

FACT SHEET ON THE REPORT OF THE EXPERT PANEL INTO THE JULY 2021 CIVIL UNREST

1 Overview

- South Africa experienced violent civil unrest, mainly in parts of the provinces of KwaZulu-Natal and Gauteng, from 8 July 2021 until it was brought under control around 17 July 2021.
- Thousands of people were injured, an estimated 354 dead and over R50 billion lost to the economy.
- On 5 August 2021, President Cyril Ramaphosa announced the appointment of an Expert Panel to review South Africa's response to the unrest.
- The Panel was required to review South Africa's preparedness and shortcomings in responding to the unrest.
- The Panel was chaired by Professor Sandy Africa, with Advocate Mojankunyane Gumbi and Mr Silumko Sokupa as its other members.
- The Panel released its final report dated 29 November 2021 – the report made public on 7 February 2022
- President Ramaphosa is said to outline the first actions government will take in response to the findings and recommendations during his State of the Nation Address on Thursday, 10 February.

2 What Government Knew

Key government officials were invited to elaborate on the roles they played before, during and after the unrest.

- The panel found that it was clear that different government leaders had different interpretations of the events, and this therefore resulted in a poorly coordinated response.
- All, however, agreed that the incident which triggered the eruption of violence was the imprisonment of former President Jacob Zuma, following the tense stand-off with the police.

Government Official	Opinion on what triggered events
Minister of State Security Ayanda Dlodlo	- Dlodlo describes the violence as a complex matter, in part a response to the conditions of poverty and want of the people, but also a result of social media mobilisation in support of the former

	<p>President that the SSA had spent much of the preceding months reporting on.</p> <ul style="list-style-type: none"> - She was concerned about the lethargic response of government to the warnings that the SSA had sounded.
Minister of Police Bheki Cele	<p>The planned violence was intended to make the entire country ungovernable, but it had gained the most traction in the KwaZulu-Natal and Gauteng provinces, which had significant numbers of outspoken individuals and groups opposing the sentencing and incarceration of former President Zuma.</p>
Minister of Defence Nosiviwe Mapisa-Nqakula	<ul style="list-style-type: none"> - She described the violence as the work of a criminal element, exploiting the desperation of poverty-stricken people, with an element of counter-revolution. - Thus, her assessment was that there was no need to deploy soldiers, as the country was not at war with its citizens. - However, as the situation became more dire, the Minister worked closely with the other security cluster Ministers and even relocated to KwaZulu-Natal to manage and coordinate the situation with other Ministers
KZN Premier Sihle Zikalala	<ul style="list-style-type: none"> - He painted a picture of a Province that has faced security challenges over years, ranging from the torching of trucks by South African truck drivers disgruntled about the logistics industry's alleged hiring of foreign truck drivers over South Africans, a matter that he felt the National Government is not paying consistent attention to. - Other problems that were contributing to instability were political killings, these often being linked to competition over resources and economic opportunities.
Gauteng Premier David Makhura	<ul style="list-style-type: none"> - He explained that in the same vein as KwaZulu-Natal, the Province of Gauteng experiences what are popularly termed service delivery protests from time to time, mainly in winter, related to electricity cuts. When the Premier observed growing mobilization in KwaZulu-Natal, he held pre-emptive discussions with the Gauteng Provincial Police Commissioner and State Security Agency. - He received information about meetings taking place to discuss 'resistance' should former President Zuma be incarcerated. There was an arrangement for sharing whatever information each of the government structures received. - He shared whatever information he received with the Gauteng SSA.
President Cyril Ramaphosa	<ul style="list-style-type: none"> - In his address to the nation, the President described the events as an attempted insurrection, and in that context convened the National Security Council. - By that time, he had already taken the decision to deploy the South African National Defence Force in support of the Police, an instruction he issued on 11 July 2021 as it became clear that the situation was spiralling out of control.

3 How role-players responded

Despite the police saying steps were taken to prevent the violence, the Panel found no actual action was taken to avert the kind of unrest and the ensuing loss of life and damage to the economy that unfolded.

Operational Unit	Response
SAPS	<ul style="list-style-type: none"> - In the National Commissioner’s assessment, the modus operandi of the unrest was meant to deliberately overstretch the limited resources that the SAPS had at its disposal to counter the civil unrest and widespread looting. - The level at which the unrest happened required direct intervention by SAPS’ Public Order Policing (“POP”) and the SAPS was not prepared for this. - To maximise the deployment of the police, a two-shift system was introduced, detectives and support staff were pulled into crowd control work. - At the same time SAPS had to ensure that its police stations were protected from attack. - In July 2021, the national total POP numbers were 5 502, whereas the ideal operational strength is estimated at 12 779. <p>Measures implemented after the unrest had commenced included:</p> <ul style="list-style-type: none"> (a) Deployment of POP members from other provinces to hotspots (b) National call up and deployment of SAPS reservists as a force multiplier (c) National call up and deployment of National and Provincial operational support members to hotspots (d) Activation of process for deployment of SANDF members to hotspots (e) Activation of daily NATJOCOM and PROVJOCOM meetings to monitor and guide operational deployments. <ul style="list-style-type: none"> - The Panel found that that Cele and the National Commissioner is poles apart in their understanding of how events could’ve been handled. Additionally, the lack of effectiveness of the POP units was exacerbated by a lack of quality intelligence products to guide operational deployments, and insufficient aircraft capacity and capability. - The panel says this is a matter of concern, as it narrows the grounds for consensus within the senior leadership of the police on what needs to be corrected going forward, and of who is to be held accountable for the failure to prevent the loss of life and the destruction of property that occurred.

Provincial Government Leaders	<ul style="list-style-type: none"> - KZN Premier Sihle Zikalala was extremely frustrated by the unfolding situation and the inability of the police to contain the violence. This led to him calling the President and urging him to deploy the SANDF. - The Premier and the MEC for Safety and Security also engaged with the provincial police commissioner of the SAPS. - Premier Zikalala also engaged actively with the public, including issuing a statement calling for calm. - Gauteng Premier David Makhura engaged traditional leaders, taxi associations, political parties, trade unions and other stakeholders and urged them to stand up against the violence that was taking place across the country. - He also gathered information from the private security sector.
SANDF	<ul style="list-style-type: none"> - On Sunday, 11 July 2021, after a clear assessment and repeated requests from the public, the Premiers of the affected provinces, the business community, the President determined that the employment of the SANDF to support SAPS was necessary. - The senior leadership of the SANDF initially advised that a total of 2 500 members be deployed, with the initial period of service being set at 3 months. A gazette was issued on 12 July 2021, to this effect. - On Tuesday, 13 July 2021, the President requested that the number be increased to 10 000. - One day later the total was increased to that a total of 25 000 SANDF members.

4 A timeline of the Intelligence process

Following the Constitutional court judgement on 29 June 2021, that Zuma should be imprisoned, the Minister of State Security directed the SSA's top management to pay attention to the rising tensions that this had caused. According to the SSA, it provided threat assessments and intelligence products prior to, during and after the crisis.

The following comprises a timeline of information directed to various role players:

30 June 2021:

An orange alert was issued to the Ministry of State Security, NATJOINTS and internally, regarding KZN, drawing attention to the social media messages and mobilisation following the Constitutional Court judgment.

1 July 2021:

An intelligence assessment, provided to the NICOC, included a section that was titled “interest group and community protests”, flagging the judgment. NATJOINTS had indicated that the SAPS had been asked to be vigilant.

2 July 2021:

An intelligence brief was provided to the Ministry, NATJOINTS and internally, regarding instability arising from the judgment of the Constitutional Court.

3 July 2021:

There was a NATJOCOM meeting to discuss the threat assessment on the mobilisation and a situational report was issued on the possibility of instability related to the judgment.

4 July 2021:

There was a NATJOCOM meeting about the mobilisation.

5 to 8 July 2021:

Regular updates were sent to the above-mentioned clients of the SSA and from 9 to 18 July 2021, there were also ongoing reports provided concerning the security situation.

5 Findings and Recommendations

Findings	Recommendations
On Government	
There was no meeting of the National Security Council which is chaired by the President immediately prior to the riots. The NSC had not been meeting for an extended period before the violence erupted.	The NSC must function more effectively. Its composition needs to be streamlined and its role better understood within government. The President should ensure that a National Security Strategy is urgently developed for the country, inviting input from as wide a variety of stakeholders as reasonable.
Responses to the violence in some communities exposed deep-seated racial prejudices and tensions indicating that there is much to be done to achieve racial justice and greater social cohesion	Social cohesion and support programmes, including solidarity networks that bridge the racial and class divides in society must be supported by all social partners, to ensure that there is accountability, restorative justice and compensation of those who have suffered harm through the violence.
Poorly rolled out programmes of service delivery and unacceptable living	Cabinet must take overall responsibility for the events of July 2021. It must drive

conditions, the state of the economy, and the persistent levels of poverty, served to provide the ripe environment to light the tinder box that was the incarceration of former President Zuma that led to many poor and desperate people joining in the looting	a national response plan that demonstrates its own willingness to be held accountable, and to hold the public office bearers who failed in their responsibilities to account.
On Intelligence	
There was a significant intelligence failure to anticipate, prevent or disrupt the planned and orchestrated violence. The intelligence appreciation and interpretation of what was building up happened too late, if at all; and as a result, the security services failed to put in place the necessary interventions to detect and disrupt the plans.	A national early warning capability must be established to ensure accurate and timely intelligence is provided to the government on an ongoing basis. The multiplicity of intelligence coordinating structures must be rationalised. The proposals made in the High Review Panel need to be evaluated against the experience of these riots and the country needs a more effective and streamlined and accountable intelligence capacity.
There was ambivalence and hesitancy on the part of the intelligence services about whether they should gather intelligence about persons with a political profile, for fear of being castigated for interfering in politics	The problems in the Crime Intelligence Division of the SAPS must be addressed with urgency, meaning there must be stability at the top. There are good officers in this section of the police who are dedicated to their work but are frustrated by the instability at the top, including that introduced into police structures by the instability within the governing party
Executive authorities failed to coordinate their own efforts in the period leading up to the violence, in order to give coherent guidance to the structures for which they were responsible. At times, they appeared to be working in silos, as evidenced by the mixed and contradictory public statements that emanated from them in response to the crisis.	Government must ensure that the National Intelligence Estimate (NIE) developed for 2022, and for all years going forward after being approved by the NSC and the Cabinet, informs planning across all government departments, and that there is accountability by various government departments for their role in averting threats to national security.
On the Police	
The police are not always embedded in the communities they serve and the lack of trust between them and the communities resulted in their failing to pick up vital signals and information and losing the opportunity to defuse and disrupt the planned violence.	The police should work towards rebuilding the trust of the communities, and build or strengthen formal and informal relations between the communities they serve, including community leaders
The combination of poorly equipped police stations and inadequately trained	Police officers at station level should receive adequate training in crowd

police resulted in the police being overwhelmed and not being able to deploy sufficient and properly trained and equipped officers, backed by the necessary intelligence, to deal with the threat.	control; they should also be involved in exercises to simulate what to do under conditions of extreme violence
The numbers of POP officers are pitifully low, they are inadequately equipped, and their equipment is not optimally maintained. (We were informed that they have access to only one water cannon per province, they have no air capacity, they ran out of rubber bullets).	The Public Order Police unit needs to be properly capacitated, and equipped, and their methods and training revised to deal with large scale operations.
The instability in the police leadership ranks as well as the strained relationship between the Minister as the executive authority and the National Commissioner, is not conducive to providing coherent direction and leadership to police officers they are meant to lead, and to the public at large.	None
On the SANDF	
With the Executive not having fully appreciated the scale of the threat, it took political intervention by other actors to persuade the President to scale up the numbers. The initial hesitancy to deploy resulted in the violence spiralling further out of control.	The authorization process for the employment of the SANDF, and the request to the President, must be streamlined to avoid unnecessary delay.

Overall, the Panel concluded that there was a failure by the intelligence structures to anticipate and respond adequately to the violence.

Its finding is based on the following observations:

- The police failed to stop the rioting and looting in July 2021. In some instances, they did not get any intelligence upon which to plan operations. One of the reasons may be that at least six members of the senior leadership of Crime Intelligence were suspended in the period leading up to the outbreak of the violence.
- There was a failure by the relevant State institutions to conduct timely risk assessments, despite the constant attacks on the authority of the state by some individuals and organisations.
- The police were taken by surprise, and they were unable to adapt their tactics to the situation facing them; they were inadequately equipped, and they ran out of crowd control equipment; and they were overwhelmed by the number of looters.

6 Possible Interviewees

Dr Johan Burger	Institute for Security Studies	082 822 0962
Dianne Kohler Barnard	DA shadow minister of police	082 823 7047
Anton Du Plessis	Researcher: Crime and Justice Programme - Institute for Security Studies	083 325 8649
Prof Moses Montesh	UNISA: School of Criminal Justice, Department of Police Practice	082 332 0607
Gareth Newham	Head, Governance Crime and Justice Division - Institute for Security Studies	082 887 1557
Bheki Cele	Police Minister	083 645 6252 / 082 900 3559 / 083 260 0790
Hennie van Vuuren	Institute for Justice and Reconciliation	082 902 1303
Ntsiki Mpulo	Save South Africa	082 7827 143
Prof Mcebisi Ndletyana	Analyst	084 582 5721
Dr Sithembile Mbete	Analyst	083 686 2554
Elvis Masoga	Commentator	072 915 7631
Lawson Naidoo	CASAC Executive Secretary	073 158 5736

7 Sources

Report of the Expert Panel into the July 2021 Civil Unrest

Compiled for SABC News Research by Specialist Researchers, Amil Umraw and Sya van der Walt-Potgieter. They can be contacted on 082 332 9512 or 078 333 1373 and vanderwalt@sabc.co.za / sya49@yahoo.com / umrawa@sabc.co.za