

POLICE, SANDF IN ARREST STANDOFF

Intelligence briefings warn that enforcing court orders could trigger an armed confrontation

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SOUTH African police face a precarious operational dilemma after high-level briefings warned that arresting six SANDF Special Forces members could spark an armed confrontation between state security agencies. The soldiers, wanted in connection with the kidnapping of an alleged ISIS operative and the murder of Hawks investigator Lieutenant-Colonel Frans Mathipa, failed to surrender after their bail was revoked.

The standoff unfolds against a backdrop of escalating tensions between military and civilian law enforcement, highlighted by an intelligence assessment raising concerns about broader national security risks.

This is according to information presented at high-level meetings involving the military, police and the National Prosecuting Authority, held in August and September, to discuss the execution of outstanding warrants after the Gauteng High Court in Johannesburg revoked the six accused's bail and ordered them to report to prison. The meetings included presentations on the risks associated with enforcing the court orders and the possible consequences of attempting to take the six members into custody.

The six are among 12 SANDF Special Forces members facing criminal charges arising from the alleged December 2022 kidnapping of Ethiopian businessman and suspected ISIS funder Abdella Hussein Abadigga and his bodyguard Kadir Jemal Abotese and the August 2023 murder of Mathipa. The State alleges that the accused were involved in the offences. They have denied the allegations. The operational concerns surrounding the warrants have emerged against a backdrop of growing tensions between elements of the police and military, while a separate National Intelligence Co-ordinating Committee (NICOC) assessment on May 11, 2026 has raised concerns about the broader security environment surrounding the case.

The May 11, 2026 intelligence assessment contains allegations concerning misconduct, tensions within law-enforcement and security structures, criminal investigations and court processes.

However, the allegations contained in the assessment have not been tested in court and do not constitute findings of fact, criminal convictions or judicial findings against any individual or institution. According to the assessment, there were concerns about tensions between elements of the Hawks and SANDF Special Forces. The document also refers to intelligence concerning alleged links between criminal or extremist networks and unidentified individuals within security structures, including claims relating to Islamic State-linked networks operating in South Africa. Those allegations form part of the intelligence assessment

and have not been established through the criminal proceedings against the 12 accused. The assessment does not constitute a criminal conviction or a judicial finding against any particular police officer, member of the Hawks, military official or judicial officer. Among the matters raised in the assessment are allegations concerning the activities of Islamic State-linked networks and claims that certain unidentified individuals within law-enforcement structures may have acted improperly in relation to those networks.

The assessment further raises concerns about the manner in which certain Special Forces members were allegedly being dealt with through criminal investigations and legal proceedings. Those claims remain matters contained in the intelligence assessment and have not been proven in court.

The document also raises concerns about the circumstances in which the six accused could be taken into custody and expresses concerns about the possible consequences of their arrest. It recommends that consideration be given to withdrawing the outstanding warrants and extending bail to all 12 accused, while proposing that the members remain available to perform operational duties.

Those recommendations, however, do not alter the existing court orders. The Gauteng High Court in Johannesburg revoked the bail of the six accused in January 2026 and ordered accused numbers one to six to report to prison. After they failed to surrender, arrest warrants were issued. Police are therefore faced with the task of enforcing the outstanding warrants while managing concerns about the possibility of resistance during any attempt to take the accused into custody.

At their initial bail hearing in July 2025, the 12 accused were granted bail of R10 000 each.

SAPS confirmed at the time that the charges related to the murder of Mathipa and the alleged kidnapping of the two men. The State subsequently appealed the bail decision, resulting in the revocation of bail for six of the accused in January 2026. Bail for the remaining six was extended.

The failure of the six accused to surrender has left the outstanding warrants in force and places the responsibility for their execution with the relevant law-enforcement authorities. The existence of the warrants and the court's orders remain separate from the allegations contained in the NICOC assessment.

The assessment's account of the broader security environment includes references to alleged tensions between law-enforcement and military structures and concerns about the potential consequences of those tensions for national security operations. It also contains allegations concerning the possible mis-

use of criminal investigations and legal processes. These allegations have not been adjudicated upon and no finding of wrongdoing should be inferred against any institution or individual identified or referred to in the document. The assessment further discusses alleged threats to Special Forces personnel and concerns about the potential consequences of taking certain members into custody. Again, these matters are presented in the assessment as intelligence concerns and allegations rather than established facts.

The document identifies Abadigga in connection with allegations concerning Islamic State-linked activities in South Africa and refers to alleged networks involved in activities including fundraising, recruitment and the movement of people between South Africa and other countries. The assessment presents these matters as part of its analysis of the security environment. The allegations have not been established through the criminal proceedings currently before the courts.

The document also considers the potential impact of the dispute between different security structures on South Africa's broader security architecture. The intelligence assessment recommends that the warrants be withdrawn and that the accused remain available to assist with high-risk operational activities.

The recommendation does not have the effect of setting aside the High Court's orders, which remain binding unless varied or overturned through the appropriate legal process. The matter has also attracted parliamentary scrutiny. DA MP Chris Hatching asked Defence and Military Veterans Minister M.A. Motshelga whether the SANDF or Military Police had received requests to assist civilian authorities in locating, apprehending or handing over the six accused following the revocation of their bail and the issuing of arrest warrants.

Hatching also sought information concerning any requests received, the responses provided and steps taken, including whether senior SANDF officers had instructed the six members to comply with the court order and surrender to civilian law-enforcement authorities.

Motshelga did not provide substantive answers, responding that the matter was "sub judice". The response was approved and signed by the minister on September 20, 2026.

The Hawks said the matter remained under investigation. "The case is still under investigation," Hawks spokesperson Katlego Mogale said. The National Prosecuting Authority also declined to provide substantive answers.

"We are unable to respond to these questions. Responding to them will prejudice the investigation and trial of the matter," NPA spokesperson Kaizer Kganyago said.



SOUTH African human rights lawyer Navi Pillay has been awarded the 2026 Nobel Peace Prize for advancing international law and accountability for war crimes, genocide and crimes against humanity. | AFP

HUMAN RIGHTS PIONEER

Justice is integral to peace, says Nobel laureate Navi Pillay

THOBEKA NGEMA

HUMAN rights pioneer Judge Navanethem 'Navi' Pillay has dedicated her life to the pursuit of justice, and now, at 85, her Nobel Peace Prize win has given fresh weight to her message that there can be no lasting peace without justice and the rule of law.

Reflecting on her initial reaction, Navi said she was very surprised and did not believe it at first.

"Of course I am deeply honoured to be awarded this prize, and I'll be very glad if in any way it generates much-needed support for the rule of law. Justice is integral to peace," Navi said.

Despite US President Donald Trump and Israeli Prime Minister Benjamin Netanyahu's criticism of her award, Navi simply said that she has worked for justice and human rights all her life, for everyone everywhere. Therefore, she will continue to do that.

Navi was awarded the Nobel Peace Prize on Friday for her efforts to promote peace and international law.

"This year's laureate has been instrumental in ensuring that war crimes, crimes against humanity, and genocide are prosecuted," the Nobel Prize said.

Navi recalled learning of the award while sitting in a courtroom, staring in disbelief when colleagues first saw the news before watching the official announcement herself.

She said she felt "total surprise and deeply, deeply honoured and touched."

"And more by the criteria you selected me for. So, I know it's a personal award, but for me mainly, it's for all the institutions I served on as well, all the people I worked with as well," Navi said in an interview with the Nobel Prize.

"I had absolutely no hint, nothing. Maybe that's the best part of getting a surprise announcement: you had

absolutely no idea. And so, it's overwhelming, deeply emotional for me, yes, since I just heard it about an hour or two ago. Still really, yeah, with disbelief, but excitement," she said shortly after being notified of her win.

The former UN rights chief and Nobel Peace Prize laureate is a trailblazing global human rights defender. Born in Durban to a Tamil family under apartheid rule, she became the first woman of colour to open a law firm in the city, securing legal access for Robben Island political prisoners in 1973. Appointed South Africa's first non-white woman High Court judge in 1994, her international career includes serving on the International Criminal Tribunal for Rwanda, holding the post of UN High Commissioner for Human Rights (2008–2014), presiding over a UN commission of inquiry on the Israeli-Palestinian conflict, and acting as an ad hoc judge at the International Court of Justice.

Lifelong friend Dolly Pillay, 84, who has known Navi Pillay for roughly 78 years, recalled their shared upbringing in Clairwood and lifelong bond through school and university, remembering her as exceptionally intelligent and humble from a young age.

"She's such a humble person. She still lives in the Overport area; she loves the place," Dolly said.



"When she first moved, they had a huge room upstairs; she let it out, and we went and did yoga there. I'm talking about 34 or maybe 40 years ago."

"She can afford the best homes in the best areas, but she's with the community. She's just the most amazing person. As a friend, there's nothing else I can say, but I just have the greatest admiration, and I'm so happy to be her friend, and she's remained as simple as she was when we were friends in Clairwood."

Reflecting on whether she knew this would be the kind of life Navi would lead, Dolly said yes, without fail, because from primary school, Navi was confident and mature for her age. The way she spoke, she could address an assembly.

"It's the biggest honour anybody can get, so I'm very, very, very proud of her, and very proud that our roots were in Clairwood, and we share the same love for each other," Dolly said.

"Every time, whether she was in Arusha, whether she was at The Hague, wherever she was, we followed her, we wrote messages to her, and we've kept our friendship."

"Up till the day my sister (Savi) died, they were bosom friends. Australia and South Africa didn't separate them, and they just remained."

Dolly's husband, Judge Thumba Pillay, 91, said the awarding was well-deserved.

He highlighted that he and Navi went to university together, so he knew her quite well, although he has aged a lot since then.

"My memory is a bit suspect, but we were very close associates at university, although she didn't belong to the ANC as I did."

"She was part of the Unity Movement at that stage, in our university years, going back to maybe 60 years ago," Thumba said.

