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The Continuing Trial of Wouter Basson

Extended Quarterly Review no 2

This report covers the period May–July 2000. It is an expanded version of the commentary that appeared in issue 49 of The CBW Conventions Bulletin.

Tuesday 2 May The trial of Dr Wouter Basson resumed in the Pretoria High Court after a month long recess.

The session began with an application by the state to travel to Florida, USA, to obtain the verbal testimony of attorney David Webster, who refuses to come to South Africa to testify against Basson in the trial — despite the fact that he testified to the Office for Serious Economic Offences in South Africa late in 1993. The application was opposed by the defence on the grounds that:

1. The law governing the taking of evidence on commission does not make provision for a witness who refuses to testify, only for circumstances, for example, involving serious illness or detention in a correctional facility abroad.

2. Since Basson is *persona non grata* in the USA, he would not be able to accompany a court team to the US, and since the accused has the constitutional right to face his accuser in person, it would be prejudicial to his case if Webster's testimony was obtained in his absence, or on video, an alternative suggested by the State.

3. Basson's absence would make thorough cross-examination of Webster virtually impossible. Resources to which the defence has access in South Africa would not be available in the US and given his involvement in sanctions-busting operations, Webster would almost certainly avail himself of his Fifth Amendment right to remain silent and avoid self-incrimination in "a range of criminal acts that almost guarantee him life imprisonment in his own country". The "enormous" costs involved in the proposed trip to Florida can also not be justified, Cilliers argued.

Judgement on this matter is awaited.

Tuesday 2–Wednesday 3 May [Mr K] The prosecution brought an application to prevent the media from publishing the names or photographs of certain witnesses in order to offer some protection against possible reprisals. The application was granted and will be reviewed in 30 days. This means that the first witness can only be identified as Mr K.

No Commission of Inquiry conducted in South Africa has ever revealed the extent of the early operations of the covert units about which evidence was led during the period under review. This report therefore contains more detail than earlier reports on the trial. Any recipients of the report requiring more detail about events in court over the period under review can

contact the compiler of this report, Chandré Gould at mailbox@ccr.ac.za.

Mr K was warned in terms of Section 204 of the Criminal Procedure Act that if he satisfies the court by answering all questions put to him fully and honestly, he may be granted indemnity from prosecution for his role in Charges 47– 50 and 63.

Mr K testified that he had been one of the founder members of the Selous Scouts in Rhodesia. He left Rhodesia in 1978 and joined the South African Defence Force as a member of Special Forces in 1979. In the same year he was approached by the Commander of Special Forces, Gen Loots and the Minister of Defence, General Magnus Malan and instructed to establish a covert unit within Special Forces that would adopt the *modus operandi* of the Selous Scouts. To this end Mr K was instructed to establish a front company under which cover the unit would operate. Initially an estate agency by the name of NKJM however since none of the founder members had any knowledge of the real estate business they soon changed the name to NKTF Security Consultants. The Unit was known as Operation Barnacle.

The chief objective of the unit was elimination of identified state enemies and the carrying out of "super-sensitive" covert operations, which could include eliminations. Other objectives of the unit included:

- the elimination of members of own forces who threatened to expose covert operations;
- intelligence gathering;
- ambushes;
- combat intelligence and,
- conducting of chemical operations.

Mr K told the court that he had not personally been involved in operations involving the use of chemicals.

Mr K testified that during 1979 and 1980 he had recruited former Rhodesia soldiers and members of the South African Defence Force (SADF) to the unit. Due to the nature of pseudo operations carried out by the unit most of the operators recruited were black. Pseudo operations required that the members of the SADF unit infiltrate SWAPO under the guise of being SWAPO members.

The Barnacle unit had its own aircraft for the purposes of placing operators behind enemy lines, Mr K testified however

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that the aircraft was frequently used to dispose of corpses. He testified that when Special Forces Reconnaissance commanders and South African Police members involved in pseudo operations in SWA/Namibia began to experience "problems" with certain "turned terrorists", it was decided they should be 'quietly' disposed of by throwing the bodies into the sea.

According to Mr K's flight logbook, the first time he was involved in dumping, what he assumed were SWAPO members, into the sea from the aircraft was 7 July 1979. He took part in seven or eight such operations, piloting the aircraft to remote and desolate airfields in the bush or the South West African desert, where corpses in bodybags or semi-comatose individuals would be received. He would then fly to another remote spot, land, remove the rear door of the aircraft and fly 60-90 nautical miles out over the ocean where his co-pilot, usually Johan Theron, would throw the victims into the sea from a height of about 12,000 feet. Mr K testified in detail about the flights he undertook to dispose of bodies.

Mr K testified that on many occasions the victims were alive at the time of being loaded into the aircraft. In such cases the victims were injected with a sedative before being thrown from the aircraft. The witness was unable to say whether all victims 'disposed of' in this way were dead before being thrown from the plane. He did say that they had experienced a problem in 1980 when one of the victims regained consciousness and began to struggle. This he said led him to speak to Basson about the substance provided because he knew that the sedatives were provided by the accused.

Adv Jaap Cilliers told the court during cross examination that it was not possible that Basson had supplied the sedatives, nor that he had been approached by Mr K in this regard because Basson was a medical student at the time. This contradicts evidence presented to the Truth and Reconciliation Commission hearing by Dr Basson who said that he had joined the SADF in 1975 after completing his medical studies and his internship. He told the TRC that by 1980 he had been promoted to the rank of Major within the Defence Force. Cilliers did however hand a certificate to the court which indicated that Basson had graduated as a specialist physician in April 1981.

Wednesday 3–Monday 8 May [Theron (Johan)] The second witness, Johan Theron, was also a member of Special Forces. Theron was involved in all operations to dispose of bodies from the aircraft, was personally responsible for injecting victims, and in many cases responsible for taking their lives. He was also involved in Operation Savannah into Angola; support for Renamo and clandestine operations in Zimbabwe (smuggling weapons to that country) and in smuggling arms and equipment to South Africa when the United Nations arms embargo was imposed. He worked closely with Barnacle and was involved in various ultra-sensitive Special Forces operations from a security and counter-intelligence point of view.

Theron testified about the nature of pseudo operations saying that these operations had to be kept secret at any cost. If the operations were successful the Barnacle members, posing as SWAPO soldiers, would capture SWAPO members and interrogate them. Theron said that some captured SWAPO members were turned, others useful only as a source of information. But in either capacity, once they had served their purpose, they presented a problem. There was no way they could be 'processed through normal channels' and imprisoned, as this would immediately compromise the entire pseudo operations programme. So, after "long deliberation"

with Gen Loots, Theron suggested that 'redundant' SWAPO members should be disposed of "without trace". It was he who came up with the idea of dumping their bodies into the sea. Theron said that he researched the matter carefully to determine how far the bodies would have to be taken out to sea to ensure that they did not find their way back to the coastline and investigated the dangers involved in flying the aircraft without its rear door.

Theron testified there was a need at Fort Rev in Namibia for captured SWAPO members to be 'disposed of' because there were 'simply too many detainees'. He told the court that the codename for the operation to dispose of bodies was Operation Dual.

Theron said that the first flight of this nature had been undertaken on 11 July 1979 [but note the flight date in 3–4 May (Mr K)]. Theron had been provided with a tranquilizer dart, of the kind used to subdue animals, by the technical unit of Special Forces. He told the court that the dart failed to subdue the man who had put up a struggle. Theron ultimately strangled the man using a strip of plastic binding and a pair of pliers. It took the man 15 minutes to die he said. This method of killing victims was employed on six occasions and Theron testified that it had traumatized him. Theron discussed this with Gen Loots and Basson. According to Theron, Basson told him he would give him Scoline and Tubarine, both used during open heart surgery to collapse the lungs, but lethal in overdose. Both drugs are Schedule 7 and Theron would have had no way of obtaining them in the military context except through Basson.

These drugs were then used on a regular basis to lethally inject victims. Theron also said that Basson gave him sleeping tablets which were given to victims, in other instances the sedative was injected into cans of cold drink or beer. Theron testified that he could not remember how many people died this way but said that it must have been hundreds. In all cases the victims were black men except for once case in which the victim was a black woman.

Theron gave evidence that Basson had flown to Namibia on one occasion to monitor how he was carrying out his task and at the same time, assess how well Theron was handling his duties from a psychological point of view. The night before the detainees were to be given lethal injections, they were taken to an interrogation room with a one-way mirror. Theron watched from outside as Basson gave the men sedative tablets and saw that as Basson left the room, the men hid the pills in the legs of their chairs. Basson went back inside, retrieved the pills and waited until the men swallowed them. When the time came to inject the men, Basson demonstrated the correct procedure to Theron while administering Scoline and Tubarine to the victims, "who were dead afterwards".

Theron said that at an advanced stage of Operation Dual Basson had informed him that the death inflicted by the Tubarine/Scoline cocktail was extremely painful and had therefore made the anaesthetic Ketelar available to him to anaesthetize the victims before dosing them with the lethal combination.

Theron also gave evidence about the murder of one of the assassins of Renamo leader, Orlando Christina. The victim in this case had ended up in the Intensive Care Unit of 1 Military Hospital after capture by the police. When the man recovered, Basson told Theron to fetch him from the hospital. Theron, Basson and a national serviceman, Paul Heyns, went to the ward together, where Heyns was handcuffed to the alleged assassin. The four then drove in Theron's car to Zwartkop Air Force Base where a light South African Air Force aircraft was waiting for them on the runway. The suspect was handcuffed to one seat. Theron was told they were going to Bloemfontein.

During the flight the prisoner was extremely aggressive, fighting hard to free himself. Basson told Theron his condition was the result of an overdose during chemical interrogation in which he, Kobus Bothma and Philip Mijburgh had taken part.

Theron told of an incident in which three victims were taken to a location in KwaZulu Natal where they were tied to a tree with a chain. Medical doctor and Special Forces member, Kobus Bothma had accompanied Theron in this instance. According to Theron the chief purpose of the trip was to “spend a day experimenting” with two different chemical substances, designed to kill — and if the victims died, they would be disposed of “in the usual way”. He and Bothma spent a day smearing the men’s naked bodies with the substances at intervals, wearing gloves to protect themselves. Despite this precaution, both Bothma and Theron did get some of the ointment on their own skin, but suffered no ill-effects. Nor did the victims, who remained alive. The next day, pilot, Martin Van der Linde flew to Dukuduku from Pretoria. The three victims were injected, loaded into the aircraft and with both Bothma and Theron aboard, their bodies dumped in the sea off St Lucia.

Theron gave evidence about an incident in which Basson asked him to assist in disposing of the body of a patient from 1 Military Hospital. In this case Theron and Basson had placed the corpse in the furnace at the Special Force Head Quarters, had waited for it to incinerate, collected the ashes and threw them out of a moving vehicle.

Theron told the court that Victor de Fonseca was an ex-Mozambican Civil Co-operation Bureau operator who had previously taken part in field operations as a member of Danie Phaal’s team, but later did administrative tasks from an office at Special Forces Head Quarters, known as “Die Gat”. De Fonseca had a brain tumour and was frequently admitted to 1 Military Hospital, where he was treated in an off-limits section “to which only Basson had access”. At some point, Basson and Theron discussed De Fonseca’s fate and decided he should not be “taken into the system”. He was married to a South African woman and because of his serious illness, Basson and Theron felt it would be better to “accommodate” him at 1 Military Hospital. Asked what he meant by “accommodate” Theron said “Basson would treat him in such a way that he died”. Theron also discussed this with Phaal, De Fonseca’s counter-intelligence officer.

Two incidents resulting in the murder of members of the 5 Reconnaissance Unit who had become security threats were also dealt with by Theron in testimony.

Further questioning of Theron related to his role as counter-intelligence head of Project Coast in 1991. Theron testified that he had difficulty in distinguishing between Basson’s private interests and those of Project Coast, despite attempts on many occasions to investigate this. Theron confirmed that there were many aspects of Basson’s activities that as counter-intelligence officer he should have been informed of but was not, including meetings with foreign agents.

Theron said that on a given day in 1992, he and Basson discussed a plan to distribute toxic beer at taxi ranks in the Eastern Cape, where violence was rife. The idea was to observe what effect, if any, the beer contaminated with flocculant(s) would have. The operation was not carried out because the operative chosen to conduct the experiment, Civil Co-operation Bureau counter-intelligence head, Danie Phaal, failed to collect the contaminated beer.

Defence advocate, Jaap Cilliers, suggested to the witness that it was curious that he had used the drugs Tubarine and Scoline to murder his victims when he had access to cyanide capsules. Theron said that he did not have free access to

cyanide capsules despite the fact that they were issued to all Special Forces operators in Angola to be used in the event of their capture. Theron also said that he had to rely on Basson for the supply of the drugs because the military pharmacists at Special Forces Head Quarters were national servicemen who had been conscripted into the military. Theron did say under cross examination that on occasion, when Basson was away, the drugs were made available to him by medical doctor, Dr Kobus Bothma; Special Forces dentist and later head of RRL, Wynand Swanepoel and a Wouter Lombard.

The defence also challenged Theron’s account of the trip he alleges he and Basson made to Fort Rev in Namibia. Theron previously testified that once at Fort Rev, Basson was personally involved in administering lethal injections to SWAPO detainees.

In relation to the charge regarding the cremation of a body in the Special Forces incinerator, the defence put it that it was SADF policy not to report the deaths of any UNITA or SWAPO member while that person was a patient at 1 Military Hospital. Their bodies were either cremated or returned to Namibia. Basson denies involvement in this incident.

The cross examination of Johan Theron continued on Monday 8 May. Theron told the court that in some instances bodies were not thrown out over the sea but over the Brandberg mountains, and others were thrown out into the veld from Casspirs (armoured military vehicles), this was the case in one operation during 1988.

The defence stated that Basson denies ever being involved in a scheme to distribute poisoned beer at taxi ranks in the Eastern Cape.

In relation to the incident in which, Theron claims, one of the alleged assassins of Renamo head, Orlando Christina, was taken from 1 Military Hospital unconscious after having been interrogated the defence claimed that the victim had in fact been catatonic and said that Theron was “clearly not aware that catatonia was particularly prevalent among black people, far more so than whites, under severe stress, black people enter a trace-like state and this is what had happened to this person.” [Note: catatonia is a reaction to extreme stress brought on by, for example, severe torture — there is no clinical evidence of racial or ethnic tendency to catatonia amongst any group of people, contrary to the claim made by the defence.] Basson denies involvement in chemical interrogation.

The defence placed in record that Basson had supplied sedatives to operators who suffered anxiety or nervousness about such things as ‘going through customs posts’ or entering buildings whilst on missions. Sedatives were also supplied to operatives involved in abduction operations. Basson denies giving Theron any substance or being involved in the murder of anyone. He also denies knowing anything about the solution devised by Theron, Gen Fritz Loots or Mr K for the overcrowded detention barracks at Fort Rev, or any other incidents in which Theron claims he was involved.

Monday 8–Tuesday 9 May [Phaal] Later during 8 May, former Civil Co-operation Bureau (CCB) counter intelligence officer Danie Phaal was called as a witness. Phaal explained his background in the military to the court and said that he joined Special Forces as a counter-intelligence officer in 1980. Phaal said that while working at the Special Forces Headquarters he was gradually introduced to Barnacle. Phaal’s first operation as Barnacle operator was in February 1983 and involved the murder of a fellow operator known only as Christopher. Christopher was offered a lift by Phaal and Trevor Floyd to Messina, once in the vehicle he was given a beer containing sedatives to drink. When he fell asleep the

operators injected him with Ketelaar, which Phaal said he had been given by Basson. The intention was to keep the victim sedated until the next day when they were scheduled to fly from the Zeerust airfield. Sometime during the period of his sedation, Christopher stopped breathing. The two operators folded the victim's body into a fetal position before rigor mortis set in and waited at the airfield. Early the next morning the head of the 5 Reconnaissance Unit's detention barracks, Chris Pretorius arrived with three prisoners. Shortly after first light Theron and pilot Martin Van der Linde landed at the airfield and Phaal helped Theron to inject the prisoners in the neck and heart before stripping them naked and loading them into the plane. Theron and Van der Linde left in the plane with the victims and Phaal returned to Pretoria.

Phaal also told of an operation which he remembers taking place between 1983 and 1986 (although the indictment indicates that it took place in 1985). Phaal alleges that he was handed a small bottle of liquid by Basson who instructed him to put it in a soft drink and give it to the victim, a SWAPO prisoner of war in Ondangwa, Namibia. Phaal was also instructed to transport the victim to 1 Military Hospital as soon as he showed any signs of illness. Phaal presented himself at Ondangwa as a doctor and was taken to the detention cells by the intelligence officer. The SWAPO soldier he saw was in good health at the time and after talking to him, Phaal offered him orange juice which he first laced, out of sight, with the contents of the bottle from Basson.

The following day, Phaal was summonsed urgently by the intelligence officer, who told him something was wrong. When he got to the SWAPO man's cell, it was obvious the man had suffered extensive blood loss. There was blood on his calves, on the toilet bowl and on the cell floor and he was "not in good shape".

Phaal arranged for the detainee to be flown to Grootfontein on the first available transport aircraft and from there, to be casevaced to Pretoria. On arrival at Waterkloof that evening, an ambulance was waiting to take the man to 1 Military Hospital but Phaal did not know any of the medical staff in attendance.

During the flight, he had injected the victim with "something" he was given by a doctor at Grootfontein. Some time afterwards, Phaal was told by Basson that the man had died. Phaal told the court under cross examination that Basson had informed him that this was an experiment.

Phaal gave evidence about his role in the murder of Victor de Fonseca. This he said was the most traumatic incident in which he was involved. De Fonseca was suffering from brain cancer and began talking to other Special Forces members and outsiders about covert operations. For this reason he was identified as a security risk. Phaal was instructed to "get him under control". On two occasions Phaal was given substances, once by Dr Kobus Bothma and once by Theron, to place in drinks given to de Fonseca. On 13 August 1986 Phaal was informed that De Fonseca had died.

Phaal took part in a second operation to murder an operative who had become a security risk. In this instance the victim was sedated, loaded into an aircraft and injected in the neck. His body was thrown out over the sea near Dukuduku in KwaZulu Natal.

Phaal explained that at some stage Barnacle ceased to exist and was replaced by an interim organisation, known only as The Organisation. In due course, the Civil Co-operation Bureau (CCB) took over from the interim structure. The most important consideration was that the new unit should not be traced back to the SADF. His task was counter-intelligence. The chief task of the CCB was eliminations.

Most members were recruited from the ranks of Special Forces and they acted only on intelligence. Various methods were used to kill targets, of which poison was one, but "any method" was acceptable. If toxic substances were needed in the early years, Phaal would get them direct from Special Forces doctors. "The Organisation" obtained whatever it needed from Basson's Special Forces medical unit.

Phaal testified that he left the CCB in 1990, although he said the unit only finally disbanded in 1993, three years after the unbanning of the ANC and other organisations. He said that a year after leaving the covert unit he was approached by Theron with the plan to distribute poisoned beer at taxi ranks in the Eastern Cape. Phaal agreed to be involved but made sure that he did not receive the beer, avoiding Theron's attempts to deliver it to him. Phaal was afraid that it was a trap. Phaal said Basson met with him in 1992 and acknowledging the fact that Phaal was in a tight financial situation offered him 100 000 mandrax tablets. Basson told him that he could make R10 [of the order of US\$2.50 at the time] profit on each tablet. Phaal told the head of the CCB, Joe Verster about the suggestion made by Basson and reported it his legal team. At the time Phaal and other former CCB members were involved in a legal battle with the SADF over the fact that their pension had not been paid out.

Cross examination of Phaal continued the next day. It was stated by Basson's defence team that Basson denies handing Phaal the bottle of liquid allegedly used to kill a SWAPO prisoner of war in Ondangwa. The defence team also said that Victor de Fonseca may have died of natural causes. Adv Cilliers ended his cross examination of the witness with a formal denial that Basson was involved in any of the crimes with which he is charged and denies offering Phaal mandrax tablets to sell.

Wednesday 10–Friday 12 May [Floyd] Former Barnacle operator and founder member of Special Forces, Trevor Floyd, was the next witness to take the stand. Floyd testified that he was one of the founder members of Barnacle and had accompanied Mr K on trips to Rhodesia to collect truckloads of weapons and special equipment for use by the unit. Floyd said that by the end of the first year of Barnacle's existence there were 25 operators, mostly black soldiers from Rhodesia.

Floyd testified that he was involved in the murder of one of the Zimbabwean operators who posed a security threat in November 1980. Three other bodies were disposed of during the flight to get rid of the operator's body. Floyd said that while lethal injections were customarily used, on one occasion, he and Mr K had to use hammers to kill three victims because Mr K had forgotten to take along the sedatives. According to Floyd, "the story was always" that drugs used was obtained from Basson.

Floyd also testified about operations which Mr K testified about last week. He told also of the operation to murder Christopher, in which Phaal was involved. His version of the incident did not differ from the version presented by Phaal.

Defence advocate, Jaap Cilliers, objected to testimony by Floyd that directly implicates Basson in the supply of toxic substances used to murder enemies of the state. Basson's defence team previously stated that Basson denies ever supplying any chemical substances to anyone for elimination of enemies of the state. The Judge ordered that the legal teams present arguments regarding admissibility of evidence the following day.

On Wednesday 10 May, after hearing legal argument from both legal teams, Judge Willie Hartsenbergh ruled that evidence related to the six charges dropped at the start of the trial, may

be presented after all. He upheld his original ruling, namely that the crimes outlined in the dropped charges were committed beyond the jurisdiction of his court and thus cannot be tried in South Africa, but will allow evidence about toxins supplied to Barnacle/Civil Cooperation Bureau agents by Basson or his surrogates because it is in direct contradiction to the defence placed on record the day before, namely that Basson denies ever supplying anyone with any chemical substances for the elimination of any person, and admits only to supplying sedatives at times to calm the nerves of Special Forces operators on a mission or who suffered anxiety attacks, and for use in abduction operations.

Floyd continued his testimony, providing details about the plot to murder Ovamboland local administration official, Peter Kalangula in 1985–86. In this instance Floyd said that Basson had handed him a substance to smear on the victims car door handle. Basson also provided Floyd with two pairs of gloves, saying that should the substance come into contact with his skin he should immediately seek medical attention. The operation was aborted when Floyd was unable to gain access to the victim's car.

Floyd provided details of the start of the Civil Co-operation Bureau and the way in which the unit operated. He told the court that for much of the time he was a CCB operative he was the sole operative responsible for Region 5: Europe and the UK. He was permitted to present evidence about the attempted murder of Ronnie Kasrils and Pallo Jordan in London in 1985–86. Floyd said that it had been his idea to use a poisoned tipped umbrella for the hit. He told how he had met Jan Lourens who had handed him the modified umbrella and showed him how to load the syringe with poison Lourens supplied. This operation too was aborted because the intelligence on which it was based was out of date.

Floyd said that he had been approached by Basson in 1992 and told that he had ecstasy to sell and asked Floyd if he had contacts in Europe who they could use to sell the drug. Floyd said he did not and also said he would not be party to drug dealing.

The cross examination of Floyd began on Wednesday afternoon and continued on Thursday. The defence put it to Floyd that Basson's approach with the request for assistance to sell ecstasy had been a test. Cilliers said that Basson was investigating an incident in which a drum of ecstasy had been found by customs officials in Ireland who had reason to believe that the substance had come from South Africa. According to Cilliers, a top-level SADF investigation was launched to establish if the Ecstasy had originated in South Africa, since there was a suspicion that the dissident CCB agents had somehow laid their hands on Ecstasy produced by Project Coast and were exporting it.

Floyd told the defence that there was no reason to suspect that he had been involved in ecstasy incident.

The defence also challenged Floyd's version of the London operation and pointed out inconsistencies between the statements of Floyd and Lourens. The defence also pointed out that Lourens' statement implicates Dr Philip Mijburgh in the provision of the toxin, not Basson.

Later in the cross examination, Floyd told the defence counsel, Adv Jaap Cilliers that when he joined the SA Defence Force as a young man, he was told he would be trained to kill people, and during the late 1970s and 1980s, South Africa was at war, not only in Angola and Namibia, but in South Africa itself, as proved by the successive states of emergency. Trevor Floyd was never told by anyone that he should not kill his country's enemies wherever he found them. With regard to Floyd's earlier testimony that he had collected a jar of ointment

to smear on the car door handle of the car belonging to Peter Kalangula from Basson, the defence counsel stated that Basson denies giving Floyd ointment.

Friday 12 May [Van Zyl] Former Civil Co-operation Bureau operative, Abraham (Slang) Van Zyl testified about the attempted intimidation of Archbishop Desmond Tutu in 1989 and the conspiracy to murder former Minister of Justice, Dullah Omar. Van Zyl told the court how he came to be recruited into the covert SADF unit after being approached by one of his colleagues in the police. Van Zyl was a policeman at the Brixton Murder and Robbery unit prior to his recruitment. Van Zyl said that the CCB's primary task was the "maximum disruption of enemies of the state, including eliminations". Intelligence gathering was very much a secondary task. "Enemies" were defined as individuals or organisations actively engaged in opposing apartheid — critics of the government of the day did not qualify. Van Zyl was assigned to Region 6 (South Africa), with the Western Cape his particular field of operation.

Van Zyl described how the CCB operated, how orders were given, targets selected and authorized for 'elimination'. Van Zyl said that the attempted murder of Dullah Omar was his second project as a CCB member and that he had used Cape Town gangster, the late Edward (Peaches) Gordon to carry out the operation. The initial intention was to murder Omar with a silenced makarov pistol but this plan had fallen through because Omar was difficult to monitor, kept irregular hours and was seldom alone. In August Omar had a heart attack and was recovering at home. Gordon told Van Zyl that he could get access to Omar's heart medication.

Van Zyl testified that whenever poison was needed, the regional co-ordinator of the CCB would liaise with "the suppliers". Van Zyl discussed Omar's medication with CCB operatives, Staal Burger and Christo Brits and Gordon was instructed to get the tablets. At the end of August, Van Zyl handed two pills to an unknown agent from the "medical regiment" at a cell meeting with Burger and Brits. On September 13, a CCB agent known to Van Zyl as Nick met Van Zyl at a hotel near the Johannesburg airport and gave him a small bottle of powder. It had not been possible to reproduce Omar's medication, but this powder, if sprinkled over his food, would kill him in such a way that he would appear to have had another heart attack, Van Zyl was told.

The powder was handed to Gordon by Van Zyl but Gordon failed to get access to Omar's food and Gordon was instructed to destroy the powder and the makarov a week later.

Van Zyl also testified about the placement of the baboon foetus in Archbishop Tutu's garden in August 1989. Van Zyl, Ferdi Barnard, Edward Gordon and one other unidentified operator drove to the Bishops court residence from the Cape Sun, where Barnard knocked eight nails, previously treated by a witchdoctor, into trees along the driveway, and Van Zyl hung the jam jar containing the foetus in a tree near the front door.

Van Zyl quit the CCB in October 1989. All operators had been ordered to finalise their projects by 1 September 1989, as FW de Klerk was replacing PW Botha as president, and he "did not yet know of the CCB's existence". Until he had been informed, no further operations were to be launched.

Monday 15 May [Botes] Former CCB operative, Petrus Jacobus Botes took the stand and told the court about his involvement in the covert unit. Botes, who was a member of the inner-circle of the organisation told the court about the structure of the CCB and the way in which it operated. He told the court that chemical substances could be obtained via the

counter-intelligence offer, Danie Phaal or the medical co-ordinator. Botes knew three medical co-ordinators — De Wet, who was not a doctor, Gerrie Odendaal and Frans Brink (not his real name). Botes said that operators could get anything they needed, from substances that would take effect within minutes to long-term toxins which would strike within hours, days, even two to three months, depending on how much time the operator needed to exit the area of operation. Requests for toxins would be made at the final briefing and approved by the general before being passed to the medical co-ordinator.

Botes was given poison on three occasions. Once he received a small brown eyedropper-type bottle containing a clear liquid. He was told it was tasteless and odourless and that a single drop would kill a man. Twice he was given ampoules of clear liquid. He never knew exactly where the substances came from, but had been told frequently that “Doc Wouter’s team” had the ability to provide anything that might be needed.

In August 1989, Botes was given four brown glass jars by Joe Verster and told that two contained cholera bacteria, the others yellow fever germs. Botes went to Namibia to identify opportunities for anti-SWAPO operations and while there, received the order from Verster to contaminate the water supply at two refugee camps outside Windhoek with cholera — and yellow fever.

In cross-examination, Cilliers pointed out that according to Basson, any plan to place yellow fever in the drinking water would have been futile, since it cannot be spread other than by a mosquito bite.

Botes gave the bottles from Verster to two of his operators, Charlie Krause and Jose Daniels. He was not convinced the cholera plan would work, since he had established that the water in the camp reservoir was from the municipal supply and thus chlorinated, but Krause and Daniels in due course reported they had polluted the water and returned the empty containers to him. He destroyed them.

Cilliers formally placed on record Basson’s denial that he ever supplied Botes with any toxic substances.

Monday 15–Tuesday 16 May [Engelbrecht] The next witness was Rita Engelbrecht, ex-schoolteacher, housewife, bank clerk and Military Intelligence employee in civilian capacity. She was recruited in 1984 and involved in personal security clearances, including background investigations. Specifically, she was involved in the clearances of Project Coast employees, which were at the highest level — orders from the top were that all Project Coast employees had to be totally beyond reproach. She was aware that Coast was the chemical and biological warfare programme.

From the end of 1987 she worked out of the Inffladel offices in this capacity. Inffladel was controlled by Basson and her colleagues were Tjaart Viljoen, Antoinette Lourens, Johnny Koortzen and Marie van Graan. From time to time she also had contact with Brian Davey and other doctors connected to the project. She also got involved in security clearances for employees at the front companies — Roodeplaat Breeding Enterprise, Roodeplaat Research Laboratories, Delta G Scientific, D John Truter and Protechnik.

Engelbrecht testified about the poisoned beer that Theron was to pass to Danie Phaal to be placed at taxi ranks in the Eastern Cape. Despite an objection by Adv Cilliers, the judge allowed the witness to testify that Theron had also told her, at some stage, that she should not imagine if you murdered someone, death came quickly. It could take up to 15 minutes, he told her, for someone to die. He also told her that his work

included flying out to sea and throwing the bodies of terrorists into the ocean and that he was extremely good at giving injections to terrorists, as Dr Wouter Basson had taught him how to do so.

Tuesday 16 May [Nieuwoudt] Former Military Intelligence operative, Jan Anton Nieuwoudt was responsible for developing dossiers on potential targets for much of his career. Nieuwoudt also liaised directly with the head of Barnacle and with operators on the ground, supplying information about identified targets to them. For a period of about a year (approximately May 1983 to mid-1984) he lived and worked closely with Trevor Floyd. He is aware that poison was used by Barnacle operators for eliminations. Nieuwoudt testified that proposals for the elimination of targets were routinely submitted to the Chief SADF and on at least one occasion, also to the Minister of Defence.

Nieuwoudt specialised in interrogations and was involved in “many” after being trained both locally and abroad in this field. He had excellent equipment at his disposal, including a variety of electronic surveillance equipment in a mobile caravan. He is part author of the SADF manual on interrogation techniques.

He was present on one occasion, at Fontana, when chemical substances were used during an interrogation. The victim was a policeman from Nelspruit by the name of Msibi, who was suspected of being an ANC supporter/agent. The Security Police conducted the interrogation but a Special Forces operator, whom Nieuwoudt assumed was a medical doctor, administered the substance by injection.

Nieuwoudt testified that while working for the Directorate of Covert Collection he had ordered fellow agent, Henri van der Westhuizen to buy cans of beer in Swaziland. These he handed to Dave Drew or Mielie Prinsloo at Special Forces Headquarters to be laced with poison. The poisoned beers were brought back to Nieuwoudt by Dirk Booysen, who pointed out tiny spots of solder on the base. They were barely visible, but Nieuwoudt nevertheless painstakingly filed the solder until no trace of tampering could be seen. He passed the beer on to an agent of his in Swaziland. At a subsequent debriefing, the agent reported to him that it had been given to Knox Dlamini. After being “nagged” for three weeks by Booysen to do so, Nieuwoudt filed a report on how the poison had worked, based on what his agent told him.

Tuesday 16 May [van der Westhuizen] Henri van der Westhuizen was called next. He joined Military Intelligence in 1981. At the end of 1986/beginning of 1987 he was posted to Speskop, working for Mielie Prinsloo. Here his job was to prepare target dossiers, the final step before an elimination was authorised. He gave duplicates of some files to CCB operator Pieter Botes. Van der Westhuizen then joined the Directorate of Covert Collection in the Terrorism section. He confirms that Nieuwoudt once ordered him to buy beer in Swaziland so that it could be “prepared” with poison, but claims the beers he bought “never went anywhere”. He says he kept them locked up in a cupboard in his office and that is where they stayed, along with six cans of South African-bought beer — also Castle. Nieuwoudt once showed him other cans of beer which he said had been poisoned, pointing out the tiny soldered holes.

Wednesday 17 May Hearing of testimony was suspended for the day while argument was presented on the State request for the court to travel to Jacksonville, Florida, to hear the testimony of attorney David Webster.

The judge gave his ruling on Monday morning, May 22.

18 May The Court did not sit.

Friday 19 May [Lourens] Bio-engineer and former managing Director of Protechnik, Jan Lourens took the stand. Lourens said that he had been based at Special Forces headquarters as a member of the Special Operations unit, a unit commanded by Basson. Lourens told the court that there were laboratories at Special Forces headquarters one of which was the initial production facility for CR gas.

From 1985 Lourens did a great deal of work with RRL in the bio-medical support sphere, providing apparatus needed for experiments, such as a primate restraint chair and a mechanical arm that could be used to extract blood from a distance. He was also responsible for installation of the filtration system in the RRL toxic laboratory.

When Lourens became involved with Delta G Scientific, it was still housed in a couple of offices in the Pretoria suburb of Val de Grace. While there, construction of the Midrand plant began and Mijburgh invited Lourens to serve as project manager, which he did for about 18 months.

Delta G had two manufacturing plants as well as a pilot plant or pre-production facility and a large laboratory complex in addition to the usual administrative offices and workshops. When construction ended, Lourens was given the option of staying on as resident site engineer, but the prospect held little attraction and instead, he discussed with Mijburgh the possibility of removing the defensive chemical leg of the project from Delta G and running it himself. Mijburgh agreed and at the end of 1986, with funding supplied by Basson, Lourens set up System Research Developments in Strydom Park, Randburg.

The company grew rapidly. Defensive chemical work concentrated on filters and detection apparatus while SRD Electronics was involved with surveillance equipment and debugging devices. A mechanical workshop operated under the name of QB Laboratories. In March 1988, Lourens left SRD and Johnny Koortzen took over from him. By that time, the defensive side of the business had grown significantly, with textiles, clothing and filtration systems all being tested against genuine chemical substances rather than simulated tests being carried out. Lourens then became managing director of Protechnik until March 1993.

The mechanical division of SRD supplied custom-made items which Lourens and EMLC armourer, Philip Morgan called "applicators". These were instruments that could be used to administer chemical substances. The need for such items was identified by Basson and as a rule, finished products were delivered to him by Lourens. Once or twice, Lourens delivered products to Dr Andre Immelman at RRL, but most of the work he did in conjunction with RRL was with James Davies.

Payment for these items was covered by a regular monthly fee to QB Laboratories and a "wide range" of applicators was made. The earliest were screwdrivers, either springloaded or containing a low explosive charge which released the chemical substance on impact. Other items included a combination spoon and knife, umbrellas, walking sticks, a folding knife-spoon which fit into a cigarette box, screwdrivers fitted with surgical hypodermic needles (one of which was fitted into a bicycle pump) and polycarbonate micro-balls coated with a chemical substance. Polycarbonate was virtually impossible to detect during an autopsy, Lourens was told and the micro-balls could not be detected by security X-Ray machines.

QB Laboratories also made signet rings with a secret compartment for poison, and these had a unique locking mechanism, designed by Morgan, which allowed Lourens, in court, to identify a signet ring used by Leslie Lesia against ANC operatives in exile in African states. A photograph of the ring

was published in The Star during the legal wrangle between the now defunct Vrye Weekblad and Lothar Neethling over former Vlakplaas commander Dirk Coetzee's allegations that Neethling had supplied him with poison used to eliminate ANC activists.

In 1988–89 Lourens was sent to England by Basson to hand over an 'applicator' — an umbrella — to an operator. Two glass ampoules of colourless, watery liquid given to him by Philip Mijburgh — he says he must have been referred to Mijburgh by Basson in this regard — were taken to England by Lourens himself. He wrapped the ampoules in tissue paper and sealed plastic bags and packed them in his toiletry bag, which was in his hand luggage. Lourens told the court how he had met the operator and had shown him how to use the 'applicator'. In the process of doing so, some of the liquid from the ampoules had dropped onto his finger and he had licked his finger without thinking. Lourens cannot remember much about what happened next, but says he suffered vision impairment, began shivering and briefly lost consciousness. He drank some milk and Dettol which he found in the bathroom, and went to lie down. After about two hours, he felt fine. A document retrieved from one of Basson's trunks by investigators was shown to Lourens, who said he was seeing it for the first time. It deals with the symptoms of poisoning by Silatrane, refers to Dr James Davies and Dr Andre Immelman and is signed by Dr Wynand Swanepoel. The symptoms match those experienced by Lourens at the cottage.

During cross examination, Cilliers placed on record Basson's formal denial that he ever sent Lourens to the UK with the poison umbrella. Furthermore, according to Basson, at the time the umbrella was still in development and could not have been used.

Monday 22 May Judge Willie Hartzenberg granted the State application to take the court to Florida in the US to hear the testimony of attorney David Webster and his wife, Jane. Hartzenberg said it was obvious that Webster's testimony was crucial in order to admit the huge volume of documents from his files as evidence in the case, and that he could "clearly" provide a great deal of relevant testimony. Justice required that the state application be granted and given the fact that the trial record already runs to some 6,000 pages and hundreds of exhibits totaling several thousand more, Hartzenberg believes he would be the best person to act as co-commissioner with a suitably qualified American judge.

Monday 22 May [Mr Q] Under the terms of the court ruling of 2 May, the first witness of the day may be referred to only as Mr Q. He currently has business contracts in various southern African states, is a former Selous Scout and has family living in a neighbouring state who could be targeted for reprisal if his identity were made public.

He told the court that when "things were difficult" in Zimbabwe in 1980, he came to South Africa to join EMLC, a "dedicated firm" which provided special equipment to the SADF's Special Forces. The head of EMLC, based at Speskop, was Sybie van der Spuy and it consisted of an electronics section, drawing office, mechanical workshop and library. There were a number of laboratories in the Speskop head office building but according to Mr Q, these were not staffed by EMLC.

Mr Q testified to knowing Basson, whom he saw "regularly" at both EMLC and other areas of Speskop. He knew him as a "military medical man" and also knew two or three of the doctors working under him, but had little to do with them. Occasionally, he visited the office of Dr Philip Mijburgh and

recalls seeing a live black mamba there — for about two or three months.

His work consisted largely of producing silencers, special ammunition and magazines, modifying weapons (e.g., shortening the barrels) and timing mechanisms.

Mr Q was once called to Mijburgh's office and asked to drill a tiny hole in a can of Game orange cold drink. Mijburgh wanted the task done in his office rather than in the workshop and Mr Q obliged, drilling the hole on the seam of the can. A substance was then injected into the can and Mr Q closed the hole by soldering it. He did this on two or three different occasions and the holes were never visible.

Shortly before leaving EMLC at the end of 1987, Mr Q was called to General Kat Liebenberg's office and told to take a few weeks leave as there was a special project Liebenberg wanted him to work on at home. Mr Q was told Basson would come to his house and tell him what was required. The result was a walking stick which could fire a tiny polyurethane pellet — 3–4mm in diameter — which had a hole drilled in it that could contain a liquid or a powder. Mr Q assumed the walking stick would be used to shoot someone. Basson came to his home two or three times to check on his progress and give him guidelines.

Soon after completing this project, Mr Q was told by Basson that he was setting up a small facility like but separate from EMLC and invited him to go and work there. From January 1988, he did, in the basement of a building in Strydom Park, Randburg. Jan Lourens was the manager of SRD and Mr Q shared the basement with QB Laboratory, which was supplying teargas canisters to the police.

Mr Q was told to draw up a list of machinery and equipment he would need and given a cheque by Lourens to purchase it.

In addition to modifying weapons and cars used by the medical staff from Speskop, Mr Q began making special applicators. The walking stick was the first. Screwdrivers followed — several examples handed to the court as exhibits on Friday were identified by Mr Q as his handiwork. The hollow handle contained a springloaded plunger that could suck up liquid through a small hole at the end of the screwdriver blade. The liquid would be released on impact if someone was jabbed with the screwdriver. The design was Mr Q's, as were trigger mechanisms for letter bombs also handed to the court on Friday.

The need for a specific applicator and specifications would be given to Mr Q by either Lourens or Basson and the finished products returned to one or the other. Basson gave Mr Q the specifications for the poison-tipped umbrella, of which only one was ever made. It had a springloaded plunger with four hypodermic needles at the tip, covered by a protective shield that retracted on impact, releasing the liquid inside.

Mr Q also made a signet ring to Basson's specifications. It had to have a secret compartment for powder. The ring used by Leslie Lesia and shown in a newspaper photograph in November 1990, was identified by Mr Q as the one he made. The prototype, which he had kept in his possession until it was turned over to the investigating team, was produced and filed as an exhibit in court today, along with a number of scale drawings of applicators which Mr Q says he designed. Mr Q gave the completed ring to Lourens. Among the other gadgets he manufactured was a blade, powered by a blank cartridge, which could fit into a box of 30 cigarettes and could also hold a small amount of liquid.

The next witness was Dirk Booyesen, who was a teacher before joining the permanent force (Navy) in 1979. He worked for the Directorate Covert Collection until 1987, when he was seconded to Special Forces as DCC's liaison officer. It was his

task to handle all Special Forces requests for "essential elements of intelligence" from DCC. His colleagues at Speskop were Colonel Mielie Prinsloo and Dave Drew. Special needs of Special Forces — cameras mounted in vehicles, false compartments, cans of Coca Cola, foreign coins with secret compartments — were routed through Booyesen to Colonel Hekkie van Heerden during his tenure at Speskop from 1987 to 1989.

Monday 22 May [Smit] Erasmus Johannes Smit testified next. He joined the SADF in 1959, served as an artillery man and was a founder member of both 1 Parachute Battalion and Special Forces. He joined the CCB in late 1987/early 1988. He knows Basson as a medical doctor from Special Operations. His primary role with the CCB was security but he was temporarily seconded to Region 6 when serious disciplinary problems were being experienced "because SADF standards were not being applied" and ran a number of agents himself. He worked with the CCB production team several times. His administrative name was Nick Nienaber, his operational name Lawrence.

Smit was assigned to take to Cape Town the bomb used to blow up the Early Learning Centre, but at the last minute, more pressing needs prevented him from going. At one point, he was given the task of sitting some of the Region 6 agents down and having them complete their long overdue expense claims. This happened in a hotel near Johannesburg International Airport, and among the culprits were Slang van Zyl and Calla Botha. During this exercise, "Nick" handed Van Zyl a small bottle of poison and gave him directions for its use. He had been told that the suppliers could not provide the poison in tablet or capsule form. The powder was given to Smit by "Christo Brits".

Monday 22–Tuesday 23 May [Goosen] Dr Daan Goosen was the next witness, and the first of the scientists, to testify against Basson. He qualified as a veterinarian in 1975 and obtained an Honours degree three years later in clinical pathology, toxicology and pharmacology. While on the lecturing staff at Pretoria University's veterinary faculty, he was appointed director of the HA Grove animal research centre attached to what was then the HF Verwoerd Hospital in Pretoria on 1 January 1978. He held this post until the end of October 1983.

Goosen told the court how he had been recruited by Basson to establish the biological warfare facility Roodeplaat Research Laboratories. Goosen said that at a meeting which he, Basson and the then-Surgeon General, Gen Nico Nieuwoudt attended the decision was made that the facility would operate clandestinely. This would allow the scientists freer access to the international scientific community and would allow RRL to draw top scientists to its payroll, since military remuneration would not be attractive enough. Delta G Scientific was already operating in this way and RRL would follow in its footsteps. Their cover story was that of a contract research facility in the pharmacological, agricultural, biological, veterinary and medical fields and some private projects.

Goosen said that in order to avoid undue attention to construction of a high-tech facility just outside Pretoria, RRL was built in phases — the animal centre first, then the basic laboratories, five research laboratories shared by microbiology and reproductive physiology. The high risk or P4 facilities came later and were constructed further north.

Goosen said that at first, contact between RRL and the SADF was through himself and Basson. Later, meetings were held at the Sterrewag (Observatory) premises of Military

Intelligence on the southern outskirts of Pretoria. These were attended by Basson, RRL security chief Charl Jackson and Mijburgh as a rule. Monthly meetings also took place between the RRL “directors” and the main shareholder, the surgeon-general, at which all current projects were discussed. Goosen says there was no doubt among the RRL staff that the surgeon-general knew what work they were doing.

Security was strictly enforced. Once the RRL directors had nominated a team for a specific project, they were not allowed to discuss their work with anyone outside that team.

Goosen testified about work done at RRL on organophosphates saying that the objective was to develop the ultimate murder weapon — a lethal poison that could not be traced during an autopsy or, if traced, could not be traced back to RRL and hence the SADF. RRL was single-minded in this objective.

Goosen continued his testimony the next day by revisiting his demotion in January 1986 from managing director of Roodeplaat Research Laboratories to MD of Roodeplaat Breeding Enterprises, which focussed on the breeding of guard dogs.

After Basson’s arrest in January 1997, Goosen was asked by the special investigation team to go through the contents of four steel trunks of documents belonging to Basson. He spent two weeks, almost full time, on the documents in just one of the trunks. In another, he found minutes of RRL meetings, personal documents belonging to Basson and 203 RRL project files, many of them the original research files, including some relating to Goosen’s own projects.

There was also a great deal of literature on CBW, numerous documents related to Delta G Scientific, including minutes of board meetings and financial statements as well as documents relating to Infladel and Protechnik. The contents of what has become known as Trunk No 2 covered almost every aspect of South Africa’s CBW capability.

Goosen said that the ultimate application of biological agents manufactured by scientists at RRL was “not within our frame of reference” but testified that there is no doubt in his mind that Project Coast was about the development of weapons — and during the 1980s, South Africa was a world leader in some aspects of biological research. Of the 203 project files in Basson’s trunks, 177 dealt with CBW weapons. The rest related to “soft” or commercial projects. Of the 177 CBW files, 34 dealt with antidotes and treatment for biological agents and of these, only three were final reports. This surprised Goosen, since by his reckoning, there should have been 76 final reports. Of the 34, seven projects were pre-1988 while the rest were dated after that and up to the early 1990s.

During cross examination the defence team suggested that Dr Goosen had not been honest in all his dealings at RRL and that he had misappropriated money used to build on to his home. Goosen said that any money he owed RRL at the time of his departure from the organisations was deducted before payment of his pension contributions.

Adv Cillers put it to Goosen that in all international CBW laboratories, it is protocol to “look at the possibility of poisoning someone, somewhere in the world, with a view to protecting your own people”. Goosen acknowledged that there was very little distance between the manufacture of a biological agent and the antidote. The same technology is used for both. And this, says Cillers, is what RRL’s work was actually all about. In typical military fashion, the problem was attacked in terms of a Red Plan and a Blue Plan — the most likely substances to be covertly administered to SA security force members/agents had first to be identified before countermeasures could be devised. And different people would be used to work on the

offensive (Red Plan) and defensive (Blue Plan) measures, says Cillers.

Cillers also stated work on mamba venom — and that of other snakes — was part of a normal SADF project. Not only was there research on antidotes but mamba venom in particular has properties that are of vital importance in certain medications and biological warfare. It is a potent neuro-toxic poison with “very significant” anti-clotting properties, according to Cillers. Goosen said if this was what was being sought, he would have thought venom from the adder family of snakes would have been more suited to research.

Goosen said it was correct that highly advanced research had been done on peptide synthesis. Cillers said that the biggest CBW fear in the world is and was the peptide synthesiser, with its ability to produce peptides to alter moods and emotions. Goosen agreed that psychotropic substances are regarded as the new generation chemical weapons, but said the real fear in the year 2000 was development of ethnic-specific biological weapons, not covered by existing treaties. Cillers said also that during the 1980s the realisation dawned that chemical warfare was no longer about mustard gas, which left heaps of bodies lying on battlefields, and attention turned to peptide synthesis instead.

Wednesday 24 May [Wandrag] Former Roodeplaat Research Laboratories scientist Dr Stiaan Wandrag, whose research field is toxicology and pharmacology, testified. He joined RRL in July 1988 on completion of his compulsory military service. His main work for the SA Defence Force was a “deep involvement” in developing CBW antidotes, which he believed were for the protection of VIPs, security force members and agents who might be exposed to CBW.

He worked in the Compression Lab — situated in a basement with extremely tight security and high compression filtration systems installed by Jan Lourens of Protechnik. This lab was used for work on toxic agents and access was restricted — there were only two keys, one in Wandrag’s possession, the other in André Immelman’s. Wandrag was required to conduct studies on pharmacological products which included safety tests. Among the substances he worked with were Sarin, Tabun and VX. He also worked on an antidote for and protective measures against mustard gas. All Wandrag’s products were tested on animals.

Wandrag carried out research on Vitamin D3 — or Cholecalciferol, a potent rat poison which results in calcification of the arteries as well as the heart muscle. The report on his research filed with the court records that by the time symptoms appear, the heart muscle is already damaged beyond repair, no matter what treatment is administered and it is thus advisable that a large enough dose be given in the first place. It is said in the report that the biggest advantage of the tasteless substance is that it is natural and thus leaves no trace.

The substance was bought by RRL for tests which Wandrag insists were “for the protection of VIPs”. Kept in a refrigerator in Immelman’s office, Wandrag drew quantities of the poison as he needed it for his research. Wandrag also conducted tests with Sodium Azide, commonly used in laboratories for preservation, but also in the manufacture of explosives. The substance is highly explosive, especially when it comes in contact with metals such as lead.

Wandrag also worked on the ionophore antibiotics to determine what effect they would have on humans, and did animal studies with Aloxam. At one point he was asked by Immelman to provide a baboon foetus. He was led to believe it would be used for tissue culture research in the Far East and was told to freeze it. Wandrag performed a Caesarian section

on a pregnant baboon and removed two fetuses, one of which he gave to Immelman in a plastic bag, packed in ice in a polystyrene container. About three weeks later, Wandrag read in a newspaper about the “monkey” foetus suspended from a tree in Archbishop Desmond Tutu’s garden at Bishopscourt and asked himself if this might not be the foetus he supplied. He did not ask anyone else, however.

Under cross-examination, Wandrag said in order to manufacture antidotes, he had to first have the toxin. Some chemical substances were received from Delta G Scientific. His tests had to determine the toxicity of various carrier substances to which the poisons had been added, identify symptoms of poisoning and draw up treatment protocols.

He claims tests done on chocolates laced with thallium were done so that VIPs and security force members could be warned to beware of complimentary hotel chocolates in case they had been contaminated. The same applied to tests on contaminated whisky.

Wednesday 24 May [Odendaal] The next witness was Dr Mike Odendaal who was warned against self-incrimination in respect of placing salmonella in sugar, anthrax on cigarettes, botulinum in chocolates and beer and freeze-drying HIV-positive blood. He qualified as a veterinary surgeon in 1974, specialised in bacteriology and last year, obtained his PhD with development of a vaccine for feedlot cattle. Odendaal spent three years at Onderstepoort Veterinary Institute and three years at the HA Grove research centre before joining RRL in January 1985. He resigned in July 1993.

Odendaal said literature on biological warfare is scarce so from the outset he focused on collecting as many cultures as he could find. One of the RRL laboratories was specially equipped for his work with pathogens at P3 safety level. He cultured a considerable selection of bio-agents. At first, the defensive aspect was the most important but gradually, the emphasis shifted more and more to the offensive use of biological agents. Lacking clear guidelines from RRL management on what they were expected to do, scientists working for Odendaal pretty much went their own way, working on individual projects of choice. In his case, this meant the cattle vaccine.

Odendaal said the current approach in CBW programmes is to focus on micro-organisms and viruses, but no viruses were developed at RRL.

Odendaal said that Dr André Immelman controlled all ‘H’ or hard projects (projects for the SADF) at RRL and orders for these were almost never put in writing. As a rule, Immelman did not tell Odendaal what he needed specific pathogens for. However, he once asked for salmonella which was to be added to sugar for an ANC meeting. Odendaal had the idea the meeting was in Soweto, and was told afterwards that the salmonella had worked very well and that all the delegates had fallen ill.

He worked on four types of *Clostridium botulinum* — A & B which affect people and C & D which affect animals.

Odendaal says Botulinum is one of the most toxic substances on earth — a mere six molecules would be required to incapacitate and kill a man. Immelman was given samples of all four types.

Odendaal tested the toxicity of the substance when mixed with various liquids and found water, milk, beer and wine to work well. Added to pure alcohol such as whisky or gin, flocculant was visible.

At Immelman’s request, Odendaal purchased several packets of cigarettes and contaminated one or two in each packet with anthrax spores on the filter. The packets were

given to Immelman for resealing and distribution — to terrorists in Angola and Zambia, Odendaal understood.

Soft-centred chocolates were injected with anthrax or botulinum and given to Immelman. Fairly soon after Odendaal joined RRL, he was given a tube of blood by Immelman who told him it came from Basson, had been drawn from a 1 Military Hospital patient dying of AIDS and was to be freeze-dried with a view to being used against “opponents”.

From the Sales List, he identified the following as substances he gave to Immelman: beer with botulinum, anthrax spores on a letter (anthrax spores can survive for up to 90 years in the ground but if they reach the lungs, they are fatal), salmonella sugar, 16 bottles of vibrio cholera on 4 August 1989 (supplied in 100ml laboratory flasks), anthrax cigarettes, anthrax chocolates, botulinum chocolates, aldicarb in orange juice, another 6 bottles of vibrio cholera on one occasion and 10 on another, *Brucella melitensis* (which has a 5 to 10-year effect on the victim), *S typhimurium* in deodorant.

In cross-examination, Cilliers established that all Odendaal’s knowledge of the use of his pathogens, came from Immelman, as did the orders.

While all early work was defensive, offensive projects took over almost entirely in the later period. When Odendaal left in mid-1993, R200,000 [US\$50,000 or so] had been spent on plans for a state-of-the-art biological production plant at P4 safety level and in which any products of which 300 litres or more were required, would be manufactured. It was never built.

Basson formally denies being involved in the abuse of any of the pathogens manufactured by Odendaal.

Wednesday 24 May [Davies] Veterinarian Dr James Davies was the third witness of the day. Davies worked at RRL. Davies was made head of toxicology under Immelman and later head of animal experiments under Van Rensburg. Davies claims he understood Coast to be a purely defensive programme. Hard projects on which he worked were to determine toxicity of substances and how they could best be delivered. One of his test substances was Paraoxon, which is extremely poisonous and was tested on both rats and baboons. All projects had to be approved by Immelman, who was the link with the chief client, the SADF.

Davies carried out tests on the effectivity of special applicators at Immelman’s request. These included a screwdriver and a walking stick, which was burnt in RRL’s furnace when the company shut down, along with all substances kept by Immelman, microbiological cultures and documents. The screwdriver was tested on a pig carcass and reports were given to Immelman. The bamboo walking stick, powered by a blank cartridge, was tested on a cardboard box for penetration. Davies claims his impression was that even these tests were for defensive purposes as such devices could be used against SA troops. At Immelman’s request, custom-made toxins were injected into chocolates and alcohol. The products were then returned to Immelman. Davies said he had put Aldicarb in orange juice, botulinum in beer, thallium in beer, paraquat in whisky, anthrax spores on five cigarettes and contaminated chocolates with various toxins. Paraoxon in lip balm was tested as a possible applicator while the toxicity of paraoxon and nicotine combined was tested in a dog. Toxicity tests on Brodifacum were also done by Davies.

Shortly after Basson was arrested in January 1997, Immelman summoned Davies, Wandrag, and Kobus Nieuwenhuis to a meeting with Basson at Adolf Malan’s office. According to Davies, they were told to destroy any documents they might still have relating to their work at RRL. Under

cross-examination, Davies said he had always worked from a defensive angle for the protection of “our own people” and that all his research reports had been drawn up from that viewpoint.

Thursday 25 May During a break in testimony from Van Rensburg [see below] the court moved to Speskop, headquarters of the South African Defence Force’s Special Forces during the 1980s and early 1990s — and home of the Civil Cooperation Bureau — for an inspection *in loco*.

Wednesday 24–Thursday 25 May [Van Rensburg] Dr Schalk Van Rensburg testified that he met Basson in 1983 during a visit by Basson to the Medical Research Council, where Van Rensburg worked, to discuss the problems of biological warfare. On 1 August 1984, Van Rensburg joined Roodeplaat Research Laboratories, where he thought he would be engaged in research on various micro-toxins being used as weapons by Russian and Cuban troops in Angola. At that stage, Van Rensburg believed there was a very real threat of chemical warfare being used against South African security forces, and despite the fact that he never supported apartheid, had no reservations about working for a military laboratory dedicated to the protection of South African troops and development of countermeasures to the dirty tricks being used against them.

Van Rensburg said that Basson was the undisputed external director of research, who identified priorities and supplied guidelines for research. Van Rensburg himself was actively involved in only one project, as adviser to the team working on an anti-fertility vaccine. The idea for this came from Basson. He told the court there was no or little defensive work done by RRL, with the exception of projects designed specifically to protect RRL’s own employees or agents handling bio-weapons in the field.

According to Van Rensburg, Basson’s highest priority was the search for a substance that would kill in a way that made death appear from natural causes and would not be readily detectable during post-mortem forensic tests. Both Basson and Swanepoel repeatedly urged RRL scientists to find such a substance.

During cross examination, Van Rensburg was challenged on his claim that RRL conducted only offensive biological work and that defensive work was “done elsewhere”. In response, Van Rensburg quoted a breakdown of the work done for the Defence Force. Of the products delivered by RRL to the SADF, 36 per cent were lethal toxins, 36 per cent were applicators, 18 per cent were pathogens “that could cause severe illness”, 10 per cent were irritants and 3 per cent were psychogenic agents. Within weeks of joining RRL in mid-1984 it had dawned on Van Rensburg that RRL was an offensive plant, he said, and throughout his tenure, only about 6 per cent of all RRL projects were not offensive.

The court adjourned until 29 May.

Monday 29–Tuesday 30 May [Immelman] Former director of research at Roodeplaat, Dr Andre Immelman began his testimony. Immelman served for 10 years on the Veterinary Control Council and joined RRL in January 1984, having been recruited by a former student, Dr James Davies.

Immelman said RRL had “outstanding” animal facilities and in this and other respects, was not only the leading laboratory in South Africa, but compared favourably with numerous international facilities.

Immelman said he was responsible for the planning of the Compression Laboratory at RRL and had planned it with products like sarin, tabun and VX in mind.

Immelman testified that he initially believed the Defence Force project was entirely defensive, in response to a CBW threat identified by the military. Immelman knew Basson as the SADF contact man and expert, who supplied RRL with guidelines for research. CBW was a virgin field of research for the RRL scientists and they were almost totally dependent on Basson to identify projects. Immelman and Basson met regularly, Basson being a frequent visitor to RRL. Immelman and Basson continually discussed projects, and Basson could veto any project if he did not believe it to be in the SADF’s interest, or request research on a specific substance or application options.

Projects at RRL consisted of identifying toxins and establishing how they worked, whether or not they could be traced through forensic examination, what their stability was when added to food and various drinks and which routes were suitable for application — oral, inhalation, skin, intramuscular or intravenous.

Lists of “hard” or SADF projects were filed with the court. The 1985 list of 10 projects includes toxicity of paraoxon and ionophore antibiotics in baboons (EXHIBIT 63 R). The 1986 list contains 40 projects, including paraoxon synthesis, toxicity tests for Brodifacum, data bases for organophosphates and psychotropic substances and evaluation of the anti-fertility potential of various substances (EXHIBIT 63 S). At some point, H projects became R projects and EXHIBIT 63 T lists 197 of them. Immelman said there were “cases and cases” of pathogens in the microbiology laboratory, where in addition to “hard” projects, research was also done into antibiotics on behalf of pharmaceutical companies. Both bacteria and yeast cultures were present.

According to the witness, the synthesis of paraoxon was an ongoing project and there was always “plenty” available. EXHIBIT 63 U (1) outlines the most effective use of paraoxon, one of RRL’s earliest projects. Immelman explained that parathion is an organophosphate commonly used as an agricultural insecticide, which only becomes toxic — highly toxic — when metabolized in the body to form paraoxon.

RRL synthesized paraoxon as an active ingredient because it was “reasonably easy” to make, required a fatal dose of 1mg per kilogram of body weight which was quickly absorbed and, if detected post-mortem, could always be attributed to parathion, and because research into paraoxon offered an ideal cover for establishment of the laboratory in which research would be done on sarin, tabun and VX, since the same stringent standards applied for work on the poisons as on the nerve gases.

Immelman believed the parathion research could result in a new way of treating organophosphate poisoning through hydrolysis, and when this was achieved, RRL scored a world breakthrough. Every organophosphate Immelman could find was exposed to the process and the only one on which it did not work was Microtox.

Paraoxon was added to lip balm, shampoo and roll-on deodorant, RRL not having the facility to place it in aerosol containers. Kobus Niewenhuisen was involved in the toiletries project while Klaus Psotta (his predecessor as head of the chemical department) carried out research on paraoxon mixed with tobacco. Paraoxon — a thin, oily substance in its natural form — was also mixed with alcoholic beverages.

Immelman told the court Basson had access to all pathogens and toxins produced by RRL and several of them were delivered to Basson by Immelman. Deliveries that predate the 1989 Sales List and which he can remember are:

- About 2ml of paraoxon (a lethal dose) taken to Basson's office at SAMS headquarters. Basson was not there, so Immelman left it with Wynand Swanepoel.
- Thallium, delivered more than once.
- Thallium-laced beer and whisky.

Immelman said the substances were only returned to him by Basson on a few occasions, either for further tests or to be destroyed.

Some time after the mid-80s, Immelman began to question the legitimacy of the work being done by RRL and voiced his doubts to Basson. He was assured that all projects had the approval of the State Security Council. He was also reminded, during this period of doubt, by David Spamer that, at some point, Basson had said his defence was that an arms dealer could not be held liable for the irresponsible use of a weapon by someone.

After taking over as managing director of RRL, Swanepoel frequently reminded Immelman of the importance of maintaining good relations with Basson. Immelman found himself realizing more and more that the toxins he supplied were probably being used against people, and became resigned to the fact.

Towards the end of 1988, Basson introduced Immelman to three "colleagues" — Chris, Manie and Gert. From a number of photographs shown to him by the prosecutor's investigation team, Immelman subsequently identified Chris as security police officer Chris Smith.

Immelman had been told by Basson to use the codename Willem in order to protect his links to RRL. He adopted the cover of a farmer, supplying the toxins on a part-time basis in return for money. Immelman thought Chris, Gert and Manie were attached to 7 Medical Battalion, like Basson, who told him to "give them anything they want". Later, Basson also introduced him to Koos, with the same instruction. Nothing, says Immelman, left RRL without Basson's approval.

Prior to delivering paraoxon to Chris, Gert and Manie on 4 April 1989, they had discussed at length with Immelman how best to apply it to clothing. He explained that garments which would be in direct contact with the skin should be used and that the poison should be spread over the widest possible area. The most sensitive areas for absorption would be the scrotum and eyelids, hence underwear, a shirt collar or waistband of pants were suggested. Some while after making the delivery, Immelman read in the newspapers about the poisoning of Frank Chikane and asked Basson directly if paraoxon had been used. Basson replied that no one knew, "not even the Americans".

Some of the items handed to Basson or the other four people introduced to Immelman included, three cans of beer with Botulinum which were delivered to Basson on June 21, 1989; Vibrio Cholera handed in Schott laboratory flasks to Koos on August 4 and 16 and September 8 1989; six containers of orange juice, each containing 200mg of Aldicarb, delivered to Chris, along with 2g of Vitamin D3 on April 7, 1989 (a fatal dose would be three to four grams). Some time during 1990–91, at Basson's request, Immelman supplied him with about three one-litre bottles of soft drink to which *E coli* had been added.

Immelman said that during 1984, while in America doing research, he was approached in a laboratory by someone he believes was a CIA agent. He was asked pointed questions about a South African CBW programme but denied all knowledge and vigorously protected RRL's existence. Nevertheless, one day, his host told him he had to attend a meeting, and suggested Immelman spend time in the laboratory library. He was shown to a smallish room and soon realised that every title on the shelves and every publication

dealt with CBW. On returning to South Africa, Immelman spoke to RRL's security staff and urged them to train employees on how to handle such situations when abroad.

Cross-examination of Dr Immelman began on Tuesday with him confirming that he could not say with certainty that any of the toxic substances supplied to Basson or anyone else on the Sales List were used to murder people. At best, he had strong suspicions that this could be the case, particularly in regard to the Rev Frank Chikane, but he never actually knew.

Immelman said he would have expected the FBI's forensic investigation of the Chikane affair to identify the presence of Paraoxon in his clothing, and through blood tests, though if the quantity was small, it would be difficult to trace. The FBI report produced by defence counsel Jaap Cilliers notes that Chikane was hospitalised three times in the US and that tests on his clothes proved negative for the presence of Paraoxon, as did blood tests. A urine sample was taken at the University of Wisconsin Hospital and did show the presence of DEP (diethylphosphate), an indicator of Parathion being present, but not Paraoxon. Immelman pointed out that the presence of parantrophol in Chikane's urine was actually an indication that Paraoxon was present — in the metabolised form of Parathion. The debate continued for some time, with Judge Willie Hartzenberg eventually suggesting that Immelman go away and research the subject fully and return, in time, as an expert witness on the subject. He will do so.

In response to a question about his former colleague, Schalk Van Rensburg, Immelman said he had grave doubts about him after Van Rensburg begged his fellow directors never to let his wife know that RRL was a military front company and because Van Rensburg asked him "many" questions about the Chikane incident. His suspicions were reinforced when during the final planning stage of the P4 laboratory in 1987–88, he discovered that, without his knowledge, Van Rensburg had appointed consultants from Porton Down in England on the project. Immelman confronted Van Rensburg and accused him of wanting to blow RRL's cover. Van Rensburg responded that Porton Down had been privatised and that the consultants were from the private sector.

Tuesday 30 May [Kennelly] The next witness was Eric Kennelly, who served as second-in-command to Johan Theron at Special Forces Head Quarters, Speskop. He said that some time during 1981, he was told by Theron to be at a hangar at Lanseria airport early one morning. On arrival, he found Theron, Trevor Floyd, Mr K and another SADF member whose name he cannot remember, at the aircraft in the hangar. Two black men dressed in SADF army "browns" were seated on the hangar floor. Theron told the two men they were going for a trip in the aircraft, but since turbulence was expected, he would give them each a sedative. Kennelly saw him inject first one then the other man intravenously. They both keeled over almost immediately. The men were then stripped naked and loaded into the aircraft.

Theron gave Kennelly the syringe, needle and one or two empty glass ampoules, with instructions to destroy them. Kennelly drove back to Speskop, took the equipment to a far corner of the property and crushed it into the ground with his heel. He saw ampoules similar to those he destroyed on several occasions when he was in Theron's office and the door to the walk-in safe was open.

At some point prior to the Lanseria incident, Theron had told Kennelly there was a top secret project, Dual, designed to eliminate certain people with chemical substances. Theron said the Dual file was in his office safe, and would stay there permanently, unlike all other files, which had to be returned to

the classified registry office every night. Kennelly believes Theron told him about Dual, and had him go to Lanseria, as insurance, so that if Theron should be transferred, Kennelly would be able to carry on with the Dual work.

Wednesday 31 May [Lourens] Delta G scientist Dr Gert Lourens returned [see 19 May] to the witness box, briefly, after testifying early in the trial about the manufacture of methaqualone. He testified about “a small number” of methaqualone derivatives produced at Delta G, chief among them being Theolodine, a liquid, and Antranyl Acid, a powder, of which “a few hundred kilograms” were made.

At the request of Delta G Managing Director, Philip Mijburgh, Lourens also became involved in a non-official project making derivatives of silicon and phosphate. One of these, synthesised by Lourens, was paracholorophenyl silatrane — not available in South Africa at the time and highly toxic. Lourens gave the powder to Mijburgh, who sent it to Roodeplaat Research Laboratories for tests. Later, Lourens was asked to conduct tests himself, specifically regarding the solubility in water of Silatrane. These were done in conjunction with Dr Andre Immelman, whom Lourens was introduced to when Mijburgh took him to RRL.

Lourens confirmed the test results outlined in EXHIBIT 54D, namely that intramuscular injection of Silatrane resulted in the death by suffocation of adult baboons within 15 minutes. The substance could not be detected post-mortem.

Wednesday 31 May [Redelinguys] The next witness was Stephanus Andre Redelinguys, administrative director of Delta G Scientific from May 1982 to April 1993. Redelinguys, formerly employed at the Special Forces technical lab, EMLC, testified briefly about the nature of work at the two facilities.

Wednesday 31 May [Mr C] The next witness was Mr C, who may not be named in terms of a court order, for fear of reprisals. Mr C was a Selous Scout from 1970 to 1980, specialising in pseudo operations. After joining the SADF's Special Forces in 1980, he spent another 10 years conducting pseudo operations and also joined the Civil Cooperation Bureau (CCB).

Mr C says he first met Basson “in passing” in then Rhodesia in the late 1970s. This happened in the communal mess at the Selous Scouts Head Quarters outside Harare. Basson was in a group of South African security force members who had gone to Rhodesia to take part in joint operations with the Selous Scouts. From 1980, Mr C was stationed in Nelspruit, conducting pseudo operations and working for the CCB. However, he was also involved in pseudo operations in Namibia and regularly visited the detention barracks at Fort Rev where SWAPO captives were held. He confirmed earlier testimony about the nature of the interrogation facilities there.

During the run-up to the Namibian elections, Mr C was told by his colleague, Pieter Botes, to take a box wrapped in paper to Namibia by road. On arrival in Windhoek he handed the parcel to Botes, who in turn gave it to an operator named Jose Daniel. After they returned to South Africa, Botes told Mr C that the operation had not been successful, “as the cholera did not work”.

In cross-examination, Cilliers told Mr C Basson denied being in Rhodesia in the late 70s and it was in fact impossible for him to have been there, since he was a full-time medical student until 1981.

Wednesday 31 May [Botha] The fourth and final witness of the day was Calla Botha, who quit the South African Police in May 1988 to join the CCB's Region 6 along with Staal Burger,

Slang van Zyl and Chappies Maree. During his inaugural training course at Speskop, Botha learned that eliminations were the chief objective of the CCB. He confirms the definition of Red and Blue plans given by previous CCB agents and that poison was specified as one of the weapons that could be used to eliminate enemies of the state.

1 June [Steenkamp] The court returned to hearing evidence on the fraud-related charges. Dr Lucia Steenkamp, former Delta G Scientific employee, testified about her work at the front company. Her work involved the synthesis of peptides with the view to ensuring that the retroviral drug AZT travels to the correct receptors in the human body to maximise its side-effects. She claimed to have no knowledge of the purchase of 500g of the thymus peptide at a cost of R2million as claimed by Basson.

She also said she had no knowledge of the purchase of an expensive, sophisticated peptide synthesizer which is the subject of one of the charges against Basson. She testified to having no knowledge of the management structures of Project Coast or of research allegedly conducted by the SADF into brain peptides. During cross-examination Basson's legal team questioned her professional ability.

Friday 2 June The court did not sit.

Monday 5 June [van Jaarsveld] Bio-chemist Jan van Jaarsveld, who graduated from Pretoria University with a BSc in 1982 and has since obtained a doctorate in theology, was called to testify on the manufacture of new generation CR teargas. Recruited while still a student by Professor Nic Vermeulen and Dr Willie Basson to work at EMLC — a top secret project designed to equip SA with a defensive CBW capability — Van Jaarsveld was one of the pioneers in EMLC's chemical division. This division, which was to change venue and name, ultimately was called Delta G and was based in Midrand.

Van Jaarsveld initially did nothing except study all available literature on incapacitating agents. Van Jaarsveld said CR was 20 times more potent, but less toxic, than the existing CS teargas and the CR project moved ahead fairly rapidly. During the interim phase between research and full production, 20 litres at a time were being made. Before going into full production, additional equipment had to be bought and tests conducted. All purchases were channelled through Gerald Cadwell and Dr Gerrie Rall and paid for from the Delta G budget.

Van Jaarsveld told the court he had never heard of the Technical Work Committee before being called as a witness. Nor, in fact, had he ever known he was part of Project Coast. Up to the time he resigned from Delta G in 1993, he had never been told there was any committee which identified the needs of scientists in respect of equipment and chemicals, or that such requirements had to be approved by surgeon-general Gen Niel Knobel. Gen Knobel previously testified that the Technical Working Group was a sub-committee of the Co-ordinating Management Committee responsible for determining the direction of scientific research and identifying the needs of the front companies.

With regard to laboratory facilities at Special Forces headquarters, Van Jaarsveld said initially there were two laboratories at Speskop, A and B, but in due course, the wall between the two was demolished to accommodate large-scale CR production. At the time of the move, the maximum production was 50 litres at a time. Van Jaarsveld said Basson placed the order for CR with Delta G and at one point, he

delivered a 5 litre sample of 95 per cent pure CR to Basson. He testified that he was aware that tests were done at Speskop with the teargas by spraying it from aerosol containers into a room and monitoring how long it took before those in the room were forced to flee the area. Van Jaarsveld's feedback was that the tests had been satisfactory.

Van Jaarsveld said that sanctions had not presented a problem to Delta G in acquiring the scientific apparatus and chemicals needed. Delta G was to all intents a private company, and able to get whatever it needed, even if it sometimes took a little time. He said Delta G obtained equipment from various chemical companies: Schott in Germany, whose SA agent was Labotec, Buchi in Switzerland, Corningware in England, among others.

Asked about the peptide synthesizer he said he knows what a peptide synthesizer looks like, having been shown a photograph of one by the prosecution, and having seen one in the analytical laboratory at Delta G in Midrand. However, throughout his time at Speskop, there was never a peptide synthesizer, nor would this equipment be required for CR production.

Van Jaarsveld told the court that at the height of production, Delta G was delivering a ton of CR a month to "the Phantoms" — as the staff called the mystery clients, whom they knew had "an SADF or Armscor connection" although they were never really sure which. Delta G was selling CR at R1 000 a kilogram and hence generating an income of R1million a month.

Tuesday 6 June [Gibson] The next witness was Dr Graeme Gibson, now an anaesthetist, who joined the SADF as a national serviceman in January 1983 and the Permanent Force in August 1984. He volunteered for the Special Forces Medical Special Operations unit in April 1983, working out of the Special Forces Headquarters (Speskop) under the command of Basson.

Gibson said that in 1986, he was put in charge of an HIV-AIDS research project — or surveillance study — designed to evaluate the strategic effect of HIV on both the South African Defence Force and on the conventional warfare capacity of neighbouring states. The project entailed taking blood from troops attached to various neighbouring fighting forces, including UNITA. Gibson's task was to collate the data and documentation and submit it to the Chief of Staff Planning, who in turn submitted it to the State Security Council. His reports were based on blood tests, information gathered and literature. Numerous blood samples were collected and analysed during the project, which was run in conjunction with the departments of Foreign Affairs, Health and Correctional Services.

Gibson told the court that the medical stores at Speskop were chiefly used to repack supplies for UNITA after all South African identification had been removed. This operation fell under the control of Basson or, in his absence, Wynand Swanepoel. Initially, supplies for this purpose, at or near the use-by date, were obtained from provincial hospitals or pharmaceutical companies but later, at the request of Unita, all supplies came from the SAMS Medical Base Depot near Defence Headquarters in Pretoria.

Gibson left the SADF in February 1989. On leaving he was asked by Basson to set up a front company to continue certain SAMS projects covertly. In March 1989, Lannius Consultants cc was formed, with the knowledge of both Basson and Gen Knobel. The purpose was twofold: to conduct the Hypoxis project, which was a search for a cancer cure, and to conduct anti-viral HIV research. It was intended that Gibson would report to Gen Knobel and Basson at six-weekly intervals, but the project never got that far.

A document entitled *A Critical Analysis of the Original Proposed Study and a Motivation for the Conducting of an Initial Pilot Study*, sub-titled *A Draft Pilot Study Protocol for the Testing of Thym-uvocal in HIV-1 Seropositive Patients* was supplied by Gibson and filed with the court. Appendix A of this document contains the initial proposal given to Gibson by Basson, which would assess the efficacy of Thym-uvocal as an anti-HIV drug. The project was supposed to run over six months and would compare the effects of Thym-uvocal against those of AZT. Basson also proposed that the project would probe whether or not AZT tolerance could be improved by the simultaneous administration of Thymus peptides, of which Thym-uvocal was one. However, Gibson has no idea what Thymus peptides are. He never conducted any research on peptide synthesis and DNA and RNA probes fall outside his field of interest and he has never used them. Gibson revised Basson's proposal and submitted his version. Basson was not in the country at the time and he was told to fax the document to Dr David Chu, of Medchem Forschungs, in Switzerland. That was the last he ever heard of the project.

Tuesday 6 June [Lourens] Bio-engineer, Jan Lourens appeared briefly to complete his cross-examination [see 31 May].

Lourens agreed with Adv Cilliers that the chemical filters manufactured in South Africa were considered the best in the world at the time of the Gulf War, and that "everyone" involved in that conflict wanted them. Lourens said he had never been involved in the commercial side of the filters and did not know which Gulf War forces had benefitted from them, although he was aware that Rooikat armoured cars and G6 self-propelled artillery pieces fitted with the filtration systems had been exported to Middle Eastern countries. The greatest advantage, he said, was that the filters had been tested in desert conditions using real rather than simulated chemical agents. None of the competition on the market at the time had undergone these practical field tests.

Tuesday 6 June [Potgieter] The last witness of the day was Major-General HAP Potgieter — still a serving SA Air Force officer. Potgieter joined the SAAF in 1961, spent three years in the operational area during the mid-1980s and is a qualified fixed-wing and helicopter pilot. In 1987, he was posted to Speskop to succeed Matie van der Linde as Senior Staff Officer Air Support.

Shortly after arriving at Speskop, he was briefed by Van der Linde that he would be responsible for planning of all Special Forces airborne operations, and might be required to take part in some "unorthodox" operations. Van der Linde said he had been ordered to do so in the past and if asked to fly an aircraft from which "terrorists" would be thrown, Potgieter should first make sure the orders had been approved at top level. Potgieter refused point blank to take part in such flights and informed the Special Forces commanding officer accordingly.

Potgieter said his tasks ranged from planning air support for Special Forces to flying covert operations, cross-border operations and assisting the Civil Cooperation Bureau. He said he met Basson in 1987 and had to obtain his permission for use of the Piper Seneca, which was under Basson's control. He met Johan Theron in 1983 when he was called by Van der Linde to arrange an official SAAF aircraft for Theron for a flight from Air Force Base Swartkop to, Potgieter thinks, Bloemfontein. On arrival at the air base, Potgieter saw Theron and an unknown man help two individuals, who were "obviously" drugged, into the aircraft.

Potgieter testified that one Saturday morning, he was ordered by Gen Joep Joubert (officer commanding Special Forces) to fly a helicopter to Phalaborwa and to meet Theron there. Joubert had told Potgieter he was to take a Mozambican man back to Mozambique, dropping him five to seven kilometres beyond the border. The pick-up was at the 5 Recce shooting range. When Potgieter landed there, Theron and Drew helped a third person, dressed in a white overall, to the helicopter. Potgieter said the man was ashen-faced when he was loaded into the back of the helicopter and as soon as Theron settled into the co-pilot's seat, he asked if the man was still alive. Theron said yes. They flew to the prearranged landing site, where Theron removed the passenger from the helicopter and laid him on the ground. Potgieter and Theron spent the night at the Coach House in Tzaneen before Potgieter returned to Grand Central the next day — 13 December 1987.

During cross examination, Potgieter said that in 1990 he had to acquire an aircraft with which to conduct cover reconnaissance operations for the SADF. The aircraft was registered in the name of an American front company which Basson and American attorney David Webster had arranged. Potgieter said Webster was the company director/shareholder. Basson told Potgieter that Webster could be of assistance as he was extremely pro-South Africa and the former Rhodesia.

Potgieter travelled to the United States to meet with Webster regarding the establishment of the front company for the aircraft — a normal subterfuge in the world of intelligence and espionage, according to Adv Cilliers, since an American-registered aircraft would have easier access to American and European airfields and draw less attention from customs officers than a South African-registered one.

Wednesday 7 June [Laubscher] The prosecution team called Floris Laubscher, a qualified chemist and physicist and 22-year veteran of pyrotechnical projects at Denel subsidiary, Swartklip Products, who was in charge of CR weaponisation from 1987 to 1994.

Laubscher said the top secret project was officially ordered by Armscor, which supplied Swartklip with the CR powder to load into 11,966 hand grenades, rifle grenades, 81mm mortar bombs and 1,373 155mm G5 projectiles. The powder was transported from 91 Ammunition Depot at Naboomspruit in the Northern Province to Swartklip's factory at Phillippi on the Cape Flats at regular intervals. Hand and rifle grenades were routinely filled by Swartklip and the CR weapons were created from their own stock. The mortar shells were provided by Armscor and 155-mm projectiles normally loaded with smoke by Swartklip were used.

The project began with research into the most suitable delivery methods for CR and erection of two special buildings for the project. Over the seven-year lifespan of the project, known at various times as Newly, Keyboard and Cargo, hundreds of pyrotechnical tests were carried out before weaponisation of each batch. According to Laubscher, Swartklip has been the leading pyrotechnical test facility in South Africa for the past 50 years and even now, there is no other facility that can match it.

Pyrolytic tests, however, could not be done at Swartklip, and because of the top secret nature of the project, CR powder was compressed into tablet form and given to Enslin Smit, who arranged that these tests be conducted elsewhere. Laubscher said the tests were so sophisticated that it had been necessary to buy equipment from the East Germans and Libyans at a cost of R5,5 million [US\$2–3 million] in 1985 (Charge 1).

Laubscher said he met Basson only once, for about 10 seconds, at Swartklip. After this, however, he had some telephone contact with Basson, usually enquiring when the next batch of 81-mm mortars would be ready for delivery. On one occasion, Laubscher said, Basson told him he was sending an aircraft to Ysterplaat to pick up the consignment and Laubscher arranged that the mortars be loaded there.

According to Laubscher, the G5 projectiles loaded with CR had to be destroyed by South Africa under international obligations. [Note: The Chemical Weapons Convention, which contains these obligations, entered into force in 1997. South Africa had ratified it in 1995.] The irritants were removed and replaced with smoke.

Laubscher said that in 22 years at Swartklip, he never saw or received a single pyrotechnical report from the Special Forces laboratories at Speskop. There was no reason he can think of why Swartklip should not have weaponised other substances — such as incapacitants — as well. An SADF test range at Macassar was used to test irritants away from populated areas and this could as easily have been done in respect of substances such as methaqualone.

In cross-examination, Laubscher confirmed that Swartklip was never involved in weaponisation — to prototype stage — of methaqualone, BZ or amphetamines. He also conceded that weaponisation of CR was an extremely sensitive matter and that the supply of CR weapons to Unita would have been even more sensitive.

Thursday 8 June [Muller] Clinical toxicologist Dr Gerbers Muller of Stellenbosch University was called as the next witness.

In addition to being an anesthetist, Muller also has a doctorate in pharmacology and lectures on the subject. He is widely published — especially on the subject of antidotes and treatments — and set up the Tygerberg Poison Information Centre in the 1980s, and continues to serve as the head of the centre, which offers a nation-wide 24-hour poison service. Muller's special fields of interest are biological toxins, the effects on humans of chemical poisons from sources other than agricultural or household substances and snake venom. He has also studied traditional medicine in the African context, analgesic poisoning, scorpion, snake and spider poisoning and benzodiazepines (e.g., valium). Practical experience has included treatment of arsenic poisoning and accidental poisoning by organophosphates.

Muller compiled a comprehensive report on the substances that make up Andre Immelman's Roodeplaat Research Laboratory Sales List for the prosecution and gave additional testimony on the substances Tubarine, Scoline, Vesperax and Ketamine/Ketelaar. Muller said that he had little success in finding information about Silatrane since there is virtually no literature about the substance which was synthesised at Delta G Scientific.

Muller provided a short outline of the effects of all the toxins and drugs mentioned in court thus far. He told the court that the items on the Sales List are all toxic, some extremely so. Administration of some items would be untreatable, since even in minimal doses, they are potentially lethal.

In cross examination by defence counsel, Adv Jaap Cilliers Muller agreed that in order to test the efficacy of a given toxin in different food or drink, various dietary items would have to be tested. He could not, however, see a place for super toxins in normal biological research — Vitamin D3, for example, has no therapeutic use in overdose. According to Cilliers, however, it is used in immunological research, specifically related to cancer. Muller dismissed Cilliers' suggestion that

Cantharadine is used in research on skin blisters — Muller has never encountered such research and says it would be highly irresponsible to apply even a small amount of Cantharadine to the skin for any purpose.

Friday 9 June [Steenkamp] Bio-chemist and bio-technologist Dr Lucia Steenkamp, the only person who did peptide synthesis at Delta G Scientific (from 1987 to 1991) returned for completion of cross-examination. Steenkamp agreed with defence counsel, Adv Jaap Cilliers that the peptide synthesizer at Delta G was not a production scale model. She also agreed that current technology is well advanced and that it is both easier and more accurate to synthesize peptides — even on biological warfare scale, than it would have been a decade ago.

During a debate with Steenkamp, Cilliers claimed that literature from the United States records the possibility of constructing “bridges” which can alter the bonding properties of peptides. If, for example the manipulation of emotions is the objective, you can simply block the brain cell, rather than bonding the peptide to the brain cell. A chemical that can be used to do this is, for example, BZ. Cilliers said that work was done at the Special Forces headquarters laboratories with the intention of developing peptides that could be released into the air. The belief was that if these peptides were to be released during a riot, the participants would inhale them and they would be absorbed through the receptive nasal mucous membranes. Steenkamp said in order to achieve this goal, the air would have to be saturated with peptides, a kilogramme or more being needed at a time. The judge intervened, asking Steenkamp if she believed a medical doctor could have conducted such advanced peptide work 11 or 12 years ago to which she replied, no.

Steenkamp said that in order to help the court, she had done some research on the sequence of brain peptides and how they were decided on. Her findings are that 64-million possible combinations/computations would have to be tested in order to produce a small, six-link peptide. Even a chain of three amino acids would require the synthesis and testing of 1,000 peptides before the right one was found. It had taken her three and a half years of full-time research to achieve basic peptide synthesis. She was skeptical that any more advanced work was being done in South Africa at the time and said she would like to see the reports of that work. Unfortunately, said Cilliers, although the documentation does exist, it is recorded on the CD-ROMs to which only the State President can authorise access.

The Truth and Reconciliation Commission recommended, in its final report, that suitably qualified, independent scientists be granted access to the CD-ROMs to assess their contents.

Monday 12–Tuesday 13 June [Bothma] Orthopedic surgeon, Dr Kobus Bothma flew in from Canada to take the stand. He was warned against self-incrimination in charges 39–44 (the murder of three men at Dukuduku) and the broad conspiracy charge, 63. The prosecution gained a court order against publication in South Africa of any photographs of Bothma, on the grounds that he intends re-establishing himself in South Africa and fears that his wife and children could be victimised as a result of his testimony about chemical experimentation.

Bothma told the court that he joined Special Forces after qualifying as a doctor. He was recruited by Basson to join the Special Operations Unit while working at 1 Military hospital. Bothma’s work initially focused on logistics and developing first-aid courses for Special Forces medics. Like other Special

Operations Unit doctors, he worked part-time in the casualty ward at 1 Military hospital and accompanied Special Forces members on military operations. Bothma said he only ever went on cross-border operations.

One of his first tasks as a member of Special Operations was to pack the medical bags of doctors who were going into the field. He said that Tubarine and Scoline were not standard issue in these kits. He also said it was highly unlikely that operator, Johan Theron, would have had free access to these drugs. [These were the drugs that Theron had identified earlier in the trial (3–8 May) as being used by him to murder people.]

Bothma told the court that one day during 1983, Basson told him that “orders” had been issued for three people to be killed. Bothma was instructed to liaise with, and accompany Johan Theron on the mission. When Bothma asked Basson why he had to go with Theron, he was told the victims had to be sedated for the trip. Basson gave Bothma a bottle containing a jelly-like substance and told him to smear some of it on the victims and observe the results. Bothma was concerned about his own safety and asked Basson if the jelly was toxic or in any way dangerous. He was assured it was not, and was simply a carrier substance, to be tested for possible skin reaction.

Bothma and Theron left the next day for Dukuduku in KwaZulu/Natal in Theron’s vehicle. Somewhere outside Pretoria, they were met by one or more men in a Volkswagen mini-bus. Three black men were in the mini-bus. Theron told Bothma to sedate them. Having been told by Basson to use Medazolam (of which Dormicum is a trade name) Bothma injected the substance into cans of cold drink given to him by Theron. The three victims, bound hand and foot and all in their late 20s/early 30s, drank the cold drink and fell asleep.

On arrival at the Dukuduku military base, where Bothma had done some of his Special Forces training, Theron shackled the three men to trees overnight. The next morning, Bothma and Theron went to the men, and Theron pointed out that one of them had almost sawed through the branch to which he was handcuffed in an attempt to get free. Although the three men were conscious, Bothma does not think they realised what was going on. Bothma donned a surgical glove and smeared some of the jelly onto the upper arm of one man. He had earlier also applied a small amount of the substance to his own skin, and had no reaction. He and Theron waited a while to see if the victim showed a reaction. When he did not, Theron told Bothma: “It’s time for these three to say goodbye”. At this point in his testimony, Bothma broke down — briefly. When he recovered his composure, Bothma said he knew Theron meant the three men had to be killed. He “couldn’t take it” and told Theron he was leaving. He went for a walk on the shooting range, returning about 10 minutes later to find Theron putting the three corpses into body bags. Theron had told Bothma the day before that he planned to use Tubarine to kill the men. Bothma knew this would result in an excruciatingly painful death (by suffocation) and had given Theron an ampoule of Ketelaar to use first, so that “at least they would be asleep when he used the Tubarine”.

Bothma helped Theron load the body bags into the aircraft piloted by Matie van der Linde. When Theron asked if he wanted to go with them on the flight, Bothma agreed “because I felt extremely intimidated, and didn’t want them to see how upset I was”. They flew out over the ocean in the direction of St Lucia and the bodies were thrown into the sea. Bothma remembers that at some point during the day, he, Theron and he thinks Van der Linde, went to cast their votes in the tricameral referendum. They spent the night at St Lucia and the next day, he drove back to Pretoria. Soon afterwards, he encountered Basson at Speskop and told him the jelly had no

effect at all on the victim. They did not discuss the matter further. Bothma said he was traumatised by the incident, and has been through “20 years of hell” since it happened. However, Bothma said he did not consider the Dukuduku jelly part of a chemical warfare experiment, since he had been assured by Basson that it was harmless — and since Basson was his “chief” at the time, and he trusted him, he knew that Basson would never do anything that would endanger Bothma’s own safety.

Bothma testified that after leaving Special Forces in 1991, he was approached by Dr Philip Mijburgh to assist in scanning thousands of pages of documents onto CD. Bothma, who has an interest in computers agreed to assist. He and Dr Klaus Psotta scanned 10 boxes of documents and saved them onto CD. He said that the documents were shredded thereafter. Bothma claims not to have read the documents but said they looked like a data base of literature.

During cross examination Bothma denied Johan Theron’s testimony that they took turns in injecting the Dukuduku victims with Tubarine and Scoline. He said he has asked himself thousands of times since the incident, why he had to accompany Theron on the operation and cannot find an answer. Possibly it was because the victims had to be sedated — or, as he says in his statement, because he had to certify death. Cilliers said both suggestions were absurd. Theron had testified that by the time of the Dukuduku operation, he had already killed “hundreds” of people by injecting them — and given that the victims were to be dumped in the sea, there could have been no point to a medical doctor being around to certify death. Nevertheless, Bothma denies administering lethal injections to anyone.

The cross examination of Dr Kobus Bothma continued the next day. Cilliers put it to Bothma that Theron had not implicated Basson in the Dukuduku incident during his testimony and that Bothma was tailoring his testimony to implicate Basson. Cilliers also put it to the witness that the standard medical bags of doctors accompanying Special Forces operators did include hand held ventilators and the muscle relaxants Tubarine and Scoline. Bothma agreed that ventilators were included but denied that the drugs were standard issue.

It was placed on record that Basson denies ever ordering Bothma to accompany Theron to Dukuduku.

Monday 31 July [Theron (Petro)] Court resumed after a six week break. The focus of the trial has shifted from the human rights violation charges of the previous court session to the fraud charges.

The trial resumed with testimony from external auditor Petro Theron (referred to in all previous reports as Pierre Theron), the sixty-third witness to take the stand since the trial began last October. On what is only the 96th day in court, prosecutor Anton Ackerman, SC, led the state’s case. Theron is qualified chartered accountant who spent much of his career with Coopers & Lybrand auditing top secret defence projects for both Armscor and the South African Defence Force.

While it had been generally assumed, and put to the court by several previous witnesses, that Theron was the external

auditor of Project Coast, he never acted in that capacity, but was the external auditor of the SADF front companies set up to serve Project Coast, namely Delta G Scientific, Roodeplaat Research Laboratories, Inffadel, Sefmed and D John Truter Financial Consultants. His annual audit reports were not even submitted to the SADF, but rather to the chief executives of the companies concerned. Theron was given the assurance that the companies he audited were the only fronts serving Coast.

Theron was responsible for checking that the amounts allocated within the global budget to the companies concerned, were used for authorised expenditure. This, he told the court, could only be done up to a point because of the clandestine nature of the companies activities and the subsequent lack of documentary proof of transactions. Auditing the companies was complicated by the fact that a high percentage of transactions involved a single individual — Dr Basson — and it was “impossible” to accurately audit deals of that nature. Theron was also unable to audit the application of large sums of money transferred to foreign bank accounts by Chief of Staff Intelligence and/or Chief of Staff Finance on behalf of the project. His probe could extend only as far as the transfer of funds, but after that, he had no way of checking what they were used for.

Theron explained that clandestine projects do not normally have invoices as proof of purchase and, therefore, the bona fides of the project officer were crucial and his word unimpeachable. Theron said he trusted Basson implicitly, and had absolutely no reason ever to doubt his veracity. Indeed, Theron held Basson in the highest regard as a medical man, respected his achievements on Project Coast and recognised his superlative intelligence at all times. Nevertheless, Basson’s word was Theron’s sole yardstick for measuring receipt of equipment, goods and services against expenditure. With the exception of limited bank documents, a few contracts and office rental agreements, Theron saw virtually no documentation at all.

Theron explained that it was acceptable practice for Basson to make use of foreign bank accounts held by people sympathetic to South Africa to hide the true nature of the transactions. Basson’s links to the military would have prevented him from opening such accounts.

In Theron’s opinion, management and control of Project Coast was at all times dominated by Basson and only he could, for example, account for the purchase and control of chemical substances from foreign suppliers. Theron is suffering from ill-health and had to leave the court before the end of the day.

This report has been prepared by Chandré Gould and Marlene Burger. Chandré Gould is a research associate at the Centre for Conflict Resolution working on the Chemical and Biological Warfare Research Project. Marlene Burger is monitoring the trial as part of the CCR Chemical and Biological Warfare Research Project. The Chemical and Biological Warfare Research Project is funded by the Ford Foundation, the Friedrich Ebert Stiftung and the Norwegian Government.

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