



RIGHT2KNOW

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TO: Deputy Chief Justice Raymond Zondo
Chairperson
Judicial Commission of Inquiry into State Capture

FROM: Right 2 Know Campaign

SUBJECT: AREAS for State Capture Investigation in Broadcasting, Telecommunications & the Internet.

DATE: 20 February 2019

About: The Right2Know Campaign

The Right2Know Campaign (“R2K”) is a nation-wide coalition of people and organisations concerned with promoting openness and the free flow of information, particularly in terms of the right to access information and freedom of expression. (<https://www.r2k.org.za/>) Right2Know’s vision is to “seek a country and a world where we all have the right to know – that is to be free to access and share information. This right is fundamental to any democracy that is open, accountable, participatory and responsive; able to deliver the social, economic and

environmental justice we need. On this foundation, a society and an international community can be built in which we all live free from want, inequality and indignity”.

R2K commends the State Capture Commission of Inquiry (the ‘Commission’), headed by Deputy Chief Justice Zondo, for its work on uncovering many elements of corruption that have impacted on the people of South Africa. We wish to highlight an important element of the Commission’s work which we believe will be vital in uncovering potential abuses of power and safeguarding against further damage to democratic institutions.

In this respect, we wish to align ourselves with the joint submission of the SOS Coalition and Media Monitoring Africa of 21 September 2018, urging the Commission to investigate evidence and allegations of state capture and associated corruption in South Africa’s broadcasting sector. We also align ourselves with the submission made by Willie Currie and Melody Emmett submitted on the 14 May 2018.

As the Commission is aware, there are serious allegations in the public domain of collusive and improper dealings involving MultiChoice (Pty) Ltd, the former owners of ANN7, the SABC, eTV, and former Minister of Communications, Faith Muthambi as well as former President Jacob Zuma. USAASA, the National Association of Manufacturers and the DoC have also been implicated in tender irregularities in the digital migration process.

In brief, the accumulated evidence strongly suggests that various actors colluded to shape South Africa’s broadcasting policy and sector to their advantage, including in respect of disastrous decisions around the use and ownership of the SABC archives, the awarding of tenders at the SABC and the DoC, and changes to South Africa’s Digital Migration Policy.

Cumulatively, this has severely affected ordinary South Africans’ access to affordable and quality public media and telecommunications as well as the right to free and impartial media; all of which are crucial to the functioning of democracy, public debate and free and fair elections.

Further, this confirms the urgent need for a full and transparent investigation into how ‘State Capture’ has affected the broadcasting and media sector.

We, therefore, implore the Commission to conduct a full and transparent investigation, complete with witness testimony, into the extent and impact of ‘State Capture’ in the broadcasting and media sector.

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