

MR HUBNER: Mr Hubner, I'm sorry, but ... (intervention)

MR HUBNER: It's something totally different to ... (intervention)

CHAIRPERSON: We have other evidence that we need to call.

MR HUBNER: That's what I don't understand, there's too many things that are ... (intervention)

CHAIRPERSON: Ms Terreblanche if you'll call a further witness.

MS TERREBLANCHE: Thank you, we're calling Dr Abdul Minty. Thank you very much Mr Hubner.

MR HUBNER EXCUSED

CHAIRPERSON: Welcome, none of the people who are here really need any introduction and I would assume that we should - we have Mdu Lembede at the beginning of the - to the left of - to the right of you where you are standing, opposite you,

(inaudible)

CHAIRPERSON: Oh yes, oh well, then you know each other.

Debra Patta, ordinarily she is with 702, but for purposes of this particular enquiry she is conducted to the Commission. Christelle Terreblanche is the investigator. You know Commissioner Wildschut, Wilson Magadla and myself are know to you. Before we take your testimony I will ask Commissioner Wildschut to swear you in. Commissioner Wildschut.

DR MINTY: (Duly sworn in, states):

CHAIRPERSON: Ms Terreblanche?

MS TERREBLANCHE: Mr Minty, thank you very much for coming. We understand, or I understand from you that this is an issue that's weighed very heavily on you over the years. Can you perhaps just start by explaining to us at the time what you were doing and how you perceived - I don't want to put it too wide, your immediate context at the time.

DR MINTY: Of the crash?

MS TERREBLANCHE: Yes.

DR MINTY: Well, Chair and everyone else, maybe I should give some background, that from the 60's I had been monitoring South Africa's military nuclear build-up and in the late 70's this resulted in a special office being set up in Norway at the request of the United Nations and African governments, so it was my work almost 24 hours to try and also get into the minds of the South African leadership as to what they're likely to do next.

So stretching on the one hand from monitoring every single spare part and military establishment so that we made sure they didn't get any spares for that and how many hours of flight and so on, to also their next moves - and then President Machel and the Presidents of the front-line states were also the sponsors, the patrons of my organisation. This meant that I had to report to them regularly, but most of that was conducted through President Nyerere and at different points, President Kaunda, who were the Chair during that period, much later than President Mugabe.

I need to take you back to the Nkomati accord. I visited Mozambique on the eve of those discussions with Archbishop Huddleston, we had some discussions with the leadership there, not - I was due to see the President, but he was out of Maputo, there was a storm, the roads were blocked, so we couldn't, but a part of what we wanted to convey was really the various military manoeuvres that were taking place and the calculations of the South African regime in that context.

Then of course, I will speak very briefly, so if you have questions I can go into detail, from '84 onwards there were all these violations of Nkomati on the part of the South African authorities, there were overflights, the British had supplied them with the radar system that I mentioned which was clearly designed to use jet-fighters for attacks. If a jet-fighter is to be used in the region then the Mirages, they would have to move four about a minute and a half to two minutes at supersonic speed, and in that process identify the targets, fire and return. It's not something that the human brain can cope with. So in the context of that kind of warfare which was being graded up so to say with new and more sophisticated equipment being provided by western countries to the South African Defence Force, it was very clear that they were moving along that road.

Now, as we know, South Africa was not happy with the Nkomati accord, in that it had not succeeded, and Malawi was the one - I don't want to use puppet state, but certainly a country

where South Africa could go in and out and utilise it as it wished.

The base as well was built by South African Military base in the airport. So communications and everything else in Malawi functioned as if it was part of South Africa. Now with this political development that you probably know of at that time there was a possibility of really serious action being taken against Malawi, almost unilaterally by Mozambique, but under the auspices of the front-line states, they had discussed it. If the South African government was to know that, they would have a really difficult dilemma, because they would have to encourage any country that later would entail to dialogue relationship and accept their authority, to know that if they fell out of line they could deal with them.

So to a certain extent, one of the reasons for eliminating or ~~if not, creating a very dangerous situation for Mozambique would~~ be to show that if you misbehave, this is what we do. And that was very important, now only for Malawi or any potential countries, but also for the ...(indistinct) structures in South Africa so that if you encourage people to take certain positions you had to back them.

So that was one calculation. The other factors that were occurring in the global situation at the time, was that the western powers had by that point - by western powers now I mean principally London and Washington and later a heavy involvement of Germany and France, but they were in and out at different

points. They had decided I think by '86 that the war developing in Namibia was of a nature which if it hotted up would actually cause a red hot revolution in South Africa itself.

So various moves were made to the South Africans that they had to be more reasonable, they were overstretched, the military establishment was in trouble, the Defence Force was spending over 70% of its expenditure on operational costs, leaving very little for equipment.

And then the other things that we monitored, there isn't time to go into all of it, was we found that a large number of senior officials in the Defence Force were being killed by accident. We went through the obituary pages in South African newspapers and what was very clear is that ordinary soldiers, those who were recruited forcibly - by that time of course it was ~~not fun to join the military anymore. In the 60's you saw the~~ pictures of young boys going as if they're going on a picnic. In the late 70's you began to see more grave faces because they were worried whether they would return. They were shooting their senior officers. So the Defence Force was demoralised. There was a real crisis because as we said abroad, if you ask someone to drive a 30 year old car from Johannesburg to Cape Town they would be very reluctant. Here you're also asking fighter pilots to get into Mirage planes which are very old. So the whole structure was having problems all across the board.

I think the western powers made an analyses of the situation and felt that they had to persuade the South African government to begin to accommodate the region, and partly for this reason we - well if you go earlier of course, the Zimbabwe situation needs an explanation, but partly for this reason since Zimbabwe had been morally settled, but it was a different change in that everyone worked, including the British Government, not to allow Mugabe to get into power.

But then with Namibia, '87 the talks started, the - also arrangements were made for the Russians to be brought in together with the Cubans and the Portuguese for arrangements for Namibia and of course, mainly because of the Cuban presence.

There is also another factor, that the United States administration never directly supported Renamo in the way supported Unita, and the fear was that if that happened, Machel would be left with no option but invite the Cubans. So there are enormous contradictions here, some major Middle East countries were then utilised to actually finance Renamo with a telephone call from President Reagan, so we know US money went, but Saudi Arabia and other countries were the contributors to them. So it's important to know the geopolitical situation and the forces that were moving and the options that were available to different governments in the regions, and also to the different states themselves.

So PW Botha was the one that they spoke to first, he had no option, sanctions were tightening, financial sanctions were tightening and the arms embargo, which I was working on, actually put a noose around South Africa. Even Israel would not provide planes to South Africa. So with that situation I think, there was pressure being put on South Africa to - and they were thinking as to whether they should give in or not, and obviously kicking against this.

So this '86/'87 period was critical. It was also in '87 that the first ever meeting between the ANN and the western powers took place, and in one of those meetings, President Tambo pointed out, because perception was that the Russians would take over South Africa or influence it and so on, is that if the Russians and the Americans can make their own arrangement about global power, South African Liberation Movements have no objection, and that in a sense broke the log-jam, so the secretary ... (indistinct) then began to have discussions with Oliver Tambo and the west moved in that situation.

And then of course the Namibian story is quite clear. So it's in that background that a critical point if South Africa had lost control over this process and Nkomati didn't work, then nothing else would work.

Globally too South Africa had a very silly perception that once they had a deal with Mozambique, South Africa could go anywhere in the world and be accepted because the world does

not like the fact that it has no relations with African countries, despite Malawi, it seemed to believe that. Hence immediately after Nkomati, PW decided to go on a major European tour which we stopped in effect in London and elsewhere, so he couldn't move, he wasn't even allowed to sleep anywhere in the United Kingdom, although he was invited by the British Prime Minister.

So that was a background.

Now why would they assassinate President - well, the government was so desperate and ruthless that maybe they wanted to make an example. At that time there was much consideration as to how they would have done it, and that is where I wrote this article. But before the article I worked out a rather careful arrangement with Hahiem, the Mozambican news agency, because at that time the only African news agency which had some of its reports used in South Africa by the media was Hahiem, this mystery, but I think they too were encouraged by Nkomati - they wouldn't be victimised if they used a Mozambican news agency.

So I in effect wrote a story for Hahiem to say these South Africans are very silly and they really don't have the equipment, and they didn't monitor this plane and they didn't know what was going on, and I'm speaking from memory, but immediately the Head of the Air Force said, who is this Minty all of a sudden becoming an expert on it, of course we monitored the whole thing, and knew exactly where the plane was.



So then my question after that was, if you knew where the plane was, why did you not have a search and rescue operation within 30 minutes of the aircraft crashing, and that put them on the spot. After that I wrote this article, which I think you have a copy of, so I won't waste your time with it, but then people tried to suggest that a beacon was impossible.

We had in that period, I would say in the nuclear area, they worked on nuclear collaboration of the world's top maybe 40 or so experts on nuclear weapons, we would have access to at least 15 people who would give us their services free. So in this case too, a very leading authority in Germany was used as an expert by the German Government, by US disarmament bodies, he's an academic, he's a political scientist and an aeronautics engineer, checked the beacon explanations that I gave here and confirmed that these were all possibilities.

One thing we must also remember, because I've seen some articles recently trying to say that this is a far-fetched theory, is that South Africa had very close relations with Israel. Israel is absolutely the world's - has the world's most sophisticated anti-jamming devices which it uses in operations. It conducts regular raids in the Middle East, has done it from the 60's, so the newest technology money can buy from the US and whatever is also tested in that region. And therefore we came to the conclusion that whether you had to place a beacon, I mentioned here it can be put in a backpack, it can, sir, be self-detonating. What I didn't

mention there, but what is possible, because with hindsight now, is that South Africa also developed RPV's, that's a remotely piloted vehicles, with Israel, and these could presumably also carry these things, and then either detonate or come back to station, this is the pilotless vehicles. So I don't think there's a problem about the strength of the signal, and so on, but it is very clear that this was a disaster.

The details that we give for the Plessey radar system, just so that you can put it in perspective, is that no-one knew about the details of this radar system to South Africa. We managed to get hold of the entire manual. Now the Plessey radar system is a general one, but you can adapt it for a customer, so for South Africa it was adapted. We had people working in the company who were sympathetic to us and gave us an actual copy of the exact manuals given to South Africa to run this Plessey radar system. And we never utilised these things as to get publicity, so at critical moments if things occurred we utilised it, and we felt this was a critical moment, hence we gave paragraph from the 7-volume manuals that we had to show beyond doubt that not only do they have tracking capacity, but it can lock into an aircraft and keep that aircraft under permanent surveillance almost automatically, and you have 16 computers, you have consuls, you can do the job very easily, it's child's play. The British by the way subsequently use the same AR 3D system in the ... (indistinct) in their war situation. Although when we protested why they sold

it to South Africa they told us it was a civilian thing only used for civilian defence, but that was untrue, it can be used for military defence.

I've covered a big area, I don't know if - I might be giving you a lot of information you don't need, so maybe you ask me.

MS TERREBLANCHE: No, it's all very ...(intervention)

CHAIRPERSON: You will be guided by Ms Terreblanche.

MS TERREBLANCHE: I would like to take you back to the first article you wrote and the reaction, could you remember exactly from who this reaction came that they had the capacity and that they were actually the plane?

DR MINTY: I think that the first report in the South - if I had time we could do a search, I think the first reaction in the South African press was from the Head of the Air Force, that you know, ~~this silly thing and we were monitoring it. But I see in other~~ reports that they have also subsequently said that they had the plane under surveillance. They summed out - some of the claim they may not know who was in it and so on, but I mean that is very unusual. In any case, they were watching Zambia all the time, so movements from there would have been watched. And I think if you look at the whole South African Defence establishment, you see, the way the places in which the military bases are set, the places where radar equipment is, both the type of radar equipment, the places where the Air Force has its own planes, are meant for intercepting anything that violates air space,

so if you found that a plane was somewhere where it shouldn't be, you could send a fighter plane up very soon to track it, to then have radio communication bring the plane down, that's a normal system. If you find that the aircraft captain then doesn't do it, you then of course have an option of shooting it or whatever, but you don't have someone coming into your air space and just leaving it there to penetrate your air space because, what do they know, there could be bombs or anything that liberation movements or others could be coming to do things in South Africa, or dropping supplies or what have you. So it doesn't make sense to have such a penetration of air-space, unless you take the view that South Africa didn't have equipment and just really couldn't defend its Borders, which is not what anyone believed at the time.

~~MS TERREBLANCHE: Where you also aware that South Africa was able to build decoy beacons at that time?~~

DR MINTY: Well we say so here that it will be child's play, in the sense that they could have done very many of these things. One must also remember that a number of companies that are based in South Africa, Plessey which was doing this, the Israeli electronic people and so on, if you drive to Midrand, you can still see their plants here, they were all operating here, and so they could take orders for specific things. They also had engineers on the spot working on major defence systems that the South African Government was using. So they could adapt things or import

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things, that there was no restriction of any supplies from Israel, even if there may have been technical problems in western countries in case they were found out. But they had free movement, particularly over items that they could describe as civilian, and you have a beacon that could be used for civilian aircraft, in fact this is a civilian aircraft, it wasn't a military aircraft anyway. So for civil aviation you could get anything, there were no restrictions in terms such.

MS TERREBLANCHE: At the time South African and even some other western countries, West Germany and so forth, said that the whole decoy beacon theory was misinformation, a deliberate misinformation by the Russians, did you analyse this, keep track of this?

DR MINTY: Yes, but you see, we never believed it.

CHAIRPERSON: ~~And in that regard there has been a recent~~  
article by Robert Cape, I'm sure you saw it, in the ... (indistinct)

It seeks to debunk the whole false beacon theory.

DR MINTY: That's right, you see - let me deal with the first one because this one at least pretends to be a bit rational. The other one is that those governments on all these issues whenever you came up with anything that showed up South Africa, they would defend South Africa. Not defend it in a very crude way, because their own public would be lost, but defend it in such a way that if they were to accept, if they were to allow even 5% of the possibility that South Africa did it, they would have immediately

the whole of the OAU demanding further sanctions, a new resolution we will put in a security council, which they were vetoing at that time, there were triple vetoes by the west at that time on South Africa, there would be an OAU demand, the President Nyerere could send a delegation to a particular country, at a commonwealth country they would certainly be a major row, so they could never even agree to anything.

In fact, if I may just digress to show you this, when Mr Botha came to Britain in '84, and with Archbishop Huddleston we managed to have our first meeting with Mrs Thatcher. Now Mrs Thatcher was being asked by South Africa to close the office of the ANN because it was a violent organisation. We presented evidence to the British Prime Minister which she knew about before, but didn't use, but because of the political atmosphere she was persuaded to say to Mr Botha, you are breaking our laws in Britain by smuggling arms, because we had given her the evidence, and those guys were not allowed - by the way, they still have not faced trial in Britain, they came back here and never returned and Pik Botha said that we are going to leave them here, they were doing their country's duty. So there were those occasions when it was impossible for her politically denying, so she would turn so to say, use our material to say that, you know, South Africa was a bad one, so to say. They wanted the sports boycott lifted which she refused to lift. So when it came to a crunch often, they were in these difficulties at Commonwealth

conferences and elsewhere, but at that time it was instinctive, we could be predict the reaction, I mean Germany we produced a system, took photographs, took it to Dr Gansher, he said it's untrue. The next day when the newspapers reported it, and I went to New York for the Security Council hearing, then he admitted he would have an investigation immediately. So by '86 we got into a position where any statement we made immediately produced respect. But in the '70s they dismissed us all. So I was not surprised by that reaction.

This other one is very logical. It tries to talk South Africa as a kind of normal state, that it would have not interest in doing this, it seems to forget that apartheid existed, it seems to forget that the whole Margo Commission was a fraud because the international rules require that the three countries involved should have a hearing that is joint, and all three countries should participate, and South Africa as I understand, it refused to participate in the form of hearings, although the three countries did decide to get together for the black box translation and correction.

MS TERREBLANCHE: This information, would you see it as a kind of possibility, in your opinion, would it amount to a kind of international conspiracy to make a cover-up, to help the Margo Commission with a cover-up?

DR MINTY: There are two answer to that possibly. One is that they probably didn't know what happened and just out of political



solidarity and to make it difficult for their own public, you know, not to act against them, that they just decided to do that.

The second is that maybe the Intelligence and other services told them that this was a possibility, but both situations would result in the same position that it is not politically possible, because you see, the minute you've said this, the word will say, what about sanctions. Here is a South Africa behaving in this way, why don't you take action against them, and that kind of reality of that time is not conveyed in this article and in other suggestions.

So it was not politically possible - in fact, I cannot recall any period in the whole history from the '60s where the west admitted - indeed, I was in the Security Council in '75, and I remember it because I then said that South African forces are ~~leaving in October, and I said South African forces that invaded~~ Angola and I was told I was a liar, in fact, the British Ambassador was furious at me. In the Security Council, within weeks, it came out that they were in Angola, but the west would not want to admit that because if they admitted that, there would be demands immediately for action, because South Africa would have acted as an aggression, which would bring in chapter 7 of the charter, ... (indistinct) reaction, so they could not afford it.

MS TERREBLANCHE: You have referred to the Margo Commission as a farce, did you watch it and analyse it, and do you have specific points of analysis that you feel should be made?

DR MINTY: Well, I saw the report at the end, we couldn't watch it from a distance that carefully except to rely on press reports, but the very fact that something is instituted in place of something else means that it is for another purpose, and then they tried to get were international personalities into the exercise to give legitimacy to it, but the whole thing is fraught with improper procedures and improper involvement, and therefore one cannot give any credibility to an exercise like that.

Let me put it another way, should it in fact have reached some of the truth and if some of the evidence given was accurate, it would have no credibility, because it was set up by violating it, so in other words, if South Africa wanted a honest investigation, why did it not wish to participate in the normal investigation with the three countries? So there are these ... (intervention)

~~CHAIRPERSON: What would have been a normal investigation?~~

DR MINTY: The normal procedure, Chair, is that if the international rules allow for an investigation that would involve the country where the aircraft is made, the country that owned the aircraft and the country of the accident, that is the normal international procedure. Of course if only two countries are involved, the made it and owned it, then it's only those two. So therefore in this case it was the Soviet Union, South Africa and Mozambique, and they would have had to participate equally in the whole exercise and there would have to be a joint investigation where they would all give evidence to it, but that

never took place. South Africa jumped the gun and set up its own investigation.

CHAIRPERSON: Was that the reason why the Mozambicans and/or the Russians never fully participated?

DR MINTY: Yes, because they couldn't under those terms, not knowing whether they would be compromised, so they would - they gave bits and pieces of evidence. I think Mozambique's situation should be really considered with a great deal of care, because Mozambique is in a very vulnerable position. Even if the Mozambican President later was to say, as he did say, that it was no accident, the minute he said it was no accident, the ... (indistinct) tapes started again the speculation, and Mozambique itself had to partly try to kill that story because they were so vulnerable and I think unless one understands the history of Mozambique, that it has suffered far more as a result of its action in supporting sanctions against Rhodesia and the struggle in the region, than for its own liberation struggle, so they successfully victimised Mozambique over such a long period that it just couldn't risk it. It didn't have any international friends who would help it.

CHAIRPERSON: Ms Patta?

MS PATTA: Dr Minty, just two questions. Robert Kirby and a lot of pilots or - I don't know if Robert Kirby is a pilot, but anyway, he claims to be an expert on the Machel crash, says that you can use a VOR to divert a plane off course, but you can't

force it to crash, and the second that thing that people always hold up then they're trying to debunk the decoy theory beacon is that the pilots ignored the ground warning signal. What would you say to those two things?

DR MINTY: Well, you see, if you take what I wrote at the time, you are not just thinking of one instrument functioning, and all their theories are that there's one instrument that is jammed, or in this case a false road map is given to you, but the road isn't there.

And if you were to look at your altimeter and other controls you have there, it would tell you know where you were. But if you use sophisticated anti-jamming devices, you can actually collectively do all those things. In other words you can temporarily give all kinds of wrong information, and the ... (intervention)

~~MS PATTA: The altimeter was (inaudible)~~

DR MINTY: Yes, because it's a jamming system, it's meant for war. I mean these techniques are not done to take a Head of a State into a mountain, they are done for real conventional war, and when you're thinking of real conventional war, you're trying to do all kinds of counter measures, it's a whole industry by itself, a counter measure for any electronic system you have, because an aircraft that would be coming could be carrying nuclear weapons. If it is within your area, you can use anti-jamming devices. So that's why the Americans spent billions in the Stealth Aircraft and all the rest of it which has certain

protection, but ultimately you cannot protect it. So I am not able to say that they used system X, Y, Z.

All I'm able to say from the information we have, and the ones we went to experts for, is that if they wish to do it, the technology was available and they had access to other governments which are the best in the world, recognised all over the world, that Israel had the best jamming devices and utilisers there. So you can jam one communication and the other. There could be a combination of neglect too, so I do not think that if it's shows that a certain reading was shown by one of the measuring units or something else that the pilots didn't see it, but they would have a conflict because that one sentence says, why are you turning? Well, because I am guided by it.

It also depends, I don't know if there is any information on it, ~~whether it was on some kind of auto pilot, and if that is so,~~ then you'll have to look at the computer systems.

CHAIRPERSON: Whether it was on some kind of?

DR MINTY: Auto pilot.

CHAIRPERSON: Oh, I see.

DR MINTY: And then you ... (intervention)

MS PATTA: It was on auto pilot.

DR MINTY: Yes, well then you'll have to look at the computer system as to which are the variables that the computer system would have though as a major one in order to balance out the other information.

CHAIRPERSON: Now, a jamming device, what would it seek to jam? In other words, what is the effect of a jamming device, what does it do that causes the objectives of the jammer to be realised?

DR MINTY: If you were for example put in a beacon and you had another instrument that would give you height, then you couldn't - the jamming device would not only stop you getting the height, but can also give you foresight.

CHAIRPERSON: Now when you say giving the height, the aeroplane, if you are a pilot, do you rely on the instrumentation to get the height?

DR MINTY: Yes.

CHAIRPERSON: And you are saying, from the ground, from that false beacon, assuming it is - this person was trying to do here and you could put it on top of a hill there, you can put it down there, and if the ~~... (indistinct) and it's locked now,~~ when you are - does the pilot get any indication of what height he is at from this thing, from this beacon?

DR MINTY: I don't know if that particular beacon will do it. It would depend on whether the beacon is giving more information, because if the beacon has some kind of relay system, it can then of course give the distance from the beacon to ~~... (indistinct)~~ on the ground. But that's the assumptions on the ground. One other thing should not be forgotten, I see that all your investigations are leading to two ~~... (indistinct)~~ points, I am introducing the fact that there could be another aircraft flying in

the area, as well as a remotely piloted vehicle. A remotely piloted vehicle can detonate by itself. I mean it doesn't cost that much, but you - the jamming devices can do a number of ... (intervention)

CHAIRPERSON: Now when you say it can detonate by itself, you mean it could be the instrument of - could it have been used to ascend the aircraft to ... (intervention)

DR MINTY: Yes, it could have had the beacon on it for example, because a remotely piloted vehicle is simple a vehicle that moves controlled like children's toys, that is, and then you can actually bring it back to your point and you can even make it land on a truck at a certain in point ... (indistinct)

CHAIRPERSON: So let's pursue that theory, let's suppose here was this aircraft flying and then there's this remotely controlled vehicle, what would it do for instance, just theoretically?

DR MINTY: It could then have the jamming devices of whatever you wanted. All I'm saying is that the position of on top of the hill or at the bottom is not ... (intervention)

CHAIRPERSON: Is not necessarily, oh yes.

DR MINTY: And then you could also have another aircraft flying. In fact most jamming things occur as you see in films often in terms of aircraft in combat, so you then emit certain signals that kill some of the other signals, or give false signals. So its whole .. (indistinct) of antennae, so to say, won't go wrong.

CHAIRPERSON: Okay.

DR MINTY: If you don't know which one to rely on because they are contradictory. So you could even create confusion by giving two contradictory messages. So what I was qualifying was that we do not know exactly what happened. It's quite possible that some of the controls were the accurate ones and because of this very dominant one, the beacon, giving you the false one, you then don't know which one to trust.

CHAIRPERSON: Now I'll - isn't it that reason therefore that the bunkers of the false beacon theory are saying, given the sort of aircraft that we're dealing with here, one which was not one of the best in terms of, you know, the accuracy of its instrumentation, you cannot rule out pilot error, premise not so much on the false beacon having - this decoy beacon, but premised on the instrumentation being faulty, because that was ~~the sort of aircraft which was going to have faulty~~ instrumentation, how do we deal with that?

DR MINTY: Well first of all, the experts say that although it wasn't on the state of the art, there were no other cases where the electronics system had let it down, and that it was of the production at that time a relatively new model, so in terms of the technology available to the Soviet Union, it was relatively new, and one must remember that it was at that a super power, having a lot of resources for those kind of things. But I would say, okay, let us assume ...(intervention)



CHAIRPERSON: And it was a Presidential aircraft, and they would have given the best that they had?

DR MINTY: Exactly, and it was a flagship at the same time, because if something like this crashes, the country itself feels that they cannot sell anymore of those, and they were trying to sell.

But there is another fact, let us say there was not beacon, let us say that there was a pilot error, what about all the other surrounding information? No search and rescue, no aircraft going in to find this plane that has gone into a wrong airspace, no signal to that aircraft saying you are somewhere else, you shouldn't be there, because it's again normal communication, and even no record of any attempts being made, maybe you can say you failed to inform them, but no records what so ever, no explanation. The main issue is, you have a crash at night, nowhere in the world do you wait till the next morning for a search and rescue, although

they were on the scene to do other things, so why were they looking for documents, and why did they arrange such rapid translation of the documents all over the world and selected those that tried to suggest that there was action to be taken against Malawi and this was improper and all that, I mean why was all that through a pilot error?

CHAIRPERSON: Well, there is one view that says, well, you know, there was a slight deviation into South African territory, it could have been for a ten minute thing - you know, in such things

you don't really shoot off from your air base to try and guide that and ... (intervention)

DR MINTY: Maybe you do a radio contact?

CHAIRPERSON: Exactly. And there's no evidence that there was any attempt to contact.

DR MINTY: But at that time when we wrote these things, and they were rebutting, that would have been the time for them also to say, we tried to make radio contact and so on.

CHAIRPERSON: Yes.

DR MINTY: So it's not only that they didn't do it now, it's that at that time when they were under global pressure and people wanted to know, the only evidence that was coming out was, they stole documents, they released them selectively, they destroyed others. These people had their throats slit. From witnesses I had ~~information they even tried to put alcohol in there, until~~ somebody told them that decomposed bodies did produce some alcohol naturally, and so on, because the quantity, you know, was not there. So all kinds of methods were used to this, which doesn't make sense.

CHAIRPERSON: Now if there's evidence that some of these instrumentations, so-called black box, was removed and returned or was made available only to an investigating team after it had been to a forensic laboratory of the South African Police, clean and - what would have been sought to be done to the black box?

First of all, for purposes of investigation, I would have

assumed we will find it muddy, you take it in the state in which you find it in and you make it available for investigative purposes, but what would be sought by anyone in the black box, it being the key to -

DR MINTY: Well there could also be just problems of decision-making in the State, that one sector would have an approach that whatever the black box revealed, they were so efficient with that operation that it would be better to give and, you know, would in general support their position. There is another sector that would feel over-cautious and say that you should really not give it, and as you recall there was a lot of tug of war over the black box and the South Africans wouldn't release it, and it could be that later the politicians were also pressed, particularly by - you see, if the western powers make the statement that this wasn't so, they would also feel obliged to make South Africa do something that's respectable. So even if they had taken a decision before, it's not just - I mean if I might suggest, it's not just the technical things because there were political pressures, this is my argument about the recent article as well, they're looking at it as if you're dealing with a normal country in a normal situation with no need to assassinate someone, but these were the political conditions under which we were functioning.

MS PATTA: Just about the ground warning system having been ignored, do you have any explanation for that?

DR MINTY: I don't, I mean the thing is that when the - any aircraft that strays, you do not know who is in it, so most countries would try and move pretty fast to try and give them information, you're on the wrong course. I'll give you an incident, I was flying to South Africa on my first visit here, the captain on the aircraft, a British Airways flight, knew I was from anti-apartheid for some reason. Anyway he invited me into the cockpit, when we got into the cockpit, he said since you're coming to your country for the first time I'm going to take you around the Voortrekker Monument, and he said when I went there the flame wasn't lit anymore, he went to visit it apparently, so he wanted to show me Afrikanerdom was dead and as a gesture to fly there ... (indistinct) The minute I had the earphones on in the cockpit, the minute he moved on, the control tower told him, ~~you're off two degrees, please come back immediately. Aircraft~~ attract, if you don't buy the Plessey radar system, just to send your planes to attack neighbouring countries, you also think that they might try a surprise attack. If you have put pressure on Machel, as they did, don't do these things, don't go and be aggressive against Malawi, there was a time gap, and it was happening, then you'd particularly watch them. You do not know if that aircraft was carrying missiles that were to be taken to Malawi or they're bringing them back, or whatever, you'd want to bring it down what there was. So all the perceptions should have

been on alert mode, particularly in that region, since conflict was developing.

Secondly, I think one mustn't forget, they were supplying ... (indistinct) regularly. South African planes were going in and out as if they're in their backyard, so they didn't recognise a boundary. So when we say inside South African territory, ten minutes or whatever, they were watching Mozambican space, and that is my point about the Plessey AR 3D, it watches far beyond, they put it in the Falklands to watch the oceans, you know, of anything coming, not just for the island. So this system and other systems that gave them the electronic capacity to actually survey the whole area, and to give you a scale of the technology in '73, South Africa - the Simonstown Naval Base put this command and control system that can monitor every aircraft and ship in the whole South Atlantic Ocean within 25 yards, right up to the Nato area. Now if you have that kind of sophisticated system for South African, which is not in any war, then you can see how in that case it wanted to become an attractive ally to the west, and therefore it spent that money on it. This is one of actual war in the region, so it would have spent that money and would have had the capacity - and in any case, when we first wrote the piece that there was ... (indistinct) and didn't have the capacity, I think the Air Force General came straight and attacked me personally and said, you know, we had all this and we were tracking it all the time - even after the crash, why didn't you contact them that

night, why wait till the next morning. And then the Foreign Minister's statements.

MS TERREBLANCHE: At the time, was there any evidence or rumours that Mozambican officials could have been involved in an assassination plot?

DR MINTY: Which officials?

MS TERREBLANCHE: Mozambican - Frelimo.

DR MINTY: I do not know about that. There was some points made in the following manner that many people in the Mozambican government felt that President Machel was becoming more impulsive, acting, you know, in a manner that they felt did not involve white consultation and so on, and so that although they were sad what happened, they thought it was a relief for the country. Now what code is conveyed in that, I do not know, but I certainly wasn't able to pursue that or had any further information. But there was a whole variety of things stretching from possibilities of co-conspirators on the other side. There is a factor that I was informed by the people who gave me a report of the black box that the tapes at the Maputo Airport got lost, the actual tapes of the communication between the aircraft and the control tower disappeared. Mozambican Government tried to find it, I wanted it because I was also watching this, they said, no, that somehow mysteriously has disappeared. Now, I think that is part of the equation, if the South African authorities act properly then their control tower tapes must saying something, because

these control tower tapes are actually not direct conversations like on our telephones, they are real eavesdropping, you know, they can hear the things on a certain waveband that you put it on, so you can get a lot of information across about aircraft. If you buy a good radio you can also hear Police vehicles and so on communicating with each other. So this equipment which is designed to pick up conversations, you know, between different points, it means that others can also get into that to try and eavesdrop on it. That technology is very advanced, though it's not difficult.

MS TERREBLANCHE: In your opinion, in your present capacity as Deputy Director-General: Multilateral from Foreign Affairs, if an inquiry were to show that there were Mozambican high ranking Frelimo government officials most likely involved with some South Africans and possibly Malawians in such a plot, what do you think would be the sensitivities, how are we going to deal with it?

DR MINTY: Well first, I'm not a good person because I deal multilateral so - I deal with the United Nations and so on, not with other governments, so I wouldn't know how to - but I think that what they would have to do I suppose, is to check with the Intelligence Services and others if there's evidence to back it up, because a government can't simply act without action, but if reliable information went up to height level, there would be a whole variety of ways that could be worked at, one Minister

could address another Minister formally or whatever, and say, look, by the way we have this, do you people want to check it. You see, only obviously they would need to trust the other party, but they would be - and this is not because of present job, it's more actually - in my previous work I interacted much more with the governments than I do now, at that time, and with a much bigger variety of governments in these kinds of matters. So there would be - and I mean, we did it ourselves, often giving information to Ministers in European Governments, you know, we think our Government is doing that.

So there would be a range of options available, but I suppose the most important one would be to have a domestic investigation, depending of course on what conclusions your investigation produces, and that in itself could show that maybe a ~~further enquiry is warranted. The big problem would be that in~~ matters like this which are so sensitive, there - if you uncover one, you can get a whole lot of leads to 20 others. Those 20 others will be very active to cut off, to destroy evidence, to get at each other, to do all kinds of things. So all I'm conveying is that time is not neutral. Every minute from which you have started any event, others organise even often better and those with more honest intentions, they would cover tracks and so on, maybe create other diversions. And unfortunately in this process, a lot of good people get involved by giving what are normal



explanations to also divert attention from the questions that one would be reading.

So I can't give you too much from my present position, but from my earlier one, which was precisely this kind of thing where, I mean, I had to come to the region in Angola and say, you know, this aircraft is landing in your country, it is bringing Renamo goods, and later I would find that on way it's bringing goods that are not Rename, on one way it was bringing goods for Unita, and the side it was taking things for the Government. I was shocked, I was then told this is how things work, and I was endangering my life in getting that information, so things work in strange ways.

CHAIRPERSON: Mr Magadla?

MR MAGADLA: What would have been the normal national aviation procedure for a plane crash landing in another country?

~~Now, the remains of that plane, what would normally have~~  
happened to them, would it have been taken to the country of origin, or take over by the people of the country where the crash happened?

CHAIRPERSON: You know that question is, I think, prompted amongst other things by the recent disclosures in the recent past that certain portions of that aircraft are now souvenir in a ... (indistinct) game of taking pot-shots at it still and by reason of target practices by white South Africans along the - in the Mpumalanga area.

DR MINTY: You see, the normal convention, by convention I mean tradition, what's accepted, and it's quite easy to understand, is that if an item crashes in your country or anything happens in your country that has questions raised, you keep the evidence, Lockerbie disaster, all kinds of things, the British wouldn't allow anyone to touch it.

Now in this case the three countries are involved, so the three countries should have got together and they could together decide, we need the engine, we need to look at the tail piece, we need to look if there was an explosion, you know, all kinds of other theories could be there as we have with the Heidelberg and so on, so you would try to keep the evidence in tact until your investigation is complete, because until your investigation is complete, you do not know what else is going to come up in terms of the evidence.

So it is a kind of - you are a trustee in that sense in terms of being a good citizen of the world, to keep that in tact with integrity and it only when the other two parties with you say we don't need to take it to the Soviet Union. I mean if they had decided in Moscow after they looked at the black box, that they wanted to look at certain things, or they want to look at these transmitters, I do not know how the black box was linked to the various controls, because that's what the black box does.

If there had been some intermediate tapes, if something else records, you know, the memory like we do on the computers, you

would want to see how much memory there was or whatever, so you probably wouldn't need a whole lot of other things that related - certainly to the cockpit area.

MR MAGADLA: But the - did the plane actually belong to the Russians, or did it belong to the Mozambicans?

DR MINTY: No, it belongs to the Mozambican, but the tradition of the convention is - let's say that a British aircraft which Lesotho has bought and we had a crash in South Africa, it would mean you go to the country of production of the aircraft, because that is obviously one link in terms of any faults and so on, and you go to the company. So it's not just the company, it's the country. Then it is the country that owns it, because you cannot act against their property, the property belongs to someone else.

And then the country in which the crash occurs. So therefore it's a quite reasonable thing that those three should co-operate if they're looking for the truth together, and that is an international convention, and traditionally - in this case that was what South Africa would not allow to be activated, except that they took part in the black box process.

MR MAGADLA: Now do we know of any spiritedness of the Mozambican Government towards the retrieval of those parts, or actually even the investigation itself of the whole thing?

DR MINTY: I sir, don't know of it, but I will come back to you in terms of the political climate. I cannot conceive of a Government taking everything else into account, knowing it is

now on the verge of possibly a major attack, that anything could happened, the regime could invade, you know - now people think it's unreasonable, but at that time those things were not unreasonable, it could go in and, I don't know - blow up the port of Maputo, nobody would even know about it. It could engage in a whole series of retaliatory actions, it could then blame Renamo or Malawi, and the world wouldn't do anything. So if you think of the vulnerability of the Mozambican Government, then it is even a very brave person who said there was no accident, as a president did later, President Chisano, because that can set in motion a whole series of things.

I should also point out something else which never reached the press but which is through my experience - many African countries stretching from Nigeria to Uganda have taken action on ~~anti-apartheid against South Africa and major western powers~~ have acted against them and even arranged coups, and I've been present at the '73 Commonwealth meeting in Singapore where everyone believed that Amin was put in place by the British. In fact the remarkable thing is they gave him 10 million aid before they recognised him, and he then did a television programme in which he said that the Israeli's were assisting, Defence Advisors. And they interviewed the Israeli Defence Advisor who said, yes, of course we helped him and there, if you look at Uganda, at Makerere, people were killed, a whole lot of people were - the country is destroyed until now, from '70s. Why? Because Prime

Minister Heath wanted to supply six helicopters to South Africa and we were at the Commonwealth meeting the three Presidents, Kaunda, Nyerere and ... (intervention)

CHAIRPERSON: Obote.

DR MINTY: And Obote decided that Botha would do the talking for the three and he confronted Heath with the material I had produced. And the material was such that South Africa said that - or the West was saying, you can't use helicopters and ships against liberation movement people, and I prepared a report on the basis of a South African report, with pictures and everything, showing a Naval exercise which was actually to have a ground attack against guerrillas, so we said they can use it and this is in fact what they did. Mr Heath was terribly embarrassed when Obote took that, and when he lost his power, his own airline could not take him from Singapore to East African Airways, and I was in the room when he walked to President Nyerere and says, I thought we owned this aircraft, but it won't come here to pick me up. And then two days later the British Foreign Secretary, Mr W ... (indistinct) made a public statement about Kaunda, you loud-mouthed person, you might find yourself in the same position as others.

This is one, but there are many incidences, so the pressures that they were utilising in the case of South Africa was so great, because at that time against public opinion, South Africa was a key strategic country for the West in terms of its geographical

position and their commitment to support white power structure at that time, and therefore they went to all these limits. Some of them would not supply some of their allies with the equipment that provided South Africa, because if you trace the history when Namibian talks failed, we went with Swapo to the UN, when those talks failed, Britain immediately provided the radar system for Namibia, which meant that they could scan huge areas and the Tropisky Marconi System. And we exposed that, and they said no, it was a communication system, not for Defence and we showed it was for Defence, and they didn't do anything.

So at every stage of the Southern African struggle if you look at it, the minute liberation forces win victory, then a new kind of intervention takes place to provide South Africa with the very equipment it needs to hold on to the power structure, ~~stretching not only from equipment, stretching from IMF funding~~ after Sharpeville, and Soweto. So Sharpeville, the finances move out, as they're doing now, a massive operation of injecting capital into South Africa that stabilises South African economy. Exactly the same at Soweto, and after that we campaign against IMF funds. After '76 we were able to stop IMF funds, but until then we couldn't do that. So at every point of our struggle, there have been these collective interventions stretching from financial loans to actual hardware to be given to South Africa to survive.

MS TERREBLANCHE: Mr Chairman, I just want at this stage to put on the record that Dr Minty also has knowledge about the

Helderberg context in terms of Taiwan and Israel. I don't think I have any further questions in terms of Machel, I think - I know that you are also very particular and meticulous about making a separation between the two.

CHAIRPERSON: What are you saying to me, Ms Terreblanche?

MS TERREBLANCHE: The question is whether you want to conclude Machel and whether you feel that we should pick Dr Minty's brain some more on Helderberg as well.

CHAIRPERSON: Well I do not know, but I don't consider that it would be appropriate for us to mix these two inquiries. If we are done with Mr Minty for purposes of the Machel investigation, perhaps that's where we should leave it, and if needs be, then we can make another arrangement to take the evidence on the Helderberg, and that also will depend on a variety of things. I have become one solitary panelist, and I think that's a signal that we have unfortunately come to the end of this particular inquiry.

MS TERREBLANCHE: Thank you, Mr Chairman. As you can see, it's been extremely worthwhile and actually we have left Dr Minty now for very last. I would - it's really your duty to duty to do this, but can I request you to request Dr Minty that when we're writing the report and feel that we're stuck, whether we can talk to him in a more informal way perhaps.

CHAIRPERSON: Yes, I think that's the device that we'll have to use, even in relation to what he has on the Helderberg, here for instance you can arrange for an affidavit in relation to the

specific portions he would have addressed himself to. That can be arranged, then that affidavit would form part of the evidence that would be considered for purposes of - making out a report.

MS TERREBLANCHE: Dr Minty, I would actually have liked to carry on, there's such a lot to talk about, but just in terms of the propaganda and everything, there's a lot of things that I was racking my brain about, and now feel much more comfortable with understanding. Thank you very much for your trouble.

DR MINTY: The press have been asking me if I will speak to them later today, I have not particular reason to do so, but I thought I would just let you know,

CHAIRPERSON: Yes.

DR MINTY: And whether there are guidelines with regard to that, because I don't want to prejudice any of the work of the Commission.

CHAIRPERSON: No, by and large if you are comfortable to talk to them on any aspects, I think you are entitled to do so. The Act refers to evidence that has been collected in the proceedings hereof, that is the evidence that becomes confidential, and therefore may not be released. But there wouldn't be in my view anything wrong in your, you know, being interviewed by members of the media for as long as you bear in mind that you know, you may not say, this is what I was testifying about. But if it is on broad issues, I mean, for instance I can well imagine that you would be able to say, well I've always had an interest in this



particular matter, and I thought that the Commission wanted me to give - to get the benefit of what I know, I've done some studies on this, and then you can go on that bit without necessarily meaning that you are indicating what you were testifying about. For instance, if they came to me, I wouldn't say anything about what you have been saying here, because we have to be consistent as well as our disposal.

DR MINTY: Would it help the work if I simply said that - I mean first I can say that I do not wish to say anything, I've appeared, I've assisted them and we'll wait for the report, that would be my first inclination. The other could be that I simply gave them technical information about the possibility that if a beacon was to be used, and there was technical capacity, ...(indistinct), but my general inclination would be to say that  
(intervention)

CHAIRPERSON: I think there your first general inclination would be one, and they will accept it, they would understand.

MS TERREBLANCHE: However, you have written about it openly in the media before, so we could actually refer to your evidence.

CHAIRPERSON: Well in that event you are excused and these proceedings are adjourned.

HEARING ADJOURNS