TO: Hon Baleka Mbete

Speaker of the National Assembly

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AND TO: Ms D.Rantho

The Chairperson

Portfolio Committee on Public Enteprises

Committee Secretariat

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**STOP WITCH HUNT OF THE GUPTAS AND LET THE JUDICIAL COMMISSION OF INQUIRY ON STATE CAPTURE RUN ITS COURSE**

Black First Land First (BLF) is a Black Consciousness, Pan Afrikanist movement embracing the leadership ethos of Thomas Sankara. It is also registered with the Independent Electoral Commission as a political party.

BLF has since 31 March 2016 been calling for a Judicial Commission of Inquiry on State Capture. To this end on 10 December 2016 we requested that its scope - from state capture by white capital involving Johann Rupert and 8 others - be extended to allow for all complaints on state capture including on the Guptas.

The Portfolio Committee on Public Enterprises, also refered to as "the Committee" hereinafter, began its interrogation process on 17 October 2017 ostensibly to inquire into state capture at Eskom. To this end the Committee is said to probe inter alia into allegations of Eskom awarding contracts amounting to billions of rand to businesses linked to the Gupta family who apparently are President Jacob Zuma’s friends; and accusations of dishonesty levelled against numerous managers of Eskom.

The UCT Professor, Anton Eberhard, was called to tell the Committee how the Gupta family had benefited from their alleged corrupt activities at the power utility and that this is linked to certain revelations in the “leaked emails of influence peddling by the Gupta family’ so as to secure huge state contracts. All the while President Zuma has strongly indicated that the alleged Gupta emails will be probed by the Judicial Commission of Inquiry that he will be instituting.

It's clear that those labeling the Guptas and - by extension - the President as corrupt are silent on white corruption We note that every time white corruption, including state capture by white monopoly capital, is pointed out the Gupta family or President Zuma are accused in return. This has evidently happened on each of the following instances being exposed: the R50 billion stolen by the construction cartel during the 2010 FIFA world cup and exposed by the Competition Commission; the R26 billion stolen from the South African Reserve Bank by, amongst others, Johann Rupert and ABSA Bank; the looting of South African Airways (SAA) by the likes of Coleman Andrews and his consulting firm Bain & Company; the Oppenheimer family operating a private airport inside a national key point and demanding that it be given rights to upgrade into an international private airport; the banks disappearing R500 billion in December 2015 from the JSE as part of the strategy of economic terrorism to pressurize President Zuma to appoint Pravin Gordhan; and the billions of rands that leave the shores of SA illegally as “illicit financial outflows” daily.

White monopoly capital employs economic terrorism by closing down bank accounts of progressive business, depriving SOE's and black business of loans. This leads to inflation; rating agencies downgrading the economic status of the country which in turn leads to more inflation and ultimately the currencies being thereby attacked.

Now under the guise of fighting corruption society is being mobilized via the Portfolio Committee on Public Enterprises - and reportedly will be supported by four other parliamentary committees - to create hostility against the President and the Guptas who are both cast as the real enemy instead of white monopoly capital. Corrupt agents of regime change, like Pravin Gordhan, who is a member of the Portfolio Committee on Public Enterprises, are leading the supposed fight against corruption. Gordhan is in the Committee despite facing criminal cases of corruption amounting to R4.3 billion to enrich white monopoly capital, many entities of which are his business partners. He wants to keep the South African economy white controlled . That is why he established an illegal spy unit at tge South African Revenue Services (SARS)..

Economic terrorism has been conducted on the Gupta family labeling it the most corrupt institution responsible for state capture. We see the same narrative being pushed by the politically selected witnesses of the Portfolio Committee on Public Enterprises thus far.

The evident intention is to push the Guptas (who only supply 5% of ESKOM's coal needs) out of the mining sector so that white monopoly capital (which supplies 95% of ESKOM's coal needs) is protected.

The Guptas are problematic to white monopoly capital. They are seen as being too close to President Zuma who is implementing the BRICS process. There is a clear collaboration of the global anti BRICS process with the anti Gupta white settler monopoly capital campaign to get rid of President Zuma. Making President Zuma and the Guptas the enemy is a deliberated distortion of the problem.that is aimed at distracting us with side issues to protect white settler monopoly capital.

President Zuma has already indicated his intention to appoint a Judicial Commission of Inquiry on State capture which is beyond the allegations of state capture by the Guptas - hence indicating an end to all corruption. In this regard the terms of reference would by necessity include state capture by both the Guptas and white monopoly capital. The inquiry conducted by the Portfolio Committee on Public Enterprises on state capture at Eskom, is however limiting as it mainly targets the Guptas. This amounts to undermining the authority of the President by creating a parallel mechanism to deal with an issue that is already part of the subject matter of a Judicial Commission of Inquiry that will be set up in due course at the instance of the President.

If the Guptas are corrupt let them be investigated. We note that no charges have to date been preferred against them. The Oakbay bank accounts were closed on unfounded allegations of fraud while criminal white companies still have operational bank accounts.

BLF calls for a halt to the process by the Portfolio Committee on Public Enterprises of selectively probing the Guptas while letting white monopoly capital literally get away. BLF condemns the conduct of the Committee which is clearly a political witch hunt in pursuance of the regime change agenda. Let the Judicial Commission of Inquiry run its course and deal with the matter appropriately.

The fact that the root of all corruption in South Africa is the theft of land since 1652 by whites from blacks; and that it is accordingly historically incorrect that President Zuma, and the Guptas are the most corrupt people in the country - is the underlying basis for the criteria to be used in establishing who has captured the state. We ask the Committee to furnish us with the criteria it is using to target the Gupta family.

BLF notes that a large number of ANC MPs have formally raised objections in the ANC caucus to stop the process due to the biased nature of the probe. To this end the following questions brings into question the current process:

Advocate Navara is a member of the Ethics Committee seized with the issue of the role of the executive on the issue of the subject matter relating to Trillian. He is also appointed as evidence leader. Does this not amount to a clear case of a conflict of interest situation?

The nature of the current enquiry by the Committee is not clear? Is it inquisitorial or accusatorial? Will a list of questions be given to the witnesses in advance of appearing before the Committee?

Why have the terms of reference for the Inquiry not been formalized and made public?

Is legal representation allowed?

What is the interface between the Parliamentary Inquiry and other investigations by other organs of state like the State Investigations Unit (SIU) and the Office of the Public Protector?

The subject matter of the former CEO of ESKOM, Brian Molefe, is sub judice? Does this legal principle not also apply to the Parliamentary Inquiry?

What powers do Parliament have to subpoena witnesses? Could Parliament enforce such subpoenas?

The authenticity of e-mails presented in the public space is called into question. Could their veracity be relied on?

How do we deal with information from other witnesses that implicates the Department? What about the fundamental right of not incriminating oneself?

The obvious conflict of interest situations of a member(s) of the Committee, including Pravin Gordhan, is allowed to prevail by the Committee. Why?

BLF calls for this witch hunt to be stopped. If this does not occur by 13h00 today, we shall institute legal proceedings against the Committee and all other relevant entities to interdict the manifestly flawed process.

The Speaker of the National Assembly is also called upon to do the necessary.

We await your prompt response.

**Sincerely**

**Andile Mngxitama**

**Black First Land First (BLF): President**

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