

MS TERREBLANCHE: Mr Chairperson, I wish to call Mr Anton Uys.

CHAIRPERSON: Good afternoon ladies and gentlemen. If you could just place yourself on the record, just for the record as legal representative to Mr Uys?

MR BRAND: Mr Ntsebeza, Mr Chairman, my surname is Brand, my initials AF from the firm of De Klerk & Van Gendt Attorneys. I'm here on behalf of Mr Uys and Mr Uys is here at present with me.

CHAIRPERSON: Thank you Mr Brand. Mr Uys, do you have any objection to taking the oath?

ANTON UYS (duly sworn, states)

CHAIRPERSON: Mr Uys, if you will then sit down. There is a device for you to get the English version on - Afrikaans version. But we would appreciate if you testified in the language you are best comfortable with. So you are very much welcome to testify in Afrikaans. Nobody will be prejudiced. We have got simultaneous translators here who will facilitate our work in that regard. Ms Terreblanche?

MR BRAND: Mr Chairman, Mr Uys prepared a statement for ~~your behalf which I think can be helpful to the Commission. He~~ annexed certain documents to the statement. What he will do with your permission, he will read out what is in the statement. He won't read out the annexures which is previous affidavits.

With your permission then, I've got extra copies here available, if you want to follow what he is reading; with your permission I will hand it then up to you to follow what he is saying, and obviously he is prepared to answer then any further questions you want to put to him.

CHAIRPERSON: That is extremely helpful Mr Brand.

MR BRAND: What I will do, there is an original signed document as well as one copy then. Can I also just then further place on record Mr Chairman, that we requested the Commission and investigating unit to place before us any documentation in the possession of the Commission to enable us to speed up proceedings if I put it that way, and enable the witness to deal with these issues. We've been informed that there's no such documentation available. If there is, obviously my client would like to have the opportunity to study these documents before questions being put to him. But that is what I was told regarding the request for any documentation.

CHAIRPERSON: Ms Terreblanche?

MS TERREBLANCHE: Yes. Thank you for coming. I of course... [intervention]

~~CHAIRPERSON: Do you have anything to say in response to the request for further - go ahead.~~

MS TERREBLANCHE: I - yes, thank you.

CHAIRPERSON: If you could just place yourself on the record with regard thereto.

MS TERREBLANCHE: Yes. I have informed Mr Brand that we are actually testing eye witness accounts at the moment. So there is no relevant documentation to the questions that we are going to ask you, but if something comes up due to a connection made, we will most certainly give you an opportunity to look at it.

CHAIRPERSON: Very well Ms Terreblanche. If you could proceed then?

MS TERREBLANCHE: Mr Uys, we've invited you to come here to explain your role as a captain in the former security branch of the SAP during the period the mid 80's onwards to 1990, to provide details and answer questions pertaining to the investigation into the circumstances surrounding the crash of the plane on 20 October 1986 and - which killed the president of Mozambique; to furnish the Commission with all relevant documentation pertaining to the investigation at the time. And to explain the contents and whereabouts of such if you don't have it.

As you can see, it basically pertains to your role as we understand it, the security police person who initially did an

~~investigation into the accident that killed the Mozambican~~

president and 34 others. Is it correct to say that you were heading that?

MR UYS: Chairperson no, that's not entirely correct that I did a formal investigation. In my statement which I annexed here I pointed out how I came onto the scene and I performed certain actions there on the scene, and also how I a couple of months afterwards was asked to do certain investigations, which was done. I beg your pardon Mr Uys, I'm just trying to look at the statement quickly.

MS TERREBLANCHE: Would you like to read it?

MR UYS: Yes.

MS TERREBLANCHE: You may go ahead.

MR UYS:

"I, the undersigned, Anton Matthys Uys, declare as follows:
I am an adult man and I'm a former member of the South African Police Service. I received a notice on the 4th of June 1998 to appear in camera in front of the Truth and Reconciliation Commission to give evidence and to answer questions relevant to the investigation dealing with the plane crash on the 20th of October 1986 in which the Mozambican President, Samora Machel and 34 other people were killed.

~~Obviously my recollection regarding this incident which~~
took place more than 12 years ago, is not quite as clear as it should be, but I have refreshed my memory based on certain statements which I made about the incident as well

as the evidence in front of the Margo Commission. Copies of the relevant documentation are attached hereto as set out in para 4.2.

I now deal with the three questions put to me in the notice. I joined the South African Police on the 14th of June 1971 and since that date to 1981 I was attached as an instructor to the police college, security branch, head office, Pretoria, Katima Mulilo and the security branch in Soweto.

From December 1981 to December 1988 I was the branch commander of the Lebombo security branch in Komatipoort.

I initially had the rank of a lieutenant but during 1984 I was promoted to captain.

During January of 1989 I was transferred to the security branch, head office Pretoria where I was stationed until June of 1989. From July '89 to June 1990 I was the branch commander of the security branch in KwaNdebele. During this period I was promoted to the rank of major. From July 1990 I was the head of the inspectorate of the province Northern Transvaal and stationed in Pretoria.

During this period, from 1985 to 1990 my role in the security branch of the South African Police was the following:

The identifying and monitoring of ideologies, organisations and individuals within the borders of the country and

abroad considered dangerous to the State; the collection of security intelligence, the co-ordination of investigations by staff and personnel; the provision of information of local interest to the uniform branch of the Police, the detective branch, the counter-insurgency unit and the defence force; personnel management of the security branch in Komatipoort; the co-ordination of the Nkomathi operational centre established after the Nkomathi treaty was concluded in March '84.

As the co-ordinator I had daily contact and liaison with my Mozambican counterparts to discuss matters of common interest on local level. At the time of the incident I was a captain in the South African Police and I was the branch commander of the Lebombo security branch in Komatipoort.

On the 12th of November 1986 I made a sworn statement in which my involvement in the incident on the 20th of October 1986 was set out, and this statement is annexed hereto as Annexure AMU1. The statement to which I refer above was used in the Margo Commission of Investigation or inquiry into the incident and was translated into English

~~by officers of the Commission and a copy of this translation~~
is annexed as Annexure AMU2.

At a later stage - I can unfortunately not remember the date
- I was approached by an official of Civil Aviation, Mr GL

Roshad and certain questions were put to me. The questions and answers were put down in writing and that is in a document which I attach hereto as Annexure AMU3.

These questions related to my conduct and the conduct of my staff on the 29th of October 1986. I was also requested to investigate the matter of the erection of a tent at a specific place approximately 70 metres from the Mozambican Border.

Thereafter I made a sworn statement which was handed over to the Margo Commission in which I outlined the results of my investigation. A copy of this statement is annexed hereby as Annexure AMU4.

During the Margo Commission's inquiry I testified and I annex hereto a copy of the transcript of my evidence, that is Annexure AMU5.

On the 15th of January 1998 I was approached by a special investigation team. Questions were put to me regarding certain documents which were removed from the scene of the crash. A copy of my statement in this connection is annexed hereby and it's Annexure AMU6.

~~I also made a statement and gave evidence after the inquest~~
which came after the plane crash, but I don't have any copies of a statement or a transcription of my evidence in this connection. As far as I know, I have no further

documentation which could be of assistance to the Commission.

I am prepared to answer further questions which may be put to me by the Commission, in as much as I can remember the incident and as far as it's within my knowledge."

Thank you.

MS TERREBLANCHE: Thank you for the effort and the trouble that you took. I think we would like to get a clearer understanding. This has been a couple of years ago now and I haven't had a chance to look at the statement, but would you please tell us when you became aware for the very first time of the fact that there had been a plane crash in that area?

MR UYS: Chairperson, that night of the crash I received a telephone call. It was about two o'clock in the morning. And one of my colleagues mentioned to me that there'd been a plane crash in the vicinity of Mbuzini. That is a town in the KaNgwane residential area. I then went to the scene. And he also mentioned to me that there was a possibility that the president of Mozambique, at that stage President Samora Machel had also possibly been on board of the plane. That was the first time that

~~I came to know of this accident~~

MS TERREBLANCHE: When you arrived there, was there any indication that there had been a Police presence before you?

MR UYS: Yes. When I arrived at the scene there was already a police officer present, as well as our local district surgeon at that time.

MS TERREBLANCHE: This police person that you mentioned, it seems to me as if it was Mr Scott. Did he indicate to you when he had heard of the plane crash?

MR UYS: No. I didn't actually make inquiries about that; to me it was irrelevant at that stage.

MS TERREBLANCHE: As you can remember - or what can you remember, what did you find there?

MR UYS: Yes, I must point out that it was pitch black, it was dark when I arrived at the scene and it was in a very inhospitable part of the KaNgwane area. And initially I couldn't see anything and after a while they took me to the wreckage and we tried to see what we could see using torches, and we saw that it was quite a big plane that had crashed. And I made sure that the district surgeon look after the people injured at the scene. And that was also done even before I arrived at the scene. And there was pandemonium.

MS TERREBLANCHE: Had survivors been identified at that stage?

MR UYS: Yes. You must remember that it was extremely difficult at that stage to specifically identify any of the deceased.

When they mentioned to me that President Machel had died in

this accident I immediately realised that we would have to make very, very certain that it was in fact him who had died. You can imagine that if we had sent out the wrong message that it could have caused great embarrassment. And I took the responsibility on my shoulders to make sure of that. And I then walked to a body, a corpse which they pointed out to me and they pointed it out to me as being President Samora Machel. I also actually recognised him to some extent, and one of the survivors on the scene who wasn't too seriously injured, I asked him to also just make sure whether he agreed that that was in fact the president. And he confirmed that to me.

It was only then that I relayed a message to my commanding information with this information, that the president of a neighbouring state had been involved in this plane crash.

MS TERREBLANCHE: This took place over a week-end, is that correct?

MR UYS: I think it was a Sunday evening.

MS TERREBLANCHE: Were you aware of any special operations in the area on that week-end?

MR UYS: No.

MS TERREBLANCHE: Or would you have known of any such operations?

MR UYS: I was not aware of any special operations. At that stage I was on study leave, I was at home for that purpose and I

do believe that I would have been aware of any special operations, had there been any.

MS TERREBLANCHE: Were there often special operations during that period, specially over week-ends?

MR UYS: I don't know what you mean when you refer to special operations.

MS TERREBLANCHE: Special forces, cross-border operations, attempts to stop illegal immigrants, et cetera.

MR UYS: I want to make it very clear that the South African Police task was always to deal with the illegal immigration of the Mozambican citizens at that stage and to try and stop it. The

defence force on the border was also used for that purpose and I think you might be aware that there was an electrified fence from Komatipoort past Mbuzini. It's a distance of more than 70 km.

And if you refer to that as special operations then yes, that was one of the primary functions of the police and also the defence force to stop those illegal immigrants.

MS TERREBLANCHE: But would you have been informed of any specific troop movements in the area during a specific period of time?

~~MR UYS: Not necessarily. The defence force usually acted~~
independently of us in the planning and carrying out of their operations. So I would not have been aware at all times of movement of the defence force troops.

MS TERREBLANCHE: Can you tell us briefly what you found when you investigated the presence of this tent, tented camp in the area?

MR UYS: Yes. I can remember that about two months after the disaster I received a request and I've also added it as an annexure to my statement in which - I just want to find the person's name - it is Mr GL Roshad, and he asked me whether I had any knowledge of a specific area which he pointed out to me on a photograph. At that stage I had no knowledge of that, but I then undertook to go and investigate such premises or area or a place where a tent could have been erected.

I did that, and I did find such a place. And I reported these findings to them as such, and at the same time I also made use of the services of a person who did veterinary service at the border fence. And he also confirmed the presence of this particular place. And I'd like to point out to you that that area was situated in such a place that the people who were on observation duties had a clear view into Mozambique across the border of the activities that took place there.

Those premises were frequently used by people on patrol ~~duty along the border, and they used it as a type of an~~ observation post. And I came to this conclusion because there were a lot of old empty food cans, and at the time that I did my

investigation there the place had been used again by the local inhabitants as a type of a maize field.

MS TERREBLANCHE: Could you confirm that on the night that this plane crash took place, that some of the documents had been picked up - the documents had been found at the scene; they were picked up and copied at the police station.

MR UYS: Yes. And I would like to mention to you that this took place in the early morning hours. As a result of rain that was imminent I took the initiative to take some of the documents which were strewn across the scene, papers et cetera, to gather all of these and to take it into safe custody. Some of these documents and papers I placed into the boot of my car to remove it from the rain.

MS PATTA: Those documents that ended up in your boot (indistinct) happen?

MR UYS: I must point out as well that whilst I was going through these documents I saw that some of the documents might be valuable for us, and by that I mean the South African government. And by virtue of my office I considered it to be my duty to photostat these documents and to then relay these

~~documents via the usual channels to our headquarters. What they~~

then did with these documents is not known to me. A couple of nights later on the news I saw that Min Pik Botha had made a

statement to the press and had almost displayed these documents and had made certain deductions therefrom.

MS PATTA: Had you realised at the time that this was illegal to tamper with an investigation site? I mean you are a policeman; you obviously know that this would be illegal.

MR UYS: I must also place it on record that I don't believe that it was illegal. I was acting as it was my right to do, and as a result of the conclusions that I'd come to, and I did it.

MS PATTA: Why was no medical assistance given to the victims who survived? People were moaning, they were groaning, lying in the wreckage and the only thing that you were concerned about was finding documents and where Samora Machel was lying. No medical assistance was given to the victims.

MR BRAND: Mr Chairman, I must object to that kind of questioning. If there is any indication or any evidence to that effect, a lot of things were now said in one sentence. People were moaning, groaning, no medical assistance was given; if there's any factual basis for those allegations - that is why I asked for documentation - then it must be put to the witness and tell him listen, this is our evidence; that is what we've got. Or

~~otherwise it must be put in another way, to be fair to the witness.~~

CHAIRPERSON: Yes. Maybe most from what I have understood in the course of these hearings, questions have been put on the basis of interviews which were made. And from which

notes and not necessarily statements were taken. And maybe that's the basis on which the question can be put. Where there is no documentation that is available, but where either witnesses have been interviewed who would or would not be called; in fact we're intending to call all the witnesses on the basis of which questions have been put. So I quite accept that if the question is seeking to be based on a document, then that document should be made available to you. But if it is on the basis of an interview, or on the basis of notes that were taken in the course of an investigation, then I think the question should be preceded by an indication that that is the source.

MR BRAND: If that is the source, then I accept it, but then it must be put to the witness that that is the source.

CHAIRPERSON: Ja.

MS PATTA: Maybe I can just clarify the source.

CHAIRPERSON: Yes.

MS PATTA: And eye witness that was there with you assisting the police with the investigation says that no medical assistance was given; that victims were lying moaning and groaning, and that the police, yourselves, was simply saying, pushing and saying

~~where is Samora Machel, and were interested in documents. And~~
were not interested in providing support and assistance to the victims.

A survivor who survived the accident, also lay in the wreckage pretending to be dead as the police searched. And he testifies to exactly the same thing. That survivor is in Mozambique; he's a Mozambican survivor. He was Samora Machel's bodyguard and he survived the accident. And he lay there with his eyes closed, pretending to be dead while the police searched for documents. And he says no medical assistance was given.

MR UYS: Chairperson, I would like to react to that by pointing out that at the time of my arrival at the scene there was a doctor present and he attended to those patients. And it's not true to say that they were not given any medical assistance.

MS PATTA: What support did you provide? You were there as a search and rescue team I presume. What support did the police provide for the injured?

MR UYS: Chair, those survivors were treated by the district surgeon at the scene. We kept them inside the plane, because that was the most sheltered area for them in their shocked condition. And we waited until the helicopter arrived from Hoedspruit that morning, and we then helped those people to load ~~them into the chopper to convey them to the hospital~~

MS PATTA: Mr Uys, while you were waiting for the helicopter to arrive, apart from the medical doctor who was present on the

scene, Dr Marais, what assistance did you provide for the injured, for the victims of this horrific crash?

MR UYS: I assisted the doctor and I did what I could, but we could not do actually do more than just render first aid at that point. We as far as possible tried to make the people comfortable, and that is all.

MS PATTA: You said something about first aid. What first aid did you provide?

MR UYS: No, I didn't say I actually rendered first aid; I just assisted the doctor. Anything that the doctor asked us to do we did up to a point, and then we couldn't actually do anything more to help; we had to wait for the helicopter which was due to arrive from Hoedspruit.

MS PATTA: And what for example did the doctor ask you to do?

MR UYS: He asked us to place some of the garments lying around over these patients just to keep them warm, to counteract the shock.

MS PATTA: And what else?

MR UYS: That's all.

~~MS PATTA: So you placed garments and then what did you do?~~

MR UYS: There was nothing more that we could do.

MS PATTA: So you just stood there.

MR UYS: Yes.

MS PATTA: Waiting.

MR UYS: Yes.

MS PATTA: After having searched the wreckage.

MR UYS: No. We didn't search the wreckage. It was only later that we started looking around there and tried to secure the personal possessions lying around there.

MS PATTA: So after waiting around for a bit, after pulling a few blankets over people, waiting around for a bit you then went through the wreckage and removed items from the wreckage.

MR UYS: No goods or items were removed from the wreckage. I've already told you that we picked up other documents at the scene - and remember, the area was about a kilometre from where the plane first connected with the ground until where it finally came to a halt - and we picked up goods along that path and we took it in safe custody.

MS PATTA: So you did remove stuff from the scene.

MR UYS: No. Not removed them.

MS PATTA: You put them into safe custody in your words.

MR UYS: That's right.

MS PATTA: Well, okay. Mr Hennie Scott has a picture of

~~Samora Machel and his wife, Graca which he removed from the~~

body of Samora Machel amongst other things. I saw the picture.

MR UYS: I am unaware of that photograph. If he took it, then that was his own responsibility. I don't know about that.

MS PATTA: Okay. Let's go to the investigation into the tent site. The only person you spoke to was Aaron Mamba who testified that there'd been a veterinary tent there which he told us normally sometimes he used to play games, what you spoke about earlier. Is that the only attempt you made to find out whether SADF soldiers were in the area that night?

MR UYS: My investigation into that alleged tent I did in a complete a fashion as possible. There was no denial that the area had been used by the defence force, and I thought it fit to ask this Mr Aaron Mamba to testify before the Margo Commission to confirm that there was such a place used by the defence force.

MS PATTA: You say the only person you asked was Aaron Mamba who was employed by the Department of Veterinary Services. You asked him if a tent had been there. You didn't go to the SANDF; you didn't go and find out if any of their divisions had been in the area.

MR UYS: That part of the investigation was not my responsibility. I was not asked to do that. Mr Roshad also negotiated with the defence force to get certain information from them and I had no knowledge of that. My task was not to talk to

~~the defence force about it.~~

MR MAGADHLA: Mr Uys, how did you get the information that there had been this crash? Where were you at the time?

MR UYS: I was at home. I was asleep. They phoned me and I then went to the scene.

MR MAGADHLA: Was that at the police station premises or in town somewhere?

MR UYS: It was in town, in Komatipoort itself.

MR MAGADHLA: Now how did this information come? Were you awakened by a policeman who had come from the police station or you received a phone call?

MR UYS: I received a telephone call in which they said that there'd been a plane crash near Mbuzini and that they suspected that that was President Machel's plane, and then I went to the scene.

MR MAGADHLA: Now who was giving you this information?

MR UYS: The person who was then in charge of our office, who worked with me; W/O Kühn.

MR MAGADHLA: That was W/O Kühn?

MR UYS: That's right.

MR MAGADHLA: Now what did you do after you had received this information?

MR UYS: As I've already said, I realised that this was a matter

~~of great importance and I then got into my car and I went and~~
fetched another colleague at his home and then together we went to the scene.

MR MAGADHLA: A colleague who was not Mr Kühn?

MR UYS: No, no, no. W/O Van Zyl.

MR MAGADHLA: Did Mr Kühn go along with yourselves?

MR UYS: No.

MR MAGADHLA: He remained behind?

MR UYS: That's right.

MR MAGADHLA: So what time was this?

MR UYS: It was round about two o'clock in the morning. And I want to tell you why I left Mr Kühn there in Komatipoort. That was so that he could help me with the transmission of any messages that might be of importance. It would be important to have him at a phone, because where the plane crashed was at a very remote spot and I then had to from my police car, had to send a message via my radio to him. And he would then convey messages to people by telephone further on.

MR MAGADHLA: Had he told you as to how he had received the information about the crash?

MR UYS: No, I didn't ask at that stage how he received the information. It wasn't important to me. I reacted immediately after he gave me the information.

MR MAGADHLA: Well, I'm asking this question, the relevance

~~to it is that for you to have known that the State President of~~

Mozambique would have been in that crash, I'm trying to say and I'm trying to find out as to how himself had he got to know that

there could be the State President of Mozambique in the crash, in the flight that crashed.

MR UYS: What I can remember is that the survivors of this plane crash walked from the scene - this is what I heard - they walked from the scene to Mbuzini, the little town there, from where they phoned. So the phoned from Mbuzini to Komatipoort.

And Komatipoort's police station then phoned W/O Scott I assume and Scott then probably phoned W/O Kühn. That is how they first came to know of it.

And the way which he heard that it was President Machel's plane was because the bodyguard then probably said that's what happened.

MR MAGADHLA: How far was the place then from Komatipoort, the Mbuzini area; the crash site?

MR UYS: It is approximately 45 to 50 km. It could be a little bit more.

MR MAGADHLA: Now when the two of you arrived at the spot, who did you find there? Not the victims. Of people from the police and...

MR UYS: The only people that I can recall who were present

~~there at that stage was W/O Scott and the doctor, Dr. Marais.~~

MR MAGADHLA: Where had they come from themselves?

MR UYS: If I remember correctly they had come from the scene and walked closer in the direction of the road. They would also

have come from Komatipoort. They would have driven there from Komatipoort.

MR MAGADHLA: They then would have received the message earlier than you yourself.

MR UYS: Yes, that's right.

MR MAGADHLA: Then you say when you arrived there, they had walked from the scene to the point where you met them.

MR UYS: Yes.

MR MAGADHLA: Did you then go back to the scene with them?

MR UYS: Yes. They pointed out a road to me by means of a torch light, the light of a torch. It was a very bushy area, lots of trees and I wanted to get my vehicle as close as possible so that I could use my radio to say what had happened. So I moved a little bit closer in the vehicle.

MR MAGADHLA: So for you to be one of the people who had been inquiring as to which one is the body of the president, would be because they had not themselves done so before you came.

MR UYS: I believe that they had also already determined that, because he was not very far from the large part of the wreckage.

MR MAGADHLA: So it would have been then them who would

~~have pointed out the president's body to yourself.~~

MR UYS: That is correct, yes.

MR MAGADHLA: There wasn't a question of inquiries being made from people at the scene as to which one is the president's body.

MR UYS: I have already mentioned and I want to repeat, that I realised that it was important that we point out or identify the right person, and that's why I asked the survivors as well to ensure that that was the body of President Machel. Only then did I report back to say that President Machel was in this aeroplane that had crashed.

MR MAGADHLA: The survivors who you say apparently would have walked to the village to report the matter, at that point where were they? Were they not part of the people whom you found there; the survivors whom you found there at the time? Had they not also returned to the spot?

MR UYS: I cannot recall that Mr Chairman.

MR MAGADHLA: In the course of your investigations, were you able to find them then, to deal with them to interview them and take statements from them?

MR UYS: No. The one bodyguard was in the hospital at Nelspruit and thereafter he returned to the scene, but that was very late that day. And there were television cameras at the scene which filmed him, but I did not speak to him myself.

MR MAGADHLA: According to your viewing of the situation at that time, the only people from the police side would have been

the person you found there with the doctor and then yourself and who was the other person? Mr Van...?

MR UYS: Scott.

MR MAGADHLA: Was it Scott who was there and the doctor?

MR UYS: Yes.

MR MAGADHLA: So was there any information to say that there had been either soldiers or police who had arrived there earlier on?

MR UYS: No Mr Chairman, then I would have known about it. There was no-one else there except us at the scene.

MR MAGADHLA: Now did you then cordon the place off and conducted investigations at the scene?

MR UYS: Only when it started getting light did I notice that some of our units, police had arrived there on their own and I also noticed that from the defence force base Nkwamase, that some of their soldiers had arrived and I asked them to assist me in cordoning off the area because we started to see that a great deal of the locals stood closer to look and they assisted us in cordoning off the area.

MR MAGADHLA: They themselves would not have arrived in ~~the manner that you did when you got there and you found the~~

doctor and the other person and Scott, and was it that they came from other angles of the place as opposed to coming to you for instance, for you to see them at the time when they arrived?

MR UYS: Yes. They arrived there on their own. Such an accident as you know, is something - the news spreads very quickly and in one way or another they heard about it and then came to offer their assistance. I used them in order to cordon off the area.

MR MAGADHLA: Did they report to yourself when they arrived?

MR UYS: It wasn't actually necessary for them to report to me. Because at that stage I was the senior officer at the scene, they asked me more or less what had happened and in what way they could assist me. And I informed them and asked them to cordon off the area.

MR MAGADHLA: I'm just trying to find out whether it would have been possible or whether it did happen that before they spoke to you, they themselves would have gone to mingle up with the scene or bodies or check and do whatever, and that during light when you saw that oh, there are other people here, and they had come at whatever time. This is why I'm saying was it a question of them reporting to you so that you know, so now we have so many people around here, I can then organise as to how to deal with the scene.

MR UYS: It is as you have said; I did not see that some of those people moved between either the survivors or the dead people. I did not see anything like that.

MR MAGADHLA: Maybe to jump to somewhere near the end; did you then subsequently hear speculations, rumours and whatever that there were suspicions that a beacon placed by South Africans had misdirected that plane onto the crash site?

MR UYS: All that I know about a beacon is what I read in the newspapers.

MR MAGADHLA: Was it not a case or a situation where this thing was heard earlier on so that these speculations would be investigated before the sitting of the commission?

MR UYS: No, I did not have any knowledge of any such speculations.

MR MAGADHLA: Was the fact that there were tents there and some army people at the tents, not one of these speculations because that one you did investigate.

MR UYS: That is correct, I did investigate it. But I did not do so to determine whether there was a beacon. All that I investigated - and this was the request made to me - was to see whether it was an area which was used by the defence force and accordingly I did my investigation. I was not asked to look for a so-called beacon.

~~MR MAGADHLA: Seeing that therefore there had been these speculations, in your honest view, your honest feeling about the whole thing, is there a likelihood that there could be that kind of~~

beacon which would cause this plane to lose direction and get to the crash site?

MR UYS: In my honest opinion I do not believe such a thing.

MR MAGADHLA: Would there be any reason for you not to believe that it is likely that that thing could happen in the manner that people speculate?

MR UYS: I do not have that technical knowledge to be able to make such a deduction.

MR MAGADHLA: There is also talk of - I know it's also speculation; it's just for you to comment, it's not anything that says that if you did not see or did not observe of you did not hear, perhaps you were lacking in your resilience in doing whatever you needed to do there. There is also talk that there was so much interference with the injured people there that at some point it was discovered that some had incisions on their bodies which would have been sort of inflicted by somebody who had whatever kind of agenda, I don't know. Did you hear anything about an interference with the bodies themselves to the point where the incisions were made on their bodies?

MR UYS: I did hear about that story. And that is what I

~~understood that the people at Komatipoort, when they transported~~

the bodies there, that the doctor held a post mortem. I did not see it; I just heard that the people were talking about it. But I understand that this doctor in one or other way had to make

incisions in the body to establish the cause of death. But I did not see anything like that myself.

MR MAGADHLA: As far as your experience goes in terms of post mortems or handling of bodies by doctors, has it ever happened that a doctor would cut or make incisions on bodies to determine the cause of death?

MR UYS: I do not know. I have never been present during a post mortem.

MR MAGADHLA: Were you at the time a member at the security branch or just an ordinary detective or policeman?

MR UYS: No, I was a member of the security branch.

MR MAGADHLA: Were you aware of the existing relations between the Mozambicans or the president of Mozambique, the South Africans and the Malawians, politically?

MR UYS: Can you repeat that question please?

MR MAGADHLA: From your point of view or from your knowledge, how were the relations between the three countries, Malawi, South Africa and Mozambique?

MR UYS: As far as I know, I know that we signed the Nkomathi accord with Mozambique and that South Africa and Mozambique

~~were not involved in any war situation. But I know from~~
experience then that we had good ties with Malawi. But I do not know what nature the ties were between Mozambique and Malawi.

MR MAGADHLA: According to yourself the Nkomathi accord was really honoured by both sides?

MR UYS: That's correct yes.

MR MAGADHLA: There was just no reason to doubt otherwise, or to think otherwise?

MR UYS: No reason.

MR MAGADHLA: Are you aware of the fact that there was an allegation that relations between Malawi and Mozambique had developed to a point where there were threats from the Mozambicans that if the Malawians were continuing to harbour Renamo in their country, using that country by Renamo as a springboard to attack Mozambique, that Mozambique would find themselves in a position where they would respond accordingly?

MR UYS: I cannot recall anything specific in that regard, but it could have been possible.

MR MAGADHLA: It wouldn't be part of - as a member of this security branch yourself, part of your duty to report or to venture into finding out as to whether there could be anything between these countries which would be untoward which would cause friction? Security branch?

~~MR UYS: No, that was not part of my task to investigate any~~
such thing. We were aimed at obtaining information from a local nature and following it up. International relations was not something which belonged in the sphere of the security branch.

MR MAGADHLA: Likewise, security branch members crossing into Swaziland to arrest, abduct or do whatever on activists, South African political activists, did you hear about such things happening?

~~MR UYS: I did hear about them, yes.~~

MR MAGADHLA: That even if according to the book you were supposed to work locally, but nothing stopped security branch from those areas to venture into Mozambique or Swaziland or whoever they wanted to, through Lesotho?

MR UYS: For those of us at the security branch of Komatipoort, our primary task was to deal with matters of a local nature as well as what was happening in Mozambique. We did not have permission to do anything with regard to Swaziland.

MR MAGADHLA: Finally, you were - I'm not sure if this question has been asked - but finally you were not aware of an operation that night whereby special forces had crossed into Botswana intending to conduct a particular operation there, and they were stopped at some point, that intended operation was cancelled at the point where this crash happened, and they had to return?

~~MR UYS: No, I have no knowledge of that.~~

CHAIRPERSON: Do you have any further questions Ms Patta?

MS PATTA: Yes Mr Uys, just three more questions. The Nelspruit Emergency Services were refused permission to come to

the scene of the accident to assist with helping with the injured.

Do you know anything about that? They've testified to that.

MR UYS: I have no knowledge of that.

MS PATTA: Secondly, the Lebombo base where you worked, was that also called Squamans?

MR UYS: No. Squamans is the base which is manned by the Tin Unit, our counter insurgence unit. They use that base.

MS PATTA: (Indistinct) Komatipoort?

MR UYS: Squamans is situated on the bordergate road, approximately 30 km south of Komatipoort.

MS PATTA: So it's quite near Mbuzini?

MR UYS: Yes, it is approximately 20 km from Mbuzini.

MS PATTA: And did you go there that night?

MR UYS: No, I did not go to the Squamans base that evening.

MS PATTA: Do you know anything about what was happening there that night?

MR UYS: No, I have no knowledge of that.

MS PATTA: Thank you.

CHAIRPERSON: Well, I want to thank you Mr Uys for having come, and I've also to thank Mr Brand, your legal representative

~~for having come. It appears for the moment we will have no more~~

use - or we will not require you, to put it. And therefore you should be excused. Both of you are excused.