



Volume **SIX** • Section **THREE** • Chapter **ONE**

**The Intersection between the Work of the
Human Rights Violations Committee and
the Amnesty Committee**

**THE FORMER SOUTH
AFRICAN GOVERNMENT
& ITS SECURITY FORCES**

The Former South African Government and its Security Forces

PART ONE: OVERVIEW OF AMNESTY APPLICATIONS FROM MEMBERS OF THE SECURITY FORCES: 1960–1994

■ INTRODUCTION

1. The Truth and Reconciliation Commission (the Commission) found the state – and in particular its security agencies and affiliated policy and strategy formulation committees and councils – to be the primary perpetrators of gross violations of human rights committed during the thirty-four years it was mandated to investigate.¹
2. Some 50 per cent of all amnesty applications received from members of the security forces related to incidents that occurred between 1985 and 1989. No applications were received in respect of incidents that occurred in the first decade of the Commission’s mandate and few applications were received for the pre-1985 and post-1990 periods. Despite this, evidence received by the Commission shows that the security forces were responsible for the commission of gross human rights violations during both of these periods.
3. Most of the applications were received from members of the Security Branch, both from Security Branch headquarters and from the nineteen regional Security Branch divisions. These applications and the ensuing amnesty hearings provided new and compelling detail about how the Security Branch understood and participated in the political conflict.
4. On the other hand, despite the fact that the South African Defence Force (SADF) was responsible for numerous violations, especially outside of South Africa,

¹ For an overview of the role of the security forces in suppressing resistance and countering armed actions by the opponents of apartheid, refer to Volume Two, Chapter Two, p. 42; Chapter Three, p. 165; Chapter Seven, p. 577. Refer also to the Regional Profiles in Volume Three. For a summary of the findings made against the state, refer to Volume Five, Chapter Six, p. 212ff.

conducted at night and, in several instances, resulted in persons other than the target being killed. In at least two incidents, children were the victims.

57. In addition, applications were received for the killing of persons in two large-scale cross-border raids. Security Branch Headquarters, Western Transvaal and Soweto Security Branch operatives applied for amnesty for their role in identifying targets for the SADF Special Forces raid into Gaborone, Botswana on 14 June 1985, in which twelve people were killed.³⁰ Members of C1/Vlakplaas and Security Branch Headquarters applied for amnesty for the killing of nine people in a raid into Maseru, Lesotho on 19 December 1985.³¹
58. Applicants testified that when cross-border raids were being planned before the mid-1980s, *ad hoc* groups would be set up to identify and collect intelligence. Such groups would consist of representatives from the relevant Security Branch Headquarters desk, as well as Security Branch divisional offices with specific intelligence expertise, the NIS, SADF Military Intelligence and Special Forces. Thus, for example, the following structures engaged in target identification for the Gaborone raid: the Africa Desk at Security Branch Headquarters; the Western Transvaal, Soweto and Transvaal Security Branch offices; NIS; SADF Military Intelligence (in all probability the Home Front sections of the Directorate of Covert Collection (DCC) as well as of the Directorate (South Africa) and Special Forces.
59. Although the applicants professed that it was not policy to target civilians not associated with MK or living in the country where targets were based, they admitted that civilians were 'caught in the crossfire'. Moreover, despite applicants' claims that a number of targets were removed from the original Botswana raid list because of the presence of children and Batswana citizens, both children and non-South African civilians were killed in the raid.
60. A number of applicants from different regions testified that, in 1985/86, a more formalised structure known as TREWITS was established to conduct target identification³². Although based in Section C2 at Security Branch Headquarters, personnel from both SADF Military Intelligence and NIS was

30 AM4032/96;AM4122/96;AM4126/96;AM4149/96;AM4152/96;AM4389/96;AM4513/96;AM7040/97; AM4125/96 and AM4386/9.

31 AM0066/96;AM3764/96;AM3765/96;AM4385/96; AM4396/96 and AM4157/96.

32 See Volume Two, Chapter Three, pp. 275–98 for a discussion on the establishment of TREWITS and target development.

permanently seconded to TREWITS. Applicants also referred to regional TREWITS meetings made up of representatives from the different intelligence structures.

61. Three applications were received from former SADF personnel in connection with their work on target identification structures. One was received from Commandant Jan Anton Nieuwoudt, a member of the Home Front Section of Military Intelligence, responsible for target development.
62. The second application was received from Jacobus Adriaan Huisamen, who served as an SADF Military Intelligence representative on TREWITS in the early 1990s. His application was refused administratively at the outset of the process, as it failed to identify specific violations that had resulted from the targets he had developed. In his application and supporting documentation Huisamen made available to the Commission's investigative unit, he made it clear that he believed that target information provided by TREWITS was used operationally and led to the commission of gross violations of human rights that included killing.
63. In 1986, Captain Henri van der Westhuizen, a member of Military Intelligence involved in target identification, began working closely with the Security Branch in Ladybrand. He was later assigned responsibility for working on target intelligence on MK in Lesotho. At this stage he was based in the projects section of Military Intelligence whose primary focus was monitoring the activities of the ANC. He played a role in establishing a target development group that functioned first as part of Military Intelligence and later (from 1987) as part of Special Forces Headquarters. This group worked in close liaison with TREWITS.
64. Captain van der Westhuizen testified that intelligence was collected on ANC and SACP personnel and facilities in Lesotho. Once sufficient information had been collected, it was presented to the General Staff of the SADF for possible action. Evidence from Security Branch applicants in joint operations with Special Forces supports the view that, at least as far as external targets were concerned, authorisation took place at a high level in the SADF.
65. Applications were received for the targeted killings of fourteen of the fifty-two MK personnel³³ listed on the ANC submission as having died in Swaziland 'at enemy hands'. The majority of these applications were joint C1/Vlakplaas and Eastern Transvaal operations.

³³ In fact there are sixty-two names. However the list includes those killed in the two Piet Retief ambushes in 1988 as well as some duplication where persons have been listed under both MK and birth names.