

KOMMISSIE VAN ONDERSOEK INSAKE
DIE VOORKOMING VAN OPENBARE
GEWELD EN INTIMIDASIE

COMMISSION OF INQUIRY REGARD-
ING THE PREVENTION OF PUBLIC
VIOLENCE AND INTIMIDATION

REPUBLIC VAN SUID-AFRIKA/REPUBLIC OF SOUTH AFRICA

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1992-04-15

Mr P Gordhan
Codesa Working Group 1
World Trade Centre
P O Box 507
ISANDO
1600

Dear Mr Gordhan

Attached hereto copies of press releases and the Commission's report on the violence that occurred at the Pres Steyn Gold Mine in Welkom during November 1991.

Yours sincerely



J F VAN EEDEN
SECRETARY OF THE COMMISSION

RIG BRIEWE AAN DIE SEKRETARIS/ADDRESS LETTERS TO THE SECRETARY

1. On Thursday afternoon 27 February 1992, an attorney acting for the African National Congress informed the Commission that an informant had identified a farm in the district of Heidelberg, Transvaal, where he and other men were trained as members of a hit squad. He alleged that he and others were involved, inter alia, in the murder of train commuters on the Witwatersrand. He furnished the ANC with considerable detail including the precise address of the farm, the name of the owner, the names of white and black instructors, the number of vehicles employed on the farm, the nature of the sleeping accommodation for 30 of the trainees and other information. The attorney for the ANC informed the Commission that neither he nor the ANC had

February 1992. He was given no information at all concerning the location of the farm or of the alleged nature of the activities conducted there.

4. At 04h00 on Saturday 29 February 1992 Adv du Toit briefed a large unit of the South African Police on the precise nature of the operation. They moved to the farm with the support of a some 52 policemen and nine Police helicopters. They had the support of a medical doctor and para-medics and a para-medic helicopter. General De Swart was in overall control of the operation. Adv Du Toit was accompanied by two attorneys acting for the ANC and two officials of the ANC.
5. The information given to the ANC was false. The informant was brought to the area of the farm and led Adv. du Toit and the Police to two other farms. Again his allegations were proved to

have no factual basis. After some nine hours the operation ended.

6. The Commission would like to express its sincere appreciation to the South African Police for the prompt, professional and complete cooperation which it rendered to the Commission.

7. The Commission would like to make the following comments concerning the foregoing:

- (a) It accepts the bona fides of the ANC and its attorneys in providing the information to the Commission;
- (b) It is hoped that the prompt action by the Commission and the support given to it by the South African Police will publicly demonstrate the Commission's resolve and ability to use its powers in order to inquire into current public violence and intimidation and that people with accurate information in that regard will come forward and furnish it to the Commission.
- (c) These events again demonstrate the danger of relying upon unchecked reports concerning

public violence and intimidation and it is hoped that the public and the media will take due notice of this danger.

8. In conclusion the Commission would like to commend Adv du Toit and Lieut-Col Heslinga for their efficiency and for having not hesitated to lead the operation. It would like to apologise to the owner of the farm involved and to thank him for his understanding and the hospitality he gave to members of the South African Police.

L180492

PRESS RELEASE BY THE COMMISSION OF INQUIRY REGARDING THE PREVENTION
OF PUBLIC VIOLENCE AND INTIMIDATION

1. The Commission has received requests that it inquire into the recent events of violence which took place in Phola Park, Thokoza and in particular the events of 8 April 1992 when a unit of 32 Battalion of the South African Defence Force entered Phola Park. The requests have been received from the Minister of Defence, Mr R F Meyer and a combined request from the Archbishop of Cape Town, Desmond Tutu and the Bishop of South Eastern Transvaal, David Beetge.

2. The Commission has decided that on Wednesday, 22 April 1992 at 11am at Sinodale Centre, Visagie Street, Pretoria, it will sit in public to ascertain from witnesses to be called by it of the issues and disputes concerning the events on 8 April 1992. Thereafter the Commission will frame further terms of reference with regard to this matter. The Thokoza Committee chaired by Adv S Sithole will be requested to inquire into the events in question as a matter of urgency and to submit an interim report thereon to the Commission.

PRETORIA

13 APRIL 1992

bs300492

GOLDSTONE COMMISSION OF INQUIRY : CHANGE OF VENUE

PRESS/RADIO STATEMENT

The inquiry into the "taxi-war" by the Committee established by the Commission of Inquiry regarding the Prevention of Public Violence and Intimidation has had sessions on the 6th floor of the Synod Building, Cape Town.

The Committee is resuming its hearings on 21 April 1992 and will be sitting until 30 April 1992. The new venue will now be at the following address:

The Gallery
2nd Floor
Concourse
Civic Centre
CAPE TOWN

CHAIRMAN

CAPE TOWN
13 APRIL 1992

L190492

PRESS RELEASE BY MR JUSTICE R J GOLDSTONE, CHAIRMAN OF THE COMMISSION OF INQUIRY REGARDING THE PREVENTION OF PUBLIC VIOLENCE AND INTIMIDATION

1. Some weeks ago the Commission announced that one Committee of the Commission would inquire into the violence relating to taxis and trains. The Committee began to hear evidence in Cape Town earlier this month with regard to taxi violence in the Cape Town area. That enquiry was postponed to 21 April 1992.
2. It became apparent that the volume of evidence concerning the taxi violence in Cape Town alone would take up some weeks of the time of the Committee. In addition taxi violence in other areas of South Africa is also relevant to the work of the Commission.
3. The train violence continues and the Commission regards this issue as too urgent not to receive immediate attention.
4. In these circumstances, with the concurrence of the Minister of Justice, the Commission has now established two separate Committees.
5. The first of these Committees will continue to investigate taxi-related violence. Its chairman is Adv D J Rossouw, the Vice-Chairman of the Commission. He will sit with Mr L van Zyl, a Cape Town attorney. As already announced evidence on that issue will

continue at a public hearing in Cape Town on Tuesday 21 April 1992, at The Gallery, 2nd Floor, Concourse, Civic Centre, Cape Town.

6. The second committee will inquire into train violence. The chairman is Mr G Steyn, a member of the Commission. He will sit with Adv B Ngoepe of the Pretoria Bar and Mr S Moshidi, a Johannesburg attorney. The public hearings of this Committee will begin on 4 May 1992 at Synodal Centre, Visagie Street, Pretoria. The chairman of this Committee will meet with the legal representatives of all interested parties at the above-mentioned venue on Thursday 16 April 1992 at 10am. Any interested party not already represented is welcome to arrange for representation or to appear personally at that preliminary meeting when the general nature of the enquiry and the procedure will be discussed informally and privately.

14-4-92

KE070392

THE STATE PRESIDENT

I HAVE THE HONOUR TO PRESENT A REPORT ON THE INQUIRY CONDUCTED BY
THE COMMITTEE OF INQUIRY INTO THE VIOLENCE AT THE PRESIDENT STEYN
GOLD MINE IN WELKOM DURING NOVEMBER 1991.

R J GOLDSTONE
CHAIRMAN OF THE COMMISSION

CAPE TOWN
28 FEBRUARY 1992

1. The report of the Committee, its findings and recommendations are fully supported and adopted by the Commission. For convenience I set out hereunder the recommendations. Although they relate specifically to the situation at one mine, they are of much wider significance and we express the hope that they will be taken note of by the management of all mines and by the relevant trade union.

- (a) That NUM and management negotiate in an effort to reach agreement as to the legitimacy of democratic political activity in the hostel. Such agreement ought to have regard both to the reasonable needs of the worker and to the reasonable needs of management, bearing in mind the prerogatives and responsibilities of management.
- (b) That the control of meetings be a matter for negotiation between management and NUM, with accountability and responsibility lines clearly laid down.
- (c) That in respect of disciplinary hearings suitably qualified and trained persons conduct them and that management review existing training to ensure that an appropriate quality and standard of decisions and disciplinary hearings be achieved.
- (d) That consideration be given by the mining industry to the appointment of a suitable ombudsman acceptable to management and NUM to deal promptly with complaints and facilitate agreements between NUM and management or issues between them.
- (e) That the present negotiations between NUM and management to alleviate pressures and tensions in the hostel be finalised as a matter of urgency.
- (f) That the present negotiations between NUM and management for an agreed code of conduct relating to stay-aways be completed as a matter of urgency.

2. The Commission would like to express its sincere appreciation to all three members of the Committee who worked very long hours in order to complete the enquiry as quickly as possible. In particular mention should be made of the considerable sacrifices made by adv. D A Bregman, SC, and Mr R M M Zondo, both busy practitioners, who so unstintingly gave up much valuable time to the Committee.