

**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**

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**AFFIDAVIT**

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I, the undersigned, **LUNGISA BRIAN DYOSI**, make oath as follows and state the following:

1. I am an adult South African male.
2. The contents of this affidavit are within my personal knowledge unless the contents indicate otherwise, and are true and correct. Where I refer to information conveyed to me by others I state the source of such information, which I verily believe to be true and correct.
3. On or about the 15<sup>th</sup> of October 2025 I was served with a Notice in Terms of Rule 3.3 of the Rules of the Judicial Commission of Enquiry into Allegations Regarding Efforts or Attempts Having Been Made to Stop the Investigation or Prosecution of Truth and Reconciliation Commission Cases.
4. I have also read the Founding Affidavit of Lukhanyo Bruce Matthews Calata in the matter before the Gauteng Division of the High Court ("the Calata Affidavit").
5. I will confine my affidavit to the statements that refer to me in the Notice in terms of Rule 3.3 and/or the Calata Affidavit.

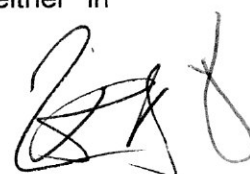


6. At the very onset, I wish to state that the statements referred to above relate to a period when I was in the employ of the National Prosecuting Authority ("NPA") and after I have left the NPA at the end of August 2004. This is some 20 years ago, and so I may not remember all the details pertaining to that period. I also do not have all the documents that may assist me in this regard.
  
7. At the NPA I was employed as a Strategy and Legal Advisor to the National Director of Public Prosecution ("NDPP"). During my tenure at the NPA the NDPP was Mr Bulelani Ngcuka ("Ngcuka"). I served under Ngcuka until I left the NPA at the end of August in 2004.
  
8. In summary, my duties as the Strategy & Legal Advisor included:
  - 8.1 Advising the NDPP on legal matters relating the NPA;
  - 8.2 Representing the NDPP and the NPA at inter-departmental meetings;
  - 8.3 Representing the NPA at multinational bodies, like the United Nations;
  - 8.4 Advising the NDPP on strategies in the fight against fight crime;
  - 8.5 Advising the NDPP on internal NPA prosecutorial issues; and
  - 8.6 Writing speeches for the NDPP, *inter alia*
  
9. The Calata Affidavit alleges that on or about 2004 I was a Member of the Amnesty Task Team ("ATT").
  
10. In about late 2003 early 2004 the NDPP, Ngcuka, requested that I attend a meeting of the Director-General's Forum ("DG's Forum") that was to be convened by the then Director-General of the Department of Justice, Advocate

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Vusi Pikoli. Ngcuka requested that I attend on his behalf as he could not attend at the time.

11. I do not remember being furnished with a draft agenda for the meeting, if there was such a draft agenda. I was made aware that the DG's Forum was going to discuss the TRC cases.
12. As far as I could remember the context of this meeting at the time was that there was a lot of speculation in the media that the NPA was going to prosecute the then President of the Republic of SA, Thabo Mbeki, and some 37 other ANC leaders.
13. I do not remember who else attended the DG's Forum Meeting as I do not have nor have I been furnished with the signed register of the attendees to this meeting, but I do remember that Adv Pikoli chaired the meeting, or part thereof.
14. I also do not remember whether I attended the meeting alone on behalf of the NPA or whether someone else was with me. Again, a signed register of attendees would have assisted in this regard. However, the Calata Affidavit makes reference to an unsigned minute of the DG Forum's Meeting which states that Gerhard Nel from the NPA had been a member of the Amnesty Task Team ("ATT") ostensibly formed by the DG's Forum Meeting. Based on this, it is possible that Gerhard Nel would have accompanied me to the DG's Forum Meeting.
15. I do not have signed minutes of the DG's Forum Meeting, but I do remember that the meeting sought to find a mechanism through which the NPA would have to make prosecutorial decisions relating to TRC cases either in



consultation with, or after consultation with the ATT the meeting intended to form. I do not remember what my response would have been in this regard as the unsigned draft minutes I have had sight of do not make reference to detailed discussion on this issue. But knowing the NPA Act and Policy, I would have directed the meeting to the NPA Act and Policy which vests all prosecutorial decisions to NDPP, with delegations to prosecutors employed by the NPA. Consequently, the envisaged ATT and/or its members, not being prosecutors in the employ of the NPA, would not be consulted for and would have no say in prosecutorial decisions relating to the TRC cases, any other cases for that matter.

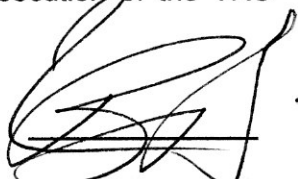
16. In the normal course of my responsibilities and events at the NPA at the time, I would have verbally reported to the NDPP on the objectives of the meeting, the outcomes, and our contributions to the deliberations in as far as those related to the NPA mandate, NPA Act and Policies. After listening to the verbal report, and if the NDPP deemed it necessary, he would request a written report. I do not remember what the NDPP's response was to the verbal report, and I also do not remember submitting a written report of the meeting.
  
17. Although I cannot remember the resolutions of the DGs Forum Meeting, I note that the unsigned minute of the DGs Forum Meeting purportedly resolved to constitute the ATT as set out in the Calata Affidavit. The unsigned minute also states that I was to be part of the ATT. I could not have consented to being part of the ATT, first for reasons stated in paragraph 15 above, secondly because I could not take such a decision by myself – the NDPP himself would have had to make the decision of who would represent the NPA at the ATT, if he agreed to the concept of the ATT. The unsigned minute of the DG's Forum was never circulated to me. Had it been circulated, I would have corrected the insinuation

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that I consented to serving in the ATT without the required delegation by the NDPP.

18. Other than the one DG's Forum Meeting I attended, I never attended any other meeting regarding this matter. I certainly do not remember attending any ATT meeting. I have not been furnished with any signed register or minute of an ATT meeting reflecting my attendance.
19. In conclusion, as a South African and in my previous role as the Strategy and Legal Advisor to the NDPP, I have always held in high regard the supreme sacrifices made by the martyrs and their families referred to in the Calata Affidavit, and many other known and unknown South Africans, to the liberation of our country in general.

I, therefore, deny any suggestion or allegation that by attending the DG's Forum Meeting in February/March 2004, I in any way participated in or contributed to the efforts or attempts to stop the investigation or prosecution of the TRC cases.



**LUNGISA BRIAN DYOSI**

I certify that the above signature is the true signature of the deponent and that he acknowledged to me that he knows and understands the contents of the above affidavit, which affidavit was signed and sworn to before me in my office at SOMERSET WEST on the 17th day of APRIL 2026, in accordance with the requirements of Regulation R1258 dated 21.7.72, as amended by Regulation R1648 dated 19.8.77, as further amended by Regulation R1428 dated 11.7.80, and Regulation R774 of 23.4.82.



CSI  
7220884  
V. JACK

**COMMISSIONER OF OATHS**

COMMUNITY COURT  
2026 -04- 17  
SOMERSET WEST  
AMAPOLISA OMZANTSHI AFRICA

