

Cape Town Office

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PBO No. 930003292
NPO No. 023-004

LRC

Legal Resources Centre

Your Ref:

Our Ref: SK/Surveillance

3 October 2016

Mr C Nqakula MP

Chairperson of the Joint Standing Committee on Intelligence
P O Box 15
Cape Town 8001

Per email: nmbuqe@parliament.gov.za

Dear Chairperson

RE: RIGHT2KNOW CAMPAIGN

We write on behalf of our client, the Right2Know Campaign, which has been trying to participate in and monitor the appointment of the Inspector General of Intelligence (IGI) since January 2015.

We are instructed to welcome you to your new portfolio and raise a matter of urgency with you. Our correspondence with the Chair on Oversight and ICT, Hon Frolick, and the previous chairperson of the Committee, refers – copies of which are attached for your easy reference. Our client is seriously concerned by the lengthy delay in this appointment – so long that it amounts to a dereliction of Parliament's constitutional obligation to ensure the appointment of the Inspector General.

We note and welcome the undertaking from Hon Frolick that the interviews of shortlisted applicants for the IGI will be conducted in an open meeting. We note that in April the subcommittee produced a provisional shortlist. We do not know if your committee has yet confirmed the shortlist. We note that since Hon Frolick's undertaking appointment processes for both the Public Protector and the SA Human Rights commission have occurred with an increased commitment to transparency and public participation. Our client demands that the IGI process not only occur expeditiously but also openly.

Accordingly the apparent reluctance to disclose the CV's not only appears misguided but unlawful as we wish to reiterate that access to the CVs of the shortlisted candidates is vital for public participation in the appointment process.

Our client believes that a decision to withhold the CVs would render public participation nugatory, and therefore make the appointment unconstitutional.

Our client therefore demands that:

- The names and CVs of all the qualifying applicants (including those who were not shortlisted) be disclosed
- The Committee finalize the shortlist;
- The CV of each of the shortlisted candidates be made available as a matter of urgency;
- The Committee provide a reasonable timeframe – including dates for interviews and decision – for the selection process that allows for the public to comment on the candidates
- The name of the nominated person must be submitted to the National Assembly in time for it to appoint the next IGI before the end of this year's session of Parliament.

We trust that in the circumstances that CVs and a timetable will be made available by **17 October 2016**.

Our client believes that the delay in the appointment process constitutes a serious breach of Parliament's constitutional obligations to appoint an IGI diligently and without delay. The failure to provide the CVs of shortlisted candidates is inconsistent with Parliament's duty to facilitate public involvement. Unless you comply with our demands, we are instructed to bring an urgent application to the Constitutional Court to compel Parliament to meet its constitutional obligations.

As the Speaker has been involved in earlier correspondence and would have to ensure that the parliamentary agenda provides for this process to be completed by the end of this year's session, we are copying her with this letter as well.

Our client's rights are expressly reserved.

We look forward to hearing from you.

Yours faithfully

LEGAL RESOURCES CENTRE

Per:



STEVE KAHANOVITZ

cc:

Mr. C.T Frolick MP

Chairperson – Oversight and TCT Parliament

PO Box 15

Cape Town

8001

Cc Per email:

The Speaker

National Assembly

speaker@parliament.gov.za

The Chairperson

NCOP

ljiyane@parliament.gov.za

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Legal Resources Centre

23 October 2015

ATT:

Hon. Baleka Mbete

Speaker of the National Assembly

By fax: 021 461 9462

By email: speaker@parliament.gov.za

Copied to:

Hon. Thandi Modise

Chairperson of the National Council of Provinces

By fax: 021 461 9640

By email: ljiyane@parliament.gov.za

and

Ms Cornelia Carol September

Chairperson of the Joint Standing Committee on Intelligence

By email: cseptember@parliament.gov.za

Dear Speaker

NATIONAL ASSEMBLY VOTE ON NOMINATED CANDIDATE FOR THE INSPECTOR-GENERAL OF INTELLIGENCE

1. We act on behalf of the Right2Know campaign (“R2K” or “our client”).
2. In terms of section 210(b) of the Constitution and section 7 of the Intelligence Services Oversight Act 40 of 1994 (“the Act”), the Inspector General of Intelligence (“IGI”) is a critical constitutional head of the Office of the Inspector General (“the Office”), which together with Parliament is tasked with providing oversight to the intelligence agencies. The IGI is intended to fulfil the function of an ombudsman for the public and who will receive complaints from the public about alleged maladministration, abuse of power, transgressions of law and policies, corruption and improper enrichment within the intelligence services. Such is the constitutional importance of this position, that it must muster a special majority vote in the National Assembly (“NA”).
3. Parliament carries a constitutional responsibility to ensure effective oversight of key institutions. Section 42(3) of the Constitution read together with Section 55(2) outline the crucial oversight duties imposed on the NA. Section 237 of the constitution states: ‘*All constitutional obligations must be performed diligently and without delay*’. This includes ensuring that crucial appointments are effected within reasonable timeframes.
4. Parliament also has a constitutional obligation in terms of s 210(b) to approve the appointment of the IGI.

5. The position of IGI remains vacant seven (7) months after the end of the previous incumbent, Advocate Faith Radebe's, term on the 31 March 2015. This delay in a NA vote and appointment for this crucial office is unprecedented.
6. The previous IGI nomination in 2008/2009 was approved by the NA two months after the end of the previous incumbent's term, following an open interview process, and despite the high threshold a special majority vote places on the NA. Cognizant of the oversight vacuum the absence an IGI would cause, the Office of the ANC Chief Whip at the time recommended that the Minister of State Security extend the term of office the serving Inspector General, Mr Zola Ngcakani to ensure adequate interim oversight.
7. The continued failure to approve the appointment of the IGI constitutes a failure to fulfil a constitutional obligation.
8. The vacancy of an IGI over the last seven months (and the absence of even an acting head) has had serious repercussions for R2K, and others affected by the alleged unlawful conduct of the intelligence services. R2K has submitted a number of complaints to the Office of the Inspector General during this period, which continue to go unresolved thus infringing on the rights of the complainants.
9. More recently, reports of outrageous and unsubstantiated accusations levelled at the R2K campaign by a State Security official during the Parliamentary staff vetting procedures, also now urgently require independent investigation by an effective intelligence oversight body.
10. We further attach supplementary letters from the M&G Centre for Investigative Journalism (amaBhungane) and Mr Tom Nkosi, an investigative journalist in Mpumalanga, who have similarly submitted complaints to the IGI (marked as Annexures A and B), and to date have gone unresolved. These two parties provide detail of specific harm suffered by the continued delay in finalising their complaints.
11. We understand that there is a view that the office of the IGI is unable to finalise any reports until a new IGI, or acting IGI is appointed. While R2K disputes the correctness of the position, it believes the simplest solution is the urgent appointment of a new IGI. That is so because the Act does not make provision for the appointment of an acting IGI. While it permits the IGI to delegate her powers, as far as R2K is aware no delegations were issued prior to the conclusion of the IGI's term of office.
12. If, contrary to the information that has been provided to R2K, there is an acting IGI with the designated authority to finalise complaints, we request:
 - a. Confirmation that such interim arrangements have been put in place;
 - b. Details of the acting IGI's delegated authority (including that of signing off on reports); and
 - c. An explanation of the legal authority under which the acting IGI was appointed, or authority was delegated to him or her.
13. For this reason, this letter is also directed at the Chair of the Joint Standing Committee on Intelligence and the Chief Whips of all represented political parties.
14. In summary, R2K submits that the IGI is a critical constitutional position. The continued vacancy has serious negative consequences not only on the ability of this oversight body to fulfil its constitutional mandate, but indeed that of Parliament to play an effective oversight role. The failure of the NA seven months after the end of the term of the previous head, and four months after the

Intelligence Committee finalised its nomination process to vote on this matter has rendered the NA in breach of its constitutional obligations.

15. Accordingly, R2K demands that the NA inform us of what steps it intends to take to fulfil its constitutional obligation in terms of s 210(b) of the Constitution to approve the appointment of the IGI diligently and without delay.
16. Given the urgency of this matter, we request a response to this letter by no later than **30 October 2015**.
17. All our client's rights – including the right to approach a court for the appropriate relief – remain reserved.

Yours faithfully,


S Kahenovitz
LEGAL RESOURCES CENTRE

CC:

Dorries Eunice Dlakude
Chief Whip: African National Congress
By email: ddlakude@parliament.gov.za

And

John Henry Steenhuisen
Chief Whip: Democratic Alliance
By email: jsteehuisen@parliament.gov.za



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

NATIONAL ASSEMBLY
THE SPEAKER

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Recd 5/11/2015

Surveillance file

Mr Steve Kahanovitz
Legal Resources Centre
P O Box 5227
CAPE TOWN 8000

Fax no: +27214230935

Dear Mr Kahanovitz

COMPLAINT RE APPOINTMENT OF INSPECTOR-GENERAL OF INTELLIGENCE

Thank you for your letter dated 23 October 2015, maintaining on behalf of your client, the Right2Know Campaign (R2K), that the National Assembly is in breach of its constitutional obligation outlined in section 210(b) which requires it to approve, by a supporting vote of two thirds, a candidate for appointment by the President to perform civilian monitoring of the intelligence services.

In accordance with the provisions of the Intelligence Services Oversight Act, 1994 (Act No 40 of 1994), Parliament's Joint Standing Committee on Intelligence called for nominations and conducted interviews with prospective candidates, whereafter the committee made its recommendation for a suitable candidate to the National Assembly on 18 June 2015.

The matter was placed before the House on 24 June 2015, but its consideration was subsequently postponed. It now resides under "Further Business" on the Order Paper of the National Assembly and awaits scheduling by the Programme Committee.

The latter committee meets weekly and remains seized with scheduling outstanding business on the remaining sitting days of the current session, while simultaneously ensuring that the processes pertaining to the Medium-Term Budget Policy Statement and Adjustments Appropriation Bill are completed timeously.

Complying with its constitutional obligations has always been important to the National Assembly. Recommending a suitable candidate for appointment as Inspector-General of Intelligence will be no exception.

Yours sincerely

Ms A T Didiza MP
House Chairperson: National Assembly

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Legal Resources Centre

5 February 2016

ATT:

Hon. Baleka Mbete
Speaker of the National Assembly
By fax: 021 461 9462
By email: speaker@parliament.gov.za

Copied to:

Hon. Thandi Modise
Chairperson of the National Council of Provinces
By fax: 021 461 9640
By email: lijyane@parliament.gov.za

and

Ms Cornelia Carol September
Chairperson of the Joint Standing Committee on Intelligence
By email: cseptember@parliament.gov.za

Dear Speaker

**LETTER OF DEMAND: NATIONAL ASSEMBLY VOTE ON NOMINATED
CANDIDATE FOR THE INSPECTOR-GENERAL OF INTELLIGENCE**

1. We act on behalf of the Right2Know campaign ("R2K" or "our client").
2. This letter is a follow-up to our letter sent to you, dated 19 October 2015, and your replying letter, which we received on 30 October 2015.
3. As you acknowledged in your replying letter, Parliament has a constitutional obligation in terms of s 210(b) of the Constitution to approve an Inspector General of Intelligence ("IGI") for the President to appoint. And s 237 of the Constitution states: '*All constitutional obligations must be performed diligently and without delay*'. This includes ensuring that crucial appointments are effected within reasonable timeframes.
4. However, the position of IGI remains vacant ten months after the end of the previous incumbent, Advocate Faith Radebe's, term on the 31 March 2015. By the time Parliament takes a vote on this, it is likely that the office will be vacant for over a year. Despite the commitment in your letter to address the issue, to

the best of our client's knowledge no action has been taken to schedule a vote on the nominee for appointment as the IGI.

5. There is no justifiable reason to account for this delay. Previous IGI nominations have been approved timeously. Where there have been vacancies, the term of office of the IGI has been extended to ensure adequate interim oversight. The absence of an IGI has meant that complaints lodged with the IGI's Office have gone unresolved. This has caused considerable prejudice to our clients and others affected by unlawful conduct of the Intelligence Services. It is therefore imperative that an IGI be appointed; the continued vacancy of the office is unacceptable.
6. We are cognisant of Parliament's busy schedule but there can be no justification for this ongoing delay. The matter is simple – the candidate recommended by the JSCI must be put for a vote. If he is approved, he must be appointed by the President. If he is not, a new nominee must be found. Given the constitutional importance of having an IGI, and the prejudice already created by the Office's sustained vacancy, the appointment of an IGI must be afforded priority over other motions and business.
7. Our client therefore demands that:
 - a. The Programme Committee sets the IGI's appointment down for a vote before the National Assembly by **26 February 2016**;
 - b. Should the Programme Committee fail to schedule the vote for 26 February 2016, it must provide our client with its reasons for the delay, and the date on which it will schedule the vote;
 - c. Any further steps that have been and will be taken in relation to the appointment of the IGI must be communicated to us.
8. In sum, R2K demands that the NA fulfil its constitutional obligation in terms of s 210(b) of the Constitution to approve the appointment of the IGI diligently and without delay.
9. We stress that, as the Constitutional Court has noted in several different contexts, the ideal way to solve disputes between the state and its citizens is through meaningful engagement between the complainant and the relevant authorities. Our first letter to you served to instigate this process, and this letter aims to further it. We approach you in good faith by way of attempting to solve our clients' problems (and others who share those problems) expeditiously through dialogue and engagement.

10. R2K regrets having to take this approach. It would prefer to resolve this matter without resort to litigation. However, should its demands not be met, R2K will be left with no choice but to approach the courts for relief.
11. Given the urgency of this matter, we request a response to this letter by no later than **11 February 2016**.

Your faithfully,



S Kahanovitz

CC:

Dorries Eunice Dlakude
Chief Whip: African National Congress
By email: ddlakude@parliament.gov.za

And

John Henry Steenhuisen
Chief Whip: Democratic Alliance
By email: jsteehuisen@parliament.gov.za



PARLIAMENT
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NATIONAL ASSEMBLY
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24 February 2016

Mr S Kahanovitz
Legal Resources Centre
P O Box 5227
CAPE TOWN 8000

Fax no: 021 423 0935

Dear Mr Kahanovitz

**LETTER OF DEMAND: NOMINATED CANDIDATE FOR INSPECTOR-GENERAL
OF INTELLIGENCE**

Your letter dated 5 February 2016 refers.

As indicated in our previous letter to you, dated 30 October 2015, the matter was placed before the House on 24 June 2015, but its consideration by the Assembly was postponed.

Owing to the tight parliamentary programme in the latter part of 2015, coupled with the industrial action undertaken by parliamentary staff, the matter of the appointment of the Inspector-General of Intelligence could not be rescheduled for decision by the House. In terms of Rule 316(1) of the National Assembly Rules, the matter lapsed on the last sitting day of 2015. For the matter to serve before the National Assembly again, it requires to be revived through a motion to that effect. The whippyery is currently considering matters that lapsed with a view to advising the Programme Committee.

As indicated to you in our previous communication, the National Assembly remains committed to fulfilling its constitutional obligations.

Yours sincerely

B Mbete MP
Speaker of the National Assembly

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PBO No. 930003292
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Your Ref:
Our Ref: Sk/sc

29 April 2016

Mr. C.T Frolick MP
Chairperson – Oversight and ICT Parliament
PO Box 15
Cape Town
8001
speaker@parliament.gov.za

Per Telefax: 021 – 461 9462

Dear Sir

Re: **APPOINTMENT OF INSPECTOR GENERAL OF INTELLIGENCE**

We refer to the above matter and acknowledge receipt of your letter dated 19 April 2016, which was welcomed by our clients as a commitment to transparency and accountability in respect of the appointment of the Inspector General of Intelligence.

Our clients have noted the subsequent development and release of proposed shortlisted candidates to be considered by the Committee. They have however, drawn to our attention the following concerns:

1. The sub-committee meeting was open insofar as members of the public and media were allowed access into the room. However, the Chairperson arranged in such a manner that all documents relevant to the discussion were not made available to anybody, save members of the joint standing committee on intelligence. This meant that while at a formal level there was transparency, documents relating to the appointment process appeared to be withheld without valid reason.

2. Our clients are of the view that to ensure transparency, accountability and public participation –all constitutionally required – the cv of shortlisted candidates must be made available so that the public can both assess the candidate and contribute to the deliberations. The failure to make this possible would undermine the process for selection – and repeat previous errors in 2015 where the JSCI attracted criticism for failing to provide adequate opportunity for public participation.
3. We are further instructed that the Chairperson of the joint committee has been unclear as to whether the interviews themselves will be in open session.
4. We are therefore instructed, as we hereby do, to demand that the cv of the shortlisted candidates be made available as a matter of urgency, and that the committee provide a reasonable timeframe that (while taking into account the lengthy delay to date of the appointment process) allows for the public to comment on the potential candidates. This means the documents that have been discussed in open meetings, ought as a matter of urgency, to be made available, preferably on the parliamentary website. We submit that there is no lawful reason for these documents ie the cv of each of the shortlisted candidates discussed at an open meeting to be withheld by the joint committee.
5. Finally we also seek a reassurance that the interviews with the shortlisted candidates will as your recorded in your fax of 19 April be conducted in open session

We look forward to hearing from you.

Yours faithfully

LEGAL RESOURCES CENTRE

Per:

Steve Kahanovitz

cc Chairperson of the Joint Standing Committee on Intelligence Ms September at
nmbuqe@parliament.gov.za



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

NATIONAL ASSEMBLY
HOUSE CHAIRPERSON
Committees, Oversight & ICT

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10 May 2016

Mr Steve Kahanovits
3rd Floor Greenmarket Place
54 Shortmarket Street
Cape Town
8001

Dear Mr Kahanovits,


APPOINTMENT OF INSPECTOR GENERAL OF INTELLIGENCE

Your letter dated 29 April 2016 refers.

1. I confine my response to the status of the interviews and the publication of the curriculum vitae of shortlisted candidates.
2. Our silence on the other issues raised in your letter, which in our view do not require a response, should not be regarded as an acknowledgement of its accuracy or correctness.
3. I once again confirm my previous communication that as per the Committee's decision the interviews will be held in an open session.
4. The Curriculum Vitae were placed before the committee in accordance with Rule 17(3) of Schedule B of the Joint Rules.

5. As per the Joint Rules, it is ultimately for the Committee to decide which documents in front of it is open to the public or not.

Kind regards,



CT FROLICK, MP
HOUSE CHAIRPERSON: COMMITTEES, OVERSIGHT & ICT

Cc Chairperson of the Joint Standing Committee on Intelligence
Honourable C September,MP

Sakeena Corner

From: Steve Kahanovitz <steve@lrc.org.za>
Sent: 17 April 2016 01:49 PM
To: speaker@parliament.gov.za
Cc: cseptember@parliament.gov.za
Subject: Right2Know Campaign - IGI appointment
Attachments: 201603291543.pdf

Dear Speaker and Chairperson

We refer to the above matter and our letter of 29 March a copy of which is attached for your easy reference . Our clients are pleased to note the newspaper and other invitations for nominations which indicates progress in regard to this matter . We however are concerned that to date we have not had the courtesy of a reply nor an answer to our clients requests – in particular that you use the powers in terms of rule 16.1 to ensure that the meetings dealing with this important appointment are open to the public and the media.

We trust that in light of this reminder that we will receive a reply this week and that our clients will not have to consider further legal action to ensure transparency in regard to this now long delayed appointment

We look forward to receiving your reply

Kind regards

Steve Kahanovitz
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Cape Town , South Africa
steve@lrc.org.za
tel 27-21-4813000
fax27-21-4230935
cell 0832350962
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Your Ref:

Our Ref:

Hon. Baleka Mbete
Speaker of the National Assembly
By fax: 021 461 9462
By email: speaker@parliament.gov.za

29 March 2016

Ms Cornelia Carol September
Chairperson of the Joint Standing Committee on Intelligence
By email: cseptember@parliament.gov.za

Dear Speaker and Chairperson

We write on behalf of our client, the Right2Know Campaign (R2K).

R2K notes that the matter of the appointment of the Inspector General of Intelligence has been referred back to the Joint Standing Committee on Intelligence. Our client is pleased that Parliament has, finally, taken action on this important and urgent matter.

However, the Committee adopted its report in June 2015, and nine months has passed before the National Assembly took its motion to withdraw the report. As our previous correspondence has noted, this delay is deeply regrettable and has prejudiced a number of individuals and organisations who have complaints pending with the Office of the Inspector General of Intelligence, including R2K and its members. We also believe that the reasons submitted in correspondence to our lawyers for the delays are not reasonable and would not stand up to close scrutiny.

In light of the clear public interest in this matter, and the importance of ensuring a swift and participatory process, we request that the Committee provide, within two days of its next meeting, a comprehensive plan for the process that the Committee will follow, or has followed, to recommend a suitable candidate to the National Assembly. The plan should include a clear timeline by which the process will be concluded. We note that parliament is in recess until 5 April 2016. While it may be that the Committee will meet during the recess we submit that it would have no reason to delay meeting beyond the first week of parliament reconvening. In the circumstances we would expect that we will receive the Committee's plan by not later than Monday 11 April 2016. It is incumbent upon the Chairperson of the committee to ensure that the obligation to appoint the Inspector General is done without any further delay. Moreover, in light of the extensive delays up to this point, the Speaker should continually monitor and insist upon progress in the appointment.

Our client also notes that the Committee's deliberations relate to an issue which has attracted considerable public attention and which is clearly vital to the public interest. It does not pertain to matters where secrecy could conceivably be required to protect legitimate national security interests. We therefore request that the Committee uses its powers in terms of rule 16.1 of the rules of the Committee, to ensure any further meetings on the appointment of the Inspector General of Intelligence are open to the public and media.

Our instructions are that if there is any indication of further unreasonable delay in the appointment process R2K will proceed to court on an urgent basis to order that the appointment process be completed in a reasonable time. We trust that this will not prove necessary and that we will soon be informed of the intended appointment plan and timetable.

We look forward to your urgent reply.

Yours sincerely



LEGAL RESOURCES CENTRE

Per:

S. Kahanovitz



PARLIAMENT
OF THE REPUBLIC OF SOUTH AFRICA

→ IGI

The House Chairperson: Committees,
Oversight & ICT:
Mr CT Frolick, MP
PO Box 15 Cape Town 800 Republic of South Africa
Tel: 27(21) 403 3897 Fax: 27(21) 461 9462
speaker@parliament.gov.za

19 April 2016

Mr S Kahanovitz
Legal Resources Centre
P O Box 5227
Cape Town 8000

FAX : 021 423 0935

Dear Mr Kahanovitz

APPOINTMENT OF INSPECTOR-GENERAL OF INTELLIGENCE

I refer your letter dated 29 March 2016, addressed to the Presiding Officers, in which you request a comprehensive plan including a clear timeline by which the process of the appointment of the Inspector-General of Intelligence will be concluded. In addition, you request that the Committee uses its powers in terms of the rules to ensure that further meetings of the JSCI in respect of the appointment of the Inspector-General of Intelligence are open to the public and media.

As previously pointed out to you, the establishment and operations of the Joint Standing Committee on Intelligence (JSCI) are governed by the Intelligence Services Oversight Act, 1994 (No 40 of 1994), the Joint Rules of Parliament and Schedule B to the Joint Rules.

I am informed that the JSCI has agreed that both the shortlisting and interviews with regard to the appointment of the Inspector-General of Intelligence will be conducted in an open session.

Furthermore, the JSCI has indicated that it would prioritise the recruitment and selection process and that it aims to report to the National Assembly as soon as possible.

Yours sincerely

CT Frolick MP

House Chairperson: Committees, Oversight & ICT

@ email to Murray, Karabo

Michael

@ asked Murray, r

Clear to do
press release

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Our Ref: SK/sc

29 April 2016

Mr. C.T. Frolick MP
Chairperson – Oversight and ICT Parliament
PO Box 15
Cape Town
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speaker@parliament.gov.za

Per Telefax: 021 – 461 9462

Dear Sir

Re: **APPOINTMENT OF INSPECTOR GENERAL OF INTELLIGENCE**

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Our clients have noted the subsequent development and release of proposed shortlisted candidates to be considered by the Committee. They have however, drawn to our attention the following concerns:

1. The sub-committee meeting was open insofar as members of the public and media were allowed access into the room. However, the Chairperson arranged in such a manner that all documents relevant to the discussion were not made available to anybody, save members of the joint standing committee on intelligence. This meant that while at a formal level there was transparency, documents relating to the appointment process appeared to be withheld without valid reason.

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3. We are further instructed that the Chairperson of the joint committee has been unclear as to whether the interviews themselves will be in open session.
4. We are therefore instructed, as we hereby do, to demand that the cv of the shortlisted candidates be made available as a matter of urgency, and that the committee provide a reasonable timeframe that (while taking into account the lengthy delay to date of the appointment process) allows for the public to comment on the potential candidates. This means the documents that have been discussed in open meetings, ought as a matter of urgency, to be made available, preferably on the parliamentary website. We submit that there is no lawful reason for these documents ie the cv of each of the shortlisted candidates discussed at an open meeting to be withheld by the joint committee.
5. Finally we also seek a reassurance that the interviews with the shortlisted candidates will as your recorded in your fax of 19 April be conducted in open session

We look forward to hearing from you.

Yours faithfully

LEGAL RESOURCES CENTRE

Per:

Steve Kahanovitz

cc Chairperson of the Joint Standing Committee on Intelligence Ms September at
nmbuqe@parliament.gov.za