



**RIGHT2KNOW**

1st Floor, Community House, 41 Salt River Rd, Salt River, Cape Town  
Tel: 021 447 1000      admin@r2k.org.za      www.r2k.org.za

**20 January 2015**

**To: Chairperson, Joint Standing Committee on Intelligence**

Dear Hon. September,

I am writing on behalf of my organisation, noting news reports this week that the Joint Standing Committee on Intelligence is scheduled to contemplate candidates for the position of Inspector General of Intelligence.

We write to urge the Committee to adopt a process that is fully open and transparent, including open short-listing of names for interview, open interviews, and open deliberations on the final nominee.

We believe such a process is necessary to ensure that the Committee's nominee for Inspector General receives the consideration and input of the public. (It is worth noting that candidates in the nomination process for the current Inspector General were interviewed in open meetings in November 2009.)

This is particularly important as the Intelligence Services Oversight Act mandates the Office of the Inspector General to act as a public ombud, with the responsibility to "Receive and investigate complaints from members of the public and members of the services..."

It is therefore a given that the process of identifying a nominee for Inspector-General should be subject to input from all stakeholders, including the public, in order to perform that role. This will enhance the next Inspector General's capacity to provide oversight.

We note that S16(1) of the Rules of the Joint Standing Committee on Intelligence empowers the Committee to resolve to make its meetings open.

Doing so in this case would be in keeping with international best practice as contained in the 2013 Global Principles of National Security (the Tshwane Principles), which note that:

"...Legitimate national security interests are, in practice, best protected when the public is well informed about the state's activities, including those undertaken to protect national security...[Transparency] permits the public to play a role in determining the policies of the state and thereby forms a crucial component of genuine national security, democratic participation, and sound policy formulation."<sup>1</sup>

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<sup>1</sup> The Global Principles on National Security and the Right to Information (Tshwane Principles), June 2013

We therefore urge the Committee to adopt a transparent process that encourages public participation in this matter, including open transparent deliberations on all aspects of the appointment process by the Committee, as is practice in other committees of Parliament.

I thank you for your consideration, and respectfully request a response to this letter by Tuesday 27 January 2015 and that the content is shared with the members of the Committee at its first meeting in 2015.

Sincerely,

**Murray Hunter**

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Right2Know Campaign

murray@r2k.org.za | 021-447-1000 | 072-672-5468

*R2K National Working Group: Carina Conradie, Meshack Mbangula, Dale T. McKinley, Nkosingiphile Mpanza, Roegshanda Pascoe, Julie Reid, Nomvula Sikakane, Alison Tilley, Hennie Van Vuuren, Khaya Xintolo*