



1 November 2016

ATT:

Shaun Abrahams
National Prosecuting Authority of South Africa

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Memorandum from the Social Justice Coalition and Ndifuna Ukwazi

IF WE ALLOW STATE CAPTURE, THE FIGHT AGAINST INEQUALITY WILL BE LOST

Millions of people go hungry every day, students are protesting because they cannot afford to study, hospitals run out of medicines, 36 mental health patients died recently because the Gauteng Department of Health cut its budget. All Black African, Coloured and Indian people struggle against White racism daily.

Informal settlements de-humanise Black African working-class people who are denied decent homes, toilets, street lights, electricity and roads. Many Coloured townships have at times become zones of gang wars. Public land is sold to wealthy mainly White property companies making apartheid in our cities worse. Unemployment only grows, food prices, rents and transport costs increase dramatically forcing many working and middle-class families into debt. Schools in our townships and rural areas are without basic infrastructure and security. While we face this crisis, criminals and political factions are doing everything in their power to capture the state. This will not only worsen inequality and economic exclusion, but make it impossible to overcome.

In 1999, the ANC government wasted R30 billion on an arms deal and the real costs of this rose to more than R100 billion. The deal was corrupt and benefitted British, French, Swedish and German companies and well-connected politicians. President Zuma was eventually charged with 783 counts of corruption and fraud but he has fought to avoid standing trial. The Constitutional Court has refused an appeal, now Zuma and the National Prosecuting Authority insist that the Supreme Court of Appeal must hear them.

Seventeen years on from the Arms Deal, Zuma's faction in the ANC have captured state institutions: SAPS, the Hawks, SABC, NPA and the Department of State Security to serve his family, friends and the Guptas. Corruption has found its way into every part of government at local, provincial and national level. State-owned companies such as Eskom, Denel, Transnet

and SAA have recently been the most visible. Large parts of the senior management of SARS including Ivan Pillay, Yolisa Pikie, Adrian McKay, and Oupa Magashule, has been purged and targeted for trying to make sure that big business pay their taxes and large criminal networks are taken down. They ensured that Christo Wiese, the head of Shoprite Checkers who tried to evade R2 billion worth of taxes was exposed and required to pay.

Tina Joemat-Pettersson, the Minister of Energy Affairs is fighting to give a nuclear power deal to Russia, Zuma and Gupta allies. Zuma, Joemat-Pettersson, Brian Molefe (Eskom CEO) and others are insisting that our country buys 8 new power stations from Russia, which will likely cost us about R1 trillion. No other country of comparable size is being as irresponsible. If the Nuclear Deal goes through many corrupt people such as the Zuma family and the Guptas will become very wealthy from bribes, but most of us will suffer.

In a brazen attempt to capture treasury, and amongst other things, push through the nuclear deal, Zuma and the Guptas seemingly orchestrated the firing of Minister Nhlanhla Nene, the appointment of Minister Des Van Rooyen that lasted just four days, and trumped up charges levelled against Minister Pravin Gordhan and former SARS employees Oupa Magashule and Ivan Pillay. In a last ditch attempt to make a case against Gordhan, Magashule and Pillay, a SARS legal adviser was allegedly held hostage by the Hawks and SARS Commissioner Tom Moyane's, bodyguard.

There are reports that the Guptas offered Deputy-Minister Mcebisi Jonas an immediate cash bribe of R600 000 and future bribes totalling R600 million to take up the Minister position, which Jonas turned down.

The list of politicians and public servants that the Guptas have seemingly captured or tried to capture is long. Advocate Thuli Madonsela investigated and prepared a report on state capture. In trying to protect themselves and their cronies, Zuma and Van Rooyen are now trying to stop its release in court. We are concerned that the new Public Protector, Advocate, Busisiwe Mkhwebane is not opposing the President's efforts to bury the State Capture report.

STATE CAPTURE AFFECTS US ALL

State capture is corruption on a huge scale. Corruption is when companies White, Black, international or local buy influence with politicians or public servants to gain small or big government tenders. Instead of getting a few tenders, corrupt individuals, companies or rich families buy politicians and public servants directly to control the policies and budgets of whole government departments or the entire government budget.

If Zuma, the Guptas and their cronies, are successful in capturing Treasury then every government budget and policy decision will be determined by the President and one corrupt family.

It will allow historically white owned businesses and global corporations to escape accountability. Institutions meant to deal with the most urgent tasks of wealth redistribution, which are meant to protect our freedom and uphold the Constitution, will be ruined and incapacitated.

Basic sanitation, grants, education, health care, policing, and basic services will be cut and the daily struggle of working-class people for survival made worse. Inequality will deepen,

and hope for redistributing our country's wealth will be lost for many, many generations. The value of pensions and savings will be wiped out increasing household debt. If inflation grows the rand will become worthless and people who already can hardly afford to feed their families will be the worst affected.

Economic exclusion of the Black African and Coloured working-class may become a permanent feature of our society if state capture succeeds and markets are not controlled in the interest of all people. Free, decolonised, equal and quality education from early childhood through school, post-school and university for poor working-class and middle-class families who cannot afford it will be impossible.

We march as Black African, Coloured, Indian and White who are determined to organise against the capture of the state by criminals and factions.

We call on every individual and organisation, every community of faith and every business in our country to make sure that state institutions and public officials serve the public interest rather than the interests of the few. We must organise to make sure that the fight against the crisis of inequality is not lost for generations. We must resolutely struggle against White economic control, all forms of prejudice, discrimination and patriarchy. Alongside the efforts of the many organisations and movements such as Save South Africa, we commit to building a state that is open, accountable, ethical, efficient and one that acts in the real economic interests of the working-class particularly Black African, Coloured and Indian people.

OUR DEMANDS:

1. SOUTH AFRICAN REVENUE SERVICE

We demand:

- Commissioner Tom Moyane and his deputy Jonas Makwaka resign without delay.
- A new SARS leadership, overseen by the Finance Minister and Parliament, must restore the integrity of SARS.

2. PUBLIC PROTECTOR ADVOCATE BUSISIWE MKHWEBANE

We demand:

- That you oppose any efforts aimed at delaying or stopping the release of the state capture report.
- Your office must be independent and conduct investigations without fear or favour.

3. NATIONAL PROSECUTING AUTHORITY

We demand:

- The immediate resignation of Shaun Abrahams.

- Jacob Zuma must be arrested and prosecuted on his charges of 783 counts of corruption.
- The NPA must remain independent and must not be used for narrow interests or political gain.

#WeAreHere #ArrestZuma or #ArrestUs

#WeAreHere to #StopTheNuclearDeal, #StopCorruption and to #EndStateCapture

#WeAreHere to #StopEconomicExclusion of Black African, Coloured and Indian working-class people

Received on **1 November 2016** by:

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