

IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU-NATAL LOCAL DIVISION, DURBAN

CASE NO D 6316/2019

In the matter between:

DEREK HANEKOM

and

JACOB GEDLEYIHLEKISA ZUMA



Applicant

Respondent

NOTICE OF MOTION

TAKE NOTICE THAT the applicant intends to make application to the above Honorable Court on 21 August 2019 or as soon thereafter as counsel for the parties may be heard, for an order in the following terms:

1. To the extent necessary, condoning the applicant's non-compliance with the rules of this Honourable Court relating to service and time periods, and hearing this application on an urgent basis in terms of rule 6(12).
2. In these orders, "the statement" is the statement attached as annexure "FA1" to the founding affidavit.
3. It is declared that the allegations made about the applicant in the statement are defamatory and false.
4. It is declared that the respondent's publication of the statement was and continues to be unlawful.
5. The respondent is ordered to remove the statement within 24 hours from all media platforms including by deleting the statement from the respondent's Twitter account.

6. The respondent is ordered, within 24 hours, to publish on Twitter from his Twitter account (@PresJGZuma) the following statement:

"On 25 July 2019, I published a tweet which alleges that Mr Derek Hanekom is a known enemy agent. I unconditionally withdraw this allegation and apologise for making it as it is entirely false. I have no valid basis whatsoever for asserting that Mr Hanekom is a known enemy agent."

7. The respondent is interdicted from publishing any statement that says or implies that the applicant is or was an enemy agent or an apartheid spy.
8. The respondent is ordered to pay damages of R500 000 to the applicant.
9. *In the alternative* to paragraph 8 above :
- 9.1 It is declared that the respondent is liable to pay damages to the applicant.
- 9.2 The quantification of those damages is referred to oral evidence.
10. The respondent is ordered to pay the applicant's costs on the attorney and client scale.
11. The applicant is granted further or alternative relief.

TAKE NOTICE FURTHER THAT the attached affidavit of Derek Hanekom, together with annexes and the confirmatory affidavit thereto, will be used in support of this application.

TAKE NOTICE FURTHER THAT the applicant has appointed Webber Wentzel as his attorneys of record, and the address at which he will accept service of notices and other process in these proceedings is, electronically, at

pooja.dela@webberwentzel.com and dario.milo@webberwentzel.com or care of Shepstone & Wylie Attorneys at 24 Richefond Circle, Ridgeside Office Park, Umhlanga Rocks, Durban, South Africa.


TAKE FURTHER NOTICE THAT if the respondent intends to oppose the relief sought in the application, the respondent must by no later than Monday 12 August 2019,

(a) notify the applicant's attorneys in writing and in such notice to appoint an address within 15 kilometres of the office of the Registrar of this Honourable Court at which the respondent will accept notice and service of all process in these proceedings; and

(b) file his answering affidavit, if any.

DATED AT DURBAN

ON 5th AUGUST 2019.



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AND TO:

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IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU-NATAL LOCAL DIVISION, DURBAN

CASE NO. DG316/2019

In the matter between:

DEREK HANEKOM

Applicant

and

JACOB GEDLEYIHLEKISA ZUMA

Respondent

FOUNDING AFFIDAVIT

I, the undersigned,

DEREK ANDRÉ HANEKOM

make the following statement under oath.

PARTIES

1. I am the applicant. I am currently a member of the African National Congress ("ANC") National Executive Committee and National Working Committee. I am also the Deputy Chairperson of the Board of the Ahmed Kathrada Foundation. My address is 7 Leander Street, Kensington, Johannesburg.

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2. The facts in this affidavit fall within my personal knowledge unless the contrary is stated or appears from the context. They are, to the best of my knowledge and belief, both true and correct.
3. Where I make any legal submissions, I do so on the advice of my legal representatives.
4. I file a confirmatory affidavit by Lavanya Pillay together with this affidavit.
5. The respondent is Mr Jacob Gedleyihlekisa Zuma, former President of the Republic of South Africa

INTRODUCTION

6. On 25 July 2019, Mr Zuma published a statement on his official Twitter account. The statement is attached and marked "FA1". It reads as follows:

"I'm not surprised by @Julius_S_Malema revelations regarding @Derek_Hanekom. It is part of the plan I mentioned at the Zondo Commission. @Derek_Hanekom is a known enemy agent."

7. At the time of deposing to this affidavit, the statement is still published on this platform.
8. On 23 July 2019, two days before Mr Zuma published the statement, Mr Julius Malema, the leader of the Economic Freedom Fighters ("EFF"), stated the following:

"Hanekom gave us the list of the ANC MPs who were going to vote with us in the vote of no confidence against Jacob Zuma"; and

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"Today he calls us fascists, but Derek Hanekom plotted with the EFF to bring down President Zuma. The same goes with Solly Mapaila [deputy general secretary of the SACP] too."

9. Mr Zuma accordingly used Mr Malema's statement as a springboard to say that I am an enemy agent in the context of the evidence he gave at the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector Including Organs of State, chaired by the Honourable Deputy Chief Justice Raymond Zondo, (**"the Zondo Commission"**). The nub of that evidence was that "the plan" against him was the work of, among others, apartheid spies who had infiltrated the ANC.
10. Accordingly, the statement was intended by Mr Zuma, and understood by those who read it, to mean that I was an apartheid spy and part of a plan to infiltrate the ANC and assassinate Mr Zuma's character. That is the sting of the statement and it is highly defamatory of me.
11. The statement casts aspersions on my character and integrity, particularly in light of my history as someone who fought vehemently against the apartheid government and, together with the people of our country, for the freedom of our nation.
12. The allegations contained in the statement are without any basis in fact. They are entirely false. I am not and have never been a spy for the apartheid government or any other authority for that matter.
13. Mr Zuma has no evidence to support his allegations. And yet, he refused to remove the statement from his Twitter account.

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14. My purpose in bringing this application is to vindicate my dignity and hard-earned reputation. To this end, I seek various orders aimed at vindicating my good name, putting an end to the ongoing and anticipated unlawful publication of the allegations in the statement, and compensating me for the harm I have suffered.

FACTUAL BACKGROUND

My reputation as a leader with integrity

15. Throughout my political life, from my time as an anti-apartheid activist, my service as a Minister in cabinet, and today as part of the leadership of the ANC, I have enjoyed a reputation of being a loyal and disciplined member of the ANC and a patriot, and of upholding the values of freedom, transparency and accountability.
16. My early adult life shaped my sense of injustice and abhorrence of the apartheid system. I was twice arrested under the Riotous Assemblies Act 17, 1956, first in 1977 as part of a group of young Christians who were singing Christmas carols outside the infamous John Vorster Square where a friend of mine was detained, and then in 1978 for standing in front of bulldozers demolishing homes in informal settlements in Cape Town.
17. In 1979, my wife and I rented a smallholding where we made contact with the ANC in Botswana. One of my contacts, Mr Roland Hunter, was the personal assistant of Colonel Cornelius van Niekerk of the South African Defence Force, who headed "Operation Mila", a covert programme of support for Renamo rebels with the sole intention of destabilising the Frelimo government of Mozambique. This was the model project for similar destabilisation programmes in Lesotho, Angola and Zimbabwe. I facilitated

Mr Hunter's contact with the ANC in Botswana and helped him convey information about the Renamo program to the ANC. I was later informed that the then President of the ANC, Mr Oliver Tambo, had conveyed this information to the then President of Mozambique, Mr Samora Machel. I was informed that it was this information, which included details of the Renamo training camps in South Africa, which led to the ability of Frelimo to respond rapidly to Renamo activities. This in turn resulted in the search for the source of the information and ultimately led to my arrest in 1983 for high treason, the highest offence against the apartheid state. I subsequently served a 24-month prison sentence and was released in September 1986.

18. Following my release from prison, I was employed by the Administrative Training Project, providing support to trade unions and organisations affiliated to the United Democratic Front.
19. In 1987, my wife was deported to Zimbabwe. After accompanying her to Zimbabwe, my passport and possessions were stolen and the South African government refused to issue me with a new passport. As a result, I was forced to spend three years in exile in Zimbabwe. During this time, I served as the coordinator of the South African Popular History Trust in Harare. Whilst in Zimbabwe, I received two months of training in the then Soviet Union and was a member of a unit of the ANC which worked with underground units inside the country producing and disseminating ANC information.
20. Following the unbanning of the ANC in 1990, I returned to South Africa and was responsible for policy formulation on land and agricultural matters during the negotiations prior to the first democratic elections in 1994.

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21. In 1994, I became a member of the National Executive Committee of the ANC. I served as Minister of Agriculture and Land Affairs from 1994 to 1999, as Deputy Minister of Science and Technology from April 2004 to 4 October 2012, as Minister of Science and Technology from 4 October 2012 to 25 May 2014, and as Minister of Tourism from 26 May 2014 to 30 March 2017 and 27 February 2018 to 25 May 2019. Additionally, I served as a member of parliament from 1999 to 2004 and for the period 30 March 2017 to 27 February 2018.
22. I have thus been a loyal and disciplined member of the ANC for most of my adult life and have served as an elected Member of Parliament for more than 25 years. I have at all times discharged my obligations in accordance with the standards of integrity required by senior office. The German President recognised my service as a Minister in 2016 by awarding me an order of merit, the equivalent of a national order in South Africa. The award was made in recognition of my contribution to cooperation between Germany and South Africa during my tenure as Minister of Science and Technology.
23. I currently serve as the Chairperson of the board of the Ahmed Kathrada Foundation, an organisation formed to continue the legacy of anti-apartheid struggle stalwart Mr Ahmed Kathrada, which is dedicated to deepening non-racialism in post-apartheid South Africa.
24. In sum, I have earned a reputation over the course of my career as a leader of sound integrity and character with a commitment to the ANC and to democratic values and accountability.

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25. It is in light of this context and the sacrifices which I have made during my lifetime as an anti-apartheid activist that the statement is particularly malicious, hurtful and damaging to my reputation.

Mr Zuma's testimony before the Zondo Commission

26. While Mr Zuma did not mention me during his testimony before the Zondo Commission, his impugned statement refers to me as being part of the "plan" he mentioned at the Zondo Commission. It is accordingly necessary to discuss aspects of his testimony in order to provide this Honourable Court with the proper context within which Mr Zuma's statement was made. I pause to note that, as I was not mentioned during testimony before the Zondo Commission, cross-examination of Mr Zuma in order to test the veracity of his statement about me was not an option available to me. In that light, I have no other option but to turn to this Honourable Court in order to protect my rights.
27. Mr Zuma appeared before the Zondo Commission from 15 to 19 July 2019. During his introductory remarks on the first day of his testimony, Mr Zuma described a "plan" which he alleged was implemented by foreign organisations working with the apartheid government to plant spies within the ANC and to assassinate both him and his character. The transcript of the first day of Mr Zuma's testimony, published by the Zondo Commission, is attached, in relevant part, as annex "FA2" ("**the transcript**") (the relevant portions of the transcript have been highlighted for convenience). In relation to the alleged "plan" against him, Mr Zuma stated, *inter alia*, the following:

"Leaving many things just to go to the point straight in 1990 when we were already inside the country I received a report – an intelligence report – which was saying there were three intelligence organisations

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that met had a meeting to discuss me and had a plan to begin in 1990 a process of character assassination of Zuma. Two of these organisations came from two different big countries and one of them came from inside South Africa under – which was one of the – structures under apartheid which was part of this conspiracy." (page 15 of the transcript);

"...the reason why we wanted to character assassinate Zuma's character was because he has a lot of information that he – he holds among the type of information as – as a Chief of Intelligence. There are spies that are infiltrated by us in his organisation whom we want to nurture that they grow within the structures of the ANC to a point that at some point they will have to lead the ANC." (page 16 of the transcript);

"Now Zuma has information about these. We do not know when will he use this information to stop that process that plan of theirs and therefore they took a decision that Zuma must be removed from decision making structures of the ANC and that is why they character assassination began. That is the beginning of the process that has put me where I am today and – and I thought it is important to go through this whatever else would be the end of your process but at least some truth should be known." (page 16 of the transcript);

"I am saying this because there has been a process and particularly against Jacob Zuma a conspiracy. I am sitting there and I am told by other organisations that in my organisation as well as in the NEC there are people who are working for them whom they want to be in control of this country." (page 18 of the transcript);

"We kept it as an intelligence issue but it is important to say this because the character assassination that I faced over the years more than 20 years this is one of the clear sources that I know. There was a plan to deal with Zuma and Zuma has been dealt with all the time." (page 20 of the transcript);

"In other words foreign intelligence organisations and the local one of course under apartheid for a variety of reasons thought it was important to deal with this man." (page 20 of the transcript);

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"So the issue of Zuma must resign, Zuma must leave the leadership started way back , as part of this plan." (page 22 of the transcript);

"...the plan to character assassinate Zuma, the plan to remove Zuma from leadership, the explanation was done by these three intelligence organisations that he should be out because if he's there he will use information he has to either expose or stop our people from going forward. It means, therefore, that plan which was made by intelligence organisations in a sense, had to be implemented among others by even people in my own organisation." (page 25 of the transcript);

"All these things put together tell me there is a huge plan which is being made and it has been made and it has been implemented. You'll recall that the issue of Zuma must resign, the issue of the attempts in Parliament of the vote of no confidence, which is fine because that is within the framework in fact even people remembered that we don't even have the way how to impinge the President it's not – let us do it because we must take this fellow out, we must find a way and here's a Commission, this fellow he is a friend of this family, we are going to find something." (page 30 of the transcript);

"As we moved towards the end as I said the NEC itself was influenced to take a decision that there has been calling Zuma must go now, he must go indeed. In other words that plan I am talking about finally succeeded. I had to resign from the ANC in order to leave the ANC intact because I love it. It is my organisation. It meant nothing if I resigned the ANC remains. But it is clear to me something which came from the answer of the three intelligence organisations that there are people infiltrated their spies." (page 34 of the transcript);

Yes I have got the list and another list as well, but that's not the business of me to deal with those matters here, but it is important, it is important for me so that you can see the behaviour of people. What made Comrade Ngoako to behave the way he did here, saying that I have auctioned the country, in the ANC I just do what I like, he is carrying out an instruction. He was recruited when he was a student in Lesotho to be a spy." (page 48 of the transcript).

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"And they – they did something and ask somebody when he ['Ralph', an alleged spy] comes out after arrest – somebody to hug him as they greet. That hug was important because it will be saying he is innocent. In other words nobody is angry for him that he might be responsible for this. The information was – so that hug was arranged by the police and somebody who hugged him had been given instructions to do so. And that was General Sipiwe Nyanda." (page 54 of the transcript).

28. Mr Zuma's statement means that I was part of the "plan" he described in his testimony. The statement was accordingly intended to mean, and was understood by those who read the statement to mean, that (like former Ministers General Sipiwe Nyanda and Ngoako Ramathlodi) I was a spy who had infiltrated the ANC on the orders of the apartheid government and its foreign sympathisers.
29. As I illustrate below, the reach of the statement was widespread, and, given the nature of social media, it was circulated widely and continues to be circulated with additional comment and innuendo. It has caused immense harm and damage to my reputation and the harm continues for each day that this statement remains published without censure.

MY ATTEMPT TO ENGAGE WITH MR ZUMA

30. On 29 July 2019, my attorneys sent a letter of demand to Mr Zuma by email, care of his last known attorneys of record, Lugisani Mantsha Attorneys. The letter of demand is attached hereto as "FA3".
31. In the letter of demand, I explained that the statement was false and defamatory. I also demanded that Mr Zuma:
- 31.1 undertake to desist from making, publishing or causing to be published any further defamatory allegations concerning me to any party;

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- 31.2 remove the defamatory statement from Twitter and any other media, website, or publications under his control; and
- 31.3 post the following unconditional apology and full retraction of the defamatory statement on his Twitter account:

"On 25 July 2019, I published a tweet which alleges that Mr Derek Hanekom is a known enemy agent. I unconditionally withdraw this allegation and apologise for making it as it is entirely false. I have no valid basis whatsoever for asserting that Mr Hanekom is a known enemy agent."

32. On 30 July 2019, Mr Zuma's attorneys addressed a letter to my attorneys in which they confirmed receipt of the letter of demand and that they were instructed to act as Mr Zuma's attorneys of record in this matter. The letter from Mr Zuma's attorneys is attached as annex "FA4".
33. Out of an abundance of caution, the letter of demand was also served on Mr Zuma by Sheriff at Mr Zuma's residential address in Nkandla, KwaZulu-Natal. The return of service from the Sheriff, in which it is confirmed that the letter of demand was received at Mr Zuma's Nkandla homestead, is attached as annex "FA5".
34. Despite requiring a response to the letter of demand by no later than 17h00 on 2 August 2019, no response has been received by Mr Zuma to date. The statement continues to be published on Mr Zuma's Twitter account and continues to cause harm to my reputation, despite Mr Zuma being aware that the statement is entirely false and defamatory and being called upon to remove the statement.

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THE STATEMENT IS DEFAMATORY AND FALSE

35. The statement expressly or by clear implication makes the following allegations about me:

35.1 I am a "*known enemy agent*";

35.2 I was an apartheid spy (in the context of the evidence provided by Mr Zuma at the Zondo Commission which is set out in relevant part at paragraph 27 above and transcripts of which I attach above marked "FA2").

35.3 As an enemy agent / apartheid spy, it follows that

35.3.1 I conducted myself in a manner which is contrary to the best interests of the ANC and the country;

35.3.2 I lack integrity;

35.3.3 I am untrustworthy; and

35.3.4 I lie and deceive my comrades.

36. These are plainly statements of fact. They are also entirely and demonstrably false. I am not, nor have I ever been, a spy for the apartheid government.

37. Not only is the statement false, but it is inconceivable that Mr Zuma could have genuinely believed it to be true. Mr Zuma is fully aware of my history as an anti-apartheid activist and loyal member of the ANC. When I first met Mr Zuma in 1988, shortly after my exile to Zimbabwe as a result of my political activism, Mr Zuma thanked me for my contribution to the liberation struggle. Indeed, during his tenure as President, Mr Zuma chose to appoint me as his

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Minister of Science and Technology from 4 October 2012 to 25 May 2014 and Minister of Tourism from 25 May 2014 to 30 March 2017. If he honestly regarded me as an "enemy agent", he would not have done so.

38. The statement was accordingly malicious, published with complete disregard for the truth and was made with the intention to harm me. Mr Zuma's malice is further demonstrated by his stubborn refusal to remove the statement from his Twitter account despite knowing its falsity and being called upon to remove it.

THE WIDESPREAD DISSEMINATION OF THE STATEMENT

39. The publication of the statement has caused me immense reputational harm.

39.1 As the former President of South Africa and senior member of the ANC, Mr Zuma wields considerable public influence. His statements have a reach far greater than ordinary members of the South African public.

39.2 This influence was exacerbated by the fact that he used Twitter to publish the information.

40. Mr Zuma has over 323 000 Twitter followers. The statement appeared automatically to each of those 323 000 people. The defamatory tweet also received 1817 comments and was "retweeted" 2902 times from Mr Zuma's Twitter account – that is, it was shared and thus republished by 2902 other Twitter users, many of whom have large followings. The statement would thus also have appeared automatically to each person that follows each of the 2902 users that retweeted it.

41. Mr Zuma's son, Duduzane Zuma, also retweeted the statement. He has over 31 000 Twitter followers. Accordingly, the statement would have appeared

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automatically to each of these 31 000 people. I do not know how many of these 31 000 people retweeted the statement, but, clearly, the effect is exponential.

42. The statement also received wide coverage in national print and electronic media and on online channels that draw high volumes of daily traffic. I attach a selection of this coverage marked "FA6".
43. Mr Zuma knew that communication via Twitter would be instantaneous, borderless and far-reaching. A person conducting an internet search of my name anywhere in the world will see the statement and will understand that I was or still am an apartheid spy, lack integrity and trustworthiness and conduct myself in a manner contrary to the law and best interests of the country.
44. As a result of the publication of the statement, many others have posted harmful statements about me on social media. A sample of these statements is attached as annex "FA7" and appears below:
 - 44.1 *"These two Devils will destroy the Liberation Movement from within, using their Rented Blacks and house niggaz";*
 - 44.2 *"Enough is enough, racists ANC NEC members hiding behind foundations such as @KathradaFound must be removed within the movement. These agents are delaying implementation of Radical Economic Transformation, they are there to protect the interest of White Monopoly Capital";*
 - 44.3 *"Thousands of freedom fighters disappeared because of spies like hanekom and his wife Trish, MANDELA was given a list of spies and he said "if we release the names of anc apartheid spies there will not be any anc government left" this shows u that the ANC was infested with spies"*

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- 44.4 *"Dear @Derek_Hanekom so we shall cooperate with other parties to get ANC to expel you. A spy can't be in the NEC. Too many foreign tendencies are bedelving the ANC. Otherwise all must go and we put NTT infiltration by the enemy agent. Mandela told us. How did we arrive here?"*
- 44.5 *"A spy will always be a spy. U were at the anc for a mission."*
- 44.6 *"You were looking at white interest... You were spying for white regime... You're white and will remain white.. You must voetsek from black organization.."*
- 44.7 *"He just got planted in ANC and plugged into its NEC to play spy"*
- 44.8 *"Derek Hanekom was a spy together with his wife Trish Hanekom. Just imagine how many Africans did he betray and died because of his actions"*
- 44.9 *"Zuma is fighting for the liberation of blacks. Hanekom is a spy for WMC and colonialism".*
- 44.10 *"Askari, beware of this white devil and his Indian cabal"*
- 44.11 *"Msholozzi saw this askari, called Hanekom. Go join your white brothers you voted with, FF plus, ANC does not need stooges like you"*
- 44.12 *"You are a sellout. An askari. Can you walk through any township and be celebrated? Are you known in our rural areas? You didn't join the ANC. You infiltrated it same like Jamnandas and Cyril. You all Askaris."*
- 44.13 *"Why don't you help us understand why you're still the NEC member when other spies (like yourself) were given a burning tyre around their necks? Let's start there. How did you survive? White privilege, much?"*
45. Despite demand, the statement has not been removed from Mr Zuma's Twitter account. The harm to my dignity and reputation is accordingly ongoing, as the statement remains widespread in the public domain.

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THE HARM CAUSED BY THE STATEMENT

46. The statement damages my reputation and undermines my dignity. Its sting is that I was an enemy agent for the apartheid government infiltrated into the ANC, deceiving my comrades and undermining their fight for freedom.
47. This is particularly painful because of my lifetime of service to South Africa and my political history, in terms of which I was arrested on several occasions and exiled at the hands of the apartheid government. I survived these traumatic events in my life only because of the mutual trust I shared with my comrades, based on my honesty, integrity, and commitment to a just and equitable future. The statement has undermined my contribution to the country, and has sought to strip me of my dignity.
48. I have been treated with severe aversion, suspicion, distrust and hostility by many people, including other members of the ANC, as a result of the statement. The statement has also caused severe harm and embarrassment to my family, including my wife, who was also been subjected to abuse on social media.
49. Since the publication of the defamatory statements, I have been forced to read and re-read accounts of the statement in the media and to countenance their numerous queries. I have also had to endure the unending insults and attacks on me and my wife in relation to our participation in the liberation struggle. This has been a great source of stress and anxiety for me and my wife.
50. It is axiomatic that without my integrity, my colleagues and the public whom I serve perceive me as untrustworthy and suspicious. The statement has undermined my legitimacy and authority as a senior and previously well-

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respected politician as well as my legacy as an anti-apartheid activist. Without this Honourable Court's intervention, my reputation and dignity will remain severely impugned and my integrity as a member of the ANC will remain in question.

REQUIREMENTS FOR AN INTERDICT

51. I respectfully submit that I have met the requirements of an urgent interdict:

51.1 I have a clear right to protect my dignity and reputation, which Mr Zuma has infringed as a result of the publication of the statement.

51.2 Despite my request, Mr Zuma refuses to remove the statement from his Twitter account. For as long as it remains on his account, it constitutes ongoing publication of his highly defamatory remarks. As I explain above, a person conducting an internet search of my name anywhere in the world will see the statement and will understand that I was or still am an apartheid spy, lack integrity and trustworthiness and conduct myself in a manner contrary to the law and best interests of the country.

51.3 As demonstrated above, I have suffered and continue to suffer harm to my reputation, both in my personal and professional capacity, through the widespread dissemination of the statement. My wife and I suffer daily abuse. I also wish to make myself available to serve my country in some or other capacity in future, and that the statement makes it less likely that I will ever be able to do so. The harm to my reputation is plain.

51.4 Furthermore, there is a reasonable apprehension that, in the absence of an interdict, Mr Zuma will commit further injuries of the same kind, given

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that he has refused to acknowledge his wrongdoing or to take down the statement, despite being aware that it is false and defamatory. I am further advised that, once I have demonstrated that a statement is defamatory and refers to me, it is presumed that the statement is harmful. It is thus Mr Zuma who bears the full onus of demonstrating that I was not harmed.

- 51.5 I have no alternative remedy to the persisting injury, as Mr Zuma has refused to apologise or to take down the defamatory statement from his social media platform.

URGENCY

52. In the notice of motion, I have contracted the time periods required by the Uniform Rules of Court. I have done so because it is urgent that the public be disabused of the lies that Mr Zuma is perpetrating.
53. The statement accuses me of grave allegations of being an apartheid spy. As demonstrated above, this allegation is highly defamatory and is causing severe harm to my reputation and dignity and that of my family. We are suffering daily abuse. Because the matter is high profile, this abuse takes place in the public eye.
54. As can be seen from the sample of harmful tweets made about me following the publication of the statement (attached above as annex "FA7"), I have been, and continue to be, a victim of extremely hateful and threatening comments on social media, with many users following Mr Zuma's lead in calling me an apartheid spy and many others going even further to call me an "askari" and "impimpi" (terms historically reserved for those who were suspected of being disloyal to the liberation struggle and who were often

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assassinated or, at the very least, ostracised). Given the historical context of such terms, in particular the historical violent treatment of known apartheid spies, the statement and additional commentary on social media is not just defamatory but is exceptionally dangerous. These threatening comments against both me and my family, which have been made as a direct result of the statement, necessitate urgent intervention of this Court.

55. Furthermore, the statement creates immense public damage by tearing open the scars of the public psyche by making false allegations against a known and previously respected anti-apartheid activist. It is not in the best interests of the people of South Africa to lose faith in the integrity of those who serve at the highest echelons of government. I believe it is in the best interest of the public that there should be no doubts as to the integrity and credentials of those who serve in the leadership of government. For every day that the statement remains published, the severe risk is created that the positions I hold within the ANC and elsewhere (such as within the Ahmed Kathrada Foundation, whose work is founded on the values of integrity and non-racialism) will lose their legitimacy to the public and public confidence within me will be diminished.
56. I am advised that our courts have consistently held that matters such as this (particularly where a fundamental right has been infringed and where it is of utmost importance that the public is disabused of the lies that have been perpetrated) are urgent and must be dealt with accordingly.
57. Accordingly, the notice of motion contains time frames that will ensure that this matter is heard soon as soon as possible. I have also attempted to afford Mr Zuma a reasonable period in which to respond without

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compromising my ability to achieve substantial redress and for the public to be disabused of the lies which persist in the public domain.

REMEDY

58. In order to vindicate my reputation, I seek orders declaring that:

58.1 the allegations about me are defamatory and false; and

58.2 Mr Zuma's publication of the statement was and continues to be unlawful.

59. In order to end the ongoing and future publication of defamatory allegations about me, I seek an order:

59.1 compelling Mr Zuma to remove the statement from his Twitter account within 24 hours; and

59.2 interdicting and restraining Mr Zuma from publishing substantially the same false and defamatory statements about me again.

60. I also ask that the Mr Zuma be ordered to publish an unconditional public retraction of and apology for the allegations made about me in the statement on his Twitter account.

61. Lastly, I claim damages for the injury to my reputation. I am advised and respectfully submit that the quantum of my damages is readily capable of determination on the papers. If this court should, however, not be inclined to determine the quantum of the damages on paper, I ask that the determination of such quantum be referred to oral evidence.

62. Given Mr Zuma's stubborn refusal to remove the statement (despite the clear absence of any factual basis) I ask for attorney and client costs.

N.S

63. I accordingly ask for the relief sought in my notice of motion.

Hanekom

DEREK ANDRÉ HANEKOM

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of the deponent's knowledge both true and correct. This affidavit was signed and sworn to before me at _____ on this the ____ day of **AUGUST 2019**, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended by R1648 of 19 August 1977, and as further amended by R1428 of 11 July 1989, having been complied with.

Jeppe

COMMISSIONER OF OATHS

Full names: *Jeppe*
Address: *1439 Albertina Sisulu DTB*
Capacity: *Constable*

SUID-AFRIKAANSE POLISIEDIENS
SUPPLY CHAIN MANAGEMENT
2019 -08- 04
SCM
JEPPE
SOUTH AFRICAN POLICE SERVICE



Jacob G Zuma
@PresJGZuma

Follow

I'm not surprised by @Julius_S_Malema revelations regarding @Derek_Hanekom. It is part of the plan I mentioned at the Zondo Commission. @Derek_Hanekom is a known enemy agent.

9:21 AM - 25 Jul 2019

2,839 Retweets 6,123 Likes



1.7K 2.8K 6.1K

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COMMISSION OF INQUIRY INTO STATE CAPTURE

HELD AT

PARKTOWN, JOHANNESBURG

10

15 JULY 2019

DAY 133

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MS
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PROCEEDINGS COMMENCE ON 15 JULY 2019

CHAIRPERSON: Good Morning Mr Pretorius, good morning everybody, good morning Mr Zuma.

ADV PAUL JOSEPH PRETORIUS SC: Morning Chair.

CHAIRPERSON: Thank you. Before we start I have a few remarks to make. Today the former president of the Republic Mr Jacob Zuma appears before this commission without having been compelled to do so and in response to a request from the commission to give an undertaking that he would appear before it this week which he gave.

10 The commission appreciates that he is here.

I accept that through his lawyers he had indicated that he has certain reservations about the commission and that he reserves his rights in appearing before the commission. The commission has no difficulty with this and accepts that everyone is entitled to have an opinion about the commission.

I just want to make it clear that the former President is not the only leader in this country who is going to be appearing before the commission. There are others who will be appearing before the commission and I also wish to point out that the commission is not

20 mandated to prove any case against anybody but it is mandated to investigate and enquire into certain allegations and as I have indicated over a long period it invites everyone who has information or knowledge of matters that fall under its terms of reference to make that information available to it so that it can investigate those matters.

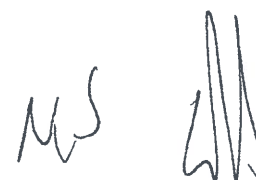
In doing its work this commission will seek to hear from as

many people as possible within the time and financial constraints that it has. It will seek to have the benefit of different perspectives from different people in our country in regard to the issues that it has – that it has to investigate. So that as far as possible at the end of its work it will be able to make findings based on as full evidence as possible and based on having heard as different – different perspectives from different people about the matters that it is investigating.

It is important to emphasise that the evidence leaders are mandated to seek to establish what the facts are through questions that
10 they ask and not to prove any particular allegation against anybody. But they are required to assist me as the Chairperson of the commission by asking questions including those that will seek to establish what the truth is.

This commission attempts at all times to treat all those who appear before it with respect and courtesy without comprising its mandate but will be firm where firmness is required. The former President in appearing before the commission this week is expected to deal with various matters in respect of which certain witnesses who have been identified have submitted statements before the commission
20 and given evidence.

It is anticipated that this will not be the last appearance of the former Presidents before the commission but that it may be necessary at a later stage to ask him again to appear before it in order to deal with other issues. It is possible that although we have set aside five days this week for the evidence of the former President it is possible



that we might not use all the five days. I thank the former President for having given the undertaking to appear before the commission and having actually appeared as he does this morning.

Those are the remarks I wanted just to make before we can start. Mr Pretorius.

ADV PAUL JOSEPH PRETORIUS SC: The former President is represented by a legal team. May his counsel place himself on record and I understand that he wishes to address you on certain matters?

MR JACOB GEDLEYIHLEKISA ZUMA: Thank you.

- 10 **ADV MUZI SIKHAKHANE:** Thank you Chairperson. Chairperson I make this address because I think there has been a lot of exchanged correspondence exchanged and the propaganda machine out there has been quite alive and I thought it is important that we place certain things on record because the – I said this on the first day of this commission and the letters demonstrates that people do not believe our undertaking.

I said to the Chairperson that the former President established this commission and is willing to cooperate. So all the speculation about ...

- 20 **CHAIRPERSON:** Yes you did.

ADV MUZI SIKHAKHANE: Is untrue. Mr Mantsha did set out some of the problems that emerged here the notices that he did not – we did not receive. So I do not want to traverse that ground.

The ground I want to traverse starts from the 30 April because the speculation and some of the misunderstandings emerge from the

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correspondence starting from that day from the commission. And the most important paragraphs in that letter of the 30 April this year is that it says in paragraph 1 [a] and [b] the former President is being invited here to put his side of the story, to state his side of the story. And the second one says that the commission wishes to ask him a couple of questions.

And the second letter then from there and I want to state this because there has been a misunderstanding about why the attorney – his attorneys were enquiring.

10 You will recall Chairperson that in terms of your rules – the rules of this commission 3.3 in particular one the rights of the witnesses or implicated people is that they make an election when you tell them that you believe they are implicated. They make an election that I have listened to this, I have read the statements, I do not think I am implicated. And they do so at their peril of course because they must accept that you may an inference.

And the former President made that election in respect of all and this was done in careful consideration of whether or not he had been implicated in the two crimes that this commission is about, fraud
20 and corruption. We are not sure about the other one because its elements are not yet established. The one called state capture.

So in the second letter we request the questions. The Chairperson will recall that in 3.10 it sets out a number of ways in which we could come – he could come here and we asked for 3 – for that specific – we made that request. We were not being facetious. It



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was a request because as you will see today I hand over Mr Zuma to you, the former President without knowing what he is going to say.

None of us in this room know which names he is going to mention and we were asking that question because an unfairness has happened in this – in this commission where people have been blurting names of people connecting their dots about people and those people have not been able to be noticed – to be given notice in time. And of course there is some injustice that Mr Zuma may do today and that is why we were asking for specificities so that we could prepare him, we
10 could advise him to go to certain people and not mention names of people without you as the commission giving them notice. That was not appreciated by Mr Peddler or – on your behalf because there was a belief that we were doing a Stalingrad or a Zuma tactic as it is called.

You will see that the other letter – we have annexures until the 24 June. Chairperson the letter that really, really I think we must record it for your attention although it is done on your behalf but I am certain that these particular words because they were difficult for us is the letter of the 7 June.

We tell the – your Mr Peddler or the attorney tells him “please
20 in terms of which Rule are we coming?” and of course because he has adopted or there is a position that this is not genuine he tells, he says: “this is done in terms of no rules.” And that is one part that is missing out there is that we are told by a state – a creature of statute that they are calling a witness in terms of no rules. He says it is a courtesy.

We write because we say this is dangerous, we want to

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prepare him. Well the next letter is the letter of the 12th it explains exactly what I have said to the Chairperson.

On the 20th there is another letter. Then on the 24th June Chairperson you will see the tone of Mr Mantsha's letter he does give up because his client has given up and he says: "well I will bring him."

Chairperson I am raising this – that was the last letter. I am raising that because there is – there is truly a particular – a disturbing attitude that one finds in the letters and it is an attitude that one does not expect in a legal process like this that is designed to treat each and every witness as a witness who must put to rigger and we believe that
10 had we been given an opportunity to – to prepare Mr Zuma to advise him about people's names that he may mention that he cannot do so without those people being given notice. This process today would be much better.

And so I am going to hand him over to you Chairperson. I am making these things because he is not my guest today he is yours. Is that I have brought him here to you with reservations about how he has been called. With reservation about the unfairness that may happen to people he may mention. He may mention you, he may mention Mr
20 Pretorius, he may mention all sorts of people we do not know and what do we do about the unfairness of the process.

Chairperson those are the words insofar as the acrimony about his stance about this commission I think we all know that the question about biased is not whether it is actual bias it is when there is conduct in the commission that makes the witness feel some reasonable



apprehension that he is biased.

So I am going to hand him over to this commission because he is your guest and hope that he will be protected from himself and those that he is going to mention are going to be treated fairly because they do not know he is about to 'out' them.

Thank you Chair.

CHAIRPERSON: Well before you sit – before you sit down Mr Sikhakhane. As you say the letters from the acting sector of the commission were written on my behalf.

10 **ADV MUZI SIKHAKHANE:** Yes Chair.

CHAIRPERSON: Actually I fully approved each one of them and – so I just want to – to make that clear that the words in the letters can be taken to be my words. But we – we accept that the former President and his legal team have a certain view of the letters which we have articulated.

We remain committed to making sure that this process is as fair as possible.

20 **ADV MUZI SIKHAKHANE:** Thank you Chair. The last thing I want to say is that 1[a] of your first letter then is that because you asked him to come to do two things is that he has asked me to allow him to do 1[a] of that request which is to address you to put his side of the story as he sees it to connect his own dots and that is what he is about to do.

CHAIRPERSON: No that is – that is fine. We asked him to come and give his side of the story and he will be allowed to do that.

ADV MUZI SIKHAKHANE: Thank you Chair.

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CHAIRPERSON: Thank you. Mr Pretorius.

ADV PAUL JOSEPH PRETORIUS SC: Just very briefly we have not had notice of any substantive application and I do not believe there is a substantive application before you Chair but just to clarify on a number of issues.

The question of an election having been made we will deal with in due course to the extent that it is necessary. The question of whether there should have been a rule in vote or whether it is simply an order for a witness to be invited to the commission is a matter if it has
10 any substance or merit at all will be addressed in due course.

But our position is clear that there is an invitation, the invitation has been accepted. There can be no quarrel with that.

It seems to us however Chair that the nub of the complaint raised by Mr Sikhakhane in his address to you Chair is that former President Zuma is going to quote, unquote 'out' certain people. He has not had an opportunity to give notice to those people because of the procedures that have proceeded the former President's hearing and therefore unfairness may result.

I am not sure I understand the logic of that in any manner at
20 all Chair. If the former President's intention here today is to implicate certain parties under whatever clause of our terms of reference then that is his prerogative. But to say it is unfair because he is being prevented from giving notice is simply illogical. We do not know as a legal team. The secretariat does not know what he is going to say or who he is going to implicate. How that problem could be solved simply



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by giving questions of matters that we do know to the former President escapes us Chair. Quite simply it has always been open if the former President and his legal team were concerned about this particular issue and fairness in relation to this particular issue to have given such notice. And to say we are going to implicate.

To expect us somehow through questions of matters we have no knowledge of to foreshadow or foretell what is going to be said does not bear scrutiny Chair. So that complaint cannot be accepted by us certainly Chair.

10 **CHAIRPERSON:** Yes. Thank you. Mr Sikhakhane do you want to respond? Okay. Let Mr Sikhakhane respond to that before we proceed. Please switch on the microphone.

ADV MUZI SIKHAKHANE: Now that he has started on his condescension let me deal with it now. First I did not say Mr Zuma wanted to give notice to anybody. I said an injustice can happen because we would have liked to prepare him, right. So everything he is saying that I was – it is a com – it is false. I simply was raising the issue that we are running a process, a truth finding process and if we do not run it fairly all of us we run the risk. I did not say he – he
20 should have given people notice. The problem is this attitude exactly of this commission is that people bring their views outside and treat certain witnesses as sweethearts and others as accused. I am saying it is important that everybody who comes here gets the same rigger and the same questioning. People must not bring their own ideas out there and I think Mr Pretorius is doing exactly that. I was articulating to you



Chairperson the dangers that we saw and that is why we kept asking. And I do not think I was inviting his condescension because he did not understand what I was saying. He truly did not and this is the problem we have been speaking past each other and I am raising this because he does not have to interpret what I am saying. If he did not understand me he must say so. It is this attitude that I think is making your process ...

CHAIRPERSON: Thank you Sikhakhane. May I request that there be no clapping of hands please? Thank you Mr Pretorius.

10 **ADV PAUL JOSEPH PRETORIUS SC:** Thank you Chair I will not respond. We will try and maintain a collegiality and a dignity in these proceedings.

CHAIRPERSON: Yes. You are ready to start?

ADV PAUL JOSEPH PRETORIUS SC: Yes Chair.

CHAIRPERSON: Yes. Mr Zuma we will need to do an oath or affirmation. May I ask you to switch on your microphone in front of you? Which one would you prefer an oath or affirmation?

MR JACOB GEDLEYIHLEKISA ZUMA: Yes I do not know...

20 **CHAIRPERSON:** Oh I think she must go and help you actually. Go and help him. It is on. Oh I am told that microphone is on.

MR JACOB GEDLEYIHLEKISA ZUMA: Yes it is on now.

CHAIRPERSON: Oh okay alright. Which one will it be oath or affirmation?

MR JACOB GEDLEYIHLEKISA ZUMA: Oath.

CHAIRPERSON: Oath thank you. Maybe if you could stand. Would

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you please state your full names for the record?

MR JACOB GEDLEYIHLEKISA ZUMA: I am Jacob Gedleyihlekisa Zuma.

CHAIRPERSON: Do you have any objection to taking the prescribed oath?

MR JACOB GEDLEYIHLEKISA ZUMA: No.

CHAIRPERSON: Do you consider the oath binding on your conscience?

MR JACOB GEDLEYIHLEKISA ZUMA: Yes.

CHAIRPERSON: Do you swear that the evidence you are going to give
10 will be the truth, the whole truth and nothing else but the truth, if so
please raise your right hand and say, so help me God.

MR JACOB GEDLEYIHLEKISA ZUMA: So help me God.

CHAIRPERSON: Thank you very much you may be seated.

MR JACOB GEDLEYIHLEKISA ZUMA: Thank you.

CHAIRPERSON: I think Mr Pretorius we will start with the part that Mr Sikhakhane indicated that Mr Zuma would like to start with.

ADV PAUL JOSEPH PRETORIUS SC: As you please Chair.

CHAIRPERSON: Ja. Thank you. Mr Zuma I understand from your
20 counsel that before any questions can be put to you you would like to
state your – you have – you would like to state your side of the story or
to address me on certain aspects or to indicate what you would like to
say on various issues. This is the opportunity that I am giving you to
do so before any questions can be put to you.

MR JACOB GEDLEYIHLEKISA ZUMA: Thank you very much.

CHAIRPERSON: Oh okay.

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ADV PAUL JOSEPH PRETORIUS SC: Mr Zuma you may use the microphone with the red light.

CHAIRPERSON: Do not use that one. Ja use the red one ja thank you. Thank you.

MR JACOB GEDLEYIHLEKISA ZUMA: Thank you very much Chair. Chairperson and of course the entire commission firstly Chair I have got some flu so my voice is up and down.

CHAIRPERSON: Well I had flu from Thursday so – but I think I am fine now.

10 **MR JACOB GEDLEYIHLEKISA ZUMA:** Yes. Chair you will realise that me as an individual I have been a subject of talk in this country for more than a decade. I have been vilified alleged to be – be king of corrupt people. I am the most corrupt. I have been given every other name and I had never responded to those issues.

Firstly because I believe it is important that we all respect one another. That we must say things we know about other people not just tell things that we cannot prove.

This has been my nature as I grew up and I joined the ANC in my early age in addition to the teachings from my own homestead and
20 my parents I also got taught in the ANC to behave in a particular way.

And I have paid for my activities in the ANC including going to prison serving a term of ten years. At some point I had to leave my country to go out and in the process the ANC gave me different responsibilities at all material times that I have been active and participating. Then finding myself finally in the leadership of the ANC.



The reason why I am starting here Chair is because when this commission was proposed to all a recommendation was made that I should establish a commission by the Public Protector, the previous one. There are certain issues that I was not happy the manner in which they were handled and of course the Commission was to deal with an important point but as I will indicate part of the reason why I am here that is the background I am going to deal with why I find myself sitting here today and where it comes from particularly because this Commission from my understanding was really created to have me
10 come here and perhaps to find things on me.

I will deal with how it was conceived and therefore I made the Commission as – as to what it is. Because the ANC gave me tasks perhaps I had to know things that other people might not have known and the question how would I handle those and I was taught how to handle them. That is why in the background that I am going to give I will stand on this point I am making – (clearing throat) I am sorry. (Talking in Zulu).

CHAIRPERSON: That was Zulu for saying:

“The flu is preventing him from speaking.”

20 **MR JACOB GEDLEYIHLEKISA ZUMA:** There has been a drive to remove me from the scene. A wish that I should disappear and I will explain where it comes from and why perhaps it is important that I deal with in this Commission and it arises out of perhaps my work in the ANC and also because of who I am. This conspiracy against me has been stretched at all material times when there are things to be done or



said.

It has come in different forms and that is why there are even people who say I have got a way of trying to dodge things in one form or the other and I am going to connect the dots over a decade that talk to this point and talk to why I am here. As you know in 1990 the ANC was unbanned and I was one of those who was sent ahead of everyone to make contact with the then Government to study the process of finding a solution in this country.

People referred to it as talks about talks. I then became part
10 of the negotiating team and we finally reached a point where those who were in prison were out. Those who were in exile came back. At that time my specific task among many was to be the Chief of Intelligence of the African National Congress. In other words I was part of the leadership at that very sensitive area with my late comrade John (indistinct).

Leaving many things just to go to the point straight in 1990 when we were already inside the country I received a report – an intelligence report – which was saying there were three intelligence organisations that met had a meeting to discuss me and had a plan to
20 begin in 1990 a process of character assassination of Zuma. Two of these organisations came from two different big countries and one of them came from inside South Africa under – which was one of the – structures under apartheid which was part of this conspiracy.

When I received this report, had a discussion with my colleague (indistinct). We did not know what the reason is. We are

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very keen to hear why Zuma's character must be assassinated. I then used the knowledge we had to ask this question and get an answer but to those who would be receiving the question and give an answer they should not know that this question comes from me because we had people in the intelligence had lots of net workings and networks as well as people dealing with different things.

So we sent the question. After a brief period the answer came back. The answer was the reason why we wanted to character assassinate Zuma's character was because he has a lot of information
10 that he – he holds among the type of information as – as a Chief of Intelligence. There are spies that are infiltrated by us in his organisation whom we want to nurture that they grow within the structures of the ANC to a point that at some point they will have to lead the ANC.

Now Zuma has information about these. We do not know when will he use this information to stop that process that plan of theirs and therefore they took a decision that Zuma must be removed from decision making structures of the ANC and that is why they character assassination began. That is the beginning of the process that has put
20 me where I am today and – and I thought it is important to go through this whatever else would be the end of your process but at least some truth should be known.

We handled this very, very delicately those who were dealing with intelligence but we are now where. There was going to be a conference in 1990 of the ANC. It was a consultative conference not

elective conference but these three organisations thought that it was an elective conference. That is why they were engaging in this plan and this conspiracy.

Then the ANC in the course of the period was explaining that was a consulted. So they realised they made a mistake by thinking it was elective. So in the course of the same year I received another report. We said that they have postponed this campaign because they realised this was not an elective conference. So we kept quiet but the ANC of course had that conference and one of the resolutions of the
10 ANC was that during 1991 it will have its first elective conference – in December 1991 and therefore that was information out there.

In 1991 another intelligence information came that said that these three organisations have decided to change their plan slightly because having investigated further in the ANC they discovered that this Zuma had a very large support in the ANC and 100 percent support in the Province of Natal. It would not therefore be easy to remove Zuma in the conference that is coming.

The time is too short to character assassinate him to a point that you could remove him. What therefore they thought was important
20 for them was to - because they said you cannot remove him from the National Executive for example – the decision making structure. What therefore we should do which was a fall back plan that after the elective conference of 1991 Zuma must be removed from the position of Chief of Intelligence and again we looked at this and said there – there were worrying things.

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For example the issue of the – the people we were about to negotiate with. What was the thinking that they may not know our thinking and we might not know also their own thinking but what does this mean? So as we were preparing for the conference it was clear that this first conference was of great interest not only to South Africa even for other countries out there but this information was – was worrying.

In fact I think there was one (indistinct) which was as a result of that but it ended because they realised there were no further things they could do. I am saying this because there has been a process and particularly against Jacob Zuma a conspiracy. I am sitting there and I am told by other organisations that in my organisation as well as in the NEC there are people who are working for them whom they want to be in control of this country.

It was a worrying point. Leaving aside the information I had there would have been information I did not have and perhaps important to try to follow this very closely. Of course the conference came. In that conference I was elected Deputy Secretary General of the ANC and of course Tambo moved out and Tata Madiba came in as a President.

There were two decisions taken by the organisation that President Mandela and Thomas Nkobi who was the Treasurer-General after the conference they would go to the United States to raise funds. Another decision that Thabo Mbeki and Jacob Zuma shortly after conference they will go to attend the conference in UK which was

Handwritten initials 'MS' and a signature.

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discussed in constitutional matters and indeed after all of that when the NEC – when the NEC has been elected by conference then the NEC elects the working committee which runs the matters in between NEC – NEC meetings.

So we left to our tasks. One day as we finished a conference and going for supper I rushed to my room to listen to the BBC forecast on Africa. We were a little bit addicted to it because out there we did not listen to all the – the media from home. Among the reports that were given by the BBC was the report of the meeting of the working
10 committee of the ANC which had met for the first time and there were two decisions among many that were taken.

One was that Thabo Mbeki was removed as the Chief Negotiator of the ANC and Jacob Zuma has been removed as the Chief of Intelligence. When I – I was going down I met Comrade Thabo. I said man their decisions that they have taken you are no longer leading us on the negotiations and he was shocked but I said no that is not the only one.

I have also been removed as the Chief of Intelligence. He was even more shocked knowing how the ANC deal with things
20 particularly that you cannot take such a decision when the President of the organisation is not there. Why; but to me and I said to him you did not know. Me, I knew that I was going to be removed but I did not know how.

The question that I was asking myself I received information from intelligence sources that after the conference I would be not the



Chief of Intelligence. This is supposed to have been planned by these three organisations. Why is it implemented by my national – my national working committee? What does this mean? It therefore was confirming that there may be spies here because it means there were people when these intelligence organisations took the decision that they directed that they must make this happen.

Of course thereafter we – we wept and we did not even at that time take this matter as a general report in the ANC. We kept it as an intelligence issue but it is important to say this because the character assassination that I faced over the years more than 20 years this is one of the clear sources that I know. There was a plan to deal with Zuma and Zuma has been dealt with all the time.

In other words foreign intelligence organisations and the local one of course under apartheid for a variety of reasons thought it was important to deal with this man. It is important for me to state that anything that happened since that time. I have been linking the dots all the times and I thought it is important to this Commission part of the reason is I will come to that this – the matter of this Commission is not different from or the plan not the Commission as yet.

20 Those who – who initiated that there must be a Commission. You recall that when I was not at the national level I was in the province suddenly I had to be charged. Before charged – before being charged I was removed as a Deputy President of the country – 2005 – because I was implicated in the arms deal. Bear in mind that I was not in the national.

I was not part of the processes. I was in the province and it did not make sense to me. Of all the people who dealt with the arms deal not a single one was ever or there were ever allegations against but the allegations against me. I had to be investigated. In a very strange way even that investigation I had to be investigated by the Scorpions.

At a given time the Head of the NPA and the Minister had a press conference wherein it was announced yes there is in our investigation there is a *prima facie* case against Zuma but it is
10 unwinnable in court. So that is why we are not charging him. Now there are investigations and investigations. I have never had that kind of level of investigation being reported in the media.

Why it was reported in the media for me? There are so many cases. Clearly that indicated the beginning of the implementation of this particular plan and the conspiracy. I had time at some point to ask Ngcuka why did you not tell me you are investigating me and what is that you are investigating. Ngcuka said no you were supposed to be told by the Ministers. Fine I think that was a fair point, but he says there is no case against you.

20 There are just a few letters written by Shabir where he mentions your name as people always drop names but the week thereafter I was called by two leading people in Government and in the ANC who said man there has been an investigation against you and it has come to a point where we must take a decision whether to continue investigating you or not but this matter needs to be discussed to find a

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solution and I said what solution and at the end I said after whatever they said I do not understand because the man who is investigating just a week ago told me I have got no case.

You are telling me here that you have a case. I do not understand. I think that destabilised that meeting but of course around the same time there was information that I am going to be talked to so that I resign from the leadership and go to Nkandla and I will be looked after. Just resign. There was a rumour that I would be given something like 20 million and I will be maintained or if I resign this case we will then have a way to solve this case and I was saying to myself hm that plan is now being implemented.

These people don't know that I know something about the plan because myself and John (indistinct) we did not report it to the entire nation, it remained in the corridors of Intelligence.

So the issue of Zuma must resign, Zuma must leave the leadership started way back, as part of this plan. Of course I did not resign because nobody, at that point said it out and out and there was in the corridors. That was followed by then, the decision to remove me as Deputy President by the President of the country and of course I did move away, I made it very clear that as a (indistinct) of the ANC I'm not going to argue, I'm not going to – the President has the right to take etcetera, so I got out. I was also – but shortly thereafter in terms of the ANC activities, I was brought back by the membership of the ANC in a NGC that was in Pretoria, so we continued. Then we were also approaching another conference which was in Polokwane, where there

was, as usual, as normal contestations people having different preferences etcetera and I'm sure as a (indistinct) that is known by many people that's where I became the President but there were a lot of activities going on at the time and discussions about me in particular. Later on I got to know, that in fact, there was a determination to arrest me before the conference in order to avoid me being part of that conference. I think such facts have come to light particularly around the case that I'm placing in Court in what is called the Zuma tapes wherein police, politicians, leaders of the country were

10 talking about me, that I must be arrested. That information was feeding into this fundamental intelligence organisation's plan to deal with Zuma.

Of course, perhaps it's a long story to say what are the issues, why Zuma must be dealt with in this fashion, I'm sure it's obvious. We proceeded in our life and working in the Government and organisation when I was – when I was being dismissed in a statement in Parliament the President says Zuma must have his day in Court and I hadn't been charged by then. It was the first time I hear, I must have my day in Court but you will also remember this, I was investigated there was a

20 lot of hullabaloo those who were investigating finally felt they've reached a stage to charge, they've decided not to charge me but charge Shabir Shaik but the accusation was that we committed crime with him but not charged together charged separate. As I got to know later – because they wanted Shabir to be convicted in order to charge me and that's what happened. So in a sense prolonging the narrative



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about Zuma is corrupt. You'll also recall that when Judge Squires convicted Shabir, thereafter there was a lot of talk about that people saying the Judge said between Shabir and Zuma there has been a generally corrupt relationship, that relationship was a corrupt relationship.

The media, politicians, academics will all talk about this, this Zuma where this generally corrupt relationship with Shabir. This was all over the world until the Judge thought this was unfair to him now because he had never said so and asked people to read his judgment
10 because he never said there was a generally corrupt relationship between these two individuals but everybody had been saying this, where did they get it from, why would they put a serious phrase against some individuals an allegation which was unfounded? This was done to enhance the narrative against Zuma, that Zuma is corrupt even if the Judge did not say that they must put the words in the mouth of the Judge. Fortunately, that one is a matter that many people know it was clear to me that this plan continues and that's why I would say, there are people who would not be happy if I was not, either in jail or I was not removed. Of course we continued, as I was supposed to be
20 charged or again, when I'd been charged already, rather, the investigations were going on, NPA was confronted by the tapes which indicated there'd been planning, conspiring to charge me with politicians and everybody else the tapes are now a public thing. To an extent that when the head of NPA at the time, came to know about these tapes decided to withdraw the charges and therefore I had no



case against me then.

Not because of anything because the plan to character assassinate Zuma, the plan to remove Zuma from leadership, the explanation was done by these three intelligence organisations that he should be out because if he's there he will use information he has to either expose or stop our people from going forward. It means, therefore, that plan which was made by intelligence organisations in a sense, had to be implemented among others by even people in my own organisation. You'll recall that when I was building my home at

10 Nkandla, problems arose there about corruption and again you'll recall that the media in this country mentioned the figure of the money I have squandered and everything. At that place there were two structures of Government that investigated, they found nothing on Zuma but I've been so much vilified in the world and everywhere that I'm the most corrupt person. Of course after the two institutions investigated, former Public Protector also came in to do her own investigation because people wanted to find something. She found nothing, that is in her report, then she decided to say the additional security matters in my homestead which were put in as a result of the police and the army

20 for security reasons as it is their duty to look after the President of the country. The Public Protector recommended that I should pay for those because I indirectly benefited. No-one - no other President has been made to do so but look at the heading of the report by the Public Protector, it said, "secured in comfort". Why in comfort, because I had built, with Government money an amphitheatre in Nkandla. Fortunately,

thereafter members of Parliament from all parties went to Nkandla to do inspection. They looked for this amphitheatre and asked where it is, it's not there, it was never there but an officer from a Board like the Public Protector who is supposed to protect us used the phrase – the phrases to enhance the narrative that Zuma is corrupt.

If you want to see why, for an example why I have a problem and reservations about how this Commission was established, firstly, the issue of the family, the Guptas came in and the ANC felt we need to look at this and I think the Secretary General of the ANC was given a
10 task by the NEC to investigate because there were these allegations. Somebody also said the Public Protector should investigate also in addition to whatever was done. Public Protector said there was no money but the Treasury found money to give the Public Protector so that they investigate this before she leaves, in a hurry and of course she left the work, tried to complete it but it was difficult but it was there. The report – there should be a State Capture report this was again to use this phrase, that's why I've had a problem with it, was the State Captured, why the report must say we are investigating the State Capture? Now I don't know because I never went to any school, I take
20 things, perhaps, literally. I thought that the State, in the main is composed of three arms, Parliament, the Judiciary and the Executive but the Commission is not meant to investigate these three whatever else but these three but it's called the State Capture. The matters that have been dealt with, for me are general corruption matters, why it was – because I was a king pin that we must get at, this Commission,

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according to those who are implementing things must be the grave of Zuma, must be buried here and that's why, whoever knew the Gupta family or they were friends, then they don't matter but Zuma matters.

Because something must be found even if the money is not there, those in charge of Treasury to find the money to give to the Public Protector so that this must be done quickly. In other words, the plan continues to be implemented precisely because the opposition parties would want the ANC out of Government so they pick up the pieces, go to – we must re-instate the case etcetera, it's mad you don't
10 even know if these people are coordinating quietly. So I've had a problem that this has not said it's a Commission for corruption if you want to specify it with a particular family so why do you call it a State Capture, is that expression meaning that the Judges are captured? Is the Government captured, is the Parliament captured? I'm sure people have said I've got views particularly because one day when I was addressing the students in the Eastern Cape and these were students of law and I said to them, just check this for me, why would legal people accept this expression and work on it, what purpose does it serve?

20 In other words, you are saying to the international community South African Judges are captured all political parties in Parliament are captured, the Executive is captured by this family. It's an exaggeration, it is meant to enhance this narrative against Zuma. Perhaps it's important to just firm up one point that I made in passing that I was supposed to talk to, to resign, long after Polokwane. I've got

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a comrade that I've know that I recruited into the struggle who's a businessman now, we had a common friend in Angola. Because of Polokwane this friend felt that, well my relations with this comrade was never good he wanted us to talk, can you talk, so I said fine and this is comrade Mzi Khumalo so we met with the – three of us two of us and this friend, we said there is no fight among us when I got a conference of the ANC there's a contestation it doesn't mean there's a fight. So we discussed that fine, of course Mzi said I'm a cadre we were elected there – in fact he said I did not even support him back I was supporting

10 (indistinct) but once that happens we are one but he said something interesting, that he was approached before Polokwane conference by two comrades he knew and one official they were going with, this was Bululani Ngcuka, Penuall Meduna, they were accompanied by a Scorpion official which he did not know. They presented the matter to him to say, we've come to you, to make a request, this comrade, comrade Zuma we've done investigation, it is at a stage where we need to go further and this comrade the case will be very serious, you know this comrade sacrificed, fought a lot. Now we don't think he should go to prison, we think that we should find a way to make him leave the

20 work that he's doing and retire, go to Nkandla and we'd want to look after him. So we wanted to come talk to you as a comrade, as a business, can you help give us some money to do so? This is said by these two comrades to Mzi Khumalo who now relates this to me and he says, I said to them, how much I am fine I can do it but how much? They said we'll come back to you but he says they never came back but

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again, the rumour and the rumour that was going in the corridors that Zuma must be made to resign and go to Nkandla becomes a reality, confirmed by the discussion between Mzi Khumalo and them.

So as I said earlier it was a rumour but this was confirmed very firmly. No-one has ever come to me to say could you go home and stay but it moves around, people try to find something that can make Zuma disappear and therefore many other things including the coming into being of this Commission influenced by this and people who are participating – people are participating are not aware of that and my
10 concern, the Public Protector leaving aside the name of the Commission, in my view, prescribes how this Commission is going to be. All Commissions are appointed by Presidents and there is no question about it, the Public Protector says in the process of making the proposal, the Chief Justice must be the one to identify the Judge who must then be the Chair of the Commission and I find that very odd because in my view the Public Protector is taking the powers, executive powers of the President, is asking the Chief Justice to do the job that must be done by the President but of course I was the President then, and this was basically centred around me, I thought I should not raise
20 these issues, it's going to be against Zuma's making tactics of delaying tactics, whatever, so I said fine and hoping of course, hoping that legal people will say, but what is this but of course this Commission was established. I don't have a problem with it, I have a problem with the Public Protector taking the powers of the President in order to fulfil some agenda, I don't know, unless I'm told otherwise Chair, that in fact



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there is a provision in the Constitution I will be very happy that there was nothing wrong that the Public Protector was saying. Why would the Public Protector go to the extent of influencing how this and who must do the identification of the leader of the Commission.

All these things put together tell me there is a huge plan which is being made and it has been made and it has been implemented. You'll recall that the issue of Zuma must resign, the issue of the attempts in Parliament of the vote of no confidence, which is fine because that is within the framework in fact even people remembered that we don't even have the way how to impinge the President it's not – let us do it because we must take this fellow out, we must find a way and here's a Commission, this fellow he is a friend of this family, we are going to find something. He tells – he's been told by this family who to appoint who not to appoint etcetera, etcetera and there is nothing of that kind. I still – I am still waiting for somebody to come and tell me I said yes you were told here that elect or appoint this one and you did in this way and that way. Because I have been waiting so that I can really ask the kind of a person 'where did you get this from?' But it has been made to be included in the narrative 'get rid of Zuma'.

20 The whole country at one point there was a demonstration that we have never seen before when the white community came out in great numbers Zuma must go. What has he done? Nobody can tell. He is corrupt. What has he done? Nothing.

Of all the presidents who have been before me there is not a single one who has been brought and even brought to commissions



etcetera. But to Zuma we must do it.

I am giving this background because whatever – whatever we do I have listened to some of the people who have been accusing me coming here. One of them said that – it was Ngoako Ramathlodi when we sing he must resign we ask, he ask what have I done? We know he has auctioned the country. What an exaggeration from a lawyer. He cannot tell you auction what – what did I auction Table Mountain? Or auction Johannesburg I do not know. The man is sitting – he was sitting where I am sitting now. Zuma has auctioned the country that is
10 why we said he must go. But it is a lie. There is nothing of that nature.

Finally because I am here I am about to finish my third – my second term. Those people perhaps who were part of the decision taken that Zuma must not be Chief Intelligence within my organisation feel the – fail to do the task. Those who are tasked to ensure that Zuma goes. They create a situation as we are about to go for the State of the Nation. Zuma must not give this one, he must resign. Including the NEC meets to take that decision, why? He must be out. Is part of the implementation of the plan by the intelligence organisations that Zuma must go. And of course finally he must come before the commission
20 and answer questions. And I am here to answer questions but Chair I thought it is important for me to give you this background in whatever conclusions the commission would come to or whatever or whatever questions you are going to be asking me you must bear in mind that I have got this background that is a worry to me.

The fact that I was a President some people forgot it. And of



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course clearly if there are such activities particularly from our own organisation I need perhaps to go back and say these three intelligence organisations who said there are people here. Are there people here, do I know whether there are people here or not? Even from my intelligence work.

Now I do not want to discuss intelligence but certainly the actions, the behaviour has indicated that it looks like there are. Who are they? Should we reach that point because for a number of reasons we have been very careful not to play to this ground – to that ground
10 because it is sensitive? But I have been provoked and provoked to the last degree. By people at times I know what they are doing because I have been wanting to save the organisation and to save the country. They make stories. They do everything. My own family suffers out of this. Leaving me perhaps I am a soldier I can take everything. People forget that I have got a family which would not want to hear lies being told about me. But not just that. You have some of my children who have suffered as a result of me. One of my sons Saady was working in a company I think it is Marce Fire Fighting Company. He was working there given a responsibility to look for – I mean to concentrate on the
20 continent and there was a time put that at the end of this time he will become one of the directors. A company which had Nugo and others wanted to have a deal with this company and indeed they talked to this company. When it came to the papers they saw a name Zuma. Sum Saady Zuma. They asked who is this. Poor fellow he thought that this is a child of a president this guy is an ANC they will be very happy. He

Two handwritten signatures in black ink are located at the bottom right of the page. The first signature is a stylized, cursive 'NS' or similar initials. The second signature is a more complex, multi-stroke signature.

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says no this is the son of the president. They said sorry we cannot have a deal with this name. If this man remains on our papers there is no deal. It is either us or him. He was asked very politely by the employers to leave the company. He tried to look for a job in Johannesburg because he was Zuma's son he could not find it. He tried to start business he could not. He came to me to say I have a got a problem. I said, my son go to Durban and look for a job. That is where he went to start his own business.

The young man who comes after that one Duduzane. They
10 started knowing this family when they used to come to me, when I was still a Deputy President. When he finished his studies he has done IT he went to work in the Intelligence, National Intelligence of the country. When these attacks on me started he was ill-treated there. He finally came to me to say I wanted to work for government but I cannot because – because I am your son. I am not even – what you call – accepted there. He looked for an employment. Now that he knew his family that they running an IT company he looked for a job in that company and he was employed and worked there as an employer – as an employee rather. When I was taken to court he was quite agitated.
20 Left the job. He wanted to take videos of my appearance in court and set up with his friend. I said you cannot leave a job. He said no I am leaving this job. Of course the case disappeared at some point. He came back to me to say Daddy you were right I am not finding a job. I have been looking for a job in Gauteng. Nobody can take me because I am your son. I have been looking for partners, nobody can take me. I

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said to him – you know what I said to your brother, you must go to Durban. Go to Durban. He went to Durban. Started some business with some partners. But later he discovered something that he did not like in the company.

On his own he went to talk to the Gupta's that he would like to come back but not as an employee this time he wants to be part of the company. They discussed and finished. I did not even know. I was only informed afterwards. And he has been there working. Because he is my son he has suffered a great deal. Of course people will not feel
10 good if I am still there but I am just giving the Chair the impact of this.

As we moved towards the end as I said the NEC itself was influenced to take a decision that there has been calling Zuma must go now, he must go indeed. In other words that plan I am talking about finally succeeded. I had to resign from the ANC in order to leave the ANC intact because I love it. It is my organisation. It meant nothing if I resigned the ANC remains. But it is clear to me something which came from the answer of the three intelligence organisations that there are people infiltrated their spies. They were at work. I asked the – my organisation what have I done and I got no answer. Maybe Chair
20 having said what I have said let me deal with my relationship with the Gupta family so that you do not suffer try to ask questions. Because...

CHAIRPERSON: Well sorry Mr Zuma maybe this might be the convenient time to take the tea break. We were going to take – we normally take it at quarter past eleven but I did not want to interrupt – to interrupt you. So we are at nine minutes to twelve – we will take the



tea break and resume at ten past twelve. We adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES:

CHAIRPERSON: I am just – I am just waiting for everybody to sit down at the back. Yes, thank you. You – Mr Zuma you were about to begin to tell me about your relationship with the Gupta family. You may proceed.

MR JACOB GEDLEYIHLEKISA ZUMA: Thank you very much Chair. I will come back to other points here. I just thought it is important for
10 me to deal with that matter.

CHAIRPERSON: Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: Particularly because many people have criticised me even in my own organisation. I have explained in proper sittings of the organisation. Some people just do not want to take it but I think it is important to explain this because it also has elements that are funny. Members of this family were brought to my residence in Oliver Tambo when I was a Deputy President where I saw them for the first time.

They were coming from (indistinct) from President Mbeki.
20 The person who introduced them was Essop Pahad. They were introduced as good business people but they were also comrades members of the ANC and – and that is how some of my family members got to know them. The young men were still very young at the time was there, saw them and introduced them.

That is why when he wanted a job he remembered that they

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had said they run this kind of a company – of IT company. They were also introduced for the second time by some comrades in Gauteng who were present then in their company. They take workers from their places in the morning to work and they cook lunch for them and they take them back at sunset.

That is how I got to know them and I with time because I had now known them I got to know even some of the things they do. For example one of them was a member of the international council that was advising the President on economic things and I found them to be
10 a very - a very friendly family. With time I got to know quite a number of them if not all of them and they were indeed - they knew a lot of comrades and I got to know that in fact when Mandela was President they started being very close and were friends of Mandela and – and when Mandela was gone they were friends with Thabo whilst I was there as I say they saw me coming from his – his home.

I never did anything with them unlawfully or whatever. They just remained friends as they were friends to everybody else. I have explained how my son got onto them when he looked for a different kind of business people to work with and I have wondered why I am accused
20 why people think that my relationship with them is not right when they had a relationship with other people.

Two other Presidents have had relations with them. In fact stronger with Comrade Thabo Mbeki. He himself has appeared talking about – talking with them at times addressing them in – in the social media. Why should people think that this was one thing to get Zuma

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and they did not know what was happening. Everything that happens is sort of associated with me.

I am sure you have listened here to and I have been you know given names and names that I allowed these people to land in the National Point in South Africa. No one has ever asked me did you do so or is there any information to that effect because it never happened. I did not know where they were going to land nor whether there was a landing to happen on a particular day but it has been Zuma again and that is what Ngoako Ramatlhodi said as he was giving evidence here.

10 He allowed his friends to – to land in a highly sensitive area. Comrade Ngoako has never asked me whether I talked to them and I allowed them to come there and I am sure you have it now in your – in your records. Perhaps not the matter to dwell so much but the point I am making I never did any other thing out of or breaking the law with this family never.

They were business people and successful business people. They knew a lot of business people who are also in the ANC and I think some might have worked with them. I am not a business person. I know nothing about business. I am a politician. I know something
20 about politics; because of the fact that they are comrades they are accepted and I realise that they seem to be not just a little business here quite substantial.

There had been a problem that worried us – all us that in this country the media is very biased. At all material times it is just critical. It criticises the country etcetera. There is no alternative voice and if

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people could complain and say I abused them that one I could plead guilty because I then one day having known that we have been trying to have business who are progressive to establish a media sort of or candid voice of what is happening.

I think even people who are ANC members had tried even to partner with other people. It had never worked. At that time I was the President of the ANC. I then said to them man and making a suggestion. Can you try a business – a media business - because you are comrades? We need an alternative voice. There are many
10 attempts that have been made before by progressive people but they have never worked.

Is it possible that you could establish a newspaper? They have never thought of the idea and we discussed this. They finally said I think it is a good idea because it is business as well. I said fine. So they said no we will do something about it. They came back to say now they have decided they want to establish a newspaper. As soon as - they agreed because this was me as an individual talking about what we had seen as a problem that the media in this country is very
20 negative.

In fact a number of things that are done which they supposed to be reported about at times they do not see the light of day only negativity. Once they agreed I then thought it would be important for me to make one person aware of this. One leader who was the Secretary-General of the ANC, Gwede Mantashe. I said Gwede I have talked to these comrades for them to do their business and they seem

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to be warm to the idea and then after that I also informed the Deputy Secretary-General about this to say this is an initiative of these – of these comrades but it is an important one.

We as politicians pay a lot of attention to media. Also running in countries because we would want for example fair reporting. At times the reporting in our country is not fair. So I think they were happy as well. So I said man so that you know I am not just talking. One day I would be happy if you could see them and hear how they thinking of it. They have been thinking about it.

10 So the two comrades and I listened to them at one time when they wanted to say how they want to go about this – this thing. So I agreed. When they were about to – to – when they were moving forward they then said can you help asking me. Give us a name. We do not know how to call this newspaper. So I said to them there used to be struggle publications we used to have called Speak, Fighting Talk, New Age etcetera. So I gave all those names.

 They loved this name New Age and that is how the paper was named. So they established a newspaper and started work. We were very happy. They even discussed that they were going to report about
20 provinces in this paper. So there is no problem that is not reported to as always they are not in the national newspapers except if there is a big thing. Let us do something different as they were saying.

 When this paper was operating and really being appreciated in the country to bring about a – an alternative voice. I then sat and said man the newspaper, fine we have succeeded. I did – I do not

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know and I was thinking whether I could push them further. So I said to them this is very successful. What about a TV channel? I suggested the paper to them.

I suggested the channel. Somebody can then say we are abusing this – this friendship. It was never the other way around. It was me who put them into trouble because I said your paper is so successful. I am sure your TV thing can be successful and they agreed. They said it is a good idea and they moved on it. I know that people who had problems had a lot to say about this.

10 I thought it was a very good thing that they did. There was no law broken there. There was no wrong things done. I discussed with business people many things when I was still in the – in the Government. Even suggest certain things can you not do in your business. This was a normal kind of interaction. So they established this and indeed the ANN7 brought fresh air in the country in terms of reporting, in terms of putting across progressive ideas.

It was never a bad thing or that there is corruption about it nothing. A clear suggestion about business and business people took it. They then fetched their people wherever it was. I am making this
20 point because that relationship ended up insofar as we are concerned who wants media that is progressive helping to have this media that was able to report differently.

That is an extent of the kind of friendship we had. I think they invite always many people for – for their functions – yearly functions and people go there. Somehow because I was – this was me

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people thought that we found something to implement that plan because Zuma is friends to this. Let us say his relationship with Guptas is corrupt and I do not know where it is corrupt.

A few comrades raised the matter with me. I asked what the wrong thing is. What is wrong? They could not tell me. In fact one time it was raised in the National Executive Committee. I made an explanation how I came to know this and nobody said it is wrong. There was nothing wrong but some people are irritated. I do not know why.

10 Besides this I even explained this in the National Executive Committee that we just talked with them. One comrade Essop Pahad is actually working with them in a publication called The Thinker. He was editor. I think at the end that business ended up with him. Nobody says anything about that. Nobody says anything about the relationship between them and Mandela, between them and Mbeki but because there is a narrative to be done with Zuma – Zuma there is something wrong and nobody is telling me what is wrong with me.

20 What is not wrong with other people including other comrades but some people thought this is what we are going get Zuma. That is why they influenced the process to establish this Commission to fund Zuma. They have been friends and they were friends – and they worked with my son and there was absolutely no problem. In fact I was waiting to hear what it is that they did wrong.

There is nothing more that I can say these are the things we did. I am mentioning this because to me these were important the

media thing. The newspaper and the channel. We talked to them. Once they – the idea was ripe they then went to brief the top six officials about the initiative we were undertaking. They also briefed the alliance.

They also briefed provinces and they also I think like all newspapers talked to people in Government for advertisements or whatever. What is wrong with that? No it is because they happen to know Zuma. They have become friends to Zuma. Then there is something wrong. I could not take people who raising issues on this matter when they have no complaint just to say no, no you do not like them.

Never, never did I discuss anything that does not belong to them. I am told that there were appointing Ministers. Where do they come in? Why should they do so? Was I not capable of doing my work that I needed other people? There is a lot of consultation with the leadership when it comes to placing people or forming Cabinet whatever.

I have never done it alone. What is the problem? Of course unfortunately those who came never said this is what has happened. They just say wrong things blah, blah, blah. It is important for us to – to clarify that point. Some people are so irritated but I did not know how to – to explain that one. These were comrades. These were business people.

I was introduced to them even at a very high level of the ANC and that is how I got to know them and that is why my son felt if – he

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went to them and joined them and became a partner to them. These are people he can work with and succeed and I thought there was no problem but he has been crucified for that. Well in – in terms of the Guptas unless there was anything which when the time comes I will come to let me come back to the issue of the plan – the unfolding of the plan. The people who come deal with the issues.

I have been attacked even when I am coming here. Part of the reason I have more visitors today than any other time because I am here. Some people I know for a fact might know that I know things
10 about them and therefore they are not going to like me but I have behaved for decades. I have not played around with intelligence information.

I have lived with people who do not know I know about them because that was not what I was trained for to use intelligence wrongly or carelessly but these comrades have provoked me and other people. Not only them. Some other people had said things for example one day Comrade Mbalula attend - attended an activity in the farm or home of Mr Rupert and then Rupert saw him he said Minister Mbalula - when that happened he was the Minister of Sports.

20 If Zuma takes out – removes Pravin Gordhan it will shut down the economy of this country. You must go and tell him and indeed Mbalula came to tell me. I said but what has he to do with us. I – I did not know that he is a member of the ANC to decide how the ANC must deal with its matters. What is his problem? I said that he – go back to him to say that is his problem but he said we will shut down.

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We will make the Rand flat on the ground. Well fine indeed they did interfere with the land – with the Rand. I think there is one person who confessed not long – this year that they did so and I knew even at that time it was a deliberate move part of the agenda. I never thought I would be nasty to people and I think I can be nasty. I have been over provoked.

People coming saying things about me because I am not going to revenge. Perhaps some people that the plan I at the beginning talked about they have reached the point. Where they say they wanted
10 them to reach I do not know. I have survived attempts to kill me. People looking to poison me or being instructed by their handlers to do so finally poisoned the very dangerous poison.

All emanates from those people who made the plan at the beginning. At some point they felt I am not disappearing and therefore they must deal with me. Many attempts were made. Firstly the court issue for an example was a way to get me out. I do not think there is a case in this country that finished 15 years going in and out even if the Judges say there is no case here.

Those who remember Judge Msimang – the late – said there
20 was no case and he took it out of court and those who remember Judge Nicholson said there is no case there. This is just politics and indeed the tapes confirm what Nicholson was saying but no newspaper will write that because the narrative is deal with Zuma. I am still having the case.

I have made an application that the case must go. They do

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everything to ensure that this case is there because it feeds to the narrative Zuma must go. Everything I do nothing. That is why even the nine years that I was in Government some people will say it was a wasted time. Even if they were party to implementing decisions they were party taking those decisions but when they talk about it they are out of it – Zuma must account.

It is absolutely important that we accept the fact that there is something we need to deal with as a country. The very fact that intelligence organisations which today are key instruments to run countries the war today is fought at intelligence level. No longer at the hard guns etcetera. A worrying point is that one of our intelligence, which was still under the hands of the apartheid regime conspired with two other intelligence organisations to do things in our country, and it means those who were negotiating with us (speaking isiZulu) because we also know that at the time a decision was taken that some of the agents who had been operating, getting pay from the apartheid regime that the apartheid regime thought that they were not known by the ANC, there was an agreement between the intelligence organisation here and the United States that those should be taken with their files to them, but they will remain with us and they remained with us and they are among us.

And therefore they have their bosses, they're handled to do things here, and that's why some of them were rushing to come here because they found a platform to deal with Zuma.

When, and I must say this, when we were in the – in exile at

some point having done a number of things, the organisation gave me the task of – to be Chief of Intelligence, and there's a particular spy that I would say something about, he was Kozvaf[?] but he had given himself the name Fear, who infiltrated the ANC and caused a lot of damage and when because I had had problems with him when I was doing other work, when I was here I made it a point that we are coming to grips with this.

Some people have written a book with some information, distorted information on this particular character, as they were trying to give the scenes of Zuma in some books. He operated in Swaziland and caused people to die. We suddenly arrested him and indeed he confessed he was a spy, well trained, before he was a student in the Western Cape but he did not finish because there was a strike, they were chased out, he went to Durban to his sister, and during that time he was recruited by the Regime, was taken to training for six months how to be a spy, and trained through the ANC literature, so that when he comes to exile he must look like a bright student who catches so quickly and yet he has been taught and the material he has been taught here by the Apartheid Regime.

He came with his wife, there is a long story about him, and the wife herself was sent so they had a marriage that was authorised by the police, at the right time, part of the cover. And he was finally arrested and confessed.

CHAIRPERSON: I'm sorry, I didn't hear the words, the wife herself was – is it sacked?

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MR JACOB GEDLEYIHLEKISA ZUMA: Sorry?

CHAIRPERSON: I didn't hear what you said about the wife, did you say his wife was sacked.

MR JACOB GEDLEYIHLEKISA ZUMA: I said, ja was sent by the police by the Special Branch.

CHAIRPERSON: Oh was sent by the police.

MR JACOB GEDLEYIHLEKISA ZUMA: Ja, from home to join him.

CHAIRPERSON: Yes, okay thank you. Yes?

MR JACOB GEDLEYIHLEKISA ZUMA: When he was detained he asked
10 to see me, and I saw him with the Comrades (indistinct) where he was saying I have written my confession, here it is, but I just wanted to come and talk to you. I saw hatred, if I found you sleeping when there was no one I would cut your throat. He said it took me time to confess because I have been more loyal to the Regime of Government regarding the ANC, but I thought it is important for me to tell the truth now.

That agent knew a number of others who are in the movement, because he was one of highly regarded spies of the regime. As soon as he did confession he as poisoned and died, but he had given the list of others because he knew them, and many comrades lost their lives
20 because of the work of that person. He even made comrades inside the country to lose their lives if he was instructed to give CADAS instructions to kill people inside.

One of the comrades was in KZN, that he did so, sent innocent comrades to that comrade to say he is a spy when he was not a spy. Much as I have a view about spies and everything but we had a code to

operate that we handle this with care, but I think other spies who have been sitting around (speaking isiZulu).

You know just recently there was a function in Durban where the Maskandies[?] wanted to feel the stadium. Some of those people one thing you know they planned to murder me inside the stadium, and I know them, they planned to murder me.

CHAIRPERSON: Is this a reference to some of those people who may have appeared in the list that was left behind by the spy who was poisoned?

10 **MR JACOB GEDLEYIHLEKISA ZUMA:** Some of them.

CHAIRPERSON: Okay, alright.

MR JACOB GEDLEYIHLEKISA ZUMA: What saved my life is because I did not go there. This is an attempt on my life, there have been people sent from outside the country to come and kill me, but I have been patient, not saying a thing, but I have been provoked to the last degree.

Yes I have got the list and another list as well, but that's not the business of me to deal with those matters here, but it is important, it is important for me so that you can see the behaviour of people.

20 **What made Comrade Ngoako to behave the way he did here, saying that I have auctioned the country, in the ANC I just do what I like, he is carrying out an instruction. He was recruited when he was a student in Lesotho to be a spy.**

CHAIRPERSON: Please let's not clap, thank you.

MR JACOB GEDLEYIHLEKISA ZUMA: And he finds it very comfortable

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to come here and say this Zuma he was a good man, and I have known him for years, what he is, but I have never shown it, because I thought he will change. Some other people have made themselves very nice, join something called One Hundred and One and said a lot of things about me, some of them that I commanded, and some of them who commanded the other comrades but they are not known and perhaps people will realise why there seem to be some problems, somehow, somewhere.

I think it is important for people to behave correctly, so that
10 they don't cause problems. Some of the people I have loved, I have worked with them, trusted them, even when I got to know, because I thought maybe they have left the wrong ways. The critical point is that the plan made way back has been working and our enemies in fact have recruited more even than during the struggle.

That is why you will see things when people are doing things in the manner in which doesn't look like ANC, it is some of them who influences this Commission to bury Zuma, and I am sure in the discussions as we go I will be looking at things and saying what else.

I want peace, I want harmony and that is why even those who
20 have done things to me I am not feeling pitiable, but some – some of them had even collected information, gave it to the writers who write books about me. Maybe at some point in the discussions here I might come back to this issue in the Commission, whilst the Commission still continues, but I thought I should deal with one who has said to me I have auctioned the country to the Guptas. Others have said things out

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there but the time is there to deal with matters, all I am saying it is important for you Chair to realise that some of the things you are dealing with are very big and very deep and it is important to know there is a plan that is being implemented against Zuma, and it gets in, in many ways.

I must come here and answer questions about people of who perhaps – I don't know what questions are there, but the ones I have heard so far I thought that somebody is going to say Zuma is hiding something with the Guptas, or something, something, so that leaves me
10 with what is it that I have done wrong, but it is important to bring Zuma here, so that the narrative grows, here is Zuma being questioned about his relationship with the Guptas etcetera, what is wrong with the relationship? Nothing wrong, and then but many other people have friends to these comrades, they are not the issue, the issue is Zuma.

Now as you call it the information and you walk towards making conclusions I thought that this is important that I say partly because some people are part of the plot to kill me, perhaps it is important that before I die I tell the story. I am telling you if I can tell you the details of the plan to kill me in Durban was detailed, detailed.
20 It involved people brought from outside of the country. (Speaking isiZulu) were supposed to do to me, and perhaps that will make you realise that for me the matter is bigger than it meets the eye, and I have been respectful to comrades, and to people I know, maybe I have reached a point where that must now take another backseat. They concoct everything just to deal with Zuma.

As part of this narrative there is a book – or sorry the book is – there is a film which is being made about the case that took place, and I was found not guilty, rape case. There is a journalist in South Africa who is doing that one, Radier Kable[?], it's being done outside, to say Zuma is a rapist, it fits in this narrative, she has been doing it in the media where she works, Radier, because this narrative must be done. The question I ask them these people who do – who participate in it where do they get the idea that Zuma must be put down? Who instructs them?

10 Perhaps it is important to look into this matter many times, and say what can we do? We have a country to save, but there are people who do not care, who want to give negativity in terms of what we do in this country.

I have resigned as asked by my National Executive Committee, and I am staying there, far away, but even when I am staying there there is a plot to kill me. When I am no longer in any activity, except attending the National Executive Committee meetings of the ANC, as a member of the ANC.

20 Well as the Commission goes I might come back with other matters but I thought it is just important at this point to take the matter up to here.

Thank you very much Chair.

CHAIRPERSON: Thank you very much Mr Zuma. I think it is good that you decided to tell the Commission what you have told it, because as your counsel indicated the Commission had indicated that part of what

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it would like to hear is your side of the story and that then there would be also questions, so it was important that you be given that opportunity.

We are at five past one, we will take the lunch break now, and we will resume at quarter past two.

We adjourn.

INQUIRY ADJOURNS

INQUIRY RESUMES

MR JACOB GEDLEYIHLEKISA ZUMA: Sorry Chair.

10 **CHAIRPERSON:** Yes, yes Mr Zuma yes.

MR JACOB GEDLEYIHLEKISA ZUMA: I just two points I just wanted to make.

CHAIRPERSON: To make. Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: Yes. I forgot mention the name of the movie that is being done by Redi in the United States.

CHAIRPERSON: Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: Because I think it is important to have the name of the movie – crossing with my – the name of the movie is Raped by Power.

20 **CHAIRPERSON:** Raped by Power.

MR JACOB GEDLEYIHLEKISA ZUMA: Raped by Power.

CHAIRPERSON: Okay. Thank you. Yes I thought there is a second point.

MR JACOB GEDLEYIHLEKISA ZUMA: The second point.

CHAIRPERSON: Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: When I talked about Ralph who had organised an attack when he was to be confronted because the reason why you had that attack he had been arrested by the Swazi police and leaked information about the work they are doing in Swaziland. And then his commander the commander of the group and other members of the group were very agitated about this. Why did he give information to the Swasi's? So they...

CHAIRPERSON: That would be to the Swazi government?

MR JACOB GEDLEYIHLEKISA ZUMA: Swazi government ja.

10 **CHAIRPERSON:** Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: When he was arrested.

CHAIRPERSON: Okay.

MR JACOB GEDLEYIHLEKISA ZUMA: He then – the commander said, let us go to Maputo so that we can discuss this matter. Knowing that he was going to Maputo he then phoned his handler in South Africa to say he must be rescued. He is being taken to Maputo they might perhaps never see him again. So he needed them to undertake an operation against his colleagues. So he gave them description of where they were sleeping. They would have woken up at about four-ish
20 to walk while it is dark to cross to Mozambique and he told them where he was sleeping and where everybody was sleeping. So the attack happened to his window with a canister...

CHAIRPERSON: Through his window?

MR JACOB GEDLEYIHLEKISA ZUMA: Ja. Through his window.

CHAIRPERSON: Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: But he went out through that window and nothing happened to him and even the bed was never – the bed showed that nobody had ever opened the blankets who come he was sleeping on top of it which means he was waiting for these people. Then in the morning he was detained by the Swazi's once again. Then few day after the detention conniving both Swazi's and the security police from here wanted to release him because he was very important. But they wanted to test the waters as to is he being suspected of this or what?

10 And they – they did something and ask somebody when he comes out after arrest – somebody to hug him as they greet. That hug was important because it will be saying he is innocent. In other words nobody is angry for him that he might be responsible for this.

 The information was – so that hug was arranged by the police and somebody who hugged him had been given instructions to do so. And that was General Sipiwe Nyanda.

CHAIRPERSON: Yes.

MR JACOB GEDLEYIHLEKISA ZUMA: Ja.

20 **CHAIRPERSON:** Those are the two points. Okay thank you. You will be asked questions by Mr Pretorius. I will also ask questions from time to time. If there is anything you – any question you do not understand say so and it will be repeated or clarified. Thank you. Mr Pretorius.

ADV PAUL JOSEPH PRETORIUS SC: Yes. Thank you Chair. Mr Zuma – Chair before asking questions and before making a few remarks.

CHAIRPERSON: Yes.

ADV PAUL JOSEPH PRETORIUS SC: I believe it is important for the legal team itself to place certain matters on record.

CHAIRPERSON: Yes.

ADV PAUL JOSEPH PRETORIUS SC: Given what has been said this morning and what might be said in future.

CHAIRPERSON: Yes

ADV PAUL JOSEPH PRETORIUS SC: It may be that some of the matters that I want to raise now or place on record now have already been placed on record by yourself but I do believe it is important that
10 the legal team too place its position on record.

The first point is that this commission is at this stage at least investigating matters covered by the terms of reference. It is an investigation. That means it is not a trial where we seek to prove a predetermined or pleaded or charged case and for that reason too there is no cross-examination. Cross-examination can only take place by prior permission granted by your Chair and it is not likely that we will ask for such.

Our terms of reference mandate us to investigate various matters under the broad heading State Capture, Fraud and Corruption
20 and it is pursuant to that mandate that you Chair have invited Mr Zuma to attend.

Firstly to assist the commission by presenting to the commission his version. The facts as he sees them and his understanding of those facts as well as relevant matters connected with those issues.



Lavanya Pillay

From:
Sent:
To: 'info@lugisanimantshaattorneys.co.za'
Cc:
Subject:
Attachments:

Dear Sir

We represent Mr Derek Hanekom.

We have, during the course of this afternoon, attempted to contact you without any luck. Your personal assistant, Dayna, indicated that she is not in a position to give us your cellphone number in order for us to call you in relation to this matter.

We are instructed urgently to deliver the attached letter to Mr Jacob Zuma, whom you represent in the proceedings before the State Capture Commission. Despite searching for any public record of Mr Zuma's physical address or other contact details, we have not been able to find the same. As you are the last known attorney on record for Mr Zuma, we ask that you kindly accept service of the attached letter, alternatively, to provide us with contact details including an email address for Mr Zuma.

We look forward to hearing from you as a matter of urgency.

Yours faithfully

Lavanya Pillay | Associate

T: +27115305078 | M: +27737729947 | lavanya.pillay@webberwentzel.com | www.webberwentzel.com

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WEBBER WENTZELin alliance with > **Linklaters****Mr Jacob Gedleyihlekisa Zuma****C/o Mr Luginani Daniel Mantsha**

Luginani Mantsha Attorneys

First Floor

Burnside Islands

Block 6

410 Jan Smuts

Craighall

Johannesburg

By Hand**By email:** info@lugisanimantshaattorneys.co.za

Your reference

Our reference

Date

D Milo / P Dela / L Pillay / S Owen

29 July 2019

Dear Sir

Publication of defamatory statements about Mr Derek Hanekom

1. We represent Mr Derek Hanekom ("our client").
2. We address this letter to you on behalf of our client and as a result of a defamatory statement made by you on 25 July 2019 in relation to our client using the Twitter handle @PresJGZuma.
3. On 25 July 2019, you posted the following statement on Twitter:

"I'm not surprised by @Julius_S_Malema revelations regarding @Derek_Hanekom. It is part of the plan I mentioned at the Zondo Commission. @Derek_Hanekom is a known enemy agent."

("the tweet").

4. The tweet is attached as annex "A".
5. The tweet was intended by you, and was understood by those who read the tweet, to mean that our client:
 - 5.1 is an "enemy agent";
 - 5.2 conducts himself in a manner which is contrary to the law and the best interests of the country;

Senior Partner: JC Els Managing Partner: SJ Hutton Partners: BW Abraham RB Africa M Adderley NG Alp RL Appelbaum DC Bayman KL Belings AE Bennett AP Blair DHL Booysen AR Bowley MS Burger RI Carrim T Cassim SJ Chong KL Collier KM Colman KE Coster K Couzyn DB Cron PA Crosland JH Davies PM Daya L de Bruyn PU Dela M Denenga OW de Villiers BEC Dickinson MA Diemont DA Dingley G Driver W Drue HJ du Preez CP du Toit SK Edmundson KH Elser AE Esterhuizen MJR Evans AA Felekis G Fitzmaurice JB Forman C Gabriel CP Gaul KL Gawith OH Geldenhuys MM Gibson H Goolam CI Gouws PD Grealy JM Harvey MH Hathorn JS Henning KR Hillis S Hockey CM Hofeld PM Holloway AV Ismail ME Jarvis CA Jennings CM Jonker S Jooste LA Kahn ACR Katzke H Kennedy A Keyser MD Kota JC Kraamwinkel M Kyle J Lamb E Louw L Marais S McCafferty MC McIntosh SJ McKenzie CS Meyer AJ Mills D Milo NP Mngomezulu H Moloi LE Mostert VM Movshovich RA Nelson G Niven ZN Ntshona M Nxumalo AN Nyatumba L Odendaal GJP Olivier N Paige AMT Pardini AS Parry S Patel GR Penfold SE Phajane BA Phillips MA Phillips O Ramjettan GI Rapson Z Rawoot K Rew SA Ritchie NJA Robb DC Rudman WJ Rysbergen G Sader M Sader H Samsodien JW Scholtz KE Shepherd AJ Simpson N Singh N Singh-Nogueira P Singh J Smit RS Smith MP Spalding PS Stein MW Straeuli LJ Swaine Z Swanepoel A Thakor TK Thekiso PZ Vanda PP van der Merwe SE van der Meulen JP van der Poel CS Vanmali JE Veeran B Versfeld MG Versfeld TA Versfeld DM Visagie EME Warrington J Watson AWR Westwood RH Wilson M Yudaken Chief Operating Officer: SA Boyd

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Page 2

- 5.3 lacks integrity; and
- 5.4 is untrustworthy.
6. Furthermore, and in the context of your evidence given at the Judicial Commission of Inquiry into Allegations of State Capture, Corruption and Fraud in the Public Sector Including Organs of State, chaired by the Honourable Deputy Chief Justice Raymond Zondo, the tweet was intended by you, and understood by those who read it, to mean that our client was an apartheid spy.
7. Our client denies the allegations contained in the tweet. The allegations contained in the tweet are patently false, wrongful and defamatory of our client and were published with the intention of defaming our client, harming the constitutional and common law rights of our client and promoting hatred toward our client, without due consideration of the true facts.
8. In this regard, we emphasise that the publication of the tweet is irresponsible, dangerous and extremely damaging. Furthermore, the tweet has been widely reported on in the media and has resulted in further highly defamatory statements being made by other social media users about our client. At the time of publishing the tweet, you would have foreseen, *alternatively*, ought reasonably to have foreseen these severe consequences.
9. Our client has suffered, and continues to suffer, material harm to his reputation and other constitutional rights as a result of the allegations contained in the tweet.
10. In light of the above, our client demands that you:
- 10.1 provide our client with an undertaking that you will desist from making, publishing or causing to be published any further defamatory allegations concerning our client to any party;
- 10.2 remove the tweet from your Twitter account and any other media, website or publications under your control; and
- 10.3 post the following unconditional apology and full retraction of the tweet on your Twitter account:
- On 25 July 2019, I published a tweet which alleges that Mr Derek Hanekom is a known enemy agent. I unconditionally withdraw this allegation and apologise for making it as it is entirely false. I have no valid basis whatsoever for asserting that Mr Hanekom is a known enemy agent.*
11. Should you fail to comply with the demands set forth in this letter by 17h00 on Friday, 2 August 2019, our client will have no option but to exercise his rights in law which may include launching legal proceedings against you.
12. Our client's rights are reserved entirely.



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Page 3

Yours faithfully

WEBBER WENTZEL

Pooja Dela

Partner

Direct tel: +27 11 530 5422

Direct fax: +2711530 6422

Email: pooja.dela@webberwentzel.com*Sent electronically without signature*

N/S





Jacob G Zuma
@PresJGZuma

Follow

I'm not surprised by @Julius_S_Malema revelations regarding @Derek_Hanekom. It is part of the plan I mentioned at the Zondo Commission. @Derek_Hanekom is a known enemy agent.

9:21 AM - 25 Jul 2019

2,839 Retweets 6,123 Likes



1.7K 2.8K 6.1K

MS



LUGISANI MANTSHA ATTORNEYS

First floor | Burnside Island | Block 6 | 410 Jan Smuts Ave | Craighall | Johannesburg
Tel: 011 781 0099 | Fax: 011 781 0526 | e-mail: info@lugisanimantshaattorneys.co.za |
Box 1127 | Randburg | 2125

Our Ref: Mr L.D. Mantsha LM0313/19/JGZ

Your Ref:

Att: Pooja Dela

Webber Wentzel Attorneys

Per Email: pooja.dela@webberwentzel.com

Date: 30 July 2019

"PRIVATE AND CONFIDENTIAL"
"URGENT"

Dear Sir/Madam,

RE: PUBLICATION OF DEFAMATORY STATEMENTS ABOUT MR. DEREK HANEKOM

1. We refer to the above matter and your letter dated 29 July 2019.
2. We advise you that we act on behalf of Jacob Gedleyihlekisa Zuma, as his attorneys of record.
3. Furthermore, we have not received an instruction from our client, we will revert back to you thereupon our client's instruction.

Yours faithfully

Mr L.D Mantsha
Transmitted electronically without signature

Director: Lugisani Mantsha B Juris, LLB
Lugisani Mantsha Incorporated Reg:2012/069234/21

**IN THE HIGH COURT OF SOUTH AFRICA
(Johannesburg)**

**88
FA5**

Case No. N/A

In the matter between:
MR DEREK HANEKOM

Plaintiff

and
JACOB GEDLEYIHLEKISA ZUMA

Defendant

RETURN: SERVICE OF LETTER

IT IS HEREBY CERTIFIED:

That on 31 July 2019 at 09h14 at NKANDLA HOMESTEAD, NKANDLA, KWAZULU-NATAL being the place of residence of JACOB GEDLEYIHLEKISA ZUMA, and during his temporary absence a copy of the Letter was served to MR E.S MKHIZE [Sergeant], a person apparently not less than sixteen years of age and apparently in charge of the premises at the time of delivery, after the original document was displayed and the nature and contents thereof was explained to him. Rule 4(1)(a)(ii).

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Description	Tariff	QTY	Amount	Description	Tariff	QTY	Amount
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Email	22.50	6	135.00				
Registration & Return	43.50	1	43.50				
Travelling.	5.00	152	760.00				
Urgent Service	2 000.00	1	2000.00				

TO: THE REGISTRAR OF THE HIGH COURT,

Zero rated items	3 001.50
Sub-total	0.00
VAT	0.00
Total	3 001.50

Account No.: E8493
TO: WEBBER WENTZEL
P O BOX 61771
MARSHALLTOWN

2107

Your Reference: D Milo / P Dela / L Pillay / S Owen

Mr T A Mtsweni - Sheriff

(Properly appointed in terms of Section 2 of the Sheriff's Act No. 90/1986)

Signed at Eshowe on 31/07/19

My Reference: 2019/00/51098.00 / TAM

Acting Sheriff Eshowe / Nkandla - TA Mtsweni

PO Box 859 Eshowe 3815

Tel: 082 265 9090 Fax: 086 547 3209

Bank: FNB Acc No: 6279 5048 662

VAT No./BTW Nr.

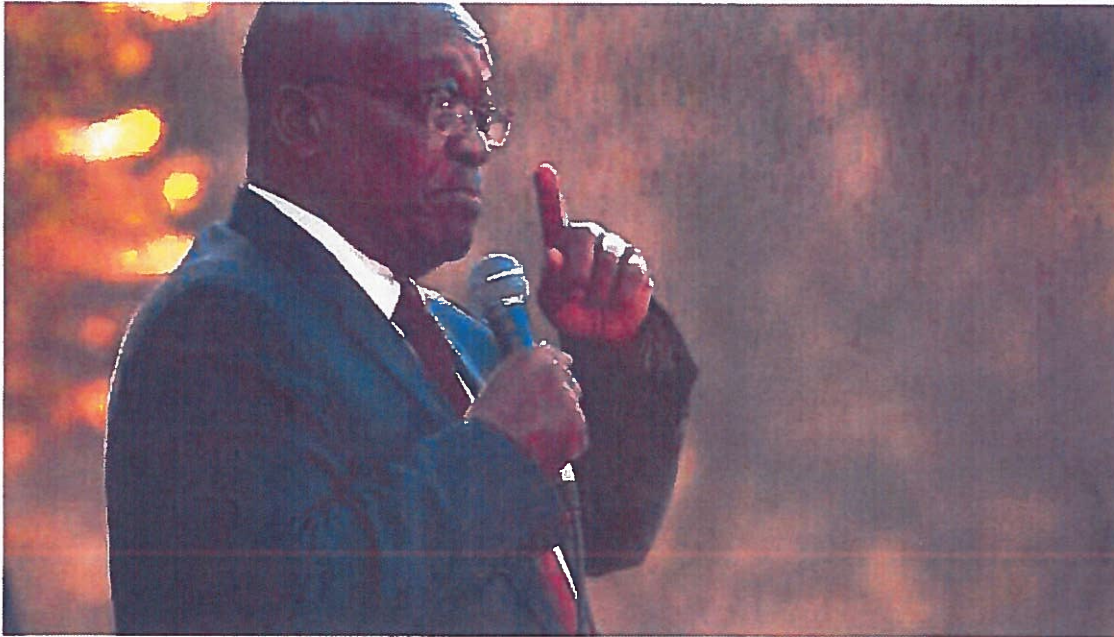
N.S

[Handwritten signature]



Zuma responds to Malema's bombshell on Derek Hanekom

POLITICS / 25 JULY 2019, 10 04AM / SIHLE MAVUSO AND IOL



Former president Jacob Zuma. File photo: Mike Hutchings/Reuters.

Cape Town - Former president Jacob Zuma said on Thursday that he was not surprised by Julius Malema's claims that Derek Hanekom lobbied the EFF to help to oust him.

Zuma tweeted on Thursday: "I'm not surprised by (Julius Malema's) revelations regarding Derek Hanekom. It is part of the plan I mentioned at the Zondo Commission. Derek Hanekom is a known enemy agent."

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Malema's damning revelations show SAC an honest ally of ANC analyst



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Dropping the political bomb on Tuesday, Malema claimed that Hanekom and Solly Mapaila, first deputy-general secretary of the SACP, lobbied them to help oust Zuma and even shared a list of ANC MPs who were prepared to vote with them.

On Wednesday Hanekom denied that he shared names with the EFF, saying he only met them and challenged them to produce an audio recording of the meeting.

He said he had no idea why Malema suddenly on Tuesday decided to make the confidential meeting public.



Jacob G Zuma

@PresJGZuma

I'm not surprised by @Julius_S_Malema revelations regarding @Derek_Hanekom. It is part of the plan I mentioned at the Zondo Commission. @Derek_Hanekom is a known enemy agent.

6,512 9:21 AM - Jul 25, 2019

4,727 people are talking about this

In a text message that was circulated widely on social media on Wednesday, Hanekom said it was no secret that there was a number of discussions with opposition parties to force Zuma out.

"I had coffee with Godrich Gardee (EFF's secretary general) twice at the Eastgate Mugg and Bean. Maybe even three times. I did not give him a list of ANC names nor did I say that Pravin and I were discussing the formation of a new party," he wrote to the SABC.

Hanekom later also responded to whether the revelations should also see him being dragged to the commission probing allegations that there are party members who helped to form smaller breakaway parties ahead of the May general elections, saying he had nothing to answer for.

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NS
[Handwritten signature]

"No, this had nothing to do with forming any party. There is nothing to explain. There is nothing wrong with members of different parties meet(ing) with each other. He (Malema) initiated it," Hanekom said in response.

Earlier this month Zuma told the Zondo Commission inquiry into state capture about an alleged decades-long campaign of character assassination in an attempt to "get rid" of him.

"Some say this old man is angry," he said at the time. "All I'm saying is people must be very careful. When I say, I will say things about them - I mean it."

He warned his detractors that he would reveal information about more "spies" in the ruling party, after claiming his former Cabinet ministers Siphwe Nyanda and Ngoako Ramatlhodi were double agents in the apartheid-era.

"They will think I am mad when I reveal them one by one," he told the commission.

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Derek Hanekom a 'known enemy agent' - Jacob Zuma

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Former president Jacob Zuma has also joined in on the ANC's attack on national executive committee member Derek Hanekom over claims that Hanekom worked with the EFF to oust him as president.



Former president Jacob Zuma. (Felix Dlangamandla)

In a tweet on Thursday morning, Zuma said Hanekom was a "known enemy agent".

He is the third party member, who was part of Zuma's executive, to be called an enemy agent or spy.

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POLITICS PODCAST: Oh Nxamalala, MshoIozil

This week on POLOTIKI, we take a look at the week that was - and no other news dominated headlines quite like former President Jacob Zuma appearing before the state capture commission of inquiry in Johannesburg



 **Jacob G Zuma**
@PresJGZuma

I'm not surprised by [@Julius_S_Malema](#) revelations regarding [@Derek_Hanekom](#). It is part of the plan I mentioned at the Zondo Commission. [@Derek_Hanekom](#) is a known enemy agent.

6,501 9 21 AM - Jul 25 2019

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At the state capture inquiry last week, Zuma said he knew of spies in the party who had worked with apartheid intelligence during the struggle. He named Ngoako Ramatlhodi and Siphwe Nyanda as spies. Ramatlhodi and Nyanda, like Hanekom, were part of Zuma's executive.

Zuma's tweet follows the release of an ANC statement, issued by secretary general Ace Magashule on Wednesday night. In the statement, the party called Hanekom a "wedge driver" and EFF sleeper.

Magashule, on behalf of the ANC, accused Hanekom of being a "charlatan [who] is making his mark through his ownership of the Ahmed Kathrada Foundation".

"Well, we say to him and other EFF sleepers in the ANC, this only makes the members of the NEC, PEC (provincial executive committee), REC (regional executive committee) and branches more determined to unite the ANC and deliver services to the people of South Africa. We will ride this storm of accusations and counter-accusations," read the statement.

They were reacting to EFF leader Julius Malema's claims that Hanekom conspired with the party to oust Zuma via a motion of no confidence in the National Assembly.

READ MORE: Hanekom confirms Malema's claims of meeting with EFF, but denies conspiring to oust Zuma

Malema claimed Hanekom handed over a list of ANC MPs who would vote against Zuma. He also told his supporters that Hanekom was prepared to form a splinter party if President Cyril Ramaphosa did not defeat Nkosazana Dlamini-Zuma at the party's 2017 national elective conference.

On Wednesday, Hanekom admitted meeting EFF secretary general Gordrich Gardee. However, when he responded to a query from News24, he initially denied that there was anything sinister about it.

"I have said - not admitted - that at the time I met Gardee. His initiative, not mine. There is nothing with meeting a fellow MP, which is what we were at the time."

Later, after a Kader Asmal lecture in Sandton, Johannesburg, on the same night, Hanekom said his meeting with the EFF was of a common interest as it was during a "difficult time in South Africa's history".

He also said "there is no way" he could have refused to have a meeting of that nature with fellow parliamentarians.

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Derek Hanekom is 'a known enemy agent', says Zuma

453

Citizen reporter



Former President Jacob Zuma at the State Capture Commission in Parktown, 16 July 2019. Picture Neil McCartney

MS
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The former president says Malema's revelation confirmed his state capture testimony.

Former president Jacob Zuma has broken his silence on the revelations by Economic Freedom Fighters leader Julius Malema that ANC national executive committee member and former tourism minister Derek Hanekom met with EFF secretary-general Godrich Gardee several times to discuss "ways to oust" then president, Zuma.

He said he was not surprised by it and further reminded people of his testimony at the state capture commission where he accused some ANC comrades of plotting against him.

"I'm not surprised by Julius Malema revelations regarding Derek Hanekom. It is part of the plan I mentioned at the Zondo Commission. Derek Hanekom is a known enemy agent," he said.

Responding to "spy agents" allegations against him, Hanekom said: "People believe what they want to believe. Yes, in 1983 we forwarded very sensitive information about SADF support to Renamo to the ANC. This information was shared with Frelimo. The source was Roland Hunter, who served 5 years in prison."

The former minister made headlines on Tuesday after admitting to have met with the EFF (<https://citizen.co.za/news/south-africa/politics/2158832/derek-hanekom-admits-he-met-with-eff-with-allegations-it-was-to-plot-removal-of-zuma/>) several times to discuss "ways to oust" Zuma.

Hanekom, however, downplayed the revelation, saying it had mostly been informal and that he had merely had coffee with Gardee.

"People of different parties have coffee with each other all the time. He is making something big out of nothing," Hanekom said. Hanekom also denied that he'd given the EFF a list or that he'd told them about plans to start a breakaway party if Cyril Ramaphosa did not become ANC president.

Malema revealed outside the high court on Tuesday that the EFF had worked with the SA Communist Party's Solly Mapaila and Hanekom to remove Zuma.

"Hanekom gave us the list of the ANC MPs who were going to vote with us in the vote of no confidence against Jacob Zuma," Malema alleged. "Hanekom was preparing for formation of a new party if [Nkosazana Dlamini-Zuma] won."

ANC secretary-general Ace Magashule has since issued a statement (<https://citizen.co.za/news/south-africa/politics/2159142/magashule-lashes-out-at-eff-sleeper-hanekom-for-dividing-the-anc/>), calling for action against Hanekom.

He said: "The African National Congress is dismayed by its national executive committee member Derek Hanekom's confession that he did have several meetings with the opposition EFF to indicate that he and other ANC MPs would support the EFF vote of no confidence last February against former president Jacob Zuma.

"Hanekom had full access to air his acerbic views in the NEC of the ANC, he did so ad nauseum. He always spoke in an even, practised voice, linking all the bad publicity that the ANC has had to the accusations against former President Zuma.

"The ANC called for an open vote and it is Hanekom and others who put pressure on the speaker to accede to the demand by the EFF for a secret ballot.

"The agenda of the EFF by their own admission as an opposition party is to displace the ANC, they work fearlessly to divide the ANC and have a number of sleepers in the ANC proactively ensuring that divisions in the ANC are deepened.

N/S



"The ANC is working to unite its members and in our midst is Derek Hanekom – a wedge driver and on a mission to divide the ANC. Indeed this charlatan is making his mark through his ownership of the Ahmed Kathrada Foundation. Hanekom does not have the capacity to form a new political party, but he has shown remarkable agility in his efforts to divide the ANC.

"Well we say to him and other EFF sleepers in the ANC, this only makes the members of the NEC, PEC REC and branches more determined to unite the ANC and deliver services to the people of South Africa.

"We will ride this storm of accusations, and counter-accusations.

"We will unite behind the leadership of President Ramaphosa and all ANC members of good faith and defeat the nefarious negative actions of Hanekom."

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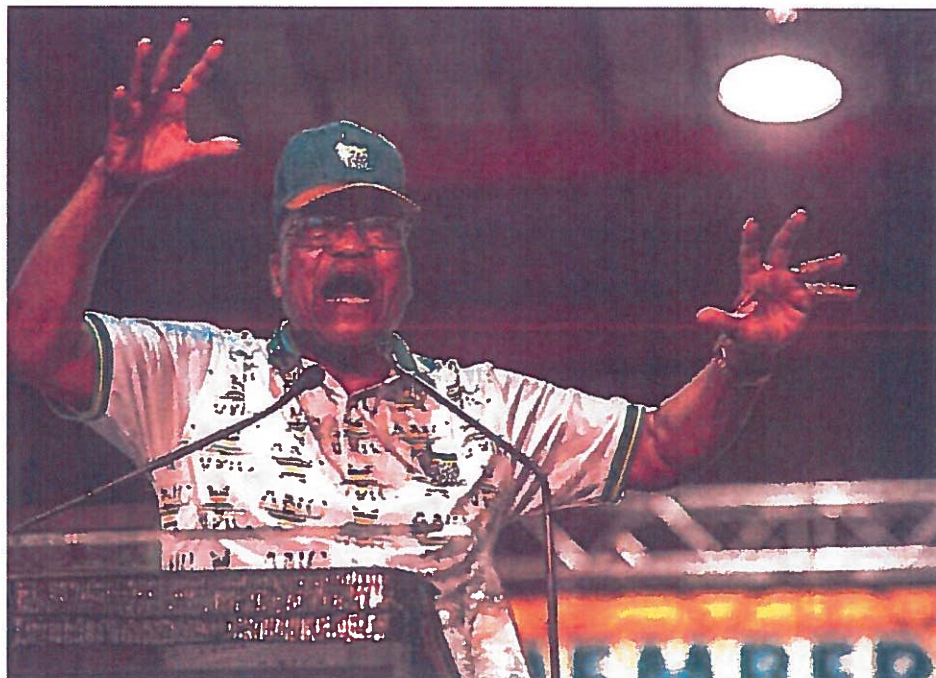
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Jacob Zuma says Derek Hanekom is a "known enemy agent"

The former president says "I told you so".

by **Luke Daniel** — 2019-07-25 10:36 in News



Outgoing African National Congress (ANC) President and current South African President Jacob Zuma gestures as he addresses delegates at the 54th ANC conference in Johannesburg on December 18, 2017. South African deputy president Cyril Ramaphosa was narrowly elected head of the ruling ANC party, winning a bruising race that exposed rifts within the organisation that led the fight against apartheid. (Photo by MUJAHID

SAFODIEN / AFP)

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Former president Jacob Zuma has announced that he is not surprised by claims made by Julius Malema regarding African National Congress (ANC) executive member, Derek Hanekom.

The firebrand leader of the Economic Freedom Fighters (EFF) shocked the political landscape earlier this week, by claiming that Hanekom had conspired, along with other ANC members, to oust Zuma in a vote of no confidence.

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Malema further alleged that Hanekom was considering breaking away from the ruling party if his preferred presidential candidate, Cyril Ramaphosa, was beaten at the ANC's elective conference.

Derek Hanekom thrust into the spotlight

The most damning of allegations, though, was that Hanekom had sent a list of names to the EFF – names of ANC members which were determined to boot Zuma out of office. Malema said:

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“Today he calls us fascists, but Derek Hanekom plotted with the EFF to bring down President Zuma. He even told us that if NDZ wins, they are forming a new political party.”

Following the political outcry, Hanekom admitted that he had met with the members of the EFF but **denied supplying the Red Berets with a list of names**. The former Minister of Tourism argued:

“It's no secret that there were a number of discussion held between various organisations in the midst of a mounting campaign to get former President Zuma removed from office.

I had coffee with [EFF Secretary General] Godrich Gardee twice at the Eastgate Mugg and Bean, maybe even three times.

But I did not give him a list of names, nor did I say that Pravin [Gordhan] and I planned to form a new party”

ANC label Hanekom a ‘charlatan’ and a ‘wedge-driver’

The ANC released its own statement regarding Hanekom's admissions. Penned by General Secretary Ace Magashule, **the vitriolic rebuttal** read:

“The ANC is dismayed by Derek Hanekom's confessions that he had several meetings with the opposition EFF.

Hanekom and others put pressure on the ANC to accede to the EFF's demands for a secret ballot against Zuma. [The red berets] have a number of sleepers in our party to ensure divisions are created.

In our midst is Derek Hanekom, a wedge-driver on a mission to divide the ANC. This charlatan is making his mark and has shown remarkable agility to divide the ANC.

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We say to him and other EFF sleepers in the party that this only makes us more determined to unite our party."

Jacob Zuma: 'I told you so'



I'm not surprised by @Julius_S_Malema revelations regarding @Derek_Hanekom. It is part of the plan I mentioned at the Zondo Commission. @Derek_Hanekom is a known enemy agent.

6:50 PM - Jul 25, 2019

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Former president Zuma has, however, used this fierce political fissure to prove the veracity of his testimony before the Commission of Inquiry into State Capture. During his controversial and short-lived time before Deputy Chief Justice Raymond Zondo, Zuma told of an intricate plot, led by exterior organisations in conjunction with ANC spies, to assassinate his character and remove him from the public eye.

On Thursday morning, Zuma took to Twitter to further lambaste Hanekom, saying:

"I'm not surprised by Julius Malema's revelations regarding Derek Hanekom. It is part of the plan I mentioned at the Zondo Commission. Derek Hanekom is a known enemy agent."

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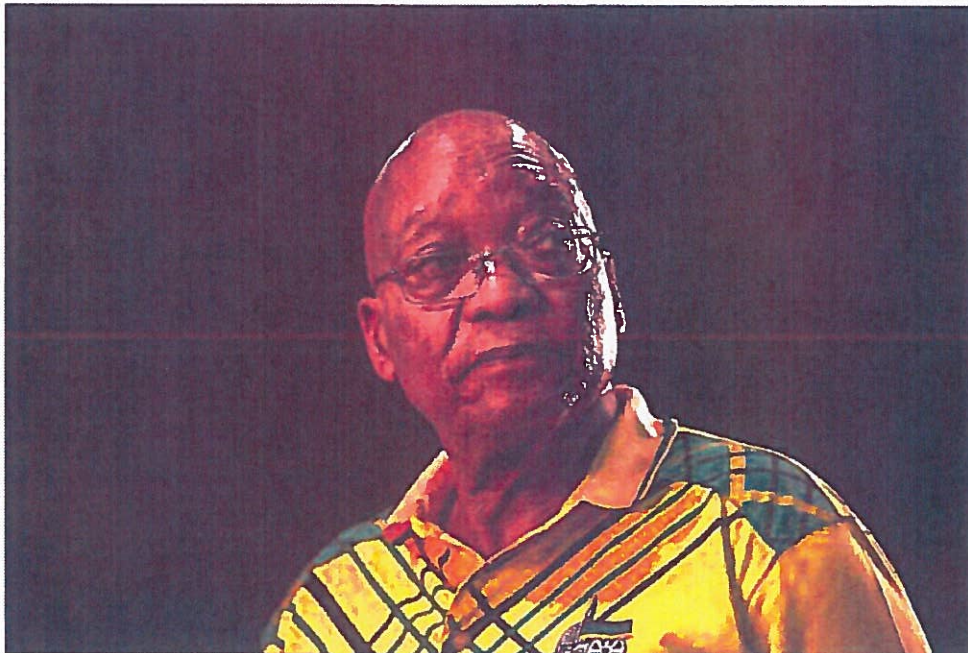
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Jacob Zuma says Derek Hanekom is 'a known enemy agent'

Former president says he is not surprised by claims that Hanekom worked with the EFF to remove him

25 July 2019 - 10:34

BY QAANITAH HUNTER



Former president Jacob Zuma took to Twitter early on Thursday morning to weigh in on the matter after ANC secretary-general Ace Magashule called Hanekom a 'charlatan' and 'wedge-driver' late on Wednesday night.

Image: AFP PHOTO/MUJAHID SAFODIEN

Former president Jacob Zuma has added his former minister, Derek Hanekom, to his list of spies, tweeting on Thursday morning that Hanekom "is a known enemy agent".

Zuma said he was not surprised by revelations from EFF leader Julius Malema that Hanekom worked with the EFF to help remove him through a vote of no confidence.

N.S

Zuma took to Twitter early on Thursday morning to weigh in on the matter after ANC secretary-general Ace Magashule called Hanekom a "charlatan" and "wedge-driver".

"It is part of the plan I mentioned at the Zondo commission. Derek Hanekom is a known enemy agent," Zuma tweeted.

Last week, the former president appeared before the state capture commission of inquiry, headed by deputy chief justice Raymond Zondo, where he claimed his removal from office was informed by intelligence forces.

He also claimed that those who spoke out against him, like former head of the South African National Defence Force (SANDF) Siphiwe Nyanda and former minister Ngoako Ramatlhodi, were apartheid spies.

Zuma did not say why he appointed Hanekom as a member of his executive if he knew he was an "enemy agent".

In a statement issued late on Wednesday night, Magashule said he was dismayed by Hanekom's confession that he had had several meetings with the opposition EFF to indicate that some ANC MPs would side with the EFF in a vote of no confidence.

"The ANC is working to unite its members and in our midst is Derek Hanekom, a wedge-driver and on a mission to divide the ANC. Indeed this charlatan is making his mark through his ownership of the Ahmed Kathrada Foundation," Magashule said.

He said when the ANC called for an open vote against Zuma, Hanekom and others demanded that the speaker of the National Assembly concede to a secret ballot.

"Hanekom had full access to air his acerbic views in the NEC of the ANC, he did so ad nauseam. He always spoke in an even, practiced voice, linking all the bad publicity that the ANC has had to the accusations against former President Zuma," the statement read.

The furore started when Malema disclosed on Tuesday that Hanekom worked with the EFF to remove Zuma.

"Today he calls us fascists, but Derek Hanekom plotted with the EFF to bring down President Zuma. The same goes with Solly Mapaila [deputy general secretary of the SACP] too," Malema said.

N/S

Malema went further, alleging that Hanekom was planning to form a new political party. "He even told us that if NDZ [Nkosazana Dlamini-Zuma] wins [during the 2017 ANC leadership battle], they are forming a new political party. And we have recordings to that effect. With Mapaila, there is no communist party. There is a faction of the ANC. We are not scared of them ideologically or politically."

In response, Hanekom confirmed he met EFF secretary-general Godrich Gardee, but said there was nothing wrong with two members of parliament talking.

"People of different parties have coffee with each other all at time. He is making something big out of nothing," he said.

Hanekom said the removal of Zuma was a matter that brought political parties and civil society together.

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Replying to @PresJGZuma @Julius_S_Malema @Derek_Hanekom

These two Devils will destroy the Liberation Movement from within,using their Rented Blacks and house niggaz



12:49 am - 25 Jul 2019

12 Retweets 41 Likes



5 12 41

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Jacob G Zuma @PresJGZuma · Jul 25

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Enough is enough, racists ANC NEC members hiding behind foundations such as @KathradaFound must be removed within the movement. These agents are delaying implementation of Radical Economic Transformation, they are there to protect the interest of White Monopoly Capital



12:38 am - 25 Jul 2019

61 Retweets 317 Likes



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Truth Teller
@TruthTe83138659



Thousands of freedom fighters disappeared because of spies like hanekom and his wife Trish,MANDELA was given a list of spies and he said"if we release the names of anc apartheid spies there will not be any anc government left" this shows u that the ANC was infested with spies

Bulawayo 24 News Menu

Details of a major spy case - involving allegations of South African destabilisation of its neighbours so sensitive that the government did not want it mentioned even in an in camera court - emerged this week for the first time, the M&G reported on 27 Nov 1987.

One of the accused, Trish Hanekom, a Zimbabwe citizen, was released last Friday, one week before the end of her 38-month sentence, and quickly and quietly deported to Zimbabwe. However, in an interview in Harare she told how in 1983 she was part of a three-person spy ring

1:38 pm - 29 Jul 2019

132 Retweets 126 Likes

15 132 126

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DebbieM @DebbieMarcus8 · 2d


Dear [@Derek_Hanekom](#) so we shall cooperate with other parties to get ANC to expell you. A **spy** can't be in the NEC. Too many foreign tendencies are bedelving the ANC. Otherwise all must go and we put NTT. infiltration by the enemy agent. Mandela told us . How did we arrive here?

 **Carl Niehaus** @niehaus_carl · 5d


What more evidence is required of [@Derek_Hanekom](#)'s treachery? As [@PresJGZuma](#) tweeted, this man is an enemy agent. He must just go!








N.S





 **Mmathato** @SJo52 · 4d
 Replying to @Derek_Hanekom
 @CyrilRamaphosa and @KathradaFound
 A spy will always be a SPY.
 U were at the anc for a mission.


 1   3 

 **Tofolux3** @tofolux3 · 4d
 Replying to @Blizwelethu @Jed38111039 and
 9 others
 Members and supporters of ANC SPY
 LEAGUE

  1  2 

 **Tambona Jopi** @tjopi77 · 4d
 Replying to @Derek_Hanekom
 Spy


   





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 **IZWE LABAMYAMA #AZANIA** @TTe · 4d
 Replying to @Derek_Hanekom
 All the Spy cabal members who were hand
 picked by the Oppenheimers and the Ruperts
 to lead the UDF

  2  1 

M.S *AA*

13:28

You LTE 57%

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Gloria khuzwayo @GloriaKhuzwayo · 5d
You were looking at white interest... You were spying for white regime.. Youre white and will remain white.. You must voetsek from black organization..

1 12 31



Ghaza M @Exodus94114822 · 5d
He was planted there by the regime. Anc says you must belong to a branch for 10 years in good standing to be elected to NEC. The question then becomes, which branch does he belong to? Like Jamnadas. Non.. yet they are top in NEC. ANC was never for us after Codesa. Fact

2 3 14



NseleHoneyBadgerZwane
@StedianaJZ

Replying to @Exodus94114822 @GloriaKhuzwayo and 2 others

Thats right...

He just got planted in ANC and plugged into its NEC to play spy.

9:51 · 27 Jul 19 · Twitter for Android

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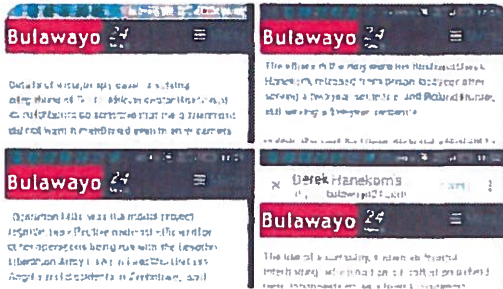
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Truth Teller @TruthTe83138659 2d
Derek hanekom was a spy together with his wife Trish hanekom. Just imagine how many Africans did he betray and died because of his actions

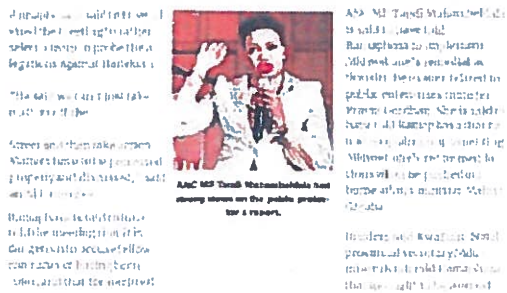


1 5 5



Putin Drury @Outkassst 2d
Floyd must apologise to Tandii!

Africans Gigaba & Nene fatefully stood by #Ramaphosa. Cyril firmly stands by #PravinGordhan & #DerekHanekom. Like Cyril, ANC veterans' absolute silence on Ngoako Ramatlhodi spy claims versus deafening noise on Hanekom spy claims is telling! #ANCNEC



4 8



ZaZa @ZazaMoshe 2d
Replying to @Derek_Hanekom
You always been a fokon spy jy.

15



Ransley G Mhlari @MhlariG 2d

N.S
[Handwritten signature]



Radical Economic Transformation i... 2d

Replying to [@TruthTe83138659](#)

President Zuma was correct with Hanekom!!!
It means he is correct, he knows the spies.
Zuma said a guy who was also a spy who was caught gave him a list of spies that he worked with. President Zuma is power 🙌🙌
👊👊👊👊. He is going to take them out.
Izovuka I ANC.



Mangweni Mazibuko [@MangweniM](#) 2d

Zuma is fighting for the liberation of blacks.
Hanekom is a spy for WMC and colonialism.
Mulder should get this into his thick skull.



Gen Jean-Jacques Dessalines 3d

There is definitely something wrong with Derek Hanekom as he gets defended by Mulder from apartheid's conservative party which wanted a volkstaat.

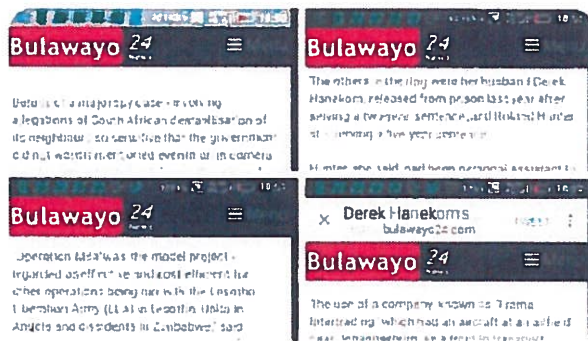


Truth Teller [@TruthTe83138659](#) · 2d

Replying to [@Mbulelo11764988](#)

[@Karabo_Sek](#) and 3 others

Your best friend **hanekom** was a spy, he and his wife **Trish hanekom**, some times it is better to keep quiet , how many blacks did he betray



Handwritten signatures and initials: N/S and a stylized signature.



Tweet



Illusion Freedom

@IllusionFreedo2

Replying to @Derek_Hanekom

Askari, beware of this white devil and his Indian cabal



15:24 · 2019/08/01 · Twitter for Android

2 Retweets 4 Likes



Tweet your reply



N.S



Tweet



Coolerbox
@ShalataXolani

Replying to @Derek_Hanekom and @CyrilRamaphosa

Msholozzi saw this askari, called hanekom. Go join your white brothers you voted with, FF plus, ANC does not need stooges like you

07:59 · 2019/05/27 · Twitter for iPhone

1 Retweet 1 Like



Show more replies

Tweet your reply



N/S



Tweet



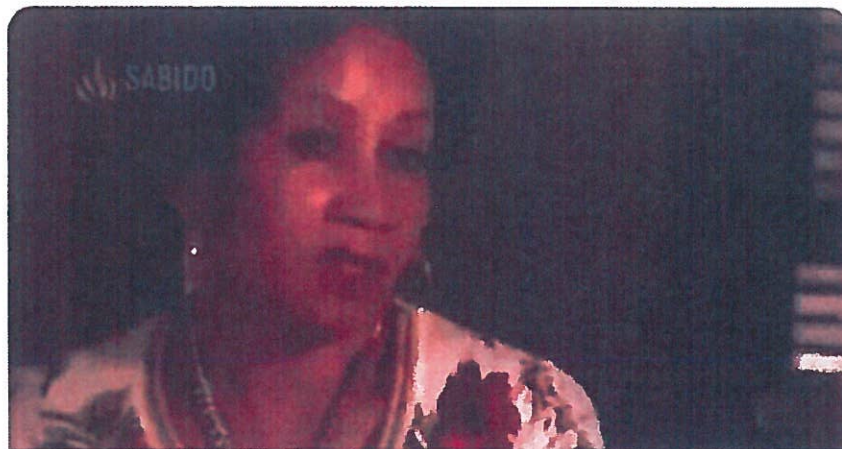
Politics

@SiyabongaNdle13

Replying to @Derek_Hanekom

You are a sellout. An Askari. Can you walk through any township and be celebrated? Are you known in our rural areas? You didn't Join the ANC. You infiltrated it same like Jamnandas and Cyril. You all Askaris.

Mandela knew you were poisonous scum



Tweet your reply



N/S



Tweet



Duduzane Zuma's Soulmate
@sk_ndlovuPhD

Replying to @Skhumza

@Derek_Hanekom Why don't you help us understand why you're still the @MYANC's NEC member when other spies (like yourself) were given a burning tyre around their necks? Let's start there. How did you survive? White privilege, much?

21:38 · 2019/08/01 from Sandton, South Africa ·
Twitter for iPhone



Tweet your reply



N.S

IN THE HIGH COURT OF SOUTH AFRICA
KWAZULU-NATAL LOCAL DIVISION, DURBAN

CASE NO D6316/2019

In the matter between:

DEREK HANEKOM

Applicant

and

JACOB GEDLEYIHLEKISA ZUMA

Respondent

CONFIRMATORY AFFIDAVIT

I, the undersigned,

LAVANYA PILLAY

state under oath that:

1. I am an adult female attorney employed by Webber Wentzel, the applicant's attorneys of record, with its offices at 90 Rivonia Road, Sandton, Johannesburg.
2. The facts contained in this affidavit are within my personal knowledge and are to the best of my knowledge and belief true and correct.
3. I have read the founding affidavit of Derek André Hanekom and confirm its contents insofar as they relate to Webber Wentzel.



L Pillay

LAVANYA PILLAY

The Deponent has acknowledged that the Deponent knows and understands the contents of this affidavit, which was signed and sworn to or solemnly affirmed before me at SANDTON on 5 AUGUST 2019, the regulations contained in Government Notice No. R1258 of 21 July 1972, as amended, and Government Notice No. R1648 of 19 August 1977, as amended, having been complied with.

Commissioner of oaths

Full names:
Business address:
Designation:
Capacity:

Kgomotso Mokaba
.....
KGOMOTSO MOKABA
COMMISSIONER OF OATHS
EX OFFICIO
ATTORNEY RSA
6TH FLOOR, 61 KATHERINE STREET
SANDTON 2196
Date: 5/08/2019
.....