

Cyril quiet on arms deal

NEUTRAL: PRESIDENT HAS NO VIEW ABOUT HIGH COURT APPLICATION

» **State legal advisor spoke without instruction, says Presidency.**

Gcina Ntsaluba

President Cyril Ramaphosa's office has taken a neutral stance on the application to set aside the findings of the arms deal commission of inquiry, chaired by Judge Willie Seriti.

The commission investigated allegations of fraud and corruption in the Strategic Defence Procurement Packages and exonerated everyone implicated.

State legal advisor Advocate Nazeer Cassim said on Tuesday the Presidency supported the court application made by Corruption Watch (CW) and the Right2know Campaign (R2K), which claim the findings were flawed and riddled

with unfairness.

Cassim told the High Court in Pretoria that the Presidency was not opposing the court application to review and set aside the April 2016 findings by the commission.

Presidency spokesperson Khuselo Diko, however, later clarified that "the Presidency has adopted a neutral position on this case, electing to abide by the court's decision.

"What Advocate Cassim said was without instruction from the Presidency and he admitted same to court himself."

She said the Presidency had never said the inquiry had not done its work properly, nor had it authorised Cassim to.

"Our view is that if the court agrees that fairness is the standard, it should set aside the findings," she said.

The commission was tasked

with investigating a range of matters in relation to the arms deal which included investigating whether there had been any irregularities in the awarding of the arms deal contracts and whether there was any corruption in the deal.

On Tuesday, Advocate Geoff Budlender argued on behalf of CW and R2K that the commission had failed to investigate, obtain and consider relevant records of criminal proceedings.

CW and R2K claim that the commission failed to conduct a meaningful, credible and open-minded investigation.

The application provided numerous examples of the ways in which the commission failed to conduct an investigation.

In April 2016, then president Jacob Zuma released Seriti's findings and announced the

commission had found that there was nothing wrong with the arms deal in any way.

The commission also found that there were no irregularities in the deals and that there was no evidence of any corruption.

The arms deal was finalised in 1999 and saw South Africa's Air Force and Navy acquire 26 Gripen fighters, 24 Hawk Mk 120 jet trainers, 30 Agusta A109 helicopters, four Meko frigates and three Type 209 submarines, as well as four Super Lynx maritime helicopters.

According to Corruption Watch, the Department of Justice said the Seriti commission cost R137 million over the 4½ years it operated.

Good Party leader Patricia de Lille, who is minister of public works and infrastructure, said government had failed to act at the time of the arms deal.

Judgment on the application to set aside the Seriti inquiry findings has been reserved.

– gcinan@citizen.co.za

Seriti did not conduct meaningful investigation