Testimony

of

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The Africa Fund

Before the

Senate Foreign Relations Committee

on

Recent Developments in South Africa

September 23, 1992
Mr. Chairman, members of this committee I want to thank you for inviting me to testify today, and for providing me with an opportunity to present our views.

The Africa Fund was founded in 1966 to provide assistance to victims of apartheid, to support the struggle for freedom and development in Africa and to educate Americans about the situation in Africa.

I feel a special urgency in testifying today because of the terrible violence in South Africa which threatens to spiral out of control and imperil all progress towards freedom and majority rule.

Three years ago, almost to the day, President de Klerk assumed power with promises to initiate a new, apartheid free South Africa. Within weeks he did indeed begin a process which led to the release of many political prisoners, the unbanning of political organizations and the beginning of negotiations. His actions also led to the rapid unraveling of the long sustained international pressures, which had played so vital a role in bringing him to these other actions.

Now, three years later we are still confronted by a situation in which all real power remains in white hands. Nelson Mandela can negotiate, but cannot vote. Attention has been diverted from the basic tenet, so long accepted, that the end of apartheid will only be real when color no longer determines the right to exercise power.

I stress what may seem simplistic because I believe the violence now bedeviling South Africa is no accident. It is of a piece with the fundamental objectives of the leaders of the National Party - to move towards incorporating the Black majority only so far as is absolutely necessary, to retain as great a hold on white political and economic power as is at all feasible, and to use whatever tactics are available to achieve these ends.

It would be naive to forget that we are witnessing no voluntary, generous abdication of power, but a continuing contest, in which the terrain of struggle is by no means even. One side, the white minority population, still wields the power of the state, and will continue to use that as long as it is able. The other side, the Black majority, has justice and the weight of its numbers, but is still only a supplicant for formal access to power.

In this context, when official Washington exercises a seemingly evenhanded policy embracing all parties, it fails to press firmly for a rapid completion of the process of democratization. It appears to stand neutral in the face of injustice. It does not effectively use the range of pressures
available to impact on such critical issues as the continuation of state sponsored or condoned violence.

We have been disturbed to see the current administration refuse to take effective public action against the violence, even when presented with direct opportunities for action. Thus it has resorted to obstruction and delay rather than energetic investigation of information uncovered by The Africa Fund and the American Friends Service Committee about illegal exports of U.S. arms and ammunition to South Africa which surfaced in areas beset by the violence.

It seems to us that Washington loses other important symbolic opportunities to stand full square with democratic activists under violent attack for their beliefs. As we seek to support men and women beset by the violence The Africa Fund has recently conveyed to the U.S. Embassy in Johannesburg and to the consulate in Durban urgent requests from respected South African human rights organizations that consular personnel visit Northern Natal, one of the areas hardest hit by vigilantes and targeted assassinations. They believe that such visits would provide some protection by letting those responsible know that the international community is watching. Yet for many weeks, as Northern Natal erupted in some of the worst violence to date, no one from the U.S. Consulate visited the area.

I will return to these themes in more detail later in my testimony. But first I think it is important to put what is happening in South Africa today in more detailed perspective.

**Democracy Delayed**

We are witnessing today in South Africa a re-play of the experience of the Namibian people, with the white government entering into negotiations on the one hand, while engaging in round after round of sometimes brutal delaying tactics on the other. I do not have to remind this committee that the first agreement between the South African government, SWAPO and the United Nations that was to lead to independence was reached in 1978, yet the independence flag did not go up until 1990. All that time South Africa claimed to be acting in good faith. Only in 1991, as the press was filled with revelations by former security agents about hit squads, death squads and dirty tricks, did Foreign Minister Botha admit that the South African government had also invested many millions of dollars in political parties designed to defeat SWAPO.

Now we receive daily reports in our office from throughout South Africa about killings which clearly owe their parentage to the destabilization tactics South Africa developed in the Eighties. Then President Piet Botha and General Magnus Malan were seeking to preserve white supremacy by refining the tactics of "total onslaught" in places like Mozambique and Namibia, while
building a very centralized State Security Council, involving top levels of the Police and Military. With protection from the highest levels of government the Department of Military Intelligence and the SADF's Special Forces mounted hit and run assassination operations against South Africa's Black ruled neighbors, to sabotage the ANC and its supporters.

**Strategic Violence.**

As the rebellion grew, similar tactics were used to counter the political resistance to apartheid. Covert units operated with state sanction, but had built-in mechanisms to keep them at arms length from the political leadership. But in de Klerk's South Africa, it is clear that funding for these operations has continued to flow from central government sources. Thus it is unlikely that many senior officers in the SADF, Military Intelligence or the Police can claim clean hands. Further, despite mounting evidence of their complicity with the violence, de Klerk has engaged in no radical surgery.

I will not attempt to present detailed formal evidence on the violence this afternoon. Sadly, because of its intensity, there is now extensive, very competent data and analysis available both from within South Africa, and from reports prepared in recent months by such respected bodies as Amnesty International, the International Commission of Jurists, the Lawyers Committee for Civil Rights Under Law. These deal both with the many forms taken by the violence and with its purpose. I attach for your information a very comprehensive two year report prepared by the South African Human Rights Commission.

I got a very personal perspective on this violence when I visited Natal this past June. I arrived in Northern Natal on a Monday evening and immediately went into a meeting with about 10 local activists. In the dusk people grew anxious. "It is dangerous to be out now" they told me, as they went on talking, pouring out the pain of houses burned, friends slaughtered, lives destroyed. "We are like gazelles", said a labor organizer sadly, "We have no home, we must lie down in the field at night." Late that night I visited with him and his wife, a women's organizer. After Inkatha members burned down their house it took a long time to find shelter. Finally a sympathetic business man cleared some space in the back of his factory warehouse. No windows, concrete floors -- but it provides a roof. Their child lives with his grandmother in Durban. "It is safer" his mother said quietly.

Early next morning I talked with a tall young trade union leader. He and others were preparing for a meeting with the head of the KwaZulu police, seeking to find a way to develop enough understanding and some procedures to avoid constant police intervention in support of Inkatha killers. A shop steward in an
aluminium plant, he had also taken on the dangerous responsibility of chairing the interim ANC branch just being established in his area. He seemed so strong, so alive. The following evening he was dead, murdered by four men who came to his house. "Who"? I asked. I could feel the shrug down the phone line. "There are no witnesses. It's Inkatha, of course, but we will never prove it."

Northern Natal, beset when I was there, has become a war zone.

The Human Rights Commission reports that since the first of August 1992, thirty-five people have been killed in Esikhaweni township alone, several of the attacks being concentrated on August 26, causing eight deaths. The HRC report states:

Twenty-five of these people were killed in attacks that were carried out by small groups of heavily armed men wearing balaclavas. The attacks have targeted people at specific homes of ANC members and venues which ANC members frequent. Investigations by independent monitors point to the attacks being carried out by a hit squad operating in the area. Residents have called for a full inquiry into the killings and for the withdrawal of the KwaZulu Police from the area. The attacks seem to be part of a systematic campaign to eliminate ANC and Cosatu leadership in Northern Natal.

(HRC Bulletin #6, September 15, 1992)

Since Nelson Mandela was released from prison more than two years ago there has been an almost total lack of freedom of expression for people believed to be sympathetic to the African National Congress living in Northern Natal. Rallies have been repeatedly postponed, banned, or delayed by the local government authorities. The homes of many members of the ANC and the metal workers union in the area have been burned down, and literally hundreds of people have been murdered. According to many reports, members of Chief Buthelezi's Inkatha Freedom Party, policemen from the KwaZulu bantustan police and members of the South African Police are often involved in these attacks. The persistence of these reports, and the varied sources from which they emanate lend considerable credence to them.

The Human Rights Commission reported on August 28 that they had received reports that the Inkatha Freedom Party would be attempting to drive ANC members out of Northern Natal. Last week The Africa Fund received reports of buses full of workers returning from their shifts on pay day being stopped by vigilante groups who demanded to see each individual's pay slip. The vigilantes were looking to see which individuals had deductions taken out of union dues payable to COSATU affiliated unions. They were also demanding to see Inkatha Freedom Party membership cards. Members of COSATU unions, or anyone who could not produce an Inkatha Freedom Party membership card, was then attacked.
The people in this area made five specific requests. They have asked that:

* Judge Goldstone set up an immediate investigation of the August 26 attacks.
* An independent team of investigators be sent to the area.
* The KwaZulu Police be withdrawn from the area.
* UN Monitors be sent to the area.
* Governments, including the U.S. government, send their own embassy personnel and investigators to the Northern Natal area on a regular basis.

Based on the evidence flowing through our office, it appears that the KwaZulu police have themselves been perpetrators of violence in the area. These police are initially responsible to Buthelezi's homeland administration, but ultimately are the responsibility of Mr. De Klerk's government. At this point, given the overwhelming evidence of the KZP role in the violence it seems reasonable to demand they be disbanded. But this is not what is happening.

**Restructuring To Control the Future**

What is happening is that the South African government is transferring more authority to the KwaZulu Police. The de Klerk government's recent decision to force the retirement of several members of the high command of the South African Police received generally favorable press reports in this country, although it was viewed more critically by human rights groups in South Africa because it left untouched the central command structure of the force. In the same announcement, Mr. de Klerk also indicated that he was decentralizing control of the police, transferring more authority to regional bodies. These actions will, in effect, give greater autonomy to bantustan police forces, including the KwaZulu and Ciskei forces. At the very least, when there are serious questions from credible sources being raised about the actions of these police, we believe they should not be given additional authority.

I have spent some time discussing the situation in Northern Natal not because it is the only place where there is violence, but because I believe it illustrates how serious the current violence is in South Africa and how through acts of commission or omission the de Klerk government is perpetuating a dangerous and murderous situation. It also provides, I believe, an important indicator of an arena in which the U.S. could play a dynamic role strengthening the peace process.
In Search of a Policy

The U.S. appears to have defined negotiations as the end goal in South Africa rather than full democracy based on majority rule. While it is the South African people who must ultimately determine the shape of the democracy in their country, this administration's attempts at impartiality ignore the reality that as a nation we have chosen sides in South Africa -- we are against apartheid, and against white minority rule. That ought not to mean that there is no debate or discussion with them. But it ought to mean looking at their proposals about the future with some memory of their past.

Reluctant to apply real pressure on the South African government to end the violence and move the negotiations process forward, the administration exercises an even handed approach always blaming the oppressed as well as the oppressor. So for instance, in the immediate aftermath of the recent massacre in Ciskei a State Department spokesman, Mr. Boucher, on September 8, first condemned the "excessive and unjustified use of lethal force against peaceful demonstrators" and acknowledged the South African government's responsibility for the actions in the homelands. He then continued "But it's also clear that those who prompted the demonstration should carefully reconsider future actions that distract from the primary issues at hand -- and that is negotiations -- and actions that expose innocent supporters to violence.... We call on all parties to avoid further provocative actions...." As of last Thursday, September 17, this was the only public statement issued by the State Department on the Ciskei massacre.

While the administration may have had further communications in private, these statements leave the impression in the public mind that the U.S. government is in the business of blaming those who, denied the vote, are exercising what we would see as a fundamental right to peaceful assembly. If Americans like Martin Luther King, Jr. and Ralph Abernathy had believed marching in the face of hostility was a provocative act they would have stayed inside the Church on 16th Street in Bull Connor's Birmingham on Good Friday in 1963. There would have been no voter registration marchers, braving the dogs, no children facing the firehoses. James Meredith would not have walked up the steps of a white university in Mississippi and the shape of American history and race relations would have been determined by the politics of George Wallace. Surely as Americans, we must defend, and defend strongly, the right of peaceful protest, of making a demand by physical presence. There is no evidence of ANC marchers in the Ciskei using guns. There is considerable evidence that none of the people killed were from outside the Ciskei. Their funerals were held this week, in villages all over that area of South Africa.
Mr. Chairman, as I conclude I would like to discuss briefly three specific issues concerning the situation in South Africa and U.S. policy toward the region. First I want to raise the serious case of U.S. arms and ammunition being sent to South Africa. Second I would like to urge that Embassy Personnel be encouraged to play a more active, and public role in visiting areas of South Africa that have experienced serious violence. Third, I want to encourage the Senate to act on Senate Resolution 301.

U.S. Arms and Ammunition in South Africa

Mr. Chairman, at the same time as violence is taking its grim toll in South Africa, American-made shotguns and ammunition worth millions of dollars have been illegally going to South Africa, in violation of the arms embargo.

It is likely that some of these guns have been used to kill men and women active in the struggle for democracy. I have attached to this testimony a clip from The Citizen newspaper of May 15, 1992 describing how a Mossberg weapon was found in the possession of a KwaZulu policeman arrested in Natal. U.S. export licenses were granted for these weapons on the basis of fraudulent assertions that they were going to countries that border South Africa. One can only conclude that U.S. officials were asleep at the switch. Orders for Zimbabwe were faxed from South Africa. Licenses were granted even when no supporting documentation accompanied the application. And now it appears that jurisdictional infighting is seriously impeding investigation of these violations.

The Africa Fund first alerted the Departments of State and Commerce to a series of these cases in November 1990. In June, 1991, forced by the Commerce Department's persistent stone walling, we filed a Freedom of Information request with the Department of Commerce for the export documents. When this was denied, we filed suit in federal court in cooperation with the Center for Constitutional Rights to force disclosure of the export documents. Until this suit reached the discovery stage, the Commerce Department refused even to admit that the documents existed. While now admitting the existence of some 1,100 documents, Commerce continues to refuse us access.

This September 14, government attorneys told Federal District Court Judge John Keenan that illness had prevented two Department of Commerce investigators from traveling to southern Africa.

At that point we presented the Court with a series of U.S. government cables and faxes provided to us by an anonymous source. These show the investigation fell victim to
The documents also show the extent of the fraud involved. Two of the cables deal with the case of Tatos Brothers. A cable from the U.S. Embassy in Zimbabwe dated June 1991 says that an official of Tatos Brothers in Zimbabwe reported that Fred Tatos, a former owner, was no longer associated with Tatos Brothers in Zimbabwe. He said that Fred Tatos was now living in Cape Town, and denied placing the two orders in question. The cable concludes "IN NEITHER CASE DOES IT SEEM LIKELY THAT THE ORDERS WERE INTENDED TO ENTER ZIMBABWE." Another cable, dated July 1991, from then Deputy Secretary of State Lawrence Eagleburger, examines all licenses for Tatos Brothers in Zimbabwe. Eagleburger states that total value of the 13 licenses to export defense articles to Tatos Brothers is $1.6 million and that "ALL APPEAR TO BE FRAUDULENT." It seems likely that Fred Tatos set up an office in Cape Town and placed the orders pretending they were for Tatos Brothers in Zimbabwe.

In a number of cases cited by Eagleburger the original orders were even faxed from South Africa. In one typical case Eagleburger notes "NO SUPPORTING DOCUMENTATION ACCOMPANIED THIS APPLICATION BUT THE LICENSE WAS ISSUED ON 8 NOVEMBER 1990." Clearly, no one in Washington was paying much attention to these applications.

The documents also show jurisdictional wrangling between the Departments of Commerce and Customs. A fax from the U.S. Embassy in South Africa, dated July 13, 1992, cites a U.S. Customs official in Rome as saying the planned trip by the Commerce investigators to southern Africa was "unnecessary" and "counterproductive." On that very same day, a Customs special agent in San Diego sent a letter to the Department of Commerce stating that it "did not concur" with the visit of the Commerce investigators. And a cable, also from July, from the U.S. Embassy in Botswana states "COUNTRY CLEARANCE FOR USDOC INVESTIGATORS KOPLIK AND STODDARD IS WITHDRAWN."

The claims that a good faith investigation is underway appear to be flimsy. Unfortunately, Mr. Chairman, we have been forced to the conclusion that this administration cannot be trusted to reveal the truth about these arms shipments, much less put an end to them. That is why I am urging this Committee to subpoena the 1,100 documents relating to illegal munitions shipments to southern Africa. It is also necessary to ensure that the Commerce and State Departments finally begin to enforce the law and end this traffic in death. I urge this Committee to closely monitor efforts in this direction in the weeks and months ahead.

It seems on the face of it a bad policy to allow transshipment of embargoed items through an embargoed country.
The possibility of diversion is too great. The Department of Commerce should cease granting licenses for transshipment of guns and munitions through South Africa.

One final intriguing note. According to the Weekly Mail (September 18), Fred Tatos is currently working for a Cape Town based company called Suburban Guns. The Mail has supplied us with a copy of a 1984 South African import document for Suburban Guns for shotguns that was signed by Armscor, the government-owned armaments company.

**Bearing Witness**

The need for action has never been more compelling. And events of recent weeks indicate that international protest can make a difference.

The Human Rights Commission has recorded reports of 195 people killed in political violence between August 1 and September 15, 1992. I have already described the onslaught in Northern Natal.

In the midst of our horror it is vital to recognize that international protest can make a difference.

At the country level we can see it in the arrival of U.N. monitors, even perhaps in de Klerk's recognition, after the Bisho killing, that he needed to re-approach the ANC.

At the local level pressures can have equally significant results. Thus in Northern Natal I can already report that following pressure from local residents and international protests, Judge Goldstone has now appointed Major Dutton, who successfully investigated the Trust Feeds massacre, as chief investigator for the Natal region. Local officials and human rights activists we have spoken with in the area have welcomed Dutton's appointment and are particularly relieved that he has already detained three suspects in the August 26 attacks. These suspects will appear in court for a bail hearing on September 25.

In addition, we understand that after meetings last week, the United Nations has agreed to station some personnel in the Empangeni area.

This is why we say that international protests can have an impact. But much more needs to be done.

We are hearing a desperate appeal from people in Northern Natal for a greater international presence and for investigations of who is responsible for these attacks. A man who we have worked with for many years in that area, a labor and ANC leader who has also spearheaded attempts to make the peace process work, told us last week that what is needed are investigations of who is
responsible for the violence. "We are saying, we need people to try to identify the sources of the violence," he told us. "If it is from ANC, we want it to be said. If it is from Inkatha, we want it to be said. If it is from the security forces, we want it to be said."

We would urge the U.S. government to engage in this situation. As we spoke last week with key members of the ANC, National Union of Metalworkers and the Joint Working Committee on Violence we heard consistent appeals to encourage the U.S. government representatives to visit their area. U.S. Embassy personnel confirm that between August 4, when the current round of violence began, and September 15 no-one from the U.S. Consulate visited Northern Natal.

We do not expect our Consulate personnel to visit areas where their personal safety would be threatened. But in this period, UN observers, European observers and others have traveled to Northern Natal. Many of the people we work with in Northern Natal believe that regular visits by U.S. government personnel in particular would demonstrate that the international community is watching. Our government has more influence than most in South Africa and we would like to suggest that Congress request that Consular officials spend more time in northern Natal.

This is important both because it could save lives in Northern Natal and because it effects the image of the U.S. in South Africa. There is an impression, among some that we have spoken to in Natal, that the U.S. government is dismissive of the type of information or perspective that could be garnered from closer contact.

One person we spoke with told my staff: "In most cases what the U.S. consulate does is that they invite us to events that they have, things of a ceremonial nature. Never for serious business."

Spinning out of Control

The violence embedded in apartheid and its methods of control, the violence unleashed by official security structures such as the South African Police and the military, and by their agents, official and unofficial, is rapidly spinning out of control. One person's violence often begets violence from another. If the South African Police or their surrogates go into a township and kill ten people, they can often provoke a confrontation that will ultimately leave one hundred dead. There are disturbing reports that this scenario is occurring. Frustration, despair, anger are all deeply rooted in the townships and countryside.

Respected groups such as the Human Rights Commission and the Lawyers for Human Rights in Pretoria have suggested that the
pattern of deaths indicates that there may be some elements within the ANC who are now engaging in violent reprisals. The recent deaths of six Inkatha people in Southern Natal may be one such incident. The vast majority of the victims appear still to be ANC members or sympathizers. But this tragic development is a grim reminder of how successful the government campaign of violence can be -- not only in weakening de Klerk's opponents in the short term, but in unleashing hatred that threatens democracy itself.

Resolution 301 -- Action for Peace and Democracy

This continuing violence threatens to engulf all of South Africa. We condemn violence and we call on the U.S. government to do so more vigorously. However, we must not let the need to condemn violence distract us from pointing a finger at those ultimately responsible -- the South African government. And that is why we believe that Senate Resolution 301 is an accurate, credible and timely resolution that deserves the full support of this body.

The South African government continues to pay particular attention to the actions and views of the U.S. government. It would be tremendously important for the Senate to pass this resolution before you adjourn this year.

I began this testimony by reminding the committee of Namibia's long road to independence. It is fashionable in Washington, I know, to ascribe almost sole responsibility for freeing Namibia to Chester Crocker. He himself would, I am sure, grant that ultimate responsibility for freedom in Namibia belongs to the people of Namibia who struggled for so many years. Ultimately, it will be the people of South Africa who win their freedom from apartheid and white minority rule. But in the case of Namibia I believe the U.S. could have played a more constructive role if we had enforced rigorous sanctions sooner and if we had spoken out publicly against the white government's delaying tactics.

Mr. Chairman, if we allow de Klerk to promise democracy and postpone it again for another three years, the people of South Africa will have been betrayed by the international community. We must not allow this to happen.

Thank you.
By PAUL STOBER

DOCUMENTS in The Weekly Mail's possession have revealed a huge illegal trade in weapons from the United States to South Africa — and there are fears that many of these arms may have found their way to war-torn Natal.

The Africa Fund, a US anti-apartheid pressure group, has started a civil action in New York against the US Department of Commerce. It wants the courts to force the department to release more than 1,000 pages of documents detailing illegal arms transactions.

The documents, outlining some of these transactions, reveal that hundreds of semi-automatic pistols, revolvers, rifles, magazines and hundreds of thousands of rounds of ammunition, worth millions of dollars, left the US but never arrived at their stated destination of Harare, Zimbabwe. The weapons were to have been shipped via Cape Town.

The US Justice Department, along with the Department of Commerce, is investigating the possibility that companies in the US and southern Africa forged documents and gave incorrect information about the final destination of the arsenal.

US law and the 1977 United Nations arms embargo still forbid the export of military arms to South Africa. In the US, the export of weapons with civilian uses is governed by federal controls.

US district attorney Peter Sobol, who is investigating possible charges against US companies, says some munitions did not arrive at the destination stated on their export licences or were transferred to South Africa after their arrival at their destination. The Commerce Department's investigation covers the period from 1972 to the present, and is being conducted both in the US and southern Africa.

The department has refused public access to the documents saying it needs more time to complete its investigation.

"The documents we're investigating are cumbersome. It takes weeks and months to verify. The investigation is national and international. It just takes time," Sobol said.

Accusing the Department of Commerce of not taking the arms embargo seriously and of trying to cover up lax licensing procedures allowing the munitions through in the first place, The Africa Fund has demanded that it be allowed to examine the documents.

Africa Fund members are incensed that the arms may have reached South Africa, especially since shotguns, made by US companies, are reported to be used in violence in the South Africa's townships.

On May 14, this year, a sergeant in the kwaZulu Police, Siphiwe Muvyaane, was arrested by members of the South African Police in connection with an arms cache which included a shotgun made by the US gun manufacturer Mossberg and Sons of Connecticut.

Although the importing of over 50 tons of munitions was spread over four years, it is the large quantity of weapons involved which has served to harden suspicions that the weapons have been used to fuel the violence in the South Africa.

According to the manager of A Rosenthal, a gun dealership whose export licence was revoked by the US Commerce Department, small private concerns could not be responsible for arms trading on any large scale. "There is just no way they could finance it," he explained.

According to The Weekly Mail's documents, most of the munition orders were placed by a Harare-based firm, Tatos Brothers. A director of the company, Dhiru Desai, has denied placing at least two of the orders and said that his company has not received a foreign currency allocation, from the Zimbabwean government, to import munitions for several years.

The US State Department, which is responsible for the investigation in southern Africa, is looking into a possible link between a former owner of the company, Fred Tatos, and the false orders.

Tatos, now based in Cape Town, works at a gunshop, Suburban Guns. Earlier this year, Suburban Guns was named in documents revealing how private concerns purchased arms, ammunition and chemicals for Armscor.
**BILL OF ENTRY (ex warehouse) IMPORTED GOODS**

**PURPOSE**
- Agent Code: **293725**
- Customs Code: **NA**
- Ex Warehouse: **CNOS 727**
- Owner: **SUBURBAN GUNS (PTY) LTD**
- To Warehouse / Re-Export User: **TRAFI TRAFI TRAFI SHIPPING SERVICES (PTY) LTD**
- Owner to Re-Export / Re-Export User: **NA**
- Remover: **TAFI TRAFI TRAFI SHIPPING SERVICES (PTY) LTD**

**Country of Destination**
- Code: **ZAF**
- Details: **119 MAIN ROAD PLUMSTEAD SUBURBAN GUNS (PTY) LTD. 119 MAIN ROAD PLUMSTEAD SHARKKP PROD (PTY) LTD P.O. BOX 977, CAPE TOWN 8000**

**Trade Traffic Shipping Services (PTY) LTD. 73 NEDBANK BUILD, FORESHORE**

**Warehousing Particulars**

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- **401.40**

**Description of Goods & Marks, Numbers & Description of Packages**

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- **P. B. L. LENGTH 75**
- **PERAZZI CONPO TRAP/TRENCH 12G SHOTGUN MODEL MX3 WITH SPARE SINGLE BARREL FOR ATA TRAP.**

**Customs Value**

- **1978**

**Additional Information**

- **FOR OFFICIAL USE**

**FOR: AUTHORITY FOR ADVICE OR ADVANCE DECLARATION**

- **11 JUN 1984**

**Place of Entry**

- **CAPE TOWN**
FM AMBASSADORE MARARE
TO SECSTATE WASHDC PRIORITY 2894
INFO USDOC WASHDC
AMBUSSADORE ROME
AMCONSUL CAPE TOWN

LIMITED OFFICIAL USE MARARE 05779

HOME FOR CUSTOMS ATTACHÉ
USDOC TUM 3320/08/FR/STONE

E.O. 13356: N/A
TAGS: KMC, LITG, 21
SUBJECT: BLUE LANTERN, END USE CHECK ON MUNITIONS - LICENSE NO. 451357

REF: A. STATE 173513, B. MARARE 2380, C. USDOC 1500

1. ECWOPPE MEI JUNE 1/ WITH MR. DHIRU DESAI, A DIRECTOR
OF TATOS BROTHERS, HARARE, 1981 (PVT) LTD, TO DISCUSS

THE MUNITIONS ORDER OUTLINED IN REF (A). DESAI SAID
THAT HIS COMPANY HAD PLACED NO SUCH ORDER AND DOES NOT
HAVE ANY DEALINGS WITH EITHER PAN METAL CORPORATION OR
WITH RAVERN INTERNATIONAL. HE NOTED THAT THE COMPANY IS
A DEALER IN AMMUNITION BUT HAS ONLY BEEN ABLE TO IMPORT
SUPPLIES THROUGH VARIOUS BARTER DEALS. THEY HAVE NOT,
HE CLAIMED, RECEIVED A CURRENCY ALLOCATION FOR THIS
PURPOSE IN SEVERAL YEARS.

2. DESAI SAID THAT HEFEDTATOS WAS ONE OF THE FORMER
OWNERS OF THE COMPANY, WHICH WAS PREVIOUSLY CALLED TATOS
BROTHERS (PVT) LTD. TATOS IS BELIEVED TO BE LIVING IN
CAPE TOWN. ACCORDING TO DESAI, TATOS HAS NO CONNECTION
WHATSOEVER WITH TATOS BROTHERS (MARARE) 1981 (PVT) LTD.

3. A CHECK WITH THE MINISTRY OF INDUSTRY AND COMMERCE
REVEALS NO RECORD OF AN IMPORT LICENSE FOR AMMUNITION
ISSUED TO TATOS BROTHERS (MARARE) 1981 (PVT) LTD OR TO
TATOS BROTHERS (PVT) LTD.

4. EMBASSY COMMENT: THIS IS THE SECOND CASE IN THE
LAST FEW MONTHS IN WHICH APPARENTLY FRAUDULENT ORDERS
HAVE BEEN PLACED IN THE NAME OF TATOS BROTHERS
(PVT) LTD. IN NO CASE DOES IT SEEM LIKELY THAT THE
PRODUCTS WERE INTENDED TO ENTER ZIMBABWE. WE RECOMMEND
THAT THE EXPORT LICENSE APPLICATION FOR MUNITIONS BE
DENIED, AS THIS IS CLEARLY NOT A LegITIMATE
TRANSACTION. END COMMENT. PETTIERSON
LIMITED OFFICIAL USE

Department of State

ACTION FOR FOREIGN CUSTOMS ATTACHE

E.O. 12326: K/N
FAC: KINILG, ETAL, IT., IF, SF
SUBJECT: BLUE LANTERN: LEVEL TWO CNH USE CHECK ON TATOS BRO'S BULLETS

REF: A. STATE 175613. B. RARARE 9579

1. IN LIGHT OF FELLE D, PHOTIC REQUESTS CUSTOMS ACTION INVESTIGATION, DEPARTMENT HAS EXAMINED ALL LICENSES ISSUED TO THE FIRM TATOS BRO'S OF RARARE, ZIMBABWE. PER RETTEL 6, THEY APPEAR TO BE FRAUDULENT. PHOTIC IS SUSPECTING ALL OF THESE LICENSES UNTIL THE FACTS IN HAND CAN BE DETERMINED.

2. PHOTIC LICENSE NUMBER 435295 ALLOWED THE EXPORT OF:

1,748 BOBS OF QUOTA ELECR CORES NON EXPLOSIVE ELECR TIPS UNICLASS OF VARIOUS CALIBERS

3.

SIERRA BULLETS L.P.
1400 V. HENRY STREET
SEINDIA, MO 66231
TEL: 418-602-6120

FOREIGN CONSIGNEE AND END USER:
TATOS BRO'S LTD
PO BOX 2365
77 NOFAT STREET
SALISBURY, Z. ZIMBABWE

FOREIGN INTERMEDIATE CONSIGNEE:
NONE

THIS LICENSE WAS NOT ACCOMPAINED BY A PURCHASE ORDER FROM TATOS BRO'S, BUT IS ISSUED THE DATE OF ORDER AS 16-23-98. THIS LICENSE WAS APPROVED 31 OCTOBER 1998.

4.

PHOTIC LICENSE NUMBER 156590 AUTHORIZES THE EXPORT OF:

.50 CAL BULLETS CENTERFIRE AMMUNITION
.30-06 BULLETS CENTERFIRE AMMUNITION
600 ROUNDS 7.62 MM SMALL ARMS ROUNDS
400 ROUNDS SMALL ARMS PRIMERS

HAVING A TOTAL VALUE OF $18,537.36 DOLLARS.

SELLER IN THE UNITED STATES:
BLUNT INC., SPORTING EQUIPMENT DIVISION
PO BOX 856
LEVIPOST, ID 83551

FOREIGN CONSIGNEE AND END USER:
TATOS BRO'S LTD
77 NOFAT STREET
SALISBURY, Z. ZIMBABWE

FOREIGN INTERMEDIATE CONSIGNEE:
NONE

THIS LICENSE WAS APPROVED 15 NOVEMBER 1998.

5.

PHOTIC LICENSE NUMBER 435295 AUTHORIZES THE EXPORT OF:

526,088 ROUNDS .22 CALIBER RIFLE AMMUNITION
565,236 ROUNDS CENTERFIRE AMMUNITION
2,800 ROUNDS SMALL ARMS PRIMERS
28 ROUNDS BULLET AMMUNITION DISPLAYS (NEFTI)

HAVING A TOTAL VALUE OF $26,516.82 DOLLARS.

SELLER IN THE UNITED STATES:
BLOUNT INC., SPORTING EQUIPMENT DIVISION
PO BOX 856
LEVIPOST, ID 83551

FOREIGN CONSIGNEE AND END USER:
TATOS BRO'S LTD
77 NOFAT STREET
SALISBURY, Z. ZIMBABWE

FOREIGN INTERMEDIATE CONSIGNEE:
NONE

THIS LICENSE WAS APPROVED 15 NOVEMBER 1998.
FOREIGN INTERMEDIATE CONSIGNEE:

CRINROD SEAFREIGHT
PO BOX 1632
CAPE TOWN 8000

THIS LICENSE HAD NO SUPPORTING DOCUMENTATION, BUT WAS

5. PH/DTC LICENSE NUMBER 45069 AUTHORIZED THE EXPORT OF:
280,000 SMALL ARMS PRIMERS
4,500 BULLETS
1,600 CENTERFIRE AMMUNITION
26,000 ROUNDS CENTERFIRE .22 CALIBER

HAVING A TOTAL VALUE OF 10,813.58 DOLLARS.

SELLER IN THE UNITED STATES:

BLOCH INC. SPORTING EQUIPMENT DIVISION (GENDY ORKUS INDUSTRIES)
PO BOX 490
LEVISTON, ID 83541

FOREIGN CONSIGNEE AND ENDUSER:

TATOS BROS [PTY] LTD
77 HOFFAT STREET
HARARE ZIMBABWE

FOREIGN INTERMEDIATE CONSIGNEE:

CRINROD SEAFREIGHT
PO BOX 3637
CAPE TOWN 8000

A FAX FROM TATOS BROS DATED 2 MAY 1998 AND SIGNED BY FRED TATOS ORDERS THE ABOVE MENTIONED ITEMS. THE FAX LETTERHEAD IS SLIGHTLY DIFFERENT AND LISTS THE FOLLOWING ADDRESS INFORMATION:

TATOS BROS [PTY] LTD
WHOLESALE MERCHANTS
TELEPHONE 2140/21145
TATOS S/D
TELEX 4-658 RR
77 HOFFAT STREET
SALISBURY CENTRE
ZIMBABWE

ONCE AGAIN THE FAX NUMBER QUOTE 2721-789197 TATOS SA: NUMEROTE IS LISTED. NO OTHER SUPPORTING DOCUMENTATION ACCOMPANIED THE APPLICATION. THIS LICENSE WAS APPROVED 29 MAY 1998.

6. PH/DTC LICENSE NUMBER 454117 INVOLVES EXACTLY THE

65,989 .22 CALIBER CENTERFIRE AMMUNITION
34,688 ROUNDS OF CENTERFIRE AMMUNITION
104,688 BULLETS

HAVING A TOTAL VALUE OF 18,214.56 DOLLARS.

THIS APPLICATION WAS APPROVED 19 APRIL 1998 AND HAD NO SUPPORTING DOCUMENTATION.

7. PH/DTC LICENSE NUMBER 463648 INVOLVES THE SAME

Department of State

LIMITED OFFICIAL USE ONLY
1. PRUDUIC LICENSE NUMBER 119523 ISSUED ON 25-JULY-92 TO JAMES HARRIS BIPACK (WHICH ARE FOR RIFLES) HAVING A TOTAL VALUE OF 5-526.75 DOLLARS.

THE RELEVANT ADDRESSES WERE IDENTICAL TO THOSE IN PARA 5 AND 10. NO OTHER SUPPORTING DOCUMENTATION WAS INCLUDED. THIS LICENSE WAS ISSUED ON 7-JANUARY-91.

12. PROVIC LICENSE NUMBER 487464 AUTHORIZED THE EXPORT OF:

- 10 .380 CAL RECOILERS
- 1 .22LR CAL RIFLE
- 1 .257 CAL RECOILERS

HAVING A TOTAL VALUE OF 7-436.15 DOLLARS.

THE RELEVANT ADDRESSES ARE AGAIN THE SAME AS PARA 5, 10, AND 11. A DSP-43 IS SIGNED BY PMC TATOS DIRECTOR AND DATED 31-1-91. NO OTHER SUPPORTING DOCUMENTATION WAS INCLUDED. THIS LICENSE WAS ISSUED ON 1-MARCH-91.

13. PROVIC LICENSE NUMBER 487464 IS EXACTLY IDENTICAL TO LICENSE NUMBER ATTACHED OF PARA 5. IT IS A REPEAT ORDER. EVERYTHING IS THE SAME: ADDRESSES, ITEMS, AND THE TOTAL VALUE OF 514,613.28 DOLLARS. HOWEVER, LICENSE NUMBER 487464 DID NOT HAVE A DSP-43 ATTACHED AND WAS ISSUED ON 1-MARCH-91.

14. PROVIC LICENSE NUMBER 399196 AUTHORIZED THE EXPORT OF:

- .220 ROUNDS .22 CENTERFIRE AMMUNITION
- 710,000 CENTERFIRE AMMUNITION

HAVING A TOTAL VALUE OF 64,126.50 DOLLARS.

Sellers in the United States:

OLIN CORPORATION
WINCHESTER INTERNATIONAL
BOSTON, MA 02149

FOREIGN CONSIGNEE AND END USER:

TATOS BROS (IPVT) LTD
WHOLESALE MERCHANTS
77, NOFF STREET
CAPE TOWN 8001
SOUTH AFRICA

FOREIGN INTERMEDIATE CONSIGNEE:

MICHIEL COTT'S, SEALIGHT
297 REGULUS FORESHORE
HEREFINGEN, CAPE TOWN 8001
SOUTH AFRICA

A DSP-43 IS SIGNED BY PMC TATOS DIRECTOR BUT IS NOT DATED. AS ALWAYS THE FOREIGN GOVERNMENT BLANK IS UNUSED. NO OTHER SUPPORTING DOCUMENTATION ACCOMPANIED THE APPLICATION. THIS LICENSE WAS ISSUED ON 7-DECEMBER-91.

15. THE TOTAL VALUE OF ALL LICENSES TO EXPORT, DEFENSE,
Artegires TO TATOS BROs [Pvt] LTD IS SLIGHTLY ONLY 1.6 MILLION DOLLARS.

Ms. Carol Bryant  
U.S. Department of Commerce  
Washington, D.C.  

(FAX: 202-377-0958)  

Dear Mrs. Bryant:  

This letter is intended as a followup to your conversation today with John Creamer of the AF/S office, State Department.  

As you are aware, this embassy has provided country clearance for the visit of Doris Koplik and Alan Stoddart to investigate the case identified in USDOC 135dj. This concurrence was provided with the clear understanding that, as stated in paragraph 3 of that cable, this request had been well coordinated with all of the relevant Washington agencies.  

We spoke this morning from James Patrick McShane of the U.S. Customs office in Rome, who has been visiting the Southern Africa region over the past month. McShane stated that the visit of OEE officials to South Africa and indeed to many of the other countries in the region was unnecessary and even counterproductive. He said that most of the information sought by the OEE officials had already been gathered by himself or would not be forthcoming. He added that the South African Deputy Commissioner of Customs, Sarel du Plessis, told him that the South African officials would refuse to even meet with the OEE officials, since their relationship was exclusively with U.S. Customs. McShane indicated that in a previous case, the South African officials went so far as to formally request that the U.S. Commerce officials leave South Africa.  

We also understand from Mr. Creamer that, in fact, the Customs office in Washington does not believe that adequate consultation/clearance took place in Washington regarding this visit.  

We would appreciate your contacting Mr. Creamer immediately to clarify the status of this visit by Koplik and Stoddart.  

Sincerely,  

Donald K. Steinberg  
Counselor for Economic and Commercial Affairs
UNCLASSIFIED
DEPARTMENT OF COMMERCE

PAGE 91

ACTION: 531 (E1)

INFO: REV (W1) 3131 (W1) 4510 (W1) 532 (W1) 104 (W1) 526 (W1)
323 (W1) 533 (W1) 534 (W1) 6608 (W1)
---------------------------------- 15/10/32 A1 W197 (TOTAL COPIES: 1)

RR RUCPDC
DE RUEHOR =4273 1976932
ZNR UUUU
R 1569392 JUL 83
FM AMBASSAD OR GABORONE, PRIORITY TO RUCPDC/USDOC WASHDC
RUEHSG/AMCONSUL JOHANNESBURG
RUEHSA/AMBASSAD OR PRETORIA
INFO RUEHC/SECSTATE WASHDC
RUEHMR/USCUSTOMS WASHDC
RUEHTN/AMCONSUL CAPE TOWN
RUEHSB/AMBASSAD OR HARARE
BT UNCLAS GABORONE, PRIORITY 04273

JOHANNESBURG FOR USDOC TEAM OCPLIK/ASTODDART

PRETORIA FOR RSO/JMCSHANE

US CUSTOMS HQ FOR STRATEGIC/KELLOGG

STATE FOR FB/ITC/EWT

S. G. 12355: N/A
TAGS: ETTC, KSTC, BC

SUBJECT: USDOC VISIT TO BOTSWANA

REF: GABORONE 64166 AND PREVIOUS

1. POST HAS BEEN INFORMED BY HOST COUNTRY OFFICIALS AND THE U.S. CUSTOMS SERVICE (WHOSE REP VISITED BOTSWANA AND MET EXTENSIVELY WITH GOB OFFICIALS EARLIER THIS MONTH) THAT THE USG INVESTIGATION IN BOTSWANA OF POSSIBLE DIVERSIONS OF U.S.- ORIGIN FIREARMS WAS COMPLETED IN EARLY JULY. THE GOB CONSIDERS THE CASE COMPLETED AND CLOSED.

2. TO AVOID LOSS OF CREDIBILITY WITH OUR CONTACTS HERE, EMBASSY GABORONE REQUESTS USDOC TEAM CONFIRM THAT THE PURPOSE OF ITS VISIT TO BOTSWANA IS TO EXPLORE NEW INFORMATION, AND NOT SIMPLY DUPLICATE PREVIOUS USG INVESTIGATORY EFFORTS.

PASSAGE

BT

=4273
1. REFTEL ADVISED GCE THAT HOST COUNTRY OFFICIALS AND THE U.S. CUSTOMS SERVICE REPRESENTATIVE HAD INFORMED POST THAT THE USG INVESTIGATION IN BOTSWANA OF POSSIBLE DIVERSIONS OF U.S.-ORIGIN FIREARMS WAS COMPLETED, AND THAT THE GOB CONSIDERS THE CASE COMPLETED AND CLOSED. POST REQUESTED USDOC TEAM TO CONFIRM THAT THE TEAM'S VISIT WAS TO EXPLORE NEW INFORMATION, NOT DUPLICATE PREVIOUS USG INVESTIGATORY EFFORTS.

2. WE ARE UNABLE TO PROVIDE ANY GUIDANCE CONCERNING THE INVESTIGATIVE ACTIVITY BY A U.S. CUSTOMS SERVICE REPRESENTATIVE IN BOTSWANA. USDOC HAS NOT REQUESTED ANY INVESTIGATIVE ASSISTANCE FROM CUSTOMS REP IN BOTSWANA. USDOC IS UNAWARE OF ANY INVESTIGATIVE ASSISTANCE REQUEST TO THE U.S. CUSTOMS REP FROM THE U.S. DEPARTMENT OF JUSTICE. FURTHER, THE USDOC AND JUSTICE DEPARTMENT HAVE RECEIVED NO INFORMATION FROM THE US CUSTOMS REP CONCERNING THIS PARTICULAR MATTER. CONSEQUENTLY, WE CANNOT CURRENTLY FORM AN OPINION AS TO WHETHER THE INVESTIGATIVE WORK IN BOTSWANA HAS BEEN COMPLETED OR WHETHER THE US CUSTOMS REP'S ACTIVITIES DUPLICATE THOSE PLANNED BY USDOC AND JUSTICE.

3. TO THE BEST OF OUR KNOWLEDGE, THE INVESTIGATION IS ACTIVE AND ONGOING. FYI, ONLY THE JUSTICE DEPARTMENT WOULD HAVE THE AUTHORITY TO CLOSE THIS INVESTIGATION. WE HOPE THAT THE GOB HAS NOT BEEN LED TO BELIEVE THE CONTRARY.

4. IF POST REQUIRES A DEFINITIVE LEGAL ANSWER, PLEASE CONTACT...
USDOC FOR 531/OEE/COYANT
US CUSTOMS SERVICE FOR STRATEGIC/KELLOGG
US JUSTICE DEPT FOR INTERNATIONAL AFFAIRS
STATE FOR EE/ITC/ENT AND AF
ROME FOR US CUSTOMS ATTACHE
PRETORIA FOR ESO

E.O. 12356: N/A
TAGS: CBIC, HCIC, HEC, ASE, ECON, MOPS, EC
SUBJECT: USDOC INVESTIGATION IN BOTSWANA

REF: WJ USDOC 14565, WJ GABORONE 4273

1. USDOC POSITION AS STATED IN REF A IS NOT/NOT ACCEPTABLE TO THIS MISSION.

2. COUNTRY CLEARANCE FOR USDOC INVESTIGATORS KOPLIK AND STOCHART IS WITHDRAWN UNTIL MATTER IS SORTED OUT.

3. WHILE MISSION FULLY RECOGNIZES HISTORICAL AND APPARENTLY CONGENITAL INABILITY OF COMPETING USG AGENCIES TO WORK TOGETHER, THE GOVERNMENT OF BOTSWANA DOESN'T WANT MULTIPLE CLOUSEAU-IMPERSONATORS TRAMPING ABOUT, EACH CONDUCTING HIS/HER OWN LITTLE INVESTIGATION, REPEATEDLY INTERROGATING THE SAME BEMUSED GOV OFFICIALS AND BOTSWANA CITIZENS, EACH COLLECTING HIS/HER OWN LITTLE DOSSIER OF "FACTS".

4. THIS MISSION WILL BE GLAD TO COOPERATE WITH A SINGLE, INTEGRATED USG INVESTIGATING TEAM, WHICH AGENT SPEAKS FOR THE USG IN THIS INVESTIGATION. THIS MISSION WOULD BE GRATEFUL FOR A SINGLE SET OF APPROPRIATELY CLEARED INSTRUCTIONS, TRANSMITTED -- PER STANDING EXECUTIVE BRANCH INSTRUCTIONS -- THROUGH SECSTATE CHANNELS.
Mr. Brooks Ohlsen  
Department of Commerce  
Office of Export Enforcement  
2501 Main Street, Suite 310  
Irvine, CA 92714-6299

Re: OES case #HQ0491004A1

Dear Mr. Ohlsen,

On May 18, 1992, this office received an undated letter from your office requesting Customs concurrence for OES agents to travel to southern Africa in furtherance of your investigation.

This office does not concur with your request. It is Customs policy that the Customs Attache with geographical jurisdiction conducts all overseas phases of our investigations unless there is some unique aspect, such as an undercover role or extremely specialized knowledge, which would require the assistance of domestic agents. Neither are factors in this investigation.

On June 10, 1992, at my direction, BSA Daniel Letourneau of this office notified you that this office did not concur with your travel request and asked that you forward all leads to this office for transmittal to the Customs Attache, Rome, Italy. This is in accordance with the agreement between our agencies regarding overseas investigations. You refused this request and indicated that your office would conduct the travel, as planned.

In addition, this office has requested a meeting between OES, this office and the U.S. Attorney for the Southern District of California, to discuss evidence and investigative strategy. We consider such prosecutorial advice essential to provide our investigators the best opportunity to successfully conclude an investigation. This office would welcome such a meeting at your convenience.

Sincerely,

John C. Kelley, Jr.
Special Agent in Charge
US Covering Up S. Africa Arms Sales, Apartheid Foe Says

By PAULA L. GREEN
Journal of Commerce Staff

The anti-apartheid Africa Fund on Monday leveled charges of "cover-up" and "jurisdictional wrangling" at government agencies that it alleges are fumbling an investigation of how tons of U.S.-made arms are ending up illegally in South Africa.

Cables to and from government offices around the world show that no U.S. government agency is in charge of the arms investigation, Franklin Siegel, Africa Fund attorney, said at a federal court hearing in New York City Monday. "There is no real good-faith criminal investigation," said Franklin Siegel after appearing before U.S. District Court Judge John F. Keenan in connection with a civil lawsuit filed by the Africa Fund. "This should be carefully coordinated, not left to Keystone Kops."

Mr. Siegel, affiliated with the New York-based Center for Constitutional Rights, leveled a charge of inter-agency quarreling at officials in the Commerce, State and Treasury departments. U.S. law and a 1977 United Nations embargo ban the export of military arms to South Africa. Exports with possible dual civilian and military uses face tight U.S. export controls.

Peter B. Sobol, an assistant U.S. attorney for the Southern District of New York, told the court the medical problems of several Commerce investigators had delayed the investigation. The Commerce and Justice departments are in the midst of a criminal investigation that covers New York, San Diego and areas in southern Africa, he acknowledged earlier this month.

A second phase of the probe, lasting between six weeks and two months, will begin later this month, he added. Mr. Sobol declined to specify after the hearing what the second phase entailed.

Mr. Sobol and the assistant U.S. attorney handling the civil case against Commerce, M. Chinta Gaston, denied the investigation was being unnecessarily delayed. "That's nonsense," Ms. Gaston said.

Mr. Sobol said earlier this month that the international scope and technical nature of the documents made the investigation cumbersome.

The Africa Fund filed a civil suit against the department earlier this year in an effort to obtain more than 1,000 pages of documents that the fund claims will detail some of the illegal arms transactions. Commerce maintains they are properly following U.S. law by not releasing the documents.

"We wanted to alert Judge Keenan to the level that Commerce is misrepresenting," added Mr. Siegel, "that there's a coverup in Commerce."

During the hearing, Mr. Siegel pointed to a 1991 State Department telegram to the U.S. Embassy in Rome indicating that $1.6 million of U.S. arms exports to Zimbabwe were shipped with fraudulent licenses.
PRESENTATION

TO

INTERNATIONAL HEARING ON VIOLENCE IN SOUTH AFRICA

LONDON, 14-15 JULY 1992

BY

DR. MAX COLEMAN

HUMAN RIGHTS COMMISSION OF SOUTH AFRICA

ON

POLITICAL VIOLENCE IN SOUTH AFRICA

AN OVERVIEW OF

TWO YEARS OF DESTABILISATION

JULY 1990 TO JUNE 1992

Commissioners: Mr. Geoff Buclander, Dr. Max Coleman, Mr. Chris Olamin, Mr. Pius Langa, Mrs. Joyce Mabudafshe, Dr. Ditza Mil, Fr. Srangeke Mihambwe,
AN OVERVIEW OF
TWO YEARS OF DESTABILISATION
JULY 1990 TO JUNE 1992

INTRODUCTION

Since July 1990, South Africa, and in particular the Witwatersrand/Vaal region, has been engulfed in political violence of a dimension and character hitherto experienced only in the Natal region where an ongoing war had been claiming the lives of around a hundred per month for several years. This Special Report examines the record of this political violence during the two years that have elapsed since that fateful month, assess the responsibility for the violence, and analyses the motivation and strategy behind the violence.

Since July 1990, the Human Rights Commission (HRC) has compiled and published monthly Area Repression Reports in which are detailed acts of repression by the Apartheid state and its supporters against communities in all regions of the country. These reports are drawn by HRC researchers located in Johannesburg, Durban, Cape Town and Port Elizabeth, from information culled from the press, electronic media, police unrest reports, community organisations, church groups, trade unions, political organisations, monitoring groups, and others. In each incident reported the source references are quoted.

The two-year record of political violence contained in this Special Report is thus drawn from 24 monthly issues of the HRC Area Repression Report, comprising the following:
- 2166 incidents from July 90 to June 91 (Year 1)
- 3534 incidents from July 91 to June 92 (Year 2)
A total of 5700 incidents for the 2 year period.

The categories of incidents examined, and their frequency, are detailed as follows:
- Security Force actions 1790 incidents
- Vigilante-related actions 2782 incidents
- Hit Squad attacks 225 incidents
- Right Wing attacks 207 incidents
- Other 696 incidents

These categories are explained further on.
THE TOLL OF DEATH AND INJURY

The extent and impact of the political violence can most simply be measured by the statistics of death and injury. These are presented below in the full knowledge that they are only a part of the horrific story of community destabilisation; it is not possible here to take account of the destruction of homes, family life and community life, nor to say how many are physically maimed or mentally scarred for life.

THE DEATH COUNT
The month by month death count for the two year period is depicted in Figure 1. It will be seen that total politically related deaths recorded by HRC amounted to 6229 or an average of 260 per month or an average of 8.53 per day.
Year 1 accounted for 3190 deaths.
Year 2 accounted for 3039 deaths, or a small reduction of 4.7 per cent.

The early months of the period are highly significant: July 1990, although numerically a low month, signalled the start of the violence outside of Natal, particularly in the PWV region (Pretoria, Witwatersrand, Vaal) and coincided with the launch by Inkatha of a national political party, the Inkatha Freedom Party (IFP). August 1990 witnessed simultaneously the suspension of the armed struggle by the ANC in the Pretoria Minute of 6th August, and the full emergence of Inkatha onto the national stage from its previous base of Natal/KwaZulu. That month over 700 people died, 570 of them in the PWV alone; these are figures which have not been remotely approached since.
However, in the last 4 months, deaths have again run at horrifying levels, at an average of 366 per month, even more than the level of the 4 month period of August to November 1990.

What is most noticeable from the deaths record is the on/off character of the monthly count. The correlation between the peaks and troughs and the political calendar will be examined further on, to assess whether this pattern is random or the result of deliberate control and manipulation.

THE INJURY COUNT
During the two year period, HRC recorded injuries inflicted on 11888 persons. This is almost twice the number of deaths recorded. However, it is suspected that this is a very conservative figure, since many injuries would go unreported. Also it is impossible to assess how many of these injuries were so serious as to produce permanent disability.
SOURCES OF THE VIOLENCE

The HRC discerns four sources of political violence which impacted on communities throughout the country during the two year period, namely:

- Security Force actions, responsible for 352 deaths (5.7%)
- Vigilante related actions, responsible for 5060 deaths (81.2%)
- Hit Squad attacks, responsible for 126 deaths (2.0%)
- Right Wing attacks, responsible for 44 deaths (0.7%)

These sources are defined and examined further on in this Report.

In addition there were incidents responsible for 576 deaths (9.2%), around which there was insufficient information to determine a source; and a small number of definable actions not fitting into the above categories, responsible for 71 deaths (1.2%).

It is abundantly clear from the above statistics that vigilantism is by far the dominant factor in the carnage. It is no exaggeration to say that vigilantes have been the shock troops of community destabilisation.

REGIONAL ANALYSIS OF THE VIOLENCE

Reference to Figure 1 shows that during the two year period the Natal region accounted for 32.2% of deaths, the PWV regions for 58.9%, and the rest of the country combined for only 8.9%.

Natal Region

As previously pointed out, the violence in Natal dates back to long before the present two year period. It has its origins in the rapid development of countrywide popular support for the Mass Democratic Movement (MDM) from 1984 onwards, a development which did not bypass Natal, and was perceived by elements within Inkatha as a threat to Inkatha dominance in the region. That perceived threat intensified further when the ANC was unbanned in February 1990.

Insofar as the current two year period is concerned, Figure 1 shows that the month by month death count in Natal has been remarkably stable.

In Year 1, there were 1004 deaths, and in Year 2, there were 1004 deaths, producing a total for the period of 2008 deaths or an average of 84 per month.

Few individual months differ very substantially from this average; the lowest month being 57 in September 91 and the highest at 143 in March 92.

During the two years there were 11 major massacres in the Natal region (see Appendix 1).

Figure 2 provides details as to the occurrence of deaths within the various sub-regions of Natal during Year 2, showing the Natal Midlands as the major flashpoint, closely followed by the South Coast.
PWV Region
During the 2 year period, the PWV region recorded 3670 deaths or an average of 153 per month.

By contrast with the pattern in Natal, the month by month death count in the PWV region shows very considerable fluctuation, from as low as 13 in February 91, to as high as 570 in August 90. Clearly it is the PWV region which is responsible for the on/off character of the overall monthly death count referred to previously. Similarly, 38 major massacres have been recorded in the PWV region (see Appendix 1).

Details of incidences of deaths in the various sub-regions of PWV during Year 2 are to be found in Figure 3, showing the East Rand as the major flashpoint for the year, closely followed by Soweto. However, it must be pointed out that this is an ever-changing pattern, with violence subsiding in one area, then erupting in another, in a manner that suggests a degree of mobility in strike force capacity.

Other Regions
The fact that all other regions of South Africa outside of Natal and PWV account jointly for only 8,9% of all deaths, is an indication of the relative freedom of these areas from vigilantism, and of the relative unity of the communities in these areas. There are however some exceptions, which emerge from the following analysis of the regions:

* Transvaal Country (Eastern, Western, Northern)
Deaths: Year 1 = 51, Year 2 = 82, Total = 133 (2.2% of country total)
Vigilante groups sometimes with aligned criminal gangs ("Black Cats", "AmaSinyora") were active in Eastern and Western Transvaal, often combining with police to oppose consumer boycotts, etc. or with mine security to attack mineworkers. Right wing attacks occurred in Western and Northern Transvaal.

* Eastern Cape and Border
Deaths: Year 1 = 58, Year 2 = 6, Total = 64 (1.0% of the country total)
Apart from the 48 lives lost in the Port Elizabeth area during mass demonstrations and riots in August 1990, these areas have been remarkably free of political violence resulting in deaths.

* Western Cape
Deaths: Year 1 = 41, Year 2 = 102, Total = 143 (2.3% of the country total)
Nearly half the deaths reported in this region were linked to the complex "taxi-war" which raged during the period July to October 1991 and flared up again in February 1992. While ostensibly a territorial war, there have been numerous allegations of complicity on the part of police and black councillors said to be themselves owners of taxis.

* Orange Free State and Northern Cape
Deaths: Year 1 = 33, Year 2 = 95, Total = 128 (2.1% of the country total)
The OFS region was plagued by the activities of a vigilant grouping known as the "Three Million Gang" and of right wing groupings. However, the main loss of life occurred in November 1991, when 86 people died at the President Steyn gold mine (Welkom) in clashes regarded to be more than simply faction-fighting.
"Independent" Homelands
Deaths : Year 1 = 17, Year 2 = 62, Total = 79 (1.3% of the country total)
Bophuthatswana accounted for 60 deaths, about half of which occurred on platinum mines and were said to implicate vigilante groups bussed into the area, reportedly by mine security. Other deaths resulted from security force action against political demonstrations.
Ciskei accounted for 16 deaths, largely around demonstrations for reincorporation.
Transkei recorded only 3 deaths, and Venda nil.

MAJOR MASSACRES
Amongst the 5700 incidents monitored by the HRC over the last two years, there were 49 incidents in which 10 or more people died and which the HRC has classified as major massacres. These are summarised in Appendix 1.

The first massacre occurred on 22 July 1990, at Sebokeng in the Vaal, around the launch of the Inkatha Freedom Party in the area, and can be said to be the event which opened the floodgates of violence in the PWV region.
The latest massacre on the list was the infamous Boipatong massacre of June 1992, which occurred but a few kilometres away from the first.
The 49 massacres accounted for 1250 lives, or 25 deaths per massacre, on average.
In 15 cases the death toll was higher than 25.
Natal accounted for 11 massacres costing the lives of 167 persons.
PWV accounted for 38 massacres costing the lives of 1083 persons.
The victims and alleged perpetrators of the massacres are dealt with in later sections of this Report.

Regarding the character of the massacres, a number of points emerge very strongly from the record:
* The drive by Inkatha to establish political influence, membership and even territory, is the predominant theme.
* The tactics of extreme terror, used indiscriminately against township communities, to paralyse, immobilise and disorganise, is a complementary theme.
* The use of hostels as bases from which to plan and launch these activities.
* The persistent reports of security force complicity in these massacres, as well as involvement of unidentified whites.
* Retaliation which sometimes produces its own massacres.
THE VICTIMS OF THE VIOLENCE

First and foremost amongst the victims of the violence that has swept the country, have been the ordinary residents of black townships. White communities have physically been virtually untouched, and were it not for their newspapers, radio and TV screens they would hardly be aware that their black neighbours have been dying at the rate of over 250 per month for the last two years. Some of the violence has been targeted at specific groups or individuals active in the political arena, but more and more of the violence seems to be totally random and indiscriminate, with the only possible motive of sowing alarm, despondency, and terror as a destabilising tactic. Some typical victims in both categories are analysed below:-

Commuters

Commuters travelling on trains, buses and taxis have been coming under increasing attack and are daily being exposed to the danger of losing their lives while simply travelling to and from their places of work.

* Train attacks in particular are taking a terrible toll of deaths and injuries during attacks in stations, on trains and being thrown from trains.

The record of deaths and injuries in train attacks is as follows :-

Year 1 : 67 deaths and 284 injuries in 16 incidents
Year 2 : 227 deaths and 556 injuries in 230 incidents

Total Years 1 and 2 : 295 deaths and 856 injuries in 246 incidents.

In the second half of Year 2, train attacks have been accounting for over 10% of all deaths, an indication of urban terrorism of a special kind.

One particular train attack ranks as a major massacre. This was the incident starting at Jeppe Station in Johannesburg on 13 September 1990 which resulted in the slaughter of 21 passengers.

* Bus and taxi attacks have appeared as a new form of terrorism, supplementing the attacks on trains.

In Year 2, there were the following :

27 attacks on buses, killing 53 and injuring 126
45 attacks on taxis, killing 68 and injuring 104.

* In summary 346 commuters died during Year 2, representing 11.4% of all victims.

Women and Children

Given the random and indiscriminate nature of many of the attacks on the community, it is not surprising that women and children should figure amongst the casualties. Whilst some of them may be ascribed to *cross-fire* situations, there is no doubt that many have been deliberate and in cold-blood.

The records for Year 2 show the following :-

* Women suffered 189 deaths and 227 injuries
* Children suffered 106 deaths and 87 injuries

* In total, women and children accounted for 295 deaths during Year 2, or close on 10% of all deaths.

In the Boipatong massacre, 25 out of 46 deaths were women and children.
Township Communities
In reviewing the records of deaths and injuries within township communities, it is possible to determine from the reports the affiliation or location in the community of 50% of the victims. For the rest there is insufficient information to identify the victims.
Within the identified victims, the records show the following for Year 2:
* IFP/Inkatha members, supporters and occupants of Inkatha controlled hostels:
  - Deaths - 234
  - Injuries - 306
* ANC members and identified supporters:
  - Deaths - 274
  - Injuries - 310
* Township residents:
  - Deaths - 979
  - Injuries - 1165
Thus IFP victims account for 15.7% of the dead and 17.2% of the injured; while ANC and residents account for 84.3% of the dead and 82.8% of the injured.

Within the list of 49 major massacres (Appendix 1), ANC and residents were the victims in 40 massacres, IFP in 3 massacres, and joint responsibility was assessed in 6 massacres.

Security Force Members
In recent months, members of the Security Forces have increasingly fallen victim to the political violence. During Year 2, HRC recorded the following casualties incurred by the South African Police (SAP):
  - 65 dead and 175 injured in 197 incidents.
Figures recently released by the Minister of Law and Order claim a higher figure of 97 deaths since January 1992.
In addition, HRC recorded casualties incurred by the South African Defence Force (SADF) as follows:
  - 3 dead and 104 injured in 8 incidents.
THE ROLE OF THE SECURITY FORCES

The Security Forces of the Apartheid State includes the South African Police (SAP), South African Defence Force (SADF), homelands police such as the KwaZulu Police (KZP), homelands armies, municipal & council police and other parastatal law enforcement entities.

Actions by the Security Forces which impact upon township communities are of two general kinds:
Firstly, actions which have the force of law under security and related legislation which apart from providing powers of arrest, also provide for the use of force that may lead to injury and even death.
Secondly actions which fall outside of the law.

INCIDENTS
Incidents involving actions by Security Forces were recorded by HRC as follows:
Year 1 - 881,  Year 2 - 909,  Total - 1790 incidents
This represents 31.4% of all incidents recorded and is a high level of involvement.

DEATHS AND INJURIES
* Figure 4 traces the course of deaths attributable to the Security Forces over the two Year period, with totals as follows :-
  Year 1 - 238,  Year 2 - 114,  Total - 352
The marked decrease in deaths in Year 2 is indicative of the pressures put upon the Security Forces by public and even judicial criticism of their heavy handed approach to mass protest and demonstrations.
* Injuries inflicted by the Security Forces show a similar pattern :-
  Year 1 - 2248,  Year 2 - 1033,  Total - 3281 injuries
However, it should be noted that the level of injuries is extremely high, with the Security Forces accounting for 27.6% of all injuries, against 5.7% of all deaths.
* The Security Forces have been directly responsible for, or directly involved in a number of massacres (see Appendix 1) :-
  SAP for the deaths of 12 in Daveyton on 24/3/91
  SADF for the deaths of 11 in Sebokeng on 4/9/90
  SADF for the deaths of 12 in Esikhaweni on 11/4/92
  KZP for the deaths of 18 in Umhlati on 13/3/92
ARRESTS
Arrests effected by the Security Forces are a good barometer of State response to political resistance in the form of mass action of all kinds, such as protest marches, demonstrations, industrial action, boycotts, etc. Arrests are of course a precursor to the use of the courts to curb political activity, and are an expression of repressive legislation. The very extensive use made of the powers of arrest during the last two years will be seen in Figure 5:

Year 1 - 8211 arrests, Year 2 - 8725 arrests, Total - 16936 arrests
Unlike deaths and injuries, arrests by the Security Forces are on the increase, and are likely to accelerate further in the present climate of mass action. Over half the recorded arrests during Year 2 were attributable to Security Force intervention in civic, labour, political & educational protest.

UNLAWFUL ACTIONS
Apart from the "legitimate" actions of the Security Forces as described above, the record abounds with allegations of unlawful actions perpetrated by the Security Forces during the two year period. Such unlawful actions run the full spectrum from acts of omission to acts of commission: from neglecting to act in performance of their proper and expected duties, to engaging in activities falling outside the law. All of these alleged acts relate to Security Force involvement and complicity in vigilante attacks on township communities (see next section) and may be summarised as follows:

Acts of Ommission
- Absence from the scene of vigilante attacks or excessively late arrival.
- Not responding to forewarning of attacks, or undertakings to protect communities.
- If present, standing idly by, even refusing or ignoring requests to intervene.
- Not countering, deflecting or dispersing attackers
- Not disarming, arresting or detaining attackers
- Not charging or prosecuting attackers, and refusal to accept laying of charges by injured parties
- Failure to solve murders, even when evidence readily available
- Failure to remove weapons from vigilante bases

Acts of Commission
- Indiscriminate attacks on township dwellers with teargas, guns, rubber bullets, etc. while defending themselves against vigilante attacks, resulting in deaths and injuries.
- Dispersing, arresting or detaining township dwellers and removing their means of defence
- Vigilante groups escorted and even transported to and from the scene of the attack.
- Collaboration in the planning and executions of attacks and in the identification and targeting of specific individuals
- Provision of weapons and other material to vigilante groups
- Training and funding of vigilante groups
Records kept for Year 2 show that such allegations of collusion were made on no fewer than 92 occasions, during the course of which 379 people lost their lives. Similar allegations were made about 19 out of the 49 major massacres listed in Appendix 1, including the latest at Bolpatong. This is a frequency difficult to ignore.
FOREIGN MERCENARIES
The "dogs of war" which South Africa has inherited from the disintegration of colonial Southern Africa, including the Selous Scouts of Rhodesia, Koevoet of Namibia, and elements of Renamo & Unita from Mozambique and Angola, have in many cases found their way into the Security Forces to be formed into "special" units such as the 32 Battalion. They are extensively used in township patrolling, in spite of the fact that their training for lethal warfare makes them totally unsuited to a peacekeeping task. In this context their role is highly suspect.
Vigilantism in the South African context arose directly out of the formation of Homelands administrations and Black Local Councils as essential components of the grand design of Apartheid. Those willing to participate in these puppet structures found themselves isolated from the vast majority of the black communities in which they were located. In order to defend their vested interests against the hostile rejection of their undemocratic authority, they formed private "armies" of vigilantes drawn from traditional and conservative elements, from the unemployed and even from criminal gangs. This development is known to have received the tacit, and then the active, encouragement of the Apartheid State as an essential component of the "Total Strategy" of the Emergency years which served also to promote the image of "black-on-black violence" at no political cost to the government.

Vigilante groups started making their appearance in several parts of the country in the mid-eighties, the most prominent and sustained of these groups being elements, primarily "war-lords", from within Inkatha. Inkatha vigilantes bear the prime responsibility for the spread of vigilantism in Natal during the eighties and in the Transvaal during the nineties.

The initial targets of vigilantes have been community structures, organisations and individuals that were vocal or active in calling for the dismantling of homelands and Black Councils; but subsequently, during the general destabilisation period of the last two years, the targets have become much less selective, and tactics have switched to indiscriminate terrorising of township communities.

DEATHS AND INJURIES
* Deaths attributable to vigilante-related actions were recorded as follows:–
  Year 1 - 2640, Year 2 - 2420, Total - 5060 deaths.
This represents 81.2% of deaths from all sources for the period and emphasises the pre-eminent role of vigilantism in the political death toll, and of vigilantes as the shock-troops of destabilisation.
* Injuries attributable to vigilante-related actions were recorded as follows:–
  Year 1 - 4077, Year 2 - 3186, Total - 7263 injuries.
The total represents 61.1% of injuries from all sources.
* The month-by-month vigilante-related death toll in the Natal and PWV regions is illustrated in Figure 6, from which it will be noted that:-
        Natal accounted for 33.3% of such deaths
        PWV accounted for 64.2%
        Other areas accounted for 2.5%
        Natal death toll remains steady between a fairly narrow range around the average of 70.
        PWV death toll fluctuates considerably, in tune with political events.

VIGILANTES AS PERPETRATORS OF VIOLENCE
Identifying perpetrators in violent incidents is obviously more difficult than identifying the victims. Nevertheless, reports sometimes indicate attacker identity by describing the emergence from or return to known hostels, wearing of identifying headbands, emergence from rallies, carrying of traditional weapons, chanting and singing, and many other indicators, especially the identification of the target victim.

In this way it is possible to assess the identity of the attackers in 20% of deaths and injuries that have occurred in Year 2 (by comparison with 50% in the case of the victims).

Within this identified 20% group, the records show the following for Year 2:-
        Inkatha vigilantes were responsible for 584 deaths and 940 injuries
        ANC and township residents were responsible for 40 deaths and 102 injuries.

Thus, vigilantes were the perpetrators in 93.6% of the deaths and 90.2% of the injuries.

By way of confirmation, reference to the list of major massacres (Appendix 1) shows that of 39 massacres in which the identity of the attackers was assessed, vigilantes were responsible in 31, and jointly responsible with the opposing party in another 6.

VIGILANTE LINKAGES
An indication of the centrality, in operational terms, of vigilante groups to the destabilisation of townships, is the multiplicity of relationships between such groups (in particular Inkatha) and other entities :-
* Government linkages are now well known in terms of the historical promotion of Inkatha and other groups as a counter-weight to the liberation movement, involving actual funding as well as other forms of support.
  Further evidence of Government complicity is the almost total lack of success in prosecuting and convicting perpetrators of innumerable acts of vigilante violence. This is in stark contrast to the highly successful record of bringing Right Wing perpetrators to book (see below), where a strong political will to do so is evident.
* Security Force linkage is extensive and comprehensive in terms of funding, training, material and logistical support and even direct operational support (eg. as in the Trusts Feeds Massacre). Further, as described in the section describing the role of the Security Forces, there is overwhelming indication of extensive collusion between Security Forces and vigilantes, both through acts of omission and acts of commission.
* Black Councils, besides making use of their own vigilante groupings where they exist, have invited external vigilante groupings, such as Inkatha vigilantes into their areas as a counter to community-based Civic Associations, and in return for a base from which to extend their activities. A case in point is the township of Alexandra (next to Johannesburg) which from July 1990 to February 1991 was totally free of any of the violence raging about it in the rest of the PWV; and which then erupted when such an alliance was struck, and has suffered ever since.

* Business interests have availed themselves of the services of vigilantes, both in support of mine security services against striking mineworkers in Transvaal and OFS, and against striking workers in a number of other industries. In addition they have turned a blind eye to the illegal occupation of hostels by vigilantes who have forcibly driven out the legal employee occupants.

* Criminal gangs have linked in with vigilantes in their area of operation and preyed upon the political and civic life of the community. Examples of such criminal gangs are as follows:

  Ama Sinyora KwaMashu, Natal
  Black Cats Wesselton, Eastern Transvaal
  Three Million Gang Maokeng (Kroonstad), OFS

* The Right Wing in spite of its racist dogma has made overtures to the black right wing for some form of collaboration, but so far nothing official has emerged.
THE ROLE OF HIT SQUADS

Evidence of the existence of professionally organised and trained hit squads stretches back to the seventies, but it was only in the dying days of the eighties that hard evidence came to light to confirm what had been suspected for a long time, namely that these hit squads were the creation of the state, located within, trained by and financed by the state structures of the South African Defence Force, Police and National Intelligence Service. Before and during the States of Emergency, the state-based hit squads performed a designated role within the total strategy guided by the National Security Management System under the control of the State Security Council. Their activities encompassed South Africa, the Southern Africa Region, and the world beyond. Numerous hit squad entities have been identified and exposed thus far, and doubtless there are others still to come. What is certain, however, is that the activities of organised hit squads continue to this day, in whatever modified or assumed form.

Hit Squads are characterised by the clear possession of expertise in the use of weapons, explosives, chemicals, etc. and their ease of access to resources such as information, equipment, bases and funding. In contrast to the use by vigilante groups of widespread and indiscriminate terror to achieve their ends, hit squads are highly focussed in their objectives, which are to eliminate identified and designated political opponents, and to cripple or disrupt targeted organisations.

The record of the two year period July 1990 to June 1992 shows the manner in which these two specific objectives are currently being pursued by hit squads in their present role of contributing to the onslaught on township communities.

INCIDENTS
Incidents involving Hit Squad actions were recorded by HRC as follows:
- Year 1 - 99
- Year 2 - 128
Total - 225 incidents.

DEATHS AND INJURIES
- Deaths attributable to Hit Squad strikes were recorded as follows:
  - Year 1 - 28
  - Year 2 - 96
Total - 124 deaths.

Figure 7 shows the cumulative monthly progression of these deaths for each of the 2 years, and Appendix 2 is a condensed summary of the details of each of these deaths.

Firstly it will be observed that most of the deaths are, in effect, successful assassinations, whilst the rest of the deaths are family members, friends or associates caught in the firing line.

Secondly it is clear that the trend is drastically upwards.

- Injuries attributable to Hit Squad actions were recorded as follows:
  - Year 1 - 46
  - Year 2 - 35
Total - 81 injuries.

Injuries are thus low in relation to deaths, which is not surprising in view of the objective of Hit Squads being to kill, not to maim.
VICTIMS
Over 100 of the victims listed in Appendix 2 are clearly identifiable as belonging to the anti-apartheid camp. Of these, 87 were officials, members or supporters of the ANC and its related organisations, 9 were members of civic associations, 4 were trade unionists and 5 were members of PAC. In addition, 11 victims belonged to the IFP.

In addition a disturbing new trend is the assassination of witnesses and of participants in Peace Accord structures. Within the list are to be found 6 witnesses (or their relatives) who were assassinated before they could give evidence; and at least two persons who were active in Dispute Resolution Committees.

Finally, note should be taken of the practically non-existent record of success in solving these murders and bringing the perpetrators to book.
THE ROLE OF THE "RIGHT WING"

The "Right Wing" in the present South African context can be described as the residue of apartheid supporting whites left over after the Nationalist Party and government opted for a reformist strategy. It consists of the Conservative Party and a proliferation of extra-parliamentary groups bitterly opposed to the abandonment of legalised apartheid, and comprises about one third of the white population or about 5% of the total population. Within this residue there are militant elements, perhaps amounting to 1% or less of the total population, which are prepared to resort to violence to express their opposition. While some of this violence is directed at white groups supporting reform, the vast majority of actions are targeted on the black community and for that reason are included in this Report.

In general there are two categories of Right Wing violence, the one involving semi-spontaneous and indiscriminate acts by individuals or small groups driven by emotional anger; the other organisationally based and involving planning and marshalling of resources.

INCIDENTS

Incidents involving Right Wing Actions were recorded by the HRC as follows:
- Year 1 - 93, Year 2 - 114, Total - 207 incidents.
Such incidents include the bombing of buildings and attacks on people.

DEATHS AND INJURIES

* Deaths attributable to Right Wing Attacks were recorded as follows:
  - Year 1 - 21, Year 2 - 23, Total - 44 deaths.
  - Figure 8 shows the cumulative monthly progression of these deaths for each of the 2 years.
* Injuries were as follows:
  - Year 1 - 246, Year 2 - 101, Total - 347 injuries.
  - This represents a high injury rate relative to the number of deaths.

PROSECUTION OF PERPETRATORS

An extraordinary feature of Right Wing attacks has been the diligence with which the State has investigated them, and the extremely high rate of success it has had in making arrests and obtaining convictions. Just what the reasons are for this outstanding display of political will is not clear, but what is clear is that the capacity and ability exists for the solution of crimes of political violence.
# Statistical Summary

**An Overview of Two Years of Destabilization**

**July 1990 to June 1992**

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<th>Year 1</th>
<th>Year 2</th>
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<tbody>
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<td>Injury Count</td>
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**Sources of Deaths**

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<td>Vigilante-related</td>
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<td>Right Wing</td>
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**Regions**

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<td>Train Deaths</td>
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<td>Deaths of Women and Children</td>
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**Arrests**

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* Year 1 refers to July 1990 to June 1991
  Year 2 refers to July 1991 to June 1992

Commissioners: Mr. Geoff Builender, Dr. Max Coleman, Mr. Chris Dlamini, Mr. Pius Lange, Mrs. Joyce Mbutubhesel, Dr. Dluzza Mf, Fr. Slangaello Mthethwa, Mrs. Albertina Sakuu.