

Through cadre deployment, state capture continues unabated under Ramaphosa
by Dr Leon Schreiber MP – DA Shadow Minister for Public Service and Administration

At a press conference this morning, the Democratic Alliance (DA) revealed the results of an analysis of the ANC's cadre deployment meeting minutes which confirms that state capture continues unabated, through cadre deployment, in the administration of Cyril Ramaphosa.

After compiling this evidence, the DA will use it as the basis for a formal complaint to the Public Service Commission (PSC). Our complaint will request that the PSC, as the constitutional custodian of the public service, investigate each and every one of the appointments contained in the ANC's cadre deployment committee minutes. In cases where the PSC confirms illegality, the DA will insist that those appointment processes are rerun and that, this time, skilled applicants are not excluded simply because they are not cadre of the corrupt ANC.

This analysis will also form the basis for a request by the DA's deputy chief whip, Siviwe Gwarube, to the Speaker of the National Assembly, Nosiviwe Mapisa-Nqakula, for an urgent debate of national importance on the devastating effects of cadre deployment on the public service and the fight against corruption.

But approaching the PSC and initiating a debate of national importance in Parliament is only the first step in what will be a concerted and sustained campaign by the DA over the coming months to use the historic window of opportunity created by our publication of these minutes and the State Capture Commission to abolish cadre deployment once and for all.

Key findings of the analysis that the DA will submit to the PSC include that:

1. Far from disbanding or stopping its interference in appointment processes following the resignation of Jacob Zuma in 2018, the deployment committee remains highly active under Ramaphosa, and usually meets about once per month to interfere with public sector appointments.

Scheduling cadre deployment meetings:

DEPLOYMENT COMMITTEE
10th Floor Boardroom
Luthuli House
22 FEBRUARY 2019 (10-13h00)

1. Welcome 11h00 – 11h05

The Deputy President welcomed and opened the meeting.

2. Apologies 11h05 – 11h10
- Cde Solly Mpaila, from the SACP, apologised for not being able to attend. They also have raised that we should meet more regularly and consistently on set dates. Also so as to discuss broader deployment issues, and not just names.
 - Agreed that on Fridays, twice a month, once in a fortnight.

2. The deployment committee does not only make recommendations. There are numerous instances where the committee explicitly amends proposals. In other cases, the committee explicitly reserves certain appointments for itself. The committee's approval is also requested on numerous occasions, and the committee repeatedly scolds ministers who do not follow the "correct procedure." In fact, in most cases, it is ministers who make recommendations, and the ANC cadre deployment committee that decides on appointments.

During the Ramaphosa presidency from May 2018 to May 2021, the committee intervened in appointment processes at 88 different state institutions, including courts, chapter 9 institutions, state-owned enterprises (SOEs) and government departments. During this three-year period, the committee summoned 29 ministers and deputy ministers as well as Ramaphosa himself to direct the appointment of ANC cadres to key positions.

Examples of instructions from the deployment committee:

Comrade Edna is **allowed to** choose from her identified short list. She is required to send full CV particulars to the next meeting of the Deployment Committee which sits on 21 May 2018.

The President was called to make a presentation based on the previous resolution of the Deployment Committee. The President started by apologising for the appointment of the SOE Council without the involvement of the Deployment Committee, explained that it was an omission due to the pressure. A breakdown of

The recommended names are approved, but if there are changes the Ministry will inform the Committee.

3. The deployment committee's influence is not only wide across all entities of state, but it also penetrates deep down into the state. Aside from influencing the appointment of high-profile positions like judges and the boards of SOEs, the committee is even involved in appointing

lower-level officials like Deputy Directors-General. Everything from Constitutional Court judges to mid-level bureaucrats is tainted by ANC cadre deployment.

Interference in Constitutional Court appointments:

ConCourt: Two vacancies, due to retirement of Justice Cameron and Nkabinde.

When vacancies are to be filled, there has to be three additional. So there needs to be consideration of at least 5, in this case this is 6.

Majiet and Tshiki (female) recommended.

Recommends: Justices Kollapen & Tshiqi

SCA: Deputy President of the SCA, recall that the Justice Maya is the President of the SCA and her position is now vacant.

Petse recommended.

Labour Court – the acting Deputy Judge President, who is Judge Molahlehi, and is made permanent.

Eastern Cape Division Judge – only one candidate.

DJP for Northern Cape – Phatswane is recommended

Interference in mid-level appointment:

Presentation on Supply Chain

It is a post at **DDG level**. The post was advertised, and was shortlisted to four, two males and two females.

4. The deployment committee uses two primary mechanisms to deploy ANC loyalists into positions of power. The first is when the committee puts forward specific names for appointment. The second mechanism is a form of job reservation whereby the committee divides powers of appointment between itself and the relevant appointing authority, usually the minister.

Specific names put forward for appointment:

Comments & Decision: The Deployment Committee confirms that Cde Skweyiya become the Chair, and Cde Motimele is appointed as the Deputy Chair.

Division of appointments between the party and minister:

3.6 SAFCOL

The board is to be replaced. The requirement is for **10 Non-Executive Directors.**

Comrade Pravin will provide six (6) names and the Deployment

Committee will provide four (4) names.

5. Public servants – who are supposed to be non-political servants of the people – also account to the ANC’s deployment committee. The committee further also exercises the power to decide when positions should be filled based on political considerations like upcoming elections, and officials provide the committee with state information.

Directors-General are accountable to the ANC’s cadre deployment committee:

6. Trade and Industry - Director-General Lionel October

The Committee agreed on the Re-appointment of the Deputy-Chair of the National Consumer Commission.

Deployment committee instructs that no DG’s should be employed due to an upcoming election:

Worrying that senior appointments just 6 weeks before the election. Nevertheless, there shouldn’t be appointments of DGs and Ministers should not be appointing DGs but retain the one’s in the positions. DGs leaving cause departmental instability.

6. Loyalty to the ANC is a key criterion for appointment. The minutes contain numerous references to support, membership and association with the ANC as decisive factors.

Loyalty above all else:

practitioners. There are persons in the later 30s, and there is a gender balance. The Chair is a long-standing member of the ANC, and all the members are from the ANC.

It was advised by the Committee, that three from the previous Board is retained. Further noting that Cde Derek Swartz is firm supporter of the ANC. The view of the

c) National Research Foundation Board

The meeting noted that no-one can be appointed who holds a political office. Nevertheless, there seems to be a good team with a number of people associated with the ANC movement. There are 7 females and 6 males

7. In addition to loyalty, the deployment committee may engage in unfair discrimination on the basis of identity markers like race, gender and geographic origin. In some cases, applicants are rejected solely on the basis of their identity.

Applicants rejected and selected based solely on race and gender:

is an industrial research agency and not general research. Moreover, though, Mr. Noge will be removed so that a white person with experience in the Oceans economy be placed. Will inform the DSG office on the change.

age of 40, 2 of the members are reappointments. There was one change that was made to the recommended list, which was supported by the women's league. A female chairperson was chosen to lead the board.

8. The deployment committee manages a separate CV database to give cadres an inside track to appointment. Minutes from the meeting on 11 May 2018 note that “the deployment committee agreed to forward names of people *requesting for deployment* to comrade Pravin Gordhan for consideration in state-owned enterprise boards by 19 May 2018.” Similarly, during the meeting of 3 August 2018, “it was agreed that the members [presumably of the deployment committee] must submit their proposals, and the *abridged CVs must be submitted to the Minister [of Transport]*.” “Request for deployment” is also a standing item on the agenda of most cadre deployment meetings.

Evidence of a parallel CV database and appointment process for ANC cadres:

In the meeting of 11 May 2018 the Deployment Committee agreed to forward names of people requesting for deployment to Comrade Pravin Gordhan for consideration in State Owned Enterprise Boards by 19 May 2018. On 18 May 2018 a list of abridged CV's and the full CV's were forwarded to Comrade Pravin Gordhan for consideration.

9. Request for Deployment (Abridged CVs) 12:30 – 13:00

Advertising the National Development Agency and DDG corporate services and Disaster Management Fund

9. The minutes confirm the existence of regional deployment committees that extend the network of capture to provincial and municipal level, where the same *modus operandi* is likely used to deploy cadres to capture provincial and local government institutions.

Confirmation of the existence of regional deployment committees:

Need to reconcile the work of the Committee and the provincial deployment committees. Must meet with the Provincial Deployment Committees.

The implications of these revelations are devastating. The minutes confirm that the real powers of appointment are not located in the state, but is instead outsourced to a subcommittee of a political party. Appointment decisions are therefore predictably made in the best interests of the party, rather than of the country. This means that skilled and professional applicants who are not loyal cadres of the ANC are locked out of appointment, thereby robbing the public sector of desperately needed skills.

Cadre deployment is the very foundation of state capture and the accelerating collapse of our state, and it continues unabated under the Ramaphosa administration. Since Ramaphosa and the ANC have made it clear that they have no intention of doing away with cadre deployment, the DA will do it for them – with our complaint to the PSC and the request for an urgent national debate being the initial step in this battle to end cadre deployment and state capture.

Dr Leon Schreiber MP

12 January 2021

Addendum: List of entities subjected to ANC cadre deployment, 2018-2021

Between May 2018 and May 2021, the ANC's cadre deployment committee was involved in appointments to the following state entities. The names in brackets indicate the names of ministers and deputy minister who appeared before the deployment committee regarding appointments to the entities within their portfolios.

Constitutional Court

Two judges

Supreme Court of Appeal

One judge

Labour Court

One judge

High Court

One judge in the Eastern Cape Division

One judge in the Northern Cape Division

Department of Justice and Correctional Services (Michael Masuta and Ronald Lamola)

Director-General in the department

Department of Environmental Affairs (Edna Molewa and Barbara Creecy)

Director-General in the department

SANParks board

Isimangaliso CEO and board

South African National Biodiversity Institute board

South African Weather Services CEO

Public Enterprises (Pravin Gordhan)

Eskom

Transnet

Denel

SAA

SAFCOL

Department of Cooperative Governance and Traditional Affairs (Zweli Mkhize and Obed Bepela)

Municipal Demarcation Board

Department of Science and Technology (Mmamoloko Kubayi-Ngubane)

Deputy Directors-General in the department

National Advisory Council of Innovation

Space Agency

National Research Foundation Board

CSIR

Department of Trade and Industry (Ibrahim Patel)

National Consumer Commission

Industrial Development Corporation

National Lotteries Commission board chairperson

Department of Transport (Blade Nzimande and Fikile Mbalula)

ACSA

SANRAL

PRASA board

Road Accident Fund board

Railway Safety Regulator board

Road Traffic Infringement Agency board

Cross-Border Road Transport Agency board

Department of Social Development (Susan Shabangu)

Deputy Director-General for Corporate Services in the department

SASSA (CEO)

National Development Agency

Commission for Gender Equality

Department of Mineral Resources and Energy (Jeff Radebe and Gwede Mantashe)

CFO in the department

Nuclear Energy Board

Central Energy Fund board

PetroSA board chairperson

African Exploration Mining and Finance Corporation board

Strategic Fuel Fund board

I-Gas board

Department of International Relations and Cooperation (Naledi Pandor and Lindiwe Sisulu)

Ambassadors

Department of Defence and Military Veterans (Nosiviwe Mapisa-Nqakula)

Director-General in the department

Defence Force Service Commission

ARSMCOR CEO and board

Department of the Presidency (Jackson Mthembu)

Statistics South Africa Advisory Council

Brand South Africa board

Department of Communication and Digital Technologies (Stella Ndabeni-Abrahams and Jackson Mthembu)

Director-General in the department

Director-General of the Government Information and Communication System

SABC board

MDDA board

National Electronic Media Institute of South Africa CEO and board

Post Bank board

SETA board

South African Post Office CEO and board

ZA Domain Name Authority board

ICASA board

Council for Film and Production board

Broadband Infraco board

Department of Public Service and Administration (Ayanda Dlodlo)

DG in the department

Principal of the National School of Government

Department of Public Works (Thulas Nxesi)

CFO in the department

Deputy Director-General for Supply Chain Management in the department

Property management entity CEO

Department of Water and Sanitation (Gugile Nkwinti and Lindiwe Sisulu)

Rand Water CEO

Nkomati Water board

Bloemfontein Water board

TransCaledon Water board

Magalies Water board

Sedibeng Water board

Umgeni Water board
Overberg Water board
Lepelle Northern Water board
Amatole Water board

Department of Basic Education (Angie Motshekga)

Deputy Director-General for Teacher's Education in the department

Department of Women, Youth and Persons with Disabilities (Maite Nkoana-Mashabane)

Director-General in the department
National Youth Development Agency board

National Treasury (Tito Mboweni)

Development Bank of South Africa board

Department of Small Business Development (Lindiwe Zulu and Khumbudzo Ntshavheni)

Director-General in the department
Small Enterprise Development Agency board chairperson
Small Enterprise Finance Agency CFO

Department of Agriculture, Land Reform and Rural Development (Thoko Didiza)

Onderstepoort Biological Products board
National Agriculture Marketing Council board

Department of Employment and Labour (Thulas Nxesi)

UIF Advisor Board

Department of Home Affairs (Aaron Motsoaledi)

Government Printing Works CEO

Chapter 9 Institutions

South African Human Rights Commission
Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic Communities

