

Special Investigation into the Secret Burial of Activists and Report on Exhumations

■ INTRODUCTION

- 1 The exhumation of the remains of Ms Phila Portia Ndwandwe took place in KwaZulu-Natal on 12 March 1997. Commissioner Richard Lyster noted that this was one of "the most poignant and saddest" of the exhumations. The remains were found buried in a remote part of the province. According to Lyster:

She was held in a small concrete chamber on the edge of the small forest in which she was buried. According to information from those that killed her, she was held naked and interrogated in this chamber, for some time before her death. When we exhumed her, she was on her back in a foetal position, because the grave had not been dug long enough, and had a single bullet wound to the top of her head, indicating that she had been kneeling or squatting when she was killed. Her pelvis was clothed in a plastic packet, fashioned into a pair of panties indicating an attempt to protect her modesty.

- 2 The Commission was requested by political parties and individuals to establish the whereabouts of those who had disappeared during the period of the Commission's mandate. The Investigation Unit of the Commission investigated many cases of reported disappearances. In the process, secret burial sites were exposed and perpetrators involved in the killings and secret burials identified. In most cases, it was found that the perpetrators had covered up the identity of the victims and their final burial places.
- 3 Most of the secret graves are located in the former Transvaal, KwaZulu/Natal and the Orange Free State, near the borders of Lesotho, Swaziland and Mozambique.
- 4 Fifty bodies were exhumed, but almost 200 cases have not been finalised. The lengthy procedures necessitated by each exhumation made it impossible for the Commission to complete this task.

■ METHODOLOGY

- 5 Cases of disappearances came to the attention of the Investigation Unit largely through statements made to the Commission by deponents who believed their relatives had disappeared as a consequence of their political activities. These statements were cross-referenced to applications for amnesty, yielding some positive results. The Investigation Unit also referred to a list supplied by the African National Congress (ANC) of members who had been kidnapped by South African security forces, or who had disappeared after infiltrating the country. Mortuary registers, cemetery registers and undertakers were consulted in the process of locating bodies.
- 6 An undertaker in Louis Trichardt, Transvaal told a Commission investigator that his father, who had owned the business before him, had been visited by the police in 1987/1988 and asked to come to a farm in the mountains where they "were going to shoot blacks". His father was to collect the bodies, accompanied by his son.
- 7 The undertaker pointed out approximately seventy graves in that area. Of the twenty bodies exhumed by the Commission, all were found to be ANC members from exile who were tortured before they were killed. Some of the bodies were headless; some without arms or legs; some had burn marks from a cutting torch.
- 8 It was found that members of the Nylstroom, Pietersburg, Messina, Louis Trichardt and Tzaneen security police in the Transvaal joined with local farmers to form a group that 'specialised' in capturing, torturing and then killing ANC members who infiltrated the country.

■ EXHUMATION PROCESS

- 9 Methods of exhumation differed from region to region. In KwaZulu-Natal, exhumations were performed in the presence of a pathologist. The graves were opened, the remains sealed and the body taken for autopsy. After this, the family was able to rebury the remains. The Investigation Unit in the regional office based in Johannesburg placed more emphasis on getting the bodies to the families as quickly as possible; autopsies were not performed as a matter of procedure.
- 10 The Commission made extensive use of the services of the South African Police Services' (SAPS) video unit, and particularly their canine (sniffer-dog) unit.

- 11 In KwaZulu-Natal, many of the exhumations were carried out at former Security Branch 'safe houses' – places where police held informers and where, in the late 1980s, they allegedly took activists who had been abducted in order to interrogate and then kill them. The sites where the bodies were believed to have been buried were cordoned off, and a team from a specialist undertaker's firm would test the soil for signs of recent disturbance and demarcate an area for excavation.
- 12 Police sniffer-dogs were used to seek out the presence of lime below the soil surface, as lime was almost invariably poured onto the bodies in order to hasten their decomposition. Once the correct spot had been located, a pathologist would supervise the removal of soil until the body was located. The pathologist would enter the grave and remove the body – bone by bone, in the many cases where the flesh had completely disintegrated – in order to preserve the forensic integrity of the site.

■ DISAPPEARANCE OF MK OPERATIVES

- 13 Investigations into the disappearances and killings of Umkhonto weSizwe (MK) cadres showed that incidents in which they lost their lives occurred mainly near the borders of South Africa with Lesotho, Swaziland, Zimbabwe and Botswana. MK operatives who were intercepted while travelling in and out of the country were often killed in shoot-outs with the police or the army. In other cases, operatives were abducted and attempts were made to turn them into *askaris*. When they did not co-operate with the police, they were brutally killed and often buried in secret locations or in unnamed graves in cemeteries.

■ EXHUMATIONS (IN ORDER OF DATE OF EXHUMATION)

Phila Portia Ndwandwe¹ (aka MK Zandile)

Age unknown; ANC/MK.

Killed in 1988; exhumed 12 March 1997 at Elandskop farm, KwaZulu-Natal. Ms Phila Portia Ndwandwe was allegedly the acting commander of Natal MK activities from Swaziland and was responsible for the infiltration of ANC cadres into Natal. Durban Security Branch members abducted her from Swaziland. She was not prepared to co-operate with the police. They state that they did not have admissible evidence to prosecute her and that they could not release her, so they killed her and buried her on the Elandskop farm.

¹ KZN/NNN/018/DN; AM4513/97, AM5169/97, AM4077/96, AM4117/96, AM4130/96, AM4390/96, AM4508/96.

Phumezo Nxiweni²

Age unknown; ANC/MK.

Killed 4 November 1988; exhumed 14 March 1997 at Verulam farm and reburied in the Eastern Cape.

Mr Phumezo Nxiweni was allegedly the commander of an underground MK unit in Durban, which the Security Branch believed was responsible for several bombings. Durban Security Branch members arrested him on 4 November 1988. He refused to work as an informant. They therefore decided to kill him. He was buried on a Security Branch farm near Verulam.

Lesaja Sexwale³ (aka Reggie Gladman)

Age 31; ANC/MK.

Sureboy A Dali (aka Titus Ntombela and Charlie Bronson)

Age unknown; ANC/MK.

Thabo Rakubu (aka Shakes Mde Lungile)

Age unknown; ANC/MK.

Mthimkhulu Mavuso (aka Patrick Xesi and Zola Mqadi)

Age unknown; ANC/MK.

All four were killed on 13 August 1981 and exhumed on 9 April 1997 at Lushof farm, Rouxville, near Aliwal North.

Mr Lesaja Sexwale, Mr Sureboy A Dali, Mr Thabo Rakubu and Mr Mthimkhulu Mavuso were members of a unit of MK operatives deployed in the former Transkei. On 7 August 1981, they were caught in a police roadblock near Elliot. There was a shoot-out in which Rakubu and Mavuso died. Sexwale and Dali escaped but were cornered on 13 August 1981 at Barkly Pass. They were overpowered and died fighting. The four bodies were buried secretly on the farm Lushof in the magisterial district of Rouxville (near Aliwal North).

² EC0246/96WTK; AM4077/96, AM41117/96, AM4130/96, AM4388/96, AM4508/96.

³ JB02462/01GTSOW.

Ntombi Kubheka⁴

Age 41; ANC/MK.

Ms Ntombi Khubeka was killed in May 1987. A body which is believed to be hers was exhumed from a pauper's grave at Groutville on 5 May 1997.

Khubeka was allegedly an MK member who co-ordinated the external and internal combat units. Durban Security Branch members arrested her in May 1987. She allegedly died of a heart attack during interrogation. The possibility that she was tortured cannot be ruled out. Her body was disposed of in Inanda/ Newtown to conceal the cause of death and the identity of the perpetrators.

Victor M Mgadi (aka Daniel Neto), buried as Sipho Gazi

Age 27; ANC/MK.

Killed 22 November 1982; exhumed 6 May 1997 at Piet Retief.

According to Mr Lungile Wiseman Magxwalisa (aka Thomas Zondo, Nthebe), the sole survivor of the incident, he and Mr Victor M Mgadi, Mr Titus Dladla, and Mr Thuliso A Matima, all MK operatives, crossed the Swaziland border at Mahamba on 22 November 1982 and took a taxi from Piet Retief to Pongola. The taxi driver reported them to the police, who stopped them at a roadblock. Matima refused to give himself up to the police and therefore shot himself. Mgadi and Dladla ran away and were subsequently shot by police from a helicopter. When the family of Mgadi approached the Commission, the KwaZulu-Natal and Gauteng investigation units together exhumed the remains of Mgadi, buried under the name of Victor Mokagetla (grave 802), from Thandokukhanya cemetery, Piet Retief.

Bheki Mkwanzazi⁵ (aka MK Tekere)

Age unknown; ANC/MK.

Killed 1989; exhumed 6 August 1997 at Elandskop farm.

Mr Bheki Mkwanzazi was allegedly an ANC operative who was caught by the Durban Security Branch while on a mission to place bombs in the Durban area at the end of 1988 and beginning of 1989. He was not prepared to cooperate with the police and there was no admissible evidence that could be used against him in court. The Durban and Pietermaritzburg Security Branch members therefore killed him and buried him on the Elandskop farm.

4 JB03477/02PS; AM4077/96, AM4508/96, AM51069/96, AM4130/96, AM4388/96.

5 KZN/FS/121/DN.

Blessing Ninela⁶

Age unknown; ANC/MK.

Killed 13 July 1988; exhumed 6 August 1997 at Bulwer.

Mr Blessing Ninela was allegedly an MK operative who was arrested on 13 July 1988 while on a mission to Natal to place bombs. The Durban Security Branch did not have admissible evidence to use against him in court. They decide to kill him, and drove him to a railway line just outside Bulwer. They shot him and then blew up his body to make it appear as if he had blown himself up in the process of placing explosives. He was buried in a pauper's grave in Bulwer.

Zola Tati

Age unknown; MK.

Charles Tsatsi

Age unknown; MK.

Both killed 10 November 1986; exhumed 11 November 1997 at Sekoto cemetery, Louis Trichardt.

Mr Zola Tati and Mr Charles Tsatsi, with Mr Milo Malatsi, formed part of an MK group which was ambushed near Soutpansberg while infiltrating from Botswana.

Titus Dladla (aka Zakes Bhanaza), buried as Michael Sekupe

Age 28; ANC/MK.

Thuluso A Matima⁷ (aka Derrick Lekota), buried as Abione Thela

Age 32; ANC/MK.

Both were killed on 22 November 1982, exhumed 27 November 1997 at Piet Retief. See the account above under Victor M Mgadi. The Johannesburg office Investigation Unit exhumed the remains of these two cadres from Thandokukhanya cemetery (Piet Retief).

Mzwandile Radebe⁸

Age 27; ANC/MK.

*Killed 14 August 1986; exhumed 27 November 1997 at Piet Retief.
Mr Mzwandile Radebe was a member of MK who came into the country from Swaziland and was killed by the security forces.*

6 AM4077/96, AM4130/96, AM4508/96.

7 JB05078/03NW.

8 JB05785/01GTSOW.

Ruben M Letsila (aka Bernard Zonke)

Age unknown; MK.

Killed 1986; exhumed 9 December 1997 at Sekoto cemetery, Louis Trichardt.

Mr Ruben M Letsila was travelling in a minibus from Zimbabwe when the vehicle was stopped at a roadblock. He was shot and killed by security forces near the Motale River in Venda.

Richard B Molokwane⁹ (aka Mmutle Ramanase)

Age 26; ANC/MK.

Vincent Sekete (aka Sydney Sebephu)

Age 32; ANC/MK.

Killed 28 November 1985; exhumed 10–12 December 1997 at Piet Retief.

Mr Richard Molokwane, Mr Victor Lunga Khayiyane and Mr Vincent Sekete died in a shoot-out with the police, following an attack at the SASOL complex on 28 November 1985.

Emmanuel Mthokizisi Mbova Mzimela (aka Dion Cele)

Age unknown; ANC/MK.

Killed 1988; exhumed 10 March 1997 at Elandskop farm.

Mr Emmanuel Mthokizisi Mbova Mzimela was an MK member based in Swaziland. The Security Branch in Durban and Pietermaritzburg obtained information that Mzimela would be prepared to co-operate with the police. He was abducted from Swaziland in July 1988. He indicated that he was not prepared to co-operate with the police. They decided that they could not release him as he might continue with his activities (including the smuggling of arms into South Africa and the recruitment of people for internal and external training in the ANC). They therefore killed him and buried him on a farm in the Elandskop area.

Brian Ngqulunga¹⁰

Age 42; South African Police/askari.

Killed 21 July 1990. Exhumed 16 March 1998 at Vlakplaas.

⁹ JB00281/01GTSOW.

¹⁰ JB01965/02PS; AM0066/96, AM2775/96, AM3764/96, 5283/97, AM5458/97.

Mr Brian Ngqulunga was a member of a team from Vlakplaas, led by Captain Dirk Coetzee, which murdered Griffiths Mxenge, prominent Durban human rights lawyer. Ngqulunga was later tortured and killed by his own handlers at Vlakplaas in 1990 under orders from Colonel Eugene de Kock, when they felt that he was becoming a security risk to them. Colonel De Kock applied for amnesty for the killing. Ngqulunga's family approached the Commission and requested that his body be exhumed from the farm, to be buried at the place of their choice.

Paulos Madiba

Watson M Majova

Age 27; ANC/MK.

Aaron Makwe

Age unknown; ANC/MK.

Nine unknown persons

Mr Majova and Mr Makwe were killed on 28 November 1985; exhumed 17 March 1998 at Boshhoek.

On 17 March 1998, the Commission prepared to exhume the bodies of Mr Aaron Makwe, Mr Watson Majova and Mr Paulos Madiba on a farm near Boshhoek, outside Rustenburg. An employee of the undertakers responsible for burying them pointed out three graves to investigators. When the three graves were opened, it was found that there were twelve bodies, four in each grave. The person responsible for burying the original three bodies could not explain this. The twelve bodies that were exhumed are believed to include those of the three men mentioned above. The identity of the remaining nine bodies could not be established.

Majova's remains have now been reburied by his family in Potchefstroom.

Patrick Motswaletswale (aka Barry C Maputo)

Age unknown; ANC/MK.

Magic Madi

Age unknown; ANC/MK.

Both killed 12 June 1983; exhumed 18 March 1998 at Sekoto cemetery, Louis Trichardt.

Mr Patrick Motswaletswale, Mr A Mlaudzi, and Mr Magic Madi were kidnapped at Beit Bridge after a postmaster who was a police informer intercepted a letter with details of their travel. They were taken to Pafuri, Venda, where they were put into small hut by the police and shot at.

The remains of A Mlaudzi were not exhumed, because the family had already given him a proper funeral.

Ndlela Sibiyi (aka Baba)

Age 37; MK.

Matthews T Nkosi (aka Mthakathi T Nkululeko)

Age 36; MK.

Killed 7 July 1986; exhumed 18 March 1998 at Thoyandowu cemetery. Mr Ndlela Sibiyi and Mr Matthews T Nkosi, MK operatives, were travelling from Botswana on bicycles. They told a local person about their intended mission to blow up Malelane power station. This person then reported this to the police. The party was ambushed on the way to the power station, and a Mr Shabangu, a local ANC chairperson, was killed along with the two cadres. The two cadres were buried illegally.

Selby Mavuso¹¹ (aka Larry Makhaya)

Age unknown; MK.

Killed 8 April 1987; exhumed 18 March 1998 at Thabazimbi cemetery. Mr Selby Mavuso and two other MK members were on their way from Botswana to Derdepoort when somebody reported them to the South African Defence Force (SADF). The army went out to look for them, and a shoot-out followed in which Mavuso died. In a statement from the army, it was said that Mavuso tried to blow them up. There is no information available to corroborate this. Mavuso's body was buried by the authorities. The bodies of the two other MK members involved, Mr Matima and Mr Matulo, were buried by their parents.

¹¹ JB05907/01GTSOW.

Robert Mokoena (aka George Sello)

Age 31; ANC/MK.

Killed 10 May 1981; exhumed 20 March 1998 at Pienaar cemetery, Nelspruit.

The police, the army and the Security Branch were called in when Mr Robert Mokoena went to Bushbuckridge railway station to blow up the railway line. According to a police statement, the police found Mokoena and gave him a lift. Inside the police minibus, Mokoena took a hand grenade out of his bag and detonated it, killing himself and a police officer. However, Mokoena was also found to have been shot in the head.

Sipho Kolisi¹²

Age 27; ANC/MK.

Killed 1985; exhumed 25 March 1998 at Sekoto cemetery, Louis Trichardt. Mr Sipho Kolisi, an MK member, was killed during a shoot-out with police.

Milo Malatsi

Age 34; MK.

Killed 10 November 1986; exhumed 25 March 1988 at Sekoto cemetery, Louis Trichardt.

Mr Milo Malatsi, along with Mr Zola Tati and Mr Charles Tsatsi, formed part of an MK group that was ambushed near Soutpansberg while infiltrating from Botswana.

Abbram More (aka Happy Batho)

Age 27; MK.

Oupa Lukhele

Age 28; MK.

Alfred Nkosi

Age 30; MK.

Mlungisi Velaphi

Age 34; MK.

¹² EC0749/96ALB.

Daniel Nkabinde

Age 32; MK.

All killed on 28 March 1988; exhumed on 25 March 1998 at Sekoto cemetery, Louis Trichardt.

In March 1988, a group of MK operatives returning from Botswana infiltrated South Africa via the Motale River at the border of Botswana and Zimbabwe and stayed over at Soutpansberg. They were Mr Abram More, Mr Oupa Lukhele, Mr Alfred Nkosi, Mr Mlungisi Velaphi and Mr Daniel Nkabinde, accompanied by an askari who alerted the Security Branch to their presence. The group was rounded up, shot at, tortured and attacked with hand grenades. Some were decapitated and had their hands and penises severed. Investigators believed that the men were tortured in front of each other and died painfully and slowly.

Oupa Funani¹³

Age unknown; ANC/MK.

Killed 21 July 1988; exhumed 5 May 1998 at Piet Retief.

Mr Oupa Funani was killed by soldiers at Mahamba gate near Piet Retief. He and Mr Velile Zwane were returning from Swaziland where they had gone to fetch hand grenades for a mission. When the police searched them at the border gate, Funani dropped a hand grenade. He was then shot and killed by soldiers. His colleague was arrested by the police and sentenced to ten years on Robben Island. Funani was buried as an unidentified person at Piet Retief.

Bafana Mahlombe (aka Jazz Walker)

Age unknown; ANC/MK.

Bhekuyise Sithebe¹⁴ (MK Vusumusi Mbongwe)

Age unknown; ANC/MK.

James Masango (aka MK Hawka)

Age unknown; ANC/MK.

All killed 11 February 1983; exhumed 7 May 1998 at Dumbe cemetery, Paulpietersburg.

13 JB00777/01GTSOW.

14 KZN/SELF172/DN.

Mr Bafana Mahlombe, Mr Bhekuyise Sithebe, and Mr James Masango are alleged to have been shot in mountainous terrain with the assistance of army helicopters.

Bheki Sam Mchunu (aka MK Jay Jele Gxige)

Age unknown; ANC/MK.

Henry Mavella Manyoni Nkosi

Age unknown; ANC/MK.

Both killed 8 June 1982; exhumed 7 May 1998 at Dumbé cemetery, Paulpietersburg.

Mr Bheki Sam Mchunu and Mr Henry Mavella Manyoni Nkosi were allegedly killed in Bethanie by a businessperson and former police officer. It is alleged that they were shot while running away after the driver of the taxi they were travelling in had alerted this businessperson to their presence. Mchunu's sister was summoned to the police station and positively identified his body. He had a gunshot wound to the back of his head. She was told to buy a coffin and come back to fetch the body. When the family returned with the coffin, they were told they could not bury him. After this, the police continued to come to the house asking for Mr Mchunu as if he were still alive. Mchunu's remains have been re-buried in Vryheid by his family.

Mxolisi Penwell "Mubi" Khumalo

Age unknown; ANC/MK.

Killed 30 July 1988; exhumed 8 June 1998 at Pietermaritzburg.

Mr Mxolisi Penwell "Mubi" Khumalo was killed by the Security Branch at Sobantu, Pietermaritzburg, who had received information about his presence in the area. Police claimed that Khumalo had a hand grenade in his pocket and was trying to detonate it when they shot him.

Linda Fikekahle "Post" Kuzwayo

Age unknown; ANC/MK.

Killed 24 December 1984; exhumed 8 June 1998 at Ncotshane cemetery (block 2, grave 047).

Mr Linda Fikekahle "Post" Kuzwayo, an MK cadre, was killed during a shoot-out with police.