

a

EVIDENCE OF CRIMINAL COMPLAINT

[Click on a page number to jump to that page](#)

A	INTRODUCTION.....	2
B	LAND RESTITUTION SCAM (CORRUPT enterprise)	5
	<u>Background</u>	5
	<u>Taking control of the Ndwandwe Community Trust</u>	13
	<u>Circumvention of PAIA Application</u>	13
	<u>Delius Report</u>	15
	<u>Scope of Theft of Land Restitution Funds</u>	15
	<u>Sale to Dubai World</u>	16
	<u>Assault on Travelport</u>	17
	<u>Assault on John Allen</u>	19
	<u>Payment by Mabuza to Visagie</u>	20
	<u>Defeating the Ends of Justice</u>	22
	<u>IFASA Land claim corruption</u>	22
	<u>Pressure on National Land Claim Commission</u>	24
	<u>Criminal Charges</u>	25
	<u>Taking control of Litigation</u>	26
	<u>Setting Aside Unlawful Consolidation</u>	27
	<u>Carolina Magistrate Court</u>	27
	<u>Contempt of Court</u>	28
	<u>Insolvency Proceedings</u>	29
	<u>Mabuza’s Non-existent Niece</u>	30
	<u>Section 34 Rights and further Contempt of Court</u>	31
C	PROBLEM ANIMAL FUND ENTERPRISE	31
	<u>Defeating Ends of Justice</u>	33
	<u>Barrier Fence Fraud</u>	36
D	CONCLUSION	40

I, the undersigned,

Wayne Llewelyn Duvenage

do hereby make oath and say that:

1. I am an adult male and the Chief Executive Officer of OUTA. I am duly authorised to depose to this affidavit on behalf of OUTA. I do not have personal knowledge of all the facts and circumstances of this complaint but I have familiarised myself with some of the evidence contained herein.

A INTRODUCTION

2. The complainant herein is the Organisation Undoing Tax Abuse (“OUTA”).
3. OUTA is a registered non-profit company in terms of the Companies Act, 2008 and has been approved as a public benefit organisation (“PBO”) under section 30 of the Income Tax Act, 1962. OUTA is funded by ordinary South Africans, as well as small and medium-sized local businesses who believe in and support its civil activism.
4. OUTA’s core aim is to ensure that tax revenue is expended in a frugal and lawful manner, unimpeded by the inappropriate use of state authority and power. Promoting public accountability and transparency is central to this aim. OUTA is mandated to challenge any policies, laws or conduct that offends the Constitution.
5. For convenient access to the evidence, I have created hotlinks to give instant electronic access to documents. Hard copies will be made available on request.
6. OUTA’s interest in this complaint is the damage done to the South African and Mpumalanga economy because of corrupt interests in land restitution and the wildlife sector in Badplaas in Mpumalanga.
7. Retired judge William Heath described the loss to the local economy in Badplaas as follows: “These actions have destabilised the local rural economy, causing loss of investment confidence and damages which has been calculated to more than R 35 billion in lost investment and revenue, lost foreign exchange and taxes to the

government and the loss of more than 6,000 local jobs. This is devastating in an area with an unemployment rate of 75%.¹

8. Also of interest to OUTA is that the Daily Maverick published an [explosive article](#) on 7 August 2022 about 6 missing police docket pointing to a high level cover up of evidence of the corruption.
9. In 1999, Frederick Coenraad Daniel founded a multi-billion rand conservation and ecotourism Cradle of Life Project (“the Project”) that promised to create socio-economic opportunities for impoverished rural communities and at the same time repair and protect biodiversity.
10. The Project had the backing of Chief Nkosi, Kerzner International, One&Only, Golf data, Guvon Investments, the Development Bank of SA and Dubai Word.
11. The Project in Badplaas consisted of several heritage nodes that included [Travelport](#), the [Nkomazi Wilderness](#), [Komati Springs](#) and [Msauli Village](#), situated in the grasslands of the Great Nkomazi River Valley, between the towns of Badplaas and Barberton in the Mpumalanga Province.
12. Badplaas had a population of 6 922 according to the last South African census of 2011 and has one of the highest unemployment rates in the country. The Project that created real opportunities became a target of corrupt interests in land restitution and the wildlife sector.
13. We propose that the suspects referred to in the paragraphs below be charged under the umbrella offence of contravening Section 2 (1) (d) of Prevention of Organised Crime Act 121 of 1988 (POCA) in that they acquired or maintained, directly or indirectly, any interest in or control of the following criminal enterprises.²
 - 13.1 **LAND RESTITUTION SCAM** – obtaining beneficial control of vast tracts of land (sometimes fraudulently) and selling the land at inflated prices to the land claims commission.
 - 13.2 **PROBLEM ANIMAL FUND ENTERPRISE** - generating income by killing wildlife and aiding and abetting the land restitution scam.

¹ See paragraph 5 of his [report](#) dated 17 March 2015

² Section 1 of POCA defines an enterprise, *inter alia* as “any union or group of individuals associated in fact”.

14. We furthermore propose the consolidation of the 6 “missing” criminal dockets³ against several suspects who conspired to target the Project. In furtherance of the criminal enterprises, the suspects committed a variety of offences, including but not limited to:

14.1 *Defeating the ends of justice*

14.2 *Theft*

14.3 *Fraud*

14.4 *Perjury*

14.5 *Contempt of Court*

14.6 *Intimidation - contravening Sections 1 (1) and 1a (1) of the Intimidation Act 1982 (Act 72 of 1982)*

14.7 *Extortion*

14.8 *Conspiracy, incitement or attempt to commit any offence referred to in Schedule 1 of POCA.*

15. The enterprises acting in concert and in common purpose came into conflict with private sector tourism and conservation, and in particular they targeted⁴ the Cradle of Life Project.

16. The suspects alleged to be involved in the criminal enterprises are:

16.1 **David Dadebe Mabuza** – Former MEC of Land Affairs, Environment and Agriculture, and former Premier of Mpumalanga, and now Deputy President of South Africa.

16.2 **Pieter Johannes Visagie** – Land speculator and “architect” of the land grab enterprise.

16.3 **Sunnyboy Sunday Maphanga** – Former Deputy Director of the Mpumalanga Department of Agriculture and Land Administration.

16.4 **Nceba Nqana** – Former Regional Land Claims Commissioner of Mpumalanga (“MRLCC”).

³ **Badplaas CAS 28-09-2011** – (Trust) complainant, Chief Nkosi, accused, Pieter Visagie and MJ Nkosi.

Badplaas CAS 57/10/2011 – (Ifasa land grab) complainant, Chief Nkosi, accused Gustav De Waal,

Badplaas CAS 47-3-2014 – (Fence fraud) complainant, Paul O’Sullivan, Dubai World (Nkomazi Properties (Pty) Ltd, Nic Webb.

Badplaas CAS 43/10/2016 – (Ndwandwe land grab) complainant, Paul O’Sullivan, Visagie/Mabuza

Pretoria Central CAS 401/11/2018 – (Alleged niece) complainant Daniel, suspect Mabuza

Pretoria Central CAS 373/03/2019 – (Requisitions) complainant Daniel, suspects Gustav de Waal, Ifasa.

⁴ For a visual presentation of how the plaintiffs were targeted view the documentary exposé on [Carte Blanche](#).

- 16.5 **Peter Mhangwani** - Former Regional Land Claims Commissioner of Mpumalanga.
- 16.6 **Tumi Seboka** – Former acting Regional Land Claims Commissioner of Mpumalanga.
- 16.7 **Linda Mbatha** - former Project Officer and Acting Project Manager of the MRLC.
- 16.8 **Investment for Agricultural Sustainability in Africa (IFASA)** – Company and “Architect” of the attempted land restitution “scam”.
- 16.9 **Gustav Uys De Waal** – Director of IFASA.
- 16.10 **Mynah Matsebula** – leader of the Greater Badplaas Land Claim Committee (“GBLCC”).
- 16.11 **M J Nkosi** – Leader of the GBLCC and employee of Pieter Visagie.
- 16.12 **Pro Khoza** – Former Badplaas local ANC councillor and member of the GBLCC.
- 16.13 **Jan Johannes Muller** – Former head of Wildlife Protection Services (WPS) of the Mpumalanga Tourism and Parks Agency (“MTPA”)
- 16.14 **Juan De Beer** – Manager: Species Protection of the MTPA.
- 16.15 **Nkomazi Properties (Pty) Ltd** – Dubai World company with director Nic Webb.

B LAND RESTITUTION SCAM (CORRUPT ENTERPRISE)

Background

- 17. Section 2 (1) (a) of the Restitution of Land Rights Act of 22 of 1994 provides that a person shall be entitled to restitution of a right in land if he or she is a person dispossessed of a right in land after 19 June 1913 as a result of past racially discriminatory laws or practices.
- 18. The above Section is consistent with Section 25 (7) of the Constitution that specifically precludes someone dispossessed of rights in land *before* 19 June 1913 from claiming the restitution of land or equitable redress of those rights.
- 19. The Ndwandwa Tribe, Lushangwe Community, Ngcongwane Family , Amangcamane Swazi, Ndumane Community, Thabethe Clan, Grootkop Community, Madonsela family lodged land claims with the MRLCC before the closing date 31 December 1998.
- 20. The claims were lodged on the following Badplaas farms:
 - 20.1 Engelschedraai 612JT
 - 20.2 Vaalkop 608JT
 - 20.3 Doornhoek 607JT
 - 20.4 Vygeboom 610JT

- 20.5 K.....kraal 618JT
- 20.6 Grootkop 617JT
- 20.7 Racesbaan 616JT
- 20.8 Onverwacht 611JT
21. It is evident from the historical deeds and property registers of the above farms that President Paul Kruger granted title to “Boers” long before the Land Act of 19 June 1913.
22. Land claims on the above farms are thus limited to labour tenancy or other limited claims such a grazing rights on small portions of the farms, if persons were dispossessed of these limited rights *after* 19 June 1913.
23. A short time line of how the farm Vygeboom was acquired by the “architect” of the land restitution scam, Pieter Visagie is instructive of the *modus operandi* of the criminal enterprise.
24. President Paul Kruger according to the [title deed](#) and [property register](#) granted the title of Vygeboom comprising 306 ha to Hendrik Theodor Buhrmann in 1870.
25. On 6 April 2002, V8 Cattle Ranch (Pty) Ltd, another corporate entity controlled by Pieter Visagie, [purchased](#) Vygeboom from the then owner, Cornelia Wessels, for R1.2 million.
26. The essential terms of the sale were that the buyer would pay eight equal instalments of R 200 000 (R 400 000 would be for interest) and pass a bond over the property as security for the seller.
27. The rand figures below are rounded off for ease of reference.
28. On 23 June 2003, Peter Bristow and Albert Roux of Lowveld Valuations CC and instructed by Visagie, [valued](#) Vygeboom for R 4.5 million.
29. On 22 August 2003, Nceba Nqana, the land claim commissioner of the MRLCC obtained an “independent” [valuation](#) of Vygeboom from Clifford Michael Brandon⁵ who certified the market value of the property on page 9 of his valuation to be R 2.9 million.

⁵ The government's Ernst & Young [report](#) (top of pg.12) found that Brandon was also acting on Visagie's instructions.

In his valuation, he misrepresented the purchase price of the sale as being R 1.6 million whereas it was R 1.2 million.⁶

30. According to the Section 42 D [Memorandum](#) dated 17 February 2004, the MRLCC requested ministerial approval to purchase the farms referred to above in paragraph 20, including the farm Vygeboom.
31. What is striking about the Memorandum is that all the land claimants are lumped together under the Ndwandwe Community Trust, which Visagie had set up in terms of The Communal Property Associations Act 28 of 1996 to hold land on behalf of land claimants. It has never been clarified which of the above land claimants claimed the entire Vygeboom comprising of 306 ha before the cut-off date of 31 December 1998.
32. When V8 Cattle Ranch was unable to meet the conditions of the sale and Wessels threatened to cancel the sale, Nqana, land claim commissioner, came to the company's rescue on 30 April 2004 by issuing a government letter⁷ of credit (guarantee) of R 1.4 million in favour of Wessels.
33. Despite the already inflated valuation obtained by the MRLCCC from Brandon, Vygeboom according to Derek Griffiths (a professional valuator appointed to investigate the inflation of land prices) was sold by V8 Cattle Ranch to the Ndwandwe Community Trust on 14 October 2003 for apparently R 4.5 million.⁸
34. An investigator may want to confirm the purchase price of R 4.5 million by obtaining the information from the Deeds Office, the MRLCC or the deed of sale from Visagie's conveyancing attorneys, Annemarie Swanepoel in Mbombela.
35. The above transaction was fraudulent for several reasons:
 - 35.1 The price was substantially inflated from R 1.2 million to R 4.5 million.
 - 35.2 The theft of land restitution funds of R 3.3 million - the difference between R 1.2 and R 4.5 million.
 - 35.3 The non-existence of any land claim to the entire farm.
 - 35.4 The non-verification of the land claimants due to "political" interference⁹.

⁶ See paragraph 4.5.4 of the 2nd [report](#) of Derek Griffiths for analyses of the actual purchase price.

⁷ See paragraphs 3.2 & 3.3 of the [settlement agreement](#) between Wessels and V8 Cattle Ranch dated 27 April 2004

⁸ See last page of 1st Griffiths forensic [report](#) dated 24 Jan 2005, item no 6.

⁹ See paragraphs 27 & 28 of the MRLCC's project officer Linda Mbatha's [affidavit](#).

36. The government's Ernst & Young [report](#)¹⁰ before the North Gauteng Division of the High Court in Case No. 34502/2010, provides compelling evidence of the land claim corruption enterprise.
37. Paul O'Sullivan [testified](#) (pg. 386) on 6 September 2021 in the trial that Visagie was the "architect"¹¹ of the enterprise. His evidence and [report](#)¹² [filed](#) in Badplaas CAS 43/10/2016, corroborate the Ernst & Young report.
38. Scroll down to see the graphs on Annexure "[D](#)" of O'Sullivan's report. It shows at what massive profit each of the farms were sold by Visagie and his corporate entities to satisfy the fraudulent so-called Ndwandwe land claims.
39. According to the MRLCC's Section 42 D [Memorandum](#) dated 17 February 2004¹³ R 103 million was requested from the Department of Land Affairs to settle various land claims in favour of corporate entities, which according to Ernst & Young [report](#) were controlled by Pieter Visagie, a land speculator.
40. Acting as middlemen, Visagie and his corporate entities masqueraded as landowners/sellers.
41. They committed fraud against the MRLCC by misrepresenting it to the MRLCC and the Department of Land Affairs that they were the owners of the properties being claimed, *whereas they were acting as middlemen and on-sold the properties to the MRLCC at vastly inflated prices.*
42. Nqana, the Land Claim Commissioner, committed fraud against the MRLCC and the Department of Land Affairs in the Section 42D [Memorandum](#) by misrepresenting it to the Department of Land Affairs therein that Visagie and his entities were the landowners of the properties being claimed, *whereas they were acting as middlemen and on-sold the properties to the MRLCC at a massive profit.*

¹⁰ The full report is available on request. The findings *alone* are necessary for purposes of this complaint.

¹¹ When Daniel testified (pg. 112) about Visagie's role, Hellens for Mabuza objected that Visagie's role was blatant speculation. He did not object when Paul O'Sullivan testified earlier that Visagie was the architect of the fraud.

¹² See Annexures "A", "B", "C", "D", "E" of O'Sullivan's report.

¹³ The Delius report of 2017 proves conclusively that the authors of the Section 42 D Memorandum committed fraud to unlock land restitution budgets, i.e. there were no valid claims for entire farms.

43. Nqana, the Land Claim Commissioner, and his project officer, Linda Mbatha, committed fraud against the MRLCC and the Department of Land Affairs in the Section 42D [Memorandum](#) by misrepresenting it to the Department of Land Affairs therein that the land claimants had valid claims for the entire farms claimed, *whereas the title deeds¹⁴ and the Delius report prove conclusively that no such claims for entire farms existed.*
44. Nqana and his project officer Mbatha furthermore committed fraud against the MRLCC and the Department of Land Affairs in paragraph 8.2 of the Section 42D [Memorandum](#) by misrepresenting it to the MRLCC and the Department of Land Affairs that there were 35 000 potential beneficiaries (to fraudulently access grants), *whereas only 6 922 people lived in Badplaas according the Census of 2011.*
45. An investigator is likely to discover that that the grants were paid to Visagie and not to any of the purported beneficiaries. He or she should ask the MRLCC to furnish them with the names and addresses of the purported beneficiaries.
46. Nqana, as a public officer, also contravened Section 4 of the Prevention and Combatting of Corrupt activities Act, 12 of 2004 by enabling the settlement of land claims at vastly inflated prices in favour of Visagie.
47. He contravened Section 4 (i) (aa) by acting in an illegal, dishonest and biased way in the exercise of his constitutional, statutory and legal obligations in manner that read together with Section 4 (ii) amounts to an abuse of his position of authority that read together with Section 4 (iii) was designed to achieve an unjustified result and read together with to Section 2 (d) aided, assisted and favoured Pieter Visagie and his corporate entities.
48. The above fraud was prejudicial to the Department of Land Affairs and unless proven otherwise, no benefit has accrued to the purported land claimants.

¹⁴ See below the relevant title deeds that prove the “Boers” owned the farms prior to 1913:

1. [Engelschedraai](#)
2. [Vaalkop](#)
3. [Doornhoek](#)
4. [Vygeboom](#)
5. [Onverwacht](#)
6. [Kafferskraal](#)
7. [Grootkop](#)
8. [Racesbaan](#)

49. Visagie's private entities not only stole land restitution funds by vastly inflating prices but also obtained beneficial use of vast tracts in phases of the restituted land. See paragraph 1.1.8 of the Ernst & Young [report](#).
50. Linda Mbatha, one of the project officers for the Badplaas land claims, gave an [affidavit](#) to Ernst & Young wherein he states in paragraphs 27 & 28 that he was forced by political pressure to fast track the claims because politicians had an interest in the land.
51. According to Ernst & Young, the total payments in respect of land purchases in Badplaas by the MRLCC amounted to R 206,275,524.00 during the period of review which was between 1 April 2003 to 31 August 2004.
52. Ernst & Young report implicates the land claim commissioner, Nqana and his project manager Mbatha, both suspended and resigned in 2004 rather than face disciplinary enquires.
53. The above transactions represent the first phase of what might be described as a land grab by fraudulently converting labour tenancy claims into land restitution claims for entire farms. The second phase targeted the Msauli Village and the third phase the Nkomazi Wilderness.

Msauli Village

54. On 4 September 1999, Richard Spoor, the Project's former attorney sent a goodwill [letter](#) to the MRLCC together with a map (see Fig 1 below) of the nature reserve that his clients were in the process of establishing. See paragraphs 34 & 35 of his witness [statement](#).
55. After historical research of the title deeds and the history of the properties, Spoor advised Daniel in his December 2000 [report](#) that there was no threat of restitution of the entire farms. His findings would later be confirmed by Professor Delius in 2017 and consistent with a reported Land Claims Court [judgement](#) of Meer J in 2018.
56. The Project was first targeted (after Daniel provided a business plan to the government) when Nqana [informed](#) Daniel in 2003 that a land claim had been lodged on the Msauli Village, farm Diepgezet 388JU.
57. See the [report](#) on the background to the above land claim, how it undermined lawful rights and interests of the Project and the tragic consequences of corruption.

58. Towards the end of 2003, Visagie made an offer to Daniel to buy the Nkomazi Wilderness at 300% higher than its value as agricultural land. Visagie said that he was connected to Mabuza and advised him to sell, rather than wait for a land claim to be gazetted on his land.
59. Daniel refused to accept the offer and on 21 May 2004 the MRLCC did what Visagie had warned Daniel would happen and gazetted land claims over the boundaries of the entire Nkomazi Wilderness.

NKOMAZI WILDERNESS

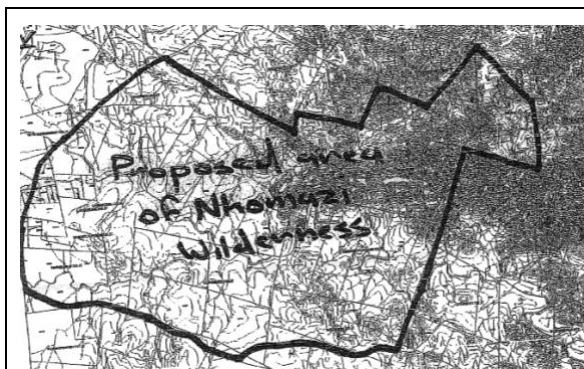


Fig 1: Map of farms disclosed to MRLCC on 4 September 1999.

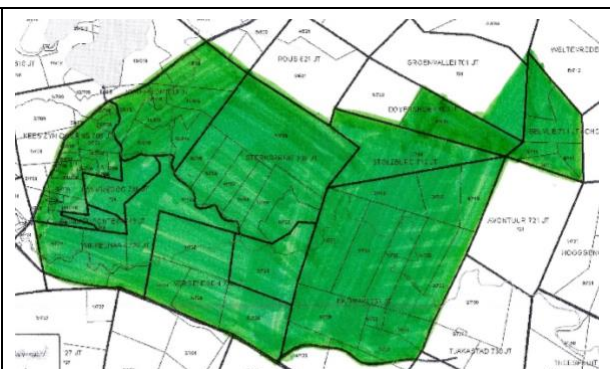


Fig 2: Map of properties gazetted by MRLCC on 22 May 2004.

60. Spoor confirmed in paragraphs 34 – 39 of his written statement on 10 February 2022 in the North Gauteng Division of the High Court in Case No. 34502/2010. His evidence is thus that land claims were gazetted over the boundaries of the Reserve as delineated by the map he had sent to the MRLCC on 4 September 1999.
61. This cannot be a coincidence and constitutes *prima facie* evidence that the land claims were orchestrated by Nqana.
62. Spoor first drew attention to the land claim corruption in a letter to Nqana dated 25 May 2004 and on 4 September 2004. The City Press broke the story as “SA’s own land grab”.



04/09/2004 21:33 - (SA)

SA's own land grab
JUSTIN ARENSTEIN

Fig 3: SHREWD white land speculators are milking the land reform programme by systematically selling farms to the Land Claims Commission (LCC) at massively inflated prices.

63. In retaliation, Nqana issued a [press release](#) on 6 September 2004 denying that land prices were inflated and accused Daniel of not being cooperative.
64. Nqana's problem was not only that the prices were massively inflated, but also the fact that he must have known that the land claims to the entire farms that comprised the Reserve, were patently unlawful and fraudulent.
65. See Spoor's [written statement](#) at paragraphs 58 – 83 where he stated how Nqana and later Peter Mhangwani stonewalled all his attempts to persuade it to participate in constructive settlement negotiations and mediation over the land claims. A civil discussion would have exposed that, at most, limited labour tenancy claims existed that could easily have been settled.
66. The truth would however have interrupted the land restitution scam/ corrupt enterprise and was inconvenient for the perpetrators.
67. In retaliation, Nqana, Mynah Matsebula, MJ Nkosi and Pro Khoza (members of the GBLCC) orchestrated violent protests at the Nkomazi Reserve. They branded pliers to send a message that they intend to cut the fences of the Reserve if Daniel did not capitulate.



Fig 4: Crowds gathered outside Nkomazi Reserve on 1 December 2005 to force owners of the Nkomazi Reserve to recognise unlawful land claims.

Taking control of the Ndwandwe Community Trust

68. Visagie with the assistance of the Nqana, took control of the Ndwandwe Community Trust in November 2006 when Chief Nkosi, a trustee, expressed his concern over Visagie's plans to transfer additional farms to the Trust.
69. Visagie responded by fraudulently substituting him with a pliable trustee, MJ Nkosi.¹⁵
70. Chief Nkosi prevented Visagie in 2011 from continuing to use the Trust as a vehicle to commit fraud when he successfully opposed an application by the Trustees in the North Gauteng Division of the High Court in Case No. 41907/2011.
71. See the [affidavit](#) of Danie Krige, Deputy Master of the Pretoria High Court and the fake [letters](#) of authority appointing MJ Nkosi.
72. Bertelsmann J was persuaded and [ordered](#) on 4 November 2011 that the status quo ante be restored.
73. Chief Nkosi laid charges of [fraud](#) and theft against Visagie and MJ Nkosi at the Badplaas Police Station under **CAS 28/09/2011**.
74. The NPA issued [summons](#) in criminal proceedings against Visagie and must therefore have believed there was a *prima facie* case against Visagie, but despite the fact that Chief Nkosi put himself at considerable risk, the charges were withdrawn.

Circumvention of PAIA Application

75. Spoor testified on 10 February 2022 (North Gauteng Division of the High Court in Case No. 34502/2010) how Nqana and the new land claim commissioner, Peter Mhangwani stonewalled his attempts between 2004 - 2007 to obtain information about the merits of the alleged land restitution claims.
76. As stated before herein, see paragraphs 58 – 98 of Spoor's [witness statement](#) for how letter after letter was left unanswered by the land claim commissioners.

¹⁵ MJ Nkosi worked on Visagie's farm and became a member of the GBLCC.

77. Spoor brought a PAIA [application](#) on 21 February 2007 to compel the MRLCC to provide the information he needed to advise Daniel on the merits of the claims. See paragraph 115 – 119 of Spoor’s witness [statement](#).
78. Mhangwani responded by prematurely [referring](#) the land claims to the Land Claims Court on 23 March 2007 (LCC 33/2007) and refused to comply with the PAIA application. Compliance would have exposed the fraudulent scheme.
79. Mhangwani filed a fraudulent¹⁶ certificate contained on page 61 of the [referral](#) that it is not feasible to resolve the dispute by way of mediation as prescribed by Section 14 (1) (b) of the Restitution of Land Rights Act.
80. Mabuza perpetuated the above cover up on 25 March 2011, by stating falsely under oath (North Gauteng Division of the High Court in Case No. 19108/10) that the aforesaid land claims had been fully ventilated in the Land Claims Court. (See paragraph 138 below for more detail.)
81. The purpose of the referral was to suppress the evidence that no claims existed for entire farms. It has remained in abeyance in the Land Claims Court since 2007 to cover up the fact that the land claims were fraudulent.

Threat of Expropriation

82. Following the circumvention of the PAIA application, the then Minister of Land Affairs, Ms Lulama Xingwana upped the ante by serving a [Notice](#) of Possible Expropriation dated 2 May 2007 in terms of Section 42E of the Restitution of Land Rights Act, 22 of 1994, on portion 26 of the farm Keez Zyn Doorn 708JT.
83. Daniel purchased the farm to form part of Travelport and was waiting for transfer to take place.¹⁷
84. The purpose of the Notice was to note a caveat against the title deed to prevent the owner from transferring the farm to Mountain View Investments (Pty) Ltd, one of Daniel’s companies.

¹⁶ The mediation certificate is fraudulent in light of Spoor’s evidence and paragraphs 76 – 78 of his witness [statement](#). The MRLCC were begged but refused to engage in mediation. A rational discussion would have exposed that land claims for whole farms did not exist and that claiming whole farms may be described as a land grab.

¹⁷ See paragraph hereunder: Assault on Travelport.

85. The Notice and caveats were removed by the Deeds Office after Spoor in a [letter](#) dated 23 August 2007 requested information to verify the Keez Zyn Doorn land claim and threatened litigation to set aside the Notice and caveats.
86. The threat of expropriation was an abuse of power for two reasons:
- 86.1 The Mdamane Community's claim by Kenneth Masina already succeeded in a land claim as is apparent from the Section 42D [Memorandum](#) of 2004.
- 86.2 The Mdamane claim at most could have been a limited claim and not for the restitution of the whole farm known as Keez Zyn Doorn.
87. Mhangwani, the land claim commissioner committed fraud by misrepresenting to the Minister of Land Affairs that the Mdumane community had a valid claim on the entire Keez Zyn Doorn farm, *whereas for the reasons above the community did not have such or even a limited claim.*

Delius Report

88. The 2017, the Delius [report](#) of the government found that only 7 families had limited labour tenancy claims in Badplaas. No claims therefore exist that could justify the return of the whole farms¹⁸ that comprised the Msauli Village, Travelport or the Nkomazi Wilderness.
89. This is consistent with the historical facts proven by the title deeds that "Boers" owned the farms in the area long before 13 January 1913, which means that the claimants at most were dispossessed of limited rights such as labour tenancy or grazing rights after 13 January 1913. None were entitled to the restoration of entire farms.
90. The Delius report and title deeds conclusively prove that the land claims gazetted for whole farms were *ipso facto* fraudulent.

Scope of Theft of Land Restitution Funds

¹⁸ Delius could verify claims for no more than 56 ha on the Nkomazi Wilderness.

91. According to Ernst & Young report¹⁹, R 206 275 524.00 was spent by the MRLCC under Nqana's stewardship during the period of review between 1 April 2003 to 31 August 2004, despite the very limited nature of land claims in the area.
92. To establish what happened to the above funds and who benefitted, an investigation is required of the bank accounts of the following Visagie corporate entities identified by Ernst & Young:
- 92.1 Biotrace Trading (Pty) Ltd.
 - 92.2 Rybenway Investments (Pty) Ltd.
 - 92.3 Conterberg Boerdery Trust.
 - 92.4 V2 Verkoop en Verkoop Trust.
 - 92.5 V8 Cattle Ranch (Pty) Ltd.
93. Annemarie Swanepoel of Mbombela and Beyers and Day Inc of Barberton were Visagie's conveyancing attorneys, and their trust accounts might have been used to launder the stolen land restitution funds.

Sale to Dubai World

94. Induced by the above unlawful land claims and conduct of the enterprise to cover up the crime, Daniel sold the Reserve to Dubai World on 17 March 2008 at a loss. He maintained the fond hope of keeping his dream alive (to mitigate his damages) and participated in the *Barberton Makhonjwa Mountain Land World Heritage Site*.
95. For this reason, Daniel retained Travelport adjacent and Komati Springs inside the Reserve, as well as valuable traversing rights linked to ownership of a private lodge site situated inside the Nkomazi Reserve.
96. Daniel relocated to Travelport in 2008 expectating the new owners to preserve the biological integrity and economic value of the Nkomazi Reserve as agreed in the sale agreement.
97. This was important because Daniel remained invested in the Project.

¹⁹ See page 11 of [executive summary](#) of the Ernst & Young report.

98. [Travelport](#) is a 1,000-ha property in a heritage node adjacent to the Reserve with facilities for day visitors, free roaming wild animals, accommodation and a biopark for educational purposes.
99. Dubai World agreed in writing that Travelport would be connected to the Reserve. It would become part of a Transfrontier Park initiative connecting back-to-back conservation initiatives into Swaziland and Mozambique.
100. The sale of the Reserve unfortunately did not remove Daniel as an obstacle and threat to the land restitution scam/ corrupt enterprise.

Assault on Travelport

101. On 18 July 2008, Mabuza in his capacity as MEC set up the so-called Greater Badplaas Land Claim Committee (“**GBLCC**”), a lobby group²⁰ for land claimants in Badplaas.
102. This is confirmed in an [email](#) from Pro Khoza dated 18 July 2008.
103. On 2 August 2008 a large group of people were bussed in from Middleburg by the GBLCC to launch an assault on Travelport. The purpose was to intimidate Daniel to admit the Mdamane community land claim²¹ by Kenneth Masina on the entire farms of Winkelhaak and Keez Zyn Doorns, which formed part of Travelport.
104. As stated earlier the Mdamane Community had already succeeded in a land claim as is apparent from the Section 42D [Memorandum](#) of 2004. They cannot claim a second property and were simply used as a front for a land grab.
105. The violent nature of the assault appears from the photograph below taken during the attack and an [article](#) in the Lowvelder of 8 August 2008 shows the extent of fences destroyed by the mob.

²⁰ Spoor [testified](#) (pg. 31) in the North Gauteng Division of the High Court in Case No. 34502/2010 on 11 February 2022 that the GBLCC was a lobby group for land claimants in Badplaas. His evidence was not contested.

²¹ The Mdamane community had already been successful in the original so-called Ndwandwe claim on another property as is apparent from Section 42D [Memorandum](#) dated 17 February 2004. They cannot have a second bite at the cherry and in any event had claimed the wrong property (Keezyn Doorn) according to para 7.2.4 of the executive summary of the 2013 Dube [report](#). Furthermore the MRLCC has to date not furnished any proof that the claim on the two properties were lodged before the cut of date for land claims. The claim is *prima facie* fraudulent.



Figure 5: Travelport assault on 2 August 2008.

106. The assault was pre-planned. Kobus Vermeulen, a former member of the Badplaas SAPS [testified](#) (pg. 230 – 238) in the North Gauteng Division of the High Court in Case No. 34502/2010 on 1 August 2021 that the local police were instructed not to get involved.
107. This evidence was not contested in the High Court.
108. Vermeulen [testified](#) (pg. 236) that Mabuza arrived on the scene accompanied by police from another area and stood on the back of a pickup truck with a loudhailer and told the attackers to go home and that he will make sure they get “their” land back.
109. Vermeulen’s evidence is corroborated in an [affidavit](#) by the well-known journalist Bheki Mashile who witnessed the assault on Travelport.
110. Vermeulen’s evidence was not contested, save for Hellens (SC) contending that Mabuza had told the rioters that he would make sure they get their land back *if they had lawful land claims*. It seems contrived that Mabuza would have qualified his promise to the rioters on the day.
111. John Allen, Daniel’s business consultant was kicked by one of the “protestors” and robbed of his camera.
112. Soon thereafter, the GBLCC organised a talk show on Radio Alpha on 27 August 2008 and its members which included Pro Khosa, a local ANC councillor, set out in graphic detail how they planned to drive owners off their land. The transcripts are available on request.

113. As part of the harassment, Simon Huba, a plaintiff (now deceased) in the North Gauteng Division of the High Court in Case No. 34502/2010 was held in a safe and tortured by the police who called him an impimpi.
114. See paragraphs 1,2 & 3 on page 3 of Huba's [affidavit](#).
115. Vermeulen also testified that Pro Khosa and members of the GBLCC assaulted him and held him and other policemen hostage at the Badplaas police station for hours on 18 October 2008. They were upset that police were protecting landowners.
116. Members of the Badplaas police station laid a [complaint](#) at the Human Rights Commission on 21 October 2008 following the above conduct of Pro Khosa and the GBLCC.
117. Two high court judges [ruled](#) that the members of the GBLCC were interdicted from violence, intimidation and attacking Travelport's fences.²²
118. In retaliation Pro Khoza told the [Sowetan](#) on 19 September 2008 that a farmer in the area have fed a man to lions to scare people of from claiming their land. No doubt he was referring to Daniel.

Assault on John Allen

119. John Allen, Daniel's consultant, attended a meeting on 12 September 2008 at the Forever Resort in Badplaas with Mabuza and members of the GBLCC.
120. Mabuza had earlier called Daniel to arrange a meeting between him and the GBLCC. Realising that his presence may aggravate the conflict, Daniel sent Spoor and Allen to attend on his behalf.
121. On Allen's arrival at the meeting (Spoor arrived late) chaired by Mabuza, members of the GBLCC and its leaders Mynah Matsebula, MJ Nkosi and Pro Khoza immediately started to assault and swear at him.
122. The assault is described in paragraph 95 of Allen's witness [statement](#). Mabuza according to Allen watched with his arms folded and a smirk on his face.

²² Judges Epinschn and Ellis in High Court Case No: 36615/2008.

123. The assault was pre-planned to intimidate Daniel to admit the Travelport land claim.
124. Allen had to flee fearing for his safety.
125. Daniel [called](#)²³ Mabuza on 17 October 2008 to ask for his assistance in a 13 minute long telephone conversation. Mabuza told him that he cannot protect him if he does not recognise the land claim on Travelport.
126. The assault on Travelport and John Allen, and Mabuza's veiled threat that he cannot protect Daniel if he does not recognise the Travelport land claim amount to the common law offence of attempted extortion and the statutory offence of intimidation under of Sections 1 (1) and 1a (1) of the Intimidation Act 72 of 1982.

Payment by Mabuza to Visagie

127. O'Sullivan's testimony on 6 September 2021 in the North Gauteng Division of the High Court in Case No. 34502/2010, also link Mabuza to the land claim corruption.
128. O'Sullivan [testified](#) (pg. 363 – 366) that one Sunnyboy Maphanga, in his capacity as deputy director in the office of Mabuza, the then MEC for Agriculture, Environment and Land Affairs, on 9 December 2008 [motivated](#) a payment of R 3.4 million to Visagie.
129. This was on top of the already inflated land prices of up to 2 500% for farms which Visagie sold to the MRLCC. The same Visagie identified by Ernst & Young **report** in 2005 as the "architect" of the land restitution scam.
130. Mr. Maphanga and Mabuza were business partners and directors of the same private company called [Nelesco](#). Hellens denied in the High Court that they were business partners but not that they were directors of the same company.
131. O'Sullivan further [testified](#) (pg. 363 – 366) that Mabuza on the basis of Maphanga's motivation signed a [letter](#) dated 6 January 2009 requesting the MRLCC to pay the R 3.4 million to Visagie.
132. Hellens, representing Mabuza, tried to minimise Mabuza's involvement in the payment to Visagie, stating that Mabuza's relied on a committee to advise him.

²³ Mabuza committed perjury by [denying](#) (para 20.3) the telephone conversation in North Gauteng Division of the High Court in Case No. 19108/10. The cell no. 082 331 5790 was used by his body guard called Victor.

133. Visagie requested the above payment after FNB brought a liquidation application²⁴ in the Transvaal Division of the High Court in Case No. 38065/2008 against V8 Cattle Ranch (Pty) Ltd. An entity, according to the Ernst & Young **report**, controlled by Visagie.
134. Evidence of the liquidation is in found in paragraphs 14.2 – 16.1.2 of Visagie’s [Particulars of Claim](#) in a damages claim against FNB that arose from the liquidation. Of particular interest is a reference in paragraph 16.1.1 to a comfort letter from the Premier of Mpumalanga that payment of R 3 149 950.00 was on its way.
135. Mabuza cannot hide behind the fact that he acted on advice of Maphanga and a committee to motivate the payment to Visagie for the following reasons:
- 135.1 It appears that the real reason for the payment was to stave off the liquidation of Visagie’s V8 Cattle Ranch (Pty) Ltd,²⁵ and not to rectify incorrect valuations (five years later) of already massively inflated land values.
- 135.2 His business relationship with Maphanga is confirmed by the [Nelesco](#) documents.
- 135.3 His involvement in the GBLCC (a lobby group) and his participation in the 2008 assault on Travelport and John Allen.
- 135.4 Because of Visagie’s prominent role in the land restitution scam/ corrupt enterprise according to the government report of Ernst & Young **report**, it is farfetched that Mabuza, first as MEC for Land Affairs and Agriculture and then Premier, would not have known this.
- 135.5 Visagie’s involvement in the Badplaas land scam was widely known and [reported](#) in the media between 2004 and 2009.
- 135.6 O’Sullivan’s finding in paragraph 3 bullet point 5 of his [report](#)²⁶ that the payment to Visagie was nothing more than fraud.

²⁴ The liquidation application was brought in August 2008 and on 20 October 2009, Visagie paid R 3 149 956.00 to FNB. He was not successful to prevent the final liquidation. An investigator should consider uplifting the contents of the court file.

²⁵ See paragraph 1.1.7 of the Ernst & Young [report](#) for V8’s role in the fraudulent scheme.

²⁶ See Annexures “[A](#)”, “[B](#)”, “[C](#)”, “[D](#)”, “[E](#)” of O’Sullivan’s report.

136. Mabuza and Maphanga thus committed fraud by making a misrepresentation to the MRLCC that Visagie's V8 Cattle Ranch (Pty) Ltd was underpaid an amount of R 3 149 950.00, *whereas the company was vastly overpaid by the Department of Land Affairs and the real reason for the payment was to stave off the liquidation of the V8 company.*
137. The EFF laid [criminal charges](#) against Mabuza on 26 November 2015 for the payment to Visagie. See [report](#) in the Lowvelder of 18 December 2015.

Defeating the Ends of Justice

138. Mabuza stated under oath on 25 March 2011 in an application in the North Gauteng Division of the High Court in Case No. 19108/10 that the Badplaas land claims had been fully investigated and fully ventilated in the Land Claims Court. Significantly he does not say that he was so advised.
139. The statement appears in paragraph 3 of Mabuza's [answering affidavit](#) dated 25 March 2011. It was made to oppose Daniel's applications for the appointment of a commission of enquiry into the malfeasance relating to the land claims.
140. The statement is demonstrably false and made to create the impression that the Badplaas land issues had been fully investigated and fully ventilated (resolved) in the land claims court, *whereas nothing can be further from the truth.*
141. Mabuza was prepared to defeat the ends of justice and commit perjury because he could not afford having a commission of enquiry exposing the Badplaas land claims corruption.

IFASA Land claim corruption

142. Also in 2011, Daniel caught wind that Dubai World was attempting to sell the Reserve to the MRLCC in the next phase of the land restitution scam/ Corrupt enterprise. This time the enterprise used a company by the name of IFASA and its director, Gustav De Waal as a front.
143. The enterprise intended to transfer the land of the Reserve to the Ndwandwe Community Trust, which was at the time still controlled by the MJ Nkosi and his fellow members of the GBLCC.

144. The 2017 Delius [report](#) of the government found that only 7 families had limited labour tenancy claims in Badplaas. No claims existed in 2011 that could justify the return of the entire farms²⁷ that constituted the Reserve.
145. Dubai World was so desperate to sell the Reserve that it was willing to turn a blind eye to the *prima facie* evidence that no genuine land claims existed on the entire farms of the Reserve.
146. The fraudulent scheme planned to change the land use of the Reserve back to agriculture²⁸ and it would have been funded by a government guarantee of R 350 million.
147. The purpose of the scheme is apparent from the IFASA [minutes](#) of a meeting on 9 April 2011, a meeting introducing MJ Nkosi as the program director.
148. To achieve its goal, IFASA dangled an investment of R 2.5 billion (in the form of a fake letter of credit from an attorney) in community agricultural projects in front of the MRLCC.
149. As agricultural land, the value of the land would have been significantly less than the R350 million offered by the MRLCC.
150. The price for the Reserve (as agricultural land) was therefore also substantially inflated and instead of Visagie, IFASA would have been the front and beneficial owner of the Nkomazi land.
151. The scheme was hatched while M J Nkosi,²⁹ a member of the GBLCC and former employee of Visagie, had control over the Ndwandwe Community Trust and before Bertelsmann J set aside his letters of authority as trustee in November 2011.
152. To protect the value of his traversing rights and lodge site on the Reserve, Daniel, brought a successful application in the North Gauteng Division of the High Court in case no. 35279/2011, to set aside the IFASA scheme.

²⁷ Delius could verify claims for no more than 56 ha on the Nkomazi Wilderness.

²⁸ The scheme would have rendered Daniel's traversing rights over the Reserve, his lodge site and his interest in Komati Springs worthless.

²⁹ See paragraph 63 *re* hijacking of the Ndwandwe Community Trust.

153. His actions stopped the fraudulent scheme in its tracks and saved the Nkomazi Reserve (proclaimed a nature reserve in 2001) and the fiscus more than R 350 million rand by stopping the corrupt IFASA deal from coming to fruition.
154. The then acting land claim commissioner of the MRLCC, Tumi Seboka³⁰, the director of IFASA, Gustav De Waal, Dubai World, and Patience Mnisi³¹ (the wife of Mabuza) of Pam Golding were involved in the attempted IFASA land grab.
155. Seboka, De Waal, Dubai World and Patience Mnisi should be investigated for the conspiracy to commit fraud against the MRLCC and the Department of Land Affairs by negotiating the settlement of a fraudulent land claim on the Nkomazi Reserve.
156. Tumi Seboka as a public officer, contravened Section 4 of the Prevention and Combatting of Corrupt activities Act, 12 of 2004 by attempting to settle a fraudulent land claim. She contravened Section 4 (i) (aa) by acting in an illegal, dishonest and biased way in the exercise of his constitutional, statutory and legal obligations in manner that read together with Section 4 (ii) amounts to an abuse of her position of authority that read together with Section 4 (iii) was designed to achieve an unjustified result and read together with to Section 2 (d) aided, assisted and favoured Gustav de Waal of IFASA.
157. See paragraph 162 for criminal dockets arising from the IFASA deal.

Pressure on National Land Claim Commission

158. Also in 2011 on the 25th of September, the GBLCC paid a visit to Mr. Sunjay Singh, the National Land Claim Commissioner to pressurise him to expedite the land claims on the Nkomazi Reserve and Travelport.
159. According to the [minutes](#), Minah Mathebula who assaulted Allen at the Forever Resort meeting of 12 September 2008, introduced herself as the spokesperson of the GBLCC.
160. According to page 2 paragraph 2 of the minutes, the GBLCC was not happy about the re-opening of the research (verification) of the merits of the Badplaas land claims. Singh stood his ground and said: *“Things were not properly done in the past hence this mess*

³⁰ Daniel has documentary evidence that reveals that Tumi Seboka resigned as acting land claim commissioner to facilitate the IFASA deal in expectation that Dubai World would pay her a commission.

³¹ Patience Mnisi also expected to earn an estate commission from the deal. There is no lawful basis for Seboka or Mnisi to earn a commission in that the buyer (the MRLCC) had already been identified.

but himself he does everything according to the Restitution of Land Rights Act – he operates in terms of the law.”

161. The evidence is compelling that Mabuza used the GBLCC (when legal means failed) to force Daniel and the government to recognise fraudulent land claims, as is evident from:
 - 161.1 Spoor’s evidence that the GBLCC was a lobby group for land claims.
 - 161.2 Mabuza’s personal involvement in the GBLCC.
 - 161.3 His presence during the assault on Travelport.
 - 161.4 The instruction to the local police not to get involved during the assault.
 - 161.5 His promise to the Travelport rioters that they will get their land back.
 - 161.6 His presence and response to the assault on John Allen.
 - 161.7 His veiled threat that he cannot protect Daniel if he does not recognise the Travelport land claim.
 - 161.8 The *prima facie* evidence that the purported Travelport land claimants, the Mdumane community were used as a front by the GBLCC as they had already been successful in a land claim according to the MRLCC’s Section 42 D [Memorandum](#) dated 17 February 2004.

Criminal Charges

162. In October 2011, Chief Nkosi (who had laid charges after the hijacking of the Ndwandwe Community Trust in **CAS 28/09/2011**) laid further charges against IFASA and 5 others relating to the inflation of land prices in **CAS 57/10/2011** at the Badplaas Police Station.
163. Both dockets were fully investigated by a team consisting of Col Daniel Hall, Major Mohlala and Inspector Kobus Vermeulen and [enrolled](#) by the NPA under Case Number 62/2021 in the Regional Court in Mbombela.
164. The fact that the charges were enrolled means that the NPA believed they merited prosecution.
165. The case was reported on in the [Lowvelder](#) on 16 September 2012.

166. On 4 April 2013 the charges were withdrawn due to political pressure and despite compelling evidence.
167. On 14 October 2016 in Badplaas **CAS 43/10/2016**, O’Sullivan laid criminal charges relating to Visagie and Mabuza’s earlier involvement in the Badplaas land claim scam that was exposed in the Ernest & Young report.
168. In his [report](#)³² contained in an affidavit in CAS 43/10/2016, O’Sullivan proposes the appointment of an experienced team to investigate Visagie and Mabuza’s involvement in the scam.
169. On 17 June 2022, a new team of Hawks’ investigators confirmed in an [email](#) that some of the criminal dockets had disappeared and in others, the evidence had been removed.
170. It appears correct when Mabuza said in parliament that there is no evidence against him and in a [press release](#) on 3 February 2018, Mabuza stated:

“If Mr. Daniels with his cohorts have any evidence of any wrong doing in particular of criminal nature, he can lay the charges directly with the Hawks in Pretoria, the Public Protector etc.”

Taking control of Litigation

171. In 2015, Mabuza, the then Premier of Mpumalanga took control of the damages litigation in the North Gauteng Division of the High Court in Case No. 34502/2010. The damages arose from the activities of the land grab exercise.
172. He did so by moving the files from the MTPA to the Premier’s offices. See page 144 lines 30 – 35 of the MTPA’s Annual [Report](#) of 2015/2016.
173. On 5 December 2018, Mabuza in his capacity as deputy President filed a [discovery affidavit](#) on behalf of the MEC for Land Affairs and Agriculture.
174. On 28 May 2019, during a meeting with Acting DJP Raulinga, Ferreira (SC) confirmed:
“I also act for, Mr. David Mabuza in his personal capacity, who was sworn in as the Deputy President today...”

³² See Annexures “[A](#)”, “[B](#)”, “[C](#)”, “[D](#)”, “[E](#)” of O’Sullivan’s report.

175. His role was taken over by Hellens (SC) in 2020.
176. On 8 April 2021, Mabuza filed a new discovery affidavit in which he [discovered](#) his *curriculum vitae*, stating that he as deputy President is leading government efforts to fast-track Land Reform.
177. Mabuza is not cited as a defendant in the damages litigation, but the objective facts demonstrate that his shadow looms large over the litigation in the North Gauteng Division of the High Court in Case No. 34502/2010.

Setting Aside Unlawful Consolidation

178. In the meantime, Ngcukaitobi AJ presiding in the Land Claims Court in [Case No. LCC 60/2012](#) on 20 November 2015 set aside:
- 178.1 The unlawful consolidation of the Badplaas land claims under a single claim under reference number KRP12145;
- 178.2 The unlawful transfer and registration of the land into the Ndwandwe Community Trust.
179. The repeated unlawful consolidation and transfer of properties to the Ndwandwa Trust formed an integral part of the land grab enterprise operating in phases to steal land restitution funds and acquiring beneficial use of vast tracts of land for agricultural purposes.
180. Ngcukaitobi AJ was not prepared to rubber stamp an unlawful settlement agreement placed before him.
181. The City Press of 17 January 2016 under the headline “Court takes back the land” [reported](#) on the above judgement by the Land Claims Court as follows: “A 12-year battle in Mpumalanga over whether the state may have been ripped off by a trust falsely claiming to represent black interests is coming to a head.”
182. Mabuza’s then spokesperson, Zibonele Mncwango distanced Mabuza from the land grab allegations in the City Press and simply stated that land claims were not his competence.

Carolina Magistrate Court

183. To protect himself, Mabuza (by then Deputy President) continued to defeat the ends of justice.

184. On 19 February 2018, he handed up a [false affidavit](#) in the Carolina Magistrate Court in proceedings under the Protection from Harassment Act No. 17 of 2011 in Case No. 16/18.
185. Mabuza's attorney falsely conclude in paragraph 6 of the affidavit that Daniel did not furnish the magistrate Godfrey Netshiozwi with the evidence contained in two lever arch files when he granted the [interim protection order](#) ("IPO") in favour of Daniel on 29 January 2018.
186. Netshiozwi is prepared to testify that the conclusion drawn by Mabuza's attorney (and later by magistrate Grabe) was patently false. It is absurd to conclude that an applicant would not furnish his evidence to the Court, especially if each annexure (evidence) is meticulously referred to in the founding affidavit.
187. The purpose of the fraud was to have the interim protection order dismissed *and* to obtain a credibility finding against Daniel. See paragraphs 41 and 43 of magistrate Grabe's [judgement](#) of 27 August 2018.
188. Grabe relied on the statement to make credibility findings, even though Mabuza's senior counsel Hellens withdrew the statement. Hellens did so when he realised that he may be caught out arguing a false proposition.

Contempt of Court

189. The finding by Grabe mirrors an earlier [press release](#) of Mabuza on 2 February 2018. The press release alleged that Daniel was a "*fabricator of evidence and a serial abuser of the court process*" and Mabuza was in contempt of [Annexure "A"](#) of the 28 January 2018 IPO.
190. Mabuza contravened Section 18 (1) (a) of the Protection from Harassment Act when he made the press release and liable on conviction to imprisonment of up to 5 years.
191. Grabe, instead of finding that Mabuza's press release was in contempt of court, made a finding that mirrored the press release and discredited Daniel as a witness of the criminal enterprise.
192. Consideration should be given to investigate Grabe for contravening Section 8 of the Prevention and Combatting of Corrupt activities Act, 12 of 2004 relating to corrupt

activities by judicial officers by aiding, assisting and favouring Mabuza by making the credibility finding against Daniel.

193. In doing so Grabe was putting Daniel's life at risk.

Insolvency Proceedings

194. As part of the ongoing attempt to discredit Daniel as a witness, IFASA crawled out of the woodwork in 2019, 8 years after Daniel had prevented the IFASA land grab from coming to fruition.

195. IFASA joined an application to liquidate Mountain View Investments (Pty) Ltd and sequester Daniel who are both plaintiffs in the special damages trial in the North Gauteng Division of the High Court in Case no. 34502/2010.

196. IFASA submitted a requisition 8 years later that the plaintiffs owed it R 372 million rand for damages for scuppering the IFASA deal in 2011.

197. On cue, Ferreira (SC) former senior counsel for Mabuza during a meeting on 28 May 2019 for the allocation of trial dates, informed the acting Deputy Judge President of the North Gauteng Division, Raulinga J, that dates could not be allocated because two of the plaintiffs have been sequestered.

198. Lessing, the plaintiffs' attorney, corrected Ferreira for three reasons. *Firstly*, that the IFASA claim was unproven, *secondly* that the liquidation and sequestration was provisional and *thirdly* that the plaintiffs had reached a settlement agreement with their only proven creditor.

199. The DJP accordingly enrolled the matter as a Special Trial.

200. The provisional orders were discharged, the next day on 29 May 2019.

201. Daniel laid [charges of fraud](#) against the perpetrators under **CAS 373/03/2019** at Pretoria Central Police Station.

202. The SAPS, three years later has done nothing to investigate the fake creditor's requisitions.

Mabuza's Non-existent Niece

203. After obtaining credibility findings by Grabe, and by November 2018, elements in Crime Intelligence connected to Mabuza's special advisor Mr Mulangi Mphego³³ set in motion a plan to once and for all discredit Daniel as a witness of the land restitution scam/corrupt enterprise.
204. The plan involved a non-existent niece, Thandeka Mabuza, who gave Daniel an [affidavit](#) creating a false narrative that she had overheard Mabuza plotting to have Daniel and his family murdered.
205. The trap set for Daniels was that he would rush to the High Court to ask for protection against Mabuza, only to find that "Thandeka" had disappeared in thin air, laying the groundwork for Hellens to argue that Daniel had fabricated the entire story.
206. Brigadier Xaba of the Crimes Against the State Unit of the Hawks, sent Captain Matipi and Warrant Officer Koekemoer to investigate Daniel. Their involvement in the plot to protect the Deputy President of South Africa cannot be excluded.
207. As it happened and thanks to facial recognition technology, "Thandeka" was exposed on Facebook as being one Nomfundo Sambo. As a result, the elaborate plot quickly unravelled.
208. The plot was so sophisticated that even O'Sullivan was hoodwinked to [advise](#) Daniel to take "Thandeka's" allegations seriously.
209. Daniel laid [criminal charges](#) against the perpetrators under **CAS 401/11/2018** at Pretoria Central Police Station.
210. Captain Matipi informed Daniel that Sambo (a former school teacher) had been paid R 750 000 shortly after Grabe's judgement and claimed that she had won the money at a casino in Witbank. She later claimed that Daniel had paid her the money.
211. Someone must have exerted pressure on Captain Matipi because he suddenly began treating Daniel as a suspect by requesting a warning statement from him.

³³ Mr Mulangi Mphego is the former national head of Crime Intelligence, best known for flirting with Khwezi, Zuma's rape victim, to discredit her.

212. The Hawks appear to believe that Daniel was behind a conspiracy to discredit Mabuza, a belief consistent with Mabuza's [press release](#) and Grabe's credibility finding that Daniel was a fabricator of evidence and serial abuser of the court systems.
213. The Hawks, it appears, were making common cause with Mabuza's efforts to discredit Daniel as a witness of organised crime.

Section 34 Rights and further Contempt of Court

214. To further defeat the ends of justice, Mabuza has instructed the State Attorney to pull out all stops to prevent the plaintiffs from exercising their Section 34 rights under the Constitution in the North Gauteng Division of the High Court in Case no. 34502/2010.
215. As a result of such instructions, Mabuza's legal team has committed contempt of court on numerous occasions by disobeying judicial directives to limit the issues in dispute.
216. The purpose of the above conduct was to create the illusion that wide ranging factual disputes existed despite the government's own forensic reports to the contrary.
217. It is estimated that the fees of 4 counsel briefed by the State Attorney by now would have cost the South African taxpayer in the region of R 50 million. These are funds that could have been far better spent.

C PROBLEM ANIMAL FUND ENTERPRISE

218. The Problem Animal Fund enterprise exploited the province's biodiversity by monetising the killing of so-called problem animals. This was done by selling hunting permits to the highest bidder.
219. To this end it repurposed the Wildlife Protection Services ("**WPS**") of the Mpumalanga Tourism and Parks Agency ("**MTPA**")
220. Wild animals in Mpumalanga had to be protected against the employees of the WPS who were mandated to protect them according to Paul O'Sullivan's [evidence](#) (pg. 135) on 17 August 2021 in the North Gauteng Division of the High Court in Case No. 34502/2010.
221. The Fund operated a private Nedbank account (Account Number 000179) outside the controls of the Public Finance Management Act No.1 of 1999 ("**PMFA**"). The former

CEO of the MTPA, Charles Ndabeni testified in the above case that he closed the account in 2010.

222. O'Sullivan found on page 3, paragraph 4.1 and on page 8 (bullet point 3) of his 2010 forensic [report](#) that the Fund contravened the PMFA. The report was commissioned by the MTPA.
223. O'Sullivan [testified](#) (pg. 329 – 333) that WPS employees decided which animals were problem animals, issued hunting permits to the highest bidder and then paid the proceeds into the Fund (without oversight) controlled by them.³⁴
224. Ndabeni confirms O'Sullivan's evidence of a conflict of interest in paragraph 44 of his [witness statement](#).
225. This conflict of interest and lack of over oversight by the PMFA kept the criminal enterprise alive.
226. The enterprise, run by senior employees of the WPS, competed with and targeted the conservation Project. They saw biodiversity as a cookie jar.
227. In the [Carte Blanche](#) exposé, the incumbent CEO of the MTPA (Boy Nobunga) confirmed that the Project was targeted by former MTPA employees. See page 4 lines 9 -15 of the [transcript](#) of the documentary.
228. Ndabeni the then incumbent CEO [testified](#) (pg. 168) in the North Gauteng Division of the High Court in Case No. 34502/2010 that employees of the MTPA were hostile towards Daniel. They described him as a racist who unlawfully occupied land.
229. O'Sullivan [testified](#) (pg.339) that the employees told him that Daniel was an evil person and must be stopped.
230. The defendants did not dispute the above evidence their cross-examination.
231. The enterprise (WPS employees), acting in breach of the MTPA's mandate to protect biodiversity, obstructed and frustrated attempts of the Project to obtain the:

³⁴ The MTPA's former compliance officer, Adv Shukrat Makinde stated in paragraph 6 of her [affidavit](#) that Daniel may have been prejudiced by a corrupt relationship between the MTPA and Dubai World which led to permit and fence fraud.

231.1 Formal authorisation for an animal rehabilitation facility for injured and so-called problem animals until they are ready for release in the Nkomazi Reserve, even though the Project had made a substantial application for a rehab permit.

231.2 Critically important authorisation³⁵ (especially to keep lions) to market itself as a big five destination to be in a position to generate income for its core purpose of conservation.

Defeating Ends of Justice

232. Jan Muller and Juan De Beer and other MTPA employees defeated the ends of justice to escape being held accountable for the above conduct, by:

232.1 Criminalising the care of rescue animals at the Project's [rehabilitation](#) facilities by invoking Section 29 of the Mpumalanga Nature Conservation Act (No 10 of 1998) even though the Project's intention was to rehabilitate and not keep the animals as prohibited by Section 29 without a permit.

232.2 Obtaining and executing an ill-gotten³⁶ search and seizure [warrant](#) on 5 November 2007, even though:

232.2.1 An agreement existed to run the rehab.

232.2.2 MTPA employees had unfettered access to the rehab and knew of the animals.

232.2.3 The rehab was a state of the art facility and only one in the Province.

232.2.4 The MTPA had received a comprehensive application for a permit to formalise the rehab.

232.3 Discrediting Daniel as a conservationist, complainant and witness of their criminal enterprise by:

232.3.1 Obtaining a second [search warrant](#) with false [information](#) furnished by Louis Colminette, a private contractor and Juan De Beer³⁷ of the MTPA that the Project kept lions in secret cages for can hunting. The [Lowvelder](#) wrote

³⁵ Athol Starke, a leader in the tourism industry [testified](#) (pg. 359 – 362) on 26 January 2022 in the North Gauteng Division in Case No. 35279/2011 that he overheard Abe Sibiyi, former CEO of the MTPA inform Jan Muller of the WPS in 2006 that he must use land claims to withhold permits from Daniel.

³⁶ Withholding information from the magistrate who issued the warrant that the Project was authorised to operate the rehab facility by keeping a logbook and that a comprehensive application was pending to formalise the facility.

³⁷ MTPA Manager: Species Protection

that the police found no cages after a search on 22 May 2008 with a GPS location, on foot, by vehicle and by helicopter.

232.3.2 Raiding the rehab on 18 June 2008 to confiscate³⁸ and steal the seized animals³⁹ after Daniel had earlier turned down an [offer](#) (para 9 first bullet point) and plea bargain from prosecutor Charles Lloyd. Lloyd proposed⁴⁰ that Daniel buys the seized animals from the enterprise and in return the MTPA would issue a permit for the facility.

232.3.3 Daniel was warned by an employee⁴¹ of Dubai World that the raid would take place while he was in Court on charges relating to the warrant, but did not believe him because he had an agreement with Lloyd that the animals stay at the rehab pending the resolution of the criminal charges.

232.3.4 Daniel's former attorney, Chris Steyn who accompanied Daniel to Court [testified](#) (pg. 54 – 56) on 21 January 2022 in the North Gauteng Division of the High Court in Case No. 34502/2010 how they were tricked to be out of the way during the raid.

232.3.5 Feeding lies to the [media](#) that they had to euthanise the leopard at the rehab because it was in an appalling condition.⁴²

232.4 Inducing the owners to sell the Reserve to Dubai World on 27 May 2008 to remove Daniel as a threat to exposing their enterprise.

232.5 Juan De Beer of the MTPA committing fraud and perjury in the rehab spoliation application in the Transvaal Division of the High Court in Case No. 29652/2008 when he stated on 17 July 2008 in paragraph 17.2 of his [affidavit](#) that the leopard had to be destroyed because it was in such a poor condition, *whereas it could not have been in a poor condition*⁴³ because it was [sold](#) by the WPS to Life Form Taxidermists in Whiteriver.

³⁸ Described by Preller J as common theft in the Transvaal Division of the High Court in [Case No.](#) 32267/2008)

³⁹ The MTPA transported the rehab animals to Krugersdorp to sell to the Rhino and Lion Park, where they were kept in decrepit [facilities](#) compared to Daniel's rehab [facilities](#).

⁴⁰ Lloyd (perhaps naively) was willing to use the machinery of the state to extort payment to a criminal enterprise. When he got cold feet, Ansie Venter, a specialist Hawks' prosecutor (from the Middleburg Organized Crime Unit for Endangered Species) (perhaps naively) took up the cudgels for the Problem Animal Fund Enterprise.

⁴¹ Johnny Keeve, the employee [confirmed](#) (pg. 327 – 330) on 26 January 2022 in the North Gauteng Division of the High Court in Case No. 35279/2011 how the raid was planned while Daniel attended Court.

⁴² The [evidence](#) of expert Dr Bool Smuts that no legal, medical or ethical reason existed to kill the leopard.

⁴³ Animals sold as a trophy to a taxidermist must be in a good condition.

232.6 De Beer attempted to hide evidence of the sale of the leopard to Life Form Taxidermist by laying criminal charges against Daniel in CAS no. 230/06/08 at the Secunda Police Station for interfering with witnesses when Daniel investigated what had happened to the leopard.

232.7 Beer of the MTPA committed fraud and perjury in the rehab spoliation application in the Transvaal Division of the High Court in Case No. 32267/2008 when he stated on 21 July 2008 in paragraph 61.2 of his [affidavit](#) that the Project's rehab facilities were in a dilapidated state, *whereas this could not have been so because the MTPA granted a [rehab permit](#) to the same facilities 17 days after signing the affidavit, being on 7 August 2008. This is also evident from the [photographs](#) of the rehab facilities.*⁴⁴

232.8 De Beer emphasised the above falsehood in paragraph 54 of his [affidavit](#) by stating that the rehab “*obviously does not have the facilities to rehabilitate and care for animals in distress.*”

232.9 De Beer committed fraud and perjury in the rehab spoliation application in the Transvaal Division of the High Court in Case No. 32267/2008 when he stated on 21 July 2008 in paragraphs 19 & 114 of his [affidavit](#) that the Rhino and Lion Park facilities were adequate, *whereas the Park had no rehab facilities. The plan could only have been to sell*⁴⁵ *the animals to the owner.*

232.10 De Beer thus committed fraud and perjury in four instances to justify the criminal enterprise's use of state machinery to steal the rehab animals. The four instances are, stating under oath that:

232.10.1 The leopard was destroyed, whereas it was sold to Life Form Taxidermist.

232.10.2 The leopard was in a poor condition, whereas it qualified as a trophy and sold to Life Form Taxidermists.

232.10.3 The rehab facilities were dilapidated, whereas they were state of the art.

232.10.4 The Rhino and Lion Park had adequate facilities for the rehab animals, whereas they were [decrepit](#) and had no rehab facilities.

⁴⁴ The state veterinary surgeon [reported](#) on 12 November 2007 in paragraph 3 that the animals were in a good condition and well looked after and all that needed attention was proper shade.

⁴⁵ Daniel had to appoint a private investigator to find out where the animals were being kept. No doubt the intention was to sell them to generate income for the criminal enterprise.

- 232.11 Jan Muller of the WPS committing fraud and perjury in the application for the appointment of a commission of enquiry in the North Gauteng Division of the High Court in Case No. 19108/10 in that he stated on 29 August 2012 in paragraph 14 of its [answering affidavit](#), that Daniel had not applied to introduce lion at the Nkomazi Wilderness, *whereas two senior scientist employed by the MTPA confirmed in affidavits (B-44 & B-45) that such an application had indeed been received, already in 2005.*
- 232.12 The notion that someone would spend tens of millions to set the ecological table (acquiring land, building infrastructure, erecting electrified fences, etcetera) to obtain authorisation for lion and then not apply is patently absurd.⁴⁶
233. After buying the Reserve in March 2008, Dubai World obtained the necessary authorisation for lions in August/ September 2008 when the MTPA issued a [permit](#) No. MPB5504 to Dr Johan Joubert of Shamwari Game Reserve to transport lion to the Reserve.
234. Nico van Schalkwyk testified for the plaintiffs on 7 September 2022 in North Gauteng Division of the High Court in Case No. 34502/2010. His evidence corroborates the evidence that the lion authorisation was indeed granted to Dubai World in August/ September 2008. See paragraphs 5 – 6 of Van Schalkwyk’s written [statement](#).
235. Jan Muller of the WPS committed fraud and perjury in North Gauteng Division of the High Court in Case No. 19108/10 when he stated on 29 August 2012 in paragraph 19 of its [answering affidavit](#) that authorisation for lion had only been granted to Dubai World on 3 August 2009, whereas it had been granted a year earlier on 2 September 2008, as is borne out by the objective facts.
236. Muller was willing to make a demonstrably false statement to create distance between when Daniel’s companies owned the Reserve (and failed to obtain the authorisation for lions) and when Dubai World became owners and obtained the authorisation on the exact same facts and circumstances.

Barrier Fence Fraud

⁴⁶ The MPTA would create a dilemma for itself if it admitted that an application for lion had been received. It would have to explain why it granted the lion authorisation to Dubai World and not to Daniel. Daniel [testified](#) (pg. 164) on 10 August 2022 in North Gauteng Division of the High Court in Case No. 34502/2010 that Dubai World simply tipexed out his name from exact the same application he had presented the MTPA for the authorisation of lion.

237. To obtain the above authorisation for lion and other species, Dubai World was induced to excise 9,000 ha of prime habitat from the Nkomazi Reserve for cattle farmers. This was done by erecting a 10km barrier fence between October 2008 and October 2009.
238. The barrier fence violated the Dubai World's elephant permit [conditions](#) that had been set by the MTPA that there should be no more than 10 elephants on a minimum of 12 700 ha.
239. It also violated Section 101 (2) (b) & (c) of the National Environmental Management: Biodiversity Act No. 10 of 2004 by breaching and allowing the breach of the elephant permit conditions. The new owners continue to this day to contravene Section 101 (2).⁴⁷
240. Jan Muller as a public officer contravened Section 4 of the Prevention and Combatting of Corrupt activities Act, 12 of 2004 by enabling the excising of 9000 ha from the Reserve to satisfy the demands of the criminal enterprise.
241. He contravened Section 4 (i) (aa) by acting in an illegal, dishonest and biased way in the exercise of his constitutional, statutory and legal obligations in manner that read together with Section 4 (ii) amounts to an abuse of his position of authority that read together with Section 4 (iii) was designed to achieve an unjustified result and read together with to Section 2 (d) aided, assisted and favoured the land claim corruption enterprise.
242. The barrier fence and absence of law enforcement by the MTPA has had a devastating impact on the biodiversity of the Reserve because it shrunk the available habitat for 10 elephant from 14,740 ha to 5,654 ha.
243. It made commercial sense to Dubai World because a smaller area was cheaper to operate. It was also better for profits as guests, ignorant of the underlying environment crime, are more likely to see all of the Big 5 on a smaller Reserve.
244. But the consequences of the barrier fence on biodiversity over the medium and long term because of the over population of elephants have been nothing short of an environmental, developmental and economic disaster for the Reserve.

⁴⁷ They are liable to a fine and/or imprisonment of up to 5 years in terms of Section 102 (1) of NEMBA.

245. Dr Anderson, the defendants' expert in the damages claim in the North Gauteng Division of the High Court in Case No. 34502/2010 (in paragraph 15 of his 2020 [expert report](#)) expressed concern about the ecological damage caused by the over-population of elephants.
246. Leading expert and wildlife academic, Professor van Hoven in paragraph 5 of his 2016 [expert report](#), held the view that 40% of the biodiversity on the Reserve, had already been destroyed by the illegal barrier fence by then.
247. The government defendants in the North Gauteng Division of the High Court in Case No. 34502/2010, however, as part of a pattern of obfuscation, jettisoned Anderson's opinion in the middle of the 4th session of the trial.
248. The defendants did so by procuring a new expert [report](#) of a Dr Lotter on 17 August 2022 that the biodiversity had improved after the erection of the barrier fence. An absurd contention given the visible damage and the MTPA's conditions relating to the carrying capacity of the Reserve for elephants.
249. Dr Lotter, an employee of the MTPA is arguably defeating the ends of justice to hide evidence of an environmental crime scene created by the barrier fence.
250. In 2014, Paul O'Sullivan lay criminal charges against Dubai World arising from the fence fraud that had caused damages of R 270 million to the environment.
251. O'Sullivan produced a complainant [statement](#)⁴⁸ under **CAS 47/03/2014** against a Dubai World company known as the Nkomazi Properties (Pty) Ltd at Badplaas Police Station.
252. The directors of Nkomazi Properties (Pty) Ltd were Lynn Catherine Davis, Willem Dreyer and Nicholas Winston Webb.
253. To escape criminal liability for the fence fraud, Dubai World, aided and abetted by the MTPA, procured an [affidavit](#) on a MTPA letterhead dated 17 July 2014 from one Manzi Spruyt who at the time was employed by Dubai World as the Wildlife and Anti-Poaching manager on the Reserve.

⁴⁸ See annexures [1](#), [2](#), [3](#) & [a](#).

254. The purpose of the affidavit was to exonerate Dubai World on the above criminal charges by alleging that the reason for the erection of the barrier fence were concerns for the safety of unlawful occupiers living inside the perimeter fences.
255. Spruyt (who passed away in October this year) informed the plaintiffs that the affidavit had been written for her and commissioned in her absence. She never had the opportunity to read it and confirms that the excuse for erecting the barrier fence is demonstrably false.
256. Support for Spruyt's contention is found in a MTPA [report](#) compiled on 14 October 2008 concluding under the heading: Exclusion of local inhabitants from the Reserve:
- "There is always a risk that the local community members that live inside the Nkomazi reserve might be injured or killed by one of the big Five members. It was therefore as a prerequisite that the homesteads be fenced with game proof fencing. Dubai World completely fenced out these dwellings with their grazing from the reserve. This was also inspected extensively. These people and their livestock are no longer part of the reserve anymore".*
257. What the report proves conclusively (without the need for Spruyt's evidence) is that safety concerns over unlawful occupiers could not have existed when the barrier fence was erected between October 2008 and October 2009. The concern was entirely fabricated and a smokescreen for the land grab.
258. The directors of the Dubai World company Nkomazi Properties (Pty) Ltd committed fraud by making a misrepresentation to the MTPA by claiming that the barrier fence was needed due to safety concerns of alleged unlawful occupiers, whereas the truth is that barrier fence was erected for one reason only, namely to give effect to a land grab.
259. Jan Muller has persisted with fraud in the North Gauteng Division of the High Court in Case No. 34502/2010 by instructing his senior counsel, Dawie Joubert to put it to Spoor during cross-examination that the fence was erected for safety concerns of unlawful occupiers.
260. The barrier fence continues to this day to destroy the biodiversity on the Reserve, and it is just a matter of time before agricultural interests convert the conservation land of a proclaimed nature reserve, back to agriculture.

261. On 17 June 2022, a new team of Hawks' investigators confirmed in an [email](#) that the original docket in the fence fraud case could not be found. All they found at the Badplaas Police Station was a useless file purporting to be a docket.
262. There is, however, a sworn statement from a Detective Sergeant Malaza in the "docket" in which he states that he was unable to reconstruct the docket because he was unable to contact the complainant (Paul O'Sullivan) and "revisited" his address without success. The inability to locate someone as well-known as O'Sullivan is an excuse fabricated by Malaza to squash the fence fraud allegations.
263. Malaza committed fraud against the SAPS and the NPA by falsely stating that he could not trace Paul O'Sullivan.
264. See inside of the emptied [docket](#) in **CAS 47/03/2014**.

D CONCLUSION

265. The only explanation that exists for the above conduct of the organs of state and their former employees is that they had been repurposed to serve *and* protect corrupt interests in the land claims, wildlife and agricultural sectors.
266. The proverbial smoking gun is the removal of evidence from the dockets and the squashing of altogether 6 criminal cases pertaining to the criminal enterprises.
267. The Project and the environment are not the only victims as is plain from retired Judge Heath's [report](#) of 17 March 2015 that the frozen conflict already in 2015 had cost the South African economy an estimated R 35 billion.
268. What runs like a bitter thread through Daniel's experience are the attempts to defeat the ends of justice and [smear](#) his reputation as a conservationist. The government defendants in the North Gauteng Division of the High Court in Case No. 34502/2010, represented by the State Attorney and prominent senior counsel have for nearly a decade and a half, defeated and continue to defeat the ends of justice⁴⁹ to cover up the crimes.

⁴⁹ It was held in *R v Pokan* 1945 CPD 169 that the crime of defeating the ends of justice can be committed in civil proceedings.

- 269. The failure of law enforcement, perjury, defeating the ends of justice and the ongoing funding of the civil litigation by government are to blame for the longevity of the criminal enterprises.

- 270. In final conclusion, the Project had been targeted by a land grab masquerading as lawful land restitution aided and abetted by the Problem Animal Fund enterprise.

Wayne Llewelyn Duvenage

The Deponent has acknowledged that he knows and understands the contents of this affidavit and that it is to the best of his knowledge both true and correct. This affidavit was signed and sworn to before me at _____ on this the ___ day of **December 2022**, the regulations contained in Government Notice No. R1258 of 21 July 1972, as amended, and Government Notice No. R1648 of 19 August 1977, as amended, having been complied with.

COMMISSIONER OF OATHS
Full Names:
Capacity:
Designation:
Address: