

INKANDLA QUESTIONS UNANSWERED

SHANTI ABOOBAKER

POLICE Minister Nathi Mthethwa has until the end of next month to explain why the apartheid era National Key Points Act has again been used to block access to information, after an application for a full list of all declared key points was denied.

The issue of the national key points arose last year when City Press revealed that hundreds of millions of rand had been spent on upgrading President Jacob Zuma's private Nkandla residence in KZN – raising concerns that public money had been used to foot the bill.

Senior government officials prevented further details from emerging, saying Zuma's residence had been declared a national key point.

The act applies to “any place or area” so important that its loss, damage, disruption or immobilisation may “prejudice the Republic”, or whenever a minister of police or defence considers it “necessary or expedient for the safety of the Republic or in the public interest”.

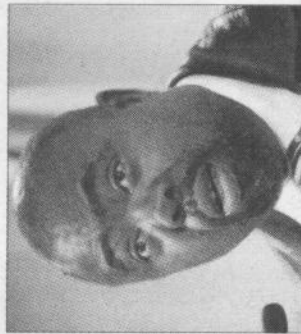
At the weekend, Public Works Minister Thulas Nxesi confirmed that a task team, formed in November to investigate spending on Zuma's Nkandla home, found that R206 million had been spent on security upgrades.

Nxesi said that of the total spent, R71m was for security upgrades – including more than R20m on consultancy fees – and an additional R135m went towards the “operational needs” of other departments, including staff housing and medical facilities.

At the same media briefing, Mthethwa said the R71m spent by the state on upgrading security at Nkandla was “justifiable”, based on security assessments.

Mthethwa has refused to list all the national key points, after civil society coalition the Right2Know (R2K) campaign

Mthethwa must explain why he is blocking access to list



EXPLAINED SPENDING: Public Works Minister Thulas Nxesi

made a Promotion of Access to Information Act (PAIA) application for records of these and other areas defined under the act.

R2K also requested bank statements of the special account disbursed by the minister of police for the safeguarding of key points for the period 2010 to 2012, but this information was also refused

Jane Duncan, Highway Africa Chair of Media and Information Society in the Rhodes University journalism department, and also a member of R2K, said the refusal was indicative of national security trumping transparency, even when there was no compelling reason for it to do so.

“The... act is an apartheid era piece of legislation that remains in force. It was used by the apartheid regime to throw a shroud of secrecy over installations that it considered under threat of attack by the armed wings of the liberation movement,” she said.

“The government still sees fit to misuse the act and misread the PAIA to keep information that should rightfully be in the public domain about national key points secret.”

Duncan said the criteria for designating an institution a national key point was unclear, and it was also unclear which institutions were on the list.

“No one can challenge their designation because the process of listing is itself secret,” she added.

R2K has appealed against the refusal, and Mthethwa has until the end of next month to provide reasons for the decision.

Quoting the PAIA, SAPS deputy information officer Amelda Crooks said in an e-mail to R2K that providing it with access to the requested records would “impact negatively on and jeopardise the operational strategy and tactics used to ensure security at the relevant property or safety of an individual”.

Crooks's reply “mistakenly” added the words “Property Nkandla” to the subject line of the forwarded e-mail, leading R2K to believe that its PAIA application, which hadn't mentioned Nkandla, was denied on the basis of the furore around the president's home.

Pressure builds for report's release

GAYE DAVIS

POLITICAL pressure mounted on the government yesterday to make public the report of a Department of Public Works task team that found R206 million had been spent on President Jacob Zuma's home at Nkandla.

DA parliamentary leader Lindiwe Mazibuko said Zuma should “come clean” on whether he saw a letter addressed to him in November 2010 by the then public works minister, Gwen Mahlangu-Nkabinde. The letter is a progress report on work at Nkandla and lists improvements being made.

Public Works Minister Thulas Nxesi – along with Justice Minister Jeff Radebe and State Security Minister Siyabonga Cwele – have insisted Zuma was not aware of the cost of the exercise, which is likely to escalate.

Mazibuko said she would



PROBING: Lindiwe Mazibuko, the DA parliamentary leader

submit a series of parliamentary questions to Zuma to try to establish “the true extent of his involvement”.

“This correspondence directed to Mr Zuma clearly contradicts the minister of public works's concerted campaign to prove that the now secret Nkandla report ‘vindicates’ him of all wrongdoing.”

“Instead of answering key questions about President

Zuma's involvement, it targets low-ranking officials in the department. It is a slap in the face of accountability and transparency,” she said.

The IFP and the Freedom Front Plus added their voices to calls by the DA, Cope and the African Christian Democratic Party for the report to be tabled in Parliament, where the standing committee on public accounts is delving into the matter.

IFP MP Petros Sithole said not enough information was provided at the briefing. Parliament needed to be provided with a “detailed account of each and every single cent spent in this waste of taxpayers' money”, he said.

Pieter Groenewald, the Freedom Front Plus spokesman on public works, said: “The comprehensive report must be made public, and the Minister of Public Works, Thulas Nxesi, cannot hide behind security.”