

This letter, by the undersigned organisations, is addressed to President Cyril Ramaphosa ahead of the State of the Nation Address. It calls on him to ensure that 2020 will be the ‘Year of the Orange Overalls’ for those implicated in state capture. The letter precedes a public rally taking place today, 12 February 2020, at St. Georges Cathedral in Cape Town at 5.30pm. The rally will reiterate the call for state capture culprits to be held accountable.

Attention: President of Republic of South Africa, Cyril Ramaphosa

CC: Speaker of the National Assembly: Thandi Modise

Minister of Justice and Constitutional Development, Ronald Lamola

Minister of Police, Bheki Cele

National Director of Public Prosecutions, Shamila Batohi

Date: 12 February 2020

Dear Mr President

The year 2020 is an important one for a number of reasons.

It marks 30 years since the unbanning of our liberation organisations, and 60 years since peaceful protestors in Sharpeville were massacred by the brutal apartheid regime.

However, 2020 also heralds the start of a new decade and presents opportunities for growth and development. It is a stark reminder that we have just ten years to achieve targets set out in our country’s 2030 National Development Plan.

It also gives us a decade to realise the United Nation’s Sustainable Development Goals, which emphasise eliminating poverty and hunger; addressing gender inequality; dealing with the climate crisis; promoting peace and ensuring universal access to healthcare, water, sanitation and quality education. It also highlights guaranteeing access to justice and building accountable, effective and inclusive institutions.

Achieving these goals timeously will require a renewed sense of urgency in addressing the core issues which threaten our ability to realise them.

Thuma Mina

As a nation, we must admit that one of the most serious threats to our future comes from the ongoing cost of state capture and corruption. Already, the havoc wreaked by state capture is estimated to have cost us over R1 trillion. In your 2018 ‘Thuma Mina’ speech, you stated that the

“action we take now to end corruption and hold those responsible to account will determine the pace and trajectory of the radical social and economic transformation we seek.”

We are therefore requesting you to give political impetus to the call made by Archbishop Thabo Makgoba during his recent Christmas sermon, wherein he stated that 2020 should be the “Year of the Orange Jumpsuit”. He added that it must be “a year of reckoning for those whose greed has driven the country to the brink of disaster”.

The Archbishop encapsulated what is really the public’s litmus test to determine government’s seriousness about tackling state capture and corruption.

To date, not a single individual implicated in state capture is in orange overalls serving time for the crimes that they have committed against the people of this country.

The protagonists of state capture still walk around boldly. Some have made it a habit to dodge Court appearances or to testify before the Commission of Inquiry into Allegations of State Capture.

Others continue their politicking within organisations, trying to secure alliances in a bid to remain in power and out of jail.

There are those who, despite being knee-deep in allegations of corruption, shamelessly flex their political muscle to try and stall the efforts of those who are working tirelessly at reforming the state.

Some sit in Parliament - their very presence a mockery of the institution, its processes and its honour.

Others remain under the surface, within state owned entities and law enforcement agencies, continuing their underhand work.

This is compounded by the unmitigated gall of those within particular institutions who continue to use their positions to hound honest public servants and representatives who have taken a stand against state capture. Unperturbed by Court rulings which question their impartiality and ability to carry out their duties, they still perpetuate the idea that they are working to ‘serve the public’.

And then there is the cohort of individuals living luxuriously in Dubai; while we have to deal with an economic crisis which, to a large extent, was precipitated by their greed.

This cohort still fails to acknowledge how they manipulated racial tensions to feed their gluttony, how they perverted our democracy to build their empire and how the tentacles of their money-making operations poisoned so many of our institutions.

The wealthy Gupta family continues to pretend that they are the ‘victims’ of a particular economic agenda. Yet, the real victims are the farmers from Estina Dairy in Vrede, which was used as a cash cow to finance their lavish Sun City wedding. The real victims are the miners at Optimum Coal, owned by a Gupta-linked company and put under business rescue. The real victims are the people of South Africa, who have to put up with load shedding, because of the dealings of the Guptas and others mired in the state capture project.

Why, Mr President, are they not brought back here, and put in orange overalls?

Where is the justice for the real victims of state capture - the children who have to continue using dangerous and undignified pit latrines at school, while school infrastructure budgets have been cut; women who continue suffering because there are not enough resources to effectively deal with gender-based violence; the working poor, who have to ride unsafe passenger trains because of PRASA's loss of billions due to state capture over the last decade?

We are well aware that the 'template for state capture' still exists within various state institutions. The state was stolen from under our noses, and we cannot take it for granted that 'new crooks' will not make use of this 'template'.

We have seen the havoc that state capture has wreaked at a national level, and it is with increasing alarm that we watch it replicated at provincial and municipal levels of government. It is a matter of time before many municipalities collapse under the strain of the looting and poor management.

The 'new state capturers' are emboldened by the knowledge that their predecessors – those who developed the 'template' for stealing - were never held accountable.

The South African public is met with an almost weekly deluge of information emerging from the Zondo Commission about the machinations of state capture.

Just when we think that we have heard it all, we are further insulted with news about a public representative using state resources to make 'lobola plans' for a relative. Another employs his niece, whose credibility is clouded by allegations of corruption. Yet another believes that appointments of those with "smaller nyana skeletons" to a board and other positions will go unnoticed. And then there's a Parliamentarian accused of bribery, who still thinks we will be fooled by the charade of politicians he brings to Court to show he does not "walk alone". These poor examples of moral leadership are not something that we expected from your Cabinet and Parliament, Mr President – not after we have been promised otherwise.

We want to know, where are the performance agreements to which Ministers are to be held account? The public must be aware what these agreements entail, so that we can monitor if Ministers are doing their jobs, or if they are merely in office to serve their own interests and nurse their political ambitions.

Last year, we stood outside Parliament ahead of your swearing in, calling on you to ensure that persons implicated in corruption and state capture are not appointed as MPs and Ministers. This year, we extend that call: we do not want those who are responsible for our country's decline, to represent us anywhere, on any platform, within any state institution.

In your 2019 SONA you stated: "The decisive steps we have taken to end state capture and corruption, including measures to strengthen the National Prosecuting Authority, Special Investigating Unit, South African Revenue Services and State Security, are achieving results."

We have to question this statement, Mr President, based on what we see and hear on a daily basis.

We are well aware of the fact that our criminal justice system is under immense strain, but there needs to be greater political will to enable them to discharge their constitutional and legal mandates.

As President, you are in a unique position of setting the tone, leading the charge against corruption and state capture, and reforming the state.

Yours is a duty to drive an agenda that allows for:

- The criminal justice system as well as the South African Revenue Services to be adequately resourced, while remaining fully independent;
- Respect for the independence of the judiciary. Unwarranted attacks on the judiciary, especially by politicians, must be condemned and discouraged;
- The hand of honest public servants and representatives to be strengthened;
- Enabling a culture and policy framework that entrenches Parliamentary oversight over the Executive and organs of state;
- Providing accurate information related to state capture and the crises that we face, as well as challenging false and highly racialised narratives that have emerged over the last few years;
- Ensuring that policies are put in place to better regulate and monitor processes for appointments and dismissals in the public service, and around public procurement;
- Eradicating capture at lower levels of government;
- Ensuring that a date is gazetted for the promulgation of the Political Party Funding Act;
- Developing a shared vision and common approach by government for concerted, coordinated effort against state capture; and
- Ensuring that 2020 is indeed the year of setting a new precedent for accountability, justice and the rule of law. 2020 must be the ‘Year of the Orange Overalls’! This standard of accountability applies not only to crooked politicians and public servants, but to private businesses, and the professional entities who enabled capture.

Mr President, in doing so, we pay real homage to our rich liberation history and the legacies of those who contributed to it, and we can say that we are being true to the values and ethos of our Constitution.

Only then do we truly honour the ordinary citizens – the people of Sharpeville and many others - who gave their lives for this democracy.

We have an opportunity to direct our country towards transformation, equality and justice. It is an opportunity that must not be missed.

Signed by:

Active Citizens Movement

Ahmed Kathrada Foundation

Alipur Muslim Association

Bo-Kaap Civic and Ratepayers Association

Business Unity South Africa

Congress of Business and Economics

Corruption Watch

Council for the Advancement of the South African Constitution

Equal Education

Greater Mayfair Civic Association

Group of victims of State Capture at the South African Revenue Service

Imam Haron Foundation

JISS Foundation

Johannesburg Against Injustice

Johannesburg Institute of Social Services

Open Secrets

Organisation Undoing Tax Abuse

MSA – Union

Moms Move for Justice, Peace and Reconciliation – Alcardo Andrews Foundation

Muslim Judicial Council

My Vote Counts

Ndifuna Ukwazi

Reclaim the City

Right2Know

SheDecides

Social Justice Coalition

Sonke Gender Justice

South African Communist Party

Southern African Faith Communities' Environment Institute

St. Georges Cathedral

Studies in Poverty and Inequality Institute

TEAM - Training Education and Management

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