

ANC did not kill Mxenge, judge told

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The African National Congress today denied at the Harms Commission that it had had anything to do with the murder of Durban attorney Griffiths Mxenge in 1981.

The ANC and a British lawyer also said they had no knowledge that Mr Mxenge had misappropriated funds sent to him for the legal costs of ANC members appearing in South African courts.

The denials were contained in affidavits handed in by Paul Pretorius, acting for the Independent Board of Inquiry into Informal Repression.

In another development today, the commission chairman, Mr Justice Harms, warned a former security police officer, Brigadier Johannes van der Hoven, that he would be subpoenaed a second time to give evidence about the Mxenge killing.

Letters

Brigadier van der Hoven yesterday said he could not remember when he had heard about the murder.

The judge produced letters and telexes today that appeared to show conclusively that the brigadier had known of the incident.

Alfred Nzo, the secretary-general of the ANC, said in his affidavit he was in control of financial records.

"I have been advised that certain allegations made in relation to the murder of Griffiths Mxenge have become relevant to the investigations of the Harms Commission.

"These are that the ANC might have authorised and carried out a plan to murder Mr Mxenge, that he misappropriated ANC funds, that an amount of R100 000 was involved, and that the alleged misappropriation served as the motive for the murder."

The Harms
Commission



Mr Nzo confirmed that Mr Mxenge had been involved in the defence of ANC members charged and tried in South African courts and also that he would have received funds from overseas organisations for defence costs.

"It is completely untrue that the ANC ... was aware of, or complained of, any misappropriation of the funds.

"It is also completely untrue that the ANC knew of, authorised or carried out a plan to murder Mr Mxenge or that the ANC had any reason or motive to do so."

Mr Justice Harms asked Brigadier van der Hoven when he had heard about the death of Mr Mxenge. The police officer said he could not recall whether it had been during the morning or afternoon of November 20.

The judge then read from a telex sent by the brigadier at 2.20 pm on that day to security police headquarters in Pretoria. It confirmed the body had been discovered at 6 am and the apparent motive was robbery.

Mr Justice Harms also referred to a letter from the Department of Justice dated June 3 1981 to the Commissioner of Police saying Mr Mxenge had apparently been receiving money from outside sources and requesting an investigation.

On June 15, the commissioner had written back saying there was no indication of any problems.

"I want to put it to you that Colonel E Coetzee, of your office, signed a report on November 7 1981 regarding Mr Mxenge's financial dealings."

(Proceeding.)