

# **REPORT OF THE JOINT STANDING COMMITTEE ON INTELLIGENCE ON THE NOMINATION OF INSPECTOR-GENERAL OF INTELLIGENCE, DATED 30 AUGUST 2022**

## **1. INTRODUCTION**

Section 7(1) of the Intelligence Services Oversight Act, No. 40 of 1994 (hereafter the Act), mandates the Joint Standing Committee on Intelligence (JSCI) to nominate a candidate to the National Assembly for approval by at least two thirds of its members to be appointed as an Inspector-General of Intelligence (IGI) by the President. Cognisant that the position of the IGI would become vacant on 15 March 2022, the Committee resolved to advertise the position of the IGI on 2 June 2021. Accordingly, this commenced the process to appoint the next IGI.

## **2. PROCESS FOLLOWED**

### **2.1 Advertisements**

Following the resolution of the Committee, advertisements for the IGI position in all official languages were published in national and local newspapers with the closing date of 30 July 2021 at 16:00. On 31 August 2021, the Committee noted the number of inquiries received after the closing. Cognisant of the importance of the position and the inquiries received from the public, the Committee resolved to extend the closing date to enable those who missed the advertisement an opportunity to apply for the position. Advertisement ran through Parliament website, social media and media statement on 2 September 2021 with a new closing date of 30 September 2021. A total of 25 CVs were received.

### **2.2 Background Screening**

Background screening was requested for all candidates on 20 October 2021. Feedback on background screening was received on 27 October 2021. It was found that all candidates had no negative information of national security relevance; had positive credits records; and all were confirmed South African citizens, which is a requirement in terms of the Section 7(1)(2) of the Act.

### **2.3 Shortlisting of the candidates**

The shortlisting of candidates took place on 01 December 2021. The following 12 candidates were shortlisted:

- a) Rev Frank Chikane;
- b) Dr Setlhomamaru Isaac Dintwe;
- c) Ms Nomsa Evelyn Dlamini;
- d) Mr Imtiaz Ahmed Fazel;
- e) Brigadier General Phumzile Fongoqa;
- f) Adv Jayashree Govender;
- g) Mr Smanga Phillip Jele;
- h) Ms Faith Mosa Makhobotloane;
- i) Dr Nakampe Michael Masiapato;
- j) Adv Mahlodi Sam Muofhe;
- k) Mr Mampogoane Petrus Nchabaleng; and
- l) Dr Nyelisani Clarence Tshitereke.

Two of the shortlisted candidates, Adv Mahlodi Sam Muofhe and Dr Nakampe Michael Masiapato officially withdrew from the process of the appointment of the IGI for various reasons. The other ten candidates remained and proceeded to interviews stage.

### **2.4 Interviews**

The interviews took place on 8 and 9 February 2022, and five candidates were interviewed each day. Interviews were broadcast live on Parliament TV and other media platforms. The candidates were interviewed on relevant areas regarding the role and functions of the IGI, based on the Constitution, the Act, and other relevant legislation and other matters such as the High-Level Review Panel report.

## **3. RECOMMENDATION**

In accordance with Section 7(1) of the Act,

The President shall appoint an Inspector General of Intelligence—

(a) nominated by the Committee; and

(b) approved by the National Assembly by a resolution supported by at least two thirds of its members:

Provided that if the nomination is not approved as required in paragraph (b), the Committee shall nominate another person.

Accordingly, the JSCI resolved by a simple majority of members present to nominate **Mr Imtiaz Ahmed Fazel** for approval by the National Assembly, for recommendation to the President for appointment as the IGI.

*Report to be considered*