

Documents on record				
Document	Description	Mentions & Relevance	Key Dates	Location in Calata affidavit
TRC and Foundational Documents				
List of amnesty decisions refused	In respect of the amnesty applications that were referred to hearings, 358 were refused, including 189 murder cases, involving 353 deaths.	An obligation arose on the authorities to investigate at least 353 homicides.	1996 - 2002	Paras 24 - 25, annexes FA1, FA2, pp 260 - 269
TRC Memo, case lists for NDPP & follow up letter	Report for the Office of the National Director of Public Prosecutions prepared by TRC as well case lists for possible prosecution, and follow up letter.	Formal documentation of prosecution recommendations from TRC to NPA.	07-Mar-99	Paras 99 - 99.3, annexes FA9, FA10, FA11, FA12 & FA13. Pages 399 - 420.
Adv Prior of the TRC response letter to the NPA with case list	Response letter titled "Human Rights Files and other Relevant Records" from TRC to NPA with attached list of 226 TRC cases in table format	Comprehensive case list, including details of the crimes, victims, perpetrators and factional affiliation.	Undated (presumably September 2000)	Para 102, annex FA14, pages 421 - 521.
Evidence of attempts to start investigations & prosecutions				
NPA doc: "About PCLU" dated 23 March 2003 update on its cases including TRC cases.	Identified 5 TRC cases for immediate prosecution and 10 other for further investigation. 500 missing persons cases from TRC, 150 identified for immediate investigation.	NPA (PCLU) ready to pursue with investigations and prosecutions of TRC cases.	23-Mar-03	Para 110, annex FA18, pages 541 - 547.
President Mbeki statement to the National Houses of Parliament and the Nation on the Occasion of the Tabling of the Report of the TRC (on 15 April 2003).	Presidential statement on the TRC Report tabling, outlining government policy on TRC prosecutions	Evidence of government policy that set the scene for interference with TRC prosecutions.	15-Apr-03	Paras 124 - 128, annex FA21, pp 558 - 563

Letter from Macadam (Head SNPU at the DSO) to Andrew Leask, Chief Investigating Officer at the DSO (Leask) asking him to investigate the Timol case (on 5 May 2003)..	Request to commence investigating an identified case (Ahmed Timol).	Evidence of attempt to commence criminal investigation in an identified case.	05-May-03	Para 130, annex FA 5 (RCM1 at p292)
Macadam report dated 15 May 2003 to the NDPP, the Head of the DSO and the head of DSO operations setting out TRC cases identified for investigation.	Identified 7 TRC cases being prepared for prosecution, 2 further possible prosecutions, 7 cases being evaluated and 12 'high interest' cases.	Evidence of identification of priority cases and development of strategy to tackle cases going forward.	15-May-03	Paras 132 - 132, annex FA5 (RCM2 at pp 294 - 298).
Refusal to Investigate TRC cases by the DSO and SAPS docs				
Letter from Special Director Adv MG 'Geoph' Ledwaba dated 15 July 2003 to DSO Chief Investigator Andrew Leask	Letter from DSO Special Director instructing Chief Investigator to close TRC case files and hand them over to the PCLU.	Direct evidence of DSO decision to stop investigating TRC cases despite previous involvement.	15-Jul-03	Paras 134 - 136, annex FA5 (RCM3 at pp 299 - 300).
Letter from SAPS Commissioner Johannes De Beer, Divisional Head of the Detective Service to Ackermann, dated 26 Sept 2003.	Letter from SAPS refusing to investigate TRC cases unless the President ordered the SAPS to investigate in writing.	Evidence of SAPS refusal to investigate the TRC cases.	26-Sep-03	Paras 137-141, annex FA5 (RCM4 at pp 301 - 302).
Internal Memorandum from PCLU Head Ackermann SC to Ledwaba dated 11 November 2003	PCLU letter appealing to Ledwaba to reconsider refusal to investigate TRC cases, copied to NDPP and Head of DSO.	Critical evidence of heartfelt pleas for investigations and warnings about prescription of cases and international pressure	11-Nov-03	Para 142 - 145, annex FA5, (RCM5 at pp 303 - 306)
Letter dated 31 January 2013 from Acting NDPP Ramaite to Thembi Nkadimeng	ANDPP Ramaite responds confirmed that the TRC cases were temporarily put on hold pending the formulation of the prosecution guidelines because "special considerations" applied to those cases.	Evidence confirming that a moratorium had been placed on the investigation and prosecution of the TRC cases.	31-Jan-13	Paras 173 - 179, Annex FA26 at pp 629 - 633

Macadam letter dated 25 Feb 2004 to Imtiaz Cajee, nephew of Timol, advising him of “negative results” of the investigation	Letter advising Cajee of negative results without disclosing that no investigation officer was assigned to case.	Evidence of attempt by NPA to investigate without investigating officers, but not disclosing this to complainant.	25-Feb-04	Paras 146-7, annex FA5 (RCM9 at p 319, also at FA23 at p 611).
Political, policy & legislative attempts to stop or undermine the TRC cases				
Draft Terms of Reference for the Amnesty Task Team (ATT) and front cover of the 2nd draft of the Indemnity Bill.	Following a Director-General’s Forum on 23 February 2004 which appointed the Amnesty Task Team (ATT) to advance the President’s objectives set out in his speech, terms of reference were drawn up.	Evidence of an attempt to delineate the TRC cases for particular treatment, including developing new prosecution criteria, and whether draft indemnity bills could be taken forward.	Early 2004	Paras 148 - 151, annex FA5, (RCM13 and RCM14 at pp 346 - 348)
Undated 2004 secret report, titled “Report: Amnesty Task Team”,	The report set out the ATT’s mandate, background, proposals and concerns.	Evidence of strategising to come up with means of exercising control over prosecution decisions of the TRC cases and explore possible ways of avoiding prosecutions.	Early 2004	Paras 154 - 160, Annex FA24 at pp 612 - 623
Secret Further Report of the ATT	Secret report proposing ways of limiting or eliminating TRC prosecutions.	Proposed Departmental Task Team under direct control of Inter-Ministerial Committee. Explored ways of eliminating private prosecutions and civil litigation on the TRC cases.	Weeks or months after 4 March 2004	Para 161 - 172, annex FA5, (RCM15 pp 349 - 352)

Appendix A to the Prosecution Policy and were titled: "PROSECUTING POLICY AND DIRECTIVES RELATING TO THE PROSECUTION OF OFFENCES EMANATING FROM CONFLICTS OF THE PAST AND WHICH WERE COMMITTED ON OR BEFORE 11 MAY 1994"	Part C set out the amnesty criteria as well as other considerations upon which the NPA could decline to prosecute a TRC case.	Measure implemented under a constitutional provision providing for an effective back door amnesty under the guise of prosecutorial discretion.	Effective 1 December 2005	Paras 186 - 200. Annex FA27 at pp 634 - 639.
NPA Annual Report of 2005/06	Pikoli reported that he was "sad to report" that "not much has been achieved" with regard to the TRC cases; and confirmed that prosecutions had been placed on hold.	Confirmed the success of the measures aimed at limiting or stopping prosecutions of TRC cases.	2005/ 2006	Paras 201 - 208. Annex FA28 at pp 640 - 641.
NPA presentation to Justice Portfolio Committee on 8 March 2006	"Further prosecutions put on hold in November 2004 pending the formulation of guidelines" and "Failure to finalise guidelines results in no further prosecutions being instituted."	Further confirmation that TRC prosecutions had been stopped.	08-Mar-06	Paras 211 - 213, FA29 at pp 642-5.
Internal memo dated 24 Oct 2006 from Ackermann to Ramaite titled "AUDIT OF CASES EMANATING FROM TRC PROCESS"	It provided an historical background, it listed 4 cases finalised in court, 26 cases closed and potential prosecutions in 22 cases.	Confirmation that the PCLU still wished to proceed with some 22 cases, given the capacity to do so.	24-Oct-06	Para 82, annex FA5, (RCM12 pp 334 - 345)
Internal memorandum from Ackermann to Pikoli and Ramaite responding to request made by the "TRC Committee" on 25 October 2006 to furnish details of cases closed by the PCLU.	The memorandum disclosed that some 27 cases had been closed for various reasons, but complained of the intention of SAPS to appoint a former Security Branch officer (Hennie Britz) to handle the TRC cases.	The desire of SAPS to appoint a former Security Branch officer to the TRC cases indicated a possible desire to control the direction of those cases.	30-Oct-06	Paras 215-8, annex FA5, (RCM10 pp 320 - 330)

Press statement dated 5 January 2007 by Justice Minister Mabandla on need for the development of a policy on presidential pardons	Mabandla announced that policy on presidential pardons for prisoners who alleged that their offences were politically motivated.	According to the Minister the matter was complex and, since there was no legal precedent, "a political solution" was required.	05-Jan-07	Para 239, annex FA30 at p 646
On 8 February 2007, Justice Minister Mabandla addressed a letter to Pikoli titled "TRC MATTERS"	Mabandla asked Pikoli to advise whether the TRC cases were going to be prosecuted as she thought the NPA would not go ahead with prosecutions.	Evidence of an impression in the mind of the Minister that there was an arrangement or understanding that those cases would not be prosecuted.	08-Feb-07	Paras 242-3, annex FA31 at p 647
Beeld newspaper article titled "Cops up for apartheid crimes" published on 7 February 2007	An example of the media articles referred to by Mabandla in her 8 Feb 07 letter to Pikoli.	Indication of a dirty tricks operation to undermine NPA efforts in pursuing the TRC cases.	07-Feb-07	Para 244, annex FA32 at p 648-9
"Internal secret memorandum" by Pikoli titled 'PROSECUTION OF OFFENCES EMANATING FROM CONFLICTS OF THE PAST: INTERPRETATION OF PROSECUTION POLICY AND GUIDELINES' dated 15 February 2007.	Pikoli concluded there was "improper interference" with the work of the NPA on the TRC cases and that he was "obstructed from taking them forward." He complained that this impinged upon his conscience and his oath of office.	Evidence of a "general expectation on the part of the DOJ, SAPS and NIA that there will be no prosecutions and that I must play along." Evidence that the NDPP had reached the end of his tether in respect of the obstruction of the TRC cases.	15-Feb-07	Paras 246 - 249, annex F33 at pp 650 - 660.
Minutes of the Justice Portfolio Committee dated 3 May 2007. Pikoli and Ackermann appeared before the Committee.	Pikoli noted that the TRC cases were a politically sensitive issue; and that whenever there was an attempt to charge former police officers there was political intervention, and effectively the NPA was being held to ransom by the former generals. .	Evidence of frustration of the NPA at being stopped from taking the TRC cases forward.	03-May-07	Paras 250 - 251.3, annex FA34 at pp 661 - 665.

Application to declare amendments to the Prosecution unconstitutional by Thembi Nkadimeng, sister of Nokuthula Simelane with wives of the Cradock Four filed in July 2007	Proceedings opposed by the Minister of Justice and the NDPP (referred to as Nkadimeng 1).	They argued that the amendments were designed to guarantee impunity for apartheid-era perpetrators – and to deny them justice and closure.	01-Jul-07	Para 252.
Plea and sentence agreement in Chikane attempted murder case.	Pikoli would have preferred a comprehensive prosecution but the "political headwinds" were too strong.	Evidence of compromise the NPA struck in order to achieve a modicum of justice.	17-Aug-07	Paras 255 - 259, annex FA35 at pp 666 - 678
Article in the Rapport newspaper of 19 August 2007 claiming NPA was preparing to prosecute ANC leaders; & NPA press statement denying this.	According to Pikoli, the claim was made on the basis of a forged note.	Evidence of dirty trick campaign to undermine Pikoli and Ackermann and stop the TRC cases.	2007/08/19 and 21 Aug 07	Paras 260-4, annexes FA36 and FA37 at pp 679 - 681.
Faxed letter from the Justice Minister Mabandla to Pikoli dated 28 August 2007.	The Minister referred to the JCPS meeting held on 23 August 2007 and noted that SAPS held a different view in respect of the forgery of certain NPA documents. She complained that she had not been advised of the decision to investigate and wanted to know the basis thereof.	Evidence of the Minister objecting to an investigation looking into an attempt to disrupt the NPA's prosecution of the TRC cases through fraud and deception.	28-Aug-07	Para 265, annex FA38 at p 682

Faxed letter dated 29 August 2007 from NDPP Pikoli to Minister Mabandla	Pikoli noted that it was "clear that my account of the position as it relates to the NPA's handling of the post TRC matters has been completely ignored." He asked for an urgent meeting with the Minister and to appear before the National Security Council. His requests were ignored and he was suspended 3 weeks later.	Evidence that the government objected to Pikoli's approach to the TRC cases and did not accept his handling of the cases.	29-Aug-07	Paras 266 - 270, FA39 at p 683-4
Ginwala Commission of Inquiry				
Ginwala Commission Report extracts	Ginwala enquiry report into fitness of Pikoli to hold office. Dr Ginwala concluded that no case had been made out that Pikoli was not fit for office on any of the grounds advanced by govt including his handling of the TRC cases.	Evidence that President Mbeki had no basis to act against Pikoli. She mentioned that the complaint iro the TRC cases "touches very closely on the constitutional guarantee of independence of the NPA to prosecute or not to prosecute, and to do so without fear, favour or prejudice."	04-Nov-08	Paras 275 - 284, FA40 at pp 685 - 688

Letter dated 31 January 2013 from Acting NDPP Ramaite to Thembi Nkadameng	ANDPP Ramaite responds to request by family of Nokuthula Simelane to hold a formal inquest into her kidnapping, torture, disappearance and murder. He stated that when the President established the Ginwala Commission, SAPS declined to commence investigations of the TRC cases pending the outcome of the Ginwala Commission.	Evidence of the SAPS using the flimsiest of excuses (with no basis in law) to avoid investigating the TRC cases.	31-Jan-13	Anexure FA26, page 629
Prosecution Policy amendments struck down				
Judgment in Prosecution Policy case handed down in 2008	Amendments to the Prosecution Policy declared unconstitutional. The judge found that the amendments amounted to an impermissible rerun of the TRC amnesty process and that the Part C criteria should never feature in prosecutorial decisions. He ruled that the amended policy amounted to "a recipe for conflict and absurdity."	Evidence of the unlawfulness of the government's attempt to change the prosecution policy in respect of the TRC cases.	12-Dec-08	Para 285. Available at https://www.saflii.org/za/cases/ZAGPHC/2008/422.html
NPA Annual Report 08/09	Annual report stated: "The TRC Guidelines were declared unconstitutional and invalid A decision to appeal the judgment will be made early in 2009. A further delay in the prosecution of cases emanating from the TRC process is therefore inevitable."	Further evidence of flimsy and unlawful basis not to commence investigation and prosecution of the TRC cases.	01-Sep-08	Paras 286 - 288, FA41 at pp 689 - 690

Special Dispensation on Political Pardons				
Pres Mbeki speech at joint sitting of Parliament on 21 November 2007,	President Thabo Mbeki announced a special process for the handling of pardon requests made by "people convicted for offences they claim were politically motivated, and who were not denied amnesty by the TRC."	Political pardons announcement in line with ATT recommendation and further evidence of desire to provide immunity to apartheid-era perpetrators.	21-Nov-07	Para 289. FA42 at pp 691 - 701
Press statement: commencement of political pardons process	Extended deadline	Press statement belied real reason of the process, as it spoke of applicants being "considered for amnesty" rather than pardon.	16-Jan-08	Paras 293 - 297. FA43, p 702
Urgent application in the Pretoria High Court in March 2009 to interdict the President from issuing any pardons	CSVR & Others vs The President, Gauteng Div, case no. 15320/09	Evidence of resort to the court to curb unlawful conduct in relation to the TRC cases.	01-Mar-09	Paras 298-9. Court papers available at: https://unfinishedtrc.co.za/historical-context-of-cases/#Special-Dispensation-on-Political-Pardons
High Court judgment by Seriti J -- 28 April 2009	CSVR & Others vs The President, Gauteng Div, case no. 15320/09. Interim interdict restraining the President from handing down any pardons under the special dispensation for political pardons.	Court confirms unlawfulness of the President's political pardons program.	28-Apr-09	Para 300. Judgment available at: https://www.saflii.org/za/cases/ZAGPPHC/2009/35.html
Constitutional Court judgment - 23 Feb 2010	Albutt v Centre for the Study of Violence and Reconciliation and Others 2010 (3) SA 293 (CC)	CC dismissed appeal of AWB member (Albutt) and President Zuma.	23-Feb-10	Para 301. Judgment available at: https://www.saflii.org/za/cases/ZACC/2010/4.html
Cases remain blocked				

PCLU Report to Select Committee of Security and Constitutional Affairs 2007-2008	In respect of the TRC cases it was noted that only partial success was achieved due to intervening factors beyond the control of the unit."	Indication of outside interference in these cases. Although 16 cases were identified, none were taken forward.	2007-2008	Paras 302-3. FA44 at pp 703-4.
Trail of emails between Macadam and various role-players to try get the remaining TRC cases investigated.	Pleas by Macadam for investigative support to Willie Hofmeyr, Commissioners Raymond Lalla and Anwar Dramat. Stated: "We have been taking quite a beating due to the fact that nothing has been done on these matters for a number of years..".	Evidence that up until and through 2009 the TRC cases were still not being investigated.	18 May 2009 - 28 August 2009	Paras 308 - 311. FA5 at pp 306 - 310
Macadam letter to Assistant Commissioner Godfrey Lebeya on 18 January 2010	Raised need for investigation of 11 identified cases and referred to meeting on 8 December 2009 with Superintendent Bester, who appeared mostly interested in pursuing cases against the former liberation movements, and sought a meeting.	Indication of no progress being made in the TRC cases.	18-Jan-10	Paras 313-4. FA5 at pp 311-2.
NPA Annual Report 2009 /2010	"TRC cases: Matters need to be fully investigated before any final prosecution decision can be made. Since 2003, the NPA has struggled to secure the necessary cooperation in this regard. It was also stated that the DPCI will only start investigating after the 2010 FIFA World Cup.	Confirmation that the PCLU had struggled since 2003 to get investigators for the TRC cases. Evidence of another flimsy excuse by SAPS (DPCI) not to investigate the cases.	2009/ 2010	Paras 319 - 321. FA45 at pp 705-6.

Justice Portfolio Committee 12 April 2010 minutes	NDPP Adv Menzi Simelane appeared before the Justice Portfolio Committee and confirmed that the NPA was not prosecuting any TRC cases.	Confirmation that little or no work was being conducted on the TRC cases.	12-Apr-10	Para 322, FA46 at pp 707 - 709
Justice Portfolio Committee 20 March 2011 minutes	Meeting to discuss the NPA's Strategic Plan for 2011. Simelane claimed that the DPCI not investigating the TRC cases "was an old matter but there are no problems now".	Claim that the DPCI was investigating was not borne out in practice.	20-Mar-11	Paras 323-4, Minutes available at: https://pmg.org.za/committee-meeting/12840/
Macadam Rule 53 affidavit	In Calata and Others v NDPP and Others, Case No. 35447/ 2021, Macadam confirmed that the Cradock 4 Investigation Docket had gone missing some time after April 2013.	Confirmation of missing docket and that no work conducted on Cradock 4 case between 2013 and 2019, and likely also in the years preceding 2013.	24 May 2021	Paras 328 - 332. FA47 at pp 710 - 712
Simelane & Timol families takes action				
Letter from Thembi Nkadimeng to Acting NDPP Ramaite dated 29 January 2013	Given the idleness of the NPA, Nkadimeng abandons her hope of a prosecution and requests the holding on an inquest into the kidnapping, torture, disappearance and murder of Nokuthula Simelane.	Indication of the total lack of faith of families in the NPA and SAPS to do their jobs.	29-Jan-13	Paras 333- 5, FA48, pp 713 - 718
letter received from the Chairperson of the Working Group on Enforced or Involuntary Disappearances dated 24 July 2013	Simelane family reported inaction of SA authorities to the UN Special Rapporteur on Enforced Disappearances who in turn corresponded with the government.	Indication of desperation of family that they resort to a complaint to an international body.	24-Jul-13	Para 336, FA49, pp 719 - 720

Nkadimeng application before the High Court in Nkadimeng v NDPP (35554/2015 Gauteng Div.) (Nkadimeng 2) on 20 May 2015..	Nkadimeng sought an order compelling the NPA and SAPS to finalise their investigations and an order compelling the NPA to take a prosecutorial decision, or to take steps to hold an inquest in the High Court.	Family has to approach the High Court to force the NPA and SAPS to do their work. The application included affidavits from Pikoli and Ackermann setting out the political interference.	20-May-15	Paras 337 - 341. Application papers available at: https://www.ahmedtimol.co.za/wp-content/uploads/2020/03/6.-Notice-of-motion-and-founding-affidavit-and-annexures.pdf
Judgment in Timol Inquest 12 October 2017 (IQ01/2017) ([2017] ZAGPPHC 652).	Timol family placed NPA on terms 4 times demanding the inquest be reopened.	Judge Mothle called for the “energetic and vigorous investigation of outstanding apartheid-era cases before it is too late, which may involve the creation of a dedicated team of carefully selected investigators and prosecutors.”	12-Oct-17	Paras 346 - 351. Judgment available at: https://www.saflii.org/za/cases/ZAGPPHC/2017/652.html
NPA admits to the interference (Rodrigues case)				
Rodrigues application, (Gauteng Division, Case No. 76755/2018) seeking a permanent stay of his prosecution on 18 October 2018	Rodrigues (accused of murder of Timol) claimed that the delay in prosecuting him violated his rights to a fair trial. Timol family intervened and put up the political interference as reason for delay, attaching Pikoli and Ackermann affidavits.	NPA at first held back Macadam's affidavit (FA5) which set out in detail the obstruction of the TRC cases, before being forced to file it on 4 February 2019. Indicated reluctance of NPA to disclose the information in the Macadam affidavit.	18-Oct-18	Paras 352 - 356. Papers available at: https://www.ahmedtimol.co.za/timeline-rodriques-criminal-trial/ (blue shaded box)

Supplementary affidavit of Adv Torie Pretorius SC on behalf of the NPA on 4 February 2019	Supplementary affidavit (FA50) attached the Macdam affidavit (F5). Pretorius admitted the interference but claimed that the NPA cannot be blamed as it was subjected to severe political constraints.	Evidence of the NPA admitting under oath that it succumbed to political interference which blocked the TRC cases from proceeding.	04-Feb-19	Paras 357 - 365, annex FA50 at pp 721 - 764
Judgment of the full court in Rodrigues v NDPP & Ors [2019] 3 All SA 962 (GJ)	Dismissed application and concluded that TRC cases were stopped as result of executive decisions that interfered with NPA's prosecutorial decision making.	Judicial finding that executive interference blocked the TRC cases.	03-Jun-19	Paras 366-7. Judgment available at: https://www.saflii.org/za/cases/ZAGPJHC/2019/159.html
Judgment of the SCA in Rodrigues v NDPP & Ors [2021] 3 All SA 775 (SCA)	SCA judgment dismissing appeal and finding that the Executive adopted policy that TRC cases would not be prosecuted and finding it "perplexing and inexplicable" why TRC cases were suppressed during a 14-year period.	Appeal court confirmation of political interference findings	21 June 2021	Para 368-369. Judgment available at: https://www.saflii.org/za/cases/ZASCA/2021/87.html
Possible political agreements not to prosecute				
FW de Klerk Foundation editorial titled "The NPA's Decision to Prosecute 'Apartheid Era' Crimes" dated 5 July 2021	The editorial referred to an 'informal agreement' not to prosecute apartheid era crimes: "Because of an informal agreement between the ANC leadership and former operatives of the pre-1994 government, the NPA suspended its prosecutions of apartheid era crimes."	Indication that there had been communication and an apparent agreement between the ANC and "former operatives of the pre-1994 government" to suspend apartheid-era prosecutions.	05-Jul-21	Paras 372 - 375, FA51 at pp 765-6.

SAPA press release dated 14 July 1998	Former SADF Generals called for a blanket amnesty for all sides.	Indication of ultimate objective of the former SADF leaders	14-Jul-98	Para 376, FA54 at p 774-5
SAPA press release dated 4 March 1999	TRC denied the amnesty application of 37 ANC leaders, which included Deputy President Mbeki. The application was denied since it did not disclose any individual offences	Possible motivation to seek an arrangement of further indemnity.	04-Mar-99	Para 377, FA55 at p 776
Article in Mail & Guardian: Generals, ANC members talk about amnesty	Mbeki informed Parliament that government was considering further amnesty proposals that had been put forward by SADF generals.	Confirmation that talks were under way	01-Mar-99	Para 377.2, FA56 at p 777-9
SAPA press release titled "Mbeki wants changes to TRC rules on amnesty" dated 22 May 1999	Deputy president Mbeki asked for a review of the law to allow people to be granted amnesty without having to apply as individuals.	Confirmation that Mbeki was looking into the possibility of expanding the ambit of amnesty.	22-May-99	Para 377.3, FA57 at p 780
Extracts from book of Ole Bubenzer titled Post TRC Prosecutions in South Africa	Chapter titled "Bargaining Over the TRC's Legacy" detailed secret consultations between the ANC govt and former SADF & SAP between 1998 and early 2004. The main aim appeared to be to reach agreement on a legislative solution on how to avoid prosecutions.	According to interviews with former police commissioner, Johann van der Merwe, and former SADF General Jan Geldenhuys, a central role in the talks was played by De Klerk and Mbeki. Others involved included Jacob Zuma, Constant Viljoen and others.	1998 - 2004	Paras 378 - 381.5, FA58 at pp781 - 794.

Extracts from book of Michael Schmidt titled Death Flight: Apartheid's Secret Doctrine of Disappearances	Details an interview conducted with Major-General Dirk Marais about secret meetings held between former SADF generals and senior ANC and govt officials between 1997 and 2004.	According to Schmidt, Marais said the govt was seeking a quid pro quo. Marais claimed that Mbeki indicated in their discussions that: "They don't want us to be charged - and they don't want them to be charged"	1997 - 2004	Paras 382-5. FA60 at pp 798 - 808.
Photo of unsigned handwritten letter from former SADF Chiefs to Deputy President Zuma in early 2004.	Marais permitted Schmidt to take a photo of the letter, which gave a brief history of the talks and work of the SADF Contact Bureau. The letter referred to interactions between the Contact Bureau and Mbeki, Zuma, Justice Minister Penuell Maduna, Police Minister Charles Nqakula and others.	Evidence of contact and meetings between former SADF leaders and government. The letter complained that agreements reached on legislative arrangements were not adhered to by the government with little implementation.	Early 2004	Paras 386-395, FA61 at pp 809 - 811
Statement by Thabo Mbeki Foundation titled "Statement by former President Thabo Mbeki on allegations of NPA interference by the Executive" dated 1 March 2024.	In this statement Mbeki strenuously denied any involvement in the suppression of the TRC cases:	Mbeki appeared to accept that the TRC cases were not taken forward and called on the NPA to apologize for not pursuing those cases.	01-Mar-24	Paras 401 - 404, FA65 at pp 836 - 837. See also Mbeki affidavit in Intervention application: https://drive.google.com/file/d/1riVEbjKI455D1WTvv2dXRSFeKBcMqbAL/view Judgment at: https://www.saflii.org/za/cases/ZAGPPHC/2025/753.html
Affidavits				

Affidavit of Adv Vusi Pikoli, NDPP 1. Feb. 2005 - 17. Feb. 2009 (Suspended 23 September 2007).	Affidavit from former NDPP describing interference with TRC cases. Filed in support of Thembi Nkademeng's application to compel prosecutorial decision in Nokuthula Simelane murder case.	Key witness testimony about political interference as NDPP during February 2005 - September 2007.	06-May-15	FA22 at pp 564 - 610
Affidavit of Adv Anton Ackermann SC, Head of the PCLU: 24 Mar. 2003 - 31 Mar. 2013	Affidavit filed in support of Thembi Nkademeng's application to compel prosecutorial decision in Nokuthula Simelane murder case	Key witness testimony of struggle to pursue TRC cases while he was head of PCLU.	07-May-15	FA8 at pp 381 - 398
Affidavit of Adv Chris Macadam, Deputy Head of the PCLU from 24 March 2003 (Head in 2013)	Affidavit with evidence of TRC cases obstructed with attached documentation.	Critical insider evidence of obstruction, initially withheld by NPA	1 November 2018 (signed), 4 February 2019 (filed)	FA5 at pp 281 - 364
Supplementary Affidavit of Adv Torie Pretorius SC, former PCLU prosecutor and Acting Head: Early 2016 - Apr. 2019	Supplementary Affidavit of Adv Torie Pretorius on behalf of the NDPP in the case of Rodrigues v NDPP & Others (Gauteng Division of the High Court, case no: 2018/76755)	Admitted political steps were taken to manage the conduct of criminal investigations and possible prosecution of the perpetrators of the political murders.	04-Feb-19	FA50, pp 721 - 764
Ntsebeza Report				
Opinion for the NPA titled 'THE TRC COMPONENT AND TRC PROSECUTIONS'.	Report by Adv Dumisa Ntsebeza SC reviewing NPA's measures for handling TRC cases.	Refers to the political interference and recommends a public commission of inquiry.	Submitted 30 June 2023, Released 15 February 2024	Paras 515-518.5, available at: https://unfinishedtrc.co.za/wp-content/uploads/2024/02/NPA-Opinion-TRC-matters-2023-for-public-access-2.pdf