**AFFIDAVIT**

I, the undersigned,

**NATASHA MAZZONE**

Hereby make oath and state that:

**AD DEPONENT**

**1.**

* 1. I am an adult **FEMALE** person of the above details and of full legal capacity, employed as **A MEMBER OF PARLIAMENT**.
	2. Unless specifically indicated otherwise, the facts contained in this affidavit are to the best of my belief both true and correct.

**2.**

**AD PURPOSE**

2.1This affidavit concerns possible criminal offences committed by **THE AFRICAN NATIONAL CONGRESS (ANC).**

2.2 I depose this affidavit in my capacity as a concerned citizen, and as a Member of Parliament representing a sizable constituency that are directly affected by the incidents detailed hereunder.

2.3 It is my belief that the acts detailed hereunder warrant further investigation by the South African Police Services, with the view to criminal prosecution of the ANC for racketeering.

**3.**

**AD BACKGROUND**

3.1 On 13 March 2019, the DA wrote to the National Director of Public Prosecutions, Shamila Batohi to request that the ANC be investigated as an organization for systemic and calculated fraud, racketeering, corruption, looting of public money and related offences over the past two decades. I attach this letter and our supporting evidence to this affidavit. To date, there has been no visible action taken by the NPA to investigate the ANC for these crimes.

3.2 The release of the State Capture Reports over the last 6 months has provided further evidence of corruption, racketeering, and looting of public money spanning the entire width and breadth of the ANC controlled State.

3.3 The third part of the State Capture reports revealed that the ANC received donations in cash and in kind from Bosasa, and an election war room which was established for the ANC by Bosasa. It was further revealed that IT, food, transport, and other services were donated to Bosasa during this period. This was reiterated in the part 6 volume 2 of the state capture report which states at paragraph 689 that:

*“The evidence shows that the ANC had accepted donations from companies that were heavily reliant on government contracts, such as Bosasa, without investigating them. It was put to President Ramaphosa that the unlawful activities of Bosasa had been the subject of media reports since at least 2009, and that it was difficult to accept that vigilant members of the ANC would not have been aware that Bosasa was the recipient of large government contracts under dubious circumstances.”*

3.4 In the final part of the state capture report, it was found that various ANC leaders had been implicated in testimony at the Commission. Through the implication of numerous high level ANC members, including but not limited to Jacob Zuma, Gwede Mantashe, Malusi Gigaba and Mosebenzi Zwane, it has become apparent that the ANC as an organization is collectively implicated in state capture activities.

3.5 In the final installment of the state capture commission, it was stated that the ANC and its leaders aided state capture related fraud and corruption;

*“It is necessary therefore to interrogate the role of the party in actively engaging in corrupt activities for its own gain, allowing corrupt activities to continue under its watch and failing to intervene to prevent or arrest such activities, creating the framework for corruption and state capture to flourish.”[[1]](#footnote-1)*

3.6 It was also established in the final part of the state capture report that;

*“There has also been substantial evidence that the party itself was a beneficiary of state capture, as it received payments from third parties who are alleged to have corruptly acquired government contracts.”*

3.7 The ANC’s cadre deployment committee has further ensured that the institutions of state have been systemically weakened, as appointees to important State institutions have either, "*not been qualified for the positions they occupy or do not have the necessary experience to perform the work all of which provide fertile ground for corruption and state capture.” [[2]](#footnote-2)* This has resulted in the ANC directly enabling and facilitating the widespread corruption which occurred during the state capture era. In addition, the State Capture Commission has found that the establishment and activities of the Cadre Deployment Committee may be considered unlawful, thereby further highlighting potential criminal activities on the part of the ANC as an organization.

3.8 The ANC further contributed to these state capture crimes by refusing to take seriously the calls from opposition parties to remove President Zuma, due to allegations of corruption and state capture. The ANC actively protected President Zuma and ensured he remained in office as president, thereby allowing the Guptas and close associates of President Zuma to continue pursuing their state capture project and systematically looting taxpayer money.

3.9 The ANC has systemically decimated the criminal justice system, by appointing compliant heads of institutions such as the NPA and disbanding effective high-profile crime investigation units such the Scorpions. This has allowed the ANC to continue with impunity in channeling public money into a variety of front enterprises, thereby stealing large amounts of public funds, so as to enrich both itself and high-profile members of the ANC, their families and their friends.

**THE ALLEGED OFFENCES**

**4.**

4.1 I submit that the findings of the Zondo reports, as well as the other supporting documents and letters I am submitting today reveal that the ANC has systematically engaged in racketeering on a mass scale.

4.2 In terms of the Prevention of Organised Crime Act (121 of 1998), “enterprise” is defined as “***any individual, partnership, corporation, association or other juristic person or legal entity, and any union or group of individuals associated in fact, although not a juristic person or legal entity”.***

4.3 A pattern of racketeering activity is defined as ***“the planned ongoing, continuous or repeated participation or involvement in any offence .. of which one of the offences occurred within 10 years (excluding any period of imprisonment) after the commission of such prior offence referred to in Schedule 1.***”

4.4 Unlawful activity is defined in the same Act as ***‘conduct which constitutes a crime or which contravenes any law whether such conduct occurred before or after the commencement of this Act and whether such conduct occurred in the Republic or elsewhere.***

4.5 From the information set out above, our attached letters, and within the State Capture Reports released by the State Capture Commission, it is clear that the ANC as an organization has planned and participated in an ongoing, continuous and repeated involvement in the offences contained within schedule 1 of the Prevention of Organised Crime Act. These include both theft and fraud.

4.6 It is further clear from the numerous testimonies of witnesses at the Commission that the members of the ANC, their families, friends, and business interests have benefitted immensely from the ANC’s unlawful and corrupt activities, and in the ANC’s establishment of a framework which enabled corruption and state capture to flourish under its watch.

4.7 Members of the ANC were also likely aware that much of money and property acquired by the ANC and channeled to its members, was derived from or through a pattern of sustained racketeering activities.

4.7 I submit that the ANC as an organisation be investigated for engaging in a pattern of sustained racketeering activities which fall under Chapter 2 of the Prevention of Organised Crime Act 121 of 1998.

4.8 I further submit that the ANC be investigated for any further crimes including fraud, racketeering, corruption and theft of public funds were outlined in the State Capture Commission Reports and all other sources.

**6.**

I herewith request that the matter be fully investigated, and the appropriate steps – whatsoever they may be – are taken to see justice done and the rule of law upheld.

**7.**

This is all I can declare.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**DEPONENT: NATASHA MAZZONE**

I CERTIFY THAT THIS AFFIDAVIT WAS SIGNED AND SWORN TO BEFORE ME AT \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ON THIS \_\_\_\_\_\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ 2022. THE DEPONENT HAVING ACKNOWLEDGED THAT HE/SHE KNOWS AND UNDERSTANDS THE CONTENTS OF THIS AFFIDAVIT AND I CERTIFY THAT THE REGULATIONS IN TERMS OF SECTION 10 OF ACT 16 OF 1963, AS PUBLISHED UNDER GN. R1258 OF 21 JULY 1972 AS AMENDED BY GN. R1648 OF 1977 AND GN. R1428 OF 1980 AND GN. R773 OF 1982, HAVE BEEN COMPLIED WITH.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
COMMISSIONER OF OATHS**

FULL NAMES : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DESIGNATION : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

AREA : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ADDRESS : \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. <https://www.timeslive.co.za/politics/2022-06-22-zondo-report-finds-that-anc-was-a-beneficiary-of-state-capture/> [↑](#footnote-ref-1)
2. Commission of Inquiry into State Capture, Part 6 Volume 2 [↑](#footnote-ref-2)