at?

MR KHOISAN: No, this is another document. This is a document, the earlier document is the report of the Major General Kloppers.

MR DU PLESSIS: Fine. Thank you I found it now.

MR KHOISAN: Okay.

MR DU PLESSIS: Page number?

MR KHOISAN: Now in terms of that particular document, I would refer you to, in fact let us go to an area called of that document, I want you to page to, it is in the middle of that document, about 20 pages in.

It is a document that deals with the "jaarbepanning, BSB jaarbepanning, 1987". It is a document of 7 November 1986. Do you have that document in front of you sir?

MR DU PLESSIS: We have it.

MR KHOISAN: Okay, and can you read into the record, the CCB order for 1987? It is listed as point 3(a)?

MNR BASSON: Goed. Punt 3 gaan oor spanbou. Punte ten opsigte van BSB, paragraaf (a). BSB opdrag vir 1987. BSB moet deur covert operasies enige vyand van die binne- en buitelands maksimaal ontwig. Hier is 'n deel van die sin wat nie duidelik uitgekome het met die fotostatering nie.

MR KHOISAN: Okay, and in terms of your understanding of the words "maksimaal ontwig", what was the translation given to you as a core member and a member of the "binnekring" of the CCB? What did that mean?

MNR BASSON: Dit het presies beteken wat by paragraaf 6, subparagraaf (k) vir ons uitspel. Ontwrigting word as die volgende beskou: "dood, infiltrer, omkoop, vernietig en kompromitteer", is die hoof onderwerpe rondom ontwrigting.

MR KHOISAN: And would it be correct to say that as part of the foundation of this organisation as stated in point 4 "vyande van die Staat", that the following persons, organisations or instruments in civil society would be considered as instruments of the State?

MNR BASSON: Ja, dit is korrek soos dit (onduidelik)



MR KHOISAN: Okay, and who were the enemies according to you and according to the organisation of which you were a part?

MNR BASSON: Dit het eerstens gegaan oor die Suid-Afrikaanse Kommunistiese Party, die ANC, die UDF, die PAC, enige verwante front organisasies en dan daardie magsbasisse van die Staat waarbinne rewolusionêre bedrywighede van die RSA bedreig was deur genoemde organisasies en dan selektiewe optrede teen gasheerlande was dan sodanige organisasies huisves om hulle dan te bereik.

MR KHOISAN: Now in point 4 (a)(ii), the ANC in parenthesis "spesifiek diegene op die lys". Okay, who was on that list and what was that list?

MNR BASSON: Ek het nooit 'n lys gesien met spesifieke ANC prominente lede op 'n lys nie. Ek het wel in my aanwending later, het ek lyste gesien, maar dit was nie 'n spesifieke teikenlys as sodanig nie.

MR KHOISAN: Can you just give us, to help us along, can you just in terms of the list that you did see and the names that you do remember, for the purposes of us having a fuller picture, can you give us the names of the persons on the list that you did personally see?

MNR BASSON: Ek kan miskien net vir die rekord sê Mnr die Voorsitter, dat hierdie spesifieke dokument was nooit tot my beskikking, in my aanwending in die BSB nie.

Wat ek nou vir u voorlees is wel aan ons oorgedra, dit is dan nou hoekom ek dit nou so antwoord. As u vir my vra na spesifieke lyste, dan kan ek nie vir u eers spesifieke name onthou op hierdie stadium nie.

MR KHOISAN: Okay, do you remember at any point making any entry into your diary about "binnelandse teikenlys"?

MNR BASSON: Ja, dit is korrek.

MR KHOISAN: And now, who was on that "binnelandse teikenlys"?

MNR BASSON: Kan u net vir my die datum gee van die inskrywing?

MR KHOISAN: Just give me a second. We have taken the time to go through and organise the diary in such a way that it will be accessible. It is typed up and stuff so just give me a second, I will get to that particular list.

Maybe while we proceed, while I am looking for that particular entry in the - we can discuss another matter as we proceed. In terms of the persons that had access to this, according to your understanding of the organisation, this memorandum "die BSB jaarbeplanning 1987", this went to HQ OPS?

MNR BASSON: Ja, as u na die eerste paragraaf kyk, dan sê die dokument dat tydens 'n onlangse spanbou saam met die Bevelvoerende Generaal Spesiale Magte is beplanning ten opsigte van BSB gedoen.

So wat ek aanneem is dat hierdie beplanning is op senior vlak is dit dan nou breedvoerig beplan en nie op my vlak sodanig nie.

MR KHOISAN: Okay, but you would have, you were the Coordinator, so you would have essentially been part of or constituted to some degree the Command element of the CCB, besides the Chairman and the Managing Director, the Chairman being Joop Joubert, General Joop Joubert, the later Chairman being General Eddie Webb, the Managing Director being Joe Verster.

Then we deal with this person that is J. Black, Jaco and a couple of other people and then you had a coordinating function so you would essentially have been part of the inside circle and would have had insight to a greater degree than other persons, for instance Slang van Zyl, to documentation or knowledge or the functions of the organisation?

MNR BASSON: Goed, ek wil net vir u reghelp in die sin dat die bestuursvlak was hoofsaaklik van Streekbestuurder af boontoe, met ander woorde Koördineerders het onder Streekbestuurders gesorteer.

En daardie opsig was Koördineerders nie altyd deel van die oorhoofse doelwit beplanning nie. Koördineerders het meer 'n administratiewe en dan ook 'n skakelfunksie gehad tussen die binne- en die buitekring.

So net om my te herhaal dan, dat op bestuursvlak het ons gekyk na van Streekbestuurders af boontoe.

MR KHOISAN: So in terms of your role, you played a coordinating function, but that involved what - an administrative coordination or also a coordination in terms of financial and operations?

MNR BASSON: Ja, dit is korrek. Soos ek aan u verduidelik het, hoofsaaklik administratiewe funksies en dan ook skakeling in samewerking met die Streekbestuurder by sekere geleenthede met die Besturende Direkteur.

MR KHOISAN: Okay, so instead of us just going through and searching through and isolated part of the diary, maybe we should begin at the diary from page 1.

While we are on the diary, you recognise this diary and just so that you can - if there is going to be any question of the diary, we have the original in front of us here.

MNR BASSON: Dit is nie nodig om te wys nie, ek herken hom.

MR KHOISAN: Okay. Now, this is the diary of Christo Britz. Now, on the 3rd of January 1989, we have the year planner, special marking for 20-08-1989, as well as 22 - 27-08-1989, what is that about?

MR DU PLESSIS: Sorry Mr Chairman, we are just going to - I think, may we have the original, it may be easier if you see it physically in the handwriting to gather what it was?

MR KHOISAN: Sure.

CHAIRPERSON: Shall the original diary be handed to the witness.

MR DU PLESSIS: Thank you Mr Chairman.

MR KHOISAN: Okay?

MR DU PLESSIS: We are ready.

MR KHOISAN: Do you recognise that handwriting there Mr Basson?

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay, and that marking for 20-08-1989, what is that sir?

MNR BASSON: O okay.

MR DU PLESSIS: Sorry, we are just trying to find the physical inscription in the diary itself. Sorry the first inscription we find here is on the 3rd of January. The year planner, is it a bit back or ...

MR KHOISAN: Okay, let's just start here on the 3rd of January, that is the first place that you find an entry. On the 3rd of January, there is an

entry there "trek geld" and about some study that is going to be done and the amount is R7 444-00. "Bedryfskoste R5 000-00"? Do you have that?

MNR BASSON: Ja, ek is by u Mnr die Voorsitter.

MR KHOISAN: Okay, what was that for?

MNR BASSON: Ek kan nie spesifiek onthou waarvoor dit was nie. Ek maak 'n afleiding dat dit verband hou met 'n buitelandse projek waar 'n persoon met die naam van Fred betrokke was.

MR KHOISAN: Okay, Fred features very often so maybe we should actually begin by asking you if you can tell us who is Fred and in which Region he was operational?

MNR BASSON: Mnr die Voorsitter, Fred was 'n persoon in beheer van 'n buitelandse projek. Die persoon het direk onder my gesorteer, was nie deel van Mnr Staal Burger, onder sy leierskap nie.

Dit het suiwer gegaan oor 'n projek wat spesifiek met betrekking op die buiteland daargestel was.

MR KHOISAN: Which foreign project was that sir? Crawler?

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay, and just in terms of dispelling this thing, can you give me the identity of Fred? One Fred, was he a member of the SADF? Was he one of the Special Forces members who had been brought into the thing?

MNR BASSON: Nee, ek is nie seker van sy verlede nie. Ek dra nie kennis van sy betrokkenheid in die Weermag nie en ek is ook nie seker wat sy regte naam is nie.

MR KHOISAN: Okay, this Fred, what was his position in Crawler, was he the coordinator of Crawler?

MNR BASSON: Negatief, hy was - ek was dan ook sy koördineerder in daardie opsig. Hy was die Projekhanteerder van die projek.

Met ander woorde hy was in beheer van die spesifieke item in die projek.

MR KHOISAN: Okay, now in terms of Project Crawler, Project Crawler and I am going to put it to you that Project Crawler was specifically related to a Project connected to Region 7, is that correct?

MNR BASSON: Die aanvanklike doel van Projek Crawler, ja, het wel 'n konneksie gehad met Streek 7.

MR KHOISAN: Did Crawler, let me put it to you and you can confirm, Crawler was also part of a Project to break some people out of prison in Zimbabwe?

MNR BASSON: Mnr die Voorsitter, ek voel ek het 'n ernstige probleem rondom projekte wat handel oor die buiteland as sodanig. Dat ek verkieslik nie daaroor antwoorde wil lewer nie.

MR DU PLESSIS: Mr Chairman, I may just say that as the case with Mr Van Zyl, my instructions here are the same that Mr Basson wants to avail himself to his right to privilege, not to answer questions which is self incriminating and especially relating to foreign incidents and if we can deal with the matter now, I will briefly address you about this.

I don't want to take up unnecessary time, I have got a summary of what our argument is, but except that obviously as I have stated yesterday as well, we are willing to help this commission regarding the answering of

any questions concerning domestic issues, or domestic incidents, but at this stage we are not willing to answer any questions relating to foreign incidents.

As you will see, we are trying to assist as far as possible, where it concerns the identity of people etc, we can go to a certain extent in answering questions, but when it comes to specifics and to aspects relating to incidents which happened, like the one mentioned now, my instructions are that the client prefers not to answer that.

CHAIRPERSON: Very well. Maybe let's deal with this matter now so that we can dispose of it. Mr Khoisan are you ready also to present argument in reply?

MR KHOISAN: Yes, thank you Mr Chairman. Mr Chairman, the witness Mr Wouter Basson, has been called to answer questions ...

CHAIRPERSON: No, no, let us have the application first and then you can, I was just asking you if you are ready with argument.

MR KHOISAN: Yes, I am. Yes, I am Mr Chairman.

CHAIRPERSON: Can you then formally take your application Mr du Plessis?

MR DU PLESSIS: Thank you Mr Chairman. I may just mention in passing that we are not raising the point that Mr Basson had not been subpoenaed to answer questions about the diary obviously, he has been.

The point we are taking then is that he has claimed privilege. Briefly the argument then goes as follows that before Mr Basson could be forced to answer questions which are incriminating, we have to refer, the Commission will have to refer to Section 31 of the Promotion of National

Unity and Reconciliation Act, 31 of 1995, which then briefly states that the witness is compelled to answer questions with regard to subject matter which are self incriminating.

But then this is made subject to the provisions of Section 31(2) (a), (b) and (c), those provisions will have to be complied with as well as those contained in subsections (3) and (5).

Now, regarding Section 31 (2)(a), we have yesterday been supplied with certain documentation which relates to certain consultations which did take place between the Chairman inter alia and the Attorney General in Gauteng, Pretoria, actually the old Transvaal, Mr D'Oliveira. Now, I have scrutinised those documentation.

What I wish to remark is the following, that there seems to be no specific consultation about specific incidents in foreign countries and where for instance it relates to the incident which is mentioned here now, people being assisted to escape from Zimbabwe, I could find no specific consultation between this Commission and the Attorney General about this specific incident or any other specific incidents which happened in foreign countries.

I therefore would have to submit that it seems to me that paragraph 2 (a) has been perhaps paid lip service, with all due respect Mr Chairman, but has not been complied with in the sense that there are no specifics in any of the documentation supplied to me or any other letters answering to letters of this Commission by the Attorney General, Mr D'Oliveira.

Now, I also cannot at this stage concede, I am not in a position to concede, that the particular Attorney General who has jurisdiction,

because that is what is mentioned in Section (2)(a), the Attorney General who has jurisdiction, I cannot concede that the Attorney General in Pretoria would for some reason have jurisdiction as far as for instance this incident which Mr Khoisan refers to now is concerned.

So I would therefore submit that subsection (2)(a) has not been, or the provisions therein has not been applied. Then as far as Section 31 (2)(b) is concerned, the Commission has to satisfy itself that to require information from Mr Basson as is required from him now by Mr Khoisan, is reasonable inter alia in an open and democratic society.

Now, I do concede Mr Chairman, that this Commission may inquire about gross violations of human rights, I quote actually from the heading of the Act within or outside the country. But if this Commission is to insist on an answer from Mr Basson which could incriminate himself, and where he so indicates as he does at the moment, it will have firstly, it will have to have reason to believe that these incidents relate to gross violations of human rights.

Now, I would submit to for instance assist a person if Mr Basson was then involved and it is not only direct involvement which could incriminate him obviously, but also in the sense that he was part of an organisation and could be held liable on the basis of common intent, but if he is to be held liable or to be forced to answer questions in that regard, the Commission will have to find that these relates to gross violations of human rights.

I would submit that to refer to assisting people escaping from prison, could not be described as violation of human right, and especially

not a gross violation of human rights. So any questions directed Mr Basson about matters in foreign countries or incidents which took place, will first have to qualify as gross violations of human rights, before we could be forced to answer to that and then obviously my argument will now stretch to other aspects which will have to be taken into consideration.

The witness will obviously expose himself to prosecution on contravention of other statutes regarding secrecy relating to legislation regarding the South African Defence Force. Mr Chairman, you are also aware of the fact that the South African Defence Force specifically has denied any, or declined to make any comment regarding cross-border operations.

The Managing Director, ex-Managing Director, Mr Joe Verster, appeared before you earlier this week. He refused to answer any questions regarding such incidents. Now, I submit that in view of that fact, the fact that the South African Defence Force, the senior Officers also declined to make any comment or admit to any cross-border operations, in the circumstances it would be unfair of this witness who is ranking much lower to expect from him to answer these questions.

Furthermore, I wish to point out that at least in one incident relating to the late Advocate Anton Lubowski, there was an inquest held in a neighbouring country, Namibia, where this specific witness was one of the people held liable in terms of the judgement in that matter for the death of the late Adv Anton Lubowski and that in judging whether it would be reasonable to force this witness to answer questions about any such

incidents which happened in a foreign country, you will have to take into consideration Mr Chairman, whether it is reasonable, and I submit that it will not be reasonable, also in terms of our constitution and what I want to refer to here is specifically the constitution where it refers to the right against self incrimination.

That right is granted to this witness by the constitution and obviously he wants to avail himself of that right. And although this specific Act grants the discretion to you as Chairman, to force him to answer to these questions, this is not a blank discretion.

And that I submit is why subsection (2)(b) was enacted. You will have to judge Mr Chairman, whether it is reasonable in view of what could happen, what ill-effects this witness could suffer because of your decision to force him to answer to self incriminating questions and you have to balance it then against the need for him to answer these questions.

Now, where it pertains to questions like the one my learned friend, Mr Khoisan now referred to, that being assisting people to escape from prison. I cannot see, I fail to see how it possibly could be said that it is in anybody's interest to force this witness to in spite of his right to refuse self incrimination in terms of our constitution, which is enacted in an open and democratic society, as the subsection also refers to, how it would be said that it is in the interest of anyone, and specifically this witness to answer to such questions.

They as I have already pointed out, this specific question does not relate to any gross violation and could not relate to any gross violation of human rights. Certainly it would be a crime to assist a person in another

country to escape from prison, but certainly it could not violate anyone's human rights.

Then the further aspect is Mr Chairman, it is so that Section 31 (3) stipulates that any information obtained in terms of Section 29 is not admissible against any one in a court of law. We take notice of that, but I am afraid that this argument cannot carry the day if Mr Khoisan wants to rely on that, to say that this witness should be forced to answer these questions. The reason for that is very simple.

In my view, this witness can only be compelled to answer these questions if this Commission is in a position to enforce Section 31 (3) in a foreign country. Now, we submit that in matters relating to incidents in foreign countries, the Commission cannot enforce this subsection and therefore, simply cannot compel the witness to answer and I wish to emphasise again that Section 31 (1) is specifically made subject to Section 31 (3) which relates to incriminating answers which cannot be used in any court of law.

Now, therefore my argument is if this Commission cannot enforce this subsection, then it cannot force the witness to answer such questions. Now, it can be argued Mr Chairman, that Section 29, subsection (5) comes to the assistance of this witness in that it offers a safeguard in the sense that the Commission cannot or can order any information given to this Commission, especially in this inquiry, not to be made public.

Now, that unfortunately I have to submit, does not hold water and cannot come to the comfort of this witness in the sense that the Commission cannot bind itself not to disclose and if I may quote from

Section 29, subsection (5), it says "and the Commission may having due regard to the principles of openness and transparency declare that any article produced or information submitted at such investigation, shall not be made public." It doesn't stop there Mr Chairman, it proceeds "until the Commission determines otherwise, or in the absence of such a determination, until the article is produced at a hearing in terms of this Act or at any proceedings in any court of law."

This is no absolute discretion with all due respect, Mr Chairman, you cannot today make an order that any information given to this inquiry today, will not at any stage be made public and if that is the position Mr Chairman, then simply it boils down to this, that the witness will be at mercy of the Commission for ever and a day in the sense that the information can be made public at a hearing of the Commission later or in a court of law.

Well, obviously one could revert to Section 31 (3) then and say that it is not admissible in a court of law in the Republic of South Africa, but unfortunately no court in a foreign country could be bound, and that is exactly what Mr Khoisan now seeks to do. He wants this witness to talk and give information about people escaping from foreign prisons, people apparently aided by the South African Defence Force and I submit that even if you could make an order that such information can at no stage be made public, this information could illegally be obtained.

Any one could for instance steal a record and such information unlawfully or illegally obtained, from this Commission by a foreign power or foreign court, would be admissible in such a court and therefore this

witness will have no proper protection if he is forced to answer to questions like these.

In the premises I submit that especially in view of subsection 31 (2)(b), you should in fairness to the witness, find that it is not reasonable to expect of him to answer any questions relating to foreign incidents. That is incidents which did not happen in the borders of the Republic of South Africa. Thank you Mr Chairman.

CHAIRPERSON: Thank you Mr Du Plessis. Mr Khoisan?

MR KHOISAN: Thank you Mr Chairman. In respect of the argument presented by Mr Basson through his counsel in respect of this particular matter, I would of course once again point Basson to Section 31 (3) and Section 29 (5), which I believe is quite adequate protection and should give him some comfort.

But nevertheless, in terms of the reason Mr Britz has been called to testify and in terms of the subpoena, the terms of the subpoena in which he has been called, he has been called specifically to answer questions regarding document called "Christo Britz se dagboek vir 1989".

That is the matter that we are dealing with here. All of these entries relate to a lot of this questioning that we are dealing with now, relates to entries in "die dagboek van Christo Britz". But nevertheless, the person has been called to answer questions here at this hearing because we as the Investigative Unit, are trying to move to build on and to make sure that we fully comply with our mandate and that is, part of our mandate is put out here in Chapter 2, Section 3 (1)(a), which is that we have to

"establishing as complete a picture as possible of the causes, nature and

extent of gross human rights violations which were committed during the period 1 March 1960 to the cut off date, including the antecedents and circumstances, factors and context of such violations, as well as the perspectives of the victims and the motives and perspectives of persons responsible for the commission of violations by conducting investigations and holding hearings and also with that (d) compiling a report providing as comprehensive an account as possible of the activities and findings of the Commission contemplated in paragraphs (a) and (b) and (c) and which contains recommendations of measures to prevent future violations of human rights".

And this is to make sure that this situation which obtained in our country from 1960 to the cut off date, never, ever happens again and that is why we need to get to all the places, people and institutions to understand how this thing was set up, what was involved, how it was conducted and where it was conducted.

And also in terms of that, Chapter 2, section (4)(a)(i) to (v), the functions of the Commission shall be to achieve its objectives and to that end the Commission shall (a) facilitate and where necessary initiate and coordinate enquiries into (i) gross violations of human rights including violations which were part of the systematic pattern of abuse, (ii) the nature, causes and extent of gross violations of human rights, including the antecedents circumstances, factors, contents, motives and perspectives which led to such violations, (iii) the identity of all persons, authorities, institutions and organisations which were involved in such violations, (iv) the question which such violations were the result of deliberate planning

on the part of the State or former State or any of their organs or of any political organisation, liberation movements or any group or individual and (v) accountability political or otherwise for such violations."

We are empowered to conduct these inquiries because at our initiative or also at the request of any interest party and that is made very clear in terms of Section 5(m) on its own initiative or at the request of any interested person inquire or investigate into any matter including the disappearance of any person, persons or groups of persons and it is just going further on that in relevant to (5)(m) we also draw the attention of the witness and counsel to (4)(b).

And that is (4)(b), and that is to facilitate and initiate or coordinate the gathering of information and the receiving of evidence from any person including persons claiming to be victims of such violations or the representatives of such victims which established the identity of victims of such violations, or their fate or present whereabouts or the nature and extent of harm suffered by such victims.

And also by Section 14 (a)(2), and I am nearly finished Mr Chairman ...

CHAIRPERSON: No, go ahead. Make your argument as fully as you can.

MR KHOISAN: Okay sir. And also Sections 14, that is 14 (a)(2), that is together the information and receive evidence referred to in Section 4(b) which we have already dealt with. And 14(a) which states that for the purpose of achieving the goals of the Commission, the Commission may

gather the evidence and receive the evidence referred to in (4)(b), that is what I just put to you.

And also with regard then to the issue of the fact that this act may have been committed outside the country or the Act that is under consideration here, or the information that we serve to find information about, may be connected to an Act which could have brought the people who were in prison in Zimbabwe at the time, in prison, alleged to have committed gross human rights violations.

The person here in front of us, the witness in front of us is quite entitled to apply for amnesty in respect of this Act and that is pointed out in Section 20(2). And Section 20(2) says very well that in this Act unless the context otherwise indicates, "act associated with political objective means any act or mission which constitutes an offence or derelict which according to the criteria in subsection (3) is associated with a political objective and which was advised, planned, directed, commanded, ordered or committed within or outside the Republic during the period 1 March 1960 to the cut off date."

And therefore to expedite our work and to enable the Investigative Unit to fulfil this mandate, we ask that you Mr Chairman, make a ruling to compel the witness to answer all questions and as has been pointed out in Section 31, any person who is questioned by the Commission in the exercise of his powers, or who has been subpoenaed to give evidence or to produce any article at a hearing or commission, shall subject to the provisions of subsection (2)(3) and (5) be compelled to produce any article or answer any question put to him or her with regard to the subject matter

of the hearing, notwithstanding the fact that the article of his or her answer may incriminate him or her."

And you know, we go then from there to Section 39. Section 39, Offences and Penalties. Section 39(e), "having been subpoenaed in terms of this Act without sufficient cause, refuses to answer ... fails to perform as required in terms of Section 36 and Section 38." Basically we point counsel to Section 39, which is a list of offences and penalties and we ask Mr Chairman, that you make a finding, a ruling, in this regard which will compel this witness to answer all questions put to him, subject to the subpoena that he has received and confirmed receipt thereof and make a ruling that especially in terms of the subpoena and in terms of this inquiry, this witness be moved to answer all questions put to him and if he doesn't answer these questions, that he incurs the necessary penalties for offences that have occurred.

CHAIRPERSON: Anything in reply Mr Du Plessis?

MR DU PLESSIS: Yes, Mr Chairman, I can just perhaps say that our view is that this Commission is not empowered to grant amnesty regarding any crime, although the Act may stipulate so which was committed in a foreign country, it has already been decided by our courts.

This Commission can therefore not grant any protection to my client in that regard, he could be extradited if so requested by any foreign country and then I return to Section 31 (3) Mr Chairman, and my argument is simply this, you cannot find that with all due respect, that Section 31 (3) has been or can be complied with and that is a specific condition of Section 31 (1), you have to comply with Section 31 (3) and you cannot

find that this Commission can enforce subsection (3) in the sense that you cannot bind any foreign power not to ask for extradition of my client and to be tried in such foreign country and that as far as I am concerned, concludes the argument, thank you Mr Chairman.

CHAIRPERSON: Thank you Mr Du Plessis. Mr Magadla?

MR MAGADLA: Thank you Mr Chairman. The argument is that questions which seek to incriminate the witness, Mr Basson, the argument is around those that seek to incriminate him, but ours is an inquiry into these matters, not necessarily to incriminate him.

Now, I don't also think that the Act allows him protection from answering questions which do not incriminate or which do not seek to incriminate him. And as it has been said from the beginning that this is an inquiry into these matters, we have these foreign countries into which Mr Basson had a hand in terms of his coordination and in terms of his liaison to the Regions therein which in its own does not necessarily incriminate him in anything.

And if we agree on Mr Basson being here as well to assist the Commission, there could be matters as we have said that we could go into those foreign countries, deep into them, but without ever getting into matters which incriminate him personally.

Which matters could also assist us in the investigation, if he were to be willing to answer questions with regards to those matters. Now, those are my two points.

MR DU PLESSIS: Mr Chairman, if I may just briefly answer to that. My submission would again be, with all due respect to Mr Magadla, that

obviously these questions should relate to gross human violations, we cannot go here into a safari into Africa regarding anything done there, any mischief done there which does not relate to gross human right violations.

So, and I specifically point again to the question asked by Mr Khoisan, how on earth does that relate to gross human right violations? Now, it may be sensational, it may be mischief, it may point to mischief done by the South African Defence Force in another country where people are helped to escape from prison, but with all due respect it doesn't, this Act does not empower this Commission to enquire into such matters which does not relate to gross human right violations, it must first find that it does relate to such violations, before we can even proceed with the argument.

But may I just say to Mr Magadla, that our intention by coming here today is to assist this Commission as far as possible in answering all questions and supplying all information that you do need, but unfortunately in view of my argument and in view of the very real worry which my client has, that he will open himself up to extradition to other countries and that he will have no support and it is apparent that he will have no support from the South African Defence Force in the process against the extradition or from the Government or from any other party for that matter, he cannot open himself to self incrimination regarding such incidents which did not happen in the borders of the Republic of South Africa and where this Commission can, in terms of the powers vested in yourself Mr Chairman, can protect my client, regarding actions or incidents which happened within our borders, he is here to fully cooperate.

MR KHOISAN: Mr Chairman, I would submit that that the persons who were supposed to have been broken out of prison, were members of the CCB, Zimbabwe is Region 7 of the CCB and without us and Project Crawler is connected to breaking people out of prison who were members of the CCB.

The CCB, and we have already dealt with the document earlier today, which is "die jaarbeplanning vir 1987", which has been dealt with in the record, and one of the aims and objectives of the CCB as stated there which would be to bring this "maksimale ontwrigting" outside the borders of the country to guest countries and that the CCB was divided into ten Regions.

Only one of which was physically inside the borders of South Africa. Two which were administrative Regions and the rest of it were all outside the borders of the country and if this, if we are only on page 1 of the document that the witness has been called to answer, and we are already hitting a snag. It is going to be much more difficult further on because a lot of this diary is outside the country.

And if we are going to start right at this outset having to exceed to counsel's argument, I don't see any purpose for having a discussion about this very important document. Mr Basson was the Coordinator of the CCB, he had liaison with and contact with all members, various members outside the borders of the country, in various Regions.

There are various entries in his diary which refer to acts or situations outside the borders of this country and I believe that the best thing we can do is to appeal to the Chairman of this hearing to make a

ruling in respect of this because in terms of offences and penalties, I believe it is important that Section 39(d) be taken into consideration, (d)(i), that is the witness, I believe the witness hinders the Commission, any Commission or staff of the Commission in the exercise, performing or carrying out of his, its, her powers, functions or duties under this Act.

And I believe that he has not provided us as pointed out in (e) with the information which is under his possession and under his control, which will help the country in forming as broad a possible picture of gross human rights violations, and there is also the issue that has to be taken on, and it can be pointed out by counsel, this emotional argument, but that is the issue of statements that have been brought to this Commission by witnesses who claim to have been victims of gross human rights violations, outside the borders of the country and the Investigative Unit has a mandate to pursue any inquiry which would be able to furnish them with as full a picture of the offences which had been committed, which may have led to gross human rights violations committed against such persons.

And so our position as the Investigative Unit Mr Chairman, is that we call upon you to rule in this respect.

CHAIRPERSON: This is a convenient time for us to take tea and I will make my ruling when we come back from tea. We adjourn until 11:00 am.

COMMISSION ADJOURNS

ON RESUMPTION:

CHAIRPERSON: Can we resume?

R U L I N G

There is an application made by the witness through his lawyer for him not to be compelled to answer questions that are put to him insofar as these questions relate to events, acts, commissions and or offences or anything at all that has occurred in a foreign country.

The rational for this application is that in a sense, once a witness is prepared to cooperate in so far as events relate to matters that occurred inside South Africa, his interest would be prejudiced from the point of view of prosecution if he were to divulge information to this Commission on issues related to foreign jurisdictions which cannot be bound by the provisions of this Act and which jurisdictions can in fact apply for the extradition of the witness to those jurisdictions in the event there is evidence that has become available in these proceedings on the basis of which he can be prosecuted.

The authority for this (indistinct) seems to be Section 31(2) of the Act. And the proposition is put as follows that before this particular accused person, I mean particular witness can be compelled to answer questions, should be in the circumstances where the Attorney General having jurisdiction has been consulted in terms of Section 31(2).

And where this Committee is satisfied that such information as is required from such a person, is reasonably necessary and justifiable in an open and democratic society based on freedom and equality.

And that such a person's refusal, is liked to refuse to answer a question to produce an article on the grounds that such an answer or article might incriminate him or her. The argument is that before then, the witness can be compelled to answer a question. Firstly it should be shown

that the question seeks information that has a bearing or relevance on gross violation of human rights.

The authority for this seems to flow from the preamble of the Act which provides for the investigation and establishment of as complete a picture as possible of the nature, causes and extent of gross violations of human rights committed during the period 1 March 1960 to the cut off date, contemplated in the constitution within or outside the Republic of South Africa emanating from the conflicts of the past.

Gross violations of human rights is defined in the Act as the killing, abduction, torture or severe ill-treatment of any person or any attempt, conspiracy, incitement, instigation, command or procurement to commit an act referred to in paragraph (a).

It seems to me a proper approach to what the Commission's mandate is, should be to examine the objectives of the Commission, the functions of the Commission and the powers of the Commission.

For present purposes the objective of the Commission as set out in Section 3, in particular Section 3 (1)(a) namely to promote National Unity and Reconciliation in a spirit of understanding which transcends the conflicts and divisions of the past. This must be done by establishing as complete a picture as possible of the causes, nature and extent of the gross violations of human rights, which were committed during the period 1 March 1960 to the cut of date including the antecedence circumstances, factors and conducts of such violations as well as the perspectives of the victims and the motives and perspectives of the persons responsible for the

commission of the violations by conducting investigations and holding hearings.

Section 3(2) states in terms that the provisions of the Section that I have just referred to shall not be interpreted as limiting the power of the Commission to investigate or to make recommendations, concerning any matter with a view to promoting or achieving National Unity and Reconciliation within the context of this Act.

The functions of the Commission are stated as being to achieve its objectives to which end the Commission shall facilitate and where necessary initiate or coordinate inquiries into gross violations of human rights, including violations which were part of a systematic pattern of abuse.

Nature, causes and the extent of gross violations of human rights, including the antecedence, circumstances, factors, context, motives and perspectives which led to such violations. The identity of foreign persons, authorities, institutions and organisations involved in such violations.

The question whether such violations were the result of deliberate planning on the part of the State or a former State or any of their organs or any political organisation, liberation movement or other group or individual and accountability politically or otherwise, for any such violation.

(b) Facilitate, initiate or coordinate the gathering of information and the receiving of evidence from any person including persons claiming to be victims of such violations or the representatives of such victims, which

established the identity of victims of such violations, their fate or present whereabouts, the nature and extent of the harm suffered by such victims.

Determining what articles had been destroyed by any person in order to conceal violations of human rights or acts associated with a political objective. I repeat, determining what articles had been destroyed by any person in order to conceal violations of human rights or acts associated with a political motive.

Make recommendations to the President with regard to the creation of institutions conducive to a stable and fair society and the institutional administrative and legislative measures which should be taken or introduced in order to prevent the commission of violations of human rights.

Section 5 prescribed the powers of the Commission and in order to achieve its objectives and to perform its functions, the Commission shall have the power to conduct any investigation or hold any hearing it may deem necessary and establish an Investigative Unit referred to in Section 28.

The Commission has the power in consultation with the Minister and Diplomatic channels to obtain permission from the relevant authority of a foreign country to receive evidence or gather evidence and gather information in that country. The Commission has the power on its own initiative or at the request of any interested party to inquire or to investigate into any matter including the disappearance of any person or groups of persons.

The Human Rights Violations Committee, which is a Committee charged with investigating particularly gross violations of human rights has the powers, duties and functions of the Committee to gather information and receive evidence referred to in Section 4 (b). Section 4 (b) as I read was to get information from victims about how they received or suffered gross violations of human rights.

Section 19 empowers the Committee, the Amnesty Committee to investigate the application and make such inquiries as it may deem necessary provided that the provisions of Section 32 shall with the necessary changes apply in respect of such investigation.

As you know the Amnesty Committee does not only investigate gross violations of human rights, it investigates also acts, offences and omissions. Section 28 creates an Investigative Unit and Section 4 (a) of the 24 (a), gives the Investigative Unit in (indistinct) terms the power to investigate any matter falling within the scope of the Commission's powers, functions and duties subject to the directions of the Commission and shall at the request of the Committee, investigate any matter falling within the scope of the powers, functions and duties of that Committee subject to the directions of the Committee.

It seems to me therefore that the mandate of the Commission is wide ranging and whilst the emphasis is placed on gross violations of human rights, it seems to me on a proper construction of all the relevant sections that I have referred to in the Act. And the Act in fact seems to suggest that it does not necessarily limit such investigations to gross violations of human rights.

There is quite clearly an emphasis placed because of the nature of the Act, on the gross violation of human rights, but where for instance through the media move a Section 29 process, we also investigate amnesty applications which have relevance, not only to gross violations of human rights, but all acts, offences and omissions provided they were committed with a political motive within the stipulated period of the mandate of the Commission.

It is clear to me that the wide ranging powers of the Commission are to investigate any matter including matters that are not necessarily of a gross violation of human rights nature.

It seems to me therefore it is not necessary or it is not fatal that an inquiry might not be one that has relevance to a gross violation of human rights, but even if I am wrong in so saying, it seems to me that the wide range language, wide range in language especially Section 4 (2), is such as to provide a basis for (a)(ii) the nature, causes and extent of gross violation of human rights, including the antecedence circumstances, factors, context, motives and perspectives which led to such violations.

It seems to me that language is an indication that there should be an allowance made for questions that seek to establish the circumstances in which gross violation of human rights could have occurred, the circumstances, the factors, and therefore it would be defeating the ends of that inquiry if only mere mention of a foreign country the witness would be permitted to refuse to give answer to questions only on the basis that it is not apparent from the question that a gross violation of human rights was committed or was intended to be committed.

If it is clear that whatever is sought to be enquired by the question or assisted by the question, that it, the question might be pointing to an antecedent or to a factor or to a circumstance, in terms of which gross violations of human rights, have taken place, the question should be legitimate and should be allowed to be asked and be replied to.

It seems therefore to me that the only consideration that must be given is to whether or not Section 31 in particular Section 31 (2) is of relevance to the application that has been made.

Section 31 provides for the compellability of a witness in circumstances where the evidence that he gives before the Commission, may incriminate himself.

It provides that the person who is questioned, shall be compelled to produce any article or to answer any question put to him with regard to the subject matter of the hearing, notwithstanding that fact that the article or his or her answer may incriminate him or her. So the starting point is that the witness shall answer the question.

The only proviso is subsection (2), (3) and (5). (2) is that a person should be compelled to answer only if the Commission has consulted with the Attorney General who has jurisdiction. If the Commission is satisfied that such information from such a person is necessary, reasonably necessary and justifiable in an open and democratic society, based on freedom and equality, and if the Commission is satisfied that such a person has refused or is likely to refuse to answer a question, any incriminating answer or information obtained or any incriminating evidence, directly or indirectly derived from a question in terms of subsection (1), shall not be

admissible as evidence against the person concerned in criminal proceedings in a court of law or before anybody or institution established by or under any law provided incriminating evidence arising from such questions shall be admissible in criminal proceedings where the person is arraigned on a charge of perjury or on a charge contemplated in section (d)(2) of this Act or in Section 3193 of the Criminal Procedure Act.

Section 39 (d)(2) refers to where a witness has refused to reply to questions when he has been directed to do so in terms of Section 31.

Does it appear from this Act that the Attorney General referred to was contemplating an Attorney General of a foreign jurisdiction? I find that it can only be an Attorney General in the Republic of South Africa that is contemplated in that Act.

Attorney Generals of foreign jurisdictions, if that is what they are called, and I am not so sure that they are called that, would not in any event have any jurisdiction over the witness, it is only when the witness would incriminate himself or herself as contemplated by an Attorney General having jurisdiction in the Republic of South Africa that Section 31 becomes triggered.

Where no such risk is contemplated, Section 31 does not apply, does not even come into effect. I say so because in my view, if the legislature contemplated a foreign jurisdiction when it said Attorney General having jurisdiction it would have said so in so many words.

It doesn't say so. Indeed, if we read Section 31 (2) as a whole, it would be absurd for this legislature to place a condition in subsection (2)(a) that must be read together with subsection (2)(b). I do not know if

the foreign Attorneys General, foreign jurisdictions referred to are open and democratic societies based on freedom and equality and it would be absurd to presume that this Government or this Act was contemplating other societies.

I know for one thing that there is a constitution in this country that has made the requirement of reasonableness necessity and justifiability in an open and democratic society based on freedom and equality, one of the cornerstones of its constitutions and I can only arrive at one conclusion and one conclusion only that if you read Section 31 (a) and (b) together as I think they should be read together, the Attorney General contemplated is an Attorney General of the Republic of South Africa.

If I am wrong and I hold that I am not, but if I am wrong, again for purposes of this particular inquiry, I cannot see why the witness should not feel that his testimony is protected by the provisions of this Act, not only Section 29, but also Section 38 of the Act, both of which Sections provide for confidentiality of information.

It seems to me that there is adequate protection certainly in Section 29 subsection (5) of evidence that has been laid before this Commission. The wide mandate of the Commission is such that all other questions, other than questions that might incriminate a witness, must be answered.

The wide mandate of the Commission is such that in my view, even issues of privilege must be subsumed to the interest sought to be promoted by the Act, provided that procedural fairness and rules of natural justice have been observed.

In my view it would defeat the very ends of this Commission if on a subjective basis, a witness were to refuse to answer questions only on the basis that they are afraid that they might be prosecuted by foreign jurisdictions.

I made the point and I rule that these proceedings are private and evidence herein shall not be made public until the Commission has otherwise determined or this evidence is a subject matter of court proceedings in this country, but it is clear to me that before that determination is made by the Commission, the witness in these proceedings will have been able to make representations in terms of which whatever evidence he or she has given, in these proceedings, should remain private and confidential.

I take note of the submissions by Mr Du Plessis that it may be well be that documents from this Commission may be purloined and that evidence which has been stolen, purloined, might be dangerous to the witness.

It seems clear to me that any evidence that is purloined and would seek to be admitted at any court which considers itself a court, would be totally inadmissible if only from the very nature of that evidence having been obtained. I would concede if the argument were that the Commission would deliberately and willingly hand over evidence to a foreign jurisdiction, I do not consider that this is possible.

I do not consider that it is even probable. As for questions of extradition, that is something outside the realm of this Committee or Commission. I am aware and I take judicial notice of the fact that those

are matters that are intricate and one of the inquiries in relation to which there has been public rumour and public information which this inquiry seeks to settle, the murder of Anton Lubowski, has not been resolved precisely because extradition has for one reason or another been stymied or obstructed.

Seems to me therefore, considering the short shelf life of the Commission, if we were to speculate as to what might or might not happen, when on an objective analysis of the political situation in South Africa for which I take judicial notice, it appears there are not even laws in place that provide for such jurisdictions or such extraditions.

It would defeat the ends of the sought to be achieved by the Commission and as I say given the short life of the Commission, the ends sought by this Commission would be frustrated if we were to use that as a basis for refusing to divulge information which is within us to divulge, but which we are refusing to divulge because we entertain a probable fear that we might be extradited one day and be made to answer for what we have given to a private session such as this one.

Further, it seems to me it would be very absurd to allege that a witness whose organisation had itself taken in foreign jurisdictions as areas of their operation, that an investigation which is premised on the functions and mandate of the Commission, can now not be compelled to respond to inquiries, even when the Commission through the Act has provided for such information to be gathered in strict confidence.

Any argument that seeks to deny the confidentiality of the proceedings is hypothetical and speculative and is extremely (indistinct). I

therefore find as a matter of law and as a matter of my interpretation of the provisions of this Act, that the jurisdiction that was contemplated in Section 31 is a jurisdiction of the Attorney General in the Republic of South Africa, and is not contemplating foreign jurisdictions because there is no way in which in any event, this could have been so.

In any event, if I am wrong, I hold that any refusal or I hold firstly, that there is sufficient protection in the procedures that we are following here to enable given the general and the wide ranging powers and the purpose for which this Commission was established, the witness should feel comfortable.

Perhaps comfortable is not the word, the witness should feel that there is more than sufficient protection, both in the Act as well as in the general laws that are applicable in the country viz a vie laws of foreign jurisdictions which are affected by the operations of the organisations and organisation known as CCB can protect.

I therefore hold that any questions other than questions that can be shown will incriminate the witness, in this country, are questions which the witness must reply to. The witness will only assist us if he replies to questions that are put to him, whether they relate to Namibia, Angola, Zimbabwe or any of the places which they as an institution decided to operate in, from this country.

All those questions shall be legitimate questions and they should be replied to. If however, the witness does not reply to these questions, I would like to draw his attention to provision of Section 39, which provide amongst other things, that any person who having been subpoenaed refuses

to reply to questions that are put to him, shall be guilty of an offence and shall on conviction sentence to a period of two years imprisonment or to a fine of R2 000-00 or to both such fine and such imprisonment.

I therefore would like to suggest the following procedure. If questions that are put to the witness are questions in relation to which the witness still feels for ethical or any other reasons the witness will not be able to reply to, he is quite entitled to say he will not reply to the questions on whatever basis, but it will be in circumstances where he should know that he is placing on record a refusal to reply to questions that I have ruled can be legitimately put.

I must even though this was not addressed to me in argument, I must incorporate a basis that was put before me by Mr Du Plessis yesterday, (indistinct), namely that in the event I find as I have found, then the witness would like to test this matter in the Supreme Court.

There was an attempt to ask for leave for me to allow this to happen. I do not understand whether the effect of the submission or the application was to say subject to an order of the Supreme Court, otherwise the witness should not be compelled to answer questions.

Unfortunately if that was the premise or the basis, I cannot allow that to be the basis. If it is the view of Mr Du Plessis that my ruling is wrong, and if it is so that his client will not be able to reply to questions notwithstanding the ruling, then there is still some remedy because if he refuses to answer and criminal procedures are instituted against him on the basis that he has refused to answer questions legitimately put to him, then such argument as challenges the propriety and the correctness of my ruling

or any other point that may be taken in terms of the laws of this country, will be dealt with at that stage.

I therefore reiterate that the procedure that we should follow is that if Mr Basson is advised in spite of my ruling, not to reply to questions put to him, to the extent that they refer to foreign jurisdictions, then he should indicate that he refuses to answer that question and then we can take it from there, but I must emphasise that this Commission in view of my ruling will then have to take the necessary steps to invoke Section 39 of the Act.

Thank you.

MR DU PLESSIS: Thank you Mr Chairman, we have taken notice and obviously respect your judgement. May I just thank you for the full reasons given.

I must respectfully once again differ from you as far as the procedure is concerned. My view would still be that the witness would be, should be able to take the matter on review before questions are put to him in order to set aside your judgement which is now a respectful submission, incorrect, but obviously I am going to respect your judgement also in that regard, that the procedure must proceed and the questions must be put to him.

I would obviously then reserve the right to, should criminal proceedings or steps be taken against him in terms of Section 39, to argue that such questions were improperly put to him because he was not granted the right to take your judgement on review. I just want to put that on record and then we can proceed, thank you.

CHAIRPERSON: Thank you Mr Du Plessis. Mr Khoisan?

MR KHOISAN: Thank you Mr Chairman. Mr Basson, we are on the 01-01-1989, it is in respect of an item, an article I think you have before you and that is your diary "die dagboek van Christo Britz". On point 2, you have an entry there, "scramble for Fred."

Who is Fred Mr Basson?

MNR BASSON: Dit is die Projekhanteerder van 'n Projek met die naam van Crawler.

MR KHOISAN: And what is Project Crawler Mr Basson?

MNR BASSON: Dit is 'n buitelandse Projek.

MR KHOISAN: It was a foreign Project. In which Region of the CCB Mr Basson?

MNR BASSON: Die aanvanklike rede was vir aanwending in Streek 7, maar dit het later suiwer 'n buitelandse Projek van Streek 6 opgeëindig.

MR KHOISAN: And were you the Coordinator of Project Crawler?

MNR BASSON: Dit is korrek.

MR KHOISAN: And in terms of the Region that Project Crawler was first meant to serve, or when the Project was conceived, what Project Crawler was supposed to be about, originally, did this affect the country of Zimbabwe?

MNR BASSON: Ek voel dit is een van die vrae wat my mag inkrimineer, en ek verkies om nie daarop te antwoord nie.

MR KHOISAN: So, are you refusing to answer the question?

MNR BASSON: Ja, dit is korrek.

MR KHOISAN: Okay, what is your basis for the refusal to answer this question Mr Basson?

MNR BASSON: As gevolg van die betoog wat gelewer is wat daarop neerkom dat ek myself mag inkrimineer.

MR KHOISAN: Do you have any further basis for your refusal to answer this question?

MNR BASSON: Negatief.

MR KHOISAN: Okay, do you accept that your refusal to answer this question, might result in penalties against yourself?

MR DU PLESSIS: Mr Chairman, I don't think this is for Mr Khoisan to question the witness about that. I think you made it very clear what the judgement is and what the consequences which could be suffered by the witness, are.

And we accept it and we put our position on record, so I think that should be left aside at this stage.

MR KHOISAN: Thank you, very well. Okay, now Mr Basson, in terms of Project Crawler, you accept that you were the Coordinator of this Project?

Which other members of the CCB were connected to Project Crawler?

MNR BASSON: Fred was die Projekbestuurder, dan was daar nog 'n persoon, 'n Keith Lightfoot, as ek reg onthou. En ek is nie, daar mag moontlik nog 'n persoon wees wat ek nie nou se naam kan onthou nie, maar dit was die twee persone wat ek nou kan oproep.

MR KHOISAN: And did Project Crawler also involve the purchasing of a ship Mr Basson?

MR DU PLESSIS: May we just have a moment?

MNR BASSON: Ek maak die afleiding dat die Kommissie reeds bewus is van die feit dat dit wel 'n skip is, so my antwoord is ja op die vraag.

MR KHOISAN: And did the purchase of this ship involve any institution in Europe?

MNR BASSON: Ja, dit is korrek as ek reg onthou.

MR KHOISAN: Did it involve negotiations with the Parliament of a Scandinavian country known as Denmark?

MNR BASSON: U verwys na "the Parliament"?

MR KHOISAN: Okay, let me put it this way, was the ship obtained or bought or purchased in Denmark?

MNR BASSON: Ja, dit is korrek as my geheue my nie in die steek laat nie.

MR KHOISAN: Okay, now let me put it this way or let me put it to you that am I correct in saying when I put it to you that Project Crawler involved providing safe passage to CCB members who had found themselves in incarceration in a foreign country?

MNR BASSON: Ek is nie bereid om die vraag te antwoord nie, as gevolg van inkrimasie.

MR KHOISAN: Okay, are you refusing to answer that question?

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay, what is the connection between Project Crawler and Project Direksie Mr Basson?

MNR BASSON: Ek voel dieselfde oor die spesifieke vraag wat ek weier om te antwoord.

MR KHOISAN: And you are refusing to answer this question?

MNR BASSON: Dit is korrek.

MR KHOISAN: Would I be correct when I say that Project Direksie was Chaired by the then Minister of Defence?

MNR BASSON: Ek is nie bewus van tot op watter vlak die Projek hanteer was nie. Dit is 'n afleiding as ek vir u sê dat dit wel 'n moontlikheid was.

MR KHOISAN: Would I be correct to say that Project Direksie involved some of the highest ranking members of the SADF and the Command structure of the South African Military?

MNR BASSON: Weereens, op antwoord op u vraag maak ek 'n afleiding dat ek glo dit was wel die geval.

MR KHOISAN: Okay, in terms of Project Direksie and Project Crawler, do you recall on the 11th of October 1989 of signing for a sum of R34 494-50?

MNR BASSON: As u my net sal tyd gee om te kyk na die tersaaklike dokument. Kan u net die vraag herhaal asseblief Mnr die Voorsitter?

MR KHOISAN: Okay, do you recognise the document in front of you Mr Basson?

MNR BASSON: Ek herken die dokument, positief, ja.

MR KHOISAN: Okay, can you read into the record the exact sum and the period of that sum please for which that document is.

MNR BASSON: Goed, die Besturende Direkteur het op die 3de van die 10de maand, 1989 die bedrag van R34 494-50 per maand goedgekeur vir bogemelde Projek.

Dan is daar 'n verwysing na sien bylae 10 tot 12 van volume 4 op die spesifieke lêer en dan is daar nog inskrywings onderaan. Ek weet nie of ek dit ook moet herhaal nie Mnr die Voorsitter.

MR KHOISAN: Okay, can you read into the record all the persons connected with this Project who are located on that entry on that particular document you have in front of you?

MNR BASSON: Goed, persone betrokke F. Helberg, F. Wilson, K. Lightfoot, A. Kotze, B. Heyns en C. Britz.

MR KHOISAN: Okay, and now, Mr Basson are those persons who are operational, those were all members of the CCB?

MNR BASSON: Dit is positief.

MR KHOISAN: Okay, and they were members of the CCB in which Region?

MNR BASSON: Dit was lede van Streek 6, buitelandse lede van Streek 6.

MR KHOISAN: All of these Mr F. Helberg, F. Wilson, K. Lightfoot, A. Kotze, B. Heyns en yourself were all members of Region 6?

MNR BASSON: Ja, dit is korrek.

MR KHOISAN: Were these persons connected to any other Region in the activities of the CCB?

MNR BASSON: Nee, negatief, nie waarvan ek bewus is nie, nee.

MR KHOISAN: Is there any occasion where Mr K. Lightfoot would have been connected to any activity in Region 7?

MNR BASSON: Nee, negatief.

MR KHOISAN: Or Mr F. Wilson?

MNR BASSON: Nee, wel ek is nie bewus daarvan dat hulle betrokke was by enige aktiwiteite in Streek 7 nie. My antwoord is nee, ek weet nie daarvan nie.

MR KHOISAN: Okay, would I be correct to say that the total for the year that was approved for operation Crawler, that is for 1989, was R413 934-00? Is that an approximate sum with which you can agree?

MNR BASSON: Ja, as ek na die vrystellingsertifikaat voor my kyk, dan wil dit vir my lyk of u reg is in die verband.

MR KHOISAN: Just one other question, this Project Crawler, was it ever the subject of any consideration in any judicial organ of South Africa at any time?

MNR BASSON: Ja, na my kennis was dit wel in samewerking met mnr Verster, was dit wel 'n dispuut gewees rondom die sluiting van die Projek, maar detail kennis dra ek nie van kennis nie.

MR KHOISAN: Okay, now in terms of Project Crawler and Project Direksie, did you at any time have any connection to Project Direksie?

MNR BASSON: Ek was betrokke by Projek Direksie, maar soos ek voorheen gesê het dat enige detail vrae rondom die Projek, weier ek om te antwoord Mnr die Voorsitter.

MR KHOISAN: But you do recognise a document that I will put to you. Do you recognise the document in terms of Project Direksie dated

18-10-1989 and it has C. Britz, D. Duncan with your signature and at the back of it an amount approved on 10 June 1988, that is R5 386 804-37.

Can you take a look at this document and see if you recognise that document and the circumstances in which that document was written?

MNR BASSON: Ja, die inligting voor my is juis, dit is so.

MR KHOISAN: Okay. And you don't know why on the date that is written down there, the sum of R5 million odd was approved?

MNR BASSON: Ja, as u kyk na die volume en die bylaag, dan verwys dit na 'n spesifieke bladsy op 'n lêer waar die nodige magtiging bestaan wat gekoppel is aan die bedrag.

MR KHOISAN: Okay, and where was that file sent to or in whose possession is that file currently?

MNR BASSON: Ek dra nie kennis van enige lêers, gewese lêers van BSB nie. Daar was 'n stelsel gewees, ek het nie beheer oor enige lêer op hierdie stadium nie.

MR KHOISAN: Would I be correct to say that you were functional as well as an administrative Coordinator of activities of the CCB?

MNR BASSON: Ja, dit is korrek. Funksioneel, nie in die sin dat ek fisies betrokke was by sekere dade nie, maar met die beplanning van sekere dade moontlik, ja.

MR KHOISAN: You have already admitted and informed this Commission that you were part of the "binnekring", the inside circle, the Command element of the CCB?

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay, now in terms of this particular Project, you are refusing to discuss the content of Project Direksie?

MNR BASSON: Dit is positief, ja.

MR KHOISAN: Okay, you are refusing to answer that question. Now if I say to you that Project Direksie was in fact a Project that had to do in some degree, with providing legal assistance to members of the CCB who had gotten into trouble, would I be correct?

MNR BASSON: Weereens, kan ek nie die vraag beantwoord nie.

MR KHOISAN: Okay, very well. Now, on the 4th entry on the 3rd of January 1989, you have an entry here, "tel dokument op by Nick". Who is Nick Mr Basson, who is Nick?

MNR BASSON: Nick was ook 'n lid van die binnekring. Ek kan nie spesifiek onthou wat sy aanstelling was nie. Wat ek onthou is dat Nick was 'n baie tegniese persoon.

Hy was nie by 'n spesifieke Streek ingedeel nie, volgens my kennis.

MR KHOISAN: Was Nick a member of Special Forces before he became a functional part of the CCB?

MNR BASSON: Ja, ek neem aan hy was, ja.

MR KHOISAN: Okay, do you have the real name of this person, Nick?

MNR BASSON: Nie huidiglik op die punt van my tong nie, ek kan moontlik later sê as ek net my gedagtes laat gaan.

MR KHOISAN: Does Nick Liebenberg ring any bell?

MNR BASSON: Nee, Nick is 'n administratiewe naam. Nick Liebenberg lui nie 'n klokkie nie.

MR KHOISAN: You don't know Nick Liebenberg?

MNR BASSON: Negatief.

MR KHOISAN: So Nick would have been part of essentially the planning of many actions of the CCB? You said he was a member of the inside circle?

MNR BASSON: Ja, ek kan Mnr die Voorsitter, u net reghelp in die sin dat 'n lid van die binnekring is lede wat bestaan uit alle koördineerders van alle Streke.

Elke Streekbestuurder het 'n Koördineerder gehad. Die Streekbestuurder en die Koördineerder en sekere administratiewe personeel was almal lid van die binnekring.

Die binnekring kan ons nie sien as 'n groep mense wat net suiwer by beplanning betrokke was nie. Die term binnekring het meer gedui op mense wat mekaar geken het. Ek bedoel in die sin dat hulle het mekaar gesien.

Alhoewel op administratiewe name aangespreek, het hulle mekaar gesien dag tot dag, met ander woorde dit was nie persone soos Christo Britz en Slang van Zyl nie. Dit was almal lede van soortgelyke funksionele werk gehad.

MR KHOISAN: Okay. Mr Magadla?

MR MAGADLA: Mr Basson, you were recruited from the Special Forces?

MNR BASSON: Dit is korrek, Mnr die Voorsitter.

MR MAGADLA: And the other people who fell directly under you as Coordinator for the overall Regions that were there, where did they come from? For instance J. Black, Swart, where did he come from?

MNR BASSON: Ek is nie bewus, Mnr die Voorsitter, van waar af hy kom nie. Ek ken hom ook nie as 'n ex-lid van Spesiale Magte ken ek hom nie. Ek is nie bewus van sy verlede of sy geskiedenis of van waar hy afkomstig is nie.

Ek mag miskien net sê aangesien hy Finansiële Bestuurder was, het hy sekerlik 'n finansiële agtergrond gehad. Dit kan in die burgerlike sektor wees of in die militêre, ek is nie bewus daarvan nie.

MR MAGADLA: Marius Reyneke?

MNR BASSON: Marius Reyneke was myself gewees, een van my alias name.

MR MAGADLA: It was one of the names that you had? (Indistinct)?

MNR BASSON: Ja (onduidelik) was afkomstig van Spesiale Magte.

MR MAGADLA: Had he also come from Zimbabwe? Was he one of the people that had come from Zimbabwe from the ...

MNR BASSON: The previous Army?

MR MAGADLA: Yes?

MNR BASSON: Negatief. Nee, hy was 'n gebore Suid-Afrikaner.

MR MAGADLA: What about Staal Burger, where did he come from?

MNR BASSON: Staal Burger asook die ander lede van die binnelandse element van Streek 6, was ex-polisiemanne, spesifiek afkomstig van Brixton Moord en Roof.

MR MAGADLA: Was he recruited from the police?

MNR BASSON: Dit is korrek.

MR MAGADLA: Was he still a member of the Police Force when he was recruited?

MNR BASSON: Ja, dit is korrek.

MR MAGADLA: He was stationed at the Brixton Murder and Robbery Unit?

MNR BASSON: Dit is korrek.

MR MAGADLA: Do you know what would have influenced the person who recruited him to have recruited him? What criteria would have been applied to pass him through for recruitment for a member of the CCB?

MNR BASSON: Miskien die ideale persoon om te vra is Mnr Burger self. Alhoewel ek kan my geheue herroep dat daar was ongelukkigheid tussen hom en die Polisie Mag op daardie stadium, waarvan ek detail kennis nie het nie.

As ek reg onthou het hy kontak gemaak met Mnr Verster en gevra vir 'n afspraak en na aanleiding van die gesels tussen die twee here, het daar dan toe 'n metode gevind is om saam te werk.

MR MAGADLA: Was it not a question of the CCB taking on people with, or taking in people with special skills?

MNR BASSON: Dit is korrek, maar in Mnr Burger se geval maak ek die afleiding dat Mnr Burger het van sy kant af vir Mnr Verster gekontak.

Ek wil net sê dat dit is my afleiding, maar ek dink dit is wat gebeur het.

MR MAGADLA: Mr Frik, where did he come from?

MNR BASSON: Ek ken nie die persoon se agtergrond nie.

MR MAGADLA: Was it a person who was placed on Region 8, Namibia?

MNR BASSON: Dit is korrek.

MR MAGADLA: You did not yourself have documentation which gave you the background of all the people that you had in terms of skills and in terms of any other thing that would have convinced you that you had people who fitted those positions?

MNR BASSON: Ek is jammer Mnr die Voorsitter, kan u net die vraag herhaal?

MR MAGADLA: Were you satisfied to have the person that you just did not know to be in charge of a particular Region, a person whose background, a person who really you did not, you cannot say anything about?

MNR BASSON: Ek kan net vir u sê dat ek het nie 'n direkte invloed gehad in die werwing van persone per se nie, as 'n persoon gewerf is word ek aangesê deur senior persone bo my om wel dan op te tree as Koördineerder of wat ook al dan van sogenaamde persoon.

So om op te som, ek het nie beheer oor werwing van persone gehad nie.

MR MAGADLA: Even if people were recruited outside any, say for instance, outside the Police Force, outside the Army and people were picked up from somewhere, you wouldn't actually try to find out whether these people are the right people that you should yourself be in control of?

MNR BASSON: Wel, ek dink dit is logies Mnr die Voorsitter, dat ek myself sal vergewis van 'n persoon se agtergrond, sy verlede en dit dan sal bevestig met die persoon wat verantwoordelik is vir sy werwing of vir sy identifikasie en dit dan so aanvaar.

MR MAGADLA: Now, it is said that in 1987 there was this SBS order about the covert actions and also action against the enemy and also applying of maximum disruption. Do you remember that one?

MNR BASSON: Dit is korrek.

MR MAGADLA: Can you list these actions now that you were to take in terms of your pursuit of this disruption, maximum disruption?

MNR BASSON: Ontwrigting, die woord ontwrigting word uitgesit in een van die dokumente in u besit. Ek het dit netnou geantwoord. Dit handel van, in eenvoudige taal, iemand se sakdoek steel tot miskien om die persoon te dood.

As ek u net uit die dokument kan voorlees "ontwrigting word as die volgende beskou: dood, infiltrasie, omkoop, vernietiging en kompromentering", Mnr die Voorsitter.

MR MAGADLA: Did you execute any of these then within the country?

MNR BASSON: Kan u net, u bedoel ek as persoon of waarvan ek kennis dra Mnr die Voorsitter?

MR MAGADLA: Even people under your instruction, people under your command?

MNR BASSON: Ja, dit is korrek, daar was pogings gewees. Ja, die aspekte waarvoor ek amnestie aansoeke ingedien het, dit handel oor daardie spesifieke aspekte Mnr die Voorsitter.

MR MAGADLA: The coordination that you did, did it involve the Regions with whom you liaised, did it involve them sending you reports of the operations which they would have conducted with regards to your liaising of the things to them?

MNR BASSON: Dit is korrek, ja.

MR MAGADLA: This then involves all the Regions which were under yourself?

MNR BASSON: Dit is korrek. Ek wil net vir u sê dat as Koördineerder het ek slegs 'n Streekbestuurder gehad in die persoon van Mnr Burger wat by die binnelandse persone betrokke was.

Met ander woorde hy was die Streekbestuurder, maar die ander elemente van Streek 6 wat meer op die buiteland van betrekking was, was daar nie 'n Streekbestuurder betrokke nie, en daar was Mnr Verster die Streekbestuurder en natuurlik die Besturende Direkteur en ek was dan die Koördineerder omdat daar iemand nodig was om die skakelwerk te doen tussen die persone.

MR MAGADLA: But where Mr Staal Burger acted, he would report directly to yourself?

MNR BASSON: Nee, die hiërargie werk in die volgende dat Mnr Burger is die Streekbestuurder en dan die volgende persoon onder hom, is dan die Koördineerder wat myself was en dan onder my is die ander lede van die binnelandse Streek, het dit gesorteer.

Met ander woorde daar was skakeling tussen die Streekbestuurder Mnr Burger en Mnr Verster, direk. Dan was daar ook in sekere gevalle waar Mnr Burger nie betrokke kon raak nie, het hy my gevra om as skakel

op te tree tussen wat hy wil oordra aan Mnr Verster, dat ek dit dan sal oordra aan Mnr Verster, as u verstaan wat ek bedoel.

MR MAGADLA: Yes, what I am trying to establish is whether you did yourself, receive information reports as to the Projects in the Regions which you coordinated?

MNR BASSON: Ja, dit is korrek.

MR MAGADLA: What I am trying to establish is putting aside the fact that you have, you decline to answer those questions, that in fact you knew what was happening in the Regions because you received reports from those Regions?

MNR BASSON: Ja, dit is korrek. Ek ontvang verslae en dit is dan my werk om dit op lêer te plaas vir die dokumentasie daarvan.

Dit is dan nou, ja, dit is dan nou vir Streek 6, die binnelandse Streek en dan ook die gedeelte van Crawler en dan in 'n mindere mate die gedeelte van Direksie op daardie stadium.

Ja, nie ander Streke met ander woorde nie, ek is nie die algehele Koördineerder van alle Streke nie, ek is slegs 'n Koördineerder van sekere Projekte van sekere Streke as u verstaan wat ek bedoel. Daar was vir elke Streek was daar 'n Koördineerder gewees wat presies dieselfde take gehad het as wat ek gehad het.

MR MAGADLA: You were not an overall Coordinator then?

MNR BASSON: Nee, dit is korrek ja, ek was nie.

MR MAGADLA: It was a mistake to say you were in the beginning?

MNR BASSON: Ja, nee, ek wil dit maar net regstel, ek is nie 'n algehele Koördineerder nie. Ek dra kennis van die klein deel van BSB se

aktiwiteite waar ek betrokke was, die res dra ek geen kennis van nie, dit was die stelsel wat dit so vereis het.

MR MAGADLA: You say the operations or the Project in which you took part are those you have applied for amnesty for?

MNR BASSON: Dit is korrek, die binnelandse Projekte.

MR MAGADLA: Besides the fact that then reports would have not been handled by yourself or would have not been sent to you from the Regions, despite the fact that you did not have, but you had knowledge of what happened in the Regions?

MNR BASSON: Ja, dit is korrek. Waarvan ek die Koördineerder was, het ek kennis gedra. Ek het byvoorbeeld nie kennis gedra van aktiwiteite in Streek 8, argumentsonthalwe nie.

MR MAGADLA: I am not sure if we did not say you were a member of the inner circle?

MNR BASSON: Dit is korrek. Ek kan net sê dat Mnr Verster is seker beter by magte om u te help rondom die struktuur en persone wat waar ingepas het.

Ek ken net nie al die mense nie.

MR MAGADLA: Well, he has done his part of that and seeing that you are here with us today, we thought perhaps where you could help us (indistinct)

MNR BASSON: Ek is bereid om u te help waar ek kan, Mnr die Voorsitter.

MR MAGADLA: So, in line with this instruction on fighting fire with fire, you had to have targets, didn't you?

MNR BASSON: Ja, Mnr die Voorsitter, daar was as ek my reg herinner, was daar spesifieke lyste beskikbaar met aktiviste se name op.

Dit is nie noodwendig, 'n mens moet dit nie sien in die sin dat dit 'n teikenlys is nie, met ander woorde die persoon moet voor die voet, as jy hom in 'n hysbak sien, moet hy doodgaan nie. Dit is glad nie die bedoeling gewees van 'n teikenlys per se nie.

Daar word miskien daarna verwys as 'n teikenlys, maar dit beteken na regte potensiele persone wat 'n gevaar inhou wat met die nodige beplanning en oorleg en goedkeuring 'n plan mee gemaak kon word, in terme van ontwrigting.

Ja, natuurlik met die nodige inligting en stawende aspekte rondom die motivering om dit wel te doen.

MR MAGADLA: Yes, I think that is perhaps even from our first approach is that we sought to establish because for instance if there had to be some person whom we would have thought was your target, thinking that a target is a person you would have killed, and ...

MNR BASSON: U kan voortgaan.

MR MAGADLA: Yes, then an explanation helps us in that it is not all people regarded as targets that were killed.

MNR BASSON: U is heeltemal reg. Dit is hoekom ek sê dat as 'n naam op 'n lys staan is dit nie te sê die persoon is 'n teiken nie. Die persoon se naam staan op 'n lys moontlik as gevolg van inligting wat êrens oor hom bekom is en nou word die persoon se naam gelys.

Met ander woorde, as ons inligting kry van 'n persoon wat dui op ernstige bedreiging vir die regering van die dag, en sy naam verskyn op die

lys, dan is dit miskien suiwer toevallig dat sy naam verskyn en dit is dan nou meer rede om dan nou die beskikking dan nou te vergelyk met die naam op die moontlike aksie te beplan.

Ja, 'n persoon kan natuurlik soos Mnr Du Plessis sê, bewys word al staan sy naam op 'n lys, so in kort, 'n teikenlys is nie 'n goedkeuring dat 'n persoon net geëlimineer mag word nie, dit is nie so nie.

MR MAGADLA: Isn't it strange Mr Basson that you should call them a target list, why don't you say a list of suspects for instance, a list of people in whom we are interested? I mean what is this thing about target?

And in any even you know, doesn't it raise and doesn't it back the other question that some of these so-called target lists were not being targeted for elimination were in fact eliminated and given the nature of how you were constituted, you were a covert body, you know and none of your, and you were perceiving the conflict as a conflict in which there were terrorists on the other hand and defenders of the South African State on the other hand.

Isn't that language, he wasn't at a language specifically designed to exactly cause witnesses like you to resort to those sort of (indistinct), that when it says target, we don't necessarily mean target for elimination?

MNR BASSON: Mnr die Voorsitter, 'n persoon met 'n Militêre agtergrond soos ek, praat van teikens. Persone van die Polisie sal moontlik praat van "suspects", maar wat ek probeer sê is dat al word daar verwys na 'n teikenlys is dit nie, is dit 'n moontlike teiken, maar dit is nie 'n

definitiewe teiken alvorens detail inligting tot jou beskikking is dat dit wel die geval is nie.

MR MAGADLA: Indeed, some of the targets were killed?

MNR BASSON: Ja, ek is ook maar 'n persoon wat koerant lees en bewus is van al die onthullings rondom die Waarheids- en Versoeningskommissie en ek kan nie sê dat die persone wie se name ek op 'n lys gesien het, is wel van die persone wat geëlimineer is nie.

So, ja, dit is so.

MR MAGADLA: Well, I am not actually mentioning it to you in terms of you from the CCB reading it from the papers, I am mentioning it in terms of you having at some stage reached your target and accomplished your purpose in terms of your Project?

MNR BASSON: Mnr die Voorsitter, nooit wat binnelandse aktiwiteite aanbetref nie.

Ek meen, ek vra vrywaring vir persone wat nog leef, so in die sin dat ek kan nie sê ek was deel van iemand wat tevrede was dat ek 'n eliminasië gepleeg het na aanleiding van 'n persoon se naam wat op 'n lys was nie, want dit is nie so nie.

MR MAGADLA: I mean that some of the targets were killed abroad and you as CCB would not have read it from the papers, you would have known it from your Department?

MNR BASSON: Mnr die Voorsitter, ek was nie betrokke by sulke eliminasië nie, al was dit in die buiteland en sou dit dan plaasgevind het deur, sou dit gedoen gewees het deur ander elemente in die BSB, dan is dit

nie algemene praktyk dat 'n persoon inkom en sê ek het so en so gedoen, wens my geluk nie. Dit werk, binne 'n stelsel van covert geheimhouding.

MR MAGADLA: Did you have any Blacks in the CCB that you knew of?

MNR BASSON: U praat van direkte of indirekte lede? Bewustelike of onbewustelike lede?

MR MAGADLA: Both? Did you have any aware members, and if you did, perhaps you can go into that. And if you did have unaware members, we also will deal with that. Let's start with aware members?

MNR BASSON: As ek terug onthou, daar was 'n klein groepie swartmense wat bewustelike lede was. Maar hulle was nie by my Streek nie. Ek was net bewus van hulle, maar ek ken nie hulle identiteite nie.

Daar was wel sulke lede as ek reg onthou, ja.

MR MAGADLA: Where would they have come from?

MNR BASSON: Ek maak weereens die afleiding dat hulle dalk van 'n Spes Magte Eenheid afkomstig was, alhoewel nie van die Spesifieke Eenheid waar ek was nie, maak ek die afleiding dat hulle moontlik van 'n ander vertakking van Spesiale Magte dalk afkomstig was.

MR MAGADLA: This assumption would also include perhaps them having come from 32 Battalion for instance?

MNR BASSON: Dit is moontlik, alhoewel ek nie kennis dra van iemand van daardie bataljon nie, nee. Maar dit is 'n moontlikheid, alhoewel as gevolg van die strukture binne in die BSB, was ek nie bewus van persone wat in ander Streke aangewend word of hulle swart is, blank is of van watter Eenheid hulle afkomstig was nie.

MR MAGADLA: From what you know of the matter, in which specific areas would those Black CCB members been used?

MNR BASSON: Omdat hulle nie in Streek 6 was nie, neem ek aan hulle was betrokke in ander Streke wat dan nou alles buitelands was...

Spesifieke lande kan ek nie vir u sê of spesifieke Streke kan ek nie vir u sê nie, omdat dit nie vir my nodig was om dit te weet nie.

MR MAGADLA: Let's come to the unaware members that fell within your Regions, did you have such members?

MNR BASSON: Ja, die enigste lede is die persone wat Mnr Van Zyl hanteer het. Ek het egter nooit die persone ontmoet nie en nooit het hulle met my kennis gemaak nie, so deur Mnr Van Zyl was ek bewus gewees van indirekte lede binne Streek 6, ja.

MR MAGADLA: Never under yourself were any of these indirect members?

MNR BASSON: Nee, nooit onder myself direk nie, Mnr die Voorsitter.

MR MAGADLA: According to the person who ran these indirect members, did you gain any knowledge from that person as to on what specific areas of activity were they used?

MNR BASSON: Ja, dit is korrek, ja.

MR MAGADLA: Could you share that knowledge with us?

MNR BASSON: Wel, as ons weereens kyk na Mnr Van Zyl, alle werksaamhede van sy indirekte lede moes gedokumenteer word en dan deur Mnr Burger aan my oorhandig word sodat dit op lêer geplaas kan word vir verwysing later want alle finansiële uitgawes word gekoppel aan 'n dokument op 'n lêer wat goedgekeur is, so met ander woorde sou Mnr

Van Zyl 'n indirekte lid hanteer met die name van Peaches, sou daar van tyd tot tyd vir hom byvoorbeeld akkommodasie gereël moet word, vliegtuig kaartjies dalk ander geld om hom bewegingsvryheid te gee, dan sou daardie aanbieding op 'n lêer moet wees sodat die geld getrek kan word met spesifieke verwysing na die aanbieding om die fondse sodoende vry te stel om aan te wend.

MR MAGADLA: You facilitated that?

MNR BASSON: Ja, dit is korrek, ek het dit op lêer geplaas en ek is die enigste persoon wat geld kon bekom, kon trek teen 'n magtiging om te versprei in die Streek. Dit was een van my take as Koördineerder.

MR MAGADLA: Now in line with that, would you have then gone through this requisition for that authorisation and maybe got to know that perhaps these people are going to some other Province within the country, you are authorising a travel fund for the people to go to Gauteng for instance?

MNR BASSON: Ja, dit is korrek.

MR MAGADLA: That did happen

MNR BASSON: Ja.

MR MAGADLA: Then because you were to give this authorisation, I suppose the purpose for which these people would have been going to Gauteng, would have been mentioned in that document?

MNR BASSON: Ja, dit is korrek. Net 'n korreksie, ek gee nie die goedkeuring nie, ek gee nie die goedkeuring dat hulle kan beweeg nie. Daar is 'n Streekbestuurder, 'n Mnr Burger by name, wat in beheer is van die Streek.

Mnr Burger gee vir my opdragte na aanleiding van 'n dokument wat as goedkeuring dien om die persone geld te gee om dan te beweeg van punt A na punt B.

MR MAGADLA: Wasn't it part of the arrangement then, I know it may not have been, but wasn't it part of the arrangement then that even after the accomplishment of the mission, that these people would have set out to perhaps you had feedback of that?

MNR BASSON: Jammer, Mnr die Voorsitter, kan u net die vraag herhaal? Ek verstaan nie u stelling nie.

MR MAGADLA: Here you authorise a fund for someone to go to the Transvaal and the person goes there, maybe things happen there, and maybe things are in the press or something and then you seek to know from the, maybe from Staal Burger as to so this is what this person was going up there for if the press also seems to be indicating that maybe the direction to which, whatever would have happened there, the finger is pointed at the CCB or a covert institution?

MNR BASSON: Ek wil net vir u sê dat dit wat die persoon aanbied en die dokument wat ek op lêer plaas, hy kan slegs binne daardie magtiging, daardie goedkeuring van daardie dokument, mag hy slegs binne daardie goedkeuring optree en fondse spandeer.

So, so hy van punt A na punt B gaan, en iets anders die geld op spandeer as wat hy voor aangevra het, moet daar 'n baie goeie verduideliking en 'n baie goeie motivering wees hoekom dit dan nou addisioneel, aanvullend tot sy aanvanklike plan, hoekom dit dan nie dieselfde is nie.

So wat ek probeer sê is daar word streng volgens 'n aanbieding, volgens goedkeuring word daar fondse gespandeer en sou 'n persoon, want daar is omstandighede dat alles nie volgens plan, dalk verloop nie. Dit is die verloop van die lewe, dan moet hy terugkom en 'n goeie verduideliking en motivering gee hoekom dit anders is.

MR MAGADLA: Would you recall also, giving authority for a drawing of those funds for some of these people, proceeding to KwaZulu Natal for instance?

MNR BASSON: Mnr die Voorsitter, ek onthou van, as ek reg onthou vir Mnr Maree, Mnr Chap Maree, dit was sy verantwoordelike gebied Natal, die destydse Natal en dat hy wel by 'n paar geleenthede dat hy wel in die omgewing van Natal werksaam was, dit is so, ja.

MR MAGADLA: Active in that area, using the unaware members?

MNR BASSON: Ek kan net by sê dat Mnr Maree was nie baie effektief in die sin dat hy het nie regtig daarin geslaag om enigsins produktief te wees in die sin van die doelstellings van die BSB in Natal op daardie stadium nie, en op geen ander stadium nie.

Daar was met ander woorde geen Projekte aangebied of uitgevoer in die destydse Natal nie.

MR MAGADLA: So, the Projects that were carried out in the Gauteng Region were very successful by the unaware members?

MNR BASSON: Wel, Mnr die Voorsitter, die Projekte waarop ek vrywaring vra as 'n mens nou vandag daarna kyk, kan 'n mens nie sê dit was suksesvol nie.

As u verstaan wat ek bedoel. Ja, as u nou verwys na Gauteng spesifiek.

MR MAGADLA: Well, you are applying for amnesty for Projects which were not successful, isn't it in terms of (intervention)

MNR BASSON: Ek kan miskien net Mnr die Voorsitter, op uitsondering die bomontploffing as 'n mens dit sien as 'n sukses, dan is dit dan die enigste goeie of suksesvolle operasie van sy tyd.

MR MAGADLA: ... Marree's attempts did not even reach that level?

MNR BASSON: Nee, Mnr die Voorsitter, dit is maar net so dat alle mense het nie dieselfde vermoë om sy werksaamhede uit te voer nie en Mnr Marree en Mnr Kalla Botha was sulke voorbeelde.

MR MAGADLA: Thank you for now.

MNR BASSON: Dankie.

MR KHOISAN: Okay, Mr Basson, who is Derek?

MNR BASSON: Derek, kan u net vir my met verwysing, ek kan hom nou nie plaas nie.

MR KHOISAN: Okay, let me refer you to an entry on the 14-03-1989 in your diary "die dagboek van Christo Britz", and I think we actually have the written version there, the typed up version which will make it easily accessible, it is page 11 I believe.

In page 11, in the one column there is from 11 to 1, a "inhuis Cleopatra by woonstel". No, but we will leave that for a second because we will deal with that on its own. But now I want to know who Derek is, "wie is Derek", who is this person?

MR KHOISAN: It is a statement where he talks about the murder of Webster, etc, etc, etc and but there he mentions a person by the name of Bruce White. Would Bruce White have been on that target list?

MNR BASSON: Mnr die Voorsitter, dit is nie nou vir my moontlik om alle spesifieke name te herroep rondom die inskrywing op die lys nie.

As ons 'n afskrif van die lys kan hê dan sal dit baie help.

MR KHOISAN: No, but I mean I am asking you now ...

MNR BASSON: Dit is 'n moontlikheid, met ander woorde.

MR KHOISAN: Was Frank Chikane on that list?

MNR BASSON: Ek maak weereens 'n afleiding Mnr die Voorsitter, ek neem aan sy naam kon daarop gewees het.

MR KHOISAN: Okay, now Kalla Botha is Deon, right?

MNR BASSON: Dit is korrek.

MR KHOISAN: Is Deon? And Deon would have been coordinating, he would have been dealing with things in the Transvaal, is that not true, Deon Calitz?

MNR BASSON: Ja, dit is korrek.

MR KHOISAN: Ja?

MNR BASSON: Ja.

MR KHOISAN: Because Chap Marree was over in Natal doing his thing?

MNR BASSON: Ja.

MR KHOISAN: And Slang van Zyl was in the Western Cape doing his think?

MNR BASSON: Ja.

MR KHOISAN: Staal Burger was being the General Manager of the whole Project as such?

MNR BASSON: Ja.

MR KHOISAN: Now whose Project is Cleopatra?

MNR BASSON: Ek dink dit was Mnr Botha s'n. Cleopatra? Ja, dit is Mnr Botha s'n gewees.

MR KHOISAN: Now, why would you have put that, what is the connection between the "inhuis" from 11 to 1 and "die binnelandse teikenlys", because whenever, because the way I understand the CCB is that whenever you had to discuss a Project that had to be moved to an operational level, you had an "inhuis", what was referred to an in house, were discussions in terms of specifics regarding operationalising a plan. Now what is the connection on the same date between the "inhuis" in your entry and "die binnelandse teikenlys".

Was there a person connected to the "binnelandse teikenlys" that had to do with that "inhuis", or were there persons connected to that?

MNR BASSON: Mnr die Voorsitter, ek kan nie onthou waarna die inhuis verwys het nie.

MR KHOISAN: I mean this was two weeks before Webster was killed, you know, maybe that can help you to put you in the picture?

MNR BASSON: Wel, Mnr die Voorsitter, dit is spekulasie. Die persoon Webster was nooit, ooit bespreek gewees op enige aanbieding van die BSB nie.

MR KHOISAN: Nee, ek sê nie dat julle het Webster bespreek nie.

MNR BASSON: Ja, goed, ek antwoord maar net u vraag dat dit is definitief nie Webster nie, maar ek kan nie spesifiek vir u sê, as ons die lêers gehad het sou dit beslis baie gehelp het. Maar ek kan nie uit my geheue uit so lank terug onthou wat dit was nie, met respek.

MR KHOISAN: Okay, the reason I am mentioning that entry of the "binnelandse teikenlys" with Derek the Intelligence person over here, and it would help us to get the full name of Derek and maybe we can talk about that as we go along, but the next day on 15-03-1989, there is an entry "wapen vir Deon". Now why did Kalla Botha have to get a weapon on the next day and why did you provide him with one or why did you make an entry relevant to a weapon for Deon?

MNR BASSON: Mnr die Voorsitter, die kwessie daar van 'n wapen het niks te doen met enige aanbieding van Kalla Botha nie, omrede die persoon het geen aanbieding gedoen hoegenaamd ook al wat ontwrigting behels nie.

Ek het teruggegaan na my getuienis voor die Harms Kommissie, want ek kan ook nie onthou het met die voorbereiding wat dit beteken nie.

Daar het ek gesien dit het verwys na, wat ek daar genoem het, verwys na daar het 'n beleid, daar was 'n beleid uitgevaardig dat persone van BSB met behulp van Staatsfondse, vir hulself handwapens kon bekom.

Ek dink al die persone het gehad in die Streek, behalwe Deon en dat hy vir my moes sê waarin hy belangstel of dat ek hom moes herinner om dan nou sodanige wapen dan nou, die kwotasies en so meer, te kry.

MR KHOISAN: Nee, wat ek sê ek stel daardie dae tesame, because on the 14-03-1989 there is from 08:30 to 10:30 you are meeting Richard in connection with an "aanbieding", in other words he is presenting a plan to operationalise a Project, is that correct?

MNR BASSON: Ja, Richard is 'n persoon wat gekoppel was aan 'n buitelandse Projek.

MR KHOISAN: And who is Richard by the way?

MNR BASSON: Richard, ken ek net sy administratiewe naam.

MR KHOISAN: What is his administrative name?

MNR BASSON: Richard Collins, as ek reg onthou.

MR KHOISAN: Richard Collins, and in which Region was Mr Richard Collins operational?

MNR BASSON: Hy was operasioneel in, ek is nie seker wat die Streek se naam is nie, maar die land is Zambië.

MR KHOISAN: Zambië, that would be, Zambië, Tanzanië and ...

MNR BASSON: Ja, ek is nou nie seker wat die Streek ...

MR KHOISAN: And Angola? But he was in Zambië.

MNR BASSON: Hy was Zambië spesifiek.

MR KHOISAN: Okay, so the very next day in fact, let me just go through this whole thing here, because "Richard maak 'n aanbieding", he makes a presentation and then in the notes you have there "(onduidelik) Kaunda", what does that mean? Because he is operational in Zambië, and there is (indistinct) Kaunda, who what is the connection?

MNR BASSON: As u kyk na die opskrif van daardie inskrywing, daar staan Burt Maxi, dit was Maxi was 'n Projek gewees van Mnr Burger en

dit was 'n naam wat of aan hom gegee was of wat hy aan my gegee het wat ek moes klarifiseer.

MR KHOISAN: No, but can we deal with Mr Burger separately because I know his name is Burt Brummer.

MNR BASSON: Ja.

MR KHOISAN: And we will deal with Project Maxi in a separate, but I am very interested to see that because that entry over here, it says "Richard maak 'n aanbieding" and he is with you for two hours, which means he is making a substantial presentation. The CCB was not about having personal contact, this is not about a social club, it is serious business, a covert operation like any other covert organisation, like the CIA, or whatever, any other Special Force organisation in the world.

People take their time very seriously and I would assume that you as one of the key people had dealt with him for two hours in which he was making a presentation, and then on the next day, on 15-03-1989, "vir aanbieding, Richard ontwrigting".

Now, what was Richard going to be doing?

MNR BASSON: Mnr die Voorsitter, dit is suiwer 'n buitelandse Projek.

MR KHOISAN: What was he going to be doing in Zambia at that, what was he, was he giving you a plan to, or was that to do with killing an ANC person in Zambia or what was it about?

MNR BASSON: Mnr die Voorsitter, ek wil van my swygreg hier gebruik maak in die sin dat dit 'n buitelandse Projek is wat inkriminerend is, kan wees.

MR KHOISAN: Okay, can I say you are refusing to answer that question?

MNR BASSON: Dit is korrek, ja.

MR KHOISAN: You are refusing to answer that question and that question is relating to an action of the CCB which was finalised on the 14-03-1989 and carried out forthwith? IT was discussed, the final, because "n aanbieding", the presentation is to operationalise a plan, that is the way the CCB worked?

MNR BASSON: Goed, Mnr die Voorsitter, kan ek net vir u verduidelik dat as u kyk na die 14de Maart, doen Richard of berei Richard 'n aanbieding voor waar ek as persoon teenwoordig is.

Goed, dit vat tyd om 'n aanbieding voor te berei. As 'n mens kyk na die volgende bladsy, tweede van bo af, "vir aanbieding Richard/ontwrigting". Wel, beteken dit as ek 'n logiese afleiding maak dat ek moet 'n tyd reël vir die aanbieding aan die Besturende Direkteur om magtiging te kry of dit is dalk die tyd gewees vir die aanbieding. As u verstaan wat ek bedoel.

MR KHOISAN: Well, I mean you were the Coordinator. You, Joe Verster was the man who was basically running the show outside the country as such and if he was making an "aanbieding", he wouldn't be making an "aanbieding" to you. I assume that he would be, if you are making a presentation for a plan to operationalise a plan, Mr Verster was here with us and he presented his own view of what his thing is, in terms of structures, how the thing was operationalised.

And also from the documents that we have sent you, both written by Major General Kloppers and also the other document that we sent to you. We have a clear sense of how things move from one stage to another.

What I am saying to you and what I am asking you about is what kind of presentation Richard was making and what kind of "ontwrigting" was he going to do in Zambia, in Region 5?

MNR BASSON: Mnr die Voorsitter, ons besef wat die woord ontwrigting beteken. Spesifiek kan ek nie onthou waarom die aanbieding gegaan het nie omrede detail nie beskikbaar is nie.

En dit is in die buiteland, so ons spekuleer maar dit mag my inkrimineer sou dit ...

MR KHOISAN: Now who is Richard specifically?

MNR BASSON: Dit was 'n persoon wat kontak gehad het soos Zambië, besigheidskonneksies gehad het met vermoëns daar en dit is 'n persoon wat gebruik is om aksies te loods.

MR KHOISAN: Did this person know Big Alex (indistinct), or was he an associate of Big Alex (indistinct), or were the same ...

CHAIRPERSON: Sorry, at this stage you will have to take a lunch adjournment and we will resume at two o'clock. You can hold your question Mr Khoisan until then.

MR KHOISAN: Thank you very much.

COMMISSION ADJOURNS

ON RESUMPTION

CHAIRPERSON: At the resumption, Mr Basson, you are still under oath.

WOUTER JACOBUS BASSON: (steeds onder eed)

MR KHOISAN: Good afternoon Mr Basson.

MNR BASSON: Good afternoon Mr Khoisan.

MR KHOISAN: Okay, just on the issue of this man J. Black. You mentioned Swart to me and I just want to clarify one thing, it has come to my attention that one Brigadier Swart?

MNR BASSON: No, it is not the same person.

MR KHOISAN: It is not Brigadier Swart?

MNR BASSON: No.

MR KHOISAN: Okay, now just when we left off at the break we were on this issue of, let me get it exactly, "Derek, die binnelandse teikenlys" and then from there, we moved to one Richard. Now you put it to us that Richard operated in Region 5, which would essentially have been ...

MNR BASSON: No, not Region 5, the Zambia Region.

MR KHOISAN: Yes.

MNR BASSON: Region 5.

MR KHOISAN: No, Region 4 I believe. Let me just get that for the record so that we have that exactly correct.

MNR BASSON: Yes.

MR KHOISAN: Region 4 would be Zambia, Angola and Tanzania.

MR DU PLESSIS: That is correct.

MR KHOISAN: That is one Richard. The identity of this Richard, Richard is who? We were on that?

MNR BASSON: I will have to come back to you on that one. Ek sal terugkom in die verband Mnr die Voorsitter, ek is nie seker wat die

persoon se naam was nie, ek het hom baie lank laas gesien ek sal terug kom na u.

MR KHOISAN: But his administrative name?

MNR BASSON: Richard Collins.

MR KHOISAN: Richard Collins? Thank you sir. Richard Collins.

Now Richard Collins had a Project to, he had a meeting where he had to put together a presentation for "ontwrigting" and this "ontwrigting" would take place in the area known as Zambia.

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay, now we want to know what "ontwrigting" that was?

MNR BASSON: Ek weier om die vraag te antwoord Mnr die Voorsitter, as gevolg van redes reeds bekend aan die Voorsitter.

MR KHOISAN: Okay, and just for the record, I am asking you are you refusing to answer this question?

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay. And now let us proceed off off this. Just while we are on this question, according to the documentation that has been put to us and the information gained in this process and also in the broader investigation process, each Region had places where arms caches were held. Where was the arms cache for Region 6?

MNR BASSON: Streek 6 het nie 'n wapenopslagplek gehad nie, sover my kennis strek.

MR KHOISAN: Okay, where was the arms cache for Region 1, or the arms caches for Region 1?

MNR BASSON: Ek dra nie kennis daarvan nie Mnr die Voorsitter.

MR KHOISAN: And the arms caches for Region 2?

MNR BASSON: Ek dra ook nie kennis, ek dra geensins kennis van wapenopslagplekke in Streeksverband nie Mnr die Voorsitter.

MR KHOISAN: Okay, if in the process of investigation it emerges that there were caches and that in one way or the other, as the Coordinator, you may have interacted with that information, what is your position then?

MNR BASSON: Ek staan by die punt dat ek is nie bewus van enige wapenopslagplekke waarvan ek behoort te gewet het nie.

MR KHOISAN: Okay, now I want to draw your attention to a document which you have in front of you, which is Annexure 1. Okay, "burgerlike samewerkingsburo". Okay, it is amongst the list of annexures in the documentation put to you.

"Burgerlike samewerkingsburo", in fact it is probably in that file, I am looking at that file there, it should be the very first annexure, that is it, yes.

Is that it, do you have it in front of you? "Burgerlike samewerkingsburo", okay go to the very end of that document and then page back ten pages. Page back to page 32, to the last page, it says page 32 of that annexure.

You've got that?

MNR BASSON: Ja, ek het dit.

MR KHOISAN: Okay, now from there, page back to page 22, I am just helping you so that it is, have you got page 22?

MNR BASSON: Goed, u kan voortgaan.

MR KHOISAN: The first three words on there is "lande in Europa"?

MNR BASSON: Ja, dit is reg.

MR KHOISAN: Okay. Do you see point (c) there?

MNR BASSON: Ja ek sien, gaan gerus voort.

MR KHOISAN: Okay, that is person number 8, Project Crawler. That is for your information and it is point 20, but we are on page 22. On page 22 to read it full into the record "die ware doel van hierdie skip was om primêr te dien as 'n wegsteekplek vir mense wat ontset sou word uit 'n gevangenis in Harare. Hierdie Projek het as Projek Direksie bekend gestaan waarvan die Minister van Verdediging persoonlik die Voorsitter was." Do you agree with that that the person in charge of Project Direksie was die Minister of Defence, Mr Magnus Malan, I believe?

MNR BASSON: Mnr die Voorsitter, ek is bewus van wat hier staan. Daar was vroeër 'n vraag gevra of die Minister van Verdediging persoonlik die Voorsitter was waarop ek geantwoord het ek is nie bewus van die feit dat hy daarvan geweet het nie. Dit was nie op my vlak nodig geag dat ek so iets sal weet nie.

Dit is op top bestuursvlak sou die Projek dan nou goedgekeur gewees het volgens die skrywe, maar negatief, ek kan nie antwoord daarop nie, ek dra nie kennis daarvan nie.

MR KHOISAN: But you do know that you are presented as the Coordinator of Project Crawler, is that correct?

MNR BASSON: Ja, maar ...

MR KHOISAN: In documentation that has already been put here, Direksie (indistinct).

MNR BASSON: Dit is heeltemal korrek, maar u verwys na Projek Reksie, waarvan Mnr van Staaden die BSB Bestuurder was met die res van die verdediging, res van die Weermag wat dan sodanig betrokke was.

Tot op watter vlak kan ek egter nie vir u sê nie.

MR KHOISAN: Okay, now Project Direksie, did it include various branches of the same thing, Direksie 4, Direksie 5, Direksie 1, Direksie 2?

MNR BASSON: Ek herinner my aan meer as een Direksie. Waarvoor dit spesifiek was, kan ek egter nie onthou nie.

MR KHOISAN: But are you prepared to discuss with this Commission whether this was all part of Project Direksie?

MNR BASSON: Ja, as die naam bly Direksie, dit is as ek 'n afleiding maak, dit is onderafdelings van die Projek Direksie.

Dit het betrekking op verskillende persone neem ek aan.

MR KHOISAN: Okay, now this Project Direksie, this Direksie 4 of which your name appears on this particular certificate of the release of funds relating to R5 386 804-37.

That particular part of the Project to which you have an association, you agree with that. Now was Direksie 4 a forward activation of the plan Direksie? Would that entail the stages of the Project or would that entail just subdivisions of the Project? Would Direksie 4, would that entail that the Project had reached a certain level?

MNR BASSON: Mnr die Voorsitter, ek probeer onthou. Aangesien die bedrag 'n aansienlike bedrag is kan ek, maak ek weereens die afleiding dat

ek is nie heeltemal seker nie, dat dit 'n laat stadium was van Projek Direksie en om alle beskikbare informasie of dit was op lêer is te skei van die res, is daar 'n Direksie 4 geopen om praktiese redes, om 'n aparte lêer met ander woorde te hê met die aparte begroting rondom die hantering van die Projek.

MR KHOISAN: So it would be correct to say that Project Direksie would have formed one of the biggest Projects of the CCB?

MNR BASSON: Dit is nie my kennis om vir u daarop positief te antwoord nie. Direksie was 'n groot Projek, of dit die grootste was kan ek nie vir u sê nie.

Ek dra nie kennis van alle BSB Projekte nie.

MR KHOISAN: Okay, now you worked internally inside the country and I am trying to, because you see there is another part of this. It is the use of taxpayers' money for situations which would and could have resulted or is alleged to have resulted in gross human rights violations, do you understand that?

MNR BASSON: Yes.

MR KHOISAN: Okay, now in terms of your understanding of just, let's square the finance part of it, because that is a big amount of money.

Was there any Project according to your knowledge where there was a release of this amount of money for a Project at a particular time?

MNR BASSON: Nee Mnr die Voorsitter. Ek wil ook net op rekord plaas dat die bedrag volgens die dokument wat handel oor die vrystelling van fondse is dit 'n bedrag wat goedgekeur is en of die werklike spandering dan nou per se plaasgevind het, kan ek nie bevestigend antwoord nie.

So ons kyk na 'n begrote bedrag as ek my duidelik uitdruk op hierdie stadium.

MR KHOISAN: Well, it is next to a certificate of funds that said "die Voorsitter het op die en daai, sien aanhangsel, goedgekeur" and I think it is self explanatory that this money was approved.

MNR BASSON: Ja, dit is korrek, die bedrae is goedgekeur, maar soos ek sê of dit spandeer is kan ek nie vir u positief antwoord nie.

MR KHOISAN: We are talking about the 18-10-1989 and that was approved and I am saying to you my position to you is, this was an amount of R5,3 million approved.

Was there any other amount, any other Project according to your knowledge of the CCB, and given the fact that you were the Coordinator, where you saw a release of funds in and around the same amount?

MNR BASSON: Negatief Mnr die Voorsitter.

MR KHOISAN: Okay, now would I be correct to say that Project Direksie was a Project that was put in jeopardy by the behaviour of one Brigadier Swart among others?

MNR BASSON: Ek verstaan nie die vraag nie Mnr die Voorsitter.

MR KHOISAN: Could it be that Brigadier Swart in full military regalia at one time went to the ship with other members of the SADF, senior members and that he was drunk and that he was seen by civilians and that this was an embarrassment and at the same time an unearthing of a covert Project?

MNR BASSON: Wel, Mnr die Voorsitter, ek praat nou suiwer as 'n persoon wat vir Brigadier Swart ken en volgens my beskeie wete, is

○ Brigadier Swart nie 'n persoon wat hom sal skuldig maak aan so 'n aktiwiteit nie.

Hy is 'n trotse offisier en ek betwyfel of dit wel plaasgevind het indien iemand so beweer.

MR KHOISAN: Okay, so according to you there is nothing that you have heard about where Brigadier Swart compromised this Project?

MNR BASSON: Nie waarvan ek bewus is nie, ek was nie by nie.

MR KHOISAN: So how did it come that Keith and others had to go and answer on this particular case where the Captain of that ship that was used in Project Crawler, his identity became known? I believe it is Keith Lightfoot that you mentioned?

MNR BASSON: Ja, dit is korrek.

MR KHOISAN: But he was only known as Keith in the judicial proceeding?

MNR BASSON: Wel, ek dra nie kennis van hoekom die persoon se regte naam bekend gemaak is nie. Ek maak 'n afleiding sy naam het bekend geraak omdat hy ontevrede was met die aflegging van sy Projek en dat hy 'n hofgeding begin het en dit het sy naam geïmpliseer, dit is die afleiding wat ek maak.

MR KHOISAN: So, why we are on the Project there, do you know one Jeff in Johannesburg, he was a dagga salesman?

MNR BASSON: Negatief, ek ken nie so 'n persoon nie.

MR KHOISAN: Okay.

MNR BASSON: Ekskuus, daar is 'n Jeff. Ek het 'n Jeff persoon geken, maar dit is definitief nie 'n smokkelaar met verdowingsmiddels nie.

MR KHOISAN: You don't know a Jeff in relationship to one Karl Casteling Botha?

MNR BASSON: Nee, Mnr die Voorsitter.

MR KHOISAN: You don't know of the tasking of one Jeff to burn down or to burn a car of somebody in the Johannesburg area?

MNR BASSON: Ek kan nie die naam Jeff herroep en bevestigend antwoord daarop nie.

MR KHOISAN: Okay, there is this whole thing of Jacko and we have already established that Jacko is J. Black and that he was one of the most senior members of the organisation as you have put it to us?

MNR BASSON: Negatief. Hy was nie, Mnr Verster was die mees senior persoon in BSB.

Jaco, ja afgesien nou van die Voorsitter wat die Bevelvoerende Generaal was van Spesiale Magte en Jaco was 'n Bestuurder net soos enige ander Streekbestuurder, was hy 'n Finansiële Bestuurder, met ander woorde hy was op die vlak van Mnr Burger gewees en alle ander Streekbestuurders, en dit maak hom nie 'n persoon wat direk onder Mnr Verster was nie.

Hy was suiwer 'n Bestuurder.

MR KHOISAN: Okay, we will deal with that at a later stage. But this man Jacko is mentioned in relation to Derek, the same Derek that we talked about that was the Intelligence person who provided "die binnelandse teikenlys". We have dealt with that, I believe that was dealt with on the 14th, right?

Now there is this entry on page 11, let me just get page 10 so that we first get, okay and that is the entry for the 06-03-1989. Okay "kry doelwit vorms plus pligskaart".

MNR BASSON: Pligstaat.

MR KHOISAN: "Pligstaat, ja, Streek sosiale tyd" and that is for the 15-03-1989 "maak tyd vir aans..."

MNR BASSON: Aanbieding van Richard.

MR KHOISAN: Okay, so that is Richard's presentation and then we have over there, we have "Jacko teken oordrag van fondse. NB praat met Jacko oor Crawler, praat met Derek oor foto's." Now I want to know from you whether Jacko was part of Crawler?

MNR BASSON: Gesien in die lig dat Jaco die Finansiële Bestuurder was en 'n bedrag, ek kan nie onthou wat was die bedrag nie, betrokke by die aankoop van die bate van die Projek, was Jaco wel betrokke rondom die finansiering, rondom die afhandeling van die aankoop en dit was sy betrokkenheid.

Dan ook later met die dag tot dag bedryfsuitgawes van die Projek, omdat dit 'n finansiële intensiewe Projek was, was dit nodig gewees dat Jaco meer kennis moet dra aangesien redelike bedrag geld ter sprake was en dit was met ander woorde, sy betrokkenheid was finansiële rondom die Projek.

MR KHOISAN: Okay, so shall I say that in terms of F. Helberg, F. Wilson, K. Lightfoot, A. Kotze, B. Heyns and we know who you are, that one of these people might be the same person as Jacko?

MNR BASSON: Nee, dit is nie so nie. Die persone, die ander persone daar genoem is almal persone wat as ek reg onthou, persone wat gewerf was om diens te doen op die bate, op die skip self.

Met ander woorde tegniese en ondersteuningspersoneel.

MR KHOISAN: Okay, so Jacko was involved in Crawler?

MNR BASSON: Finansieel.

MR KHOISAN: He was involved with the finances of Crawler?

MNR BASSON: Dit is korrek.

MR KHOISAN: Now these photo's that I referred to in the next entry, are they the same photo's that are referred to later down in the page, "Derek binnelandse teikenlys", which photo's did you need from Derek? Were those photo's for targets?

MNR BASSON: Mnr die Voorsitter, ek kan nie my herinner aan die spesifieke foto's nie. Ek kan dink dat hy wel oor foto's beskik het, binnelands of buitelands kan ek nie vir u sê nie, en dat ek dit graag wou sien.

MR KHOISAN: Okay, I just want to put it to you that this person Jeff appears "oordrag van fondse", who is, point 2, who is J.G. (indistinct)?

MNR BASSON: Mnr die Voorsitter, ek weet nie, ek weet nie waarvoor die afkorting staan nie. Ek probeer die hele paragraaf in verband sien, maar ek kan u ongelukkig nie daar help nie.

MR KHOISAN: Okay, who is J. Hayles?

MNR BASSON: Dit is ook die naam van 'n persoon van Streek 7, as ek reg onthou.

MR KHOISAN: From Zimbabwe?

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay, and this person, was this person also connected to those people who were CCB members who were in prison in Harare?

MNR BASSON: Wel, weereens sal ek verkies om nie die vraag te antwoord nie Mnr die Voorsitter.

MR KHOISAN: So let me put it to you this way, you are refusing to answer that question?

MNR BASSON: That is correct.

MR KHOISAN: Okay, so let me bring another question to you. The gang of five what has become known as the gang of five, who were in prison in Zimbabwe, were those CCB members?

MNR BASSON: Ek handhaaf dieselfde gevoel rondom hulle, dat ek nie vrae daaroor wil antwoord nie Mnr die Voorsitter.

MR KHOISAN: And so you are refusing to answer that question?

MNR BASSON: Dit is korrek.

MR KHOISAN: Around specifically around the persons known as the Harare 5, who were convicted of acts committed in Zimbabwe?

MNR BASSON: Dit is korrek.

MR KHOISAN: And would this J. Hayles person be connected to some of the actions taken in respect of promoting a dangerous or negative security situation for ANC and PAC members in Zimbabwe?

MNR BASSON: Mnr die Voorsitter, dit is 'n buitelandse Projek waaroor ons vroeër geargumenteer het en ek staan by die punt dat ek nie vrae daaroor wil antwoord nie.

MR KHOISAN: Okay, you are refusing to answer that question?

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay, now this person Jeff, was he ever recruited to work on one or other section of Project Crawler?

MNR BASSON: Ek is nie seker of dit so was nie. Jeff is ook suiwer 'n buitelandse, 'n persoon van die buiteland. Of hy spesifiek verband gehad het met Projek Crawler, dit is moontlik, ek is nie heeltemal seker nie.

MR KHOISAN: Okay, now in the statement of Karl Casteling Botha which we have given you, it is located in Annexure 3, I just want to get clarification here, Annexure 3 and it is over there, Annexure 3.

Okay, and that concerns CCB operative by the name of Deon Calitz.

MNR BASSON: Korrek.

MR KHOISAN: And Deon Calitz is Kalla Botha?

MNR BASSON: Dit is korrek.

MR KHOISAN: Now Kalla Botha said that he had built up a connection with "ek het 'n kleurlingman", he says on page 6 of his statement and 1, 2, 3, 4, 5, 6, 7,8, in the eighth paragraph "ek het 'n kleurlingman by die naam Jeffery te Randfontein gewerf."

MNR BASSON: Goed, gaan maar aan.

MR KHOISAN: "Hy is 'n dagga verkoper. Op 'n stadium het hy my die naam van Anton Roskam verskaf as 'n linkse aktivis. Ek het die naam met Burger bespreek. Daar is deur middel van die Inligtingsoffisier verdere inligting rakende Anton Roskam bekom. Daar is aan my meegedeel dat hy die Voorsitter is van die Wits Studenteraad sowel as aktief betrokke by die EEC en (onduidelik) as 'n linkse aktivis."

Now this Intelligence Officer that Mr Botha is referring to, is that the same man that we know as Derek?

MNR BASSON: Mnr die Voorsitter, ek kan myself nie herinner aan dit wat Mnr Botha in hierdie verklaring sê nie. As dit so is, dan was dit die persoon Derek, ja.

MR KHOISAN: Okay, now that Jeff, that Jeff, that dagga seller in Randfontein, that Jeffery, that Jeff who performed that job of you know, of burning out the car of this activist that we have just mentioned, do you remember at any time hearing about, or getting to know about that person?

MNR BASSON: Ek kan dit nie onthou nie Mnr die Voorsitter. Die Jeffery en die Jeff is twee verskillende boeke. Die Jeff in my boek is nie dieselfde persoon nie.

MR KHOISAN: So who is the Jeff in your book, how do you know that it is a different person? Can you tell me the full details of this particular Jeff who is mentioned in 4?

MNR BASSON: Die Jeff by paragraaf 4 in my dagboek het betrekking op 'n buitelandse Projek.

MR KHOISAN: Where?

MNR BASSON: Gekoppel aan Direksie, waaroor ek verkies om nie vrae te antwoord nie Mnr die Voorsitter.

MR KHOISAN: Okay, so shall I say to you that you are refusing to answer the question in terms of Jeff?

MNR BASSON: Dit is korrek.

MR KHOISAN: Was Jeff a member of the Project Crawler and Direksie?

MNR BASSON: Hy was betrokke by Projek Direksie en in 'n mindere mate by Projek Crawler, ja.

MR KHOISAN: Is Jeff a South African citizen, was he a South African citizen or a citizen of the then Zimbabwe, of Zimbabwe?

MNR BASSON: Mnr die Voorsitter, ek verkies om nie die vraag te antwoord nie.

MR KHOISAN: If I put it to you that he was one of the Military people from the former Rhodesia who became hooked up with the CCB as part of your Projects in Zimbabwe, would that be correct?

MNR BASSON: Ek het nie kommentaar te lewer nie, dit het dieselfde implikasie dat ek nie daarvoor wil antwoorde verskaf nie.

MR KHOISAN: You are refusing to answer that question?

MNR BASSON: Dit is korrek.

MR KHOISAN: Would he also be one of those people who was hooked up in trying to promote what was known as Super Zapo and promote a civil war in Zimbabwe?

MNR BASSON: Nee, ek dra nie kennis daarvan nie, Mnr die Voorsitter.

MR KHOISAN: Okay, on point 5, there is an emergency meeting of Region 6. What was that emergency meeting about?

MNR BASSON: Negatief, die SOS is 'n afkorting vir sosiale byeenkoms Streek 6. Dit verwys na die tweede lyntjie bo in die bladsy waar 'n sosiale geleentheid gereël moes word.

Die tyd, om 'n tyd te bevestig.

MR KHOISAN: To confirm a time to?

MNR BASSON: Om sosiaal te verkeer.

MR KHOISAN: And what is this thing on 7, "lewensvatbaarheid studie"?

MNR BASSON: Dit het te doen met die skip, die bate van Crawler om te kyk na lewensvatbare studie vir die vaartuig.

MR KHOISAN: So at that time, the ship had already been purchased?

MNR BASSON: Mnr die Voorsitter, ek is nie seker wanneer dit aangeskaf was nie. Ek is nie seker nie.

MR KHOISAN: Okay, so you know this thing of Richard, we are back to Richard. You see Richard, next to Richard is mentioned Molepe, (indistinct) Lelanda, (indistinct), what is that now, that is on page 11. We are on the same page?

"Kry Cleopatra lêer, Direksie 5", it says there, what is that?

MNR BASSON: Kan u net, o, dit het ook betrekking op 'n buitelandse Projek waarop ek sal verkies om nie vrae te antwoord nie Mnr die Voorsitter.

MR KHOISAN: You are refusing to answer the question?

MNR BASSON: Dit is korrek.

MR KHOISAN: In which Region?

MNR BASSON: Dit is 'n buitelandse, ek is nie seker in watter Streek dit was nie. Die name ...

MR KHOISAN: Would that be in Zimbabwe?

MNR BASSON: Nee, ek het 'n vermoede dat as 'n mens dit lees regoor die persoon, die aanbieder dat dit in Zambië dalk meer van toepassing is.

MR KHOISAN: (Indistinct), isn't that like Zimbabwe type, but Lelanda I can understand is, Lelanda is definitely a Zambia thing, right?

MNR BASSON: Wel, ek spekuleer Mnr die Voorsitter.

MR KHOISAN: So these entries all have to do with Richard, I assume?

MNR BASSON: Dit is korrek, buitelandse Projek.

MR KHOISAN: So then maybe you can explain Project Cleopatra to us. What was Cleopatra?

MNR BASSON: Cleopatra was Mnr Kalla Botha se Projek.

MR KHOISAN: Okay, then your entry reads "kry Cleopatra lêer/Direksie 5", what is the connection between Kalla Botha's Project and Direksie 5 and what is Direksie 5?

MNR BASSON: Mnr die Voorsitter, daar kan nie 'n ooreenkoms wees of 'n verband wees tussen die twee nie.

Dit was net nie moontlik nie. Direksie, die Projek Direksie het absoluut niks te doen gehad met Mnr Burger en sy mense, sy spesifieke polisiemense nie.

MR KHOISAN: Mr Botha worked in Police. What was Cleopatra again, what is that?

MNR BASSON: Cleopatra was the Projeklêer van Kalla, van Mnr Botha.

MR KHOISAN: En wat het dit behels?

MNR BASSON: Enige aksie wat hy sou loods, of wou loods, enige aanbieding wat soos met enige ander lêer dan daarop geplaas sou gewees het.

MR KHOISAN: Okay, so it would be safe to assume that I mean, you have here "n inhuis" from 11 to 1, that is a two hour meeting where you are going to discuss the activation of a Project and the Project is Cleopatra and that is Mr Botha's Project and Karl Casteling Botha's statement is here, so let's see what was his Project.

Did Karl Casteling Botha have a Project that would have involved the killing of Frank Chikane?

MNR BASSON: Negatief, nie waarvan ek bewus is nie.

MR KHOISAN: Okay, and then he says in his statement in page 3, the very last thing, "tydens my vergaderings met ander lede het ons op 'n stadium elkeen twee name gekry. Ek het die name van Frank Chikane en Bruce White gekry. Ek het 'n komperdruk ontvang oor Frank Chikane." Now he got a computer printout, that is to basically send somebody on an activation duty, because yours was a Super Secret organisation, you wouldn't allow information relevant to an ongoing and activated Project, to just be printed out, because there was something related to secrecy, wouldn't I be correct to assume that?

MNR BASSON: Goed, dit is korrek.

MR KHOISAN: So, as the Coordinator and this is a Region that is not outside the country, this is Region 6?

MNR BASSON: Dit is korrek.

MR KHOISAN: And there were attempts on the life of Mr Frank Chikane, as you well know?

MNR BASSON: Maar van Mnr Botha se kant af, was daar geen.

MR KHOISAN: How do you know that?

MNR BASSON: Dit mag wees dat, wel niks waarvan ek bewus was nie. Dit mag wees dat hy wel inligting op hierdie mense probeer insamel het, want ons is bewus dat hy vir Bruce White well gemonitor het.

En dat hy wel inligting gekry het van 'n Mnr Frank Chikane, maar sê ek vir u daar was geen Projek waarvan ek bewus is om hierdie mense te elimineer of enige aksie teen hulle te loods nie.

MR KHOISAN: Are we talking about the same period, when this entry took place, because this particular thing takes place in the same, in and around the same period. This is the 14-03-1989, it is in and around the same period when you were meeting and also in and around the same period when the Webster murder occurred if I am correct.

Where would he have gotten this printout because yours was a Super Secret organisation? Mr Botha could have gone and gotten information from any other source in the Police Force, but he was forbidden to do that because of the rules of the organisation. The rules of the organisation was that everything had to be dealt with in house, including the Intelligence gathering.

MNR BASSON: Dit is korrek.

MR KHOISAN: And if one person was not conducting his job correctly, he would collection would be done on him, he would be monitored, not by an outside agency but by somebody inside the group.

As was the case with Peaches Gordon when he was not conducting his work properly, then Ferdi Barnard had to be send down to Cape Town to deal with the collection on Peaches Gordon, so now where, why would

he, I mean as a confirmed inside member of the organisation, what you would term "n bewustelike lid van die organisasie", why would he just put something like that in a statement, that he got two names one was Frank Chikane and one was Bruce White?

MNR BASSON: Mnr die Voorsitter, dit is moontlik dat hy die name ontvang het om inligting op in te samel. Dit is 'n afleiding wat gemaak word dat hy 'n komperuitdruk ontvang het van die Polisie of van enige ander instansie.

Ek dra nie kennis van so 'n uitdruk nie en ook om die vraag van Slang van Zyl en van Mnr Barnard, Ferdi Barnard ook op te klaar, dit was nooit onder my aandag gebring nie.

Ek was nooit bewus van die feit dat hy vir Mnr Ferdi Barnard gebruik het, soos hy gedoen het nie, ek was nooit bewus daarvan nie.

MR KHOISAN: We are going to deal with Mr Barnard separately because the issue of Mr Barnard's employment with the CCB must be dealt with, but we are not going to deal with that right now. I am just pointing to that as an example of the mechanisms, because this was a secret organisation.

You didn't do things (indistinct), you dealt with things in a very professional manner. Now I am saying that the man says that "elkeen het twee name gekry." So which are the names. He says that he got the name of Bruce White.

You say that you were aware that he was doing collection on Bruce White?

MNR BASSON: Ja, dit is korrek. En Mnr Chikane kan ek nie spesifiek onthou nie. Dit kan wel 'n moontlikheid wees, maar soos ek vir u gesê het, daar was nêrens 'n aanbieding gewees hoegenaamd om met die Projekte voort te gaan nie.

Tydens sy insamelingsproses ten opsigte van Mnr Bruce White, is hy as ek reg onthou, is hy gekompromitteer en as gevolg van sy onprofessionele optrede is hy toe vir 'n ruk op die ys geplaas en dit is wat gebeur het in daardie opsig.

En hy het waarskynlik nooit, wel hy het niks verder gedoen waarvan ek bewus is nie.

MR KHOISAN: We will get to that in a little while, but who is Barry Follus? Let me draw your attention to page 1.

Barry Follus paid Hartley Regters? That looks like a Judge that got paid off there.

MR DU PLESSIS: Sorry, Mr Chairman, page 1 of what now?

MR KHOISAN: Page 1 of the diary on the print out. Go to page 1 and that is on the 05-01-1989, 20 000Z, is that 20 000 Zimbabwe dollars and did those Judges get paid off for one or other reason? Regters, it looks like Judges, wouldn't that be?

MNR BASSON: Dit is korrek. Kan u net 'n tyd gee dat ek net myself vereenselwig daarmee? Mnr die voorsitter, ek maak nie veel uit van die inskrywing nie, alhoewel dit dui vir my op 'n buitelandse Projek, waaroor ek dieselfde benadering het as die ander.

MR KHOISAN: But you are refusing to answer whether, I mean I am saying we dealt with Project Crawler, we dealt with Project Direksie.

Now in Region 7 there were many other Projects. Was that like a special Project to pay off the Judges? I am just trying to find out about the philosophy of the organisation.

Would you have the same Project to break people out of prison as you would have to for instance pay off a Judge, because those are Judges, "Regters"?

MNR BASSON: Mnr die Voorsitter, ek maak die afleiding dat dit suiwer regskostes was. Nie 'n poging was om Regters om te koop nie. Ek dra nie kennis van, ek dra geensins kennis van hoegenaamd geen Regter wat omgekoop moes word in my aanwending in die BSB nie.

MR KHOISAN: So then who is this Barry Follus en paid Hartley, what does that mean?

MNR BASSON: Barry's Follus paid Harley.

MR KHOISAN: Yes, now what does that mean? Did Hartley get paid, I mean who - that is 20 000 Zimbabwe dollars, that is I would assume that is 20 000Z.

MNR BASSON: Ja Mnr die Voorsitter, dit is 'n buitelandse Projek soos u kan sien waaroor ek verkies om nie vrae te antwoord nie.

MR KHOISAN: So you are refusing to answer that question?

MNR BASSON: Korrek.

MR KHOISAN: Okay, now just let me go there and say to you that was it common practice to pay off officials in foreign countries, Judges, politicians?

MNR BASSON: Nie waarvan ek bewus is nie Mnr die Voorsitter. Ek was nie betrokke by enige so 'n Projek nie.

MR KHOISAN: I am asking you more on a general point, just so that we can understand the workings of the organisation. If you needed to enact a Project and you needed to get some way to clear it, you had a covert organisation, like most covert organisations, I mean it is not something you need to be ashamed of, it is something that actually happened in the world, in order to make progress you needed to pay off somebody.

People regularly got paid off all around the world, from all quarters and was that something that you were aware of and knew of?

MNR BASSON: Wat ek vir u sê Mnr die Voorsitter, ek was nie bewus van enige so 'n voorval nie, maar ek stem saam dat dit wel 'n moontlikheid is.

MR KHOISAN: Okay, and this Barry and Hartley, who is Hartley?

MNR BASSON: Dit, ek kan nie vir u sê nie, ek kan nie onthou nie.

MR KHOISAN: But you have it in your diary there?

MNR BASSON: Ja, dit is daar.

MR KHOISAN: With 20 000Z, I mean how come, that is a figure that is not R20-00, I mean it is a sizeable amount of money?

MNR BASSON: Dit is korrek Mnr die Voorsitter, ek verkies om nie daaroor uitgevra te word nie.

MR KHOISAN: Now, let me put it to you directly that this was directly tied to Projects Direksie and Projects Crawler.

MNR BASSON: Ek verkies om nie daarop te antwoord nie Mnr die Voorsitter.

MR KHOISAN: You are refusing to answer that question? Okay, now "wie was Deon se vriend in Veiligheid"?

MNR BASSON: Ek weet nie Mnr die Voorsitter.

MR KHOISAN: "... dra volgende kontak oor nagklubs"?

MNR BASSON: As ek kyk na die inskrywing Mnr die Voorsitter, dan maak ek die afleiding dat hy het die volgende aan my oorgedra, dat hy 'n kontak het oor 'n nagklub, wat dit behels kan ek nie myself herinner nie.

En dat hy dalk 'n vriend in Veiligheid het wat ek nie weet wie dit is nie. Daar staan nie 'n naam nie.

MR KHOISAN: Wie was die vrou vir wie hy R2 000-00 getrek het?

MNR BASSON: Waar is dit?

MR KHOISAN: Page 1, the last entry. 09-01-1989.

MNR BASSON: Mnr die Voorsitter, dit het betrekking ook op 'n buitelandse Projek.

MR KHOISAN: And that is a foreign Project relating to which country, which Region?

MNR BASSON: Ek neem aan dit het ook betrekking op Direksie of 'n buitelandse Projek.

MR KHOISAN: Hoe weet jy dat dit het betrekking op 'n buitelandse Projek?

MNR BASSON: Omdat, as ek dit u sê dan kan ek myself inkrimineer. Ek dra kennis van 'n, ek weet dit is nie 'n binnelandse Projek nie.

MR KHOISAN: But there is nothing that indicates. Dit sê trek R2 000-00 vir 'n vrou?

MNR BASSON: Maar Mnr die Voorsitter, ek dra kennis van die geval en dat dit verband hou met 'n buitelandse Projek.

MR KHOISAN: Okay, so for the record you are refusing to answer a question regarding an entry on the 09-01-1989, is that correct?

MNR BASSON: Dit is korrek en die bedrag is nie 'n enkele bedrag nie, ek dink die bedrag het ook vorentoe ter sprake gekom op 'n gereelde basis, as ek reg onthou.

MR KHOISAN: Okay, so this is a particular woman and you don't, will you give us the name of this woman?

MNR BASSON: Ek het nooit direk met haar geskakel nie. Ek het suiwer die fondse beskikbaar gestel.

MR KHOISAN: Okay, was this woman a Zimbabwean?

MNR BASSON: Ek is nie seker wie sy was nie.

MR KHOISAN: But you say that this was a foreign Project in Zimbabwe?

MNR BASSON: Nee, dit kan 'n Zimbabwiese vrou wees. Dit kan 'n Suid-Afrikaanse vrou wees wat verband gehou het daarmee, ek is nie seker nie.

MR KHOISAN: Okay, so let me put it to you directly that you are refusing to answer this question because it has a relationship to Crawler and or Direksie?

MNR BASSON: Dit is korrek.

MR KHOISAN: Okay, and now what is Andrew, who is Andrew?

MNR BASSON: Andrew is the personeelbestuurder.

MR KHOISAN: Of?

MNR BASSON: Van die BSB.

MR KHOISAN: Andrew, what is his last name?

MNR BASSON: Ek is nie seker nie.

MR KHOISAN: Can you help us out, please, it will be very important if you could help us out with this matter?

MNR BASSON: Mnr die Voorsitter, met die volgende breuk sal ek kyk wat ek kan doen. Ek kan regtig nie nou, ek wil nie nou die prosedure nou uitrek terwyl ek dink nie.

MR KHOISAN: Are there records anywhere relating to Andrew? Was Andrew a Military man? Just I want to so that we can by the next break, we can probably help each other?

MNR BASSON: Andrew was ook soos Jaco, Jaco was 'n finansiële persoon. Andrew was 'n personeel persoon. Ek neem aan hy het 'n personeel agtergrond gehad, hetsy burgerlik of militêr is ek nie seker nie. Ek het nooit die persoon geken nie.

MR KHOISAN: But you ...

MNR BASSON: Ek sal u help sodra ek net tyd kry dan sal ek.

MR KHOISAN: What is KSOK, what is that? It is course, right? What kind of a course is that?

MNR BASSON: Ja. Dit is Kleinsake ontwikkelings koöperasie, How to start your own small business.

MR KHOISAN: Sort of to get this whole thing going, the whole CCB firm, the small business decentralisation or what?

MNR BASSON: Nee, dit het te doen met individuele kursusse wat lede kan doen om hulle te help om hulle dekkings makliker te bestuur. Om die kursus te hê om makliker hulle besighede te bedryf.

MR KHOISAN: Yes, and that probably relates to an entry earlier on on 05-01-1989 where you estimated that you would have a ten year plan, a ten year forward plan for Regional development etc, etc, and money that was required? Is that in relationship to that?

MNR BASSON: Dit het geen verband met die KSOK nie. Die KSOK het niks met die organisasie as geheel te doen gehad nie. Dit was suiwer om individuele persone verder te kwalifiseer in sy dekking om 'n sertifikaat te verwerf om te weet hoe om besigheid te doen.

MR KHOISAN: Now who is Soekie?

MNR BASSON: Soekie was die registrasie dame wat met die lêers gewerk het.

MR KHOISAN: And what is Soekie's real name?

MNR BASSON: Ek was nooit, ek weet nie wat is haar regte naam nie.

MR KHOISAN: What was Soekie's administrative surname?

MNR BASSON: Ek dink Soekie was dalk haar regte naam, ek is nie seker nie.

MR KHOISAN: Was dit Mev Soekie of was dit Soekie Soekie?

MNR BASSON: Mevrouw. Dit is 'n Mevrouw gewees, 'n ouerige dame.

MR KHOISAN: Sy was net bekend as Soekie?

MNR BASSON: Tannie Soekie.

MR KHOISAN: Tannie Soekie, okay, ons sal haar ken as tannie Soekie. Okay, wat is Mercy? In die notas van daardie periode is daar M. Horn, belasting, December 1986, March 1987? Who was M. Horn?

MNR BASSON: Hy was ook 'n lid wat in die buiteland, wat in die binneland gebly het maar wat betrokke was by buitelandse Projekte.

MR KHOISAN: But where was he operational, which Region? I mean you can surely help us with that?

MNR BASSON: Hy was ook Streek, Zimbabwe se Streek as ek reg onthou.

MR KHOISAN: Region 7? So he was one of these ex-Rhodesians, I would say?

MNR BASSON: Hy praat Engels, ek weet nie waar hy vandaan kom nie. Hy kan moontlik 'n ...

MR KHOISAN: A well spoken English speaking White man?

MNR BASSON: Soos die Kapenaars, ja Mnr die Voorsitter, ek weet nie, ek maak 'n afleiding dat hy, dit kan moontlik wees, ek is nie goed met dialekte nie.

MR KHOISAN: Okay. So now did he handle your taxes or what?

MNR BASSON: Negatief.

MR KHOISAN: "Belasting" or was that just ...

MNR BASSON: Ek herinner my baie mense het probleme gehad rondom hulle belasting en dat hy na my toe gekom het en gevra het ek moet vir hom help.

MR KHOISAN: With his taxes?

MNR BASSON: Ja. Wat dan gebeur is dan gaan gesels 'n mens met die Finansiële Bestuurder of the Personeel Bestuurder en daar word gekyk na 'n manier om die saak op te los.

MR KHOISAN: What is Mercy?

MNR BASSON: Kan u vir my sê waar dit staan?

MR KHOISAN: Mercy, it is in - it should be in the notes and it should be, let me find the exact, it should be in the notes around, okay, it should be in the notes around 05-01-1989, Mercy (indistinct) Steyl, Lorraine, (indistinct) Checkers ontvang salaris (indistinct) en handtekening, etc.

MNR BASSON: Dit was alles Streek 2 Projekte as ek reg onthou. Projekname.

MR KHOISAN: Okay, Mercy, now let's go. That would be Swaziland and Mozambique Projects?

MNR BASSON: That is correct.

MR KHOISAN: And who was the person who was running Region 2?

MNR BASSON: Ek dink dit was op daardie stadium 'n Mnr Botes gewees as ek reg is.

MR KHOISAN: Billy Botes?

MNR BASSON: Nee, Pieter Botes dink ek, ek is nie seker wat sy naam is nie.

MR KHOISAN: Pieter Botes?

MNR BASSON: Ja, ek dink so iets.

MR KHOISAN: Botes? And was this man also a SADF Special Forces man?

MNR BASSON: Nee, hy was - ek dra nie kennis van 'n Spesiale Magte agtergrond nie.

MR KHOISAN: What was his background?

MNR BASSON: Ek neem aan hy was ook êrens in die Weermag. Ek neem so aan, ek ken nie sy agtergrond nie.

MR KHOISAN: But he was SADF?

MNR BASSON: Ek neem so aan.

MR KHOISAN: Okay, and who was the person in charge of Project Mercy?

MNR BASSON: Ek weet nie. U moet hom maar vra Mnr die Voorsitter, ek weet nie.

MR KHOISAN: But you have an entry here, what was that entry about in relation to Mercy?

MNR BASSON: Ek kan nie 'n verklaring gee hoekom het ek al die Projekname neergeskryf nie. Dit was dalk gewees om dit aan iemand oor te dra. Die persoon was dalk nie beskikbaar nie, Mnr Botes, ek kan regtig, ek spekuleer as ek sê die rede hoekom die name in my boek staan.

MR KHOISAN: Now what is (indistinct)?

MNR BASSON: Nee, dit is 'n Projeknaam Annamint?

MR KHOISAN: Hm?

MNR BASSON: Dit is 'n Projeknaam Annamint?

MR KHOISAN: Annamint, and what was that Project?

MNR BASSON: Dit is 'n Projeknaam. Die spesifieke Projek kan ek nie vir u sê nie. Ek ken nie hierdie Projekte soos ek Streek 6 Projekte ken rondom dit ...

MR KHOISAN: But it was a Project in which Region?

MNR BASSON: Dieselfde, al daardie Projekte het te doen met Streek 2.

MR KHOISAN: Okay, so I would be safe to assume that Mercy, Annamint, Steyl, Lorraine, (indistinct) and Checkers are all Region 2 Projects?

MNR BASSON: Ja, ja.

MR KHOISAN: Okay. And the person who would have knowledge about that is Pieter Botes?

MNR BASSON: Ja, ek dink so.

MR KHOISAN: Where is this person now?

MNR BASSON: Ek dra nie kennis nie Mnr die Voorsitter.

MR KHOISAN: I mean I am trying to find out from you, at the time that he was coordinating Region 2, where was he located?

MNR BASSON: In die Pretoria omgewing. U bedoel woonagtig?

MR KHOISAN: Ja.

MNR BASSON: In Pretoria omgewing.

MR KHOISAN: In Pretoria, and of course this man would be known to Mr Verster who was the Managing Director of the firm known as the CCB? Would I be correct to assume that?

MNR BASSON: Ja, dit is korrek. Joe Verster is ...

MR KHOISAN: Joe Verster knows everything? Okay, now sir, here you get Soekie, so we will call her Tannie Soekie. She was your sort of Admin person.

MNR BASSON: No, she was the registering - sy was die registrasieklerk.

MR KHOISAN: En waar het sy gewerk?

MNR BASSON: Sy het by Spes Magte Hoofkantoor was daar 'n kantoor, 'n kluis gewees waar al die lêers gehou was en sy was verantwoordelik vir alle lêers in die BSB.

MR KHOISAN: So Tannie Soekie is an archivist as such?

MNR BASSON: Dit is reg.

MR KHOISAN: So we may even today find Tannie Soekie around there?

MNR BASSON: Ek weet nie of sy nog daar is nie.

MR KHOISAN: How old was she at that time?

MNR BASSON: Ek weet nie, maar ouers as ons almal saam hier teenwoordig.

MR KHOISAN: She was a reasonably ...

MNR BASSON: Sy was 'n ouer dame, ek glo sy was wel in haar 50's en ek is nie seker wat haar stand huidiglik is nie.

MR KHOISAN: And people would generally if I went to Special Forces HQ today and asked for Tannie Soekie, they would know her?

MNR BASSON: Ek is nie seker wat vandag in die Weermag aan die gang is nie, ek het nie belangstelling daarmee nie. Ek kan u nie help met daardie vraag nie.

MR KHOISAN: But if I speak to people who were in Special Forces in 1989, in the archives, they would know who Tannie Soekie was?

MNR BASSON: Ek dink dit is 'n redelike goeie afleiding, ja.

MR KHOISAN: Okay. So it would be reasonably safe to assume from your evidence that Tannie Soekie would know where most of the files are?

MNR BASSON: Wel, dit is 'n afleiding Mnr die Voorsitter. As ek reg onthou was hierdie onderwerp goed deurtrap met die Harms Kommissie en het dit op niks uitgeloop nie.

MR KHOISAN: No okay, then there is this thing of Charlotte, "vir rekening by Charlotte kry." That is now we are dealing with 09-01-1989.

MNR BASSON: Charlotte het onder Streek 9 gesorteer, wat 'n ondersteunende rol vervul het in die sin 'n sekretariële, nie sekretarieel nie, maar 'n klerklike rol vervul het rondom die administrasie van die BSB.

MR KHOISAN: So would I be correct to assume given the fact that Region 9 was Administrative/Intelligence support for the CCB, that Charlotte would be an Intelligence person?

MNR BASSON: Nee, nee, nee, Charlotte was slegs 'n klerklike, 'n dame met klerklike funksies.

MR KHOISAN: And what was her position before, what is her background?

MNR BASSON: Ek weet nie Mnr die Voorsitter.

MR KHOISAN: Do you know where she is now?

MNR BASSON: Nee, ek weet nie.

MR KHOISAN: Then there is "gee Star terug vir Steve". What is that?

MNR BASSON: Steve was ook een van die persone, ek dink in Streek 9 was administratief was en die Star dink ek verwys na 'n Star pistool wat

ek nie kan onthou, dit mag wees dat ons die wapen getrek het en 'n skuif geskiet het of wat ook al, ek kan nie onthou in watter verband dit staan nie
Mnr vir Voorsitter.

MR KHOISAN: So was Steve an Intelligence person?

MNR BASSON: Nee, Steve was 'n tegniese ondersteunende persoon.
Tegniese steun.

MR KHOISAN: Okay, what was his background? Military background?

MNR BASSON: Ek maak 'n afleiding dat dit moontlik so kan wees. Ek ken nie ...

MR KHOISAN: Special Forces?

MNR BASSON: Nee, ek weet nie Mnr die Voorsitter, ek ken hom nie as 'n lid van Spes Magte nie.

MR KHOISAN: Okay. Then you get "trust Andrew", what is that? I am sure it is not about trusting Andrew?

MNR BASSON: Nee, dit verwys na, ek dink dit was 'n gedagte rondom, omdat Andrew personeelbestuurder was, moes hy kyk na die uitvoerbaarheid van die stigting van 'n Trust, met ander woorde waar gelde betrokke is.

MR KHOISAN: And that I would assume that that Trust had to do with putting money and making sure that money was handled in a covert manner?

MNR BASSON: Ja, wel, ek is nie seker wat die doel van die Trust was nie. Die doel van die Trust kan ook wees dat gelde van persone se salarisse verhaal word elke maand, dit gaan in 'n Trust en van daar af word

mense se rekeninge betaal. Ek is nie seker wat die Trust presies behels het nie.

Dit kan basies ...

MR KHOISAN: So when was the Trust actually started?

MNR BASSON: Nee, ek dra nie kennis daarvan nie. Ek het suiwer 'n nota gemaak om my miskien maar net bewus te maak van die idee of om dit oor te dra aan die buitekring lede dat so iets aan gedink word.

Ek dra verder geen kennis van 'n Trust wat hoegenaamd gestig is nie.

MR KHOISAN: Okay, and then you have this thing of Richard. "Richard ontwrig/Jeff". Now I mean it is not only Richard that is involved in "ontwrigting", now, but it is also Jeff. What is the connection between Jeff and Richard.

Because the way I understood your evidence Richard is operating in Zambia and Jeff according to your evidence, is operating in Region 7 which is Zimbabwe. Now what is going on here between the two of them?

MNR BASSON: Wel Mnr die Voorsitter, ek kan maar net weereens 'n afleiding maak dat in Richard se aanwending, in sy ontwrigtingsplanne was daar 'n moontlikheid dat 'n persoon met die naam van Jeff dalk ook gebruik kon word.

Dit is weereens 'n afleiding van lank terug wat ek nie nou kan vir u presies sê nie. Maar dit het ook betrekking op 'n buitelandse Projek.

MR KHOISAN: So, what is ELMC? No, I am not talking about the diary, I am talking about something totally different now, which is the support, a Military support component of the CCB?

We are now onto the broad structure of the CCB?

MNR BASSON: EMLC.

MR KHOISAN: EMLC? What is it?

MNR BASSON: Dit was die Elektroniese en Meganiese Ondersteunende Element van Spesiale Magte.

MR KHOISAN: Now, EMLC, there was a farm and let me get exactly where that farm was, there was a farm where they had a place called "Die Skuur", do you know that place?

MNR BASSON: Ek is bewus van ...

MR KHOISAN: No, you know that place because that place is where...

MNR BASSON: Ja, goed, ja.

MR KHOISAN: Where exactly, it was near the Pienaars River?

MNR BASSON: Dit is korrek, dit is waar dit is.

MR KHOISAN: And in this farm there was a "skuur", like a shed where they kept lots of explosive materials and stuff?

MNR BASSON: Nee, Mnr die Voorsitter, ek is nie bewus daarvan nie.

MR KHOISAN: But EMLC guys used to go to that farm?

MNR BASSON: Nie waarvan ek bewus is nie Mnr die Voorsitter.

MR KHOISAN: Did you ever meet EMLC guys?

MNR BASSON: Ja, maar nie daar nie.

MR KHOISAN: Now, where did you meet them?

MNR BASSON: Ek onthou van een spesifieke ontmoeting wat sommer langs die pad was, waar 'n sekere item aan my oorhandig was.

MR KHOISAN: And what item was that?

MNR BASSON: Dit was 'n limpet myn gewees.

MR KHOISAN: Is that the same limpet mine that was used in the Early Learning Centre bombing?

MNR BASSON: Dit is korrek.

MR KHOISAN: But now these guys from EMLC, those are the Specialists given the way things work in the Military, right, correct?

MNR BASSON: Korrek.

MR KHOISAN: Those are the guys who would for instance work with Uncle Phil, who was located in Cape Town, there was a guy called Phil Freeman?

MNR BASSON: Ek ken nie so iemand nie.

MR KHOISAN: Who trained a lot of NIS people, etc, and trained a lot of Special Forces people too, but EMLC was a Specialist Unit, they had to do with poisons, correct?

They had to do with bombs, any kind of bombs, letter bombs, parcel bombs, any kind of explosive devices. The CCB guys used to contact and liaison with EMLC is that correct?

MNR BASSON: EMLC het te doen met Elektroniese en Meganiese steun aan Spesiale Magte Operasies. Of hulle 'n mediese element gehad het is spekulasie, ek kan nie vir u sê dit was so nie, ek dra nie kennis nie.

MR KHOISAN: No, leave out the medical component for now. Leave out the medical component. Let's just deal with the fact that EMLC, they were a Unit that had to do with Specialist jobs including distance bombings, etc, etc.

MNR BASSON: Dit is korrek.

MR KHOISAN: Yes. Okay, now, in terms of EMLC, would among this Unit who had a relationship to the CCB, very deep relationship with the CCB, would among them have come from for instance the Recce Units? Like Recce 5 etc?

MNR BASSON: Kan u net die vraag weer stel ek het nie mooi gevolg nie.

MR KHOISAN: Given the way you were Coordinator and in fact you were an officer of Special Officers, you were not an ordinary recruit, so you understand how Special Forces work at the time, given your rank at the time that you were recruited and given the way the Military works, EMLC is a Specialist function of the Military in that they had to deal with mechanical and technical support?

They deal with any kind of Specialist explosion, including distance explosion, they have to be consulted or it is better to consult them to make sure that the job is done right, because those are the guys who are the most highly trained in this field and as you yourself put it that the EMLC guys were contacted around the bombing that occurred in the Early Learning Centre?

MNR BASSON: Dit is korrek.

MR KHOISAN: Now, I asked you given your understanding of them and their relationship to the CCB, whether some of the guys that constituted this particular grouping and structure within the SADF would have come from the Recce Unit, including Recce 5?

MNR BASSON: As u vra of die verskillende verkenningsregimente ook ondersteuning van EMLC gekry het, dan is my antwoord ja.

MR KHOISAN: And would I be correct to say that as part of Region 6's work, without going outside the country, as part of Region 6's work, there was a deep liaison with Recce, with the Recce Units inside the country?

MNR BASSON: Nee, daar was geen verbintenis tussen lede van Streek 6 en die res van die verkenningsregimente nie.

MR KHOISAN: Now in which Region was the Recce Units used? Okay, let me put it to you one by one. Were they used in Region 1? Recce Units? In Botswana?

MNR BASSON: Ons praat nou weer van buitelandse operasies, Mnr die Voorsitter.

MR KHOISAN: No, but I am not trying, this is not implicating you sir. This is just ...

MNR BASSON: Ek is bewus van dat hulle, ons is almal bewus van waar hulle opgetree het.

MR KHOISAN: No, I am not talking about that. I showed you a document, the document written by Major General Kloppers which has already been part of the record in the Harms Commission.

In there it is identified as Regions. I am not asking you personally to put yourself on the line in respect of this. I am saying that in the Regions Botswana, all you have to do is to give me a simple yes or no whether CCB liaised with Recce Units in respect of work there?

MNR BASSON: Mnr die Voorsitter, ek weet nie. Ek kan nie vir u bevestigend antwoord nie, want ek weet regtig nie.

MR KHOISAN: Now, but you do know where the Recce Units were used, and you don't want to tell us, you refuse to tell us that?

MNR BASSON: Wel, dit was ook buitelandse operasies.

MR KHOISAN: But there are cases that you know about where the Recce Units were used?

MNR BASSON: Mnr die Voorsitter, ek verkies om nie so 'n vraag te antwoord nie.

MR KHOISAN: You are refusing to answer that question? Okay, I am going to stop for now and then I will let Mr Magadla take over.

MR DU PLESSIS: Just give us one moment please.

MNR BASSON: Mnr die Voorsitter, ek wil net 'n korreksie maak in die sin dat ek miskien nie die vraag goed verstaan het nie. As u verwys na of BSB lede sogenaamde Recce elemente gebruik het, dan sê ek nee, ek is nie bewus daarvan nie.

As dit u vraag beantwoord.

MR KHOISAN: With due respect Mr Basson, that was not my question. I know that Recce members were recruited to the CCB. The Commission knows that, that is not something that we are trying to, we understand that Recce members, we are not trying to establish that from you.

That we already know. You just have to agree. You can disagree at your own peril on that question.

MNR BASSON: Nee, ek stem saam met u, maar hoe ek u verstaan is dat u vra sogenaamde lede wat dan nou gewerf is, wat ex-Recce is wat nou BSB is, of hulle dan sodanig in samewerking met dienende Recce's operasies gedoen het in die buiteland, dan sê ek nee, ek dra nie kennis daarvan nie.

MR KHOISAN: Okay, I don't want to argue the point but I am going to ask Mr Muller, one of our Investigators just to hand you a graph here. And this is a graph that has actually been handed in as an Exhibit as Annexure D, to General Kloppers' report.

And you can study that graph and once you have studied that graph, you can answer at any time, but I am putting it to you that that graph will tell you exactly, you understand the Military and how the (indistinct) works, you know what I mean?

MNR BASSON: Ja, Mnr die Voorsitter.

MR KHOISAN: You know. And you can make your own deductions from that, but I am - I will get to that later, we can revisit that, I will just leave that with you, you can study it and Mr, the Chairman, wants to ask a few questions.

MNR BASSON: Goed.

CHAIRPERSON: Thank you. You know, I have been troubled Mr Basson by some of the questions that I think I will have to put to you in view of your answers.

And in particular I have been troubled by an investigation that I conducted very recently when I read your diary. And I was able to take down notes from various sources that I conducted.

Now you were asked about a "teikenlys", target list, do you recall?

MNR BASSON: Ja.

CHAIRPERSON: And your reply was that people who are mentioned in the "teikenlys", target list are not necessarily people who are targets of elimination, did I understand you well?

MNR BASSON: Dit is korrek.

CHAIRPERSON: Now, I didn't quite catch you what you were saying about Derek when you were asked by Mr Khoisan, Derek "binnelandse teikenlys", there is something in your diary that says "Derek binnelandse teikenlys".

Now, is it possible that this Derek in that list is Derek Fleming?

MNR BASSON: Nee Mnr die Voorsitter, ek ken nie 'n persoon met daardie naam nie.

CHAIRPERSON: Are you sure that you don't know anything about Derek Fleming, you must remember you are under oath?

MNR BASSON: U praat van 'n regte naam of 'n alias naam?

CHAIRPERSON: Well, I am sure you would know?

MNR BASSON: Nee, ek dra nie kennis van so 'n naam nie.

CHAIRPERSON: Derek Fleming? Maybe if I take something from the notes that I took from the sources and I indicate to you some of the events that might refresh your memory.

Derek Fleming was a target of a CCB dirty tricks campaign. He was a law student at Wits in the 1987/1988, does that ring a bell?

MNR BASSON: Ek dra nie kennis daarvan nie Mnr die Voorsitter.

CHAIRPERSON: Are you sure about that?

MNR BASSON: Ja, Mnr die Voorsitter, die persoon Derek ...

CHAIRPERSON: Fleming?

MNR BASSON: Nee, die persoon Derek in my dagboek wat die inligtingspersoon is, se van was Farrel gewees. Derek Farrel as ek reg onthou.

CHAIRPERSON: Is it not a coincidence that according to the information that I have, Derek Fleming was also a target of the CCB dirty tricks campaign and you have a Derek in your diary along which there is the crypt note "binnelandse teikenlys"? Don't you find it a coincidence?

MNR BASSON: Nee Mnr die Voorsitter.

CHAIRPERSON: You have in your diary a Derek, I have on the basis of a quick investigation I conducted, information that in fact you are one of the people who knows and had conducted a very extensive campaign around a person called Derek Fleming?

MNR BASSON: Mnr die Voorsitter, ek plaas op rekord, ek ken nie so 'n persoon nie.

CHAIRPERSON: Let me endeavour to refresh your memory. In 1987, 1988 and this was under the overall command of the Chief of Staff of Intelligence, a gentleman called General Witkop Badenhorst.

Certain actions, special actions relating to this Wits law student, Derek Fleming were initiated, don't you know anything about this?

MNR BASSON: Ek dra nie kennis daarvan nie. Ek ken vir Generaal Badenhorst, maar ek dra nie kennis van die aksies nie, nee Mnr die Voorsitter.

CHAIRPERSON: Don't you know that the CCB down the chain of command from Badenhorst, actually received instructions or rather first before that, you had received satellite image intelligence during the war in Angola and that Fleming was believed by you to be coming in and out of South Africa illegally since before 1986 as a matter of fact.

And that he was visiting Central America and Angola. Don't you know anything about this?

MNR BASSON: Ek dra nie kennis daarvan nie Mnr die Voorsitter.

CHAIRPERSON: You must remember that you are under oath. This was in the beginning of April which is why this name just caught my attention, Derek. This Derek Fleming was a subject of a campaign of harassment for instance ...

MR DU PLESSIS: Sorry Mr Chairman, can you just tell us is this in fact now 1989?

CHAIRPERSON: No, the beginning of 1987. April 1987. Your diary, no this is a build up, your diary is 1989, but the events in terms of my investigations begin in 1987 and they move right up to 1989.

The campaign of harassment took the following forms: his studies were disrupted and his private life was disrupted, for instance in June, April, June he was detained in terms of the Emergency Regulations but he was not interrogated and he had to be released, but placed under some surveillance.

Doesn't this ring ...

MNR BASSON: Nee, Mnr die Voorsitter, ek ken nie so 'n persoon nie.

CHAIRPERSON: Are you sure?

MNR BASSON: Baie, baie seker Mnr die Voorsitter.

CHAIRPERSON: Mail to and from his parents in Verwoerdburg was screened by you guys and was recorded. Are you sure you don't know anything about his?

MNR BASSON: Nee, Mnr die Voorsitter.

CHAIRPERSON: Don't recall anything? I mean we are talking about events Mr Basson that took place over about 12, 15 years ago?

MNR BASSON: Mnr die Voorsitter, ek ontken kategoriees dat ek enigiets daarvan weet.

CHAIRPERSON: Are you sure you were not part of this campaign?

MNR BASSON: Negatief Mnr die Voorsitter. My, ons, die binnelandse optrede in die BSB het begin 1989. Die binnelandse optredes het begin. Mnr Burger en sy mense is, ek dink Julie 1988 vir die eerste keer gewerf waarna hulle ses maande niks gedoen het en toe 1989 begin het met hulle aksies.

CHAIRPERSON: Of course, I know that.

MNR BASSON: Die datum waarna u verwys, was ek net, het ek net in die BSB begin en was daar nog geensins volgens my kennis, enigsins binnelandse Projekte geloods nie.

CHAIRPERSON: Well, that is what you say. That is what you say, so I mean ...

MNR BASSON: Dit kan enige ander inligtings, dit kan enige ander veiligheidsagentskap wees waarna u verwys.

CHAIRPERSON: Yes, all I am doing is putting you a version that I have. If you want to deny it, deny it.

MNR BASSON: Dit is korrek.

CHAIRPERSON: As long as you understand that you are under oath.

MNR BASSON: Ek is bewus daarvan, en ek ontken dit.

CHAIRPERSON: Yes. Now for instance it is my information that as part of this effort to discredit Derek Fleming, SRC Presidents at Wits and some other student leaders Ettiene Marais, Rosemary Hunter, Ferrows (indistinct), were used to discredit him. You know nothing about this?

MNR BASSON: Negatief Mnr die Voorsitter.

CHAIRPERSON: Don't you recall that when this isolation manoeuvres were proving to be of no effect, it was decided that Barnard, Ferdi Barnard, Chappies Marais, Kalla Botha and I think there was an African Sergeant should abduct him and subject him to hostile interrogation? That was in November 1987? Don't you recall this?

MNR BASSON: Op daardie stadium was hulle nog lede van Brixton Moord en Roof Mnr die Voorsitter.

CHAIRPERSON: Yes, I know.

MNR BASSON: Maar ek dra nie kennis daarvan nie, ek het die persone nog nie eers geken daardie tyd nie.

CHAIRPERSON: Don't you recall that when Fleming, that this took place when Fleming was reported to have now returned from Luanda via Botswana? Now according to my information Fleming was moved around every nine or ten days so as to avoid him being visited by the Magistrate which was a requirement in terms of the Emergency Regulations.

And you also I learn, got informal assistance from Vlakplaas people mostly by way of places where you held Derek Fleming for interrogation and for what you termed recovery from interrogation sessions. Did you have nothing to do with this?

MNR BASSON: Alles wat u nou aan my openbaar maak Mnr die Voorsitter, is vir my nuus. Ek volstaan by my punt dat ek geensins kennis dra hiervan nie, en ek ontken alles kategoriees.

CHAIRPERSON: Are you sure of that?

MNR BASSON: Ek is seker daarvan.

CHAIRPERSON: In fact when in December law students at Wits begin to agitate and ask questions and were pressuring June Sinclair to get answers from the Government, you began to put more pressure on Fleming.

When it became clear that Fleming was not, you were not eliciting any confessions from him, you guys began to believe him and in fact some of you began to feel sorry for him. Don't you recall that?

MNR BASSON: Nee, Mnr die Voorsitter.

CHAIRPERSON: Are you sure you don't recall that when you decided that you wanted to release him on the basis that he was convincing you and you reported this to Witkop Badenhorst, he blew up in a rage and he told you in so many words that you can release him, but then you will see what is going to happen and then when you released him, in fact what happened was that the fellow disappeared and the next thing you heard was that he was in Angola.

Very much like what Badenhorst had said was going to happen.

Are you saying none of the things that I am saying to you makes sense?

MNR BASSON: Mnr die Voorsitter, ek dra nie kennis daarvan nie.

CHAIRPERSON: Don't you recall that?

MNR BASSON: Nee, Mnr die Voorsitter.

CHAIRPERSON: April 1989? April 1989, you guys established that this guy is in Angola. That in fact he had come also to Ovamboland and they had been identified by 101 battalion at the airport.

He was being believed to be using a Bulgarian passport. Don't you recall anything of that?

MNR BASSON: Nee, Mnr die Voorsitter.

CHAIRPERSON: He was a thorn in your flesh in Namibia, was he not? He was in direct contact with Anton Lubowski, he was in contact with Gwen Lyster who is the Editor of the Namibian. And he was spreading what you termed propaganda because some of the articles that he wrote in the Namibian were being published and were made available to SWAPO guerillas who were in prison there and it was your considered opinion and I am talking about you, that this so-called propaganda that was going to SWAPO detainees was of a nature that the SWAPO detainees would believe that you were losing the war in Angola.

And in one instance they had begun a riot whilst having detention.

Don't you know anything about this?

MNR BASSON: Negatief Mnr die Voorsitter.

CHAIRPERSON: Are you sure Mr Basson?

MNR BASSON: Ek is seker Mnr die Voorsitter.

CHAIRPERSON: My information is that all these things are known to you for example I believe that you wrote a report on Fleming which is why Derek in my view, in 1989 appears in your diary.

My information is that even Pik Botha was so concerned about the activities of Derek Fleming that is reported in your report apparently to be saying that something must be done to Fleming as he was blackening the name of South Africa with the United Nations.

MR DU PLESSIS: Mr Chairman, do you have the report?

CHAIRPERSON: No, I don't have a report, you know, that is what I said I have notes only from the investigation that I have conducted and those notes indicated that Mr Basson is supposed to have written a report and in that report it is supposed to be stated that Pik Botha was of the view that something must be done to this Derek Fleming.

MNR BASSON: Ek ontken dit Mnr die Voorsitter.

CHAIRPERSON: You deny that?

MNR BASSON: Dit is korrek.

CHAIRPERSON: And you deny I suppose that you guys also decided that Derek must now be terminated, the phrase that they used was that the target must now be terminated. Which was understood to mean that you guys decided that Derek must be murdered and you planned to do so whilst he was in Namibia. Do you deny that?

MNR BASSON: Ek ontken dit Mnr die Voorsitter.

CHAIRPERSON: I suppose that you would deny that the plan was that he was going to be caught on his way home from the offices of the

Namibian as he was going to his home in Beethoven Street in Windhoek.

Do you deny that?

MNR BASSON: Ek ontken dat ek daarvan geweet het Mnr die Voorsitter.

CHAIRPERSON: Do you deny that you may have been party to a report that says these things if my information is right?

MNR BASSON: Ek ontken enige verslag wat ek geskryf het. Ek ontken die feit, ek ontken dat ek die persoon ken, ek ken hom nie.

CHAIRPERSON: Under oath?

MNR BASSON: Onder eed Mnr die Voorsitter.

CHAIRPERSON: I understand that the plan was to kill him and make it look like a hit and run accident. Or to knock him out and place his body over the rails nearby. Something which is not unprecedented incidentally, just for the record. Two weeks ago we exhumed the remains of the bodies of Blessing Ninela who was an ANC activist who had been murdered by the Security Forces and his body was placed over railway lines, limpet mine was detonated beneath him to make it appear as though he had killed himself in the process of detonating a land mine over the railway line.

So I am not saying something that, when I took these notes from my sources, it didn't appear as though it was far fetched because it is not without precedent when Security Forces operators are involved.

So you say you know nothing about this attempt on Derek Fleming?

MNR BASSON: Ek ontken dit nog steeds Mnr die Voorsitter. Wat u sê is moontlik, maar ek dra nie kennis daarvan nie.

CHAIRPERSON: So all in all a person called Derek Fleming who was an activist at Wits in Region 6, which is an area where you operated, and whose activist span took him to Angola, Namibia and related places, places in relation to which you don't want to say anything, because you believe that you will expose yourself, you are saying under oath as you sit there, having sworn before God, that you neither know a Derek Fleming nor do you know any of the events that I placed on record as being information that I have which was triggered by a look in your diary and an interest that I had when I saw a Derek Fleming which was a target of the CCB campaign, dirty trick campaign.

You say that Derek has nothing to do with Derek in your diary who is supposed to be "Derek, binnelandse teikenlys"?

MNR BASSON: Ek ontken dit.

CHAIRPERSON: Thank you very much Mr Basson.

Mr Magadla?

MR MAGADLA: I will just go back a little bit to the Derek you know. Where would this Derek have come from before he joined you?

MNR BASSON: Ek neem aan hy kom uit 'n Inligtingsgemeenskap in die Weermag, spesifiek watter vertakking van die Weermag, kan ek nie vir u sê nie. Maar dat hy uit 'n Inligtingsgemeenskap uit kom, was duidelik omdat hy die kontak gehad het, die skakeling manier gehad het, ja.

MR MAGADLA: Where was he officially placed?

MNR BASSON: Hy was ook in Pretoria gestasioneer.

MR MAGADLA: Who was he answerable to? Who did he report to?

MNR BASSON: Ek is nie seker aan wie hy direk gerapporteer het nie.

Die kans is goed dat hy aan Mnr Verster gerapporteer het. Ek is nie bewus van iemand wat sy bestuurder was nie.

MR MAGADLA: Was his name ever mentioned in any of the commissions which have been taking place in the country around the CCB and other institutions?

MNR BASSON: Ja, Mnr die Voorsitter, tydens die Harms Kommissie. Tydens die Harms Kommissie was, ek praat onder korreksie, na aanleiding van dieselfde inskrywing was daar 'n verklaring verkry van hom, 'n geskrewe verklaring van die persoon Derek, ek roep op my geheue dat dit wel so plaasgevind het.

Met ander woorde, ja, tydens die Harms Kommissie.

MR MAGADLA: Was his name then mentioned in the same context as you have just mentioned?

MNR BASSON: Dit is korrek.

MR MAGADLA: And did he give evidence in the Commission?

MNR BASSON: Mnr die Voorsitter, ek kan nie onthou of hy fisies getuienis gelewer het nie en of daar net 'n verklaring ingehandig was, ek kan nie vir u sê nie, ek weet nie.

MR MAGADLA: But you would assume that his statement would be in that record of the ...

MNR BASSON: Ek neem so aan.

MR MAGADLA: What would have happened to him eventually?

MNR BASSON: Ek weet nie Mnr die Voorsitter, met die ontbinding van die BSB het elke persoon in sy eie rigting gegaan.

Ek het vandag omtrent kontak met niemand van die ou BSB nie, enkele persone. Ek dra nie kennis van die persoon se alokasie of sy ...

MR MAGADLA: Where was your office situated in wherever?

MNR BASSON: Ook in die Pretoria Streek. Daar was 'n kantoor gewees naby Spesiale Magte Hoofkwartier, was daar 'n kantoor gewees waarna verwys is as Skape, "sheep", en dit was die kantoor gewees van al die Koördineerders en die Streekbestuurders en die Besturende Direkteur Mnr Verster, so met ander woorde al die binnekring, bewustelike lede het die kantoor gebruik.

MR MAGADLA: Did you have your own support staff in your office?

MNR BASSON: Nee, ons het gebruik gemaak van die dames wat as klerke was waarvan een naam genoem was, ek dink Yvonne of iemand, as ek reg onthou en ons het meeste van ons administratiewe take self verrig.

Met ander woorde die trek van fondse en die verrekening van fondse het ons self gedoen, maar daar was ook 'n dame of twee beskikbaar om te help indien dit nodig sou wees met finansiële administrasie.

Maar ek het nie iemand gehad wat spesifiek aan my toegewys was om my te help nie.

MR MAGADLA: Was there ever an occasion where battle awards and recognition of exceptional service to the CCB members if so, did you get any such award yourself and if so, what was the citation thereof?

MNR BASSON: Nee, Mnr die Voorsitter, ek dra nie kennis van enige persoon wat tydens sy termyn in BSB met medaljes vereer is nie, ek dra nie kennis nie.

MR MAGADLA: Did you ever meet to plan your collective or individual response to anticipated allegations about activities abroad or inside the country as CCB members?

MNR BASSON: Kan u net die vraag herhaal asseblief?

MR MAGADLA: Did you ever have a meeting during the disbandment period or any other period where you discussed your collective or individual response to any anticipated allegations against the CCB with regards their operations abroad or anywhere?

MNR BASSON: Mnr die Voorsitter, ons het met ons onderskeie regspanne het ons gekonsulteer en op advies van die regspanne en op ons eie aandrang, het ons 'n sekere besluit geneem van hoe ons sekere Projekte gaan hanteer.

Ek dra nie kennis van Mnr Verster se konsultasie met sy prokureurs nie, so ek hoop ek antwoord u vraag.

MR MAGADLA: Was it a collective decision that you had to see Attorneys to frame up your approach or your response to these things, to the anticipated allegations?

MNR BASSON: Wel Mnr die Voorsitter, ek dink dit is nie snaaks dat 'n mens gebruik maak van regshulp in hierdie situasie nie.

En dit was elke lid se eie keuse gewees om wel na 'n regsverteenwoordiger van sy eie keuse te gaan.

MR MAGADLA: You did not meet even after then seeing the legal representative to say we met our legal representative and this is what seems to be agreed will be our standpoint in terms of responses? I am just asking this question because here you are, you are saying the same thing

about the cross-border things and some of the others who have been here, even the other day, are saying the same thing. So perhaps there has been something collective in terms of taking a decision in terms of what standpoint to adopt?

MNR BASSON: Wel Mnr die Voorsitter, ek weet nie of dit 'n kollektiewe besluit was nie, maar ek dink ek persoonlik, as ek vir myself kan praat, dan wil ek 'n gevoel uitspreek dat as sekere Generaals bewus was van buitelandse operasies, dan verwag ek van 'n Generaal om verantwoordelikheid te aanvaar, aanspreeklikheid te aanvaar voor ek dit doen.

So, alvorens mense verantwoordelik vir wat hulle gedoen het, nie na vore tree nie, is ek bevrees dit is baie maklik om te sê as daardie persoon sekere onthullings maak, dan dra ek nie kennis daarvan nie.

MR MAGADLA: But you were disbanded and the South African Defence Force that was, is the Defence Force that was, and we are in a new era now. Nobody belongs to that Defence Force, nobody has loyalties to that Defence Force, nobody has loyalties to the CCB, now how do you talk of superiors because those are not your superiors now?

MNR BASSON: Wat ek probeer sê is in die tydvak waarin ons operasioneel was, met ander woorde, die tydvak van my aanwending was daar sekerlik Generaals gewees wat opdragte en verantwoordelikhede gehad het.

En hulle is vandag miskien nie meer die Generaals wat daardie tyd die Generaals was nie, hulle is tien teen een afgetree en alvorens hulle nie hulle verantwoordelikheid aanvaar nie, kan ek myself inkrimineer as ek

onthullings maak sonder dat hulle die nodige ondersteuning verskaf en hulle verantwoordelikheid aanvaar.

MR MAGADLA: And you would not know as to what would have happened to the Black members that you mentioned that were there within the CCB at that time?

MNR BASSON: Mnr die Voorsitter, ek dra nie kennis van, soos ek vir u sê na die ontbinding van BSB, het almal in hulle eie rigtings in gegaan, mense dink seker maar aan hulle eie privaat beskerming en soos ek u sê ek is miskien bewus van vyf of ses lede wat ek geken het uit die ou BSB wat ek vandag mee kontak het.

Die oorgrote meerderheid weet ek nie waar hulle is nie.

MR MAGADLA: This person Fred, you mentioned before, where had he come from?

CHAIRPERSON: Excuse me, it seems to me, I am sorry Mr Magadla, there was a request for us to terminate the proceedings in such a way that Mr Du Plessis should be able to catch his plane.

MR DU PLESSIS: Yes, Mr Chairman, it seems to me in any event as if there is still a lot of ground to be covered even if we sit until five o'clock it seems to me we won't finish.

CHAIRPERSON: It seems so. Maybe, have you finished your last question?

MR MAGADLA: Yes, I think I have.

CHAIRPERSON: Yes, should we now out of difference to Mr, I am sorry Mr Khoisan.

MR MAGADLA: My question was just about Fred, where he comes from and what happened to him.

MNR BASSON: I can answer it as best as I can.

CHAIRPERSON: It is your client Mr Du Plessis.

MNR BASSON: Fred het nie 'n Militêre agtergrond gehad sover as my kennis strek nie. Hy is uit die privaat sektor is hy gewerf vir die Projek.

MR MAGADLA: Which private sector, where?

MNR BASSON: Ek neem aan 'n soortgelyke beroep as waarvoor hy toe nou aangewend is. As u verstaan wat ek bedoel.

CHAIRPERSON: I am sorry Mr Magadla, it appears as if your last question was not your last question. We hope that Mr Basson had also terminate in one sentence, doesn't come about. It seems to me that some arrangements will then have to be made for a mutually suitable date for Mr Basson to be recalled if that becomes necessary. We may well do that after we have read the court report and whatever, I mean the record (indistinct).

So shall we say that this present proceedings are adjourned to a date to be arranged should this be necessary and such date shall be mutually convenient for both the witness as well as his legal representative?

MR DU PLESSIS: Thank you very much Mr Chairman.

CHAIRPERSON: You'd better rush that traffic on Fridays and on a day like this, is something especially at about this time. Good luck.

MR DU PLESSIS: Thank you.

COMMISSION ADJOURNS TO A SUITABLE DATE IF REQUIRED.