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Zondo commission – Mahlobo denies interference in SSA operations

Former minister of state security David Mahlobo has denied allegations before the state capture commission that he interfered in operational matters of the State Security Agency (SSA) during his tenure, in some instances instructing management to release millions of rands to him without following due process.

Mahlobo told the commission on Friday that those who have implicated him in such, including former acting SSA director-general Loyiso Jafta, contravened the accepted practice of the agency by revealing details of operational matters in their evidence.

Jafta testified before the commission on 26 January this year, and was singled out by Mahlobo as being motivated by a political agenda. Although the latter could not say what motive this agenda sought to achieve, he said it was clear that some of the evidence was interpreted and selectively positioned to fit a narrative implicating him, other politicians and even judges, in wrongdoing.

The former minister refused to give evidence on an internal SSA investigative report that arose from the recommendations of a high-level review panel regarding the agency, and for a period within which his tenure fell. Operation Veza, as it is known, was at the centre of the evidence of Jafta and in-camera witness Miss K, a lead investigator, and implicated Mahlobo in a number of operations in which he is alleged to have used a parallel, though unconstituted, structure within the SSA to run covert operations for the direct benefit of former president Jacob Zuma. Veza came about in response to recommendations by the panel – led by another former minister Sydney Mufamadi – that allegations of misappropriation of funds be investigated thoroughly. The other witnesses alleged that Mahlobo on occasion received cash from SSA operatives, on his instruction, that was understood to be meant for Zuma.

On the matter of Veza, commission chairperson Deputy Chief Justice Raymond Zondo ruled that Mahlobo and his legal counsel would return at a later stage to answer questions relating to the investigation and several other matters.

For the majority of his evidence, however, Mahlobo was at pains to educate the commission on the dos and don'ts of the intelligence sector. He declared at the beginning of his appearance, which was initially by video stream, that he would only be comfortable to speak on high level and policy issues relating to his time in office. Operational matters as testified to by Jafta and Miss K, he said, were not safe territory, and should never have come into the public domain as the commission is not only watched closely locally, but internationally too. South Africa, he said,

has enemies that may or may not be known, and may well use such information as it is publicly available.

“Intelligence is everywhere, including in my own bedroom. I can have a spy in my bedroom. It’s everywhere. It’s about the security of the state and its people,” Mahlobo said.

In terms of who those enemies recruit locally to help them achieve their goals, there were no limits. “No one is immune from recruitment. They can recruit a minister, they can even recruit a president. They can recruit a judge, they can recruit a parliamentarian,” he said. “You can recruit as long as you know what kind of information and influence you need.”

On the allegations contained in the affidavits of SSA officials whose names have been withheld and are known only as “Dorothy”; “Darryl”; “Frank” and “Steven”, Mahlobo said that without proof, their evidence was only hearsay and should not be entertained.

The four accused Mahlobo of having intervened in covert operations that included the formation of a new, but fake, union to counter the impact of mining union AMCU along the platinum belt of the North West. He said documents served on him by the commission itself show that the formation of the structure preceded his appointment as minister, which meant he could not have helped form it.

Mahlobo is also alleged to have actively participated in interfering in the legal aftermath of the signal jamming incident in Parliament during the 2015 state of the nation address, when a portion of the proceedings was interrupted and not audible to the public. In a later legal matter brought forward by the South African National Editors Forum against himself, the SSA and Parliament, Mahlobo is alleged to have discussed the need to influence the judge who would sit on the matter, with the help of another judge on the Gauteng bar.

He also denied allegations related to operation “Tin Roof”, which involved the alleged detainment of Zuma’s former wife, Nompumelelo MaNtuli Zuma, following her alleged poisoning of the former president.

In his closing comments, Mahlobo told Zondo that he supports the work of the commission, and stands by the undertaking of his party, the ANC, to instruct all those called upon by the commission to support its work.

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