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**Report of the Human Rights  
Violations Committee**

**ABDUCTIONS,  
DISAPPEARANCES AND  
MISSING PERSONS**

# Abductions, Disappearances and Missing Persons

## ■ INTRODUCTION

1. On 14 October 1986, activist Moss Morudu [JB00520/02PS] went missing from his home in Mamelodi in Pretoria. Shortly thereafter, his family received a telephone call from an unknown person who said that Mr Morudu was where 'he had always wanted to go'. They deduced from the call that Moss had gone into exile, as he had previously discussed leaving South Africa because of ongoing Security Branch harassment. However, Moss Morudu did not return home with other returning exiles after 1990.
2. A few years later, the Morudu family received a visit from members of the Attorney-General's office, who indicated that they believed that Moss might have been the victim of a Northern Transvaal Security Branch hit squad. In 1996, the family became aware of rumours that the Truth and Reconciliation Commission (the Commission) was in possession of an amnesty application relating to Moss Morudu. Moss's mother, Mrs Morudu, began attending every public hearing of the Commission in the Gauteng area in the hope that she would learn of the fate of her son.
3. This is usually the first phase of a disappearance. The family is ignorant about what has happened and is unclear about what the future will bring. Thus begins the long journey of not knowing whether a loved one is imprisoned or dead.
4. Moss's family was informed about the amnesty application. Finally, in October 1999, the amnesty hearing of three Northern Transvaal Security Branch operatives began in Pretoria. The Morudu family heard that the head of the Northern Transvaal's Investigative Unit, Captain Hendrik Prinsloo, had instructed two black Security Branch operatives to abduct Moss Morudu. The two had gone to the home of the Mamelodi activist and, purporting to be MK operatives, had persuaded him to accompany them. They then handed him over to their white colleagues at a pre-arranged spot.

5. According to their version, Moss Morudu was not formally detained, but was taken to a temporary interrogation camp near Hammanskraal where he was held and interrogated for approximately one week. The applicants testified that they did not know when he was removed, or where to. They became aware much later that he was no longer there and assumed that he had been killed, as had other abductees. Neither their commander, Captain Prinsloo, nor other implicated white colleagues applied for amnesty, and all denied the version put forward by the black applicants.
6. Thus, although the amnesty hearing provided the family with new information, the Amnesty Committee was, in the end, unable to establish the exact fate of Moss Morudu. And so the quest of the Morudu family continues.
7. Many other families share the experience of the Morudu family. For them too, continued uncertainty about the fate of loved ones has had devastating consequences. These families remain trapped in the past, unable to move on. Unlike a death, which, however painful, leads eventually to some kind of acceptance, families of the disappeared remain constantly caught between near certainty that the missing person has not survived and hope that he or she will return. In several cases the missing person was the breadwinner, making the burden on the family both financial and emotional.
8. A tiny percentage of families have approached the courts to have the missing person declared dead. This has allowed them to claim unpaid wages or, in some instances, the proceeds of policies held in the missing person's name. In most instances, little or no money is coming in. Expenses increase as families search to find out what happened.
9. The uncertainty of the search and the faint hope that the disappeared will return makes it incredibly difficult for those left behind to cope. The family's life has changed on several fronts, including the political, social and economic. In addition, many face the psychological consequences of dealing with a disappearance without access to psycho-social support or counselling services.
10. During the conflict period, many families bore the pain of the disappearance alone, tormented by uncertainty, fearful of what would happen to them. They feared the consequences of drawing attention to the missing person or to the family. For example, where missing persons had links to anti-government organisations or were students during periods of unrest, families were too afraid to report the

disappearance to the police in case they compromised the missing person's safety. In any case, as a number of statements confirm, those who did report disappearances were often met with hostility. Threats, jeers (such as 'Go ask Mandela where your son is') and sometimes assaults were often the only responses they received from the authorities. Similarly, in areas such as Natal and certain parts of the Transvaal, enquiries could place the entire family in jeopardy from a rival political movement. In such cases, the only option was to search alone: discreetly asking friends, scouring hospitals and mortuaries, desperately trying to find some trace of the missing person.

## DEFINITION OF A DISAPPEARANCE

11. In order to deal with this category of violation, the Commission had to define it. While its founding Act, the Promotion of National Unity and Reconciliation Act No. 34 of 1995 (the Act) used the term 'abduction', this was intended to cover enforced disappearances at the hands of the state, persons who had gone missing in exile or combat, and other missing persons.
12. The Commission had recourse to a number of working definitions developed by human rights groups working in the field. One such was the definition used by Amnesty International, which defined 'disappeared persons' as those 'who have been taken into custody by agents of the State, yet whose whereabouts and fate are concealed, and whose custody is denied'<sup>1</sup>. Amnesty International places the term 'disappeared person' between inverted commas in order to indicate that the persons in question have not really disappeared, but that there are those who know their whereabouts and deliberately remain silent.
13. The UN Working Group on Enforced or Involuntary Disappearances has, in its recent work, begun to define 'a disappearance' as 'a person arrested, detained, abducted or otherwise deprived of his/her liberty by officials of different branches or levels of government, or by organised groups or private individuals acting on their behalf, or with the support, direct or indirect, consent or acquiescence of the government, followed by a refusal to disclose the fact or whereabouts of the person concerned or a refusal to acknowledge the deprivation of his/her liberty, thereby placing such persons outside the protection of the law'.<sup>2</sup>

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<sup>1</sup> Bronkhorst, Daan, *Truth and Reconciliation: Obstacles and Opportunities for Human Rights*. Amsterdam:Amnesty International – Dutch Section, 1995.

<sup>2</sup> Draft International Convention on the Protection of all Persons from Forced Disappearance.

14. The Commission finally defined the category 'Abductions' as 'including those persons who were forcibly detained or arrested and last seen in the custody of the security forces or agents of the state, as well as those forcibly and unlawfully abducted by other known or unknown armed groups or parties'.

## **HOW DISAPPEARANCES RELATE TO OTHER HUMAN RIGHTS VIOLATIONS**

15. Disappearances are inextricably bound up with other human rights violations. Often a disappearance is an unacknowledged form of imprisonment for political reasons. In many instances, a disappearance took place during the first days of custody and, more often than not, resulted in a political killing.
16. In some instances, the body was found. In the vast majority of cases that came to the Commission, however, this was not the case. This has condemned many families to a permanent state of limbo: never knowing, never being able to put it to rest.
17. It is acknowledged that the optimum time to solve a disappearance is in the first few days after it takes place. It is thus important to take action during this early period.

## **CHARACTERISTICS OF DISAPPEARANCES**

18. Generally a disappearance is not referred to as such if the fate or whereabouts of the disappeared are known, if a body is found, or if it becomes known that the victim is dead. The Commission has, for the most part, followed this policy in its classification of cases.
19. Generally, two types of disappearances may be distinguished. The first is a 'temporary disappearance' – an unacknowledged, long-term incommunicado type of imprisonment. The second type of disappearance – and the one that the Commission dealt with in most instances – is where the disappeared person has been killed or has died in unknown circumstances without being traced.
20. In most disappearance cases, the perpetrators remain unknown. The disappearance is carried out secretly and usually illegally. The perpetrators do all they can to avoid being found out, identified or held responsible. The rationale for their conduct is that, as long as the disappeared or the body is not found,

there can be no violation and therefore no perpetrator. This is characteristic of the disappearances carried out by state agents in the South African situation.

21. Another important characteristic of disappearances is that, once a state has chosen to embark on this road to criminality, policy decisions in this respect tend to be taken centrally – although the process of execution is usually decentralised. Disappearances are usually planned by small secret groups within the armed forces, where orders for implementation are delegated through various channels that are often difficult to trace. Depending on the nature of the particular situation, disappearances are usually carried out by military groups, paramilitary groups, the police or death squads operating within either police or military structures. Governments usually permit these groups a great deal of latitude to carry out these deeds, and usually disavow all knowledge of the disappearances.
22. Secrecy is another important facet of disappearances. In the South African situation, a number of units within the police and military became secretly involved in disappearances and killings. These units enjoyed a large degree of autonomy and had access to the funds necessary to take people into custody, make them disappear and kill them. The existence of these units and the secrecy with which they operated made it possible for the former state to deny any involvement in such activities. In addition, once their activities became known, the political authorities of the former state continued to insist that they had no knowledge of the actions of these structures, and that the latter had been acting without authorisation.
23. However, the high rank of the state personnel involved, their easy access to funds and resources, and evidence emerging from amnesty applications by former security force personnel negate this argument. One cannot but draw the conclusion that the former state was centrally involved, not only in sanctioning this tactic, but also in planning and providing funds and resources.
24. When governments are addressed on this issue – either by the international community or by human rights groups – they often reply that the person has fled the country and gone into exile. In a number of cases in South Africa, the former state sought to blame the liberation movements for a disappearance. When laying complaints or seeking answers from the police, families were frequently advised that the disappeared had probably gone into exile. The state encouraged families to believe this and, in some instances, staged elaborate hoaxes to hide the fact that it was responsible for the disappearance. The cases of Mr Stanza Bopape, Ms Portia Ndwande and Mr Moss Morudu are just a few examples.

25. Where the state did acknowledge the disappearance, it often lied about the circumstances in which it took place, alleging that the disappeared had 'committed suicide', had 'been turned' and become an 'informer' or had been shot while 'attempting to escape' the authorities. This became a common response of the former state as it became increasingly more adept and sophisticated at concealing the real facts of a disappearance.
26. A common feature of disappearances in South Africa was for the state to declare its opponents 'the enemy', thus ensuring that their disappearance or killing generated little interest. In this respect, the silence of those who were the beneficiaries of the former state must be noted. Had they questioned more, been less acquiescent and less willing to accept the propaganda of the former government, the former state might not have been able to get away with such criminal conduct. Had the judiciary been more vigilant when these matters came before them – more willing to engage with the issues and less willing to believe the versions of the security forces and the police – state forces would have been less likely to resort to such excesses. There is no doubt that, beyond the political figures within government, the judiciary and civil society had a large role to play in allowing disappearances and killings to continue.

## WHY DISAPPEARANCES HAPPEN

27. The main *raison d'être* for disappearances is that states want to get rid of those who trouble them – without having to use the law as an instrument. Disappearances are one of the most effective ways of removing people the state considers a threat. Mr Mathew Goniwe was a case in point. Regarded as an opponent of the state, he was abducted and killed, as were his fellow activists Fort Calata, Sparrow Mkhonto and Sicelo Mhlawuli. Many others endured a similar fate.
28. Disappearances are usually a very effective way of avoiding international opprobrium. There is no doubt that a large number of troubling inquests – such as the inquest into the death of Mr Neil Aggett – led to government setting up new mechanisms to deal with opponents. The policy on disappearances saved the former state the cost and publicity of trials and inquests, and the acknowledgement of both imprisonment and torture. The state was spared from having to account for its actions in any way.
29. Disappearances also have the effect of causing confusion and sowing discord. Governments can claim that those responsible are groups beyond its control or persons wishing to discredit the state.

30. Disappearances can be used to intimidate political opponents. Families are often told that, if they don't stop asking questions, bothering the authorities or raising a storm in the press, they too will disappear. They are also told that, if they don't keep quiet, they will endanger the life of a loved one. This was confirmed by the testimony of many of the victims who came to the Commission.
31. Disappearances are also an effective way of avoiding international pressure. Although the international community frequently takes issue with governments about the fate of political prisoners and those who are indefinitely detained and tortured, they very rarely address the issue of the disappeared.

## **DISAPPEARED VERSUS MISSING**

32. The Commission dealt with a number of cases where people had gone missing. In some instances, they went missing after a political rally or during a period of political unrest or state of emergency.
33. In a large number of cases reported to the Commission, the disappearance was not linked to a political cause: there was no intent, and the state or armed forces were not responsible for the disappearance.
34. Another category the Commission dealt with were cases referring to persons 'missing in action'. These usually involved soldiers or members of armed forces or groups who went missing, and where it is not clear whether they died in battle or were taken prisoner by the enemy. In these instances, the relatives are also left in a state of great uncertainty. However, in such cases parents or relatives can often rely on the support and assistance of the authorities in whose name the soldier served.
35. It is also usually easier to obtain information about the circumstances in which a soldier went missing. The Geneva Protocols under Article 3 deal with the legal procedures related to those regarded as 'missing in action'.
36. In South Africa, there have been instances where families have been denied relief because the state has refused to confirm that their loved ones were on lawful missions for the country.

## **ANALYSIS OF DISAPPEARANCE CASES REPORTED TO THE COMMISSION**

37. The Commission received more than 1500 victim statements concerning persons who went missing or disappeared after being forcibly abducted.<sup>3</sup> The fate of some 477 people named in these statements remains uncertain. The overwhelming majority of missing persons disappeared between 1985 and 1994 – mainly in the Transvaal and Natal, where there was escalating political conflict during this period. This matches the general pattern of violations recorded by the Commission.<sup>4</sup> In other respects as well, the profile of disappeared persons is no different to that of victims of other violations. Over 90 per cent of missing persons reported to the Commission were male. In those statements where age was specified, 40 per cent were between the ages of 14 and 24, and 31 per cent between the ages of 25 and 36. In those statements where political affiliation was identified, over 70 per cent were members or supporters of liberation movements, while less than 10 per cent were security force members or belonged to or supported pro-government movements such as the IFP. Just over 16 per cent of missing persons are believed to have had no political affiliation.
38. From the statements it received in respect of abductions, the Commission identified the following categories:
- a abductions and enforced disappearances;
  - b disappearances in exile;
  - c disappearances during periods of unrest;
  - d disappearances regarded as out of the Commission's mandate, and
  - e cases of indeterminate cause.

### **MECHANISMS USED BY THE COMMISSION TO ESTABLISH THE FATE AND WHEREABOUTS OF THE DISAPPEARED**

39. The Commission was fortunate in that the legislation under which it operated created a number of enabling mechanisms that allowed it to deal with abductions and disappearances proactively. These included its powers to hold special investigative hearings in terms of section 29; the amnesty process; investigations, and the exhumation process.

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<sup>3</sup> It is unfortunately not possible to give an accurate number of such cases. In a number of instances where disappearances were solved through investigations or amnesty applications, the data was re-coded to reflect the outcome of the investigation. For example, if a missing person was found to have been killed, the coding was frequently changed from disappearance to killing.

<sup>4</sup> See Volume Three, pp. 1–11.

40. The Commission's powers in terms of section 29 allowed it to subpoena those it believed had information about an incident or violation to appear before a special panel of Commissioners and to answer questions. Section 29 powers were successfully used to solicit amnesty applications in a number of cases, and often allowed the Commission to establish the facts surrounding a disappearance.
41. The amnesty process also played an important role in dealing with disappearances. Large numbers of amnesty applications relating to disappearance cases helped the Commission to learn a great deal about what had happened to many of the disappeared.
42. Amnesty applicants also provided the Commission with a great deal of information about gravesites. This allowed the Commission's Investigation Unit to carry out a number of exhumations. These helped clarify the facts surrounding some disappearances, thereby establishing the ultimate fate of the disappeared. A number of cases in KwaZulu-Natal helped the Commission to establish that the disappeared had been killed. The cases of Ms Portia Ndwandwe and Ms Ntombi Khubeka are two examples. A number of other exhumations provided similar relief to families of victims.

## **ENFORCED DISAPPEARANCES**

43. Enforced disappearances include persons last seen in the custody of the security forces, as well as those forcibly and unlawfully abducted by other known or unknown parties.
44. Sixty-four people who were last known to have been in the custody of the security forces remain missing. While the majority of these disappearances occurred during the 1980s, twenty-two disappeared between 1960 and 1979 and nine went missing in the 1990s.
45. A number of these disappearances appear to have been Security Branch abduction operations, targeting specific individuals believed to have been members of the African National Congress (ANC) or Pan Africanist Congress (PAC) both inside and outside South Africa. The case of Moss Morudu (described above) is an example of such an abduction.
46. A similar abduction operation involved members of the Orange Free State Security Branch. MK operatives Joyce Koekanyetswe 'Betty' Boom

[KZN/JRW/051/BL], Nomasonto Mashiya and Tax Sejaname – all based in Lesotho – disappeared in December 1986. Unknown persons delivered the infant of Ms Mashiya to the home of her parents in the Orange Free State at about that time. In early 1987, another MK operative, Mbulelo Ngono [EC0330/96PLZ], was forcibly abducted from Maseru. Three members of the Orange Free State Security Branch, based at Ladybrand, applied for amnesty for the abduction of the ‘Ladybrand Four’, but claimed that they had all had been recruited as sources and had disappeared after being returned to Lesotho.<sup>5</sup> This version was strongly contested by the families, who pointed out that none of the four has been seen since their abduction.

47. Another pattern that emerged was the disappearance of persons formally arrested or detained by the Security Branch or other arms of the South African Police (SAP). One example of this is the disappearance of four Zimbabwean citizens: Mr December Ncube [JB00303/01GTSOW], Mr Mncedisi Helper Nkiwane [JB02648/01GTSOW], Mr Mac Makathini Ncube [JB04064/01GTSOW] and Mr Gideon Ncube [JB02408/01GTSOW]. The Commission came to the conclusion that they were probably apprehended and detained in Johannesburg in the late 1970s. The four are believed to have been part of a group of eighteen Zimbabwean citizens – members or supporters of ZAPU<sup>6</sup> who were working in South Africa at the time.
48. Another such disappearance is that of Ms Nombulelo Thelma Nkosi [JB00175/01ERKAT]. Ms Nkosi, who was detained several times between 1976 and 1984, was taken into custody after police surrounded her home in Sebokeng on the West Rand at 03h00 one morning. She has not been seen since.
49. While the above were all known activists and specifically targeted by the Security Branch, a number of people went missing after being arrested during township unrest. These include Mr Ndlanganyana Mvunyisa [EC1794/97ETK], Mr Maqhilane Solomase Nodosha [EC2064/97ETK] and Mr Mhletywa Silangwe [EC2152/97ETK], who were arrested during the 1960 Pondoland revolt and were never seen again. The Commission received a number of statements from victims who were arrested and severely tortured during the Pondoland revolt.<sup>7</sup>

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<sup>5</sup> See AC2001/238.

<sup>6</sup> Zimbabwe African People’s Union.

<sup>7</sup> See Volume Three, pp. 38–39,42.

50. Similarly, Mr Ramatua Nicholas 'Boikie' Thlapi [JB01185/03NW, JB0118/03NW, JB01187/03NW, JB01452/03NW] disappeared following his arrest in 1986. 'Boikie' Thlapi and his friends left Ikageng near Potchefstroom on 20 March 1986 to attend a funeral wake in Klerksdorp for those killed by police during unrest. The group was arrested at a roadblock and taken to Stilfontein, where they were allegedly subjected to beating and electric shock torture. One of those arrested later told Mr Thlapi (Snr) that he had last seen 'Boikie' lying on the floor of a cell, bleeding from the mouth and nose. Police later conceded that 'Boikie' Thlapi had been arrested, but claimed that he had been released. Despite extensive investigations by, amongst others, the Independent Board of Inquiry and Lawyers for Human Rights, as well as an inquest hearing, the fate of 'Boikie' Thlapi remains unknown. None of the police officers involved in his arrest and detention applied for amnesty. The facts of this particular case warrant a new investigation and possibly future prosecutions.
51. A number of amnesty applications from security force members confirm the above patterns. For example, security force members sought amnesty for no fewer than eighty specified abductions, four of which were among the sixty-four persons listed as still missing following arrest or abduction by the security forces.<sup>8</sup> Of the eighty abductions specified by amnesty applicants, some forty were MK operatives, of whom twenty-one were killed. The fate of eight remains unknown (including Moss Morodu and the 'Ladybrand Four'), while possibly six or seven were recruited by the Security Branch. All those recruited worked as *askaris* for the Security Branch and were based inside South Africa. Not one was returned to the ANC following their abduction and recruitment, as was claimed in the case of the 'Ladybrand Four'.
52. Another pattern that emerged from the amnesty applications was the killing of detainees whom the Security Branch did not wish to release, but had insufficient evidence to bring before the courts; or the disposal of bodies of detainees who had died as a consequence of torture.<sup>9</sup> In several of these cases, the Security Branch had signed release papers to suggest that they were not responsible for the disappearance,<sup>10</sup> or, as in the case of Maisha Stanza Bopape,<sup>11</sup> had claimed that the detainee had escaped.

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8 Betty Boom, Mbulelo Ngono, Moss Morodu and Nokuthula Aurelia Simelane [JB00280/01MPWES]. The remaining 76 abductions for which security force operatives applied for amnesty represent solved disappearance cases as well as cases for which no HRV statements were received.

9 See for example, the killing of Sizwe Kondile [AC/1999/037], MK Scorpion [AC2000/151], Johannes Mabothe [AC/2000/084] & Unknown detainee. For disposal of bodies see Stanza Bopape, Sweet Sambo [AC/2001/141] and Unknown IFP member.

10 See, for example, Sizwe Kondile, Stanza Bopape and Johannes Mabothe.

11 AC/2000/059.

## DISAPPEARANCES THROUGH THE INSTANCE OF OTHER PARTIES

53. Forty-nine persons remain missing following their abduction by members of rival political organisations or unknown persons. The overwhelming majority of these disappearances (75 %) took place in areas of KwaZulu /Natal during the second half of the 1980s and the early 1990s; and to a lesser degree in the PWV<sup>12</sup> area (22 %) during the early 1990s. Most of these disappearances related to the ongoing conflict between the UDF/ANC and IFP in these regions – a conflict the Commission has proved was fuelled by the former apartheid government. Fourteen per cent of missing persons in this category were female and, where political affiliation was specified, 19 per cent belonged to or were supporters of the IFP. This is higher than the proportion of female or IFP supporters in the overall disappearance category.
54. The following are some examples of these abductions.
55. Mr Eric Khumalo [KZN/ZJ/042/DN] lived in an area of Shongweni, Pietermaritzburg, that was deemed to be a UDF area. In February 1987, he went to collect his matriculation results from school. In order to get there, he had to pass through an Inkatha stronghold. He was abducted by a named IFP member and not seen again. The KZP, in whose jurisdiction Shongweni fell, provided no assistance in searching for him. Although the family eventually reported the case and the SAP in Pietermaritzburg conducted a search, the investigation yielded no results. His family appealed for the Commission to find ‘even just a bone’ of Eric Khumalo.
56. UDF supporters abducted Mr Petros Nqobile Mazibuko [KZN/NN/106/PM] in Church Street, Pietermaritzburg, on 28 April 1990. He was suspected of defecting to Inkatha. His girlfriend witnessed Mazibuko getting into the car of some UDF supporters. Later the same men returned his clothing to his girlfriend and told her that they had ‘killed a dog’.
57. Mr Nzimande [KZN/NN/253/PM] told the Commission that IFP members who were waging a war on him attacked his home at Landskop, Pietermaritzburg. His two wives and a daughter were killed and his four-day-old baby was abducted.
58. A small number of disappearances in this category involved abductions by persons involved in street justice or people’s courts initiatives. Included in these

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<sup>12</sup> Pretoria–Witwatersrand–Vereeniging

are the disappearances of three youths, Lolo Sono [JB00188/01GTSOW], Sibusiso Shabalala [JB00189/01GTSOW] and Kuki Zwane [JB05784/01GTSOW] in Soweto in November and December 1988. The three were last known to be in the custody of the Mandela United Football Club and/or Ms Winnie Madikizela-Mandela.

## DISAPPEARED IN EXILE

59. Thousands of people went into exile between 1960 and the early 1990s. The vast majority of these joined the ANC, while a far smaller number joined the PAC or other small liberation groups such as the Black Consciousness Movement (BCM). A number of exiles died in varying circumstances; others started new lives in host countries and chose not to return in the post-1990 period. Inevitably not all those who fled South Africa have been accounted for. Fifty-five of those still missing disappeared after having gone into exile.<sup>13</sup>
60. For reasons of security, people going into exile seldom informed their families of their plans. Consequently, most families had little information beyond the date that the person had left or gone missing. Some were fortunate enough to receive messages or letters; but in many instances families relied on rumours that family members had left South Africa, and few had any idea of their whereabouts.
61. For many families, the only inkling that something was amiss was when the person did not return with the other exiles in the early 1990s.
62. One of those in the exile category reported missing is Luyanda Eric Mose [EC0953/96/ELN]. On 31 October 1983, Luyanda, a seventeen-year-old member of the Congress of South African Students (COSAS), disappeared after leaving his Mdantsane home to buy bread and the local newspaper. After his disappearance, the police continued to look for Luyanda, raiding the family home on more than one occasion, and once surrounding the house in the early hours of the morning. Finally, in 1989, the family received a letter from a friend in Lusaka, informing them that he had seen Luyanda in Angola during 1986. In 1990, Luyanda phoned home, confirming that he was an MK operative and that the organisation was sending him to London to study. This was the last the family heard of him.

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<sup>13</sup> Where a possibility exists that the missing person has died in combat or in ambushes while infiltrating or operating inside South Africa, s/he has been classified as a disappearance in exile. A large proportion of combatants killed inside South Africa were buried as unknown persons at the time. Unless a positive identification was made at the time or subsequent investigations have established the identity conclusively, missing MK operatives remain the responsibility of the organisation.

63. In a small number of exile cases, there is information to suggest that the missing person is deceased. Where families have accepted this information, such cases are no longer classified as disappearances. However, where this information is disputed, often because families have received incomplete or conflicting information, they remain classified as disappearances.
64. In 1977, Xola Martin Jebe [EC0019/96] and his brother left South Africa for Lesotho, where they attended school. Two years later Xola was recruited by MK and left Lesotho in the company of Mr Chris Hani. The family did not hear from him again. When he did not return home from exile, the family began to make enquiries, but received contradictory information from the ANC. His mother, Mrs Madoda, told the Commission that she had spoken to Mr Hani personally, and had been told by him that her son was alive but was still deployed on 'important business.' Later she was advised that he had been killed in combat. When she contacted ANC Headquarters, she was given different dates for the alleged incident. At the time, there were disclosures in the press about torture and executions in ANC camps. This led the family to suspect that Xola Jebe might have died as a result of abuse and that the contradictory versions they were hearing might be the consequence of a cover-up by the ANC. The Commission established that Xola Jebe had, in fact, been killed in combat.<sup>14</sup> Mrs Jebe, however, remained sceptical. This case illustrates how conflicting information can lead to uncertainty and even paranoia.
65. These cases suggest that the circumstances in which people went into exile, and the lengthy period during which there was no contact or information about the missing person, places families in a particularly vulnerable situation. Any rumour or conflicting piece of information may have a destabilising effect and often leads to disbelief and suspicion. The use of *noms de guerre* further exacerbates problems of this kind: families rarely know the 'combat name' of the missing person, and few operatives and commanders in exile know the birth name.
66. While several of these cases require further investigation, all that is required in some cases is reassurance, further information and, where possible, contact with commanders or those immediately responsible for the death of the deceased. For example, Mr Monoleli Kama [EC2257/97PLZ] was killed in the

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<sup>14</sup> The Commission subsequently established that Xola Jebe had indeed left Lesotho with Chris Hani in 1979. After a brief stay in Mozambique he went for military training in Angola and was part of the Madenoga detachment. He later went for further training in the German Democratic Republic before being deployed to Zimbabwe. In November 1983, Xola Jebe (aka Anthony Xaba or Ramyais) and three others infiltrated South Africa from Zimbabwe. The unit was killed in a clash at Spilsby Farm, in the Alldays district, Northern Transvaal. An SADF soldier was also killed in the incident.

December 1982 SADF raid on ANC houses and facilities in Maseru. The family was informed by telegram, but was unable to attend the mass funeral because the Security Branch prevented them from leaving South Africa. At a later stage, they asked a family friend to go to the gravesite. However, the friend was unable to locate a gravestone for Mr Kama among those killed in the Maseru Raid. This created doubt in the minds of family members as to whether he really had been killed in this incident. The information received by the Commission confirms that Mr Kama was indeed killed in the raid. The family needed confirmation of this fact and information about the exact location of Mr Kama's grave.

67. These disappearances place a specific responsibility on liberation movements to assist in establishing the fate of the missing. The Commission notes and acknowledges that, of all the liberation movements, the ANC – despite operating in conditions of hostility and ongoing threats of infiltration – nonetheless maintained records of its membership. It is clear from a number of human rights violations (HRV) statements that, during the years of conflict, the ANC informed many families of the deaths of loved ones in exile or in combat. In some cases, attempts were made to enable them to attend funerals.
68. In the period after 1990, ANC personnel engaged in a co-ordinated effort to inform families of fatalities that had occurred during the exile period. A desk was established at ANC Headquarters to deal with queries about missing persons.
69. The ANC also submitted to the Commission lists of persons who had died in exile. Although it did not detail the circumstances of each case, the list is divided into categories according to mode of death, such as 'died at enemy hands', 'died in accidents', or 'died of natural causes'.
70. While these efforts are to be commended, it is also clear that families were sometimes given incorrect and/or conflicting information. Furthermore, the resources of the missing person's desk at ANC Headquarters were very limited, especially in respect of its research and investigative capacity. In numerous instances, personnel failed to respond to the Commission's requests for information. Current plans to archive documentation at Luthuli House<sup>15</sup> will facilitate in the identification and retrieval of records and may assist in clarifying the fate of missing persons.

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<sup>15</sup> Formerly called Shell House.

71. Whatever the difficulties in following up ANC exile disappearances, the situation was immeasurably worse in respect of PAC cadres and supporters. The PAC submitted very little information to the Commission and generally treated it with suspicion and disregard. Moreover, unlike the ANC, the PAC had conducted no internal enquiries into abuses in its camps or suspicious deaths arising from internal conflict. For the most part, the Commission had to rely on the knowledge of particular PAC members who were willing to assist. Tracing missing persons who had joined the PAC presented a far more intractable problem.

## **MISSING DURING PERIODS OF UNREST OR VIOLENCE**

72. Aside from missing persons known to have been abducted or arrested and those known to have gone into exile, an additional 117 people who are still missing disappeared during periods of heightened unrest. Unlike the abduction and exile categories, little is known about the circumstances of these disappearances, save that the area in which the disappeared person lived or worked was in the throes of political upheaval at the time. In some instances, people may have been killed and not identified; in others, it is possible that they fled the area or were abducted. It is also possible that some of these disappearances may simply have coincided with a period of unrest and were not directly associated with the political context. In other words, further investigation or research is required in order to ascertain the nature of certain disappearances.
73. Here again, most disappearances took place in the latter half of the 1980s (27 %) and the early 1990s (61 %), and the primary sites of disappearance were Natal (46 %) and the Transvaal (44 %), both areas of intense political upheaval. Where political affiliation is specified, 26 per cent of those missing are believed to have had no political affiliation or to have been politically neutral. This is a significantly higher percentage than the overall percentage of missing persons with no political affiliation (16 %), testifying to the extent to which entire communities were engulfed in the political conflict.
74. Mr Maqhilane Nodosha [EC2064/97ETK], Mr Nyangilizwe Bele [EC2066/97ETK], Mr Sijumbo Mlandwelwa [EC0880/96ETK] and Mr Madodana Ndzoyiyana [EC/1659/97ETK] all went missing from Bizana and Flagstaff during the Pondoland revolt in 1960. Mr Phineas Shirinda [JB06393/02NPPTB], Mr James Mogadi Penny [JB00196/01GTSOW] and Mr Mandla Khoza [KZN/SANG/013/DN] went missing from Soweto and Alexandra on 16 and 17 June 1976, while several other persons were reported missing in the ensuing months of the Soweto

uprising. Mr Matshediso Mofekeng [JB05732/03VT] went missing in Sebokeng on 3 September 1984, the date marking the start of a period of extensive political violence in the Vaal Triangle.

75. Twelve-year-old Nkazimulo Mabele [KZN/KM/559/DN] went missing one night during a period of ongoing political violence in KwaMakutha, Natal. His mother testified to the Commission that the family was woken one night by youths who were guarding the area, and was forced to flee for fear of an impending attack by IFP supporters. In the panic-stricken flight, nobody realised that Nkazimulo had been left behind. It was only when they gathered several hours later and returned home that they discovered that he was not with them. Mrs Mabele did not know whether he had been taken by the youths guarding the area or by the attacking party, or whether he had simply run away. Another son, Zakile, later left the violence-torn area and was killed in uncertain circumstances. Mrs Mabele appealed to the Commission:

*I can't live like this. It's much better – I can live with the other. When you've seen your child dying and you bury him that is something that you can comprehend, but the other I cannot live with that.*

## **OUT-OF-MANDATE CASES**

76. Out-of-mandate cases are cases that fall outside of the Commission's mandate period – 21 March 1961 to 10 May 1994 – or where there is no political motive or intent for the disappearance. In general, the Commission placed cases in this category only when it was possible to make a clear determination. Numerous cases in which no political context was directly evident from the HRV statement were placed in the category 'cases of indeterminate cause'. This is largely because ruling a case out-of-mandate effectively precluded the Commission from investigating and thus from the possibility of granting reparation. There are forty-three missing persons in this category.

## **CASES OF INDETERMINATE CAUSE**

77. There are 149 missing persons who do not fit neatly into any of the above categories. In several cases, classification was not possible because the statement from the family gave insufficient details about the disappearance. In other instances, more than one reason may have been given for the disappearance. For example, a family may believe that their missing son left to go into exile, but has received

conflicting information about whether or not he reached his destination. Some of these disappearances may well have taken place during periods of generalised political upheaval. However, they have not been included in the above category because the statement did not contain sufficient information indicating that there was political unrest in the area from which the disappeared person came. In a number of instances, the statement provided no immediate political context.

78. The case of Mr December Ncube provides an example of this. Mr Ncube went missing after being arrested at the home of his wife's employer in February 1980. Nothing in the statement directly suggests a political context, nor does the statement identify him as having had any political affiliation. As a consequence, this case statement was originally ruled out-of-mandate during the findings process. However, during a review of the disappearance files, a press-cutting was found in a separate file dealing with another disappearance. This listed Mr Ncube as one of eighteen ZAPU members who went missing inside South Africa between 1977 and 1980 (see above).
79. Mr Roy Lovely Gondwe [JB01223/01MPNEL], 26 years old and of unknown political affiliation, was visited by two black men at his place of work in White River, Transvaal, on 5 August 1985. The two men returned later and spoke to Mr Gondwe again. Before leaving his place of work, Mr Gondwe gave a fellow employer an envelope with the request that it be passed on to his family. Later, the white regional manager arrived to lock up, a task normally undertaken by Mr Gondwe. The envelope delivered to Mr Gondwe's family contained his personal effects, some money and a note implying that he would not see them again. While nothing immediately suggests a political motive, it cannot be conclusively ruled out. The statement suggests, for example, that the two men so obviously connected with Mr Gondwe's disappearance may have been Security Branch operatives.
80. On 25 September 1985, Mr Ernest Justice Ramokoko [JB00327/01GTSOW] made breakfast for his mother (an unusual occurrence) before leaving the house. He was never seen or heard of again. Earlier that month, Mr Ramokoko had been charged with other students for a politically-related offence, and was out on bail. It is thus highly possible that Mr Ramokoko went into exile and that the breakfast he prepared for his mother was a form of farewell. However, it is also possible that Mr Ramokoko decided to jump bail and that something untoward happened to him at a later stage.

81. The Commission wishes to note that further investigations into a number of such cases may lead to their eventual resolution.

## **THE COMMISSION'S APPROACH TO DISAPPEARANCE CASES**

82. It must be said from the outset that investigating disappearances requires a very focused, multi-faceted approach, a dedicated investigation unit with expertise in investigating human rights violations, good research capacity and specialised forensic skills.
83. The Commission did not have the resources to establish a unit solely dedicated to investigating disappearances. The Commission's Investigation Unit was overwhelmed by the large number of violations and incidents it had to investigate. 'Disappearances' were simply one of the categories that needed investigation. In addition, neither the Investigation Unit nor the Commission recognised the limitations of a number of its policies and procedures with respect to this category of violation until fairly late in the process.
84. In retrospect, the Commission should have recognised that it had limited capacity to deal properly with this category of violation and prioritised its intended outcomes. Instead it tried to investigate all the cases it received.
85. The Commission was greatly assisted by information emerging from amnesty applications. Indeed, many amnesty applicants also assisted in trying to establish the fate and whereabouts of the dead and their graves. However, some amnesty applicants failed to confess to the killing of those whose abduction they admitted. This placed a burden on the Commission to rebut the testimony of amnesty applicants, which it was ill equipped to deal with.
86. The consequence of this is that a number of amnesty applicants were granted amnesty for an abduction they admitted to, while the families of the disappeared still have no finality about whether the disappeared is dead. These cases must be taken further by the prosecuting authorities in the future.

## PROBLEMS OF CORROBORATION

87. The Commission received more than 22 000 HRV statements. Most statements contained information relating to multiple victims, requiring the Commission to verify more than 40 000 individual cases. Most statements also referred to more than one violation, thus significantly increasing the number of violations to be corroborated. Although it was impossible for the Commission to investigate each individual case, it was obliged to make victim findings, the effect of which was to make victims and their families eligible for reparation. As a result, the Commission adopted a policy of low-level corroboration when determining whether or not a person was a victim of a gross violation of human rights. In essence, this meant that instead of a full investigation, a series of corroborative 'pointers' would be established – for example the retrieval of a confirmatory press report, or an entry in an SAP occurrence book or a hospital file.
88. In retrospect, this approach was not useful when dealing with disappearances. In such cases, corroborators generally resorted to fairly routine procedures: a letter requesting information would be sent to the relevant SAP office or, in cases of a person missing in exile, to the ANC Missing Persons' Desk at Shell House. In many instances, these requests received no response and the matter could not be taken much further.
89. Where a disappearance was potentially associated with political unrest, the corroborator would note this. In a few cases it was possible to identify actual incidents and, more importantly, deaths. More often, a general pattern would be observed. For example, when Katlehong was the scene of conflict between the ANC and IFP, a number of people were killed. It is thus probable that the missing person was a victim of this conflict, although there was insufficient information to confirm this as fact.
90. In most disappearance cases, family members were not able to give the Commission a great deal of detail or information, making corroboration extremely difficult. This added to problems in tracing a missing person or establishing the facts surrounding a disappearance .
91. In some instances, poor statement-taking also impacted on the corroboration process: basic information such as the personal details of the victim and the circumstances of the disappearance were not always recorded correctly. The Commission was sometimes able to take a second statement or to obtain a

photograph. Where this proved impossible, it was difficult and often impossible to make any progress. These incidents also require further investigation.

## **VICTIM FINDINGS**

92. Disappearance cases presented the Commission with a real challenge. Even where most factors pointed to the probability of the disappeared being dead, it was not possible for the Commission to make a finding to this effect in the absence of conclusive proof. Were such a finding to be made, the file would have to be closed, ending the hope of any further investigation into the matter.
93. Although the inability of the Commission to make a finding obviously impacts on the family's immediate ability to access reparation, this should not prevent them from applying to the President's fund for reparation once the disappearance is resolved.
94. The Commission has always taken the view that unsolved disappearance cases should be further investigated by the National Prosecuting Authority. This unfinished business remains the responsibility of the state. The Commission's fuller report and the special database dealing with disappearances will be handed to the Ministry of Justice and the National Director of Prosecutions, with clear recommendations for further investigation in order to bring finality to these matters.

## **RECOMMENDATIONS**

95. The Commission tried as best it could to carry out its mandate to 'compile of list of the disappeared and those abducted and establish their fate and whereabouts'. It did manage to act as catalyst by bringing disappearance cases to the fore. It also resolved a large number of cases, enabling a number of families to gain a measure of closure. However, despite every attempt by the Commission to complete its work, a number of cases remain unresolved.
96. The resolution of these disappearance cases is perhaps the most significant piece of unfinished business for the Commission. The Commission is therefore of the view that these cases should not simply be abandoned, but that further mechanisms should be put in place to finalise them.

97. After the closure of the Commission, the responsibility for this work passes to the state. This is in line with international humanitarian and human rights law, which obliges governments and other parties to a conflict to determine the fate of the disappeared.<sup>16</sup>
98. The United Nations has condemned disappearances as a grave violation of human rights and has stated that their systematic practice is ‘a crime against humanity’. In 1998, the Working Group on Involuntary or Enforced Disappearances issued a General Comment to Article 19 of the 1992 Declaration on the Protection of All Persons from Enforced Disappearance.<sup>17</sup> The Declaration imposes a primary duty to establish the fate and whereabouts of disappeared persons, itself an important remedy for victims. Article 19 complements this duty. It provides as follows:

*The victims of acts of enforced disappearances and their family shall obtain redress and shall have the right to adequate compensation, including the means for as complete a rehabilitation as possible. In the event of the death of a victim as a result of an act of enforced disappearance, their dependants shall also be entitled to compensation.*

## **RECOMMENDATIONS FOR TAKING THESE MATTERS FURTHER**

99. The Commission recommends that the state implement the Commission’s recommendations regarding disappearances. The recommendations are as follows:

### **Recommendation 1: Establishing a special task team**

100. A task team should be established within the office of the National Director of Public Prosecutions and be given a specific mandate and time frame. The mandate should include conducting further investigation into individual cases, confirming the disappearance and, where appropriate, making a finding conferring victim

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16 For relevant articles in the Geneva Conventions see GCIV, Art 26; in Additional Protocol I see Articles 32, 33 and 74. Although the category of missing persons is not specifically addressed in Additional Protocol II dealing with non-international armed conflicts, there nonetheless remains an obligation to search and account for such persons in terms of customary international law. While the Geneva Conventions address the issue of persons missing as a result of hostilities, certain aspects of international human rights law address the issue of enforced disappearances and abductions. See, for example, the UN Declaration on the Protection of All Persons from Enforced Disappearance and Article 7 of the International Criminal Court Statute. A Draft Convention on the Protection of All Persons from Forced Disappearance obliges states to define enforced disappearances as common-law crimes and prohibits the granting of amnesty to perpetrators who have not been brought to trial and convicted (Articles 5 & 17). Aside from formal international instruments, considerable jurisprudence has developed, especially in Latin America, where the use of enforced disappearances was used on a vast scale.

17 Report of the Working Group on Enforced or Involuntary Disappearances, E/CN.4/1998/43, 12 January 1998 at 16.

status on the disappeared. This will enable the families of the disappeared to access reparation. In addition to finalising findings, the task team should compile appropriate recommendations to bring closure to these issues at the end of its mandate period.

101. The task team should work closely with organs of civil society currently involved in related areas of research and investigation. If based in the Office of the National Director, the task team would have the authority to access the files of various state authorities – including the police, the military and the Departments of Correctional Services and Home Affairs.
102. Such a task team would require extensive powers – including the power of subpoena and search and seizure. In addition, the task team would require the full co-operation of relevant state institutions in order to gain access to state archives, including those of the military and the police. It would also need to be able to access the archives of the ANC and retrieve information from the PAC.

### ***Scope***

103. While a large number of families made statements to the Commission about their loved ones, the list of persons identified as having disappeared as a result of the conflicts of the past is clearly incomplete. There are undoubtedly scores of families in similar circumstances who have not made statements to the Commission for a range of reasons. In the last three years, victims' groups have collected a large number of statements from families whose loved ones have not returned and whom they regard as having disappeared. A decision will need to be made about whether consideration should be given to such cases. This decision needs to be made in parallel with decisions about victims of other violations who did not come to the Commission.
104. A further consideration concerns the number of persons who disappeared or were displaced during the ongoing violence in KwaZulu-Natal after the end of the Commission's mandate period. The Commission urges the state to consider these cases in order to bring closure for the families.

### ***Investigation***

105. The Commission experienced problems with corroboration and its investigations were considerably hampered by the paucity of information contained in the

statements made by families to the Human Rights Violation Committee. The Commission considers, therefore, that the starting point for any task team would be to visit families and gather more information about disappearances. Where possible, photographs of the missing person should be affixed to the statement.

106. The following guidelines are offered for further investigation into disappearances in each of the categories identified earlier:

- a **Category A (Enforced disappearances):** An investigation of category A cases should be guided by the principle that it is the obligation of perpetrating parties to account for the disappearance. It is not sufficient for such parties to claim that the missing person was released or recruited, even where release records are produced.

In several amnesty-related cases, a number of applicants sought amnesty for the abduction and killing of unidentified victims. However, a large number of operatives involved in these abductions did not apply. The task team must make every effort to locate those operatives who have not applied and who have been identified for further investigation, followed by prosecution where necessary. The task team should also make every effort to identify those victims who were not identified by amnesty applicants. The fact that amnesty has been granted does not mean perpetrators should not be required to co-operate with the task team by pinpointing localities where persons were killed and possible grave sites where the disappeared may have been secretly buried.

- b **Category B (Missing in exile):** Category B cases should be guided by the principle that the relevant liberation movement needs to account for its missing members. As already noted, the ANC has already made some effort in this direction. There are, however, numerous inaccuracies and inconsistencies in the various lists produced by the ANC. These lists<sup>18</sup> must be collated and verified. Other sources of information include information submitted to the Special Pensions Board.

- c **Category C (Missing during periods of unrest):** As a first step, the task team should expand on the Commission's list of incidents during periods of unrest, particularly during the various states of emergency. The list should detail key localities and time periods. Compiling such a list requires the utilisation of a range of sources – documentation produced by monitoring organisations, surviving police documentation, newspaper reports, mortuary records and so forth. People taking extended statements from families need

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18 Such lists include deaths in exile (submitted to the Commission), combat deaths inside South Africa, returning exiles, names submitted to the Motsuenyane Commission and integration into post-transition security force lists.

to pay particular attention to establishing as accurate a time and locality frame as possible, as well as detailed pre-mortem information related to particular incidents.

- d **Category E (Cases of indeterminate cause):** Here investigation and research need to be directed towards moving persons in this category into one of above three categories or into Category D (non-political/ out of mandate) More detailed statements from family and associates should facilitate this process.

### ***Findings***

- 107. Once the task team has completed its work and compiled its report, it will need to make findings so that the families of victims can access reparation.
- 108. Findings need to be made for all cases solved by the task team. Findings should be made with respect to solved cases in line with the approach taken by the Commission. Once criteria are established, the task team will need to make findings for all unsolved cases.

### ***Further action***

- 109. Where the task team is satisfied that a person has disappeared or has died, and a finding to that effect has been made, it will need to facilitate the presumption of death. Death certificates will need to be issued and the families must be referred to the President's Fund for reparations.

## **Recommendation 2: Reburials, exhumations and memorials**

- 110. The task team's mandate should include the possibility of identifying gravesites and facilitating exhumations in conjunction with civil society groupings working within this arena.
- 111. Memorials should take into account the concerns and wishes of families of the victims.

### ***The role of mortuaries and undertakers***

- 112. When investigating disappearances and conducting exhumations, it became apparent to the Commission that insufficient attention and care had been paid

by those responsible for the handling and burial of unidentified persons and paupers. This is doubtless the consequence of a racist system in which the loss of black life was regarded as being of little importance.

113. The Commission recommends that current legislation, policies and procedures in respect of the handling of unidentified persons and paupers be subjected to scrutiny by the Law Commission. In addition, where municipalities award tenders to funeral companies, it is important to ensure that these companies are subject to proper monitoring.

### ***Records relating to unidentified persons and paupers***

114. Current practices regarding the retention and disposal of records (including post-mortem and inquest records) relating to unidentified remains should be reviewed.

## **CONCLUSION**

115. The Commission notes that accounting for the disappeared remains an important reparation mechanism for victims and their families. In this regard the Commission urges the state to take into account the following observations and recommendations:<sup>19</sup>

- a It is essential to protect all persons from becoming unaccounted for, without distinction as to the deliberate or incidental character of the events leading to the situation.
- b It is essential that families know the fate, including the whereabouts and, if dead, the cause of death, of family members who are unaccounted for.
- c The principal responsibility in preventing persons from becoming unaccounted for and in ascertaining the fate of all those who are not accounted (as soon as they are reported missing) lies with government authorities. Armed groups also have a responsibility in this regard.
- d Inter-governmental organisations acting in conformity with their respective mandates should be available to support government authorities and armed groups in fulfilling their responsibilities and, if they cannot or will not meet their responsibilities, should take appropriate action.
- e Non-governmental organisations, acting in accordance with their mandates, should make every effort to prevent persons from becoming unaccounted

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<sup>19</sup> Courtesy of International Conference of Governmental and Non-governmental experts. Geneva (ICRC): The Missing Conference, February 2003.

- for and to clarify the fate of those who have become unaccounted for.
- f It is essential that all those involved respect each individual's inherent human dignity in all circumstances.
  - g Every effort should be made to respect the cultural, social and religious or spiritual context specific to each situation.

## **Prevention**

116. Respect for international humanitarian and human rights law is fundamental to preventing persons from becoming unaccounted for. There must be full implementation by state parties and dissemination of these obligations.

## **Clarification of the fate of persons unaccounted for**

117. It is crucial that families receive information on the individual fate of unaccounted-for family members. Families and communities also need acknowledgement of the events leading to persons becoming unaccounted for, and for perpetrators to be held accountable.

## **Information management and the processing of files on persons unaccounted for**

118. Co-ordination of activities and the sharing information will heighten the effectiveness of the actions taken to ascertain the fate of persons unaccounted for.

## **Management of human remains and information on the dead**

119. The principle responsibility for the proper handling of the dead without adverse distinction, and the provision of information to families with a view to preventing anxiety and uncertainty, lies with government authorities and armed groups.

Measures that can be taken include:

- a ensuring that all feasible measures be taken to identify the human remains of those who died and to record their identity;
- b avoiding obstruction of, interference with or impediments to the identification of human remains;
- c issuing death certificates;
- d ensuring that all involved respect the legal rules and professional ethics applicable to the management, exhumation and identification of human remains;

- e ensuring that forensic specialists, whenever possible, carry out the exhumation and identification of human remains;
- f ensuring adequate training for all those collecting information on the dead and handling human remains;
- g respecting and developing professional ethics and standards of practice for forensic specialists working in international contexts, and
- h beginning a process of exhumation and identification only once a framework has been agreed on. That framework should include:
  - the establishment of protocols for exhumation, ante-mortem data collection, autopsies and identification based on scientifically valid and reliable methods and technologies and/or customary, clinical or circumstantial evidence that are deemed appropriate and which have been previously adopted by the scientific community;
  - appropriate means of associating the communities and families in the exhumation, autopsy and identification procedures, and
  - procedures for handing over the human remains to the family.

## **Support for the families**

120. The material, financial, psychological and legal needs faced by families awaiting clarification of their family members' fate should be addressed by the authorities concerned – when necessary with the support of inter-governmental and non-governmental organisations. Measures that can be taken include:

- a providing targeted assistance with the aim, as soon as circumstances allow, of promoting the families' self-sufficiency;
- b addressing the legal situation of persons unaccounted for and the consequences for family members, including property administration, guardianship and parental authority;
- c ensuring that children receive special support and protection, and particularly taking measures to reunite unaccompanied children with their families;
- d giving special attention to the needs of single heads of families in the light of the specific circumstances women frequently face in such situations;
- e ensuring that families of persons unaccounted for benefit from support programmes in order to adapt to their altered situations and come to terms with events. Psychological support and, whenever necessary and feasible, psychiatric treatment should be provided to those in need. As far as possible, programmes should be built on local health and healing systems, and
- f encouraging family networks and associations, in order to provide a forum for mutual support.

## Families and mourning

121. Respect for the dead and for local funeral rites support peace and social order.

The process whereby families are informed that a family member has died and human remains and/or personal effects are returned needs to be well prepared.

In addition:

- a the death and the mourning practices of individuals and communities need to be respected in all circumstances, and
- b the planning and organisation of commemorations should be left to the families and communities concerned.

### Poem by Ariel Dorfman<sup>20</sup>

And every year September 19th  
(soon it will be four years, can so many years have gone by?)  
I will have to ask her again  
If there is any news  
If they have heard anything  
And she will say no, thank you very much,  
I appreciate your concern,  
But her eyes will keep saying  
Wordlessly  
What they said the first time  
(soon it will be three years –  
how is it possible?)  
no, thank you very much,  
I appreciate your concern,  
But I am not a widow  
So stay away from me,  
Don't ask me for anything,  
I won't marry you,  
I am not a widow,  
I am not a widow,  
Yet

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<sup>20</sup> Printed in Index on Censorship, Vol. 8, No 3. 1979.

## APPENDIX

### LIST OF DISAPPEARED AND MISSING PERSONS

The following list is a list of the persons currently listed as disappeared or missing. It is possible that not all missing persons are recorded here, although every attempt has been made to capture all names. Similarly, it is possible that there are spelling errors, and in a few cases that a persons name may be recorded twice with slightly different spellings. The Commission apologises for any inaccuracies in respect of this list.

ABDULWAHAB, Zakier [JB01351/02PS]  
ABRAHAMS, John aka Gaika [JB05149/03WR]  
ADAMS, Abe Tony [JB05980/01GTSOW]  
AMATHENJA, Billy Veli [JB00973/01GTSOW]  
APHANE, Stefaans Losi [JB022090/01MPMOU]  
BADIMO, Frans Madimetja [JB02729/01GTTEM]  
BASI, Mkanyiselwa [KZN/MR/327/RI]  
BEFILE, Khawulezile Michael [EC2390/97UIT]  
BELE, Nyangilizwe [EC2066/97ETK]  
BHENGU, Senzosenkosi [KZN/TP/012/DN]  
BHOSHOMANE, Atamo Abel [JB00979/01GTSOW]  
BIBI, Michael [EC2149/97ELN]  
BLAAUW, Xolile Petros [EC2801/97UIT]  
BLOU, Ndlamafa [EC1292/96KAR/ [EC1297/96KAR]  
BOKABA, Obed Makibe [JB00364/03NW]  
BOOM, Joyce Koekanyetswe aka Betty Boom or Betty Malati [KZN/JRW/051/BL]  
BOPAPE, Mackenzie [JB00567/02NPPTB]  
BUTHELEZI, Bongani aka Bobo [JB05745/01GTSOW]  
BUTHELEZI, Isaac Bongani [JB03357/01ERKAT]  
BUTHELEZI, Stephen [ECO398/96ELN]  
BUTHELEZI, Victor [KZN/SS/217/VH]  
CEKISO, Ellias Mnyamezeli Beatrice [CTO1562/FLA]  
CELE, Jeanette Ncuncu [KZN/NNN/383/PS]  
CELE, Mondli Vusamazulu [KZN/ZJ/402/DN]  
CELE, Nicholas Ndoda [KZN/NNN/379/PM]  
CELE, Nkosiyezwe Elliot [KZN/ZJ/054/DN]  
CELE, Shadrack Bonginkosi [KZN/TCN/034/PS]  
CELE, Victor Columbia [KZN/MZ/014/DN]  
CELE, Vorster Bhutiza [KZN/NMS/024/DN]  
CHAKA, Joseph Lebelo [KZN/JRW/092/LT]  
CHIYA, Thokozani [KZN/NM/040/DN]  
DAHILE, Henry Barnabas Loshe [JB05077/01ERKAT]  
DAKI, Lennox Xolisa Nkonkobe 'Loyiso Mvelo' [EC2092/97ELN]  
DAMANE, Dunisani Christopher [JB05709/01ERKAT]  
DAVID, Simphiwe Truman Hobongwana [EC1176/96UIT]  
DHLAMINI, Aaron Makhosi [KZN/PJM/015/KRS]  
DINTOA, Elias [JB04268/01ERTEM]  
DLADLA, Gesi Lucas [JB03758/01MPPIT]  
DLADLA, Mthembu Raymond [JB03374/01ERKAT]  
DLADLA, Musa [KZN/NNN/045/DN]

DLAMINI , John [JB/06240/01MPNEL & JB06216/01MPNEL]  
 DLAMINI, Boy-Boy Henry [KZN/PMB/203/PM]  
 DLAMINI, Gingi [KZN/HG/909/DN & KZN/GM/103/DN]  
 DLAMINI, Henry [KZN/SN/070/MP]  
 DLAMINI, Lindiwe [KZN/MM/005/DN]  
 DLAMINI, Mbuso [KZN/NN/173/DN]  
 DLAMINI, Unspecified [KZN/FN/239/DN]  
 DLAMINI-NKOSI, Charlotte Sphiwe [JB02486/01GTTEM]  
 DLOVA, Sqhamo Woodworth [JB03037/01ERKWA]  
 DLUDLU, Esau [JB03897/01MPWES]  
 DYANTJIE, Sanwabile [CTO8607/FLA]  
 FAKU, Matthews Lindile [EC/0571/96PLZ]  
 FAKU, Phumelele Michael 'Sugar' [CTO3067/ECA & CT00726/ECA]  
 GAMBU, Herbert Sithembiso [KZN/NN/369/DN]  
 GCWEZA, Meze Petros [KZN/TCN/006/PS]  
 GONDWE, Roy Lovely [JB01223/01MPNEL]  
 GOIRANA, Mongameli aka Mobbs [JB01056/02PS]  
 GUMEDE, Melusi Cyril [KZN/GM/028/DN]  
 GUMEDE, Not specified [KZN/NNN/126/PS]  
 GUMEDE, Siphso [KZN/NN/303/DN]  
 GWALA, Patrick Sphiwe [KZN/PM/074/MP]  
 GWALA, Siphso [KZN/MZ/009/DN & KZN/MR/175/DN]  
 HADEBE, Phillip [KZN/NAM/072/DN]  
 HLONGWA, Mtumaseli [KZN/MM/013/DN]  
 HLONGWANE, Boy Siphso [JB05796/01ERKAT]  
 HLOPHE, Thuthukani John [KZN/GM/032/DN]  
 JACOBS, Johannes [JB00666/01GTSOW]  
 JACOBSON, Andries van Vuuren [KZN/PAM/022/FS]  
 JALI, Delani [KZN/MZ/009/DN & KZN/MR/175/DN]  
 JEBE, Xola Martin aka Anthony Xaba [EC0019/96]  
 JINIKWE, Hilton Vusumzi 'Matayi' [EC0091/96TSI]  
 KAKAZA, Andile [JB05935/01GTSOW]  
 KAMA, Mnoneleli Samson [EC2257/97PLZ]  
 KARAPI, Andries [KZN/GM/010/BL]  
 KAULELA, Mzamo Louis [EC2486/97UIT]  
 KEIKELANE, Mpe Jonas [JB05948/01GTSOW]  
 KEKANA, Reginald [JB01283/02PS]  
 KGIBA, Samuel Lethola [JB01197/03NW]  
 KHAMBULE, Nhlanhleni Pius [KZN/HG/909/DN & KZN/GM/103/DN]  
 KHANYILE, Lucky [KZN/SN/169/DN]  
 KHESWA, Sbusiso Blessing [KZN/MR/179/DN & KZN/KM/514/DN]  
 KHEWU, Themba [JB04482/01ERKAT]  
 KHIBA, Mathabiso Grieta [JB01516/03NW]  
 KHOASHE, Tieho [CT00794/KAR]  
 KHONOU, Simon [JB06315/02PS]  
 KHOWA, Zwelifile [KZN/AB/031/PS]  
 KHOZA, Bhuthiza Vincent [KZN/TG/016/DN]  
 KHOZA, Mandla Arthur [KZN/SANG/013/DN]  
 KHOZA, Rain [JB01779/01GTTEM]  
 KHUBEKA , Zoza Jerry [KZN/MR/480/LS]  
 KHUBONI, Cornelius Bhekambhele [KZN/MR/462/IX]  
 KHUMALO, Ehab Siphso [KZN/GZ/012/PM]  
 KHUMALO, Gugu Erick [KZN/ZJ/042/DN]  
 KHUMALO, Jack [JB05344/02NPPTB]  
 KHUMALO, Joseph Bheki [KZN/SANG/006/DN]

KHUMALO, Thelma Nothando [KZN/DM/016/PS]  
 KHUZWAYO, Nhlanhla Victor [KZN/NNN/630/DN]  
 KHUZWAYO, Senzo Eugene [KZN/FN/211/DN]  
 KHUZWAYO, Zwi [KZN/MR/104/DN]  
 KLAAS, Michael Zolane [EC2096/97PLZ]  
 KOAHELA, Steven Lehlohonono [JB04067/01GTSOW]  
 KOZA, Mandla Aaron [KZN/MP/188/DN]  
 KUNENE, Bhhekamakhosi Paulos [KZN/ZJ/019/DN]  
 KWAPHUNA/SKONKWANA, Thamsanqa July [EC0341/96KWT]  
 LANGA, Aaron [KZN/SELF/089/DN]  
 LEDWABA, Stanley Moalusi [JB00413/01GTSOW]  
 LEDWABA, Thomas [JB01257/02PS]  
 LEKALAKALA, Lesiba Piet [JB05147/01ERKAT]  
 LENONG, Simon [JB00276/01GTSOW]  
 LENTSELA, Richard 'Bushy' [JB01404/03NW & 01403/03NW]  
 LENZI, Nzenze [JB04951/99OVE & EC2018/97UTA]  
 LEPOTHE, Patrick Thibedi [JB01004/02PS]  
 LERUTLA, Mathews Prompane [JB00787/02PS; JB02696/02PS]  
 LETSHABA, Petros Mokonyane [JB/05482/01ERKAT & JB03479/01ERKAT]  
 LUKHULENI, Tokie Willie [JB00998/02PS]  
 LUTYA, Thamsanqa [CT00606/FLA]  
 MAAKE, Moses Kalwane [JB05117/02NPPTB]  
 MABELE, Nkazimulo [KZN/KM/559/DN]  
 MABENA, Justice [JB01982/01GTSOW]  
 MADEBE, Thumani Joseph [CT00142/KIM]  
 MADISHA, Elias [JB02899/02NPPTB]  
 MADLEBE, Xoliswa [CT01028/SOU]  
 MADONDO, Antony Ndabingehle [KZN/NNN/181/PM]  
 MADONSELA, Joseph Memo [JB00958/01MPNEL]  
 MADUNA, Khathazile Wilson [EC2833/97UIT]  
 MAEGE, Siphso [KZN/SMB/122/FS]  
 MAFUMANA, Tolika [CT00226/FLA]  
 MAGUBANE, Sarah [KZN/NNN/015/DN]  
 MAGWACA, Popi Michael Vukile [EC0667/96PLZ]  
 MAHAYE, Phumlani [KZN/NNN/098/EM]  
 MAHLANGU, Daniel [JB02819/01MPWES]  
 MAHLANGU, Jim Msebenzi [JB02188/01MPMOU]  
 MAJOLA, Bhhekinkosi [KZN/NM/208/EM]  
 MAJORO, Benedict [JB05368/03VT]  
 MAKALENG, Johannes Sebotlana [JB05684/01ERKAT]  
 MAKETHA, Mashoalane Josiah [JB01630/03VT]  
 MAKHALIMA, Patrick Thembani Adam [EC2461/97NWC]  
 MAKHOBA, Pius Zithulele [KZN/NM/226/PM]  
 MAKHUBO, Isaac Mbuti [JB00152/01 ERKAT]  
 MAKHUBU, Solomon [JB05712/01ERKAT]  
 MAKUYA, Nyatshisevhesingo [JB001129/02NPVEN]  
 MAKWELA, Samson Ezekiel aka William Jones [JB01620/02NPPTB & JB05488/02NPPTB]  
 MALATJI, Solomon Ntekuma aka Milo aka Mashego Mothusi,  
 MALEFAHLO, Simon [JB02921/01MPMOU]  
 MALINGA, Abraham Mdungeni [JB06483/01GTSOW]  
 MALOPE, Edward aka Joseph Mashiani [JB02900/01MPMOU]  
 MALULEKA, Charles [JB02425/01MPMOU]  
 MAMA, George Vumile [CT00622/OUT]  
 MANDELA, Aaron aka Zakariah Molotsi [EC1172/96PLZ & EC1387/96PLZ]

MANTENGU, Bheki [KZN/ZJ/432/MA]  
 MANYONTA, Nompumelelo Freda [EC0769/96PLZ]  
 MAPHOTO, Hendrick Malasela [JB05227/01GTSOW]  
 MAPONYA, Andrew [JB03947/02PS]  
 MAPUMULO, Reginald Sabelo aka Mayisela [JB01309/01GTSOW]  
 MARCH, David [JB01863/01GTTEM]  
 MASANGO, Oupa Petrus [JB02774/01MPMOU]  
 MASHABA, Fanyana Petrus [JB01497/01MPNEL]  
 MASHABELA, Jan Mantsho [JB04827/01MPNEL]  
 MASHEGO, Philemon Paul [JB03136/01ERKWA]  
 MASHELE, David Redimate [JB03339/02NPLTM & JB03340/02NPLT]  
 MASHILO, David [JB01946/02NPPTB & JB06494/02PS]  
 MASHIYA, Sonti Anna [KZN/FS/350/DN]  
 MASILELA, Joseph [JB02539/01MPMOU & JB02874/01MPNEL]  
 MASINGA, Ndondo Joseph [JB05759/03VT]  
 MASOLANE, Maphem [KZN/BN/004/FS]  
 MASUKU, Alpheus Zakhele [KZN/NZ/002/PM]  
 MATA, Patrick [EC2272/97ALB]  
 MATELA, Tsepo [JB00992/02PS]  
 MATHEBULA, Caleb [JB05750/03NWRUS]  
 MATHIBA, Johannes Lebogang [JB01854/03NW]  
 MATJUDA, Makwetsa Willington [JB04812/02NPTZA]  
 MATLADISA, Tsileng [JB03212/02NPLTM]  
 MATLOA, Andries [JB01029/02PS]  
 MATOBOLA, Mokone Jacob [JB05756/03VT]  
 MATSOLE-MOKWEBO, Germina Puleng [JB06418/01ERKAT]  
 MAVUKA, Nkosinathi Minti Sydney aka Colbert Kgomane [JB01280/01GTSOW]  
 MAXHAM, Sandile, John [EC2014/97UIT]  
 MAYISELA, Victor Sipho [JB02393/01MPNEL & JB05926/01GTSOW]  
 MAZIBUKO, Amos [KZN/ZJ/439/IX]  
 MAZIBUKO, Petros Nqobile [KZN/NN/106/PM]  
 MAZUNGULA, Sizwe Douglas [EC0098/96TSI]  
 MBALANE, Matwethu Sheshe [EC/2586/97ELN]  
 MBANJWA, Thandani Africa [KZN/NN/101/PM]  
 MBATHA, Zamokwakhwe Andries [JB02046/01GTSOW]  
 MBEJE, Bertha [KZN/ZJ/288/RI]  
 MBEKI, Monwabisi Kwanda [EC0308/96PLZ]  
 MBELE, Andrew Vusi [JB00457/01GTSOW]  
 MBELE, Mbundlu Enoch Nqumako [EC1790/97ETK]  
 MBEMBE, Derrick [KZN/LPM/113]  
 MBEMBE, Thobane [KZN/LPM/113]  
 MBETA, Kholekile Leslie [CT00126/FLA]  
 MBONGO, Sasa [KZN/FS/350/DN]  
 MBONGO, Aaron Mzondeki [JB05070/03VT]  
 MCHUNU, Edward Sibongakonke [KZN/NAM/071/DN]  
 MCHUNU, Elsie [KZN/SN/112/PM]  
 MCHUNU, Vincent Mazwi [KZN/NN/166/PM]  
 MCITSHA, Thami Gilbert [JB04578/01GTSOW]  
 MDAKA, Reckson Khayizeni [JB03336/02NPLTM]  
 MDAKANE, Nkosinathi Vincent [KZN/NN/334/DN]  
 MDLALOSE, Knowledge [KZN/NNN/040/DN]  
 MDLALOSE, Thamsanqa Blessing [KZN/NNN/034/DN]  
 MDLULI, Levy [JB03947/02PS]  
 MENDU, Alson Fikile [KZN/ZJ/317/PS]  
 MENDU, Fikile [KZN/HEM/007/PS]

MESHACK, Eric 'Konkon' [JB1190/03NW]  
 MFEKA, Dumisani Daniel [KZN/GZ/010/PM]  
 MFETI, Phindile Baninawe [EC0020/96STK]  
 MGJIMI, Lucky [EC2638/97]  
 MGUGUNYEKA, David [CTO1038/FLA]  
 MHLONGO, Mbusi [KZN/MR/153/DN]  
 MHLONGO, Smanga [KZN/NN/012/DN]  
 MHLONGO, Tobias Bhekithemba [KZN/ZJ/416/MA]  
 MHLONGO, Vusumuzi [KZN/MR/251/EM]  
 MKALIPHI, Theophilus [KZN/MR/114/DN]  
 MKHIZE, Khehla [KZN/GM/083/DN]  
 MKHIZE, Mlungisi [KZN/NNN/270/PM]  
 MKHIZE, Siphwe Eugene 'Fana' [KZN/NM/113/DN]  
 MKHIZE, Zinhle Patience [KZN/NMS/037/MP]  
 MLAMBO, Bheki Emmanuel [JB00456/01GTSOW]  
 MLAMBO, Fanyane [KZN/HG/325/EM]  
 MLANDELWA, Sijumbo [EC0880/96ETK]  
 MMALEDIMO, Thomas Tumishi [JB01033/02NPPTB]  
 MMATLI, Andries [JB02692/02PS]  
 MNCONYWA, Mzwanpheli Livingston [JB04991/01ERKAT]  
 MNCWABE, David [KZN/ZJ/247/PM]  
 MNGADI, Beatrice [KZN/MG/001/DN]  
 MNGOMEZULU, Stephen [KZN/ARS/029/DN & KZN/SS/202/DN]  
 MNISI, Sylvester [JB00959/01MPNEL]  
 MNWANA, Thamsanqa Anthony [JB06003/01GTSOW]  
 MNYAKENI, Thomas [JB02203/01MPMOU]  
 MNYAZANA, Thembinkosi, Sindiswa [KZN/MR/143/NC]  
 MODISE, Goitsemodimo [JB03698/03NWRUS]  
 MOFOKENG, Matshediso [JB05732/03VT]  
 MOGAKI, Sidney Thabo aka Sydney [JB03091/01GTSOW]  
 MOGANO, Silas [JB01733/01GTTEM]  
 MOHALE, Oupa Jan [JB03323/02PS]  
 MOIMA, Mzokhona Nicholas [KZN/TCM/005/DN]  
 MOKABA, Daniel Madimetja [JB00532/02PS]  
 MOKGOTOE, Temba Joseph [JB01076/01GTSOW]  
 MOKOENA, Andrew aka Chicks [JB00672/02NPPTB]  
 MOKOENA, Daniel [JB00190/01GTSOW]  
 MOKOENA, Mathathe David [JB01640/03VT]  
 MOKOENA, Moeketsi [JB01575/01ERKAT]  
 MOLEBATSU, Fannie Solomon [JB00650/03WR]  
 MOLEFE, Mandla Innocent [KZN/PM/102/MP & KZN/PM/048/MP]  
 MOLOI, Johannes Moraleltlatsa 'Joe' [JB04576/01GTSOW]  
 MORUDU, Moss [JB00520/02PS]  
 MOSE, Luyanda Eric [EC0953/96/ELN]  
 MOSITO, Isaac Ike [JB06027/01GTSOW]  
 MOTAUNG, Ephraim [KZN/LIT/003/FS]  
 MOTEMA, Godfrey Mogege [KZN/ZJ/076/DN]  
 MOTHOA, Paulos Papa [JB03041/01MPMOU]  
 MOTLAFI, Isaac [JB02516/01MPMOU]  
 MOTSAPI, Michael [KZN/KWB/011/FS]  
 MOTSEPE, Moses Tefo [JB04960/01ERKAT]  
 MOTSETSE, Paul Sabata [JB05338/03WR]  
 MOYO, Mosima Milford aka Letsoala [JB06391/02NPPTB & JB06449/02NPPTB]  
 MPAHLA, Jomo [EC2222/97ELN]

MPELE, Jonas [JB04903/03VT]  
 MPONDO, Mlungisi Michael [CT00293/FLA]  
 MPUTANA, Matuso [EC2324/97[CTK]  
 MRWEBI, Tyhilekile Solomzi [EC2011/97STK]  
 MSIBI, Halifen Majene [JB04942/03VT]  
 MSIMANG, Siphwe Edgar aka Selby Hlatshwayo [JB04984/01ERKAT]  
 MSIMANGO, Eric Fana [JB00973/01GTSOW]  
 MSINDWANA, David Zolisa [CT03042/[KZN & EC0551/96ETK]  
 MSOMI, Sibusiso Paul [KZN/ZJ/003/DN]  
 MSOMI, Sicelo Gestophus a.k.a. Sporo Mangena [KZN/SANG/008/DN]  
 MTEBULE, Ignatius 'Iggy' aka 'Gab' [JB01411/02NPTZA, KZN/DJ/001/AM & JB0260/01/GTSOW]  
 MTETWA, Mandla Lucas [KZN/MS/0015/PS]  
 MTHEMBU, Dumisani Victor [KZN/TG/073/DN]  
 MTHEMBU, Nhlanhla Gerald [KZN/GZ/091/PM]  
 MTHEMBU, Thandanani Jacob [KZN/FS/411/DN]  
 MTHETHWA, Emmanuel [KZN/NNN/599/ST]  
 MTHETHWA, Michael [KZN/FN/133/DN]  
 MTHETHWA, Paulos Mandla [JB00948/01MPNEL]  
 MTHIMKHULU, John Mphekeleli [JB05577/03VT]  
 MTHINI, Mbali [KZN/SM/999/DN]  
 MTHIYA, Unknown [KZN/NNN/516/DN]  
 MTHOMBENI, Samuel Mhleka [JB02739/01MPMOU]  
 MTSHALI, David Mjikiza [JB00961/01MPNEL]  
 MTSHALI, Walter Buhlebuyeza [KZN/FS/404/PM]  
 MVUKA, Andrew Seuntjie [JB01930/03NW]  
 MVULANA, Sifiso [KZN/NN/144/PM]  
 MVULANE, Lindiwe [KZN/FS/350/DN]  
 MVUNYISWA, Ndlanganyana [EC1794/97ETK]  
 MWELASE, Dennis Mzikayifani [KZN/GM/094/DN]  
 MYENI, Bonginkosi [KZN/GS/014/PS]  
 MZELEMU, Ambrose Mathayi [KZN/SWN/001/PS]  
 MZIZI, Khep [KZN/GM/071/DN]  
 MZOBE, Bhekezakhe [KZN/NM/046/DN]  
 MZOLO, Andile [KZN/PMB/003/PM]  
 NARE, Phillip [JB05738/02PS]  
 NARE, Sannie [JB05738/02PS]  
 NCUBE, December [JB00303/01GTSOW]  
 NCUBE, Gideon [JB02408/01GTSOW]  
 NCUBE, Mac Makhathini [JB04064/01GTSOW]  
 NDABA, Aubrey Jabulani [KZN/GM/098/DN]  
 NDABA, Jabulani Aubrey [KZN/GZ/053/PM]  
 NDALA, Lucky Alfred [JB03954/01ERKWA]  
 NDALISO, Hector Sibulelo [CT00953/OUT]  
 NDELU, Mbandla [KZN/ZJ/383AM]  
 NDLOVANA, Christian Thomas [JB01227/02PS]  
 NDLOVU, Eulogius Trusty a.k.a. George Matlala [KZN/FS/373/DN]  
 NDLOVU, Handsome S [JB03470/02NPLTM]  
 NDLOVU, Kwenza [KZN/NG009/DN]  
 NDZOYIYANA, Madodana [EC/1659/97ETK]  
 NDZUNGA, Elvis Ngajuse [KZN/TG/065/DN]  
 NENE, Scelo [KZN/MZ/066/DN]  
 NGALOSHE, Edward Thobile [JB03439/03WR]  
 NGCEMU, Thabani [KZN/NNN/030/DN]  
 NGCOBO, Donald Siphwe [KZN/ZJ/021/DN]

NGCOBO, Muzwempi Cyprian [KZN/GM/031/DN]  
 NGELE, Luvuno Wellington [EC2425/97ETK]  
 NGEMA, Alpheus [JB06072/01ERKAT]  
 NGOBENI, Samuel Mdunwazi [JB06392/02NPTZA]  
 NGONO, Mbulelo Alfred [EC0330/96PLZ]  
 NGUBO, Accadius Busani Cedric [KZN/ NNN/289/PM]  
 NGWANYA, Themba Wilfred [KZN/NC/0007/DN]  
 NGWENYA, Buswabuphele Phillip [KZN/NNN/521/PM]  
 NGWENYA, Jobe [JB04083/99OVE]  
 NGWENYA, Shepherd [JB05745/01GTSOW]  
 NHELENGETHWA, Not specified [CTO2970/GAU]  
 NIKA, Maphi [EC2241/97ALB]  
 NIKELO, Senzile Christopher [KZN/TIS/042/KRS]  
 NKALANGA, Daniel [JB01494/01MPNEL]  
 NKHOLA, Nkosinathi [EC2620/97ELN]  
 NKIWANE, Mncedisi Helper [JB02648/01GTSOW]  
 NKONYANA, Samson Themba [JB03421/01ERKAT]  
 NKOSI, Carlton [JB06348/01ERKAT]  
 NKOSI, Mboneni Petrus [JB00951/01MPNEL]  
 NKOSI, Nombulelo Thelma [JB00175/01ERKAT]  
 NKOSI, Nomusa Ethel [KZN/NM/219/HA]  
 NKOSI, Samuel [JB03848/01MPWES]  
 NKWANYANA, Vusi [KZN/NNN/321/EM]  
 NODOSHA, Maqhilane Solamase [EC2064/97ETK]  
 NOJOKO, Moses Bongani [JB05185/01GTSOW]  
 NOMGQOKWANA, Brian 'Malawu' Miselo [EC0665/96PLZ]  
 NONDALA, Vuyo [EC/0232/96ALN]  
 NOT SPECIFIED, Sibongiseni [KZN/NNN/207/PS]  
 NSIBANDE, Syden aka Special [JB04084/01GTSOW]  
 NTANTISO, Sicelo [EC/0410/96ELN]  
 NTINGA, Boyi Sandile Ernest [KZN/PM/108/MP]  
 NTLOKO, Zola Alfred,[CTO1047/HEL]  
 NTOMBELA, Jafta Jabulani [KZN/ZJ/109/WE]  
 NTOMBELA, Nicholas [KZN/SS/265/EM]  
 NTULI, Abel Z [JB02542/01MPMOU]  
 NTULI, Phiwayinkosi [KZN/HG/1026/EM]  
 NTULINI, Mbuyiselo Patrick [CTO1355/HEL]  
 NXUMALO, Jabulani [KZN/NN/052/DN]  
 NXUMALO, Musa [KZN/NNN/393/EM]  
 NXUMALO, Sibongile [KZN/MP/412/MP]  
 NXUMALO, Sipiwe [KZN/NG/222/DN]  
 NYAKAZA, Michael Mzamadoda [JB00764/01GTTEM]  
 NYAWUZA, Jabulile [KZN/KM/522/DN]  
 NYAWUZA, Nicholas [KZN/NN/155PM]  
 NYAWUZA, Zanele [KZN/KM/522/DN]  
 NYEMBEZI, Mlise Hallock [EC2231/97STK & EC2740/97STK]  
 NZAMA, Pius Vusumuzi [KZN/SRM/001/DN]  
 NZAMA, Prince Norbert Nhlanhla [KZN/SRM/001/DN]  
 NZIMANDE, Beauty Thulile [KZN/NNN/122/PS]  
 NZIMANDE, Unknown baby [KZN/NN/253/PM]  
 PARKIES, Bongani [JB03184/01ERKAT]  
 PEBANE, Phakiso Samson [KZN/SS/305/DN]  
 PENYA, James Mongadi [JB00196/01GTSOW]  
 PENYANE, Zanyiwe [JB05346/01ERKAT]

PETERSEN, Hendrik [CTO40001/KIM]  
 PHADI, Jacob Japi [JB00412/03WR]  
 PHAKALITHA, Tshediso [CTO1533/KAR]  
 PHANDLE, Indi David aka Rubber [JB05781/01ERKAT]  
 PHEWA, Musa Sbhu [KZN/ZJ/148/DN]  
 PHIRI, Paulus Oupa [JB05028/03VT]  
 PIETERSEN, James 'Klonkies' [EC1150/96PLZ]  
 PULE, Thabo Stanley [JB05719/01GTSOW]  
 QANYA, Steven [JB05934/01GTSOW]  
 QHINGA, Mzwandile [KZN/SD/080/DN]  
 QWABE, Baban Aaron [KZN/SELF/064/DN]  
 RADEBE, Dumisani [KZN/MP/204/MP]  
 RADEBE, Jerry [JB01786/01GTTEM]  
 RADEBE, John Gibson [KZN/MP/025/BL]  
 RADEBE, Monto Samuel [JB01614/03VT]  
 RADEBE, Shedi Richard [JB05828/01ERKAT]  
 RADEBE, Sibongiseni Richard [KZN/GM/084/DN]  
 RAKABE, Kgashane Pillemon [JB00313/01GTTE]  
 RAKUBU, Joseph 'Joe' [CT00143/KIM]  
 RAMANTSI, Malusi James [JB00393/03WR]  
 RAMOKOKO, Ernest Justice [JB00327/01GTSOW]  
 RANYAOA, Kunyumane Arios aka Thulani Sibeko [JB005976/01 ERKWA & JB00160/01ERKWA]  
 RIKHOTSO, David [JB06379/01GTSOW]  
 S[ECHOGELA, Gaopalelwe Benjamin [JB04112/03NW]  
 SABATHA, Nzimadze [JB0590/01MPNEL]  
 SCOTT, Nkululeko Glen [EC2806/97KAR]  
 SEDIBANA, Simon Mafadi [JB03518/02NPPTB]  
 SELEPE, Metsheki Ishmael [KZN/TG/060/DN]  
 SEMETHE, Francis Mdlafetsane [JB05154/01ERKAT]  
 SENNA, Morailwa Iqbad [JB05498/03NWRUS]  
 SEPOTOKELE, Benjamin Motswagole [JB02767/03WR]  
 SETHEBE, Lewis Ndolo [JB01250/01GTSOW]  
 SHABALALA, Jeffrey Sipho [KZN/GM/061/DN]  
 SHABALALA, Siboniso [JB00189/01GTSOW]  
 SHABANGU, George [JB02849/01 & JB04141/02PS]  
 SHABANGU, Lucas David [JB02205/01MPMOU & JB04778/01MPMOU]  
 SHANDU, unspecified [KZN/WW/334/DN]  
 SHANGASE, Fano [KZN/NG/277/MP]  
 SHANGE, Alpheous Magwegwe [KZN/MR/157/DN]  
 SHANGE, Thulani Doctor [JB00506/01ERTEM]  
 SHANGE, Vincent Lucky [JB00506/01ERTEM]  
 SHIBURI / SHIVURI Elias [JB04071/01GTSOW]  
 SHIRINDA, Lawrence [JB03337/02NPTZA]  
 SHIRINDA, Phineas [JB06393/02NPPTB]  
 SHOZI, Doda Elias [KZN/FN/130/DN]  
 SHOZI, Mhawukelwa Nkosiyabo [KZN/NM/290/EM]  
 SIBANGO, Pulwana Leonard [CT00711/GAU]  
 SIBIYA, Eunice [KZN/NNN/207/PS]  
 SIBUKU, Molefe aka Thuso Lesupa [EC2246/97ALN]  
 SIKHAFUNGANA Khanyiso [EC2509/97ETK]  
 SIKHAKHANE, Maswampi [KZN/GSN/178/MP]  
 SILANGWE, Mhletywa [EC2152/97ETK]  
 SIMELANE, Mbapha David [JB05730/01ERKWA]  
 SIMELANE, Nokuthula Aurelia [JB00280/01MPWES]

SIMELANE, Thembinkosi Vincent [KZN/KM/512/DN]  
 SITHEBE, Bongani Enoch [JB05881/03VT]  
 SITHOLE, Innocent [KZN/NN/095/PM]  
 SITYATA, Similo Sizwe Matolweni [EC0579/97ELN & EC2193/97STK]  
 SKOSANA, Ephraim Baba [KZN/SMB/126/FS]  
 SKOSANA, Jan Nara [JB02555/01MPMOU]  
 SMANGA, Sthembile [JB04025/01ERKAT]  
 SOGIBA, Zamubuntu [CT03706/HEL]  
 SONO, Lolo Corlette [JB00188/01GTSOW]  
 SONQISHE, Thembe Wilmott [CT00965/[ECA]  
 SOSIBO, Maxwell Mbhekeni [KZN/NNN/557/DN]  
 SOSIBO, Nhlanhla [KZN/NNN/459/RI]  
 SOTHIYA, Kapsansie Alfred [KZN/ZJ/036/DN & KZN/NCB/021/DN]  
 TANANA, Xolile Matthews [EC0491/96ELN]  
 THABANE, Nqabe Joseph [JB05823/01ERKAT]  
 THANJEKWAYO, Barnabas Nsikelelo [JB05469/01ERKAT]  
 THOSAGO, Solomon Phaladi [JB01945/02NPPTB]  
 THOTHOBOLO, Kenneth Itumeleng [JB06386/01GTSOW]  
 THUSI, Mbeki Zipred [JB04897/01GTSOW]  
 THUSI, Mkeyi Alpheus [KZN/NCB/006/DN]  
 TIYO, Lwazi [CT00693/WIN]  
 TLHAPI, Ramatua Nicholas aka Boikie [JB01185/03NW, JB0118/03NW, JB01187/03NW, JB01452/03NW]  
 TOTO, Fexie Sipiwo [CT00540/GEO]  
 TSELANE, Motlogelwa [JB06119/03NWRUS]  
 TSHABALALA, Amos Buti [JB00314/01ERKAT & JB02318/01ERTEM]  
 TSHABALALA, Sibusiso Mcmillan (nickname Morgan) [JB02879/01GTSOW]  
 TSHANGISA, Miniyakhe [KZN/MR/242/WE]  
 TSITIRO, Jeremiah [JB03049/01ERKWA]  
 TSOTETSI, Samuel Maloyo [JB03954/01ERKWA]  
 TSOTSOTSO, Aarone Mokhele [KZN/HG/002/FS]  
 TUKU, Edward [CTO9003]  
 TWALA, Joseph Nkani [JB04667/01ERKAT]  
 TWALO, Gwaza Duckworth [EC0128/96KWT]  
 TYULU, Tamsanqa Abraham [EC0174/96UIT]  
 UNKNOWN, Petrus [JB01704/03NW]  
 XABA, Dumisani Norman [JB06308/01ERKAT]  
 XABA, Joseph Mbonankulu [JB05071/01ERKAT]  
 XULU, Joel Msizi [KZN/NN/050/DN]  
 XULU, Mkhombiseni Herron [CTO5013/[KZN]  
 ZACA, Nhlomla [KZN/FN/142/DN]  
 ZENGELE, Willie Motlalentoa [JB01157/03VT]  
 ZIKALALA, Zakhele Lawrence [JB04502/03VT]  
 ZIQUBU, Dingane Robert Thulani [KZN/NN/302/DN]  
 ZITHA, Vusi [KZN/NNN/065/DN]  
 ZOKUFA, Milton [JB01897/03WR]  
 ZONDI, Mbazo [KZN/FN/113/DN]  
 ZULU, Abednigo Mfaniya [JB05105/03NWRUS]  
 ZULU, David Mbuti [JB03377/01ERKAT]  
 ZUMA, Shaka [KZN/SN/169/DN & SN/114/PM]  
 ZWANE, Kuki [JB05784/01GTSWO]  
 ZWANE, Not specified [CT02918/[KZN]  
 ZWANE, Zanele [KZN/GM/074/DN]  
 ZWINGE, Tayitile [EC2341/97[CTK]

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