

**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)**

HELD AT:

Sci-Bono Discovery Centre, Corner of Miriam Makeba & Helen Joseph Street
Newtown, Johannesburg

BEFORE:

COMMISSIONERS:

The Honourable Ms Justice Sisi Khampepe (Judge Ret.) – Chairperson
The Honourable Mr Justice Frans Diale Kgomo (Judge President Ret.)
Adv Andrea Gabriel (SC)

EVIDENCE LEADERS:

Adv Ishmael Semanya (SC)
Adv Fana Nalane (SC)
Adv Mfesane Ka-Siboto
Adv Nompumelelo Seme
Ms Baitseng Rangata

REPRESENTATIVES

Adv KD Moroka (SC) – DoJ representative
Adv Gwala (SC) – NPA representative
Adv Varney (SC) – The Calata Group
Adv Mpati Qofa-Lebakeng (for Adv Shaun Abrahams)
Mr Mongezi Ntanga (for Adv Shaun Abrahams)
Mr Moray Hathorn
Adv Tlotlego Tsagae (for Department of Justice)
Ms Chuma Bubu (for Helen Suzman Foundation)
Ms Judy Seidman (for Galela Reparations Movement)
Mr Shadrack Ganda (for Joe Xabi)
Adv Sokhela, Phumzile (for Former President Mbeki)
Mr Max Boqwana (for Former President Mbeki)
Mr Nkosinathi Thema
Adv Vas Soni (SC)

28 NOVEMBER 2025

DAY 3

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PROCEEDINGS ON 28 NOVEMBER 2025

CHAIRPERSON: Good morning. After having heard the parties the Commission makes the following ruling.

[See Draft Ruling as attached]

CHAIRPERSON: These proceedings are adjourned.

INQUIRY ADJOURNS

CERTIFICATE OF VERACITY

I, the undersigned, hereby certify that **as far as it is audible**, the foregoing is a true and correct transcript of the digitally recorded proceedings in the matter of:

**JUDICIAL COMMISSION OF INQUIRY INTO TRC
DAY 3
2025-11-28**

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- *Names transcribed phonetically.*
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**IN THE COMMISSION OF INQUIRY INTO STOPPED TRC
INVESTIGATIONS AND/OR PROSECUTIONS**

DRAFT RULING

After having heard the parties, the Commission makes the following ruling:

- 1 In respect of requests by parties to lead witnesses, the Chairperson of the Commission will make such decisions in terms rule 3.1 of the Commission's Rules.

- 2 There is currently a request by the Calata Group to lead the following witness:
 - 2.1 Lukhanyo Calata
 - 2.2 Thembi Simelane
 - 2.3 Yasmin Sooka
 - 2.4 Dumisa Ntsebeza SC
 - 2.5 Ole Bubenzer
 - 2.6 Michael Schmidt
 - 2.7 Anton Ackermann SC
 - 2.8 Adv Vusi Pikoli

- 3 The reasons for the Calata Group's request to lead these witnesses are set out in their submissions, dated 7 November 2025.
- 4 The substantive objections of other parties to the Calata Group leading the aforesaid eight witnesses are set out in their written submissions.
- 5 In respect of future requests by the parties to lead witnesses, such requests will be made by way of letter addressed to the Chairperson, copied to all parties, identifying the witnesses in question and providing the reasons why the parties wish to lead those witnesses.
- 6 Any party wishing to object to another party leading their witnesses, may do so by way of letter addressed to the Chairperson, copied to all parties.

BY RULING OF THE COMMISSION

28 November 2025