



12 June 2026

Dear Interested and Affected Party

RE: THE JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS REGARDING EFFORTS OR ATTEMPTS TO STOP THE INVESTIGATION OR PROSECUTION OF TRUTH AND RECONCILIATION COMMISSION CASES (TRC CASES INQUIRY)

THE STATUS OF THE PROGRAMME OF THE COMMISSION, THE SUBMISSION OF STATEMENTS AND SCHEDULING OF WITNESSES

- 1 The Commission addresses this letter to all the parties to the Commission for the purpose of advising on the status of the Commission's work, the submission of statements and the scheduling of witnesses for the remainder of the Commission's life.

Background to the Status of the Commission's Programme

- 2 On 1 December 2025, the President of the Republic of South Africa, Honourable Mr Cyril Matamela Ramaphosa (**the President**) extended the life of the Commission by Proclamation No. 53747, published in the Government Gazette GN 11913, by amending the Commission's Terms of Reference to enable the Commission to complete its work by 29 May 2026 and to submit its report by 31 July 2026.
- 3 On 28 April 2026, cognisant of the looming deadline for the end of the hearing of evidence and the remaining evidence yet to be heard by the Commission,



the Commission addressed a letter to the President requesting a further extension of two months, such that the hearing of the evidence would be completed by the end of July 2026 and the report would be submitted to the President by 30 September 2026.

- 4 On 30 April 2026, Webber Wentzel Incorporated (**WW**) wrote to the Commission with an urgent query about the constrained time available to the Commission for the completion of hearings; and advising of the unavailability of their, counsel, Advocate Howard Varney, in June and July 2026.
- 5 Advocate Varney's unavailability was in large part due to his participation in the reopened inquests in the Johannesburg High Court, relating to the late Matthews Mabelane, who fell from the 10th floor of John Vorster Square in 1977, scheduled for 1 June 2026 to 12 June 2026; as well as the reopened inquest of the Cradock Four in the Gqeberha High Court, scheduled for 6 July 2026 to 10 July 2026. Advocate Varney also had a long-term commitment involving the work of the International Centre for Transitional Justice.
- 6 In their letter of 30 April 2026, WW explained that these arrangements had been made at a time when it was contemplated that the Commission's proceedings would be finalised by 29 May 2026. They requested the Commission to consider these constraints when approaching the President with a request for an extension.



- 7 On 2 May 2026, the Commission addressed correspondence to all the parties, advising that the Commission had written to the President requesting for an extension of the Commission's lifespan for a period of two months. In this letter the Commission expressed regret for not communicating this extension request to the parties.
- 8 WW expressed concerns about not having been consulted, prior to the Commission's request to the President, and addressed correspondence to the President, motivating for the Commission to be granted an extension until 23 December to complete its work. The request was in the main based on the unavailability of Advocate Varney due to already scheduled inquest hearings, as well as the outstanding witnesses and cross-examination.
- 9 On 4 May 2026, the Commission requested inputs from all the parties on the extension request it had made to the President. The Parties were required to submit their representations to the President to the Commission by 16h00 on 6 May 2026.
- 10 On 6 May 2026, Boqwana Burns Incorporated (**Boqwana Burns**) representing former President Thabo Mbeki, former Minister of Justice and Constitutional Development, Ms Bridgitt Mabandla, former Minister of Police, Mr Charles Nqakula, former Minister of Intelligence, Mr Ronnie Kasrils and former Minister Thoko Didiza and KMNS Incorporated (**KMNS**), representing



former President Zuma wrote to the President advising the President that it would be irrational for the President to extend the life of the Commission beyond 29 May 2026, in the face of the pending proceedings for the removal of the Chairperson.

- 11 The request for an extension for the two months suggested by the Commission to the President was supported by the South African Police Services, AFRORAT and the Khulumani Galela Group.
- 12 On 7 May 2026, the Commission wrote to the President attaching all letters the Commission had received from the parties relating to the Commission's extension request and requested the President to consider these representations when making the decision on the extension.
- 13 On 12 May 2026, WW addressed a further letter to the President on behalf of the Calata Group requesting the President to consider the position relating to the availability of Advocate Varney, the outstanding testimonies and cross-examination as well as the fact that it would be an injustice for the Calata group not to be party to the hearings when the Commission's birth flowed from the settlement agreement between the President and the Calata Group.
- 14 In this letter, WW attached a proposed timetable with two options for the completion of the evidence and recommended that the Secretary seeks



commentary from all the parties on the proposed timetable and convene a meeting of all the parties to discuss the way forward.

- 15 On 14 May 2026, the Commission, concerned about the uncertainty of the Commission's lifespan, addressed a letter to the President urging him to decide on the Commission's extension request.
- 16 On the same date, the President addressed letters to Boqwana Burns and KMNS advising that he had considered their representations as well as those of other parties and has decided to accede to the request for an extension. The President advised that he had further taken note of the High Court judgment on the review of the decision in the application for the recusal of the Chairperson.
- 17 Later, on 14 May 2026, the Commission received a letter from the President advising of his decision to extend the lifetime of the Commission to the end of December 2026.
- 18 On 3 June 2026, the Commission wrote to the parties requesting that they respond to the proposed timetable as suggested by WW by no later than 10 June 2026.
- 19 The Commission was of the view that there would be no prejudice in scheduling witnesses for hearing in the month of June and then providing



Advocate Varney with an opportunity to recall the witnesses for cross-examination or clarification questions later. However, WW expressed concern regarding this approach and ultimately directed correspondence to the Chairperson and the Commissioners on 4 June 2026, indicating that such an approach was not in line with the considerations apparently taken into account by the President when granting the Commission an extension until the end of December 2026.

- 20 On 5 June 2026, the Chairperson and the Commissioners responded stating that they are not opposing WW's proposal. They had however been advised by the Evidence Leader, that other parties had been invited to comment on the timetable proposed by WW by 10 June 2026. The Chairperson could only respond to WW after having received and considered inputs from the other parties.
- 21 The Commission did not receive any comments on the timetable as proposed by WW.



The Programme of the Commission Going Forward – Witness Statements and Notices of Set-Down

- 22 The Commission has prepared a proposed timetable for the hearing of evidence beginning on 30 June 2026 to the end of September 2026. This proposed timetable is attached here as “**T1**”.
- 23 The Commission urges all the parties to the Commission and the legal representatives of the parties to consider all the dates for the scheduling of the witnesses and the filing of witness statements with the Commission.
- 24 In the month of June, the Commission’s Evidence Leader will be consulting with witnesses, preparing statements and issuing subpoenas as well as other compulsion instruments to ensure the effective discharge of the Commission’s mandate.
- 25 The Commission looks forward to your co-operation in ensuring that it delivers on its mandate as set out in the Terms of Reference.

Yours faithfully

Adv AM Thokoa
Secretary