

JUDICIAL COMMISSION OF INQUIRY TO INQUIRE INTO ALLEGATIONS
REGARDING EFFORTS OR ATTEMPTS HAVING BEEN MADE TO STOP THE
INVESTIGATION OR PROSECUTION OF TRUTH AND RECONCILIATION
COMMISSION CASE

STATEMENT BY VINCENT CORODEAN SALDANHA

1

I am an adult male presently serving as a judge of the Western Cape High Court, sitting at Cape Town.

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I have been formally requested in a letter dated 14 November 2025 by the Chief Evidence Leader, Mr. Semanya SC, attached hereto as Annexure A, for information relating to my work with the Office of the National Director of Public Prosecutions with regard to the prosecution of TRC related cases.

3

I was employed as an attorney in 1999 at the Legal Resource Centre, Cape Town Office. By arrangement with the national office of the Legal Resource Centre I was seconded for the year, 1999 to the National Prosecuting Authority of South Africa in the Pretoria head office. There, at the request of the then NDPP, Mr. Bulelani Ngcuka, I served as the chairperson of the Human Rights Investigative Unit. The unit was charged with the consideration of dockets referred to the NDPP by the Amnesty Committee of the TRC for prosecution. The dockets related to persons who had applied for amnesty and who were unsuccessful and also those persons who had not applied for amnesty. The unit reported directly to the NDPP.

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The unit was also provided with a number of dockets from the office of the Kwa-Zulu Natal office of the DPP of persons who had been killed in the violence in Kwa-Zulu Natal.



5

I served for the period 1999 and did so in my personal capacity notwithstanding my employment at the Legal Resource Centre.

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I have noted that the Terms of Reference of the Commission under the proclamation notice 264/2025 by the President of the Republic of South Africa, in paragraph 1 provides:

"1. The commission must, in relation to the period since 2003, inquire into, make findings, report on and make recommendations concerning the following, guided by the Constitution, relevant legislation and policies..."

My service at the National Prosecuting Authority was for the period of 1999 which falls outside of the terms of reference of the Commission.

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I furthermore advise that I do not have in my possession any documents, which includes memoranda, correspondence, minutes of meetings or other audio or documentary records relating to the TRC cases referred to by the Amnesty Committee for investigation and prosecution.

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I recall though, that during the course of 1999 an interim report was prepared by the Committee which was submitted to the National Director of Public Prosecutions with regard to the matters that we were at that stage considering.

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I wish the Commission well in the carrying out of its mandate.

On this day 20th November 2025 at Cape Town.

A handwritten signature in black ink, appearing to read 'V. Saldanha', written over a horizontal line.

Vincent C. Saldanha, J



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Judge Vincent Saldanha

Per Email: Vsaldanha@judiciary.org.za

14 November 2025

Dear Judge Vincent Saldanha,

REQUEST FOR ASSISTANCE WITH INFORMATION IN AID OF THE JUDICIAL COMMISSION OF INQUIRY TO INQUIRE INTO ALLEGATIONS REGARDING EFFORTS OR ATTEMPTS HAVING BEEN MADE TO STOP THE INVESTIGATION OR PROSECUTION OF TRUTH AND RECONCILIATION COMMISSION CASES.

- 1 On 29 May 2025, the President of the Republic of South Africa, Mr Matamela Cyril Ramaphosa, issued Proclamation Notice 264 of 2025 establishing a Commission of Inquiry to Inquire into Allegations Regarding Efforts or Attempts Having been Made to Stop the Investigation or Prosecution of Truth and Reconciliation Commission ('TRC') Cases (**'the Commission'**).
- 2 The attached Terms of Reference of the Commission require that, among other things, the Commission must inquire, make findings, report and make recommendations concerning:

"1.1...whether, why and to what extent and by whom, efforts were made to influence or pressure members of the South African Police Service or the National Prosecuting Authority to stop investigating or prosecuting TRC cases;" and

1.2...whether any members of the South African Police Service or the National Prosecuting Authority improperly colluded with such attempts to influence or pressure them."

- 3 In your capacity as a Commanding officer of your particular unit, you would have had access to information concerning decisions, discussions, or policies affecting the investigation and prosecution of TRC-related cases.
- 4 The Commission therefore requests your assistance with furnishing any material in your possession, or to which you had access to during your tenure, that may be relevant to its inquiry.

This includes memoranda, correspondence, minutes of meetings, or other audio and/or documentary records relating to the TRC cases referred by the Amnesty Committee for investigation or prosecution.

- 5 In addition to providing such relevant material, the Commission requests, in the form of an affidavit, your own account of any discussions, decisions, or considerations during your tenure that may bear on the matters set out in the above-mentioned paragraphs 1.1 and 1.2 of the Terms of Reference. Such a statement will assist the Commission in understanding the context within which decisions relating to TRC cases were taken.
- 6 Should you require any assistance in preparing your affidavit or in furnishing the requested material, you are entitled to liaise with your legal representatives. Alternatively, you may contact the Commission's Secretariat, by sending an email to secretary@trc-inquiry.org.za, directly, and we will provide the necessary support.
- 7 Please provide your response no later than the 25 November 2025, to allow the Commission sufficient time to consider the information and complete its work timeously.

Yours faithfully

CHIEF EVIDENCE LEADER

Advocate I Semanya SC

Signed Electronically