

**CIVIL SOCIETY
WORKING GROUP ON
STATE CAPTURE**



Our Ref: **CSWG / Letter to President**

Your Ref: **TBC**

To:

The Office of the President
The Republic of South Africa
PO Box 15
Cape Town
8000

Att:

Mr C Ramaphosa
President of the Republic of South Africa
presidentrsa@presidency.gov.za

25 November 2025

This letter consists of 4 pages

Dear Mr President,

Re: Appointment of leadership of the National Prosecuting Authority (NPA)

1. The Civil Society Working Group on State Capture (CSWG) is a coalition of more than 20 civil society organizations, representing a collective response to corruption in South Africa.
2. We seek to advance the public's interest in democratic accountability and to eradicate the pervasive culture of corruption in South Africa, a strategy which your government has committed to.
3. An important element of this goal is ensuring that persons appointed to position's mandated to enforce anti-corruption are fit and proper. The Judicial Commission of Inquiry into Allegations of State Capture (Zondo Commission) recommended that the processing of appointing the NDPP should be re-examined. In your response to the Zondo Commission recommendations you detail the need to

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“provide for a transparent, competitive and merit-based appointment process for the NDPP” by amending the National Prosecuting Authority Act 32 of 1998 (NPA Act).¹

4. We note that on 7 October 2025 you announced that a six-member panel (constituted by several Chapter 9 institutions and legal organisations), and chaired by the Minister of Justice, would be established to select candidates suitable to be appointed as the incoming National Director of Public Prosecutions (NDPP).² We note from the subsequent announcement by the Ministry of Justice that nominations closed on 7 November, with interviews and final selection occurring during the course of November/December 2025.³
5. While the CSWG echoes the concerns have been raised about the lack of criminal law and prosecutorial expertise in the composition of the panel,⁴ we welcome the appointment of the panel as it is in the interests of justice to ensure that the appointment of the NDPP is transparent, rational and procedurally sound.
6. We note, however, that this is an interim measure that does not fully realise the Zondo Commission’s recommendation on the NDPP appointment process. Nor

¹ The Presidency, Republic of South Africa, ‘Response By President Cyril Ramaphosa To The Recommendations Of The Judicial Commission Of Inquiry Into Allegations Of State Capture, Corruption And Fraud’ *Appendix V – Enhancing Corruption Investigation and Prosecution in South Africa*, 5 Aug 2025, URL: <https://thepresidency.gov.za/sites/default/files/2025-09/Appendix%20V%20-%20Enhancing%20Corruption%20Investigation%20and%20Prosecution%20in%20South%20Africa%20Aug%205.pdf>

² The Presidency (7 October 2025) ‘President Ramaphosa names panel for selection on National Director of Public Prosecutions’ *The Presidency of the Republic of South Africa* URL: <https://www.thepresidency.gov.za/president-ramaphosa-names-panel-selection-national-director-public-prosecutions>.

³ Ministry of Justice (16 October 2025) ‘Minister Kubayi convenes first meeting of panel for selection of NDPP’ https://www.justice.gov.za/m_statements/2025/20251016-Selection-of-the-NDPP.html

⁴ See: News24 (12 October 2024) ‘Ramaphosa under fire for appointing ‘legally inexperienced’ panel to find new head of prosecutions’ URL: <https://www.news24.com/citypress/politics/ramaphosa-under-fire-for-appointing-legally-inexperienced-panel-to-find-new-head-of-prosecutors-20251011-1067> and see: EWN (9 October 2025) ‘DA criticizes Ramaphosa’s panel selection to nominate next NDPP’ URL: https://www.ewn.co.za/2025/10/09/da-criticises-ramaphosas-panel-selection-to-nominate-next-ndpp#error=login_required&state=4fe51395-8d88-4644-b9f2-11f36e0feec5



does it fully give effect to the principle of transparency. In this regard, we call for the amendment to section 10 of the NPA Act to codify in legislation the process for selecting the NDPP, which includes, among other elements, a public nomination process and public interviews.

4. Enshrining in legislation a robust process for the selection of the NDPP does not usurp Presidential prerogative to appoint; it simply introduces an appropriate check and balance into the selection process.⁵
5. We also call for a similar process to be followed in respect of the appointment of the Deputy National Directors of Public Prosecutions (DNDPPs). Section 11(1) of the NPA Act provides that the President may appoint not more than four persons as DNDPPs. The CSWG is aware that, in the next few months, all but one of the DNDPP positions filled in 2018 will become vacant. This is due to a combination of a death, retirement, and one DNDPP reaching the statutory end of their term. Despite these circumstances no announcement has been made on the appointment process to fill these positions.
6. The CSWG strongly advocates for the DNDPP appointment to be a transparent process similar to the selection of the NDPP. Please advise whether such a process will be announced and/or whether the selection panel for the NDPP will also be mandated to select candidates for the vacant DNDPP positions. The CSWG strongly urges that serious consideration be given to the appointment and composition of the NPA leadership to ensure that it is both skilled and diverse and that the NPA's prosecutorial and related decisions are guided by the best interests of justice and the rule of law.

⁵ PARI. 2025. 'Independent Assessment for the National Anti-Corruption Advisory Council of the 60 Presidential Commitments to implement the State Capture Commission Recommendations', commissioned by the National Anti-Corruption Council (NACAC), URL: <https://pari.org.za/report-national-anti-corruption-advisory-council/>.

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7. Further, we seek your office's confirmation that the interviews will be conducted publicly in the interests of transparency.
8. Lastly, we wish to draw your attention to a report by the Dullah Omar Institute which details the need for reform in the NDPP and DNDPP appointment processes.⁶ The report notes that the following must be clarified in the interests of transparency:
 - 8.1. What are the minimum requirements for the position, beyond those set out in the NPA Act? What are the unwritten or read-in requirements?
 - 8.2. How and by whom may persons be nominated for consideration?
 - 8.3. Who does the vetting, and what is taken into account?
 - 8.4. Should vetting be carried out by a different body from the Panel that will be responsible for the final selection?
 - 8.5. How many candidates are put forward to the President?
9. The NPA is a vital institution that plays a central role in protecting public safety and upholding the rule of law. Any process undertaken to appoint the leadership of the NPA must clarify the above points and should apply equally to any process declared for the appointment of the NDPP and DNDPPs.
10. The CSWG requests that your office gives urgent attention to this matter which is in the public interest. We look forward to hearing from you by 2 December 2025.
11. We trust the above is in order, and avail ourselves, as always, to meet with your office to discuss the issues raised here.

Yours sincerely,

Civil Society Working Group on State Capture

⁶ Jean Redpath (2025) 'Options for Reform: Appointing the National Director of Public Prosecutions in South Africa' *Dullah Omar Institute* URL: https://dullahomarininstitute.org.za/acjr/report_j-redpath-aug-2025.pdf.