

**THE JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS REGARDING
EFFORTS OR ATTEMPTS TO STOP THE INVESTIGATION OR PROSECUTION
OF TRUTH AND RECONCILIATION COMMISSION CASES**

HELD AT:

Sci-Bono Discovery Centre, corner Mirriam Makeba & Helen Joseph Street,
Newtown, Johannesburg

AFFIDAVIT OF ANWA DRAMAT

i, the undersigned

ANWA DRAMAT

do hereby declare under oath as follows:

1. I am a retired member of the South African Police Service (SAPS), having been employed in the SAPS from 1995 until 2014. At the time of my retirement with the SAPS, I was holding a rank of Lieutenant General ("Lt Gen").
2. The facts herein contained are, unless specifically stated or the contrary appears from the context, within my personal knowledge and to the best of my belief, both true and correct.
3. I depose to this affidavit in response to the notice dated 25 February 2026, issued to me in terms of Rule 3.3 of the Rules governing the Commission of

Inquiry: Stopped Investigations/Prosecutions of Truth and Reconciliation Commission Cases ("the notice"). In terms of the said notice, I am implicated or potentially implicated in the political interference aimed at stopping the investigation or prosecution of the TRC cases.

4. Before responding to the allegations made herein above, I deem it appropriate to provide a brief summary of my role at the time when I was appointed in the Directorate for Priority Crime Investigation ("the DPCI").

MY ROLE AS THE DPCI HEAD

5. I was appointed as the Deputy National Commissioner ("the DNC") for the newly established DPCI effective from 01 June 2009. My appointment as such was made in terms of the South African Police Service Amendment Act 57 of 2008 ("the SAPS amendment Act"). However, I took my appointment as the DNC on 06 July 2009. Meanwhile I was also assigned to oversee the Detective Services, Crime Intelligence, Forensic Services Divisions. Prior to that, I served as the Deputy Provincial Commissioner responsible for Crime Detection and Intelligence in the Western Cape Province.
6. At the time of my appointment as indicated above, there was no approved structure for the DPCI as yet and the then Major General Godfrey Lebeya ("Gen Lebeya"), who was the Component Head responsible for Organised Crime, became Acting as the Divisional Commissioner: DPCI effective from 01 August 2009 and reported directly to me.

7. Furthermore, there was a process of migration of specialised units such as Organised Crime, Serious and Violent Crimes and Commercial Crimes, amongst others. There was also a process of integrating the former members of the Directorate of Special Operations ("DSO") into the SAPS to form part of the newly established DPCI. The practical effect of this process was that, the investigators from the affected units, including the DSO, brought along their dockets into the DPCI for continuation.
8. On 31 January 2011, I was relieved of the responsibility over Detective Service, Crime Intelligence and Forensic Services. Gen Lebeya was subsequently appointed as the DNC responsible for Crime Detection and Intelligence on 01 February 2011.
9. I need to mention that the establishment of the DPCI required to be done expeditiously with little room for interruption of the on-going investigation as well as new cases received on a daily basis.

RESPONSE TO THE RULE 3.3 NOTICE

10. Reference is made in the Rule 3.3. notice, a copy of which is attached to this affidavit as "AD1", of the allegations contained in paragraphs 311 and 313 of the founding affidavit filed in support of the application pending before Gauteng Division (Pretoria), brought by L.BM. *Calata and 22 Others* against the Government of the Republic of South Africa and Others (Case No. 2025-005245). More specifically, it is alleged that Adv Macadam made a number of

unsuccessful attempts to secure a meeting with myself as the then newly appointed Head of the DPCI to discuss 'the unidentified case' that was due to prescribe on 12 September 2009. This allegedly resulted in the matter prescribing without further steps being taken to ensure that investigation was carried out.

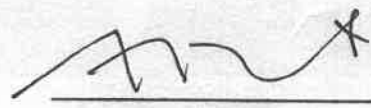
11. It is apparent from the contents of annexure "RCM6" to Adv Macadam's affidavit that correspondence was sent to my email address between 07 July and 28 August 2009, which was shortly after I officially resumed my duties in July 2009. Macadam further alleges that he sent a letter dated 13 July 2009 to General Lalla and myself in relation to the appointment of investigators for 11 (eleven) matters (subsequently reduced to 10 (ten)) identified by the NPA.
12. Although I have no recollection of receiving the correspondence being referred to in Adv Macadam's affidavit, it can safely be assumed that I did not have the opportunity to respond on time given the events that occurred rapidly during the establishment of the DPCI. As I already explained above, the process of establishing the DPCI required dedication that systems be put in place as soon as possible to avoid compromising the service delivery needs at the time. Furthermore, I was also responsible to oversee the Detective Services, Crime Intelligence, Forensic Services Divisions over and above the DPCI with limited capacity at the time when Adv Macadam sent his correspondence.
13. However, I need to point out that it is accepted in Adv Macadam's affidavit that after not receiving response from my office, he approached General Lebeya on

26 November 2009, who was directly in charge of the DPCI environment at the time, *albeit* under my supervision. It is also clear from Adv Macadam's affidavit that subsequent to his interaction with Gen Lebeya, Senior Superintendent Bester was assigned to deal with the 10 (ten) matters being complained of.

14. I wish to state that, to my recollection of the events that took place during the period in question, I have never been involved or participated in any discussions related to the meetings being referred to in paragraphs 311 and 313 of the *Calata affidavit*. I have also never attended any of the meetings referred to in annexure "RCM6" to Adv Macadam's affidavit at any given moment.

CONCLUSION

15. During my tenure as the Head of the DPCI, I was not subjected to any form of influence, politically or otherwise in relation to the TRC cases handled by the DPCI members. I have also never engaged in acts of political interference aimed at stopping the investigations and/or prosecutions of the TRC cases nor did I instruct anybody to engage in such conduct.
16. Furthermore, I carried no knowledge of any DPCI member(s) being influenced politically or otherwise, or precluded from investigating the TRC or any other related matters.


A. DRAMAT

DEPONENT

THUS SIGNED AND SWORN TO before me at Goodwood on this 20 day of **APRIL 2026** the deponent having acknowledged that he knows and understands the contents of this affidavit, he has no objection to take the prescribed oath and considers it to be binding on his conscience.

H. N. A. Nauden
2026/04/20
N. A. Nauden



COMMISSIONER OF OATHS

Name: H. N. A. Nauden

Address: 13 WIENER STREET

Designation: CST

"AD1"

NOTICE IN TERMS OF RULE 3.3 OF THE RULES OF THE JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS REGARDING EFFORTS OR ATTEMPTS HAVING BEEN MADE TO STOP THE INVESTIGATION OR PROSECUTION OF TRUTH AND RECONCILIATION COMMISSION CASES

TO: Anwa Dramat

EMAIL: Anwadramat@gmail.com

INTRODUCTION AND ESTABLISHMENT OF THE COMMISSION

1. On 29 May 2025, the President of the Republic of South Africa issued Proclamation Notice No. 264 of 2025, establishing the Judicial Commission of Inquiry into Allegations Regarding Efforts or Attempts Having Been Made to Stop the Investigation or Prosecution of Truth and Reconciliation Commission Cases ("the Commission").
2. The Commission was appointed in terms of section 84(2)(f) of the Constitution, 1996. The Honourable Madam Justice S. Khampepe serves as Chairperson, with the Honourable Mr Justice F. D. Kgomo and Adv A. Gabriel SC as members.
3. In terms of its mandate, the Commission is required to inquire into, make findings, report on, and make recommendations concerning allegations that, since 2003, efforts or attempts were made to influence, pressure, or otherwise improperly prevent the South African Police Service and/or the National Prosecuting Authority from investigating or prosecuting TRC cases. The Terms of Reference further require the Commission to determine whether officials within these institutions colluded in such efforts, and whether

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further action—including investigations, prosecutions, or the payment of constitutional damages—is warranted.

4. Among the parties identified as having a substantial interest in these proceedings are:
 - a. The applicants in the matter of L.B.M. Calata and 22 Others v Government of the Republic of South Africa and Others (Case No. 2025-005245, North Gauteng High Court, Pretoria); and
 - b. The families of victims in TRC cases who have a substantial interest in the matters under inquiry.

NOTICE IN TERMS OF RULE 3.3

5. This notice is issued in terms of Rule 3.3 of the Rules of the Commission, read with the Regulations made under Government Notice R.278 of 2025.
6. The Commission's Evidence Leaders intend to present the evidence of one or more applicants in the Calata case, and any person who in the opinion of the Evidence Leaders possesses information that relates to the paragraph 9 allegations against you and is relevant to the Commission's work.
7. The specific date and venue for the hearing at which such evidence will be presented will be communicated to you in due course.
8. The paragraph 9 evidence, being the extract of the Calata matter's founding affidavit, with corresponding paragraph numbering, implicates, or may implicate, you in allegations regarding efforts or attempts to halt or suppress the investigation or prosecution of TRC matters. Further details of the Calata

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proceedings, including the said affidavit, are available on the Commission's website at www.trc-inquiry.org.za.

PARTICULARS OF IMPLICATION

9. It is alleged as follows:

311. Macadam was told to meet with Commissioner Anwar Dramat, the newly appointed Head of the DPCL. He then made a number of unsuccessful attempts to secure a meeting with Dramat. During this period, the unidentified case that was due to prescribe on 12 September 2009, prescribed without being taken further. It can be safely assumed that a large number of other crimes associated with the TRC cases prescribed during this period. **Par 311, page 124**

313. Ultimately Macadam met with Assistant Commissioner Godfrey Lebeya on 26 November 2009 where the issue of conducting investigations was discussed resulting in Macadam addressing a letter to Lebeya on 18 January 2010, which is attached to Macadam's affidavit (FA5) as annex RCM7 (at p826). The letter is reproduced below:

"My letter dated 13 July 2009, addressed to Deputy National Commissioner Dramat and Divisional Commissioner Lalla, and our meeting of 26 November 2009 have reference. The issue related to the appointment of investigators to investigate the 11 matters identified by the NPA, which were itemised in my letter of 13 July 2009. Subsequently, the Acting National Director of Public Prosecutions declined to prosecute

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in the Lubowski matter and consequently, only the remaining 10 cases on the list required attention.

Senior Superintendent Bester of your office attended our meeting and informed you that he was in possession of a number of further dockets which he felt also required investigation. On 6 December 2009, I had a meeting with Senior Superintendent Bester and established that these dockets related to cases against the Liberation Movements in respect of which a decision was taken in 2004 by the then National Director not to prosecute. It should be noted that in the main, all the suspects implicated in the dockets had applied for and received amnesty. I therefore informed Senior Superintendent Bester that there was no basis upon which these cases could be reopened.

Consequently, only the remaining 10 cases on the list require attention. Since you raised the sensitivity of the matters with me, the National Director of Public Prosecutions was given a full written briefing on the matters. I had a meeting with him today and he indicated that SAPS should in fact investigate all the matters which required investigation. The matters should be referred to my office once the investigations have been concluded. Should you require any guidance as to how the matters should be investigated, you are at liberty to approach me for any such

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assistance which you might require. Given the nature of the cases, it may be desirable that we meet to discuss the issues in person and in this regard, I would be grateful if you could indicate when you would be available to meet with me." **(Bold added) Par 313, page 125.**

34. I attach as Annexure RCM6 a trail of emails between myself and various role-players showing my efforts to try and have these matters investigated. I initially had a series of meetings with Rayman Laila, the then Divisional Head of the Detective Service of SAPS. He however informed me that the National Commissioner had decided that the cases had to be investigated by the Directorate Priority Crimes Investigation (DPCI). I therefore made a number of unsuccessful attempts to secure a meeting with Commissioner Dramat, Head DPCI. **Para 34, page 282**

Hallo Helena, Comm Laila agreed to the meeting but requested that we involved Deputy National Commissioner Dramat. Welma will speak to Iris office and let you know. We are currently looking at the week of the 20th July, Regards, Colla. **Page 302, email from Bezuidenhout Colla to Helena Zwart.**

Helena Laila Rayman - Divisional Commissioner [LailaR@saps.org.za] 14 July 2009 08:32 AM Helena Zwart (H) RE: TRC cases requiring investigation

Dagse Helena, Kommissaris Dramat se kantoor het nou net geskakel hy wil die vergadering uitstel na Augustus. Hy is nie beskikbaar volgende week nie. Ek sal die nuwe datum met jou kommunikeer. Groete Welma. **Page 303, email from Laila Rayman to Helena Zwart.**

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Beste Welma Aangeheg wind asb. 'n lys van die TRC-sake wat by die vergadering bespreek gaan word. Sal jy asb. so vriendelik wees om dit aan te stuur na die twee Kommissarisse, aangesien ons nog nie Kommissaris Dramat se kontakbesonderhede het nie? Het Colla die dringendheid van die Lubowski-saak met jou bespreek? Baie dankie en groete! Helena Zwart NPA. **Page 303, email from Helena Zwart to Lalla Rayman**

Good day Mr Macadam, We wish to acknowledge receipt of your e-mail. DNC Dramat is unable to meet with you presently but will revert back to you in due course. Thank you. **Page 304, email from Pumla Mphothulo to Helena Zwart**

Good morning, Commissioner Dramat's office is at room 627, 6th floor, Koedoe building (opposite Police Head office in Pretorius str). His office number is 012 393 5463 and email dpci.head@saps.org.za His secretary is Pumla. I will ask Comm Laila about joining the meeting and will inform Helena. Regards, Colla. **Page 304, email from Colla Bezuidenhout to Helena Zwart**

Dear Colla, I recently had a telcom with your Commissioner in which he advised that the TRC and the nuclear matters which we have previously discussed would now have to be attended to by Commissioner Dramat. Is it possible to provide me with Commissioner Dramat's address and fax number so that I can set up a meeting with him? Would your Commissioner be amenable to facilitate the meeting, as it might help if the two of us can inform Commissioner Dramat of the history of these matters. Kind regards Chirs Macadam. **Page 305, email from Helena Zwart to Bezuidenhout Colla**

My letter dated 13 July 2009, addressed to Deputy National Commissioner Dramat and Divisional Commissioner Laila, and our meeting of 26 November 2009 have reference.

The issue related to the appointment of investigators to investigate the 11 matters identified by the NPA, which were itemised in my letter of 13 July 2009. Subsequently, the Acting National Director of Public Prosecutions declined to prosecute in the Lubowski matter and consequently, only the remaining 10 cases on the list required attention.

Senior Superintendent Bester of your office attended our meeting and informed you that he was in possession of a number of further dockets which he felt also required investigation. On 6 December 2009, I had a meeting with Senior Superintendent Bester and established that these dockets related to cases against the Liberation Movements in respect of which a decision was taken in 2004 by the then National Director not to prosecute. It should be noted that in the main, all the suspects implicated in the dockets had applied for and received amnesty. I therefore informed Senior Superintendent Bester that there was no basis upon which these cases could be reopened.

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be referred to my office once the investigations have been concluded. Should you require any guidance as to how the matters should be investigated, you are at liberty to approach me for any such assistance which you might require.

Given the nature of the cases, it may be desirable that we meet to discuss the issues in person and in this regard, I would be grateful if you could indicate when you would be available to meet with me. Yours sincerely Adv RC Macadam. Page 306 to 307

10. In early 2010, Adv Macadam was appointed by the Acting National Director to take overall the matters and to liaise directly with the DPCI, following an agreement reached between the NPA and General Dramat. Par 10, page

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YOUR RIGHTS AND OBLIGATIONS

313. You are entitled to attend the hearing at which the evidence relating to the above allegations, and any other that may be led against you, is presented. You may be represented by a legal practitioner of your choice.

314. Rule 3.4 requires that, within fourteen (14) calendar days of this notice, you submit a statement in the form of an affidavit responding to the allegations. Your affidavit must specify which parts of the evidence are disputed or denied, and set out the grounds for such dispute or denial.

315. If you wish to—

- a. give evidence yourself;

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- b. call any witness in your defence; or
- c. cross-examine the witness whose evidence implicates you,

you must apply in writing to the Commission for leave to do so within fourteen (14) calendar days of this notice, accompanied by your affidavit.

316. You may also apply for leave to make written and/or oral submissions regarding the findings or conclusions that the Chairperson should draw from the evidence relating to you.

COMMUNICATION WITH THE COMMISSION

317. All correspondence, applications, and affidavits must be directed to: The Secretary of the Commission email: secretary@trc-inquiry.org.za

DATED at Sci Bono Johannesburg on 25 February 2026.

For and on behalf of the Evidence Leaders to the Judicial Commission of Inquiry into Allegations Regarding Efforts or Attempts Having Been Made to Stop the Investigation or Prosecution of TRC Cases.

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