

MINISTER OF DEFENCE AND MILITARY VETERANS



NATIONAL ASSEMBLY
INTERNAL QUESTION PAPER
QUESTION FOR WRITTEN REPLY
QUESTION NO 2396
DATE OF PUBLICATION 20 JUNE 2022

REPLY RECOMMENDED BY:
MINISTER OF DEFENCE AND MILITARY VETERANS: MP

NATIONAL ASSEMBLY

INTERNAL QUESTION PAPER No.24

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Mr S J F Marais (DA) to ask the Minister of Defence and Military Veterans:

- (1) Whether, with reference to the findings by the Ministerial Task Team (MTT) into the irregular procurement of the Cuban drug Herberon recombinant interferon alpha-2b, the final decision to irregularly procure the unregistered drug to use as a treatment against Covid-19 infections in the Republic was taken by the full Military Command Council or by the previous commander of the SANDF and the Surgeon General, regardless of who signed it off;
- (2) what was the role of logistics in the process, with specific reference to the role of the Chief of Logistics and Major General Tyhalisi, specifically with regards to (a) receiving the drugs (b) dealing with the declaration to the SA Revenue Services and the SA Health Products Regulatory Authority (SAHPRA) and (c) the illegal importation of the drug at air force base Waterkloof and OR Tambo international airport;
- (3) whether, based on the findings and recommendations by the MTT and the Auditor General of South Africa, and her promise that heads must roll as a consequence, anyone has been held accountable before a disciplinary committee and/or the National Prosecuting Authority, if not, (a) why not and (b) what will the consequences be if nobody is held to account, if so, what are the case numbers and relevant details;
- (4) whether all the drugs were sent back to Cuba, if not, why not, if so, have the Cubans accepted everything back and agreed not to hold South Africa accountable for only the 10 vials approved by SAHPRA;
- (5) (a) what is the final value of the drugs returned and (b) has the Cuban government and/or TECHNOIMPORT Enterprise returned the R33m that was irregularly paid to the Cuban government; if not, why not; if so, what are the relevant details?

REPLY:

1. Yes, the decision was taken by the full Military Command Council (MCC).
2. The role of logistics Division and by default Chief Logistic was to execute the decisions of the Military Command Council and chartered the aircraft that brought the consignment in the country. The initial consignment came with the Thusano project leader, Major General Tyhalisi, whilst the rest was received by other logistics and SAMHS personnel who did not declare the consignment;

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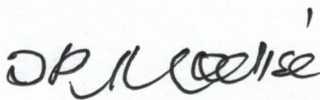
(b) Major General Tyhalisi cleared the initial consignment with the South African Revenue Service,

(c) Under the circumstances of level five of the national state of disaster and lockdown, 'normal processes' of governance (being in a state of national disaster) could not be fulfilled in the lead time to fulfil the regulatory requirements.

3. The MTT recommended twofold approach of internal SANDF disciplining process and the establishment of the Board of Inquiry (BOI) to dive deeper on the SANDF systems and processes correction and alignments. I have directed that C SANDF fast-track the BOI processes, whilst the latter await the final report by the Public Protector as most of the individuals affected were still making presentation to the PP and the PP findings will have direct impact on the SANDF disciplinary measures.

4. All drugs were sent back to Cuba as ordered by the High Court and the Cubans have accepted the drugs minus the vials that were used/taken by SAHPRA for testing and approved selective used on the SANDF trial sessions. Negotiation on the contract technicality are currently underway and the outcome is anticipated.

5. The final value of the drugs returned has not been scientifically determined, however the drugs if they did not depreciated in value will be the same. The monies paid had not been returned but is part of the engagement on the contractual technicalities and awaits the final report of the Public Protector on the measures to be implemented.



(T.R. MODISE)
MINISTER OF DEFENCE AND MILITARY VETERANS: MP