



23 January 2020

Zondo commission – 150 witnesses later, extension application to be heard on 11 February

Whether or not the commission of inquiry into state capture ends up hearing from former president Jacob Zuma or members of the Gupta family implicated in the evidence of witnesses who have appeared before it, the show will go on and it will conclude its work without their input.

This is the view of Deputy Chief Justice Raymond Zondo, who addressed the media on Thursday with an update on the commission's application to the Gauteng High Court for a further extension of its lifespan. The current duration of the commission comes to an end at the end of February, with the application expected to be heard on 11 February in the Pretoria High Court. From what he has been told, said Zondo, the deadline for opposing applications has passed, and the court has not received a single one. If extended, the commission will continue to hear evidence until the end of this year. If the extension does not happen, however, it would mean that the commission is unable to make findings.

Zondo believes that once the final report of his findings has been submitted to President Cyril Ramaphosa, it will be made public. The revelations that have been made to date, he said, are enough to inspire the president to give the public full access to the report, or to those sections that are deemed most important.

The credibility of the commission, he added, remains intact, with his legal and investigations teams working very hard. "They are not perfect, nobody is perfect, I'm not perfect, but they are very dedicated."

Refusing to be drawn on his views on the reasons forwarded by former president Jacob Zuma over his non-availability to give evidence, and objecting to a recent application to summons him, Zondo said he is not in a position to comment. "It would be important for the commission to get what he knows, but if ultimately he doesn't appear, the commission would wrap up its work on the basis of what other witnesses have said."

The Gupta brothers, on the other hand, are a burden for the Department of Justice, whose minister Ronald Lamola informed Zondo last year of plans to start the process of extraditing them. "From the side of the commission," said Zondo, "if they are brought back, it will look at what can be done."

Established in early 2018, the inquiry was initially meant to last for six months, as per the recommendations of former public protector Thuli Madonsela, but Zondo applied for an extension of another year. His motivation at the time, he said, was based on the scope of the terms of reference and the issues the commission was tasked with probing. Since the public hearings began in August 2018, however, his view of the scope of work his team has to do has changed significantly.

Zondo has heard the evidence of over 150 witnesses, with over 27 000 pages of transcripts filed to date.

“Corruption is very deep in our society, there is a lot of corruption, even with what the commission has seen, it is the tip of the iceberg,” he said, putting into context his team’s work to date in following up on allegations brought forward.

The naysayers who rubbish the work of the commission, Zondo believes, are entitled to their opinions.

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