

**BEFORE THE JUDICIAL COMMISSION OF INQUIRY APPOINTED TO INQUIRE
INTO ALLEGATIONS CONCERNING EFFORTS OR ATTEMPTS MADE TO
IMPEDE, HINDER, OR OTHERWISE PREVENT THE INVESTIGATION OR
PROSECUTION OF TRUTH AND RECONCILIATION COMMISSION CASES**

AFFIDAVIT: VUSIMUZI PHILEMON MADONSELA

I, the undersigned,

VUSIMUZI PHILEMON MADONSELA

do hereby make oath and declare as follows:

1. That I am an adult male and presently serve as Ambassador Extraordinary and Plenipotentiary of the Republic of South Africa, being duly accredited to the Kingdom of the Netherlands and stationed as Head of Mission at the Embassy of the Republic of South Africa, situated at [REDACTED]
[REDACTED]

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2. Save where the contrary shall appear from the context or is expressly stated, the facts herein deposed to are within my own personal knowledge and are, to the best of my knowledge and belief, both true and correct.
3. Prior to my present appointment, I held the office of Director-General of the Department of Justice and Constitutional Development (the DoJ&CD) of the Republic of South Africa from 1 May 2016 until 30 April 2020. During the period extending from 8 October 2019 until 30 January 2020, I was seconded from the DoJ&CD to the Department of International Relations and Cooperation (the DIRCO) for the purpose of undertaking diplomatic training in my capacity as Head of Mission Designate and in preparation for my subsequent diplomatic posting.
4. Thereafter, and with effect from January 2020, I was appointed Ambassador and Head of Mission to the Kingdom of the Netherlands and Permanent Representative of the Republic of South Africa to sundry International Courts, International Organisations, and Legal Institutions established at The Hague. My aforesaid secondment was terminated on 30 April 2020, whereupon I entered the full-time employ of the DIRCO with effect from 1 May 2020, in which capacity I continue to serve.
5. On 19 June 2026, I received formal written correspondence from the Chief Evidence Leader of this Honourable Commission, Advocate Ishmael Semenya, transmitted under cover of an electronic communication from Ms Boipelo

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Ratshikana. By such correspondence I was requested to furnish information in aid of the Judicial Commission of Inquiry established by the President of the Republic of South Africa, His Excellency Mr Cyril Matamela Ramaphosa, pursuant to Proclamation Notice 264 of 2025 dated 29 of May 2025, concerning allegations that efforts or attempts had been made to impede or prevent the investigation or prosecution of matters arising from the Truth and Reconciliation Commission.

6. The said correspondence informed me that the Terms of Reference of the Commission require, among other things, an inquiry into, and findings and recommendations concerning "...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 (NPA) to stop investigating or prosecuting Truth and Reconciliation Commission (TRC) cases". I was accordingly requested to provide the Commission with an affidavit, on or before 26 June 2026, setting forth such knowledge as I might possess concerning relevant events and circumstances.

7. More particularly, I was requested to state:

(a) the nature and extent of my functions and responsibilities, whilst serving as Director-General of the DoJ&CD, in relation to TRC matters;



(b) the manner in which I supported the Ministry in the conduct of its day-to-day affairs concerning such matters, including any oversight, coordination, advisory, administrative, or decision-making functions discharged by me;

(c) the extent of my involvement in the management, investigation, prosecution, monitoring, or administration of such matters, together with the steps undertaken by me in the discharge of my duties; and

(d) any further information that might assist the Commission in comprehending the nature of my role, responsibilities, and involvement in matters pertaining to TRC cases during my tenure of office.

8. In respect of my role and responsibilities as Director-General of the DoJ&CD in relation to TRC matters, I respectfully state that I had no direct role whatsoever in relation to such matters.
9. As regards the manner in which I supported the Ministry in its day-to-day operations concerning TRC, I state that the NPA fell under the exclusive management and direction of the National Director of Public Prosecutions (NDPP). Save that the budget of the NPA formed part of the Vote administered through the DoJ&CD, it is my understanding and belief that the NPA functioned as an independent body possessing exclusive authority in respect of prosecutorial and investigative decision-making.

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10. Consequently, there existed no reporting relationship between the NDPP and myself in my capacity as Director-General. Nevertheless, in my capacity as Accounting Officer of the DoJ&CD, I bore certain responsibilities in relation to the financial administration of the NPA and, in that regard, rendered such support as was appropriate in assisting the NPA in its engagements before Parliament for the purpose of securing adequate budgetary allocations, particularly with a view to restoring institutional capacity diminished during the period commonly referred to as "State Capture".
11. During my tenure as Director-General, I possessed no statutory authority of oversight in respect of the investigative or prosecutorial functions of the NPA in relation to any matter under its consideration, including TRC cases. Nor did I, at any time, seek to exercise any such authority, whether directly or indirectly. Furthermore, I did not participate in, nor was I involved with, any management, administrative, coordinative, monitoring, advisory, investigative, prosecutorial, or decision-making functions pertaining to the work of the NPA.
12. The NDPP reported directly to the Minister of Justice and Correctional Services concerning the affairs and activities of the National Prosecuting Authority. To the best of my recollection, I was not present at, nor did I attend, any meetings convened for the purpose of such reporting.
13. I am not possessed of, nor do I exercise control over, any further information capable of assisting this Honourable Commission concerning decisions to

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proceed with, suspend, discontinue, or otherwise affect the investigation or prosecution of TRC cases during the period of my tenure as Director-General of the DoJ&CD. Matters of that nature lay wholly beyond the scope of my duties and responsibilities.

WHEREFORE, having herein set forth the full extent of my knowledge concerning the matters upon which I have been requested to depose, I respectfully submit this affidavit to the Honourable Commission.



VUSIMUZI PHILEMON MADONSELA

SIGNED AND SWORN to at **THE HAGUE, NETHERLANDS** on this 24th day of **JUNE 2026** the deponent having acknowledged that he understands the contents of this affidavit, that he has no objection to taking the prescribed oath and that he regards the oath as binding on his conscience after complying with the requirements of Government Notice R1258 dated 21 July 1972 as amended.



COMMISSIONER OF OATHS

FULL NAME: Isaac Raletheka Npete

CAPACITY: THIRD SECRETARY ADMINISTRATION

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