

DEPARTMENT OF JUSTICE AND
CONSTITUTIONAL DEVELOPMENT

M. K. Karo
26 AUG 2026

PRETORIA

MADLANGA COMMISSION
OF INQUIRY



The Honourable Justice Mbuyiseli Madlanga
Chairperson
Judicial Commission of Inquiry into Criminality, Corruption and Grand Fraud
MADLANGA COMMISSION

Inspector General Report: Case Reference CAS0 03/10/2024
Inspector General Investigation Reference: DEF INSP DIV/C/501/16/5/1/4
Reference: MC-SUB-SADIC-2025-001

The Pan-African Peace Commission respectfully places before the Judicial Commission of Inquiry this **Formal Referral and Evidential Record** concerning suspected fraud, corruption, procurement irregularities, financial-control failures, maladministration and the misappropriation and/or unlawful expenditure of public funds in connection with the Koepel Conference Facility upgrade project at the South African Defence Intelligence College ("SADIC").

1.2



The material presently available includes an official Inspector General anti-corruption investigation conducted within the Department of Defence, financial and procurement documentation, evidence concerning substantial transfers of public funds, payments to the contractor, documents requiring authentication and verification, and identified officials and other persons whose conduct requires prosecutorial determination by the competent authorities.

1.3

The matter should therefore no longer be treated merely as an allegation awaiting preliminary administrative consideration. The evidential material has reached the stage at which **suspension of all listed parties, preservation of evidence, immediate criminal referral, identification of all relevant actors and an urgent independent prosecutorial determination are warranted.**

1.4

The Pan-African Peace Commission does not ask the Commission to determine criminal guilt, conduct a criminal trial or usurp the constitutional functions of the National Prosecuting Authority ("NPA").

1.5

The relief sought is directed instead at activating the criminal-justice process in accordance with the Madlanga Commission's mandate, securing relevant evidence and ensuring that the competent investigative and prosecutorial authorities determine, on the evidence, whether prosecution and criminal proceedings should be instituted.

1.6

The Commission's current Terms of Reference expressly contemplate referral of matters for urgent decisions on prosecution and immediate criminal investigation. The Presidency has also confirmed that this referral power has been exercised by the Commission in other matters.

2. OFFICIAL INSPECTOR GENERAL INVESTIGATION AND EVIDENTIAL BASIS

2.1

The principal evidential foundation of this referral is the official Inspector General Investigation Report bearing reference **DEF INSP DIV/C/501/16/5/1/4**, dated **19 March 2026**.

2.2

The report was prepared within the Department of Defence's anti-corruption structures and endorsed at Inspector General level. It records irregularities requiring prosecution, further investigation and consequence management.

2.3

The criminal-justice authorities should therefore be placed in possession of the complete official investigative material so that the matters already investigated by the Department are not unnecessarily duplicated.

2.4

Exhibit A is incorporated into this **Formal Referral and Evidential Record**.



3. PRINCIPAL FINANCIAL TRANSACTION AND PUBLIC EXPENDITURE

3.1

Approximately **R46,523,815.86** in public funds was transferred by the Department of Defence to the Development Bank of Southern Africa ("**DBSA**"), acting as implementing agent for the project with a **DBSA** estimate of **R65.87 million**.

3.2

The evidence presently available raises material questions concerning:

- (a) the authority for the transfer;
- (b) the Financial Authorisation supporting the transfer;
- (c) the identity and role of every person who created, approved, processed or facilitated the authorisation;
- (d) whether the required approval gates were satisfied;
- (e) whether milestone-based verification occurred;
- (f) whether segregation of duties was maintained;
- (g) whether independent verification occurred;
- (h) whether contractual conditions governing the release of funds were complied with; and
- (i) whether any person knowingly or recklessly facilitated the unlawful release or expenditure of public funds.



3.3



These questions are sufficiently specific to permit a focused criminal investigation. They concern an identifiable transaction involving an identifiable quantum of public money and an identifiable chain of financial authorisation.

4. PAYMENTS TO MOTHAPO CONSTRUCTION AND ALLEGED NON-PERFORMANCE

4.1

The available evidence indicates that Mothapo Construction and Engineering received payments in the region of **R29 million to R36 million**, notwithstanding evidence concerning non-completion of the contracted works.

4.2

The precise amount must be established through reconciliation of the complete **DBSA**, Department of Defence, contractor and project-accounting records. **DBSA** received **R46,523,815.86** so the question is: to whom was the balance of the **R65 million** transferred. And then to pay Moke Construction additional expenditure of approximately **R12,175,904.96** on an urgent basis to continue, yet still no certificate of project completion years later?

4.3

The evidence further raises serious questions concerning forged documents allegedly submitted as proof of progress or performance. Their authenticity, provenance, authorship and purpose require determination by competent investigators.

4.4

If the documents were knowingly fabricated, falsified or used to induce payment, the conduct

may disclose offences including fraud, forgery and uttering, and potentially offences under the Prevention and Combating of Corrupt Activities Act 12 of 2004 ("PRECCA"), depending upon the facts ultimately established.

4.5

The Commission is not asked to make such a finding. The purpose of the referral is to ensure that these matters are placed before the authorities competent to prosecute and further investigate.

5. DBSA VERIFICATION, PAYMENT CONTROLS AND RETENTION

5.1

The available evidence raises questions concerning the adequacy of **DBSA's** verification before payments were released to **Mothapo** Construction.

5.2

The investigation should establish:

- (a) who certified progress;
- (b) who verified physical completion;
- (c) what documents were relied upon;
- (d) who authorised payment;
- (e) whether site inspections occurred;
- (f) whether those inspections accurately reflected the state of the works;



(g) whether the contractual retention requirement was applied;



(h) whether deviations were approved;

(i) whether DBSA officials raised concerns;

(j) whether Department of Defence officials raised concerns; and

(k) whether any person knowingly or negligently facilitated payments unsupported by actual contractual performance.

5.3

The failure, if established, to enforce the contractual **10% retention provision** is particularly relevant to the State's financial exposure and requires investigation.

5.4

The criminal authorities should determine whether the facts disclose negligence, maladministration, gross dereliction of duty, fraud, corruption, collusion or another offence.

6. PROCUREMENT APPROVAL AND POSSIBLE IRREGULAR DEVIATION

6.1

The evidence indicates that the initial procurement approval was made by **Maj. Gen. M.J. Ledwaba** without a competitive process and without an adequate recorded justification for the departure from ordinary procurement procedures.

6.2

The circumstances require examination against **section 217 of the Constitution**, the

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○ applicable procurement framework, departmental policies, delegations of authority and any applicable defence-specific procurement arrangements.

6.3

Section 217(1) requires procurement by an organ of state to be conducted in accordance with a system that is fair, equitable, transparent, competitive and cost-effective, subject to the constitutional and legislative framework.

6.4

The investigation must establish whether the procurement departure was lawfully authorised or constituted an unlawful deviation, and whether it was connected to fraud, corruption, collusion, improper influence or another criminal offence.

7. IDENTIFICATION OF "MR LUKE FROM DI" AND THE FINANCIAL AUTHORISATION

7.1

Witness evidence refers to an individual identified as "**Mr Luke from DI**", allegedly involved in creating or generating the Financial Authorisation associated with the approximately R46 million transfer.

7.2

The Inspector General material does not presently establish that person's formal identity. This is an outstanding evidential issue of considerable importance.

7.3

The competent authorities should urgently obtain:



- (a) financial-system audit trails;
- (b) user credentials;
- (c) system-access logs;
- (d) email correspondence;
- (e) metadata;
- (f) approval records;
- (g) electronic signatures;
- (h) authorisation histories;
- (i) relevant personnel records;
- (j) delegation records; and
- (k) any other electronic or documentary material capable of identifying the person.

7.4

The failure to identify this individual should not delay the criminal referral. Identification of "Mr Luke from DI" should instead be treated as an immediate investigative priority.

8. STATE LOSS, ADDITIONAL EXPENDITURE AND RECOVERY

8.1

The available material indicates that recovery proceedings against Mothapo Construction have not been instituted at all, notwithstanding with the urgency reasonably expected following evidence of non-performance.

8.2

A replacement contractor, Moke Construction, was subsequently engaged at additional expenditure of approximately **R12,175,904.96**.

8.3

On the presently available figures, the State's gross financial exposure is approximately **R58.7 million**, subject to complete forensic reconciliation and without prejudging questions of recoverability, duplication or causation.

8.4

The investigation should establish:

- (a) when non-performance became known;
- (b) when allegedly false or misleading documentation was identified;
- (c) who was responsible for initiating recovery;
- (d) whether legal advice was obtained;
- (e) why recovery proceedings were delayed, if they were;
- (f) whether any official authorised further payments after knowledge of non-performance;
- (g) whether any official had a duty to mitigate the State's loss;
- (h) whether any person benefited directly or indirectly; and
- (i) whether any portion of the State's loss remains recoverable.



8.5



Criminal liability arising from subsequent acts or omissions must be determined on the evidence and should not be inferred merely from the occurrence of financial loss.

9. POTENTIAL CRIMINAL OFFENCES REQUIRING INVESTIGATION

9.1

Without purporting to charge or convict any person, the evidence should be investigated for potential offences including, where the evidential and statutory requirements are satisfied:

- (a) fraud;
- (b) corruption and offences under PRECCA;
- (c) forgery and uttering;
- (d) theft;
- (e) money laundering where the requisite elements are present;
- (f) offences relating to unlawful procurement;
- (g) defeating or obstructing the administration of justice, where applicable;
- (h) contraventions of applicable financial-management legislation;
- (i) contraventions of applicable defence or departmental procurement legislation and regulations; and
- (j) any other common-law or statutory offences disclosed by the evidence.

9.2

The legal characterisation of the conduct should be made by competent investigators and prosecutors, not by the referring body. This preserves the constitutional independence of the NPA while ensuring that the available evidence is acted upon.

10. CRIMINAL REFERRAL AND URGENT PROSECUTORIAL DETERMINATION

10.1

The matter has passed beyond the stage at which the State is required merely to establish whether an allegation exists. There is already an official departmental anti-corruption investigation, supplemented by financial, procurement and documentary material identifying:

- (a) substantial public expenditure;
- (b) an identifiable financial transfer;
- (c) identified recipients of public funds;
- (d) identified procurement decisions;
- (e) officials involved in the relevant processes;
- (f) alleged documentary irregularities;
- (g) alleged non-performance;
- (h) subsequent State expenditure;
- (i) an unidentified financial-authorisation actor; and
- (j) an official departmental anti-corruption investigation.

10.2

There is accordingly a concrete evidential basis requiring criminal investigation.

10.3

The immediate prosecutorial question is whether the evidence presently available,



supplemented if necessary by focused investigation, provides reasonable and probable cause and otherwise satisfies the applicable prosecutorial standards for institution of criminal proceedings.

10.4

The Supreme Court of Appeal's decision in ***National Director of Public Prosecutions v Sijoyi Robert Mdhlovu [2024] ZASCA 85; 2024 (2) SACR 331 (SCA)*** is relevant. The Court held that the test for reasonable and probable cause is objective and that a prosecutor need not possess evidence establishing a *prima facie* case, still less proof beyond reasonable doubt, before deciding to initiate a prosecution.

10.5

Accordingly, outstanding investigative questions do not necessarily require the matter to remain indefinitely at a preliminary administrative stage. Those questions may be addressed through focused criminal investigation alongside an independent prosecutorial assessment.

10.6

The appropriate progression is therefore:

Suspension or exclusion of all parties mentioned in the IG Report → preservation and securing of evidence → independent prosecutorial determination → criminal referral → focused criminal investigation.

10.7

The matter should be characterised as **ripe for prosecution determination**, rather than as a matter in which prosecution is legally predetermined.



10.8



The competent prosecutor should therefore determine urgently whether:

- (a) charges should immediately be instituted;
- (b) specific targeted investigation should precede charging; or
- (c) further investigation is required before a final charging decision.

10.9

The request is for an **independent prosecutorial decision, not a predetermined prosecutorial outcome.**

11. PROSECUTORIAL STANDARD, CONSTITUTIONAL FUNCTIONS AND CASE LAW

11.1

Section 179 of the Constitution vests the prosecutorial function in the **NPA.**

11.2

The Madlanga Commission is nevertheless empowered by its Terms of Reference to refer matters for urgent decisions on immediate prosecution and criminal investigation. The applicable jurisprudence does not require the Madlanga Commission to establish criminal guilt before making such a referral.

11.3

The proper approach is to distinguish between:

- (a) matters already supported by evidence;

(b) matters requiring corroboration;

☐ (c) matters requiring forensic examination; and

(d) matters requiring further investigation.

11.4

The existence of matters falling within categories (b), (c) and (d) does not prevent an urgent prosecutorial assessment of the evidence falling within category (a).

12. URGENT PRECAUTIONARY SUSPENSION AND PROTECTIVE EXCLUSION

12.1

Given the nature of the evidence, the Pan-African Peace Commission requests that the competent employing authorities urgently consider the **precautionary suspension of every serving officer or official whose continued access to the workplace, financial systems, procurement processes, project records, witnesses or classified information could reasonably prejudice the criminal investigation or related disciplinary proceedings.**

12.2

The purpose of such suspension must be precautionary and protective, and not punitive. Relevant purposes include:

(a) protecting documentary and electronic evidence;

(b) preventing interference with witnesses;

(c) preventing access to or alteration of financial records;

(d) preventing interference with procurement systems;



- (e) protecting classified and defence-intelligence information;
- (f) preventing further expenditure or financial commitments connected to the project;
- (g) preventing collusion between implicated persons;
- (h) preserving the integrity of disciplinary proceedings; and
- (i) protecting the integrity of the criminal investigation.

12.3

The Constitutional Court in ***Long v South African Breweries (Pty) Ltd and Others [2019] ZACC 7; 2019 (5) BCLR 609 (CC)*** confirmed that precautionary suspension is distinct from punitive suspension and may be permissible where it serves to protect the integrity of an investigation.

12.4

MEC for Education, North West Provincial Government v Gradwell [2012] ZALAC 8; [2012] 8 BLLR 747 (LAC) similarly recognises precautionary suspension as a protective measure, particularly where continued workplace presence may compromise an investigation.

12.5

Where there is a credible basis for serious misconduct and a reasonable concern that an implicated official's continued presence may compromise an investigation, precautionary suspension is therefore lawful and appropriate, provided the employer acts within the applicable statutory and employment framework and the suspension remains genuinely precautionary rather than punitive.



12.6

○ The appropriate immediate administrative measure is accordingly **precautionary exclusion from relevant duties and systems**, subject to the applicable employment regime, rather than any assertion that suspension constitutes a finding of guilt.

12.7

Where the applicable statutory or employment framework permits precautionary suspension, it should ordinarily be **on full pay**, unless the governing framework lawfully provides otherwise.

12.8

The suspension should remain in force only for as long as lawfully necessary to protect the integrity of the investigation and related proceedings, subject to applicable statutory, regulatory and employment-law limits.

12.9

The Commission should not suggest that South African law creates an automatic rule requiring every suspect to remain suspended until conclusion of a criminal trial. The legality, duration and conditions of suspension depend upon the applicable employment instrument and the facts demonstrating continuing precautionary need.

12.10

Where an implicated person occupies a position of authority over investigators, witnesses, financial systems, procurement processes or classified information, those circumstances materially strengthen the case for precautionary exclusion. This consideration is particularly relevant where the allegations concern Defence Intelligence, financial authorisations,



procurement processes and potentially sensitive State information.

13. NO PREJUDGMENT OF GUILT AND PRESERVATION OF CONSTITUTIONAL FUNCTIONS

13.1

The Pan-African Peace Commission expressly records that:

- (a) no person named in this **Formal Referral and Evidential Record** is presumed guilty;
- (b) no person should be treated as convicted by reason of this referral;
- (c) all persons remain entitled to the constitutional presumption of innocence;
- (d) criminal guilt must be established in accordance with law before a competent criminal court;
- (e) disciplinary liability is distinct from criminal liability; and
- (f) the decision whether to prosecute remains with the constitutionally competent prosecutorial authorities.

13.2

The request for precautionary suspension or exclusion is therefore not punitive. It is based upon the institutional risk presented by continued access to evidence, witnesses, financial systems, procurement processes, classified information and State property.

13.3

The Commission is not asked to determine guilt. It is asked to ensure that credible evidence of potentially serious criminality is placed before the institutions constitutionally empowered to investigate and prosecute it.



14. EVIDENCE PRESERVATION AND FORENSIC SECURITY



14.1

The Commission is respectfully requested to direct or facilitate immediate preservation of all potentially relevant evidence.

14.2

This should include:

- (a) the complete DBSA project file;
- (b) all payment certificates;
- (c) all invoices;
- (d) all Financial Authorisations;
- (e) electronic approval trails;
- (f) emails;
- (g) system audit logs;
- (h) procurement files;
- (i) tender and deviation documentation;
- (j) delegations of authority;
- (k) project-management records;
- (l) site inspection reports;
- (m) photographs and videos;
- (n) contractor submissions;

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- (o) retention records;
- (p) correspondence concerning non-performance;
- (q) records concerning Moke Construction;
- (r) recovery correspondence;
- (s) disciplinary records;
- (t) Inspector General investigation material; and
- (u) all relevant classified or restricted material, subject to lawful handling and security requirements.

14.3

In particular, the following should be secured immediately:

MC-SADIC-DOC-13: Financial Authorisation allegedly created by "Mr Luke from DI".

MC-SADIC-DOC-17: Documents submitted by Mothapo Construction and allegedly relied upon as proof of progress or performance.

14.4

The authenticity, provenance, metadata and integrity of these documents should be preserved before any further handling or alteration occurs.

15. IDENTIFICATION OF ALL RELEVANT PERSONS

15.1

The investigation should establish the complete chain of responsibility from procurement initiation through payment, project verification and subsequent recovery.

15.2



This should include, without prejudging liability:

- (a) **Maj. Gen. M.J. Ledwaba;**
- (b) **Mr Chuene Ramphele of DBSA;**
- (c) **"Mr Luke from DI" an invisible who issued the Financial Authorisation for R65.87 million;**
- (d) **Lt. Col. Krige van Heerden;**
- (e) **Maj. Gen. D. Nyangasya;**
- (f) **Ms Hazel Ratombo;**
- (g) **All responsible representatives and directors of Mothapo Construction;**
- (h) **Maj. Gen. S.D. Malakoane;**
- (i) **any officials responsible for project verification;**
- (j) **any officials responsible for payment certification;**
- (k) **any officials responsible for recovery action; and**
- (l) **any other person identified by the evidence.**

15.3

Inclusion of a person's name in this investigative list does **not** constitute an allegation that the person committed an offence.

15.4

○ The purpose is to ensure that every relevant actor is properly identified and that no potentially material witness or suspect is omitted from the criminal investigation.

16. BROADER INSTITUTIONAL GOVERNANCE AND SYSTEMIC CONCERNS

16.1

President Ramaphosa's description of the Madlanga Commission's referral powers is relevant insofar as clause 10.4 provides for "**immediate decisions on prosecution and criminal investigation**", while **clause 12 contemplates referral for prosecution** or further investigation to the appropriate authority.

16.2

The Madlanga Commission may accordingly consider whether evidence arising from this matter reveals broader institutional governance, procurement, financial-control or accountability failures falling within its mandate.

17. SPECIFIC REFERRAL AND RELIEF REQUESTED

The Pan-African Peace Commission respectfully requests that the Commission:

A. Accept and formally record this Formal Referral and Evidential Record together with its exhibits

B. Make an immediate criminal referral:

Refer this complete evidential Record to the appropriate criminal-investigative authority, including the Directorate for Priority Crime Investigation where jurisdictionally appropriate,



and simultaneously place the matter before the NPA for urgent prosecutorial determination.



C. Request an urgent prosecutorial determination

Request the competent prosecutor to determine, independently and in accordance with section 179 of the Constitution and applicable prosecution policy, whether:

(i) charges should immediately be instituted;

(ii) specific targeted investigation should precede charging; or

(iii) further investigation is required before a prosecutorial determination.

D. Secure the evidence:

Ensure immediate preservation of the financial, procurement, electronic, documentary and testimonial evidence identified in this **Formal Referral and Evidential Record**.

E. Identify "Mr Luke from DI"

Urgently establish the identity and role of the person referred to as "Mr Luke from DI", including thorough examination of relevant financial-system records, audit trails, access logs, electronic correspondence and personnel records.

F. Investigate the financial trail

Trace the complete movement of the approximately **R46.5 million** from initial authorisation through **DBSA** and onward payments.

G. Investigate documentary authenticity

Subject relevant documents to forensic examination and determine their authorship,

provenance, authenticity, integrity and purpose.



H. Investigate procurement

Determine the legal basis for the procurement departure and whether any person unlawfully influenced, manipulated or otherwise compromised the procurement process.

I. Precautionary suspension or exclusion

Directly or through the competent employing authorities, urgently determine **precautionary suspension or equivalent exclusion from relevant duties** of all serving officials whose continued presence or access could reasonably prejudice the investigation, subject to the applicable employment regime.

J. Refer the financial-loss component to the Special Investigating Unit where the statutory jurisdiction and requisite proclamation or other authority exist, for consideration of civil recovery and asset-preservation proceedings.

K. Auditor-General intervention

Refer relevant financial-management and procurement matters to the Auditor-General of South Africa where they fall within its statutory mandate.

L. Consider wider institutional evidence

Consider whether evidence concerning broader institutional governance failures is relevant to the Commission's mandate.

18. CONCLUSION

18.1

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○ The present matter concerns substantial public expenditure within an institution connected with Defence Intelligence. The evidential material is not confined to untested allegations; it includes an official Inspector General anti-corruption investigation, financial records, procurement material, identified transactions, identified decision-makers, alleged irregular documentation and a substantial potential financial loss.

18.2

The evidence presently available is sufficiently concrete to warrant **immediate prosecution and criminal referral.**

18.3

The matter is therefore **ripe for an urgent independent prosecutorial determination,** even though further targeted investigation remains necessary.

18.4

Further investigation should now occur within the criminal-justice process.

18.5

The competent authorities should therefore:

Suspend, refer; preserve; investigate; identify; charge where warranted; prosecute where the applicable threshold is met; and recover public assets where legally possible.

18.6

The ultimate determination of guilt belongs to a competent criminal court. The decision to



prosecute belongs to the NPA. The responsibility to investigate and preserve evidence belongs to the competent law-enforcement authorities.

18.7

The decision to refer a matter urgently where the evidence warrants it is within the Commission's stated mandate.

18.8

The evidential material has reached the point at which continued administrative delay should not substitute for the lawful operation of the criminal-justice process.

19. URGENT NOTICE: 72-HOUR DEMAND FOR PRECAUTIONARY SUSPENSION AND PRESERVATION OF EVIDENCE

The Pan-African Peace Commission hereby respectfully calls upon the Madlanga Commission, upon delivery of this **Formal Referral and Evidential Record**, to take urgent and appropriate measures within **72 hours**, including the precautionary suspension or equivalent lawful exclusion of the persons identified herein and the immediate protection and preservation of all relevant documentary, electronic, financial, procurement and other evidential material.

The purpose of this request is strictly precautionary and is intended to preserve the integrity of any ensuing criminal, disciplinary or other lawful investigation. It is not advanced as a finding of guilt against any person identified in this Formal Referral and Evidential Record.

The 72-hour period is afforded to enable the Madlanga Commission to consider and act upon the request for urgent protective measures. Should no adequate protective measures be implemented within that period, the Pan-African Peace Commission reserves its right, to



place this Formal Referral and Evidential Record in the public domain and to refer the matter to the relevant investigative, prosecutorial, oversight and other competent authorities.

The Commission is respectfully placed on notice that delay in implementing appropriate evidence-preservation measures may materially increase the risk of interference with witnesses, alteration or destruction of documentary or electronic evidence, manipulation of financial or procurement records, or other conduct capable of compromising the integrity of the investigation. The request for immediate precautionary measures is made precisely to mitigate those risks.

The Pan-African Peace Commission accordingly urges the Madlanga Commission to treat this matter as one requiring **immediate protective intervention**, rather than permitting delay to compromise evidence or prejudice the administration of justice.

Failure to take appropriate protective measures within the stated period will be documented and relied upon in any subsequent referral or public-interest disclosure, together with the circumstances known at that time concerning the preservation or non-preservation of potentially relevant evidence.

EXHIBITS

Exhibit A: Inspector General Investigation Report - DEF INSP DIV/C/501/16/5/1/4 -
19 March 2026

Exhibit B: Executive Summary - R65 million transaction: **Where did the balance go?**

Exhibit C: Pan-African Peace Commission Forensic Analysis

Exhibit D: Cross Examination Questions for the Prosecutor



Exhibit E: Witness Preparation Document concerning Lt. Col. W.J. Strydom

Exhibit F: Draft letter for DoD to DBSA for the recovery of R46 million plus.

Exhibit G: Forensic Financial Reconstruction framework

Exhibit H: Peace Commission Letter: to Head of the SANDF 3 February 2026

Exhibit I: Peace Commission Letter: to Minister of Defence 16 February 2026

Exhibit J: Peace Commission Letter: to the Presidency 25 July 2026

Exhibit K: Peace Commission Letter: DCPI reporting of s34 Precca. 22 August 2026

Exhibit L: Peace Commission Letter: to the Auditor General of SA 14 August 2026

I've provided an Executive Summary, a Forensic Analysis, a Forensic Financial Reconstruction Framework, assisted the Prosecutor by providing 29 pages of cross-examination questions, 9 pages of witness questions, reported the matter to the Hawks s34 Precca, outlining a simple path to follow for prosecution, notified the Auditor General, to further assist the DoD provided a draft for the DoD to place on their letterhead demanding DBSA return funds, all at no cost to the tax-payer.

Exhibits H to L raises concerns that, if left unaddressed, continued financial and institutional deterioration could place the SANDF on a trajectory towards severe operational degradation.

Accordingly, the matter should be treated not merely as a financial-recovery or governance issue, but as one having potential implications for South Africa's national security.

The Peace Commission notes that on 3rd June 2026, General Bantu Holomisa MP publicly called upon the Portfolio Committee on Defence and the Minister of Defence to establish an independent task team to provide independent audit oversight of governance failures and



accountability challenges within the Department of Defence.

○ The matters raised by General Holomisa appear to intersect materially with the systemic governance deficiencies, procurement irregularities and accountability failures disclosed in this Record of Court. In the interests of a comprehensive investigation, the Madlanga Commission is respectfully requested to consider inviting General Holomisa to provide evidence before the Honourable Justice Madlanga concerning the broader institutional governance failures within the South African National Defence Force and the Department of Defence, insofar as such evidence may assist the Madlanga Commission in determining whether the conduct disclosed in this Record of Court forms part of a wider pattern of maladministration or corrupt activity within the South African National Defence Force and related public institutions.

In light of a whistle-blower's disclosure that this **R65 million** matter is merely the "**tip of the iceberg**", together with a 2021 Forensic Report addressed to Maj. Gen. Buhali, of further alleged misappropriation subsequently placed before the Peace Commission relative to a **R3.99 million misappropriations at the Defence Catering School**, the concern can no longer reasonably be dismissed as an isolated incident. Conflated, these matters - and any further evidence that may emerge – may well demonstrate a broader pattern of racketeering within the South African National Defence Force (**SANDF**).

What is perhaps even more troubling is the apparent failure, across the institutional chain, to investigate, prosecute and hold accountable those responsible. When allegations of this magnitude can be raised, supplemented by further disclosures, yet appear to encounter little meaningful investigative or prosecutorial consequence, the institutional message is difficult to misunderstand: accountability has apparently gone **AWOL**.



This is not merely a question of financial misappropriations. It raises a far more serious constitutional and **South Africa's National Security** concern. The failure of the **SANDF**, law-enforcement agencies and, where applicable, the judicial system to respond effectively risks becoming an evidential admission of institutional failure - namely, that South Africa is lawless and, rather ironically for the **SANDF** - a defenceless nation.

The Peace Commission has since 2025 therefore demanded meaningful civilian control and oversight of the **SANDF**.

ASSURANCE

To the Commander in Chief, HE Cyril Ramaphosa and every South African reading this, as Chairman of the Civilian Control Oversight, I will ensure milestones will be achieved by:

- 1: **Arresting the Decline** in Defence Force capabilities, stabilising and preventing matters from further escalating deterioration and;
- 2: **Rebalancing and re-organising the Defence Force** so that it becomes **a foundation for future economic growth**.

The apparent depth of institutional failure, declining capability, weak accountability, and persistent governance deficiencies requires a decisive institutional reset.

The SANDF requires a breath of fresh air: an independent, accountable, transparent, honest, and meritocratic civilian oversight mechanism capable of exercising effective control without becoming an instrument for political patronage, personal enrichment, or institutional capture. The primary purpose of oversight will be public service and measurable outcomes, rather than the protection of vested interests or the continued enrichment of individuals.

The South African National Defence Force exists to defend the nation. It should not require the nation to defend itself from the South African National Defence Force. Yet, on the evidence and allegations presently before the Peace Commission, that is increasingly difficult to characterise as anything other than the status quo.

Sincerely,



Henry William McCarter
Chairman



Restoration of Justice is our duty. Truth is our guide. Perpetual Peace and Prosperity for all is our mission.

Executive Council:

Dr. Henry McCarter LLD Hon. (Chairman), HRM Makikele II (Vice-Chairman), HRM Mervyn Dunn, P.M. Dingizwe Manyaka, Lt. Cmdr. Sylvester Mangolele, Nkosi Thulasizwe Ngcobo, Dr. Paolo Brogneri, Dr. Faiez Kirsten, Mrs. Michelle Tovey, Mr. Jannie Meyer, Mr. Ronald Plaatjies, Mr. Phakamani Dlamini, Mr. Cobus Pieterse, HRH Nolubabalo Mcinga, Dr. Grant Satram, Dr. Melanie Wepenaar, Mr. Malungelo Mgolombane, Mr. Godfrey Ngalo, HRM Queen Mashanini; Mr. Denzil Usher, Mr. John Schoemann: (Lead Researcher), Dr. E.K. Gordon-Dudu: (Constitutional Guardian):

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The Speaker of Parliament:

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Revelation 18.4



The Pan-African Peace Commission

22nd August 2026



*Received by
the representative
of the AGSA - Dr SR
Mankala*

To:

The Honourable Justice Mbuyiseli Madlanga

Chairperson

Judicial Commission of Inquiry into Criminality, Corruption and Grand Fraud

MADLANGA COMMISSION

PROSECUTORIAL DETERMINATION, EVIDENCE PRESERVATION, CRIMINAL REFERRAL, AND PRECAUTIONARY SUSPENSION OF PERSONS IMPLICATED IN THE SADIC KOEPEL CONFERENCE FACILITY PROJECT

Inspector General Report: Case Reference CAS0 03/10/2024

Inspector General Investigation Reference: DEF INSP DIV/C/501/16/5/1/4

Reference: MC-SUB-SADIC-2025-001

1. INTRODUCTION AND PURPOSE OF THIS FORMAL EVIDENTIAL REFERRAL

1.1

The Pan-African Peace Commission respectfully places before the Judicial Commission of Inquiry this **Formal Referral and Evidential Record** concerning suspected fraud, corruption, procurement irregularities, financial-control failures, maladministration and the misappropriation and/or unlawful expenditure of public funds in connection with the Koepel Conference Facility upgrade project at the South African Defence Intelligence College ("SADIC").