

PROCEEDINGS IN TERMS OF SECTION 29

HELD AT

DURBAN

ON 29 JANUARY 1997

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PROCEEDINGS RESUMED ON 1997/01/29APPEARANCES AS BEFORECHAIRMAN: Take the oath again.KEVIN JOHN BRUMMER TAKES RECORDER'S AND TRANSCRIBER'S OATHANGELINE MAJA TAKES INTERPRETER'S OATHNOELEEN MASEKO TAKES INTERPRETER'S OATHMR SIBUSISO BHENGUMR DE KLERK: Mr Commissioner, there is only one question today and I hope I won't be long. I've seen in the ... (intervention)CHAIRMAN: Sorry, if you could just put your microphone on.MR DE KLERK: That's right. I have seen in the previous day that there were other persons also in this ... (intervention)CHAIRMAN: Hearing.MR DE KLERK: Who are they?CHAIRMAN: They are staff members of the Commission, who are working on the facts relevant to this inquiry. For example, we have Ms Quinn here today. She is a researcher of the Commission, who is looking at these specific issues. So she will be obviously making her own notes that are relevant to the research that she's doing as part of the report-writing function of the Commission and there may well be other people who come in from time to time, but we are very clear with our staff that only those staff who have a clear interest in these proceedings may be present. That's a ruling we've made previously.MR DE KLERK: Yes, it's just that it's a little bit troubling, just a day after our first hearing there was

evidence in the Eastern Cape or something of information
/leaking out
leaking out to the outside world.

CHAIRMAN: If I could assure you that that information was leaked, as we understand it, by those amnesty applicants themselves.

MR DE KLERK: Yes, I don't know. It's just I'm worried that anybody can walk in.

CHAIRMAN: No, there has been an internal investigation, as Mr Nsebeza, who is head of the investigation unit, indicated and the information at our disposal is that no one within the unit actually leaked that information, but it was leaked by applicants themselves through their attorney. Obviously, there's a strategic advantage for them to do that.

MR DE KLERK: I accept that. Thank you. It's just to make it clear. We weren't clear what the ...
(intervention)

CHAIRMAN: Yes, no, absolutely, absolutely. All right. Let me then just get the formalities over with. We have already discussed the times that we sit and I won't repeat them. This is an investigative inquiry in terms of section 29 of the Promotion of National Unity and Reconciliation Act, Act 34 of 1995. Perhaps, Mr Bhengu, you should put your earphones on. I will repeat that. This is an investigation in terms of section 29 of the Promotion of National Unity and Reconciliation Act, 34 of 1995. The purpose of this inquiry is to investigate various incidents and to enquire from Mr Bhengu his involvement in such incidents and any ancillary information he may have in relation to such incidents. I wish to stress that no findings will be made at this

inquiry whatsoever and that, should the Commission wish
to

/make any

make any finding which may be detrimental to Mr Bhengu that such appropriate time and opportunity will be afforded him, in terms of section 30 of our Act, to make representations in relation to such finding. Mr Bhengu is entitled to certain rights and has certain obligations in terms of the Act and I will briefly go over these rights and obligations. The first is that he has a right to legal representation and it's clear that he's exercising that right. He has a duty to be honest with the Commission and he is informed that it is an offence in terms of section 39 - I will quote from this section - "To wilfully furnish the Commission or Commissioner or member of the Commission with any information which is false or misleading". It is also obviously an offence to tell an untruth, having taken the prescribed oath, and that would open you up to a charge of perjury. As a policeman, I am sure you are aware of that. A further fact which I must draw to your attention is that, in terms of section 31 of the Act, you can be compelled to answer any question, even if you are of the view that the answer to such question is privileged or may tend to incriminate you. Obviously, before I can force you to answer that question I must have consulted with the Attorney-General concerned and I must be satisfied that you have refused to answer the question and that the request which I am making upon you to answer the question is reasonable, necessary and justifiable in an open and democratic society based on freedom and equality. For the record, I have, with your

legal representative's concurrence, consulted with the Attorney-General - I did so on Monday - and he has no objections to me forcing you to answer any questions. Finally, no

/evidence which evidence which is obtained in this inquiry, which may be incriminating against you, is admissible in any court proceedings of a criminal nature, except in so far as such evidence would be relevant to a charge of perjury.

What that means is that you lie under oath before us here that statement under oath could be used as evidence that you have committed a crime of perjury. We have already confirmed, just for the record, that there is no objection to the subpoena in this matter. We did so on Monday afternoon, and it has been admitted that you are properly before this inquiry. Do you understand all the rights that I have read to you? --- I do understand whatever was being said.

Thank you. Mr de Klerk, are you satisfied your client does understand these aspects?

MR DE KLERK: Yes, that's right.

CHAIRMAN: Thank you. Just for the record, presiding on the panel today are myself, Alain Lax and Mr Ndu Dlamini and Mr Govender will be asking the questions and he is assisted by Mr Madlala. Please proceed, Mr Govender.

MR GOVENDER: Thank you, Mr Chairman. Mr Bhengu, are you still with the SAP - South African Police? --- That is correct.

What rank do you presently hold? --- I'm a sergeant.

And where are you stationed, Mr Bhengu? ---

Ulundi.

What is your address, your residential address?

Your home address? --- I stay at KwaMafundsi.

Have you always been in the South African Police Services, Mr Bhengu? --- I started in 1989.

/And prior

And prior to 1989 where were you employed? ---

I was working with Inkatha.

In what capacity were you employed with Inkatha?

--- I was actually a watchman.

Can you give us a bit more detail of that, Mr Bhengu? A watchman for what, who?

CHAIRMAN: Mr Govender, perhaps it might help if you asked him to start at the beginning, when did he start working for the IFP, what job did he do at that time, where was he employed and then just go through it chronologically till 1989. It might just help him structure it a bit better.

MR GOVENDER: Mr Bhengu, when were you first employed by Inkatha? --- I started in 1986.

And in 1986, what capacity were you employed in with Inkatha? --- I was a watchman as from that time.

Now, tell us a little bit more. A watchman for what, for who, where were you stationed? --- I was a watchman for Mrs Xulu.

Who is Mrs Xulu? --- She was an MP within the Inkatha Group and she was a chairlady.

Chairlady of what? --- Inkatha chairlady.

Yes, which structure of Inkatha? --- At that time they used to call it the Inkatha Freedom Party, the party on its own, in the true sense of it being a party.

Yes, was Mrs Xulu a chairlady of the Inkatha Party as an organization? --- Yes, it was a political organization and she was a chairlady in that respect.

MR DLAMINI: Mr Govender, through Mr Chairman, Mr Bhengu, what Mr Govender is trying to get from you is as to where Mrs Xulu stayed. --- She was staying in /Mpumalanga, Mpumalanga, Hammarsdale.

She says she was part of the law-making body, and when you say she was a chairlady, what are you referring to? --- She was a chairlady in Mpumalanga area - chairman of the branch.

MR GOVENDER: Thank you. You say you were a guard for this lady. Is that right? --- That is correct.

Now, were you a bodyguard to the lady or were you a guard for her property? --- Herself as well as her property.

And for how long were you the lady's guard? --- Up to 1988.

And from 1988 what did you do? --- I went to Koeberg, to train as a special constable.

Special constable with the SAP? --- That is correct.

And how long did that training take, Mr Bhengu?

--- It took me six weeks.

And you say you trained at Koeberg. It's the only place you trained at? --- That is correct.

After the training, where were you posted to?

--- I went to Maritzburg.

Which branch of the SAP were you posted to? ---

The riot unit.

Which riot unit was this? --- The one in

Maritzburg.

CHAIRMAN: Sorry, Mr Govender. All the riot units have a number - Riot Unit A, Riot Unit 19, all that stuff. Which riot unit were you with? There are different ones stationed at Maritzburg at different times. --- It was Unit 8 in Maritzburg.

/Thank you.

Thank you.

MR GOVENDER: And how long did you remain with the Riot Unit 8? --- I don't remember quite well how long I stayed with the unit.

You say you joined - you are presently stationed at Ulundi. Is that correct? --- That is correct.

Now, you were posted to the Riot Unit 8, and before you were posted to Ulundi, did you serve in any other department of the SAP? --- No.

So you remained in the riot unit until such time that you were posted to Ulundi. Is that right? --- At some stage I resigned from my work.

At which stage was this? --- I think up till the end of 1988.

And what did you do when you resigned? --- I stayed at home without any job.

Why did you resign from the riot unit? --- I was not satisfied with the remuneration.

Now, Mr Bhengu, while you were with the Riot Unit 8 in Pietermaritzburg what type of activities was the riot unit involved in? --- May I please say something?

Yes. --- At the time I was at the riot unit, we used to go out and patrol.

What did you patrol? --- We would go to the

surrounding areas of Maritzburg as well as the rural areas.

And you would patrol those areas? --- Yes, that is correct.

Why did you patrol? Was there a reason for patrolling those areas? Was there any aim in that? Was there a reason for that? --- At the time there were /riots.

riots.

And your task was to patrol the areas? --- That is correct, and to maintain peace and stability.

So were you involved in riot control as a unit?

--- Yes, that is where I was controlled.

The areas that you were involved in, in riot control? --- We used to go to Imbali, Sweetwaters, Lancekop, Inchanga, as well as Mpumalanga, Hammarsdale.

Now, who was the commander of the unit while you were there? --- It was Lieutenant Lange.

CHAIRMAN: Sorry, can I just interject for a second. Was Lieutenant Lange head of the riot unit or was he head of your section? --- He was the head of my section.

Who else was in your section? --- I don't remember, but what I know is that there were white people.

Please, Mr Bhengu, you worked with these people for a number of years. You must remember their names. I want you to try and do that, please. --- I think there was Warrant-Officer Peens.

Carry on. --- The others who were there I have totally forgotten.

Were none of them your friends? --- No, none

of them were my friends.

Who were the other special black constables who were there with you? --- There is quite a number of them. Do you want me to mention their names?

Yes, that's what I'm asking you. Just let's do it slowly, one at a time. --- It was Mtolo - Eric Mtolo.

Carry on. --- Elias Mtolo, Elliott Mtolo, David Sokude, Sithello Ndlovu, Ivan Nena, Dan Molefe, Nkitho Ndlovu, Bhekisiso Khumalo, Nhlanhla Mtolo, Vusi Mbeje. I

/don't quite don't quite remember the other ones, but I think as time goes on I recall some of them.

If you do, please will you draw it to our attention and we will just make a note of it.

Now, Mr Bhengu, the question you were originally asked by Mr Govender was who was head of the unit, not of your section. --- It was Captain Terblanche.

And who was under him? --- I couldn't really differentiate between Lieutenant Lange and Lieutenant Meyer as to their true positions.

CHAIRMAN: That's Daniel Meyer? --- I don't know his first name.

I'm telling you that's his name. I know the man. He's already given evidence to us before. Proceed. Mr Govender, if you could just focus on his earlier training as a watchman, and all those aspects as well.

MR GOVENDER: Mr Bhengu, is Bhekisiso Khumalo also known as Sosha Khumalo? --- That is correct.

One and the same person? --- That is true.

Was a person by the name of Philemon Dladla part

of your - sorry, I pronounced it wrong - Madladla. ---

I don't have any recollection of a Philemon Madlala.

Mpumulani Mshengu, was he part of the unit, your section? --- No, not when we were still in Koeberg.

CHAIRMAN: Still in where, sorry? --- Koeberg.

Mr Govender, sorry, Mr Dlamini just wants to ask a question.

MR DLAMINI: Could you tell us briefly as to how you met? --- He was my co-watchman at Mpumalanga. We were working for Mrs Xulu, both of us.

Thank you, Mr Chairman, I just wanted to - because /he said he he said he was not with him at Koeberg and so I wanted to clarify whether did that mean that he didn't know the person or he was referring particularly to Koeberg.

MR GOVENDER: Who else was involved with you, doing guard duties for the Inkatha, while you were there?

--- It was myself, Mpumulani and Thokosani Mkhize.

CHAIRMAN: Is Mpumulani Mkhize as well? ---

Mpumulani Mshengu.

MR GOVENDER: Anyone else? --- There was only the three of us.

And the three of you were responsible for guard duties of the lady, Mrs Xulu. Is that right? ---

That is correct.

And the three of you acted as bodyguards to the lady and also guarding her physical property. Is that right? --- That is true.

Were you a member of the Inkatha Freedom Party at that time? --- Way back then I was a member.

What sort of training did you get or did you have, if any, for the guard duties that you performed? ---

They said they were training us to protect prominent members of Inkatha, as well as their property.

Who said that? --- The people who were training us.

And tell us, Mr Bhengu, where and when were you trained for these duties? --- I was trained in 1986 and we were at the Caprivi Strip.

In 1986 at the Caprivi Strip? --- That is correct.

How did you come to be trained at the Caprivi Strip? --- We were told that there was work for special

/constables at constables at Ulundi and I went to Ulundi.

Who told you this? --- Mr Ntombela told us he was looking for a number of youths who would fill these vacancies.

Which Mr Ntombela is this? --- They call him David Ntombela.

Where did you meet David Ntombela for him to have told you this? --- We are almost in the same neighbourhood or same village.

And were you approached by David Ntombela or did you approach him? --- He announced this at a certain meeting, that there were vacancies for people who interested in being police.

What meeting was this, Mr Bhengu? --- He had called an Inkatha meeting.

And you had gone to this meeting because you were a member of Inkatha at that time? Is that right? --- That is correct.

And, as a result of his call, you then approached

him? Is that right? --- That is correct.

Now, Mr Bhengu, I want you to tell us that when you approached Mr Ntombela, as a result of this call, you obviously had a discussion with him about what he was proposing? Is that right? --- Yes, he had already explained to us beforehand that this was a police job.

When did he explain this to you? --- He explained this at the meeting and also when I went to him.

He said that this was a police job, that they needed to train people, as you said, to guard prominent Inkatha people? Is that right? --- He is not the one who explained that part.

/Who explained

Who explained that part? --- That we discovered when we were already in training, that we were being trained as securities or watchmen for the Inkatha members.

But, Mr Bhengu, you just said to me now that Mr Ntombela made a call for people to come forward to be trained to guard prominent IFP people at the meeting. Is that right? --- No, I did not say that. May I explain it?

Well, explain it, because that is what I heard.

--- What I said is that he had called an Inkatha meeting ... (intervention)

CHAIRMAN: Sorry, Mr Govender. We didn't hear the same thing ourselves. He said that it had been announced that they were looking for people to be trained as policemen.

MR GOVENDER: To guard prominent ... (intervention)

CHAIRMAN: No, they didn't say what for. Just as policemen in Ulundi he had said. In other words, to go to Ulundi to be trained as policemen. That is the implication of what he said essentially. --- That is true. That is what I said.

Just so we can be clear.

MR GOVENDER: Mr Bhengu, who then explained to you the purpose of your training? What you were going to do after you had been trained? --- We discovered during our training, because we were told as to how to be watchmen or bodyguards.

Yes, but when were you told that you were to guard prominent Inkatha people? --- I don't have a proper recollection as to whether we got that information when we were placed or at the training itself.

You're not sure when you were told that? ---

No,

/I don't.

I don't.

CHAIRMAN: Just one second, Mr Govender, Mr Dlamini just wants to ask a question.

MR DLAMINI: Mr Chairman, sorry, for the interruption.

Sorry, Mr Govender. I don't want to be left behind. At the time that you went to Mr Ntombela where he was stressing that they wanted police at Ulundi, could you please explain to us when you moved from Maritzburg, proceeding to Ulundi, who welcomed you and what happened thereafter and who mentioned Caprivi? Just explain to us from that stage onwards. --- I will just explain and talk about what I remember.

That will help us a lot, because we need to know what happened, who welcomed you there. These details

are very important, because we want to know the purpose of your training, as to when and how you discovered that you were supposed to be watchmen or bodyguards for Inkatha members. --- We were quite a group in Maritzburg.

Sorry to disturb you. Tell us as to who you went with to Maritzburg. Did you stay at ... (inaudible)

--- No, at KwaMafundsi.

Who did you proceed to Ulundi with? --- It was myself, Milion Gundle, Thokosani Mkhize, Benjamin Ngcobo. That is the group with whom we stayed at the village. There is an Ndlovu, but I have forgotten his first name. CHAIRMAN: Carry on. --- We got to Mr Ntombela's place and there was a lot of people whom we didn't know who had also apparently also come to look for these vacancies. He took our names down and told us that he was going to take us to Ulundi.

MR DLAMINI: When you say he took your names down, what /details did details did he take? --- He took our names down, so that we could pay for transport, because he was going to transport us to Ulundi.

You may go on. --- Then he arranged a date for us to come back to his place, so that he could take us to Ulundi and when that date arrived we proceeded to Ulundi and when we got there he dropped us off at a place called Inhlongwane.

You can go on. --- When we got into Inhlongwane we got Mr Mabaso, whose other name is Mjazafi. He is the one who welcomed us.

This man, what was he? Did he occupy a certain position within the Inkatha or the police? --- I

wouldn't know, because I didn't know him. I was seeing him for the first time then.

Do you know where he is now? --- I think he has since been deceased. I'm not quite sure.

You can go on. --- Then at that time they required us to produce our school leaving certificates, our matric certificates or whatever class you left or last passed.

You can go on. --- Then another gentleman came. He was actually involved in training us physically.

Who is that who was training you? --- His surname was Gcasibe.

What was Gcasibe's position? --- I do not know his position.

And where is he at the moment? --- The last time I heard he was working at the Inkatha office.

You may go on. --- Then certain white members came and they used to enquire as to our health status and

/were we were we faring in the training.

Just give us the names of the people who came to check you? Just give us a detail or details as to how they were checking you. --- Nobody introduced them to us, but they looked like doctors, because they examined us.

You may proceed. --- Thereafter a date was announced as to when we would be proceeding to the training.

Were there any who failed the doctors' examinations? --- Yes, I understand there were some

who were not ... (inaudible).

Amongst those who were coming from KwaMafundsi?

--- No, nobody was coming from KwaMafundsi, we all proceeded to the training.

You may proceed. --- Then the day arrived for us to go for training.

CHAIRMAN: Sorry, at that stage how long had you been at Hlongwane camp? --- I think we took about three or four days, but I think it was less than a week.

Please proceed. --- A bus arrived and ferried us to the Ulundi airport. As we were still waiting there, an aeroplane came and we were asked to board the aeroplane and we went to a certain place. I don't know what the place is.

What sort of aeroplane was it? Was it a military aeroplane? Was it a commercial aeroplane? --- According to me it was a commercial aeroplane, the way it looked. It didn't look like a military plane.

Did it have propellers? Did it have jets? --- Yes, it did have two propellers and an engine.

/What colour

What colour was it? --- It was greyish.

Sort of like those boxes there on the side? ---

That is correct.

Right, continue. You then went to a place you don't know. --- Yes, we got to that place and we disembarked.

Did anyone tell you where you were? --- Yes, there were certain white people whom we got there, who welcomed us and said we were at the land of no stones.

Carry on. Who were these white people? --- I didn't know them at the time, but later on when they

were training us I got to know them.

Who were they? --- It was JJ, JP, Kevin, Jerry, Kloppies. I don't remember the other ones, because it's quite a long time ago.

Who was in charge of these people? --- It looked like JJ was in charge.

You don't know their surnames? --- No, that's the only information we got to know.

You didn't have to address them by their rank? --- No, we referred to them as commanders.

Okay, you then got there. They welcomed you. What happened? --- Then they divided us according to our respective platoons.

How many platoons were there? --- There were four platoons.

What was the difference between them? --- We were not being trained at the same place or about the same place. There is no clarity there.

Okay, let me ask you a different way. Did the four platoons each have different jobs? Were you being trained

/differently?

differently? That's what you seem to be saying, so I'm just trying to understand what you mean. --- We were having different classes and different platoons, as well as different commanders, so I wouldn't know as to what was being discussed in other classes or what were they being taught.

Well, didn't your friends in other platoons tell you what was happening, what they were doing? Didn't you ask them? --- Yes, when we conversed and talked, it seemed as if we were doing one and the same thing.

It's just a division of platoons.

So why didn't you give me that answer right in the beginning? Beg your pardon? Please answer me. I'm asking you why didn't you just come out straight and give me a straight answer? --- I thought I had done so.

Please carry on. What was the nature of your training? --- We were being trained. They used a ... (inaudible) ... as well as physical training and we were taught about how to handle weapons.

Carry on. What else were you taught? --- We were taught about weapons and guns, ammunition, as well as explosives.

What were you taught about explosives? --- As to how to use them.

What sort of explosives? --- There were hand grenades.

Carry on. What else? --- Limpet mines.

What else? --- We were also taught about the rocket launcher.

Is that an RPG? --- That is correct.

Carry on. --- That's about all we were taught.

/How were

How were you taught to use these things? --- We were told that the training involvement when we came across these things, how to use them.

So, for example, if you had a hand grenade, you were taught how to throw it so that it would go off effectively? How not to injure yourself and how it worked? --- Yes, we were taught as to how to operate the hand grenade.

Were you taught where it would be effective to use

a hand grenade rather than something else? --- No, they never did.

Have you ever used a hand grenade since that time?

--- Yes, that's the last time I used the hand grenade.

I'm not getting your answer very clearly because I said, "Have you ever used a hand grenade since that time?" You say, "Yes, that was the last time". So do you mean, "No, that was the last time"? I'm not clear.

--- I last used the hand grenade in the training. Thereafter I never did.

What was the purpose of learning rocket launchers?

--- They told us that the terrorists were carrying those things and we should be able to identify them.

Well, being able to identify them is one thing. Being able to use them is completely another thing. You said you were taught to use them. I want to know why you were taught to use them. What was the purpose of it? --- I think the purpose of the training was for us to be able to use those rocket launchers and to be able to identify them when we see them.

You've said that three times to me. I want to know why do you think you were asked to use them? Why do you

/think you think you were taught how to use these things? --- I think they wanted to teach us as to how to handle it, so that even if you come across that how to handle it without it having to hurt you or do any damage to yourself, your body or limb.

Carry on, Mr Dlamini.

MR DLAMINI: I just want to reiterate on that question.

Mr Bhengu, the trouble that we have is that you were being trained as to how to use these rocket launchers. Now, we feel as if there's some information that you don't want to bring forward to us. If the purpose was for you to be able to identify them, so that you can handle them carefully, why weren't you taught as to how to use it, or were you not taught as to how to use the rocket launchers? Just please tell us all that happened during the training. Don't try to conceal any information. --- I thought I was giving you the right information.

But you realise the problem that we have presently. Teaching a person about identifying a weapon and knowing how to operate it are two different things, distinct from teaching the person as to how to use it. We want to know under which circumstances were you required to use the rocket launchers. That's where we feel you are not coming forth with the information. We would like you to come forward and tell us, because we are not clear as to this aspect. What was the actual purpose for you to use these rocket launchers? --- We were not told as to under which circumstances we were supposed to use the rocket launchers.

Now, why were you teaching you or training you as to how to use these? --- I think I explained that earlier

/on that

2A/0

on that they wanted us to be able to handle the weapons or the rocket launchers.

MR DE KLERK: Help the Commission. During the trial of the Magnus Malan case, just for interest's sake, this specific matter was also debated and, maybe, to help the

Commission, I would say that somebody with knowledge of that would come and say why it was trained. I remember specifically that it was there found that it is all in basic training. That was the sort of basic training - a straight-forward basic training that every policeman cum army person will go through. Just to help the Commission. Maybe it's a little bit difficult for my client to explain why, because it was in the curriculum of normal basic training. It was done right through the book.

CHAIRMAN: Mr de Klerk, the point is simply this, that if one undergoes a training, it's human nature to say, "Well, why are being trained in this rather than that?", and just to ask the question.

MR DE KLERK: Yes, I accept that.

CHAIRMAN: And so that's why we're trying to understand what he thought was the purpose for him doing that. I know there might have been another purpose that the State might have had in training him in that way. I want to understand what was going on in his mind. That's really the bottom line here.

MR DE KLERK: Yes, I accept that. The only thing that I want to explain to the Commission is that it is basic training and you are trained and, you know, you can't say, "I don't want to be trained in ..." ...
(intervention)

CHAIRMAN: No, I hear you. I hear you.

MR DE KLERK: Thank you.

/CHAIRMAN:

CHAIRMAN: Just, in conclusion, I want to say I've done basic training myself. A couple of others in this room have done basic training. I certainly never got any

basic training in rocket launchers or RPGs, but that's a different issue. All I'm trying to say is one would understand that there's a particular course designed for Mr Bhengu and his colleagues. It was designed by people with a specific purpose and it entailed that kind of training. It was very different to, say, the kind of training that I got as a national serviceman and, I'm sure, you got as a national serviceman. At different levels in your training you might have been trained in other weapons, but it's a different issue.

MR DE KLERK: Yes.

CHAIRMAN: That's really what I'm trying to understand.

So, just to clarify this one last time, Mr Bhengu, the only reason you think you were trained in how to use rocket launchers, rather than just recognise them, was that you wouldn't injure yourself if you had to use it.

That's the answer you gave us just now. --- Yes, when we come across a rocket launcher, not when we try to use it. That's how I explained it.

Ja, but you'll agree with me that being able to identify a rocket launcher is one thing and to know how to make it safe is another thing. It's completely a different thing to know how to use the thing and you were trained to use them, not just to recognise them and make them safe. Do you see the difference? Did you understand what we're getting at? --- I do hear what you're saying, Mr Commissioner.

So all we're trying to understand is why do you

/think you

think you were trained to use it rather than to just recognise it and make it safe? --- I think what I've already said was my own deduction. These are the things

I thought they were teaching us for or training us for.

So that was your weapons and explosives training.

What other weapons did you have to work with? You obviously worked with rifles. You've said so. What kind of rifles did you work with? --- It was 83.

83? --- G3.

G3, sorry. Thank you, right. --- Shotguns, AK-47.

Did you work with handguns? --- Yes, that's correct.

Which handguns did you work with? --- 9mm, as well as Tokarev.

And in terms of rifles, any other kinds of rifles? Did you work on an R1, for example, the old R1? --- Yes, we did.

Did you work on the R5? --- Let me just explain to the Commission, because the other use of guns I learned at Koeberg, as well as at the Police Force. Now, I don't have a proper recollection as to where I learnt to use the others and where I learnt to use the others.

Okay. It seems clear to me that you would have learnt to use the AK and the Tokarev at Caprivi. Is that right? That wouldn't have been part of your job at Koeberg? --- Yes, that is true. That is where I first saw these types of guns.

Just for the record, you realise those are communist guns - from communist countries, or previously communist countries - although actually China is still a communist country ... (inaudible) --- Yes, they did explain to us.

/MR. GOVENDER:

MR GOVENDER: Just a ... (inaudible).

CHAIRMAN: Ja, please carry on, Mr Govender.

MR GOVENDER: Mr Bhengu, we have information that, in fact, rocket launchers were used - you were trained in the use of rocket launchers, Uzzi sub-machine guns, hand grenades, land mines, anti-personnel and tank mines, handguns - that is 9mm Browning, Makarov pistol, Tokarev pistol, explosive, factory-made TNT, there's plastic, AK-47 and the G3. Is that correct? --- No, that is not true. I was not trained on all of the ones that you've counted. Some of them.

Which ones were you not - do you remember them? Do you want me to go through them again? --- I heard you counting an Uzzi. I don't know what an Uzzi looks like. I've never touched an Uzzi.

Were these weapons on the camp - an Uzzi sub-machine gun? --- Which ones are you referring to? The one's you've just given me a list of or the ones I gave you a list or a short list of?

Well, let me put it this way. The Uzzi sub-machine guns, were they ever in camp? You may not have been trained with them personally, but did you ever see them in the camp? --- No, I've never seen an Uzzi.

CHAIRMAN: Just for the record, let me explain to you, Mr Bhengu. An Uzzi is a 9mm sub-machine gun. It has a long, rectangular magazine that takes a 9mm round. It usually holds at least 20 to 25 rounds. --- I've never come across that.

MR GOVENDER: Have you come across Makarov pistols?

--- No, I've never come across that.

You knew the pistols by their origin or by what they

/were called,

were called, names like Tokarev you've said. Do you know what a Makarov pistol is? --- Yes, I have come across it. I've seen it in the Police Force.

But you haven't seen this on the camp? --- No.

Explosives - TNT - was it ever made or used or were you trained in it? --- Yes, they taught me about the TNT.

The use of it? --- That is correct.

The manufacture of it, were you taught that? ---

No, they never did.

CHAIRMAN: Sorry, Mr Govender, TNT is a highly complex substance and the manufacture of it would be vastly beyond his cognition. It's beyond my comprehension as well, frankly.

MR GOVENDER: Anything is possible these days, Sir. Plastic explosives, were you ever trained in that? You never trained in that.

CHAIRMAN: Sorry, what's his answer, just for the record?

INTERPRETER: He says, "I don't remember quite well".

CHAIRMAN: Thank you. Sorry, if you don't repeat it, it doesn't get on to the record and then we can't type it out afterwards. I did understand him, but ...
(incomplete)

MR GOVENDER: Do you want to carry on?

CHAIRMAN: You carry on.

MR GOVENDER: I want to move into a different area now.

CHAIRMAN: Okay, before you do, I just want to finalise what other aspects of his training there were. So you had drill and you had PT and you had weapons and explosives training. And you were trained to use all

these different kinds of weapons. Obviously, the firearms, you were trained to shoot them and you had target practice

/with them?

with them? --- That is correct.

And you were trained how to maintain them - in other words, take them apart, clean them, put them back together again, understand all of that? --- That is true. We were taught that.

Now, land mines were mentioned. Were you trained in land mines? --- Yes, we were trained on land mines.

And so that training would have included where to put them effectively, where not to use them and so on?

--- No, I was never told as to when and where to use them.

Well, I have just asked were you trained how to use land mines. If you were trained to use land mines, then you must have been trained how to put them down and where to put them, otherwise you couldn't have been trained to use them. --- We were taught how to handle them.

No, you said you were taught how to use them. I want to know how were you taught to use them? Please remember you are under oath, Mr Bhengu, and don't mess me around. Just answer my question. --- When we got to class they would put it in front of us and they would direct us as to how to use it and then when the other one who teaches us he would take it and go and tell us outside and we would watch. Then it would explode and we would come back.

Precisely, so he show you how to plant it in the

ground in such a way that if someone came past and walked on it or drove over it or whatever the case was, it would go off? Correct? --- He showed us how it exploded when it was planted under the ground.

MR GOVENDER: Mr Bhengu, all of you together were trained

/together in

together in the use of these weapons?

CHAIRMAN: Sorry, Mr Govender, he's already told us that the different platoons got training in different places. So in saying, "All of you", do you mean all of the people or do you mean all the people in his platoon?

MR GOVENDER: All the people in the camp, did you get the same training, same basic training in the use of arms and explosives? --- Yes, I think so, because at times we wouldn't talk about those things. At times we did.

No, my question is, were you all together when you were trained, say, in the use of AK-47 or the use or placing of mines and so forth? Were you all together, all of you in the camp, all 200 and whatever there were?

--- We were taught all as far as the land mine was concerned, all the groups, all the four platoons.

Were together. --- Ja.

And did you have instructions, lectures on the use of weapons and so forth? --- I don't understand your question.

Well, let's put it this way, were you all together in a single room or the same place, where somebody spoke to you on the use of weapons and that sort of thing? How to dismantle a gun maybe? --- Yes, we were all at the same place.

You see, I ask you that, Mr Bhengu, because we have information that all you trainees in Caprivi were trained on how to lay an ambush, how to lay a land mine, how to blow up buildings and vehicles with explosives. You were also taught how to abduct people. Is that right?

CHAIRMAN: Sorry, just before you go on. Let's get his answer to that. --- Could you please repeat the first

/question, because question, because I was confused by the second one?

MR GOVENDER: Okay, the first question is simply this, that we have information that you all - all you trainees were trained in how to lay an ambush, how to lay land mines ... (intervention)

CHAIRMAN: Sorry, let's just deal with them one at a time. Is that right? How to lay an ambush? --- I was never taught how to ambush.

MR GOVENDER: Were you taught how to lay a land mine?

--- No, I was never taught how to lay a land mine.

Were you taught how to blow up buildings and vehicles with explosives? --- I was never taught that.

Are you sure about that, Mr Bhengu? --- Yes, I'm sure.

But it was demonstrated to you how a land mine explodes, how a land mine works, isn't that so? It was demonstrated to you? --- Yes, that is true.

You've just conceded to the Chairman that that was demonstrated to you. Wasn't that a lesson on a land mine, how to place a land mine, how it explodes?

CHAIRMAN: Sorry, Mr Govender, there are two very

different things here. I can go out into the street and show you how a hand grenade explodes and you can watch it safely behind glass or whatever the case might be. That's not to say how effectively to use the thing. It's quite a different thing. So let's not put words in the witness' mouth, please.

MR GOVENDER: Okay, Mr Bhengu, when these explosives - the land mines were demonstrated to you, what do you think the purpose of that exercise was? --- According to my own thoughts, I think they wanted to show us what damage

/it does and

it does and how loud a noise it could make.

So you say they wanted to demonstrate to you the effects of a land mine. Is that right? --- That is correct.

That's the extent to which you were trained in terms of land mines. Is that what you're saying? ---

Yes, that is to that extent.

You were given no other lessons or training in relation to a land mine? --- What I've explained is what I've been taught or trained in.

CHAIRMAN: No, answer the question, please. You're not answering the question. The question was that, besides seeing how a land mine explodes you were give no other training in how to use a land mine? Yes or no? Just give us a straight answer, Mr Bhengu. --- I don't know whether it's me that doesn't understand the question. I think whatever you are asking is what I have already answered.

MR GOVENDER: No.

CHAIRMAN: We want you to confirm this - if you'll

allow me, Mr Govender, because this is getting a bit irritating, frankly, Mr Bhengu. It's a very simple matter. What training did you receive in land mines? Tell us again. Let's be clear about this. Exactly.

--- They showed us as to how to make it, how to operate it and how to plant it or put it and what happens when it explodes and what damage it causes.

Thank you. Now, you see, you've just contradicted yourself by telling us this, because you said earlier very clearly they didn't show you how to lay it in the ground, they didn't show you how to set it off. They only showed

/you what you what an explosion it makes, so you can see what it's potential for damage is. You can say what you like, Mr Bhengu. You can stand on your head till you're blue in the face, but you have just lied to us under oath. Do you understand that? --- I think we don't understand each other, because what I'm saying now is what I've been saying all along, because I said before as to how to make it and he put it at a certain spot. That's where it exploded. That's what I explained to you earlier on and that's what I'm still saying.

Mr Bhengu, you've just told us very clearly that they showed you the land mine. They showed you how to arm it - in other words, how it's made up and how to work the fuses. They showed you how to lay it in the ground and then they showed you how it explodes. Those were your very words you've just used and that is completely different to what you told us earlier. You see, it's consistent with this thing that they told you how to use it and that's what you told us earlier and

then you denied that they actually told you how to use it. You said, well, they - actually, they didn't quite show you how to use it, they showed you how it explodes.

Now, they couldn't have taught you how to use the thing - just listen and then you can answer - they couldn't have taught you how to use the thing without showing you how to arm the fuse, without showing you how lay it in the ground. That is perfectly consistent with your first answer. Do you understand? Now, before you go and dig a bigger hole for yourself, just explain to us why you were trying to deny that you were taught how to use these things. That's all. It's very simple. Just explain yourself. --- I

/haven't seen
haven't seen the mistake, because I thought I was repeating one and the same thing. You have just repeated what I said and I don't remember where I changed the statement.

I'll explain to you how you changed your statement. I asked you earlier, "Tell us about your training with mines", and you told us that you had been trained in the use of these things. We then asked you, "Well, does that mean on how to lay them in the ground and where to place them, and so on, so that they will go off properly?", and you said, "No, no, no, it had nothing to do with that". Now you've just told us that they taught you how to arm the thing, how to work the fuse, how to place it in the ground. You've just said that. Now, previously you denied that you were taught how to place it in the ground and now you've admitted that you were taught how to place it in the ground. That is the confusion. Now I want you to explain it.

It's very simple. --- I'm still saying that there is a certain person who was training us, who demonstrated and he called us to come and see the damage that it had caused. He never told us as to how to place it on the ground. He did it himself, then he called us to come and see the damage that it had done.

Well, why did you just tell us that he did show you how to place it in the ground? You can't answer that question? --- I don't know if I'm the one who doesn't understand, but I seem to be confused, because I'm repeating one and the same thing. I'm saying it all over again, because I said it before that our trainer went to plant it somewhere quite a distance, then he came to call us to see the damage it had caused.

/Mr Bhengu, I'm

Mr Bhengu, I'm only going to say this again then we're going to move on, but I asked you to explain to me what exactly your training in land mines entailed. You yourself told me they showed you the land mines and they showed you how it's made. They showed you how to set the fuses and where it goes. They showed you how to put it in the ground and then they showed you how it explodes. Those were your very words and Mr de Klerk can confirm that. That is exactly what you said. The tape, if I played it back to you, would say that - exactly the same words. Now, it's really a simple matter and it's clear to me that you are not willing to concede that you were actually trained in that, although you've said so. It's on the record. We don't have to waste time over it. Let's move on. You wanted to say something, Mr de Klerk?

MR DE KLERK: Mr Commissioner, it's only one thing.

I'm not sure if he was trained in physically laying the mine. It's exactly like you have given an example to Mr Govender. It seems what he's trying to explain that, yes, certain things were said and it's implied that it must go into the ground, but he was never physically trained by, "Here's the mine, please put it in. This is how you use it". That is all I ... (intervention)

CHAIRMAN: All I'm saying is his words that he used and he used the words, "We were shown how to put it in the ground", okay. That's different to showing the thing explode. You'll have to concede that.

MR DE KLERK: Well, that's the same as showing how to throw a hand grenade.

CHAIRMAN: Of course. You know, you don't - there's a particular way you've got to throw a hand grenade. You've

/got to be got to be aware of the time fuse. You've got to be aware of a whole lot of things. You've got to be aware that you throw it into a place rather than at a place, because it causes different kinds of damage. If you've going to use something you've got to know how to use it effectively. It's obvious.

MR DE KLERK: Yes, I will just ask if it is maybe fair, because it is stated that there is information that certain training took place, to put it to my client, "This is specifically the training that took place".

CHAIRMAN: No, we're saying to your client, "Our information about the training they received", okay, which is public knowledge actually. It was spelt out in the Malan trial and those documents are public record. Now, he's saying something different to what is public

knowledge and we would like an explanation. That's all.

There's nothing unfair about that. Do you concede that?

MR DE KLERK: I just want to clarify that. Was this now specific training? That's what I say. Is the information going to be put to him, "You were actually expertly trained and you yourself had to go through a certain route to do this or were you just shown on the broader sense of it?".

CHAIRMAN: The course outline, as we understand it, as it's been explained to us - the information we have - is that they were trained in these things. They were trained in the use and the recognition of these things.

MR DE KLERK: But what did the training entail?

CHAIRMAN: Obviously, I don't have those specific details and that's neither here nor there, but the issue is this, we could split hairs on the precise meaning of the word,

/"Use". The

"Use". The question is I asked your client to tell us precisely what his training entailed. He told us what it entailed. I didn't put the words in his mouth, and now, when I ask him to explain that and the previous things he has said, there is an apparent contradiction and it's not going to away. I think we just need to leave it and move on.

MR DE KLERK: Yes, I've got no problem with that. It's just very difficult if there's not knowledge of the specific training. Without taking that specific point of the contradiction, as you said, out, to ask questions to my client without knowing what the course entails.

CHAIRMAN: The point is your client went through the

course. He's not taking us fully into his confidence as to exactly what he did and we're concerned about that and we're making that obvious to you and to him, but we'll proceed nevertheless.

MR DLAMINI: Mr Chairman, can I check with Mr Govender whether he now wants to move away from this point here?

MR GOVENDER: Just a few questions on this point.

MR DLAMINI: A few questions. Okay, before you move away, Mr Chairman, through you I would like just to clarify one thing, but I would ask you to allow Mr Govender to proceed first.

CHAIRMAN: Okay.

MR GOVENDER: Mr Bhengu, how long were you on the camp?

--- Six months.

2B/0

And you're saying to us that the - sorry, before I come to that. Training in the use of firearms - what was the nature of that training? How were you trained in the use of firearms? Was it demonstrated to you or were you

/physically allowed
physically allowed to handle and use those guns in your training?

CHAIRMAN: Sorry, I did canvass this with him and he agreed with me that they were shown how to work firearms. They were shown how to take them apart and maintain them and how to shoot them for target practice.

Correct? --- That's correct. We were shown and we were given guns to use them.

MR GOVENDER: You handled those guns personally? ---

That is correct.

I asked you earlier on - I said to you earlier on that we have information that you were trained in ambush

techniques. --- I wasn't trained.

Do you know what ambush means? --- Yes I do.

What does ambush mean? --- It means exactly
ambush.

MR DLAMINI: Mr Chairman, the interpreter has a
problem. Perhaps the witness could proceed what he
means by, "Oglulanye".

CHAIRMAN: Describe it. What is an ambush? Describe
how you do an ambush if you understand what it means.
Translate, please. --- When you hide for someone
whom you want to attack.

You hide away from the person and you wait till
they come in front of you and then you attack them?

--- That is correct.

MR GOVENDER: Mr Bhengu, when you say, "A person", does
that mean also that it is a military manoeuvre to out-
manoeuvre, if you want, your enemy, in terms of conflict
or war? --- Let me just explain the way I was
taught. I was taught this from the police that if we
were going

/somewhere and
somewhere and people were lying there, ambushing and how
to get away from that place.

That's all you were taught? You were not taught
anything else about ambush - related to ambush? ---
That's all I know.

Were you given any lectures perhaps on countering
what was perceived to be your enemy or the terrorists,
as you said earlier on, how to - as a trained person -
adopt such manoeuvres to attack if you want, arrest and
so forth, these people? Were you ever trained in that
in the camp?

CHAIRMAN: Hang on a second. Trained is one thing.

Given lectures is another thing. Let's try and restrict these areas of confusion.

MR GOVENDER: Lectures.

CHAIRMAN: Do you understand the question? --- I don't understand if Mr Govender is asking me of my training or all my training - police training and Caprivi training. Which one?

No, we are talking about Caprivi training. We are sticking to what training you got in Caprivi. Try not to get confused. Now, the question he asked you was did you get lectures while you were there? --- Yes, that's correct.

What kinds of things were those lectures about?

--- We were taught how to handle a gun inside the class, before we went outside to demonstrate.

What other things were you lectured about? Were you lectured about the political situation, which is part of normal basic training? --- No.

Were you lectured on your role, having received this

/training, what training, what your role was to be? --- No.

So no one prepared you for what you might have to do, as part of your training? --- Are you referring to my work after the training or what I was going to do after the training?

Carry on, Mr Dlamini.

MR DLAMINI: We heard that before you handle a gun you were taught in class first. Now, the Chairman wants to find out what else or what are the other things which you were taught in class before you were sent outside to

demonstrate. Were you taught about politics or the South African situation at that time? Were you taught about these things? --- No, we were not.

Were you not taught who was the enemy, as you were there training? --- Yes, we were taught about things like that.

They said who was your enemy? --- They said terrorists were our enemies. We were supposed to protect the Government.

Can you please go on there. Another thing, which I want to clarify, is that you look like you aren't telling the truth. You are still hiding other facts.

MR DLAMINI ADDRESSES INTERPRETER: No, I am not saying he is not telling the truth. I am saying he is not telling everything.

MR DLAMINI: You aren't telling everything. There are things which we've heard from the Malan case at court. There are also things which came from the media. Now, you are leaving behind all that information. Now, you are putting us in the situation where the only way to get the truth from you is to really force you to tell us the

/truth. Now, truth. Now, we would like you to tell us more about what you were taught in classes. You've said that you were taught that your enemies were the terrorists. Now, we would like you to tell us more about that. Who were the terrorists and how you could identify them? --- We were never told as to where they were staying, but we were told that terrorists were the people who were coming to the country and attacking the Government properties and we were told that if we were there,

patrolling ... (intervention)

I would like you to tell us more about the weapons which they told you they were carrying - the terrorists are carrying. --- AK-47, RPG and the bombs and we were told that they were the ones who were bombing buildings.

And what else did they tell you? --- What I can recall for now it's what I just told you.

When they were lecturing you, were they demonstrating these things to you, showing it to you over videos and overhead projectors? --- No, they were not. We were never showed the videos.

I'm sure you know a video - as a policeman you should know. --- No, we were just watching videos, but we were not shown or demonstrated.

These videos which you were watching, what was in those videos? --- It was movies, ordinary, general movies. We used to like one video called, "The Dog". I used to like that one. It was just ordinary videos.

Before I interrupt Mr Govender, I would like you to tell us more about your departure from Mafundsi.

No, no, Madam Interpreter, I was just referring to the earlier situation where I interrupted Mr Govender,

/because I was because I was interested from the time they left Mafundsi to Ulundi.

Mr Govender asked you a question that when you left Mafundsi to be policemen when did you realise that that recruitment was not for policemen but for something else? Who told you this? Because we were not answered on this question exactly. --- No one told us. When

we went for training, all we knew, it was that we were going to be policemen.

CHAIRMAN: Sorry, Mr Bhengu, when did you realise that you weren't going to be policemen, but you were going to be something else? Just answer that question. ---

Even when I came back, all I knew is that I was a policeman and then when I look as to where we were collecting our salaries, it wasn't the same place where policemen were collecting theirs. That's when I started realising that I wasn't.

MR DLAMINI: Where did your salaries come from? ---
From Inkatha.

CHAIRMAN: It might have come from Inkatha, but where did you collect it? How did you collect it? In what form did you collect it? --- We used to go to Ulundi Inkatha Offices. That's where we were collecting our salaries.

Were you paid by cheque or in cash? --- Cash.

How much were you paid? --- Even though I cannot remember very well, but I think it was R300,00 and something.

R300,00 and something a month? --- Yes.

Did you get a payslip? --- Yes, I used to receive a payslip.

Was Tax and UIF deducted from your salary? ---

/Yes, it

Yes, it was there, it was reflecting.

Did you get a blue card when you left the job?

--- I have no knowledge at all of a blue card.

A blue card is an unemployment card that you take from one job to another job? --- No one told me about that and I didn't have the knowledge so I never

applied for my unemployment.

So when I say to you, did they deduct UIF from you and you say, "Yes", but you don't even know what I'm talking about. --- It was reflecting on my payslip, UIF, and the deductions were there, but I didn't know.

Have you got any of those payslips? --- I never kept them.

Who actually paid you? Who was the person that paid you? His or her name? --- Mr Mdloje, who was also trained and he was doing a similar job with us.

Which building in Ulundi was it at? What is the name of the building? --- Inkatha offices. I don't think there's a name for that building.

What street is it in? --- I don't know the Ulundi street names.

Was it an office in that building that you went to? --- Yes.

And what was the procedure? --- I used to knock at the door in that office and, when I went inside, they used to give me my money.

Did you have to identify yourself in any way? --- No one ever asked.

So Mdloje knew you? --- Yes, he knew me.

Did you get some sort of identity card when you finished your training? --- No, I never received
/anything.
anything.

You never got any for of identification, to say that, "This is Mr Sibusiso Bhengu and he is an IFP trained security guard", or watchman or bodyguard or something? --- No, I didn't receive any identification.

Didn't that puzzle you? --- Yes, it did puzzle me a little bit.

So what did you do about it? --- I was puzzled and maybe that's part of the reason I didn't know what to do and I ended up doing nothing.

Okay, what other training did you get while you were there, besides what you've already told us? What other lectures did you have besides what you've already told us? --- We were taught how to protect ourselves against someone who is armed if you are unarmed.

Unarmed combat and self-defence? --- Yes, that's what they used to call it.

What else? --- (Reply not interpreted)

Okay, so after six months your training comes to an end. What happened to show that your training came to an end? --- We were taken back to Ulundi after our training.

And what happened when you got back to Ulundi? Usually one has a parade when one has finished training - a passing out parade? --- I'll try and recall, because it's been a long time. I think there was a function and also I was also excited because it was my first job and we were taken and we were introduced to different people and we were told as to where we were going to work.

What was the function that you had? --- No, it was just a function that we were happy and we were back /among other among other people. We ... (incomplete)

MR DLAMINI: Mr Bhengu, the Chairman is trying to get from you that what happened when they welcomed you. Just tell us more. Relate to us as you're relating to

someone who wasn't there. We just want to know what happened. --- I have a problem, because some of the things I cannot remember and maybe that is why I'm not relating everything, because I don't remember everything.

But you said after six months your training finished and you were taken back and when you arrived there at the camp who welcomed you? --- Mr Mabaso was there and he welcomed us.

Who else was there besides Mr Mabaso? --- I don't remember very well if Mr Mafule was there or if he was there when we left or when we came back. A guy called Mthwe Mafule.

What did they say when you came there and at about what time you arrived there? --- It was early afternoon.

And when you arrived there, what did they say to you?

CHAIRMAN: Sorry, where is, "There" Which place did you arrive at? --- Hlongwane camp.

MR DLAMINI: What did they say to you, when you arrived there at Hlongwane camp? --- They welcomed us and they were happy for us and that we came back home and we stayed there for one to two days in their camp and then we went back home.

What made you think that they were happy? --- They were excited and they shook our hands.

And did they promise you that you were going to have

/two days

two days leave? --- Yes, that's what they told us. We went home.

And then how long did you stay at the camp before you took these two days off? --- What I cannot remember is that if we left on the very same day or the next day.

It might happen that you left the very same day or the next day? --- Yes.

So you stayed for two days at home. When you arrived at home, what did you do? --- What exactly do you mean?

I mean did you go back to see Mr Ntombela, because he was the one who arranged this for you? --- No, I didn't go.

Why? --- It never came across my mind those days.

And also Mr Ntombela didn't come and see you? --- No, he didn't.

After two days what happened? --- We went back to Hlongwane camp.

When you arrived there, what happened? --- When we arrived there, we went to a hall and then Mr Buthelezi came and welcomed us and congratulated us and then he slaughtered a cow.

When you say, "Umtwana", you mean Mr Buthelezi? --- Yes.

Did he slaughter that cow or he just promised you? --- Yes, he did, even though we didn't see the cow being slaughtered, but the cow arrived and the meat was there. We had a braai.

(Question not interpreted) --- No, it wasn't
/slaughtered there.
slaughtered there.

What else happened besides the meat? --- I

can't remember anything.

When he welcomed you, Mr Buthelezi, what did he say? --- He encouraged us that we should like the job and we should do our job according to what we've been trained.

What did he say your job was all about? --- He said it was to protect the Government employees and the prominent figures of the Government and then after that speech he left.

Who else was there, when Mr Buthelezi was there to welcome you? I'm sure he wasn't alone. I'm sure other prominent members from IFP or the Government were there as well. --- We were not introduced to these other members - other people who were there.

Well, you, as someone who is staying at Ulundi, you should know other people. I mean, today you should know other people whom you've seen there before. ---

No, I didn't see anyone I know.

Thank you, Mr Chairman.

CHAIRMAN: Just to go back a little bit, Mr Govender, with your permission. During your training, you've told us nothing about the lectures you got from Mr Luthuli. Why have you told us nothing about that? Are you trying to mislead us? Are you trying to hide about these things? Please don't play games with us now, Mr Bhengu.

We know a lot more than you realise. --- Maybe the knowledge that you have, you have it from someone who was there, but not with me.

So you say you were never lectured by Mr Luthuli?

--- No, I wasn't.

/And your

And your passing-out parade, that was quite an

important thing for you, isn't it so? It was the end of your first training course and the start of your new job -your first job, not so? --- We went inside the hall. There was no parade at all.

Who spoke in the hall? A prominent person spoke to you? Who was that person? --- I would like to ask something before I can answer. Are you talking about before we left for training or after training, when we came back?

What do you think I'm talking about, Mr Bhengu? What do you think I'm ... [end of tape 3]

--- Mr Mabaso and Mafule.

MR DLAMINI: Mr Chairman, do you think it will help if I could just relate what he said? I think you were busy checking something with Mr Madlala.

CHAIRMAN: Okay.

MR DLAMINI: Yes, he told us that after - on coming back they were received by Mr Mabaso and Mr Mafule.

CHAIRMAN: Yes, I'm talking about before they got back, their passing-out parade that they had.

MR DLAMINI: At the Caprivi?

CHAIRMAN: Yes. When you finished your course at the Caprivi you had a parade and at that parade you were addressed and you were addressed by M Z Khumalo. It's public knowledge. It's been in the newspapers. We all know that. --- I'm not denying that.

Well, why haven't you told us about it? We asked you about it?

MR DE KLERK: Mr Commissioner, if I could just, hopefully, assist. It seems with your colleague that

/there was a
there was a mistake which situation we are talking

about. It was clear that my client talked about what happened ... (intervention)

CHAIRMAN: With respect, Mr de Klerk, your client can explain that for himself. Let him explain it for himself. He doesn't need your assistance at this point.

MR DE KLERK: But, surely, he did not talk about anything in the Caprivi. That was not asked of him.

CHAIRMAN: I was talking about the end of his training.

MR DE KLERK: Yes.

CHAIRMAN: Yes, and I asked him about his passing-out parade. They only had one passing-out parade. They didn't have it in South Africa, they had it in Caprivi.

MR DE KLERK: Yes.

CHAIRMAN: So I wasn't misleading him in any way. Allow him to answer the question, please. The question is why didn't you tell us about your passing-out parade, which I specifically asked you about and I said you were addressed at that parade by a prominent person and you didn't tell us about it. You proceeded to go on. ---

I thought you said after the training, after we came back. I didn't think that you were asking about finishing it and being at the Caprivi. I thought you were talking about coming home.

How many passing out parades did you have? Only one, isn't that so? --- There is only one.

So if I'm talking about a passing-out parade, you can't be confused about which one I'm talking about.

There was only one. Correct? --- I ... (intervention)

It really doesn't matter. You were addressed by M Z Khumalo, is that not correct? --- Yes, that's

/correct. That's

correct. That's when we were still at Caprivi.

Precisely. It was at the end of your training.

--- That's correct.

Thank you. That's all I asked you. Carry on, Mr Govender. In fact, Mr Madlala, is the tea ready?

MR MADLALA: We have already conveyed the message to ... (inaudible).

CHAIRMAN: Okay, shall we have a short adjournment. I'll find out what's happened to the tea.

SHORT ADJOURNMENT

ON RESUMPTION:

CHAIRMAN: Thank you. Mr Bhengu, if I could remind you that you are still under oath. In fact, I'm not sure that we've actually sworn him in, thinking about it.

MR DE KLERK: He was not sworn in.

CHAIRMAN: Well, let's do that now. Please will you stand. Do you have any objection to taking the prescribed oath? --- That is correct, I have no objection.

Okay, repeat after me. "I swear that the evidence that I have already given in this case and that I will continue to give in this case has been or will be the truth, the whole truth and nothing but the truth, so help me God".

SIBUSISO BHENGU (Sworn states)

CHAIRMAN: Thank you very much. Right, let's continue.

MR GOVENDER: Mr Bhengu, you said at the outset that when you got to Caprivi you were divided into different groups, categories or sections. Tell us what those sections or categories were. --- It was platoon 1, 2, 3 and 4.

Were these platoons given any particular name or
any

/designation?

designation? --- No, they were not given any particular names, except numbers.

What platoon did you belong to? --- I was in platoon 2.

And what was platoon 2's description? What were they designated to do or trained for? --- I do not understand the question you're asking me. It's not very clear as to what you want me to say.

How was - well, put it how was your platoon different from the others? --- We were in same numbers, but we were being instructed by different instructors. That's about the difference.

Now, were you given instructions in different things, to carry out a different task from the others?

--- I wouldn't know in class, but in ... (inaudible) ... we were doing one and the very same thing, all of us.

Yes, but ... (intervention)

CHAIRMAN: Mr Govender, if I could just come in here. Mr Bhengu, really, this is a very simple question and it's being made much more complicated both by you, because to me it's clear you don't want to answer the question very straightly. Now, listen to it very carefully. The four platoons were each trained in different work and you were in platoon No 2 and your training was to be a bodyguard, and we know that. Please don't mess us around now. What was platoon 1 trained as? If you don't know, say, "I don't know".

--- I think I don't know the answer to that one.

Well, I'll tell you and I'll remind you and I'll point out to you that you're being really silly by not telling us the truth. Platoon 1 was trained in contra-
/mobilisation.
mobilisation. You know that, and I know that you know that, and if you tell me you don't know that I know that you're not telling me the truth, because it's common knowledge to everybody that was trained there, that that is so. Platoon No 2 were trained as bodyguards. Platoon No 3 were trained in counter-intelligence, and platoon No 4 were trained in offensive activities. And if you tell me you don't know that, frankly, I find that incredibly hard to believe. So you're not giving any State secrets away, Mr Bhengu. --- I think the Commissioner is referring to the knowledge that he has with regard to this matter. I have no knowledge of such a thing.

Thank you. Stop wasting time.

MR GOVENDER: Mr Bhengu, I'm just going to come back to your passing-out parade, that took place in Caprivi. Is that correct? --- I only heard through the newspapers that that was in Caprivi.

Where did your passing-out parade take place? In Caprivi. You admitted that. --- That is true.

And you've admitted that you were addressed by Mr Khumalo. --- That is correct.

Now, apart from being addressed by Mr Khumalo, did anything else happen at that passing-out parade that you want to tell us about? --- We were drilling and we went to an open ground and we waited. Then he came.

INTERPRETER: The name is not mentioned.

CHAIRMAN: Who is, "He". --- It's Mr Khumalo.

MR GOVENDER: Was there any demonstration of the skills of the different groups given at that passing-out parade? --- I don't know whether it happened or it didn't, but

/we particularly we particularly in group 1 didn't have to demonstrate, so we didn't carry out any demonstration.

Did the other groups demonstrate? --- I don't remember that.

You don't remember. Can you remember whether the passing-out parade, in fact, was video-taped? --- Yes, I think there was a certain person or a cameraman, who was busy doing a video, if I remember quite well.

Can you remember if any demonstration of mock trials took place? Sorry, mock battles. I beg your pardon. --- (Pause)

CHAIRMAN: Please, Mr Bhengu, stop messing us around. You've only been to two passing-out parades in your whole life. One there and one at Koeberg and, really, this would have been a very important day in your life and I find it absolutely impossible that you're pretending like you can't remember. Please get on with it. If you don't remember, just tell us you don't remember. We don't have time to mess around here. Really, we're having to drag things out of you, like pulling teeth out of a sore person's mouth. Now get on with it. --- Most of the things I do not remember, because it's quite a long time since these things happened and in other things my memory fails me.

MR GOVENDER: So is your memory failing you or what are you - can you remember, Mr Bhengu? --- No, I don't remember anything of that sort at this juncture.

You don't remember anything? --- No, I don't.

And the video-taping, was that done by the Jerry that you spoke about earlier on? --- Yes, that is true.

/And did you

And did you see who that video tape was handed to at the end of that parade? --- No, I did not see.

You didn't. I just want to move on. If there's anything arising out of this ... (intervention)

CHAIRMAN: Carry on, Mr Govender. Before we go any further, let me ask Mr Bhengu this question. Mr Bhengu, is there anything that you've been involved in over the years that you want to tell us about yourself, before we ask you about it? Any acts, criminal in nature, that involve violence of one kind or another, that you want to tell us about, before we question you about them? In other words, I'm asking you if you want to volunteer any information yourself. --- According to my knowledge, there's none.

So you have never been involved in - have you ever been involved in any acts of violence, not necessarily criminal? Yes or no? --- No.

And are you intending to apply for amnesty? Yes or no? Remember, you are under oath. --- Is that all, that I'm intending to apply for amnesty?

Are you intending to apply for amnesty? Is it your intention to apply for amnesty? Yes or no. ---

No, I'm not in a position to do so.

No, I didn't ask you whether you were in a position to do so. I asked you whether it was your intention to do so. --- No, I have no intention of doing so.

Thank you. Mr Dlamini.

MR DLAMINI: Mr Bhengu, you seemed to be hesitating when the Chairman asked you whether you were going to apply for amnesty or not. --- I thought maybe the Commissioner was going to tell me as to why should I apply for amnesty.

/What had I

What had I done.

I was concerned why you seemed to be hesitating and as if you were not sure. I just want to advise you that, think carefully, because the period for doing that is limited and after the cut-off date that opportunity will no longer be available. You know, I just wanted to make sure, because I noticed that you were not as positive as you had been earlier on. Thank you.

CHAIRMAN: Mr Bhengu, do you understand the amnesty process? Do you know what it is and what you can do?

--- I think I would do with an explanation. I'm not quite clear.

The amnesty process means that you can come to the Commission and make application to the Commission for amnesty in relation to any act or omission committed by you during the period 1 March 1960 to 10 May 1994, as long as that act or omission was committed with a political purpose and as long as it was committed as part of a recognised political movement, structure or State organization. That, in summary, is what you can do. If you make full disclosure of all the facts relevant to such act or omission and if you are able to show that your act was political and in proportion to the objective which you sought to achieve you will be granted amnesty. You don't have to say you are sorry

for what you did and even if the victims don't like the idea, it doesn't really matter. What the granting of amnesty means is that you cannot be sued in a civil court and you cannot be prosecuted in a criminal court for those acts for which amnesty is granted. That's a very simple, over-simplified explanation of the process.

There are some legal

/technicalities

technicalities around what precisely qualifies you for amnesty and your lawyer could explain that to you. Do you understand what I said to you, more or less? ---

Yes, I do understand.

As Mr Dlamini said, if you've been involved in any acts for which amnesty might be granted I too would greatly recommend to you that you think very carefully about it, because this opportunity will not come again and it at least gives you a chance to make a clean start as a human being again. Now, there are no acts you want to tell us about yourself? Things that you've been involved in? Things you might have been ordered to do?

--- No, I do not.

Continue, Mr Govender.

MR GOVENDER: Mr Bhengu, after your training and your passing-out at Caprivi - a trainee - were you deployed to any tasks? --- Yes, I went to Mpumalanga to be Mrs Xulu's bodyguard.

That's the only task that you were allocated?

--- That is correct.

Nothing else? --- No.

Did you have contact with the other trainees, apart from the people ... (incomplete)? --- Yes, we do see each other.

Is it those people just from your platoon or was it everybody else? --- I used to see even those who were at the camp, not necessarily belonging to my platoon.

Where did you see them? In what circumstances did you meet them? --- We would meet in town. Some were staying in the same villages or neighbouring villages, and when we went to collect our salaries.

/That's all

That's all the opportunity you had to see them? Under no other circumstances did you meet them? --- Yes, those were the only circumstances.

You were never involved in any joint operations with any of the other Caprivi trainees? --- (Pause)

CHAIRMAN: Yes or no, Mr Bhengu? --- I'm still thinking. I don't remember anything of that sort.

MR GOVENDER: Is it that you don't remember anything of that sort or you were never involved in any other joint operations with the other Caprivi trainees? Which is it? --- It's possible that it happened and it's possible that it didn't happen. That's why I'm trying to think of an incident where we got together.

Can you not remember that incident - are you saying - Mr Bhengu, I'm trying to understand you - are you saying that it's possible that you were involved in other operations with the Caprivi trainees, but you can't remember what operations there were? --- I don't remember of any such situation where we came together for a particular purpose.

CHAIRMAN: Mr Bhengu, what was your daily routine in your job? What were you expected to do? What time did you report for duty? What time did you leave? Where

did you live? Where did you stay? Who did you take orders from? --- We used to stay where we were watching. That is Mpumalanga - Mrs Xulu's house - and there was no time to start and we just used to work throughout and knock off any time.

So there was no one in charge of you? --- No, there wasn't such a person.

At the moment you're a policeman, right? ---

/That is

That is correct.

And, as you know, you have to fall in at a certain time, you have inspection, you get your orders, you do your duties, you have occurrence books and note books and pocket books, all those things to fill out, so you have kept a check in some way. That didn't happen?

--- No, at that time it didn't happen. Nobody told us as to what to do.

Were you issued with firearms? --- We were never given any firearms.

So how were you to carry out your duties as a watchman or a bodyguard? --- We were taught to do that, as I have already explained.

Taught to do what? --- We were taught as to how to defend ourselves, even if we are unarmed.

Please, Mr Bhengu, if I approached your house where you were supposed to be on duty with a double-barrelled shotgun, were you going to try and take it away from me? Are you serious? Yes or no? --- No, we didn't have any firearms.

Well, how were you supposed to defend the people you were protecting? I mean, any idiot could have come there with a home-made firearm, with anything, and you

would have been dead. --- It never happened. I don't know how it came about that it didn't happen that we were faced with a situation of unarmed combat.

Okay, so you didn't have a starting time? You didn't organize yourselves into a shift? --- No.

You've said to us there were three of you at Mrs Xulu's house? --- That is correct.

So did all three of you stand duty for 24 hours long

/all day?

all day? --- Yes, we would control ourselves - come together and tell ourselves that one would start this time, the other one would knock off, but there was no particular person in control there.

The point is you did organize yourselves into shifts? --- That is correct.

So why did you tell me you didn't? --- I thought the answer to that was referring to when you asked me as to who was actually controlling us and I told you that nobody controlled us, we controlled ourselves. That's why we came together ourselves to organize as to what time we will be starting.

3B/0

That's why I said to you, "Did you organize yourselves into shifts?", and you said, "No", you just worked any old time, you said. That was your reply. Lie No 2 under oath. Carry on. Tell me the rest of your routine. I can't hear the translation. --- Part of our job was to - some had to remain in Mrs Xulu's house, and some had to accompany Mrs Xulu whenever and wherever she went out.

So you had no weapons whatsoever? --- No.

So the only way you could protect her was by

getting shot instead of her? --- It could have happened like that.

And you were willing to die for a measly R300,00 a month? --- We did not realise that we could die under such circumstances.

I see. So who would decide who would accompany Mrs Xulu and who would stay behind and guard the house?

--- We would come together, the three of us, and organize ourselves as to who remains and who goes.

/And you

And you slept at Mrs Xulu's house? --- That is correct.

Did she make a room available to you? --- Yes, she ended up giving us rooms.

Rooms, plural? More than one room? --- Yes, more than one.

How many rooms did she give you? --- She gave us two rooms.

Who stayed in the rooms? Who shared which room?

--- Myself and Mkhize were staying in one room and the other one was occupying the last room.

Who fed you? --- We ate at Mrs Xulu's house.

So she fed you? --- That is correct, and we used to contribute, so that she could buy groceries.

Did you have uniforms? --- No, we didn't.

Did you wear overalls? --- No, we used to wear our ordinary clothes.

And you carried on in this way until 1988? ---

That is true.

So you did this job for approximately two years?

--- I think that is so.

Now, when you eventually resigned from this job,

how did you do so? Well, did you resign from this job?

--- I never tendered a formal resignation and I was not chased away.

So what happened between the time you left this job and the time you became a special constable and went for training? --- Did you say what happened at what time? I don't think I got you.

What happened between the time you stopped being a watchman, as you call it, and the time you became a /special constable special constable and went for training? --- When we went to the Inkatha offices.

INTERPRETER: May the speaker speak towards the microphone.

CHAIRMAN: Sorry, if you could speak into the microphone, please. --- When we went to collect our salaries, we received certain letters that we should go to Amatikulu and on that particular day we came together and we met. That is where we were told that we should go to a training in Koeberg.

Who were the letters from? --- From Mr Khumalo. It's the letters for Mr Khumalo's signature.

What was at Amatikulu? --- We filled certain forms. They told us that we were joining the Police Force.

I didn't ask what happened there. I said what was there at that place? What was that place? Was it a training camp? Was it an office? What was it? I don't know. I've never been there. --- It was a training camp, police training camp.

Who met you there? --- We were met by

Mr Khumalo.

And what did he tell you? --- He told us that there was a certain training that we should undergo.

What kind of training did he tell you it was?

--- He didn't elaborate, but he said there were certain people who were going to come and make us fill certain forms with regard to the training.

And what would happen after that did he tell you?

--- I didn't hear that question.

He said there'd be people coming to fill out certain

/forms. What forms. What else did he tell you would happen after that? --- And he told us that thereafter we would undergo that particular training.

What particular training? --- He did not explain. He did not elaborate, but he said certain policemen would come and make us fill certain forms.

Well, didn't you ask him what sort of training you would be going for? --- I don't remember anyone who asked as to what training we were going to receive. We all kept quiet.

Why did you keep quiet? Why didn't you ask what sort of training you were going to go for? --- I'm not used to asking questions, but I don't know why the other ones did not ask as to what type of training they were going to undergo.

So you yourself didn't think it was necessary to ask any questions? You weren't really interested in what sort of training you might get and why you were suddenly being sent to another place? --- No, I didn't have interest, I think, and I'm quite an

introvert. I don't ask a lot of questions.

And then what happened? They came, you filled out the forms. Who came and filled out the forms with you? --- It was policemen and there was another one who examined us. I think he was a doctor.

Which policemen came and filled out the forms with you? Do you remember them? --- We were not introduced to them. Nobody told us their names.

Where were they from, which Police Force? --- There is no one who told us.

Mr Bhengu, don't mess me around. You know the /difference between difference between South African Police and KwaZulu Police, really. Which Police Force were they from? There are only two Police Forces they could have been from. --- I beg your forgiveness, because it was not explained. I think it was the SAP. I thought you were referring to the station from which they were coming.

Okay, well, if you're not sure, ask me. If you don't understand the question, ask me, because if you don't ask me we will assume that you understand the question. Do you understand? --- Yes, I do understand.

Okay, so you think they were South African Policemen or they were South African Policemen? What uniforms were they wearing? --- They were wearing blue shirts. I think they were SAP.

They would have had badges on them. They would have had rank insignia on them, not so? --- Yes, at that time I was not fully conversant with police positions, so they did not really make any sense to me. There were badges and I don't know about other things.

Mr Bhengu, at that time you had already worked in Mpumalanga for two years. You would have know the difference between KwaZulu Police and South African Police - correct? --- Yes, that I do know.

So, on that understanding, you came to the conclusion they were South African Police, correct?

--- Yes, that is true.

You filled out all the forms and then what happened? --- We were told that we were going to wait for transport to ferry us to the training in Koeberg.

What sort of transport were you going to be given?

/--- It was

--- It was KZT buses.

When did you go to Koeberg? How many days did you wait? --- We remained for five days.

What about all your things at Mrs Xulu's house?

--- Yes, that's how I went away from Mrs Xulu's house.

What happened to your things there? --- I said that the letters arrived during a certain month and then we were told as to a date when we were going to meet. Then, when I went away from Mrs Xulu's house, I took everything with me.

That's not what you told us. You told us you went to collect your pay and at the paypoint you were given letters. That's what you told us. Why are you telling us something different now? --- That is true, we got the letters when we went to the paypoint. They had a date as to when we were supposed to meet. So by then I knew the date.

You told us the letters said you were to go for training. You then immediately went for training. That's what you told us the first time round. You

didn't tell us you then went back home. --- No, I didn't say that. I didn't say that. I think there was a misunderstanding. I didn't say that.

Listen, the record will speak for itself. It makes no difference at this stage. Continue. You went to Koeberg? --- That is true.

How long were you there for? --- Six months - I am sorry, six weeks.

Six weeks. --- That is correct.

Now, before we go into your training and before we get too far ahead of ourselves, Mr Govender, is there /anything else anything else you want to cover?

MR GOVENDER: On this aspect?

CHAIRMAN: On the intervening period, while he was still a watchman.

MR GOVENDER: No.

CHAIRMAN: I think before we go into any of that stuff, it's probably an appropriate time to break. It's five to. If we go into a new issue now, we'll probably take a while. We'll reconvene at quarter past two. Mr Dlamini needs to go somewhere and come back. Mr Bhengu, you are warned to appear at quarter past two.

Thank you.

LONG ADJOURNMENT

ON RESUMPTION:

SIBUSISO BHENGU (Still under former oath)

CHAIRMAN: I understand, Mr Govender, that Mr de Klerk just wishes to place some matters on record at this stage. Please continue.

MR DE KLERK: Thank you, Mr Commissioner. It is my

instructions from my client that he asks this matter to be postponed at this stage to give him a chance to take up certain issues with the Chairman of the Commission. The issue is that he feels that he is not fairly treated in the way that he is intimidated and pressured in giving certain answers. He feels that he's already been branded as a liar and that he has been branded as wasting the Commission's time, and he feels unsettled by that, and it is his feeling that it is not a fair way of conducting questions or putting questions to him, and it was his request to take it up with the Chairman to settle the matter.

/CHAIRMAN:

CHAIRMAN: Is there anything you want to say, Mr Govender?

MR GOVENDER: Sorry, do you want me to argue?

CHAIRMAN: No, I'm not going to ask you to argue. This is not a situation where you're required to argue. Anything you would like to comment on what Mr de Klerk has said so far?

MR GOVENDER: Well, I think the perception that the witness has been treated unfairly is purely a perception. It's not founded on reality. I think it's quite apparent, Mr Chairman, that the witness is not being quite candid with the Commission and certain questioning had to be pursued in the manner it has been, because it's quite apparent from his demeanour and the manner in which he answers questions that he's not being truthful. There are circumstances, Mr Chairman, where the witness has contradicted himself on the record and it's quite apparent from the record. I think in those circumstances the witness has actually been treated

fairly, but if it is the wish to the witness to pursue the matter and he feels aggrieved by that situation then I leave it in the hands of the Commissioners to decide.

CHAIRMAN: Mr de Klerk, I have given some thought to what you've had to say. If your client has gained the impression that we're trying to intimidate him, well, obviously I apologise for that impression. We had no intention of intimidating him. However, we do require him to answer the questions as candidly as possible and it is certainly my impression that he was delaying answering some questions and evading answering some questions. Where a simple yes or no was quite adequate, he appeared

/to have to

to have to think about it a long time - quite unnecessarily, in my view. However, your client is at liberty to address the Chairperson of the Commission, if he believes that we have been out of line, so to speak.

All I wish to emphasise is that this is a robust process. It's not required to be genteel and so on. It doesn't mean we must treat your client with disrespect at all and if we have treated him with disrespect we obviously apologise for that and that was not our intention. I also believe that, in the interests of trying to take this matter as far as possible, and bearing in mind the expense that we've gone to to have all this equipment and all the interpreters here and so on, the interests of the Commission would not be served by adjourning at this stage. I certainly give your client and yourself every undertaking that we certainly have no intention of badgering him and we will try and ensure that we don't and, accordingly, I rule that the

matter should proceed. Let me just confer with my colleague and make sure he's in agreement with what I'm ruling. (Pause) He confirms that he's in agreement.

Mr Govender, continue, please.

MR GOVENDER: Mr Bhengu, before the lunch break, as a result of questioning from the Commissioners, you indicated that you were not supplied with a weapon during your task of protecting the Chairlady of the IFP in Mpumalanga. Now, I'd like to ask you, Mr Bhengu, simply that you spent approximately six months in Caprivi training camp, and during that time you were trained in the use of firearms. Your definition of whether you were trained in terms of mines and explosives is another, but certainly you've agreed that you were trained in the use

of firearms and the handling of the firearms. Now the time spent, six months, in that training and the training that you received prepared you as a bodyguard to protect VIPs - important people. Now, having gone through that expense and spent all that time in your training, I find it very difficult to believe that you would not be supplied with a firearm in circumstances where you were told that these people were exposed to the threat of terrorists that were against the Government and you were taught to recognise weapons that these people would use and you probably knew, were told that these people who attacked the State and the VIPs were people in possession of arms - sophisticated arms and explosives. Given those circumstances, given those conditions, Mr Bhengu, I find it very difficult to believe that you were not supplied with a weapon during

your duties as a bodyguard to the Chairlady of Mpumalanga. What do you say to that? --- That's the way it was.

Is that your answer, Mr Bhengu? --- Yes, that's my answer.

So you are saying to this Commission that you were a trained person, but when you were asked to perform your duties you were left without a weapon and you would expose your person to attack with no way of defending yourself? Is that right? --- Yes, that's correct. That's because also we were trained in how to defend ourself without guns.

MR DLAMINI: With your person, can I make follow up?

CHAIRMAN: Please continue.

MR DLAMINI: I'm sorry to appear to be labouring this point, but I'm finding it difficult, as Mr Govender has /said. With said. With all the resources in terms of time, money and expertise that were invested into your training and you were not provided with the tools to do the job properly. Can I paint a scenario. If the terrorists, as you told us that you were trained to fight the terrorists, and you told us that you were even shown and taught how, what weapons the terrorists carry. Amongst those weapons were AK-47, various explosives. Can you tell us how, in case a terrorist came, how would you have reacted in terms of the training that you are telling us that, look, you were taught how to handle the situation - how would you have handled the situation?

--- I could have ducked and ... (intervention)

Can you demonstrate to us how you would have done that? I'm finding it very difficult to conceptualise

that, so please try and persuade me to believe what you're telling me. Can you demonstrate it, even if you want to demonstrate it.

CHAIRMAN: Can I interject here? I don't think we're going to get any further on this issue and, as unbelievable as Mr Bhengu's answer may be, it's reasonably possible that he wasn't issued with any firearms and I think we must proceed on that basis. That's his version on oath and let's leave it at that. Let's try and press on and deal with some of the other situations that we've got to cover, with - if you don't mind - because, really, he's going to keep saying, "No", and we're not going to get anywhere.

MR DLAMINI: Yes, as you say and - but the point I just wanted to establish is that he believes that he is put under pressure. All I want him to understand at the same

/time is

time is the difficulty that we have to try and follow what he's trying to tell us, but I submit myself to your ruling.

CHAIRMAN: Thank you. Mr Bhengu, you've told us that you knew Mpumulani Mshengu and he worked with you. ---

Yes, that's correct.

You've also mentioned an Mchunu - Vela Mchunu - that you knew him. Did he work with you? --- He didn't work with me.

How did you know him? --- We were trained in Caprivi.

Did you come across him at all while you were in Mpumalanga? --- Yes, I did.

Was he stationed there as well? --- No.

Where was he stationed? --- I think he was in
Clermont. I'm not quite sure.

Now, Vusi Mbeje, do you know him - you knew him?
Was he training with you? --- I know him. Yes, I
trained with him.

Did he work with you? --- No.

Where did he work? --- He wasn't working at
Mpumalanga. I'm just not quite sure where he was
stationed.

4A/0 Did you train with Walter Mthilane? --- Yes, I
did.

Where was he stationed? --- I don't know.

Did you see him in Mpumalanga ever? --- Yes, I
did.

And did you see Vela Mbeje in Mpumalanga ever?
Sorry, Vusi Mbeje. I beg your pardon. --- Yes.

Do the know the Umzile Shopping Centre in
/Mpumalanga, unit
Mpumalanga, unit 1? --- Yes, I do.

Did you ever go there? --- I used to pass
there by taxi.

Did you know a man by the name of Guduza, or know
of a man by that name? --- No.

Guduza was shot next to the Umzile Shopping
Centre. You don't remember that incident? --- No, I
never heard of it.

Well, evidence in our possession indicates that
you were involved in that murder. What do you say about
that? --- No, I didn't.

You deny that? --- Yes, I do.

And you can't tell us anything that will help us
unravel this murder? --- No, nothing.

Please carry on.

MR. GOVENDER: You were stationed in Mpumalanga between 1987 and 1988, as a bodyguard to the Chairperson of the IFP branch, isn't that so? --- Yes, I was.

This incident took place - the shooting of Guduza took place between 1987 and 1988. --- Yes, it might be so, but I don't know the incident that happened in those days.

You didn't hear of incidents like this taking place while you were stationed there? --- Even the name, it's my first time to hear such a name, Guduza. I never heard of the name.

The incident arose, Mr Bhengu, out of the killing of two IFP women. One of them was a pregnant woman that was killed. Do you remember that incident? --- No, I don't remember that incident.

You don't remember that incident? --- No, I
/don't remember
don't remember that.

And Mr Guduza was killed in revenge of that killing. --- I don't remember a thing.

CHAIRMAN: Do you remember any killing incidents in Mpumalanga in that time? --- Yes, I used to hear about killings while I was there.

You never attended the scene of any killing while you were there? --- No, I didn't.

Did you ever arm yourself with a knife or a spear or a panga or some sort of weapon of that nature? ---

Yes, I used to carry a knife and panga.

A knife and a panga? --- No, I used to just carry an Okapi - a knife.

An Okapi. --- Yes.

What was the purpose of carrying that knife? ---

To protect myself.

So if someone confronted you or attacked you, you'd defend yourself with that knife? --- I was never attacked.

So you never ever had to use that knife? ---

No, I never used it.

So if one of our witnesses or a number of our witnesses says that you were involved in the shooting of Guduza, you say that's nonsense? --- They can say whatever they want to say, but that would be a lie.

So you heard of no killing that happened outside or next to the Umzile Shopping Centre? --- I don't remember hearing anything like that.

MR GOVENDER: You were a member of the IFP at that time, Mr Bhengu? --- Yes, I was.

And did the IFP have meetings in Mpumalanga on a

/regular basis?

regular basis? --- Yes, they used to have meetings.

And did you attend those meetings? --- Yes, I used to go, because I was a bodyguard of Mrs Xulu, who was a Chairlady.

There were a lot of UDF supporters in Mpumalanga at that time, wasn't there? --- I used to hear that there were members of UDF.

Was there any trouble between the IFP and the UDF in Mpumalanga? --- Yes, there were conflicts between UDF and Inkatha.

And, as an IFP person, one of your tasks was to defend the person that you were protecting from UDF attacks. Isn't that so? --- Would you please repeat the question for me.

One of the perceived dangers to the person that you were bodyguarding was from the UDF. Isn't that so?

CHAIRMAN: Just translate, please. Translate. We didn't hear the answer. --- Yes, it was to protect IFP.

MR GOVENDER: As bodyguard, you would get an update of attacks of UDF on IFP people from time to time. Isn't that so? --- I don't understand what attacks you're talking about. Who is attacking who.

Well, whenever - let's put it this way - whenever there is an attack on an IFP person by UDF, you would get to know about it eventually, either through your IFP structures or at a meeting that they have? --- Yes, maybe I might have heard.

Maybe? --- Yes.

Was the lady that you were protecting ever attacked by anyone while you were protecting her? ---

Yes, she was attacked.

/When was

When was she attacked and where? --- Her house. I just don't remember which month.

And you were guarding her at that time? --- Yes, I was.

Do you know who attacked her house? --- I don't know who attacked her house.

How did they attack her house? --- They shot. They were outside. They just shot her house.

They shot her house. Where did they shoot? The window, the door, where? --- The windows. No door was shot, but windows.

What did you do when her house was shot at? What did you do? You were there. --- Yes, I was there.

What did you do? --- I left through a back door.

You ran away or what? --- I was trying to look as to where the people who were firing her house were.

So you went out of the house to find out who was shooting at her? Is that right? --- Yes, I did.

And those people who were firing obviously had guns? Isn't that so? --- Yes.

And you didn't have a gun? Isn't that so? --- Yes, that's correct.

Nonetheless, you went out? --- Yes, that is correct.

And there's a possibility you could have been shot? Isn't that so? --- Yes, that's correct.

And you disregarded that and you still went out? Isn't that so? --- That's correct.

And if you were shot, you were not a very effective bodyguard? Isn't that so? --- No, I cannot say that. Only God knows that.

/So you expected

So you expected God to protect you? Is that what you're saying? --- God and the techniques which they taught me.

Can I ask you this question just out of curiosity? How were you trained to confront a situation where people were firing at you with a gun? How were you trained to counteract that or combat that without a gun?

--- First to find a place where you can cover yourself and hide yourself from your enemies, so that they don't see you. Then attack.

But, Mr Bhengu, how were you going to attack them if you don't have a weapon? You are going to cover

yourself and you're going to stay covered as long as they've got gun. Isn't that so? --- I would walk through a dark place where they cannot see me and then when I'm nearer that's when I attack.

Mr Bhengu, I find that very difficult to believe.

Anyway, let's proceed. I was getting to the point that two IFP people - women - were killed and then you had a revenge killing on a Mr Guduza in an area that you were.

You were part of the IFP structures. You were aware of the conflict between the UDF and the IFP and you tell us that you didn't know of that incident. --- Ja, I don't remember. I might have not heard of a lot of things which happened at Mpumalanga.

Are you saying, Mr Bhengu, that you may have known about it then, but you can't remember now, or are you saying that there's no such incident that took place that you know of? Which is it? --- I never heard of this incident.

So it's not a question of can't remember, isn't that

/so? ---

so? --- I never heard of this incident.

That's right. You haven't heard of it. It's not that you can't remember. Sir, I want to move on to the next one if there's no questions.

CHAIRMAN: (Inaudible).

MR DLAMINI: (Inaudible). Just a quick one. How far is Umzile Shopping Centre from Mrs Xulu's house? ---

That's a little bit far from each other. Mrs Xulu's house was outside the location ... (intervention)

When you say she was outside the township ... (intervention) --- And the shopping centre is inside

the township.

Where exactly was she staying? What is the exact name of the place? --- Woody Glen.

CHAIRMAN: Woody, as in trees. Glen, as in open place.

MR GOVENDER: Now, Mr Bhengu, we've established in a previous incident that is not a question of memory.

It's a question of, as far as you are concerned, never happened. I'm going to ask you about another incident and you must tell me clearly whether you've heard of this incident or you can't remember. Did you ever hear of the killing in 1987 of a Mr Gubano - is that right?

CHAIRMAN: Ngubo.

MR GOVENDER: Ngubo - an IFP man - by UDF supporters in unit 3, Mpumalanga Township. --- I don't remember very well. I don't remember the incident. I don't even remember Mr Ngubo himself.

You don't remember or you don't know of such an incident, which is it? --- I can both. I can say I don't know, because I might know if someone maybe can remind me. That's what I'm saying. I don't remember.

/Well, if I

Well, if I can give you a bit more detail. He was killed as a result or during a funeral procession from unit - these were UDF members from unit 3 and unit 4, and there was a funeral at ward 8, at a place called Mpelindaba, situated at the sports field of Chief Lutaya High School.

CHAIRMAN: Sorry, Mr Govender, you are confusing two different incidents here. Mr Ngubo was killed by UDF supporters at unit 3, Mpumalanga. In revenge for that attack there was another attack.

MR GOVENDER: Sorry, yes. I am sorry, it's at unit 3.

--- I don't remember hearing anything about
Mr Ngubo.

Do you know a Mr Ngubo? You don't? --- No, I
don't know him.

In fact, he was killed - he was burnt in a BMW
motor vehicle. --- No, I don't remember.

You don't remember at all? --- No, I don't
remember at all.

CHAIRMAN: Mr Bhengu, do you know Vivian Ngubane? ---
Yes, I do know him.

How do you know him or her? Can't hear the
translation. --- I know him because I trained with
him.

Is it a he or a she? --- It is he.

So he was a Caprivi trainee? --- Yes, he was.

And was he stationed at Mpumalanga as well? ---

I don't know where he was stationed.

How many of you Caprivi trainees were stationed at
Mpumalanga that you know of? Can you tell us their
names? Let's try and work it out. --- No, I only
remember just the three of us who were working for Mrs
Xulu.

/Just the three

Just the three of you. So there were - as far as
you were aware, there were no other Caprivi trainees
working in the area? --- No, I only know the people
who were born and raised at Mpumalanga, but not working
or stationed there.

Who are those people? --- Vusi Mbeje, Dan
Molefe, Baba Nene, Nathi Sibisi, Zweli Dlamini, Musa
Xulu, Gideon Ndlovu, Ngubane Vivian. If there are still
other names, I've forgotten them.

Who was in charge of the youth brigade in Mpumalanga - the IFP Youth Brigade? --- I think it was Ntshangase - the surname - I only remember the surname.

Were you involved with the youth brigade at all?

--- No, I was just there because of my employment.

Now, if there was an attack or an incident that happened around you, who would you report to? Who would you report that to? --- We never reported any matter to anyone. Like, for instance, the attack at Mrs Xulu's house, we never report that to anyone.

Didn't you report it to the police? ---

Mrs Xulu called the police.

Were the police aware of your presence there as bodyguards or watchmen? --- No, I can't say that. I don't know.

You yourself never reported to them that you were working there and that you were protecting Mrs Xulu?

--- No, I never reported that.

Why not? As a matter of interest. --- It never occurred to my mind.

Don't you think it would have been a sensible thing to do? Here you are - you're sort of like a policeman,

/you're looking
you're looking after this woman, you're making sure she's not attacked. Surely you would want to have a good relationship with the police, so that they can come quickly and they know who you are? Isn't that logical?

--- No, it never occurred to me.

Okay, now, do you know the Chief Lutaya School at ward 8? It's a high school. --- Yes, I still

remember the name of the high school, even though I cannot take you to there and bring you there.

It was a place called Mpelindaba. Do you know Mpelindaba? Do you remember it? --- No, I don't know that place.

It's at the sports fields in that school. --- No, I don't know that place.

Now, you wouldn't know about an attack which took place there, where a number of UDF people were shot and injured? --- No, I won't know.

And so if we were to tell you we had witnesses who say you were there with them at that place, you would say that's a lie? --- I would say that's a lie.

Do you remember an incident where staff members of the Rainbow Chickens were attacked in a bus? --- No, I never heard of that incident.

MR GOVENDER: Just before you continue - a part of the earlier incident.

CHAIRMAN: Please go ahead.

MR GOVENDER: Mr Bhengu, the incident involving the attack on the UDF members related to Ngubo's incident, we have information that there were something like 500 people involved in that attack. That's including the IFP Youth Brigade people. Now, an incident of that nature,

/involving so

involving so many people, you say you don't know of?

--- I don't understand the question.

Look, put it this way simply, that the incident involved something like plus/minus 500 people - the incident where the UDF people were attacked. Now, an incident involving so many people, surely would come to

the attention of the people in that area and yet you say you don't know anything about it. --- Maybe people who were there or people from that area can remember that.

My information is that you were there also. ---

No, I wasn't there.

CHAIRMAN: So you don't remember any incident where people who were staff of a Rainbow company were shot and attacked in a bus? --- No, I don't know of any incident like that.

4B/0

And do you know Dan Molefe? --- Yes, I do know him.

Who is he? --- He is one of the guys whom we trained with.

Where is he from? --- Mpumalanga.

Where was he working? --- I don't know where he was working.

Do you know Fooka Cele? --- Yes, I do know him.

Who is he? --- He is also one of the guys whom I trained with.

Where is he from? --- From KwaDengezi.

Do you know a place called Zamane? It's at unit 4, Mpumalanga. --- Yes, I know.

Our evidence indicates that you were involved in a shooting there. What do you say about that? --- I will say that's a lie.

/You never

You never went to that place? --- No, I never laid my foot.

Ever? --- Ever.

So all these people we've been mentioning, none of

them worked in Mpumalanga, according to you, except the two people that worked with you? --- Yes, that's true. I don't know where they were stationed but they were not stationed at Mpumalanga.

And yet all of them are alleged to have been involved in killings and shootings, together with you, in that area. --- I don't see how that can be true.

Before I move on, is there anything you want to add, Mr Govender or Mr Dlamini, just on those issues?

MR GOVENDER: Mr Bhengu, Fooka Cele, did you ever see him in Mpumalanga? --- Yes, I did.

What was he doing in Mpumalanga? --- He was staying there.

He lived in Mpumalanga? --- Yes, he lived in Mpumalanga.

And, as you said, you haven't been involved with him in any incidents that have been put to you? --- No, we didn't.

Now, you said you were born ... (intervention)

CHAIRMAN: Sorry, sorry, now I have a bit of a problem here. You've just told us Cele lived in Mpumalanga, right? You've just told Mr Govender that? --- Yes.

But you earlier told us he lived in KwaDengezi.

--- KwaDengezi, that's his father's home, but Mr Govender just asked me if I have seen Mr Cele and I said, "Yes, I've seen him at Mpumalanga". That's where he's staying now.

/That's where

That's where he's living now? --- The last time I saw him, it's two years ago. I don't know today.

MR GOVENDER: But in 1987, 1988, was he living in Mpumalanga? --- Ja, it's like that - I'm not quite

sure, but ... (intervention)

But you've just earlier said that he was living at KwaDabeka. Where was he staying?

CHAIRMAN: KwaDengezi.

MR GOVENDER: KwaDengezi, sorry. --- When he first came to stay at Mpumalanga it was late 1987 and he was from KwaDengezi at that time.

You see, again, Mr Bhengu, you are not being quite candid with us. We ask you questions. You give us a certain. When it's probed further you give us a different answer. You are being difficult. You're coming up and giving us answers and you have actually complained to your legal adviser that this Commission is badgering you and calling you a liar, and so forth. Now, what do you think we should do in these circumstances? You are not being quite candid with us in terms of the questions that we are asking you. ---

By so saying, are you trying to tell me what I've just told you it's not true?

CHAIRMAN: Just hang on a second, Mr Govender. Maybe you could clear up for us this confusion. --- I know Fooka as a guy from KwaDengezi. I met him at the training, knowing him from KwaDengezi. When I was at Mpumalanga, he wasn't there. I don't know where he was.

Later he came to stay at Mpumalanga.

MR GOVENDER: Now, you should have given that answer when you were first asked that by the Commissioner. You didn't, because the question asked to you was, "Does Fooka

/"live in
"live in Mpumalanga?" and you said, "No, he lives in KwaDengezi", but that's not entirely true, is it?

CHAIRMAN: Do you see, Mr Bhengu, how we end up getting the wrong impression? --- Yes, but I think it's your questions that are making me answering you this way.

Well, we'll try and be very careful with the questions. Maybe you won't make these sorts of mistakes then.

MR GOVENDER: You see, Mr Bhengu, if you're answering those questions truthfully, then there should be no reason for being confused. You should know exactly what the answers to those questions should be, because nobody is trying to trap you. We simply want information. That's all we're asking you for.

CHAIRMAN: If I can also emphasise, we can't prosecute you. We have no intention of prosecuting you. It's none of our business. We're trying to unravel some stories. This is not a criminal case. Anyway, let's continue. --- Understood.

Continue, Mr Govender, unless you want me to.

MR GOVENDER: No ... (inaudible). Mr Bhengu, what I'm finding difficulty with is that you said to us that you were born in Mpumalanga or you lived there all your life. Is that correct? You're from Mpumalanga.

CHAIRMAN: He's not from Mpumalanga, Mr Govender. He's from KwaMafundsi.

MR GOVENDER: You lived most of your life in Mpumalanga?

CHAIRMAN: No, he didn't say that either. Sorry. Let's move on to the next issue.

MR GOVENDER: Ja, I'm going to move on to the next issue.

CHAIRMAN: The next set of circumstances. He just

/worked in

worked in Mpumalanga, he never lived there before that.

MR GOVENDER: Okay, I stand corrected. You were in Mpumalanga from approximately 1987 onwards until 1988. Is that right? --- From 1986 to the beginning of 1988.

And you lived all this time in Mpumalanga? ---

That is Mpumalanga, as well as my place.

So you went every now and then to your house?

--- That is true. I stayed in Mpumalanga when I was working and at some stage when I was not working, I went back home.

You see, what I'm finding difficulty with, Mr Bhengu, is that a number of incidences, and these are well-documented incidences and reported incidents that took place in the period 1987 to 1988, but you seem not to know of any of these incidents, even through information, not through involvement. --- Maybe some of the things happened when I was at home.

CHAIRMAN: Can I just come in there, Mr Govender, just for a second. You said that you worked sometimes and you went home sometimes. Who gave you permission to go home? --- We organized ourselves as to how we were going to work and which days we would take to be off duty.

So how would people in Ulundi know how much to pay you if you just took days off when you felt like it? Surely you had some basis for reporting? --- There was absolutely no reporting that we did.

So if you wanted to go off for half the time no one would know? --- That is true, no one would know, except my co-workers.

And if you were all in conspiracy together to

crook the bosses, you could do that? --- It could happen,

/but it didn't

but it didn't actually happen.

I'm not suggesting that it happened. I'm just saying that it seems a rather unstructured way to go about working. I find it very hard to understand that that's how a Government department allowed you to work.

Any comment? --- I've got no comment as far as that is concerned.

MR GOVENDER: Do you know the Mopela area in Mpumalanga? --- Yes, it's Mopela.

Was that regarded as a UDF area? --- I have no idea as to what was happening in Mopela.

You don't know of an incident - well, do you know of an incident that took place in Mopela, where UDF members were attacked in a house and one of those UDF members' name was Nathi Sibisi? --- I've never heard of that.

CHAIRMAN: Have you heard of Nathi Sibisi? --- Yes, there is a certain Nathi that I know.

Who is he - or who was he, if he's alive? Is he alive? --- We were trained with the Nathi that I'm referring to.

His name was Sibisi. --- Yes, it's Sibisi.

Do you know Zombi Shabangu? --- Yes, I do.

Who is he? --- We were also trained together.

Where did he train with you - at Caprivi? ---

That is true.

Did he work with you anywhere else? --- We've never met and we've never worked together.

INTERPRETER: He actually says they never worked

together.

CHAIRMAN: Thank you. Sithello Ndlovu. Do you know him? --- Yes, I do know him.

/Where is he

Where is he from? --- He was coming from Maritzburg.

Did he work in Mpumalanga? --- I have no clear recollection, but I don't remember seeing him working in Mpumalanga.

Did you meet him in Mpumalanga? --- Yes, we did meet.

And did you meet Zombi Shabangu in Mpumalanga? --- Yes, we did see each other.

How would you have seen him there if he didn't work there or didn't live there? --- Who are you referring to between these two people?

Shabangu, firstly. --- I never saw Shabangu in Mpumalanga.

I just asked you whether you saw Shabangu in Mpumalanga. You said yes, you did meet him in Mpumalanga. So? --- Yes, I did meet him in Mpumalanga. He stays in Mpumalanga. His home is Mpumalanga.

Right. But you don't know where he was working?

--- No, I do not know where he was working.

And then, with regard to Ndlovu, he didn't live there or work there, so how was it that you met him there? --- He came to us.

He came to you? --- Ja.

With what purpose? --- He had just come to visit us. He was actually from Maritzburg, on his way to Ulundi. Then he decided to pass by.

So many of your colleagues knew where you were working? --- I wouldn't know whether they are many, or it's only those who were from Mpumalanga.

Well, Ndlovu is not from Mpumalanga, yet he knew /where you were. --- He is my neighbour, way back home.

So he would have joined up with you? --- What do you mean by that?

When you first went for training, he would have joined up with you, not so, if he's your neighbour from the same area? --- Yes, I got him there. We didn't actually move together to the training.

Right. Did you know Baba Nene? --- Yes, I do.

Where is he from? --- From Mpumalanga.

Was he working in Mpumalanga? --- I don't know where he was working at the time.

Did you see him in Mpumalanga? --- Yes, we would meet quite occasionally.

Nkitho Ndlovu? --- Yes, I do know him.

Where is he from? --- He was from Mpumalanga also.

You don't know where he was working? --- No, I don't.

Now, Lucky Sibisi? --- No, I don't.

You don't know Lucky Sibisi? --- No, I do not know him.

You don't remember him as one of the trainees? --- No, I don't know.

So you were never involved in an attack on a house at Mopela? --- Not I personally. I never attacked any house.

Do you know about the attack? Did you hear about it? --- I never even heard about that.

MR GOVENDER: Sorry, just one point.

CHAIRMAN: Yes.

MR GOVENDER: Nathi Sibisi you know? --- Yes, I do.
/Well, Nathi

Well, Nathi Sibisi and Lucky Sibisi are the same people.

CHAIRMAN: It's the same person. Is it a mistake?

MR GOVENDER: Ja, it's a mistake.

CHAIRMAN: Thank you for clearing that up. Okay. Do you know of a place called unit 1 in Mpumalanga? ---
Yes, I do know the place.

Did you ever come across a house called Summertime House? --- No, I've never been to that house.

Do you know the house, or heard of it? ---
I've never heard of it.

Nine people were killed at that house. --- I never heard of the incident before this. There's nothing I can say about the incident.

Yourself and Mpumulani Mshengu are alleged to have been involved in that killing. What do you say about that? --- These are blue lies as far as I am concerned.

MR GOVENDER: Do you not know this Summertime House? It's situated south across the valley from Woody Glen.

--- I've never heard of it and I've never seen it and I've never been there.

You're not aware of an attack on any place in that area? --- I don't know the Summer House, so I wouldn't know where the attack took place.

Did you, as an IFP person, ever be called to

assist IFP people in the conflict between IFP and UDF in Mpumalanga? Were you ever called upon to assist the IFP? --- No, I've never been called to assist.

You've never been. Any of your fellow Caprivi trainees? --- I would have no knowledge of that.

/You have

You have no knowledge of that? --- No.

They could have been? --- It could have been possible, but I have no knowledge thereof.

Because, Mr Bhengu, you have a situation where you have trained people from the Caprivi camps. There is a conflict in Mpumalanga, where the IFP people are being attacked from time to time by the UDF people. Now, wouldn't it be logical that the IFP people will use people like you who have been trained to defend the IFP people in the area? --- It sound logical, but I have no knowledge of it taking place or happening.

It never happened, as far as you are concerned?

--- I wouldn't say it never happened, but it never happened to me personally. I have no knowledge thereof.

I'm talking on my own behalf.

Is there any reason you can advance to us, Mr Bhengu, as to why you have been named as one of the persons that were involved in these attacks, if you say you were not involved? --- Maybe they would remember a name of somebody who stayed in Mpumalanga or somebody they trained with and they just put the name up.

And the only name they remembered was your name and your name always popped up in all these incidents. Is that right? --- That's all I can say.

CHAIRMAN: Mr Dlamini just wants to follow up on something.

MR DLAMINI: Thank you, Mr Chairman, just to follow up what Mr Govender has said. What contribution have you made to the IFP?

CHAIRMAN: In what sense?

MR DLAMINI: In return of the training that you were /given and given and the expenses involved, because you don't seem to have been involved in any way. Can you tell us what contribution have you made to the IFP? --- I think my contribution was being a watchman for Mrs Xulu.

You are not effective either. You did not even have ... (incomplete) --- I would call it a contribution because I did contribute. I worked there.

In what way? Because the house was attacked and you were not effective. You did not even defend. In what way have you been useful to the IFP after all the training that was given to you? IFP houses have been attacked. IFP members have been killed. Whenever IFP was revenging or being proactive, you are not involved.

You did not even know where the UDF areas were and yet you were expected to protect Mrs Xulu from the enemies - obviously the UDF. In what way were you useful to the IFP? --- By being a watchman where I was a watchman.

So the IFP wasted their money. Their recruitment left much to be desired or you are not telling us the truth. Thank you, Mr Chairman, that was more on a comment line.

MR GOVENDER: Did you ever work in KwaMakutha? --- Can you please rephrase yourself as to from which period or what period are you referring to?

MR DLAMINI: Have you ever been to KwaMakutha?

CHAIRMAN: No, sorry, the question is have you ever

worked in KwaMakutha? We are not interested when or where or how. Have you worked there or haven't you?

--- Yes, I have.

When did you work there? --- During the end of 1989 up to 1982.

/Sorry, 1989

Sorry, 1989 to? --- To 1992.

To 1992. When in 1992? What did you do there?

--- I was a policeman.

5A/0

That doesn't tell me what you were doing there.

--- We were keeping peace and security.

How did you do that? --- We would go and patrol, make road-blocks and arrest perpetrators.

Did you ever arrest any IFP people? --- I wouldn't be able to say whether we arrested IFP people.

We were just arresting people as citizens, not according to their political affiliation.

So you wouldn't know whether you arrested ANC people either? --- That is true.

Did you arrest UDF people? --- We were never told as to whether they were UDF, ANC or IFP members.

At that time you were in the riot unit? --- That is true.

The riot unit worked very closely with the security branch. Isn't that so? --- I don't know how true your statement is. I was doing my own duty and I can comment in so far as my duty is concerned.

So you never worked with security branch people?

--- No.

Did your offices get briefings from security branch people? --- I wouldn't know that.

You see, Inspector Meyer has told us that he

constantly had security branch operatives that he liaised with. They had regular briefings, as the riot unit, with security branch. He told us that in a public hearing. It's not a secret. Everyone knows about it.

--- I do not know that. Maybe that was planned by the officers or

/people in people in high authority.

Who were your officers when you were working in KwaMakutha? --- It was Colonel Dube, who is presently a general.

And who else? --- Lieutenant Ndlovu. He is a colonel today.

Who were the other section leaders? --- It was Warrant Mtshali, Sergeant Zwane, Sergeant Mpangase. These were the section leaders.

Where are those other three now? --- I don't know where they are presently.

You don't know what their ranks are now? --- No, I don't.

Did you ever work with Daluxolo Luthuli? --- No, I've never worked with him.

You've never acted on his instructions and under his orders? --- Never. He has never done that.

MR GOVENDER: Was he your superior officer in terms of the Caprivi trainees? --- Yes, I think he was a leader in Caprivi.

And in Caprivi did he give you instructions and lectures and talks? --- No, he never did.

He never did. He never taught you anything? He never lectured you on anything? --- No, he never did.

And when you were then out of the camp and deployed in your own area, did you have any contact with him? --- No, we saw each other, but we never had any real contact, so to speak.

Where did you see him? In what capacity did you see him? --- He would come and speak to Mrs Xulu.

At the place where you were guarding? --- That /is correct.
is correct.

And what would he come to speak to her about? --- No, I have no idea, because I never used to be with them whenever they were conducting their talks.

And on those occasions you spoke to him. Is that right? --- No, I've never spoken to him.

Why not? --- I have nothing to say to him and I felt there was no need for me to talk to him.

But you were together with him in the camp for six months. He was like your comrade, but you wouldn't talk to him when you met him again. Is that what you're saying? --- Even on campus we just used to greet him. We never had anything to say to each other.

So you say you had no contact with - can I just ask this question? In the camp itself, Caprivi camp, what was the command level within the camp itself? Apart from the white officers or people that you spoke of, what was the command structure amongst the trainees?

--- It was comprised of commanders, as well as platoon commanders, sergeant commanders, as well as platoon sergeants.

And who was your platoon commander? --- It was Nkitho Ndlovu.

Nkitho Ndlovu. What position did Luthuli occupy

in that structure? --- They used to call him camp
commissar.

What is the duties of a camp commissar? ---

Because it was the first time I went there I do not know exactly what his duties were, but he used to call us in the afternoon and have some inspirational talks.

So he did lecture to you. He did talk to you. Isn't that so? I just asked you a few minutes ago whether

/Luthuli lectured

Luthuli lectured to you or spoke to you. You said he didn't and now you say he did. --- I think the phrase that was used was, "Lecturing, teaching and inspirational talk". These are three different things.

Maybe that is what is causing all the confusion.

MR DLAMINI: Mr Chairman, just to set the record straight, I think Mr Bhengu is not being honest with us.

Earlier on this morning we asked him on several occasions what else they were taught, whether motivation, political education. We specifically asked whether Madlanduna played any role and he said not in his platoon, probably in other platoons. Now he's telling us that Madlanduna did talk to them, motivating them. --- Maybe it's the lecturing part and the teaching part, because they used to call us when we were not doing anything, when we were just conversing. That is after the training. So I wouldn't regard that as lecturing.

MR GOVENDER: You see, Mr Bhengu, the rate you are going, in terms of the contradictions you are presenting in this testimony, I have a serious mind to motivate to this Commission to prefer charges of perjury against

you, because on a number of occasions you've been found to be contradicting yourself in terms of your testimony.

Now, if you continue in this fashion I'm going to stop these proceedings and ask this Commission to look into the possibility of perjury charges against you.

CHAIRMAN: Mr Govender, at the end of the day, Mr Bhengu is giving an explanation. Whether we accept that explanation or not is really another matter. His explanation is that he misunderstood the original questions and he's now saying that, in his mind, he didn't

/understand what

understand what he calls spiritual guidance and motivation, which was offered by the political commissar in charge of the camp to be part of his instruction. Can I say let's leave it at that for the time being and let's move on.

MR GOVENDER: I see the ... (inaudible) ... by Mr Chairman, but I am not basing my assumption on just one incident. There's been a number of this - there's countless incidents, where Mr Bhengu is given the opportunity to explain it and he has contradicted himself purposefully on a number of occasions and I'm saying to Mr Bhengu that if he continues in that fashion then I'm going to seriously consider that option.

CHAIRMAN: Mr Govender, obviously you're at liberty to consider whatever you want to do. Mr Bhengu is a policeman. He fully understands what his rights are, plus he has Mr de Klerk here to advise him further. I just think we should proceed and not necessarily threaten him with perjury per se, but let's leave it at that.

MR DE KLERK: Mr Commissioner, I can just put it that he is stating now that he received instructions, so if he wanted to keep quiet, he would have not said that he received inspirational talks. Maybe just for a ... (intervention)

CHAIRMAN: Mr de Klerk, I specifically asked him before we broke for lunch whether in any manner whatsoever Mr Luthuli addressed them or spoke to them about anything. I made it very clear that I wasn't talking about tutoring or lecturing or anything else. But he's given the answer he's given and it's on the record. I don't think we need to belabour the point.

/MR DE KLERK:

MR DE KLERK: That's right.

CHAIRMAN: Who is Casper Makaye? --- Yes, I do know him.

Who is he? What does he do? Was he a trainee?

--- Yes, we trained with him in Caprivi.

Where is he now? --- I don't know where he is presently.

Did you see him during the time you were working as a watchman? --- No, I've never met him.

So you've never met him since you left the Caprivi? --- I once met him when I was in Ulundi.

What, collecting your pay? --- Yes, that is true.

What was he doing in Ulundi? --- I think he had also come to collect his pay.

Where was he working? --- I never asked him.

You see this comrade you trained with, you didn't even ask him where he was working? --- It's true, I never asked him.

Why? --- We were taught never ever to enquire as to what our co-trainees were doing or where they were working.

What was the reason for that? --- They never explained to us as to why they were saying that.

Surely, as an intelligent person, you would have wanted to understand the reason for that? --- It was difficult for me to find a reason for that.

Well, was it a question of secrecy? Was it a question of not interfering? Was it a question of what - I don't know. You were the one who was there. I wasn't there. --- I don't know whether there was something

/veiled in veiled in secrecy or it was interfering, but we were told not to ask each other. As well, I wasn't asked by anybody as to what I was doing at what stage.

Doesn't that strike you as a bit strange? These are people you trained with. They must have become good connections one way or another during your training and yet you couldn't ask them what they were doing. --- It never occurred to me to ask.

The question was didn't it strike you as strange?

--- No, it never struck me as strange.

Okay. De Molefe, do you know De Molefe? ---

Yes, I do.

Who is he? --- He is also my ex-co-trainee.

Where is he from? --- From Mpumalanga.

Is it the same Molefe we've spoken about before or is it a different Molefe? --- I think he is the one you referred to earlier on.

We referred to him as Dan Molefe last time. This

is a De Molefe. That was Dan Molefe. I'm just trying to understand are they the same person? --- I know of De Molefe.

You don't know a Dan Molefe? --- No, I don't know of any Dan.

Well, why did you tell me you knew a Dan, when I asked you whether you knew a Dan Molefe? --- I thought you were saying De Molefe. De and Dan sounds almost in the same manner.

That's right. Your commanders that you dealt with, JP, Jerry and others, when was the last time you saw them? --- From the time I finished my training in Caprivi.

You never ever saw them back in South Africa?

/No, I've

No, I've never seen them.

So if there's evidence to say that you were part of a reconnaissance group that was involved in the KwaMakutha attack and that you reported your reconnaissance information to JP and Jerry, what will you say about that allegation? --- I don't think it was me who was saying that.

I didn't say it was you. I said what would you say about that information? --- Maybe they would be referring to another person, but not me.

Was there another Sbu Bhengu involved in the Caprivi trainees? --- I know only of myself, not another Sbu.

Well, they only referred to you then. Were you ever in Clermont in 1987? --- Yes, I did go there.

MR DE KLERK: Excuse me ... (inaudible).

CHAIRMAN: Sorry?

MR DE KLERK: 1987?

CHAIRMAN: Were you there during May 1987? --- I don't remember the month.

Do you remember the man who came here yesterday with you, Hlakanipane Jamile? --- Yes, I do.

How do you know him? --- I know him from Mr de Klerk's office.

And before that had you ever met him? --- No, we had never met before that.

Do you know Msizi Hlophe? --- No, I do not know him.

You've never met him? --- No, not even once.

Have you heard of him? --- Yes, I've heard of him.

What have you heard about him? --- I read about

him through the newspapers, that they had attended a certain case.

He is presently in gaol, you know that? --- Yes, I do know.

MR GOVENDER: Who is, "They" attended a certain case?

You said, "They attended a certain case". Who is, "They"? Msizi Hlophe and who else? --- He was together with Jamile.

Which Jamile is this? --- They say it's Nhlahlo Jamile.

Also known as Samuel Jamile, the ex-MP - Member of Parliament - is that right? --- That is correct.

Do you know this man? --- Yes, I do know that one.

Do you know him personally? --- Yes, I've seen him.

Have you met with him? --- I'm getting confused as to what you are referring to, when you say have we ever met or have I ever met with him, because firstly you said have I ever seen him. I said, "Yes". Now you said have I ever met him. I don't know.

I asked you do you know him. You said, "Yes". I asked him do you know him personally. You said, "Yes".

Then I asked you, "Did you ever meet with him?", and that where we're waiting for an answer. --- I really don't know what you are referring to. What type of meeting with him? What are you saying?

Have you ever met him person to person? --- No.

You haven't met him personally? --- No, I've never.

Have you been to meetings where he was present or /functions where functions where he was present? --- Yes, I have.

But you never went up to him and spoke to him or shook his hand or anything of that fashion? --- No, never.

He was a prominent IFP member, wasn't he? He still is. --- Yes, I know that.

Have you been to meetings that he had addressed?

INTERPRETER: The interpreter didn't pick that up.

MR. GOVENDER: Have you been to meetings that was addressed by Mr Jamile? --- Yes, I have.

Many meetings? --- I remember one meeting.

Was it a public meeting or was it a committee meeting? What sort of meeting was it? --- It was a

public meeting, as well as Inkatha members.

You haven't met him or you haven't been to a meeting in a room, a committee meeting where he was present? Have you ever been there? --- No, I never got to that level.

CHAIRMAN: Have you - you spoke about Sosha Khumalo that you trained with him. --- That's true.

And have you ever met him in Clermont? --- No, we've never.

Now, do you remember the death of Zazi Khuzwayo?

--- Yes, I heard about that.

You know who Khuzwayo was? --- No, I didn't know him.

He was a well-known businessman in Clermont. ---

I never knew him. I don't know people from Clermont, even now.

But you would have read the story about his killing? It made the newspapers, plenty. --- Yes, I once read

/from the

from the newspapers.

And all the stories said that he was a famous businessman - prominent businessman from Clermont. ---

Is that a question or a comment.

I'm telling you that's what the newspaper stories said. If you read them you would have remembered that.

If you read the newspapers you would have remembered it. Do you understand? --- Yes, I do understand.

Now, information at our disposal says that you were involved with the people I've named in his killing.

What do you say about that? --- That is a blatant lie.

So besides the newspaper articles you know nothing else about that murder? --- No, there's absolutely nothing that I know.

And you know that Khuzwayo was the political opponent of Samuel Jamile? Did you know that? --- No, I don't know anything about that.

Mr Govender, it's quarter past four. I think it's time to stop. I think between yourself and Mr de Klerk, you can arrange another date to continue this inquiry. As you see, Mr de Klerk, we managed to cover quite a lot of ground this afternoon and I think it's been quite worthwhile, in spite of your client's protestations.

MR DE KLERK: Will it only be postponed sine die, then I can arrange a date or must the date be set now?

MR GOVENDER: We can set it sine die and we can arrange a date.

MR DE KLERK: Because I do have a professional assistant. Because of the fact that I will be in court for two months he will be bogged down quite severely himself for the other trials. So maybe I can arrange for somebody else to

/assist. I

assist. I don't want the matter to be held over.

CHAIRMAN: I mean, as you can see, the role of a legal practitioner is not particularly onerous. Your professional assistant could quite happily do it - quite easily do it.

MR DE KLERK: I think he's brighter than me.

5B/0

MR GOVENDER: We can adjourn and set a date quite soon, I think, if that possible for you to arrange somebody else to sit in for you. We shouldn't be too long. Probably another half a day or so.

MR DE KLERK: I will come back with a few days, stating which dates will be possible, so we can arrange it.

MR GOVENDER: That's fine, that's fine.

CHAIRMAN: All right. Mr Bhengu, you are warned to appear here on a date to be arranged with your legal practitioner and obviously I point out to you that should you fail to do so, you could be arrested.

MR GOVENDER: I think also that if Mr Bhengu wants to talk to us before that time, it shouldn't be a problem - through his attorney - if he wants to.

MR DE KLERK: Ja, ... (inaudible) ... possible.

CHAIRMAN: Obviously, Mr Bhengu, you may not talk about the issues we have questioned you about with another person besides, obviously, your legal practitioner. You understand that? --- Yes, I do.

It will be an offence if we should find out that you have done so. This hearing is adjourned - sorry, this is not a hearing. I beg your pardon. This inquiry is adjourned.

PROCEEDINGS ADJOURNED SINE DIE
