

DECLASSIFIED


T Maepa
NIA

COMMUNICATION BY EX-PRESIDENT P.W. BOTHA

TO ARCHSBISHOP D. TUTU AT GEORGE ON

21 NOVEMBER, 1996

I appreciate the heavy burden which you carry in performing your duties as Chairman of the Truth and Reconciliation Commission and accept your integrity in this regard. I have appreciation for the balanced point of view which you attempt to maintain in this capacity.

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I am in my own mind not convinced that reconciliation can best be achieved by means of the procedures of the Truth and Reconciliation Commission. As a law abiding citizen of the Republic of South Africa, I, however, consider myself bound by the provisions of the Act on the Promotion of National Unity and Reconciliation, 1995, despite my own serious reservations regarding the extent in which this act will succeed in its stated aims. In this regard the remarkable reconciliation between the Afrikaans and English speaking sections of our population after the violence and atrocities of the Anglo Boer war (clearly described in the works of the well known authors Pakenham, Stuart Cloete and Ramsay MacDonald), could be used as a true reconciliation. This reconciliation was achieved by closing the book on the past and focusing on the challenges of the future in unity, rather than reopening the wounds of painful experiences of the past.

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I am also deeply concerned about the fierce and unforgiving assault which is being launched against the Afrikaner and his language at all levels of society. In many circles the Afrikaner is being isolated to be punished for all the unfavourable events in the history of South Africa. Blatant discrimination against the Afrikaner and his language is rife. In schools and at university, on television and radio, in public life and even by our national airways Afrikaans is being suppressed. Concern exists that the forum of your commission is being abused and will be further abused in this campaign of revenge against the Afrikaner.

- 4 -

My personal record of political reform in systematically removing racist and discriminatory legislation from our society in an orderly fashion and to accommodate the political aspirations of all the people of South Africa in an evolutionary manner, is there for all to see. I personally initiated the process which eventually led to the release of President Nelson Mandela.

Emotionally loaded discriminatory legislation was abolished during my term of office:

- | | | |
|------|---|--|
| 1984 | - | the abolition of permits for Non-Whites to attend White universities; |
| 1985 | - | the abolition of the Mixed Marriages Act, as well as section 16 of the Immorality Act; |

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- 1986
- the introduction of the identification documents without reference to race of the holder;
 - the recognition of the property rights of Blacks;
 - the abolition of influx control and related measures;
 - the abolition of separate courts for Blacks;
 - the opening of all central business districts;
 - the removal of the racial basis of the Liquor Act;
- 1987
- the opening up of all beaches;

- 6 -

As a Christian and an Afrikaner I can not and have never associated myself with blatant murder. It would, however, now appear that there might have been instances during the conflict of the past where individuals have exceeded the limits of their authority. Such incidents are clearly also not limited to members of the security forces. I can not be expected to take responsibility for the actions of any such individuals. Depending on individual circumstances, these are cases that may well qualify for the consideration of amnesty. I stand, however, without any qualification, behind all the thousands of members of the security forces, who in the lawful execution of their duties, bravely fought against the revolutionary onslaught of Soviet imperialism. I have said so in the past and I repeat it today.

TRC 'dark secrets' will out

Leader Reporter

THIRTY-four boxes of "potentially sensitive" files - which could contain some of apartheid's darkest secrets collated by the Truth and Reconciliation Commission - may soon be available for public viewing following a dramatic legal breakthrough by the South African History Archive (SAHA).

The breakthrough came earlier this month when SAHA lawyers reached an out of court agreement with the Department of Justice, which undertook to release documents it received from the TRC or provide valid reasons for not doing so.

The documents in 34 boxes could reveal information which may expose some of the most bizarre and sinister operations of the apartheid era - and also expose the ANC government's attempts to keep them secret.

The deal sanctioned by the Transvaal High Court, ends a long-standing battle waged by SAHA for access to documents which government claim went missing after the TRC handed them to then Justice Minister Dullah Omar in April 1999.

SAHA director, Verne Harris, told *The Leader* this week, the costly legal battle for the files started in May 2001 but only

reached a climax with an out of court settlement early this month.

The Government, according to Harris, has until June to fulfill its obligation to release the files.

He said the Government has formed a task team to inspect the files and report to SAHA every two weeks.

"We also have a full list of the contents of the boxes. If they fail to release the contents by the end of June, we will most certainly pursue the court action."

Harris said these particular files were kept separately and secretly from the other records handed over by the TRC to Government.

"Our efforts to get access to these files were also stifled by the authorities but we have now established that these files are at the offices of the Minister of Intelligence, Dr LN Sisulu."

"We have taken this action as a matter of principle. The general public would have had serious difficulty in getting access to these files. We believe the public has a right to know what is in those files because this right is entrenched in the South African constitution," said Harris.

"It is not clear why the Government wanted to block

(Continued on page 2)

(From page 1)

access to these files. Some of them could be "potentially sensitive" but according to our knowledge the majority of the files are fairly innocuous and could not cause any embarrassment to the authorities."

Harris, a former employee of the National Archive, said the authorities could have been reluctant to disclose information collected by the TRC because of a "broader paranoia" within the government.

Meanwhile, it has been learnt there are more than 7 000 intelligence files on opponents of the apartheid regime collated by members of the former government's notorious security network.

The files contain details of jailed, banned, detained and banished activists.

According to former TRC

chief investigation officer, Dumisa Ntsebeza, most of the documents have never seen the light of day, not even during the commission's hearing.

Included among the records of former Security Branch surveillance may be information provided by turncoats or informers that led to the assassination of high profile activists, such as the unsolved shooting of University of Natal academic Rick Turner in 1978.

Jody Kolappen of the Human Rights Commission, said there was strong argument for the disclosure of the information contained in the files because this would be in the public's interest.

However, he was emphatic this needed to be balanced with what he argued as "unintended consequences" as to what

this could emotionally and otherwise mean to those detained, their families and also to those connected with the informers and former intelligence operators.

However, Kolappen said the public had every right to know what happened to the detainees during the apartheid regime.

He added, however, that the issue needed to be "properly managed".

Kolappen also pointed out there were many factors which needed to be taken into consideration, including the possibility of "misinformation" that could be in the files to cause division amongst the anti-apartheid forces.

"There could also be legal implications involved but on the broader front there was a strong case against the prevention of disclosure," said Kolappen.

Fight over apartheid's secret files turns nasty

Law is being flouted, says body that has been denied access

MARLENE BURGER

PRETORIA — The South African History Archives (Saha) has accused the justice department of flouting the legal procedures governing access to information, including access to a file that allegedly names informers from the apartheid era.

Frustrated by three years of failed attempts to obtain 34 boxes of files used by the Truth and Reconciliation Commission (TRC), Saha has launched a blistering attack on the process outlined in court papers by David Porogo, chief legal administration officer in the department, who is responsible for releasing state documents in terms of the Protection of Information Act.

An affidavit filed with the Pretoria high court on Friday by Sello Hatang, Saha's deputy director, accuses Porogo of dealing with the request for access to the files "with contempt and total disregard" for the Constitution.

Saha also claims that Porogo has "shamelessly lied" regarding the review of classified information by a committee appointed by the National Intelligence Agency, broken "many promises" of access and misled Saha officials.

At issue are more than 1 000 files, dealing with such sensitive matters as the assassinations of leading ANC activist Dulcie September in Paris and Swedish prime minister Olaf Palme, the Steyn Report on alleged Third Force activities involving members of

the former security forces, taxi violence, gun-running and Project Coast, South Africa's chemical and biological warfare programme.

But it is a file marked W47 that particularly interests Saha, not only because of what it apparently contains, but because it has mysteriously disappeared.

For a considerable time, the whereabouts of all 34 boxes of files used by the TRC were unknown, with the NIA and the justice department contradicting one another about who had taken custody of them.

The NIA finally admitted last year that the files had been with the minister of intelligence all along. Since then, they have been transferred to the National Archives in Pretoria for safekeeping, but Saha has been refused access even to files that have already been declassified.

Earlier this month, Biki Minyuku, former chief executive of the TRC, who was responsible for handing the boxes to then justice minister Dullah Omar in 1999, said there had never been a list of informers, and that the missing file contained only correspondence about such a list.

Minyuku suggested that it might be possible to reconstruct the file from the TRC's electronic database.

In his affidavit, Porogo says the intelligence review committee is presently "following all leads" in an effort to locate the "correspondence" contained

in the file. Saha has rejected Porogo's explanation and challenged him "to state under oath whether or not W47 was given to Omar". If so, Saha says, Porogo is obliged to disclose the whereabouts of the file.

Saha also claims that legislation on access to information makes no provision for an intelligence review committee to decide what documents should and should not be released. This is the sole responsibility of the department's designated official, who is also obliged, says Saha, to furnish reasons for excising or masking portions of some documents, or refusing access.

So far, no reasons have been supplied to Saha for total denial of access to 296 files, and the department has not identified what they contain.

The case was due to be heard by acting judge MJ Ramagaga yesterday, but has been postponed to give Porogo time to reply to Saha's most recent affidavit.

The Records of the Cradock Four

SAHA supported filmmaker David Forbes in his attempts to gain access to records relating to the abduction and murder of the Cradock Four - Matthew Goniwe, Sparrow Mkhonto, Fort Calata and Sicelo Mhlauli - for a documentary intended for release in 2005 to mark the 20th anniversary of their deaths.

The Department of Justice was persistently obstructive in releasing the relevant case records, going as far as approaching the Cradock Four widows directly and, in clear contravention of the Promotion of Access to Information Act (PAIA), forcing them to sign affidavits refusing the release of the records. When faced with litigation, the Department finally relented and released the documents to SAHA, but not before delaying the production of the film passed its memorial date.

Extracts in the following pages, revealing evidence of the state-sanctioned abduction and murder of the Cradock 4, are archived at SAHA as SAHA Collection AL2878. The news article on page 65 is reproduced with the kind permission of the newspaper involved.

A2.2.15.28

Matthew Goniwe

(25)

GEHEIM

EXH ~~BB~~ CC

CRADOCK
CD22/2
1985/06/24
A/O Msoki

1985/06/23
WH.11
Tegnies

THEMBILE LUNKO SKAKELING MET
MATTHEW GONIWE (OP4/2850)

S4/43680

1. Borenoemde bron rapporteer dat
Thembile LUNKO
op 85/06/23 vanaf Hofmeyr met
Matthew GONIWE (OP4/2850)
in verbinding was.
Hieronder volg 'n uittreksel uit die gesprek
tussen Lumko en Goniwe wat van veiligheidsbe-
lang is.
Onbekend
S4/43680
2. LUNKO: I just wanted to report to you that

GEHEIM

2/...

GEHEIM

- 2 -

29

the boers and the police were provoking us so we stoned them, they ran to town. We chased another black policeman here in the township, he could not run and we caught him. We've beaten him up and took his service revolver.

GONIWE: Where is the revolver now?

Lumko: It is here with me.

GONIWE: Hey man you'll be shot there by the police. I don't know what advice to give you, but as I say you are busy with a difficult battle which you will not win. What you can do try and restore peace there.

3. OPKLEWING

3.1 PERSONE

Matthew GONIWE (OP4/2850)

S4/43680

Thembile LUMKO - s/man van Hofmeyr.

Onbekend

Die Afdelingsbevelvoerder
Veiligheidstak
AFDELING COSTELIKE PROVINSIE

1. Vir u inligting.

2. Die Takbevelvoerder, Veiligheidstak, Middelburg(Kaap)
was op 1985/06/23 telefonies ingelig van bogenoemde
inligting.

TAKBEVELVOERDER : MAJCOOR
CRADOCK : VEILIGHEIDSTAK
: E.F.N. WINTER

GEHEIM

Exh. "Y"

A2 215-24

STRENG GEHEIM

BERIC NR. 21

2315450 00

1985/05/23

VAN : A/D, V/TAK, O.P. (LT.KOL. Strydom)

NAW : D/O, X302, PTA. (A.3)

KKKKK

UITERS GEHEIM

MATTHEW MATHE G O N I W E (S.4/43680) : SEKRETARIS - CRADOCK
RESIDENTS ASS. (CRADOCK - S.9/823) : PLATTELANDSE ORGANISERDER
OP DIE STREEKS UITVOERENDE BESTUUR, VAN DIE U.D.F. (S.13/436)
OOS-KAAP

1. OP 85/05/13 HET MNR. JAAP STRYDOM, HOOF DIREKTEUR VAN DIE
DEPT. SAHEWERKING ONTWIKKELING EN ONDERWYS 'N VERGADERING BELE
BY DIE KOMMANDO HOOFKARTIER TE CRADOCK HET BETREKKING TO
DIE SKOLE SITUASIE TE CRADOCK.

2. PERSONE TEENWOORDIG BY DIE VERGADERING:-

(1) MNR. JAAP STRYDOM - HOOF DIREKTEUR -DEPT. SAHEWERKING ONT=
WIKKELING EN ONDERWYS.

(2) MNR. JAN VERHAAR - DIREKTEUR VAN BEPLANNING.

(3) KOMMANDANT B. HARAIS, D/O, CRADOCK KOMMANDO.

(4) MNR. F. GERBER - VOORSITTER VAN DIE AKSIE KOMITEE.

(5) MAJ. CALITZ - DISTRIKSKOMMANDANT, CRADOCK.

(6) MAJ. W.F.N. WINTER, TAKBEVELVOERDER, V/TA, CRADOCK.

TYDENS DIE VERGADERING HET MNR. STRYDOM GEMELD DAT SY DEPT.
SHEWERKING ONTWIKKELING EN ONDERWYS 'N VERGADERING BELE
BY DIE KOMMANDO HOOFKARTIER TE CRADOCK HET BETREKKING TO
DIE SKOLE SITUASIE TE CRADOCK.

3. TYDENS DIE VERGADERING HET MNR. STRYDOM GEMELD DAT SY DEPT.
SHEWERKING ONTWIKKELING EN ONDERWYS 'N VERGADERING BELE
BY DIE KOMMANDO HOOFKARTIER TE CRADOCK HET BETREKKING TO
DIE SKOLE SITUASIE TE CRADOCK.

4. HIERDIE INLIGTING IS OP 85/05/23 TYDENS BESOEK DEUR DIE MINIS=
TER VAN WET EN ORDE AAN P.E. MOINDELING DEUR DIE AFDELINGSDE=
VELVOERDER AAN HON GORGEDRA. DIE MINISTER HET ONMIDDELIK HET
DIE KANTOOR VAN DIE MINISTER VAN SAHEWERKING ONTWIKKELING EN
ONDERWYS TE KAAPSTAD IN VERBINDING GETREE HET DIE VERSOEK DAT
DIE HERAANSTELLING VAN GONIVE AGTERHEE GEHOU WORD TOT TYD EN
WYL MINISTER E GRANGE DIE AANGELEENTHEID OP 85/05/24 HET MINIS=
TER VAN WET EN ORDE AAN P.E. MOINDELING DEUR DIE AFDELINGSDE=
VELVOERDER AAN HON GORGEDRA.

Weggelees en
bevestigd op
25-05-85

1. R. O.

2. B.

85-05-24

STRENG GEHEIM

[Handwritten signatures and initials]

ADSY THEL

STRENG GEHEIM

(p 2 of 5)

DIE MINISTER HET VERSOEK DAT DIE INHOUD VAN HIERDIE BERIG OP 85/05/24 PERSOONLIK DEUR GENL.-MAJ. SCHUTTE AAN HOM OORHINDIG WORD WAAR HY 'N KABINETSKOMITEE VERGADERING TE PRETORIA LYDHOON.

6. OP 'N G.D.S. VERGADERING OM 09H30 OP 85/05/23 HET DIE STREEK=DIREKTEUR VAN SAHEMERKING ONTWIKKELING EN ONDERKITS MNR. KRAKODOK HIERDIE VERHOEDE BEVESTIG.

7. DIE AFDELINGSBEVELVOERDER, V/TAK, P.E. LT.KOL. SNYMAN HET TEN STERKSTE BESWAAR TEEN HIERDIE VOORSTEL AANGETOKEN, OM DAT BENEWENS MATTHEW GONWE SE BEDRYWIGHED TE CRADOCK, GRAAFF REI=NET EN ONLIGGENDE PLATTELANDSE GEDEJDE AS PLATTELANDSE ORGANI=SLERDER VAN DIE U.D.F., HY OOK OP 1977/09/01 TOT 4 JAAR GEVANGE=NISSTRAF GEVORWIS IS IN DIE HOOGGEREGSHOF, URTATA MEENS DIE BE=VORDERING VAN DIE DOELSTELLINGS VAN KOMMUNISME.

8. DIE VERGADERING HET HIERDIE STANDPUNT EENPARIG ONDERSCRYF DAT MATTHEW GONWE NIE HERAANGESTEL MUET WORD NIE, EN 'N DRINGENDE D/T IN DIER VOEGE SOU VANDAG NOG AAN DIE STAATS/EJLIG=HEIDSRaad GESTUUR WORD IN DIE VERBAND.

9. BRON BERIG DAT MEV. BLACKBURN OP 85/05/22 MET MATTHEW GONWE IN VERBINDING WAS EN DEEL HOM NEE OM OP SONDAG 85/05/26 SAAN HET TWEE ANDER NA P.E. TOE KOM VIR 'N ONTOETING HET DIE VOLGENDE P.F.P. - L.V'S :-

- (1) DR. VAN ZYL SLABBERT
- (2) MNR. ANDREW SAVAGE
- (3) MNR. MOORCROFT.

SY LAAT HAAR OOK SOOS VOLG UIT - " WE WOULD LIKE YOU TO BE HERE WITH ONE OR TWO CRADOCK PEOPLE. WE WANT THE N.P.'S TO KNOW MORE ABOUT THE U.D.F."

10. MATTHEW GONWE IS OP DIE STREEKSUITVOERENDE KOMITEE VAN DIE U.D.F., OOS-KAAP OP 85/03/03 VERKIES TOT PLATTELANDSE ORGANISEER=DER (KAKOO STREEK) WAT BENEWENS CRADOCK DIE VOLGENDE DORPE IN=SLUIT:-

SOMERSET-OOS, COOKHOUSE, BEDFORD, ADELAIDE, PEARSTON, NOU DOORT, MIDDELBURG (K), HANOVER, HOFMEYER, STEYNSBURG.
TEN EINDE ST TAAK TE VERVUL HET DIE U.D.F. OOS-KAAP STREEK 'N VOERTUIG TOT SY BESKIKKING GESTEL. BESONDERHEDE VAN VOERTUIG IS SOOS VOLG :- VOLKSWAGEN BAKKIE, REG. NR. CB.24887, GEREGETREEN 6324888 IN NAAM VAN DERRICK SWARTZ, BOU-PRICESTRAAT 12, HILLSIDE, P.E., DIE ALGENENE SEKRETARIS VAN DIE OOS-KAAP STREEK VAN DIE U.D.F. SIEH OOK AFD. S.W.D. SE D/T VERW. NR. SWD.13/436/18 (KAPT. DEYSEL) BERIG NR. 6 GED. 85/05/22, ONDER DIE OPSKRIF " UNITED DEF=CRATIC FRONT (UDF-S.13/436). MATTHEW GONWE HET OP 85/05/16 DIE VOERTUIG IN ONTVANGS GENEEM.

11. KOMMENTAAR : LT.KOL. SNYMAN:-
DIT WORD VERHOED DAT DIE HERAANSTELLING VAN MATTHEW GONWE EN FORT CALATA (S.4/03442) BY HIERDIE SAHEKOMS BESPREEK SAL WORD.

EINDE::RS::TYD::15H39

7 KKKKK
KATEGORIE "A"
ARAFASE NIE NODIG NIE

STRENG GEHEIM

[Handwritten signature]

Why is the government refusing access to Cradock Four records?

WHY is the minister of Justice refusing access to records and exhibits that have already been put in the public domain during the TRC's Cradock Four amnesty hearings?

Several years ago, filmmaker David Forbes began making a documentary about the Cradock Four, which aimed at reflecting on the lives of four local men, whose refusal to accept apartheid oppression resulted in their 'elimination' by local police, their permanent removal from their families and communities.

To assist with research and footage for the documentary Forbes submitted a request pursuant to the Promotion of Access to Information Act (Paia) for the transcripts of, and documents presented at, the open TRC Amnesty Hearings into the deaths of the Cradock Four.

The Department of Justice, the custodian of the records in the possession of the National Archives and Records Service, refused the request, citing reasons of third party privacy and potential prejudice to ongoing criminal investigations.

The refusal was inexplicable, particularly because the majority of the transcripts were already published (almost in their totality) on the website of the department.

In June 2005, the South African History Archive (Saha), on behalf of

INSIGHT

Kate Allan

Forbes, initiated High Court proceedings against Minister of Justice Bridget Mabandla and the SA National Archives and Records Service challenging their refusal of access.

In response, the minister released copies of the transcripts of the hearings, and two documents titled *Biological background* and *Map overlay*. The transcripts provided, however, were not a complete set, and the map overlay was simply a photocopied page from the street directory of the Port Elizabeth region.

The minister, in providing further reasons for refusing access to the exhibits, argued that disclosure would breach the privacy of third parties as it would disclose their personal information. It would also, she claimed, implicate and defame third parties, cause trauma to the victims' families, offend the public, reasonably endanger the lives or physical safety of individuals named in the documents and prejudice ongoing investigations.

The minister also refused access on the basis that records of the South African Police, the State Security Council, and the Eastern Cape Joint Management Centre were cabinet records and were therefore not subject to Paia.

The TRC legislation made provision that upon the commencement of an amnesty committee hearing, confidentiality of investigations materials and amnesty applications lapsed.

Remarkably, the minister, in justifying her refusal, claims that she cannot say with certainty that the hearings were indeed public.

Even more disturbing is the alleged intimidation and coercion used by the Department of Justice to obtain affidavits from the widows of Fort Calata and Sparrow Mkhonto that state they oppose the release of the materials sought by Saha and Forbes.

Recent discussions with Nomonde Calata (Fort Calata's wife) reveal that both her and Mkhonto's wife, Sindiswa, were allegedly visited without notice by representatives of the Department of Justice, who subsequently pressured them into signing the affidavits to which they felt they had no choice but to attest.

Both widows have now provided sworn counter-affidavits in which they describe the pressure placed upon them, revoke their objections, and state

that they agree to the release of the records to Forbes.

Why is the minister refusing access? Many of the documents have been read into the amnesty hearing record, aired on television and radio broadcasts and handed to journalists. All of the documents requested have been provided to the unsuccessful amnesty applicants (and therefore the likely suspects in current criminal investigations) and their legal representatives through the amnesty hearing process.

What do the records reveal that has not already been made public? If they do disclose information which has not been revealed, isn't the public entitled to know? Does anyone wish to hide the information, or is it simply an overcautious response to a lack of knowledge of what they may reveal?

Forbes and Saha remain committed to pursuing access to these materials to ensure that the original principles informing the TRC are adhered to, the public is afforded the truth as is its right, and government is compliant with its obligations to maintain an open and accountable democratic government which upholds the right of access to information as provided for in the Constitution.

Kate Allan is the Freedom of Information Programme Co-ordinator at the South African History Archive

"Does anyone wish to hide information or is it simply an overcautious response to a lack of knowledge?"

The TRC Database

“The TRC database represents one of the most remarkable archival collections in the country and belongs to the nation.”

- *TRC Report Volume 4, p. 578*

SAHA has made several attempts to access the database:

2006

SAHA submitted an access to information request to the Department of Justice (DOJ) to obtain an anonymised copy of the TRC Human Rights Violation database in order to make it more widely accessible for further statistical analysis of violations under apartheid, reported to the TRC, to complement and build on the work of the TRC.

In response to the 2006 request, the DOJ sent correspondence to 22,000 South Africans who submitted statements to the TRC, erroneously claiming that SAHA has requested all their personal data stored on the TRC database.

This was something that SAHA had explicitly stated it did not want. The access to information request was ultimately refused on grounds of privacy, demonstrating the DOJ's basic lack of understanding of the request process.

2009

SAHA re-submitted the request once more stating clearly that SAHA did not want access to victims' names, addresses and other identifying data. This request was also refused as was the subsequent internal appeal.

September 2009

The Minister of Justice overturned previous refusals to release the TRC database to SAHA but, as of April 2011, the fifteenth anniversary since the opening of the TRC, the DOJ has not yet provided SAHA with these records.



MINISTER
JUSTICE AND CONSTITUTIONAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA

Private Bag X276, PRETORIA, 0001. Momentum Building, C/O Prinsloo and Pretorius Streets, PRETORIA. Tel: (012) 357 8212/ 315 1760-63, Fax: (012) 315 1749. www.doj.gov.za

Private Bag X256, CAPE TOWN, 8000. 5th Floor, Room 510, 120 Plain Street, CAPE TOWN. Tel: (021) 467 1700, Fax: (021) 467 1730. www.doj.gov.za

Please quote our full reference number in all correspondence

Our reference: 7/6/9 H F Schoon
Your Reference:
Enquiries: X1898
E-mail: LLabuschagne@justice.gov.za

Mr H F Schoon
South African History Archives
P.O.Box 31719
BRAAMFONTEIN
2017

Tel: (011) 717 1941 / 074 306 7327
Fax: (011) 717 1964

Dear Mr Schoon

**INTERNAL APPEAL SUBMITTED IN ACCORDANCE WITH THE PROMOTION OF
ACCESS TO INFORMATION ACT, 2000 (ACT NO.2 OF 2000)**

I refer to your appeal dated 29 June 2009, submitted on behalf of the South African History Archives (SAHA) on the above matter.

After carefully considering the grounds upon which you base your appeal, I have pleasure to inform you that I have decided to overturn the Deputy Information Officer's decision to refuse you the requested information.

As stated in your appeal, the information you requested regarding the TRC's victims' database is of a generic nature relating to atrocities that were reported to the TRC. I, have therefore instructed the Department to severe from the records to be made available to you, victims' personal details. This process may take a while as the TRC victims' database is quite a voluminous document.



Kindly contact Ms M Raswiswi, the Deputy Information Officer, at telephone number 012 315 1730, for further information regarding the collection of the requested information. Kindly also note that there is a production fee payable and the abovementioned official will inform you how much is payable for the requested documents.

I hope that you will find the above in order.

Kind regards

J. Radebe

Mr J T RADEBE, M P

MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

DATE: 28/08/09