



RIGHT 2 KNOW

NATIONAL & WESTERN CAPE

107 Community House
41 Salt River Rd
Cape Town 7925
t: 021 447 1000
admin@r2k.org.za
westerncape@r2k.org.za

GAUTENG

5th floor Heeregracht Building
87 De Korte Street
Braamfontein
Johannesburg 2001
t: 011 339 1533
gauteng@r2k.org.za

KWAZULU-NATAL

Block N240,
Room 11
Diakonia Centre,
20 Diakonia Avenue,
Durban, 4001
kzn@r2k.org.za

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Private Office of President Cyril Ramaphosa

By email: presidentrsa@presidency.gov.za

To the Office of the President:

The alarming allegations of wholesale looting and politicisation of the State Security Agency and the undermining of public and democratic institutions that were revealed this week at the State Capture Commission were shocking. We, as the Right 2 Know Campaign, are especially concerned at the lack of accountability in relation to these allegations regarding malfeasants and grand corruption happening within the State Security Agency. The allegations leveled against high ranking officials, some, still within the state apparatuses and some perhaps not so much but still occupy positions of power within the ruling party were startling. We are especially concerned at the ongoing lack of consequence for those named, since much of the evidence was contained in the High Level Panel Report on the SSA, that you had commissioned and made public at the beginning of 2019. Very little has happened in a way of consequences for all those implicated. Hardly no one has ever been held to account for

The testimony at the State Capture Commission of Inquiry, given by the former minister and the chair of the High Level Review Panel, Dr Sidney Mufumadi, regarding the We also note that the High Level Review Panel's report made significant recommendations on the processes of reforming the agency with the view of regaining public confidence in the institution.

Further to the testimony of Dr Mufumadi, a chilling account by the current Director General, Mr Loyiso Jafta, of how graft and corruption took root of the agency and the extent to which levels of accountability were shredded in the process. All these are alleged to have taken place under



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the watch of the then Director General Arthur Fraser. The total disregard of democratic values and the true role of the state security Agency reflected in these testimonies was alarming.

Although a redacted report was released by your office back in March 2019, Dr Mufumadi's testimony shed light on the many issues, as he delved into much more detail of what happened within the State Security Agency under the former president Jacob Zuma. Opening the country's eyes to the financial problems, the deliberate disregard of the law, illegal setting up of different entities within the agency, financial mismanagement and graft that was happening within the agency at the time. We are alarmed by the allegations that surfaced through his testimony on how the State Security Agency was used as a political tool to persecute political opponents of the former president.

Not only did he shed light on the politicization of the agency, he also lifted a lid on the rampant corruption and embezzlement of funds to suit certain narrow interests of sections of the agency. We also learnt how the illegally established Special Operations Unit within SSA was used as a way to syphon off resources and used to support bogus and unmandated operations within the agency. The deliberate flouting of the rules and regulations, the undermining of any oversight has led to the wholesale abuse of taxpayers' money and the fiscus.

We are concerned at the alleged involvement of two senior ANC members who were then ministers, as well as the former Director General, who is now deployed within the Justice and Correctional Services where it is alleged money amounting to **R125 million** was unaccounted for, unaccounted for under his watch. It is most concerning also to learn of the possible influence of former ministers in the operational matters of the agency when they are supposed to be political principals and not get involved in the operations of the agency.

Most disconcerting are the revelations, though contained in the redacted report that you made public in March 2019, of the different operations aimed at spying on, and infiltrating students



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movements, civil society organization, organized labour unions and many other sectors of society. This attack on civil society organisations, and the framing of those organisations as enemies of the State for highlighting corrupt and anti-democratic actions by those in power, is an egregious attack on our democracy. And the longer there is no consequence for those who ordered those actions, as well as those who participated in the illegal infiltration and surveillance, the more the current government also validates those actions and continues to undermine democracy.

We therefore reiterate our call Mr president that:

- a) There should be no political settlements and/or concessions for all those implicated in the wrongdoing within the agency structures- and those accounting officers at the time of this deliberate dilapidation of the agency to wrangle out of being held accountable for their obviously illegal and unlawful actions of establishing a secret security state and parallel structures within the agency
- b) That you instruct the appropriate law enforcement bodies, oversight institutions and disciplinary bodies to investigate all manifest breaches of law, regulations and other prescripts within the State Security Agency with the view of instituting criminal and disciplinary prosecutions for all those implicated.
- c) We further implore on you to take action against former Director General Artur Fraser, former Ministers: Mr Siyabonga Cwele, Mr David Mahlobo, Mr Bongani Bongo, head of the rogue Special Operations Unit, Mr Thulani Dlomo as well as the former president Jacob Zuma, we call for them to be charged with defeating the hands of justice. We view their conduct as nearly treasonous. We also believe that they have gone on for too long without being disciplined.

The testimonies of the current Director General as well as the chair of the High Level Review Panel suggest that these were central figures to the deliberate weakening of the institution, squandering of, corruption and mismanagement of the institutional funds and taxpayers money



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- d) Putting a stop to the sensored budget vote by the ministry of state security in parliament. Although we understand the nature of the agency's work, it cannot be that the public doesn't know the budget size of the agency.
- e) Putting tighter systems in place in ensuring that the much abused slush funds is not easily accessible and thus not abused since these are clearly the source of malfeasance happening within the urgency. That is If the agency is to be repurposed and wrestled back from all the rogues elements

We ask of your office Mr president to urgently set up the process to:

- Holding all those implicated in wrongdoing at the state security Agency accountable
- That a proper investigation into the allegations levelled against individuals mentioned at the state capture commission be initiated and speedily resolved as we believe this would send a strong signal to all within state organs that illegality and wrongdoing will not be tolerated
- That you ensure the implementation of all the recommendations of the High Level Panel Review be fully implemented to avoid such from happening in the future.
- That a thorough vetting be done for all employees at the agency to ensure that all the criminal elements are rooted out and that there is no residue that remains from the cohort of rogue elements that ran rampant within the agency
- We demand that those who gave the orders, those who carried out the infiltration be named and held to account. From the highest echelons within the agency to the very spies that were placed within our movements to spy on us.
- That you make some form of commitment to either have a bilateral with all the affected workers movements, students movements and civil society organizations with the view of establishing some form of retribution mechanism to redress the damage done by the bogues elements that infiltrated our movements as they have fostered a culture of insecurity and mistrust.



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- That Minister Ayanda Dlodlo provided a progress report of how far the implementation of the recommendation by the High Level Review panel has unfolded. This is the only way to restore public confidence in the agency.
- That the Joint Standing Committee on Intelligence's oversight powers be strengthened/reviewed. As the oversight mechanism, something went awfully wrong in the ability of the committee in performing its duties.
- That the Agency halts the undue secrecy around its operations. The public deserves to know what and how their taxes are used for. It would be good for the agency to be a bit more transparent and this will in turn strengthen the accountability.

Lastly Mr President, we would like to appeal to you to institute a similar High Level Panel Review process into the other sections of the intelligence community, the Financial Intelligence , Police Intelligence as well as the Military intelligence as we have reason to believe that similar conduct of corruption and malfeasance may be prevalent in these institutions too. We have seen how the police have been surveilling the whistleblowers and activists alike through active monitoring of social media platforms and other tactics like Public Relations campaigns to demonise especially activists. We have made efforts to interact with and support the office of the Inspector General to perform its oversight unhindered as we believe this office is key in unearthing and holding accountable abuses carried out by the Intelligence apparatuses.

We released a report on this, found here:

<https://www.r2k.org.za/wp-content/uploads/R2K-Surveillance-of-Journalists-Report-2018-web.pdf>

Yours Sincerely

Thami Nkosi

Countering Repression Organizer