

ADDRESS BY THE PAC OF AZANIA TO THE NEGOTIATING COUNCIL ON 14 OCTOBER 1993 CONCERNING THE MURDER OF FIVE CHILDREN BY THE SADF IN UMTATA, TRANSKEI.

Mr Chairman
Members of the Council

During the early hours of Friday 8 October 1993, according to the SADF, 12 fully armed soldiers of the regime, illegally entered the house of Mr Sicelo Mpendulo in Northcrest, Umtata, and shot and killed five school-boys. The tracks around the house suggests that they may well have been more than 12 SADF members. According to the preliminary evidence on the angle the bullets entered their bodies and the blood on the mattresses, it is clear that they were either asleep or made to lie down before being murdered in execution-style.

The five school-boys murdered are the children and relatives of PAC veteran member cde Mpendulo namely his children, 16 year-old twins Samora and Sadat, their 12 year old brother Mzwandile as well as their 12 year-old orphaned cousin Sandiso and 19 year cousin Thando. What must be stressed is that there is absolutely nothing strange about their presence at that house and at that time.

The bullets entered their bodies in a straight 90 degree angle whilst they were on the mattresses. The savagery of the execution-style murders is born out by the fact that the child victims were lying down and one of the 12 year olds was shot 18 times; 4 times in the head and 14 times around the region of the heart.

The regime tried to justify the extra-legal execution murders by alleging that the children offered resistance. Since these children were all executed on their beds and the SADF and the neighbours are agreed that no shot was fired by the school-boys nor was there any sound of a raised voice, no proof of resistance can be deducted from the proceedings of the events or from evidence in the house.

According to the first media statement by the SADF after the murder, they had no information on the names of the people they had killed and the later findings of the investigation by the Lawyers for Human Rights proved that the SADF had no idea of the identities of those they had killed at the time of the murders. Upon the revelation of the names and ages of the victims by the PAC of Azania, the regime admitted that they had made what they called a bona fide mistake because, according to them, the children looked older at the time. The voluntary public admission of a so-called mistake raises serious questions about the source and purpose of the information which lead to the murders. In later

statements the regime tried to downplay their public admission of a so-called mistake.

The execution nature of the murders bears the same pattern of unresolved execution-style murders on the Reef and Natal and may well constitute a clue to the source of violence in these two areas. We have in mind the execution style killings in Boipatong, Sebokeng, Natal, Matthew Goniwe and friends as well as the well publicised incident of a minibus taxi travelling from Natal to the East Rand where passengers were made to lie down near Katlehong before being executed, all bear the pattern of the Umtata execution-style murders. Why do we still read of people dying in detention under the execution hand of the security forces? Why do people in this country still disappear?

The regime stated that the raid was against known APLA operatives but at the time of the murder they had no idea of the names of those they had killed and to date they cannot link any of the children to any APLA activity. They even admitted publicly that the weapons which they allege were found at the house are not linked to any APLA or other activity in the country. It is clear that these children are not members of APLA and APLA has confirmed that they were not and could not have been its members.

The regime, in their daily defensive attempts to justify their actions, claims that the house was an APLA base. White South Africans living in the suburb confirmed that they had not seen any strange activities at the house and they handed a petition to the South African Embassy in Umtata disputing the allegations of their own government and condemning the regime. We have stated time after time that we have no APLA base in the Transkei and this was confirmed by the Transkei government, army and police. We emphatically deny that the house of Mr Mpendulo is an Apla base. Since last year we have made public offers to the regime to accompany us to the Transkei to prove their allegations but to date they have failed to do so.

The regime furthermore outrightly refused to allow Justice Goldstone to go to the Transkei upon the invitation of Maj General Bantu Holomisa, so as to investigate their allegations. We want to be emphatic that Mr Goldstone never investigated APLA in the Transkei and that he merely returned to the regime word-for-word the propaganda which the regime itself submitted to him in the first place. The regime to this day is unable to define what an APLA base is and they gave Mr Goldstone a silly submission that all trees in Transkei are APLA bases as APLA can train someone in the use of weapons in total darkness for a few hours under a tree.

Since the regime cannot prove that these children were APLA members, the Negotiating Council should not allow itself to be side-tracked into discussing APLA related matters. The finding of the independent and credible Lawyers for Human Rights is that this is a straightforward case of murder and that those who are responsible should be brought to book.

There were no illegal weapons or weapons of any type at the house

during the raid. Mr Mpendulo and the school-boys have no use for illegal weapons and the regime itself confirmed publicly that Mr Mpendulo applied for a licence to possess a small defensive hand firearm. Where is the proof that the alleged weapons found did not emanate from the SADF armoury?

Mr Chairman. In conclusion, the following questions arise.

Since the SADF could not have been on a hot-pursuit mission against APLA for a recent incident, why did they embark on this murder a few days before a meeting between the regime and APLA is due to discuss a mutual cessation of hostilities?

Since there was no shoot-out and the children died in their beds, why were they not captured and formally charged?

This incident, which amounts to a straightforward execution outside the rule of law as well as a dispicable act of international banditry, was sanctioned at the highest level, namely by

-Mr F.W de Klerk,
-Mr Kobie Coetzee, who ordered the murders,
-Mr Pik Botha who reacted with indifference at the violation of their non-aggression pact with Transkei, and, amongst others, Gen George Meiring and his staff who perpetrated this atrocity.

Since it appears that the perpetrators misled Mr de Klerk on whom they were going to attack, they must take full responsibilities for their actions and we concur with the findings of the Lawyers for Human rights that they must stand trial.

The regime must also tell us whether they consulted any party to the negotiating process. If not why do they still act unilaterally? If they did consult a party to this process we should know as the question of criminal culpability and conspiracy would then arise.

The country is looking to this Negotiating Council to express itself on this matter. The justice minded majority of this country expects the Negotiating Council to:

1. Condemn this act of execution outside the rule of law.
2. Condemn the regime for not using the established channels with its neighbours rather than embarking on international banditry and terrorism.
3. Decide that the due processes of the law must be followed and that those who perpetrated this act should account for their deeds in a court of law.
4. That a committee be established to keep the process informed of the proceedings of the trial.

●.Take steps to ensure that the regime discontinue with unilateral acts.

6.Decide that compensation be paid to the bereaved family.

7.That the regime discuss with the PAC and APLA the issue of the joint controll of the security forces and a mutual cessation of hostilities. The question of effective joint controll of the security forces is once more underlined by what happened in Umtata.How can it be expected of anybody to join transitional structurs where they will be held responsible for that over which they have no effective controll? Actions like this can severely discredited the image of the transitional endeavours.We say:no responsibility without authority!

This Council must come clear on these issues.The justice minded majority in our country must not be disappointed.

We thank you.

MR H.J. COETSEE : WORLD TRADE CENTRE

15 OCTOBER 1993 : IMMEDIATE (Compare delivery)

THE UMTATA RAID : A BACKGROUND AND OVERVIEW

The SADF strike against a verified APLA facility in Umtata last week has ignited intense and often misleading debate on the justification for the raid and whether it was based on sufficient and accurate intelligence.

Government remains convinced that the raid was not only justified but also absolutely necessary to protect the lives and property of all South Africans.

However, the Government also accepts that, due to the misleading and diversionary nature of much of the debate, that confusion and suspicion have arisen regarding justification and intelligence pertaining to the Umtata issue.

In view of the fact that Government regards itself as accountable to the public, and is committed to the maximum transparency possible in security matters, it has decided to make public all the relevant intelligence - from both the SADF and SAP - on which the decision to strike in Umtata was based.

The raid was not launched merely on the grounds of reasonable suspicion but on the basis of hard, prima facie evidence which had been repeatedly analyzed and cross-checked before action was taken.

The raid can therefore not be described as an arbitrary and impulsive action based on political motives. In fact, consideration was earlier given to attack other identified APLA facilities in the Transkei, but it was felt at the time that intelligence needed further verification. These facilities were situated at places such as St Johns, Butterworth and Mbuzana.

That justification exists for acting against APLA, both in South Africa and in the Transkei itself, is now common cause after a series of attacks for which APLA has claimed responsibility and the findings of the Goldstone Commission on APLA activities. (See page 6 on the Goldstone Commission report).

Transkei is still being used as training area for APLA terrorists and at present 11 fugitives wanted in connection with APLA attacks in South Africa are believed to be in Transkei. (See list on page 6.)

Since 22 February 1991, APLA has allegedly been involved in 54 terror attacks in South Africa. Clearly APLA is waging an armed struggle against innocent civilians. This must be seen against the background of the following:

- * That APLA has ignored all the resolutions passed at the Multi-Party Negotiating Forum pertaining to the curbing of violence.
- * That the PAC still refuses to end or even suspend its armed struggle or sign the National Peace Accord.

Continued threats, uttered as recently as 23 September by APLA's Chief of Staff, have been made.

Because all peaceful attempts to resolve this matter have failed, Government had a clear responsibility to consider other methods.

Given that more than enough justification therefore exists for striking at APLA, the tragedy of the Umtata operation is not the fact that the SA Government acted to protect its citizens from terror attacks, but that the PAC and APLA are deliberately abusing juveniles for terrorist purposes.

This view is further strengthened by the fact that juveniles were involved in APLA / PASO attacks such as the St James Church, the Beaufort West bus attack and the murder of an American citizen, Ms Amy Biehl.

The SA Government has consistently made it clear that it would take whatever action might be necessary to protect the lives of its citizens. It has also indicated that it would consider appropriate military action against any verified APLA facilities in Transkei.

In the final analysis, Government has no doubt that those killed included militarily trained APLA terrorists and that, although regrettable, the deaths were unavoidable.

It must be remembered that although those killed may well fit the legal definition of juveniles, this does not in any way diminish the threat posed by them.

APLA itself, admitted in a publication called IMVO, quoting Mr Lizo Mali, Border Regional Chairman of the PAC, that it was recruiting and training youths. APLA is therefore not only abusing youths for military training, but clearly is using them as human shields to inhibit possible Security Force action. Attention is also drawn to a report in the Pretoria News of 31 August 1993 according to which the PAC said it was not satisfied with the level of militancy of its youth. This provocative challenge was made at the opening of the Moshesh High School at Maluti by Mr Gilbert Seneke, a PAC spokesman. He said that if other organisations were "afraid to use slogans such as 'Kill the boer, kill the farmer', your duty is to adopt those slogans".

Therefore, given the fact that APLA abuses juveniles for terrorist purposes, the only way to prevent further incidents of this nature in future, would be for the PAC/APLA to abandon their armed struggle.

SEQUENCE OF EVENTS AND INTELLIGENCE LEADING TO OPERATION

The operation was based on intelligence initially provided by three suspects in detention.

The following intelligence and sequence of events, starting on 25 July 1993, resulted in the Umtata operation on 8 October 1993:

On 25 July, the SA Police arrested two men on a passenger bus at the Kei Bridge border and seized weapons. Questioning of one of the suspects produced the following information:

- That he received "crash" training by APLA in weapons handling in Port Elizabeth in order to attack SAP members.
- * That he on several occasions went to the Transkei to fetch weapons and money and that during one such visit he received weapons at 47 Jordan Street, North Crest, Umtata, (hereafter referred to as the house) to take to Port Elizabeth.
- * During his stay at North Crest he on three occasions witnessed weapons being issued to APLA members and that up to 18 APLA members slept in the house.
- * An accurate sketch of the house was also drawn up as a result of this information.
- * Information gathered independently through other information confirmed that an APLA facility existed at North Crest.

Further intelligence relating to the house in North Crest was obtained on 15 September 1993 after a foreign-trained APLA member was arrested at a roadblock at the Elliot / Cala / Engcobo crossroads in connection with the possession of three M26 grenades.

Questioning of this APLA member revealed:

- * That he returned to South Africa from abroad in September 1992 and went to Umtata.
- * That he was allegedly involved in a robbery of a liquor store in Sterkspruit, Transkei, during October in which R52 000 was taken. The money was taken to Umtata.
- * In Sterkspruit at the end of November 1992, he received orders to proceed to a neighbouring country (Lesotho) and join a group of APLA members surveilling the SA border. He was sent back to fetch weapons in Sterkspruit and afterwards returned to the same place.
- * Attacks were later carried out in the Ficksburg area and an APLA member called Kanny related the details to him.
- * That he allegedly took part in an APLA attack on a Wesselsbron supermarket in which four persons were killed on 3 July 1993. (Five witnesses have since positively connected him with the attack.)
- * That during his stay in Umtata he stayed at the house, where he was involved in loading magazines and processing weaponry which included: 30 AK47 rifles, two RPG7 rockets with three projectiles, two light machineguns, about 150 handgrenades, eight R1 rifles, 4 Uzzi submachineguns, 2 Scorpion machinepistols and landmines.

Corroborating information to the above was provided by a third suspect, who revealed:

- That he was known as "Kenny" and also visited the North Crest house and that it was used as a facility by APLA.
- * That he was part of the APLA group which carried out the Ficksburg attacks mentioned above.
- * That he for a time had stayed in Lesotho and had carried out reconnaissance along the SA border.

This information was handed by the SAP to the SADF and on 1 October 1993, the SA Army was instructed to do a low-risk reconnaissance at the North Crest house to confirm the address as well as the information obtained from the SAP.

On 2 October, the reconnaissance confirmed the address and that all the facts provided by the SAP coincided with what was observed. It was also confirmed that the house was occupied.

The location of weapons in the house could obviously not be confirmed without entering the premises.

This reconnaissance continued up until late afternoon of 7 October.

At all stages of the reconnaissance, the information was cross-checked with the SA Police sources.

THE OPERATION ITSELF

The relevant intelligence was laid before Government and on the morning of 7 October, authority was given by the Government for the SADF to conduct a limited strike on the house, as I stated at a news conference on 8 October 1993.

The aim of the operation was three-fold:

- * To capture APLA weapons and all possible documentation.
- * To obtain information about APLA training, activities and operational planning.
- * If possible to capture and bring back to South Africa members of APLA.

The instructions to the SADF were, if possible, to avoid loss of life. Unfortunately the unit involved did not succeed in this regard because the individuals in the facility were armed and offered resistance according to report back by the SADF. General Liebenberg will issue a separate statement in this regard, since the events at the house are peculiarly within the knowledge of the SADF.

SUBSEQUENT ANALYSIS OF INFORMATION GATHERED FROM HOUSE

The photographs of the dead, taken by the troops, were handed over to the SA Police. According to a report by the SA Police three of the dead were initially identified as trained APLA terrorists, and later a further one. The fifth has not yet been identified.

A loose passport photograph found in the house was also identified by the second and third suspect referred to above as being a trained APLA terrorist linked to the Ficksburg attacks.

Documents seized at the house contained an APLA Code of Discipline; the "seven deadly sins of a political fighter" and "types of ambush".

As mentioned before, this information also confirms that the house was indeed an APLA facility and that four of the five persons killed, were APLA terrorists.

FURTHER BACKGROUND RE APLA ACTIVITIES AND FACILITIES IN TRANSKEI

APLA does not have established bases in the conventional sense, but makes use of temporary facilities, private homes or businesses to store weapons and to carry out training, planning and operational activities.

Much of this training can be described as "crash" training where APLA members receive rudimentary training individually or in small groups at various locations in Transkei.

This training includes basic weapons handling, the use of explosives and grenades, discipline and politics.

Some of the areas used by APLA are (Note : specific locations and addresses have not been included to protect sources):

Qumbe, Qutubeni, Cofimvaba, Centane, Butterworth, Cala, Engcobo, Lusikisiki, Umtata, Hohita, Ntsakana, Quhugu, The Haven (in the area of the nature reserve), Magubeni, Sterkspruit, Ndofela, Fort Hook, Kuba, Port St Johns, the area between Coffe Bay and the "Hole in the Wall".

All these areas have been and are still used by APLA at different times to carry out guerilla training, intelligence and explosives training.

There are also specific houses which are used as safe houses, transit houses, weapons caches and training facilities. The number of weapons stored in these facilities vary from very few to large quantities.

The occupants of the houses change regularly as to the number of people occupying them at any given time.

This is standard procedure with all terrorist organisations.

In conclusion,

- * faced with such intelligence as I have set out initially,
- * faced with the friendly ambience of the Transkei towards APLA,
- * the "Black Christmas" that was promised to South Africa last year by APLA and which in fact materialised,
- * faced by fresh promises on the part of APLA of violence against all and sundry, including the MK, and

* the threat that APLA is working on a series of drastic steps that would have serious consequences and shake South Africa as never before,

the Government was and will remain in duty bound to take pre-emptive measures to safeguard the property and lives of its citizens.

For this reason the solution is clear, namely for APLA and PASO, to abandon or at least suspend the armed struggle forthwith.

Finally I wish to state that the loss of lives is to be regretted. It must again be stressed that the action was not directed at the Government of Transkei or its people, but solely against APLA and its facilities.

FINDINGS OF THE GOLDSTONE COMMISSION ON THE ACTIVITIES OF APLA

In January 1993, the Goldstone Commission conducted an investigation into the activities of APLA.

On 15 March, the Commission found, inter alia, that:

- * APLA used Transkei as a springboard for attacks on South Africa. Arms and ammunition were stored in Transkei for use by APLA units.
- * APLA's operational activities were aimed at members of the SAP, the SADF and civilians in general.
- * APLA's members had received training in the Transkei.
- * Arms and explosives were being smuggled into South Africa and Transkei for use by APLA members.
- * APLA's internal High Command for South Africa was based in Transkei.

The Commission's findings were not reputed and Transkei's inaction created circumstances favouring continued APLA operations.

USE OF TRANSKEI AS HAVEN FOR FUGITIVE APLA MEMBERS

According to information provided by the SA Police, 11 APLA suspects (for whom 12 warrants of arrest have been issued) have fled to the Transkei after allegedly committing terror attacks in South Africa.

Extradition proceedings, by the Attorneys-General of the OFS and Eastern Cape, have already been instituted for two of these 11 suspects.

They are:

- * Letlapa Mphahlele (for whom two arrest warrants have been issued) and Welile Mafalika. Both are wanted for an attack on Lady Grey Police barracks on 3 January 1992. Mphalele is also wanted in connection with an armed attack on the Batho police station in Bloemfontein on 14 December 1992.

The others are:

- * Noppice Sefatse - also wanted for the armed attack on 3 January 1992 on SA Police barracks in Lady Grey.
- * David Sigcau - wanted for an armed attack on a passing vehicle on 18 March 1992 on the Zastron / Sterkspruit road. One person was killed.
- * Luyanda Gqomfa - wanted for an attack on a Lady Grey farm on 26 March 1992.
- * Donald Tsembeyi - wanted for the same incident.
- * Andile Matyhila - wanted for an attack on 18 November 1992 on Zastron / Sterkspruit road. One person was wounded.
- * Tembelani Zundu - wanted for the attack on the King Williams Town Golf Club on 28 November 1992, in which four people were killed and 17 injured.
- * Xolile Ngzabane - wanted for the attack on the Highgate Hotel in East London on 1 May 1993 in which one person was killed.
- * Dumizile Nontshokweni - also wanted in connection with the above incident.
- * Lungisa Ntintile - also wanted for above incident.

ndv/umlate

MIN H.J. COETSEE

OPSOMMING VAN REGERINGSTANDPUNT

ONMIDDELIK : 15 OKTOBER 1993

INLEIDING

Ek spreek u graag by hierdie geleentheid toe oor die kwessie van die SA Weermag se optrede in Umtata. Hierdie optrede van die Weermag moet gesien word teen die volgende agtergrond.

1. Die Transkei of sy inwoners is beslis nie die teiken van die optrede nie; dit was doelbewus gemik teen 'n fasiliteit van APLA, die militêre vleuel van die PAC, en wat vooraf behoorlik waargeneem en geverifieer is.
2. Hierdie "private leër" hou vol met die gewapende stryd teen die onskuldige burgers. Hoeveel menseleuens moet nog voor die gewere van APLA opgeoffer word voordat hierdie organisasie beseft dat die pad van Suid-Afrika NIE deur die geweerloop soos die AK-47 bepaal moet word nie, maar deur konstruktiewe deelname aan 'n onderhandelingsproses wat demokrasie na elkeen in die land wil uitbrei?
3. Teenoor hierdie ideaal hou hierdie organisasie steeds vol met sy "struggle". Verskeie onlangse uitsprake bevestig dit.
4. Hierdie organisasie is ook besig met die meedoen aan die vloed van wapens na die RSA wat op verskillende plekke opgegaan word.
5. Talle erkennings deur APLA, net maar in die afgelope maande bevestig dat hy met die "continuation of the struggle" nie ligtelik opgeneem kan word nie.
6. Teen hierdie agtergrond het die Suid-Afrikaanse Regering steeds 'n plig en verantwoordelikheid om op te tree om:
 - * Burgerlikes te beskerm.
 - * Voorkomende optredes te doen.
 - * 'n Boodskap aan geweldenaars te stuur hul optrede onnodig en onaanvaarbaar is.
7. Die Regering se standpunt is dat dit internasionaal onaanvaarbaar is dat enige staat sy grondgebied beskikbaar stel vir optredes teen die burgers van 'n ander staat vir geweldsdoeleindes in watter vorm ook al. Dit geld in die besonder vir die staat Transkei wat buitendien 'n nie-aanvalsverdrag met die RSA het.

8. Om hierdie rede is daar vir die Regering volle regverdiging om die veiligheidsmagte in diens te stel om op te tree teen diegene wat hierdie basiese beginsels verontagsaam.
9. Die veiligheidsmagte word en sal weer, waar nodig na behoorlike evaluasie en verkenning, met volle staatsmagtiging aangewend word in die belang van veiligheid, orde, stabiliteit en die beskerming van beskaafde waardes.

hdy/lnw

APLA confesses We train task forces



THE Azanian
People's Liber-
ation Army (AP-
LA) this week

be rising every day.
"We train them ex-
actly in the same way
that APLA soldiers

By: Mamkeli Ngam

APLA's trainee task force members
march during a training session
where in the bush. Now their ex-
istence and training are no longer secret.

Youth not militant enough – Sineke

PIN 21/8 02

Sapa

UMTATA. — The Pan Africanist Congress is not yet satisfied with the level of militancy of its youth and wants every Pan Africanist Students Organisation (Paso) member to know he is "Paso by day and Apla by night".

This was the message to pupils at the opening of Moshesh High School in the Matluli district at the weekend by Transkei regional PAC vice-chairman Gilbert Sineke.

Mr Sineke said if other organisations were "afraid to use slogans such as 'Kill the boer, kill the farmer', your duty is to adopt those slogans".

He said it was "in good

faith" that the PAC had been calling on foreign visitors to keep out of the country "until we have sorted out our problems".

However, to demonstrate its goodwill the PAC suggested visitors follow the example of United Nations and European Community observers by wearing tags or stickers identifying themselves and stating the purpose of their visit.

"It is the PAC which started serious armed struggle in the country and it is the PAC which will decide when the time is right to end serious armed struggle," Mr Sineke said.