

# #UNITE BEHIND

**A JUST AND EQUAL SOCIETY**

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## **Media Statement: #UniteBehind**

### **#UNITEBEHIND SUCCEEDS IN STATE CAPTURE COMPLAINT AGAINST JOE MASWANGANYI, CHAIRPERSON OF PARLIAMENT'S FINANCE COMMITTEE**

Over the last decade and a half, the Passenger Rail Agency of South Africa (PRASA) has become one of the worst cases of state capture with tens of billions of rands stolen by the cronies of the criminally convicted Jacob Zuma, the former President. Parliament helped the corrupt rather than hold them accountable.

#### **Parliament finally begins to act**

- Parliament's Joint Committee on Ethics and Members' Interests ('Ethics Committee') recommended that Joe Maswanganyi, the Chairperson of the Portfolio Committee of Finance be suspended for two months because of his role in state capture at PRASA. The Ethics Committee Report on Maswanganyi was tabled in Parliament on 21 June 2023. This is a small but consequential win for accountability and #UniteBehind.

#### **BUT**

- The Ethics Committee refused to investigate Maswanganyi for his failure to recover R79 million paid to ANC linked accounts in the corrupt R3 billion Swifambo deal.
- #UniteBehind laid complaints against six MPs, Joe Maswanganyi, Sfiso Buthelezi, Dipuo Peters, Dikeledi Magadzi, Mosebenzi Zwane and Fikile Mbalula. Only Maswanganyi has been found guilty. Apart from the Peters investigation which continues, our complaints against the others have been dismissed without solid reasons.
- The record of the investigations, representations and hearings were secret. This is an unconstitutional rule of Parliament.

- #UniteBehind recognises the small step against Maswanganyi. However, the ANC must immediately remove Maswanganyi from his position as Chairperson of the Parliament Committee on Finance. How can we trust a man complicit in corruption to have oversight over treasury and state-owned entities?

### **Joe Maswanganyi facilitated corruption and state capture at PRASA**

Parliament's Joint Committee on Ethics and Members' Interests (Ethics Committee) has recommended that Mr Joe Maswanganyi (MP), the former Minister of Transport implicated in state capture at the Passenger Rail Agency of South Africa (PRASA), be suspended for three months. Now, the National Assembly must vote on the Ethics Committee's recommendation.

The Ethics Committee has made a finding against Maswanganyi based only on his failure to appoint a permanent board at PRASA. It states that "he failed to act ... in accordance with the public trust placed in him" and to "maintain public confidence and trust in the integrity of Parliament." This is damning. This means that Maswanganyi is not fit to be an MP.

Regrettably, the Parliamentary Ethics Committee's finding against Maswanganyi is a narrow one.

The Ethics Committee failed to address Maswanganyi's unlawful appointment of an interim board led by (the now suspended and disgraced) Justice TAN Makhubele who attempted to stop state capture investigations and attempted to facilitate further corruption at PRASA.

#UniteBehind also asked that Maswanganyi be investigated for his failure to address or recover the R79 million received by the ANC as a part of the thoroughly corrupt R3 billion Swifambo contract related to the locomotives that were too tall. The Ethics Committee did not address this aspect of our complaint.

Clearly, the Ethics Committee's acquittal of Maswanganyi on this charge has less to do with him and more with the ANC's desire to cover up its own crimes.

#UniteBehind recognises the finding against Maswanganyi but the proposed two-month suspension by the Ethics Committee is not enough. Maswanganyi is currently the **Chairperson of the Standing Committee on Finance**, a position that requires people of the highest integrity. At the very least, Maswanganyi must be suspended without pay and be removed as Chairperson of the Finance Committee. He should be given a formal reprimand by Parliament.

Our country faces multiple and dangerous crises because our state and Parliament is dysfunctional. The energy, water and rail crisis, unemployment, hunger, climate catastrophe, the

lack of income security, the eradication of corruption, literacy, state capture and other crises all demand members of Parliament who are hard-working, ethical and capable of learning.

Parliament has a duty to put the needs of people first.

Parliament has failed to implement the recommendations of the State Capture Commission of Enquiry. It is now the home of corrupt networks of MPs complicit in state capture and unable to discharge their duties. It's attempts to dispel the criticism laid against it by Chief Justice Zondo is feeble. The evidence, including the Ethics' Committee's inaction on our complaints, is plain to see.

We will continue our education and action in the streets and courts to ensure that Maswanganyi and all corrupt MPs are expelled from Parliament.

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