



RIGHT2KNOW

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To: President Cyril Ramaphosa
Republic of South Africa

cc: Minister Letsatsi-Duba, Minister of State Security
Dr Sydney Mufamadi, Chairperson of Review Panel

By email

20 June 2018

Greetings Mr President,

The Right2Know Campaign notes the recent establishment of a review panel on the State Security Agency ("The Panel").

In as much as our organisation has raised numerous concerns about the conduct, policies and governing laws of the State Security structures, we welcome this development.

To our knowledge there has been no formal announcement of a terms of reference for the Panel at this time.

It must be noted that such a review was last done by the Ministerial Review Commission on Intelligence ("The Matthews Commission") between 2006 and 2008, as your office is aware. It is of great concern that the report of the Matthews Commission has never been formally considered nor its recommendations implemented, and therefore its comprehensive findings on unconstitutional or unlawful policies and practices among the intelligence services appear not to have been addressed.

In light of this, we call on you to ensure that:

1. The Panel's terms of reference give due consideration to the scope, findings and recommendations of the Matthews Commission.
2. The Panel's terms of reference are released within the next two weeks to ensure adequate public understanding of the mandate of this important review panel.

3. The Panel's terms of reference includes a strong emphasis on the extent that the intelligence agencies' mandate, governing laws, policies and practices are in alignment with the Constitution and human rights, and whether they have been subject to an acceptable level of transparency and independent oversight.
4. There is an additional inquiry or amendment of the terms of reference of this panel to also address similar challenges in the other national intelligence structures, especially the SAPS Crime Intelligence Division.
5. The Panel is adequately resourced and given access to relevant information to assist it in its deliberations.

Sincerely,

Murray Hunter



Right2Know Campaign

Organiser: Secrecy & Securitisation

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