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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF DEFENCE

NO. 613

14 July 2021

**MINISTRY OF DEFENCE AND MILITARY VETERANS
REPUBLIC OF SOUTH AFRICA****CODE OF CONDUCT: OP PROSPER FROM 12 JULY 2021- 12 OCTOBER 2021****THE EMPLOYMENT OF THE SOUTH AFRICAN NATIONAL DEFENCE FORCE FOR SERVICE IN COOPERATION WITH THE SOUTH AFRICAN POLICE SERVICE IN THE PREVENTION OF CRIME AND MAINTENANCE AND PRESERVATION OF LAW AND ORDER IN THE REPUBLIC OF SOUTH AFRICA FOR OPERATION PROSPER FROM 12 JULY 2021 – 12 OCTOBER 2021**

1. In addition to the Code of Conduct for uniformed members of the South African National Defence Force (SANDF) and for the purposes of Operation PROSPER deployed members must at all times adhere to the mission specific Code of Conduct for the duration of the Operation.

MANDATE

2. Operation PROSPER is authorised in terms of section 201(2)(a) of the Constitution of Republic of South Africa, 1996 read with section 19 of the Defence Act, Act 42 of 2002. In terms of the aforementioned sections the South African National Defence Force (SANDF) is authorised for service in cooperation with the South African Police Service (SAPS) in the prevention and combating of crime and maintenance and preservation of law and order in the Republic of South Africa with specific reference to declared hotspot areas and restricted to:

- a. Roadblocks and Vehicle Control Points (VCPs).
- b. Patrols.
- c. Preserve life and protect property.
- d. Protection of National key points.
- e. Ensure freedom of movement of own Forces.

- f. Cordon and searches.
- g. Fire fighting.
- h. Airborne command and control.
- i. Trooping.
- j. Road clearance.
- k. Escort duties.
- l. Air transportation of SAPS.
- m. Casevac.

3. The guidelines are drawn up to assist Units and/or FSEs of the SANDF deployed on Op PROSPER in fulfilment of the mandate. These guidelines are applicable for the full duration of the Operation in order to ensure effective command and control, legal compliance and legitimacy. Tactical commanders are, however, allowed to issue specific guidelines/instructions/orders for their specific area of responsibilities in line with these Guidelines. Any material deviations must be approved by CJ Ops.

GENERAL PRINCIPLES

4. Upholding and enforcement of the law within the Republic remains the primary responsibility of the SAPS. When the SANDF is employed in cooperation with the SAPS, SANDF members have the same powers and authority as the SAPS, excluding the investigation of crime. Notwithstanding this, SANDF members may perform tasks and duties they are adequately trained and equipped for.

PROCEDURES

5. The SANDF's cooperation with SAPS is limited to protection of life and property during crime combating operations.

- a. Road blockages/Public Unrest and/or Looting
 - i. Protect the SAPS while they manage the situation.
 - ii. Assist the SAPS to remove blockages only when it is safe to do so.
 - iii. Where possible, record events either in writing or by means of

video/audio recordings.

- iv. Do not fire warning shots.
 - v. Exercise personal restraint and do not assault members of the public.
 - vi. Use less than lethal ammunition where possible.
- b. Roadblocks, Vehicle Control Points (VCPs) and Cordons
- i. SAPS are responsible for establishing roadblocks/VCPs and cordons.
 - ii. Protect the SAPS while they conduct the operation.
 - iii. Positioning of early warning groups.
 - iv. Provision of guarding duties to the SAPS in the event of arrested persons.
- c. Provocation/Insults and Disrespect
- i. Exercise a high tolerance level to provocation/insults and/or disrespect aimed at you or SAPS members.
 - ii. Warn civilians to cease with such behavior.
 - iii. Do not assault civilians.
 - iv. Do not run away when attacked by civilians.

YOUR CONDUCT MAY NOT DAMAGE THE IMAGE OF THE SANDF

6. During the above mentioned activities members of the SANDF must always treat the public with respect and human dignity and exercise a high level of tolerance and restraint.

7. SANDF members are not permitted to make any unauthorised statements to either the public or the media.

8. Any statements required for the purposes of an investigation by the SAPS must be given after consultation with and in the presence of a Military Legal Practitioner.

9. Do not use foul language when communicating with the media or civilians.

GENERAL FORCE PROTECTION

10. SANDF members have an inherent right to self-defence.

11. This **right to self-defence** may be exercised to defend oneself, other members, prime mission equipment (PME), property, SAPS members and any member of the public **where life is threatened and/or where there is an imminent threat of serious injury or destruction of property**. Where there have been life firing it must be reported and recorded within reasonable time, the report to include the place, how many rounds were fired and the outcome of the action in self-defence.

12. The firing of warning shots is prohibited.

13. The principal of minimum force should always be applied, whilst keeping in mind that minimum force will depend on the weapon issued to the deployed forces.

14. All incidents must be reported as soon as possible to the relevant authority via the normal chain of command.

15. Mission objectives must be kept in mind when determining the amount of force that would be required to ensure a successful mission.

COVID-19 CONTAINMENT MEASURES

16. All SANDF members are to practice the following measures to contain the spread of the Covid-19 virus:

- a. Wash your hands with soap and water for at least 20 seconds regularly.
- b. Use an alcohol based hand sanitiser if no soap and water is available and encourages others to do the same.
- c. Maintain social distancing of at least 1,5 to 2 meters and encourage others to do the same.
- d. Wear your surgical/medical or cloth mask covering both the nose and the mouth and encourage others to do the same.
- e. Report signs and symptoms of Covid-19 immediately to the nearest SAMHS facility or other medical facility.
- f. Maintain a clean living and working area by regular sanitizing work areas, frequently used areas and equipment.
- g. Adhere to isolation and/or quarantine measures as prescribed by SAMHS or civilian health institutions.

h. Report contact with Covid 19 positive persons.

17. The Code of Conduct will be amended as of when the situation develop.

Note: SAMHS Covid-19 Hot-line: 0800 027 028 National Covid-19 Hot-line: 0800 029 999

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