

**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**

---

**SWORN AFFIDAVIT**

---

I, the undersigned,

**DANIEL C.M. "JOY" RATHEBE**

do hereby make oath and state that:

1. I am an adult male pensioner.
2. I have been served with a notice in terms of Rule 3.3 by the Commission in which it is alleged that certain allegations is made about me in the founding affidavit in the **Calata v President of the Republic of South Africa and Others** (Case Number: 2025-005245).
3. This affidavit is in response to the allegations set out in the notice in so far as they may relate to me.
4. I have worked for the Government in the following capacities:
  - 4.1 From 1996 to 2005 I held the positions of Deputy Director and eventually Director: Legal and Policy Advice in the Department of Defence;

*DCM*

- 4.2 From 2005 to 2010 I held the position of Chief Director: International Relations, Peace and Security in the Presidency.
5. The Rule 3.3 notice reflects that my name is listed as one of the members of the Amnesty Task Team.
6. After receipt of the Rule 3.3 notice I asked around from former colleagues and some others whose names appear as members of the ATT what their recollection of the ATT and its activities were, so as to jog my memory,
7. I have no recollection whatsoever of having attended any meeting of the ATT. I have made various enquiries to some of my former colleagues about this Task Team, and whether they recall that I have attended its meetings. No one has any recollection of my attendance at the Task Team.
8. I have never seen any minutes or documents of the ATT.
9. I have no recollection whatsoever that I was invited to a meeting of the Task Team, and I state that I have never made any efforts or attempts to stop the prosecution of TRC cases.
10. I have never been involved in any attempts or efforts to stop the investigation and/or prosecution of TRC cases.


DCM  
BTM




---

DEPONENT

I certify that the Deponent has acknowledged that he knows and understands the contents of this affidavit which was signed and sworn to before me at NORKEM PARK on this 8<sup>th</sup> day of JUNE and that the provisions of the Regulations contained in Government Notice R1258 of the 21<sup>st</sup> JULY 1972, (as amended), have been complied with.




---

COMMISSIONER OF OATHS  
 DAVID TEBHOHO MOKOENA  
 Reference No: PO-07/01/2024  
 Appointment Date: 26-01-2024  
 Postnet Norkem Park  
 Business Address: Shop 36 Norkem Mall

---

**COMMISSIONER OF OATHS**

**FULL NAMES:**

**BUSINESS ADDRESS:**

**DESIGNATION:**

**AREA/OFFICE:**