



**South Africa – Researched and compiled by the Refugee Documentation Centre of Ireland on 14 September 2016**

**Information/newspaper articles relating to murder of Witness Ndeya and subsequent murder trial.**

An article from South African newspaper the Mail & Guardian states:

“The paper described the case of Zimbabwean, Witness Ndeya, 26. He was suspected of shooting a police officer and was reportedly renditioned by the Hawks and then murdered, apparently by Zimbabwean police. This after he was arrested as an illegal immigrant, but instead of being detained, was driven to the Beit Bridge border by police. A few days later the Zimbabwean police told the family ‘that Witness Ndeya was killed by other police officers’, according to another man who was arrested with him and later released. Ndeya’s death certificate confirmed he died at ‘Hippo Valley Farm’ in Bulawayo on November 20, with the cause of death listed as ‘multiple gunshot wounds’.” (Mail & Guardian (23 October 2011) *Report: Zimbabweans ‘sent to die’*)

An article from South African newspaper the Sunday Times states:

“Witness Ndeya, 26, suspected of shooting a policeman in Zimbabwe, was ‘renditioned’ across the border by the Hawks and then murdered, apparently by Zimbabwean police. ‘They said they are going to kill us for murdering a policeman [and] they’ll start by chopping off our hands and feet’ Senior officials in the Hawks and SA Police Service are conducting illegal ‘renditions’ with their Zimbabwean counterparts - by arresting ‘suspects’ and illegally sending them across the Beit Bridge border to be murdered.” (Sunday Times (South Africa) (23 October 2011) *Shocking fate of suspects in alleged rendition deal with Zim cops*)

See also Sunday times article which states:

“Witness Ndeya and his friends were standing outside their house in Diepsloot, north of Johannesburg, when two plainclothes policemen strode up to them with guns drawn. This was around 8pm on Friday November 5 last year. It would be the last night Ndeya would spend at his home in SA before being illegally handed over to Zimbabwean police. On November 20, he was dead, his body riddled with bullets. This account was pieced together from sworn statements and interviews with two of Ndeya’s friends and his nephew, Shepard Tshuma, who were present that night and who were all arrested. Ndeya’s friends, Maquawe Sibanda and Nelson Ndlovu, said that, after approaching them, the gun-toting men identified themselves as police and ordered them to lie on the floor. Minutes later, more police arrived. Said Tshuma: ‘While they were busy assaulting us, they were calling each other with names. It was ‘Cowboy’ and ‘General Sibiya’, and if I met them again, I could point them [out].’ Major-General Shadrack Sibiya and Captain Cowboy

Maluleke are senior Hawks officials. Their names appear repeatedly in the witness accounts of the 'renditions'." (Sunday Times (South Africa) (23 October 2011) *Journey to death in an unmarked car*)

An article from UK-based newspaper The Zimbabwean states:

"There is widespread concern that justice for victims of the illegal rendition carried out by Zimbabwean and South African authorities in 2010 will be a long time coming. Members of the Central Intelligence Organisation, military intelligence and South Africa's elite police unit, The Hawks, were accused of combined efforts in this internationally condemned action. They arrested the 'suspects' and illegally sent them across the Beitbridge border to be murdered by Zimbabwean state agents. (Rendition is the illegal kidnapping and transfer of captives from one country to another.) Witness Ndeya, Gordon Dube and Pritchard Tshuma were all killed by Zimbabwean security forces, after they were arrested as 'illegal immigrants' and taken back to Zimbabwe in unmarked vehicles between 2010 and 2011. They were accused of having killed a police officer in their home country." (The Zimbabwean (29 January 2015) *SA courts delay justice for murdered Zims*)

An article from South African newspaper The Star states:

"Dramat was suspended with Sibiya and fellow Hawks Colonel Cowboy Maluleke following a probe into their alleged involvement in the illegal rendition of Zimbabweans suspected of killing a Chief Superintendent Chatikobo in Bulawayo. Sibanda and Tshuma said Sibiya, Maluleke and Detective- Sergeant Paul Radebe arrested them in Diepsloot, north of Joburg, in November 2010. Maluleke had a list and was looking for Gordon Dube, Witness Ndeya, John Nyoni, Pritchard Tshuma and Mthelisi Sibanda. The Hawks found Ndeya and Nelson Ndlovu. The four were then held for the weekend at Orlando police station in Soweto, but not before Sibiya ordered that Ndeya be taken away for questioning. 'When he returned, he had been so severely beaten that he was unable to walk. Witness told us |he was beaten up by the police, |who were forcing him to point |out another suspect in Soweto,' Sibanda said. At the police station, officers spoke in hushed voices, saying they would be taken to Zimbabwe and killed. 'We just could not believe it until one of the prisoners asked Nelson to give him his jacket, because we was going die anyway when he gets to Zimbabwe. He said he overheard police talking, saying we were involved in the murder |of a cop in Zimbabwe,' a tearful Sibanda said. On the Monday after spending the weekend at the police station, Ndeya, Tshuma, Sibanda and Ndlovu were driven to Zimbabwe." (The Star (South Africa) 6 February 2015) *Top cop torture claims: Zimbabweans claim Hawks chief was involved in their kidnapping*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

## References:

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