

I, JOHAN HENDRIK ERASMUS, with work address at 305 Ancore Building , 85 Jeppestreet , Sunnyside , and contact details as follows 0726569591 , cochon@mweb.co.za , declare under oath as follows;

1.

I was a Director of New Generation Arms Management (Pty)Ltd (Reg 2000/017104/07) (NGAM) which was an 80% BEE owned company. We were accredited with the National Conventional Arms Control Committee (NCACC) under Act 41 of 2002 according to which we were allowed to trade in war material.

2.

I am making this affidavit on the basis of the Terms and Conditions as published in Proclamation 3 of 2018 in Government Gazette no 41403 dated 25 January 2019 . In this regard I refer to the wording in Paragraph 1 “ The Commission shall inquire into , report on and make and make recommendations , guided by the Public Protector’s report , the Constitution , relevant legislation , policies and guidelines as well as the order of the North Gauteng High Court of 14 December 2017 under case number 91139/2016:-“ and the subsequent provisions thereof .



2.1

The gist of this affidavit is to elucidate on the role of the Organs of State as well as the Security apparatus in perpetuating the situation of state capture . Also the personae so involved including reference to Fana Hlongwane and the Gupta family where applicable. Specifically the role by officials as will be pointed out in this whole fracas. On 5 February 2014 I had forwarded a letter to the then President Mr J Zuma about the situation as described below and also put forward allegations re the relations between Pres Zuma , his family and the Gupta family. Some five years before this Commission came to life.

3.

BACKGROUND –NGAM (Pty)Ltd had won a tender from Armscor in October 2010 for the supply of East Block weapons under contract ESCW 2010/4.

3.1

From the outset NGAM had experienced insurmountable problems with Armscor . For example it took Armscor 397 days to open a letter of Credit on the basis of it being confirmed , irrevocable and transferable. This was eventually done via a credit line from Nedbank for Armscor.

3.2

At the time of delivery NGAM's landing rights at Waterkloof Air Force base was withdrawn for 31 October 2011 , this after the first plane with East Block weapons had successfully landed on 28 October 2011 and delivered into stores at Nylstroom , 91 Ammo Depot. The second plane had to be diverted to Polokwane where we had received it on 31 October 2011 at 10:00 and delivered into stores at Nylstroom.

3.3

On board were samples for NGAM which were legally imported for demonstration and further business purposes . These samples became a bone of contention and the subsequent illegal actions instituted against us by the state's security apparatus. These samples were attached by the HAWKS on the basis of false affidavits by inter alia Vanessa Du Toit and Brig Genl Maphynwa from SASF. No due process was ever followed.

3.4

In a Carte Blanche programme in 2012 the spokesperson for the HAWKS , Polela Macintosh said "that it was up to Erasmus to prove his innocence." Clearly a situation of guilty until found innocent.

4.

A demonstration was held on 3 November 2011 at SA Special Forces Training Centre at Hammanskraal. Some 500 people were present , photos and videos of the event can be supplied. Col DBT Smit , the SSO1 , R&D (Senior Staff Officer for Research and Development) at SASF who had been instrumental in all the irregularities that followed, was in charge of dealing with inviting observers.

4.1

At this event the Dillon Minigun , a Gatling gun which could fire 3 000 rounds per minute was demonstrated. This weapon was imported totally legal and was later denounced by Mrs Vanessa Du Toit , the Director Compliance , National Conventional Arms Control (NCACC). In this regard she stated that we could not be the owners of the Minigun as we were not Special Forces. She continues to perjure herself on many occasions by claiming that we had illegally imported the Minigun.

4.1.1

She went so far as to state this under oath. I am aware that she holds a degree in labour law from the former RAU University in Johannesburg. What she does not seem to understand is that when one buys a motor vehicle via the bank , the bank stays the owner thereof even if you are

the end user. This is exactly the situation we have found ourself in in relation to the minigun.

4.2

Due to the lies committed by Vanessa Du Toit , the Minigun which could have been used with devastating affect in CAR in 2013 , was not made available and the RSA suffered 19 unnecessary deaths of our soldiers.

The situation is that in my view she as well as Col Smit and various others should be charged for Treason as their illegal actions lead to the death of these soldiers or could have lessened the deaths of the RSA soldiers in question.

5.

It was also the same Vanessa Du Toit who made false affidavits with which the HAWKS had obtained search warrants to raid our offices and homes on 4 December 2012. The affidavits she deposed to was only supplied to me some time later via my attorneys.

5.1

At the time of the raids there were officers from the SAPS National Intervention Unit , Explosives unit , SARS etc involved. The SARS people after visiting our houses declared that there was nothing . Mr Kitching from SARS to Tryphina Tau – both from SARS. This alerted



me to the fact that there was something very suspicious going on , as I still do not know what they were looking for , but this was clear to me that somebody must have thumb sucked a story in order to create suspicions.

5.2

In this regard I was provided an affidavit by one WO A B Chakanyuka from the Military Police. His affidavits , which can be supplied along with our replies proving his vexatiousness and lying nature in all these documents . He was in my eyes only a usefull idiot used by Col DBT Smit from SASF and Col Philip Kraemer from Air Force Intelligence in order to steal our contracts .

5.3

In this regard they had been ably assisted by Armcor who had gone out of their way to sabotage our contracts and the business. In this regards Mr Siphon Mkwana – Acting CEO , at the time , Dawie Griessel , Gerhard Grobbelaar – CFO at Armscor were in the forefront of all these sheenanigans. Especially Mkwana was in the fore front of slandering us on any forum , ostensibly under pressure from Griessel and Grobbelaar. Griessel , it has been alleged , that he had made copies of the original Arms Deal documents and had become untouchable.



There would appear to be great veracity to these allegations as Griessel had been implicated in various transactions at Armscor which are of a highly dubious nature.

5.4

In 2014 there was a settlement on the table of some R 75 million between ourselves and Armscor. In this regard I had been working via Luthuli House in order to get to this situation. However, by the end of 2014 this settlement had evaporated only for me to learn later on that the then Chairperson at Armscor, Gen Mojo Motau and the Board of Directors at the time had redirected the settlement ostensibly for their very own personal gain.

5.5

The situation of a possible settlement had arisen again, however we are under attack from every corner by anything that resembles a member of the state's security apparatus in order to scupper this settlement as they claim that they are afraid that I will avail this settlement to nail them under the law.

5.5.1

We have also learnt that the HAWKS had already informed the NPA's mr Chris Mcadam more than three years ago that there was nothing



against us , that every allegation was fabricated. Nobody ever informed us. However , some 6 weeks ago from the date of this affidavit I was sitting with Col Mahlangu from the HAWKS , Head of CATS (Crimes against the State)in the company of Mr Fanie Fondse . Col Mahlangu had called Adv Torie Pretorius at the NPA in order to enquire as to what the status of the charges against myself and NGAM is , seeing that it was more than 3 years that the NPA was informed that there was no case against us.

5.5.2

Adv Pretorius' reply was that there was no case and they were evaluating the matter in order to issue a letter in this regard. Suffice it to say that me , neither any of my partners had ever been arrested or even warned in this matter. However , our lives and livelihood had been destroyed by the actions emanating from the SANDF by abusing the HAWKS and the legal system.

6.

The HAWKS , has been throughout a target of political opportunism and their work leaves much to be desired , in this regard me and my partners' own experience can attest to that.



6.1

In 2010 I laid charges with the SAPS which eventually ended up with the SIU (Special Investigative Unit.) These were charges dealing with the illegal import of a military firearm as a so-called civilian firearm. In this regard I refer to the GLOCK pistols sold to the State.

6.1.1

The SIU despite having access to all the information, sugar coated this whole issue and found no evidence of wrong doing. The GLOCKS were the 2nd most expensive pistols at the City of Tshwane Metropolitan Police Department but yet it was accepted. What became clear eventually was how officials at the COT and the SIU conspired to white wash this issue.

6.1.2

Involved in this issue was Bernard's Agencies and Smuts Ngonyama – he who did not join the struggle to be poor. Suffice it to state that this corrupt situation is continuing until today. Some 50 000 Glock pistols had been sold to the RSA State at a price of R 2000,00 above what the State could have bought a better and a cheaper pistol for.



6.2

I also wish to refer to the Mbombela Soccer Stadium where I handled the investigation as the audit firms were afraid to become involved.

6.2.1

I was contracted by Ngobe-Nkosi Attorneys in order to assist with this investigation. I found major irregularities and illegalities which until today has not been addressed. Jimmy Mohlala , the councilor who had been working closely with me , was assassinated at his home.

6.2.2

The HAWKS had been obstructing this matter in order to have justice served. The question therefore is as to why do the HAWKS even exist?

7.

In order to destroy our lives and our livelihood , the main beneficiaries were Armscor and Denel. Denel became the importer of East Block weapons from the Bulgarian factories whence we had been importing from. Also it must be noted that various shipments had been destroyed due to the missiles being substandard.

7.1

These institutions engaged the SSA (State Security Agency) and Defence Intelligence in order to derail our business. At various instance



suppliers had contacted us in order to inform us that they had been contacted by the RSA authorities to warn us that they should not deal with us as we were under investigation. In this regard the Intelligence services had taken an active role in attacking us by means of intercepting all our communications and then launching actions against us on the basis thereof.

7.2

George Darmanovitch , who was assassinated on 6 May 2018 in Belgrado , was used as an agent against us , confirmed to myself that the Intelligence services would have chats to Judges in matters with which we were in court. In this regard he pointed to the following Judges – P K Van Der Byl and Fabricius. The probability of what he said rings true when having regards to the actions of said Judges.

7.3

It was the same Darmanovitch that introduced me to Jacques Pauw , author of the President's Keepers who wrote negative aspects about myself. This is the same Pauw which was caught on camera in Maputo in the 1990's shagging little boys . This happened when he had travelled to Maputo to interview Peter Castleton in relation to Project Coast

7.4

The interference of the Intelligence Services continues until this very day.

8.

Not only was there interference by these Intelligence Services but also from SARS. I was informed that when it comes to the SANDF , the SARS would be roped in in order to victimize us. Especially in view of the draconian legislation that SARS could use against us. This was proved to be true.

8.1

Under the auspices of Armscor , SARS effected the cancellation of our payment of R1,9 million VAT refund at midnight , this was after the interception of our telephone conversations. SARS then went further in raising an assessment for R10 million on moneys which we had never even received!

8.2

In this whole process they are abusing the law in order to commit havoc and frustrate everybody. Their view is that if It's proven in the long run that they did mess up , which they most certainly have , then they will have a court order to rectify the mistakes. This attitude is the main



reason as to why state capture can happen and continue for as long as it can. This and the compliance of the courts in order to facilitate these illegal actions.

9.

Allready on 5 February 2014 I had sent a letter complaining about all these actions to Pres J Zuma as well as complaining about State Capture and referring to the allegations of the president and his family being involved with the Guptas and Kapsch International.

9.1

This whole fracas as recounted before is evident as state capture especially as the coterie of people mentioned at Armscor including the CEO , Mr Kevin Wakeford are known as “Fana’s boys”. Ie The role of Fana Hlongwane in the Defence Industry since the Arms deal.

9.2

The fact of the matter is that more than 3 years ago the HAWKS confirmed that there is not a case against us as it is clear that everything was done by “Fana’s” boys to incriminate us in order to steal . yet , the NPA had been negligent in their duties . Therefore , I wish to state the following , namely that the persons so involved are mentioned throughout in the available documentation and that it serves as the

proof as to how the state is captured and as to how such action is performed to safe guard the interests of the criminals in question.

10.

The documents I so refer to is available for the Commission to peruse as it is too voluminous too attach at this stage.

11.

I wish to point out that I am available to testify at the Zondo Commission of Inquiry into State Capture if so required, as it State capture can never stand in isolation but must be effected on the basis of the role of the officials involved. In this regard I can testify to a first hand experience and especially as to how they had acted to destroy me and my BEE co-directors' lives financially as well as our reputations.

11.1

In this regard Ministers such as the Min Of Defence , The secretary of Defence , The Chief of the SANDF – Genl Shoke , and his command in all structures , Min Radebe , The Commissioners of SARS and their senior officials , The Minister of Justice and the leadership at the NPA , The Minister of Police and his top command are all in one or other way involved in state capture . State capture has been around for more than a century in what is now called the RSA , and it is not an isolated



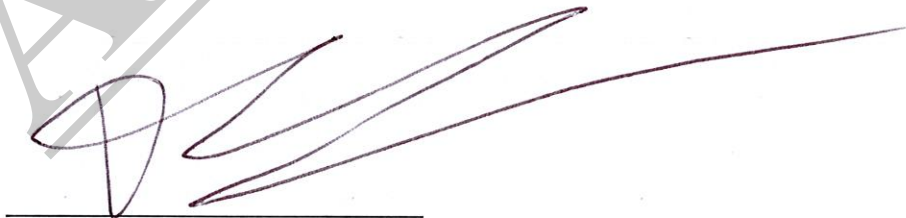
incident. If it was , the only questions is then , how could it have been possible for officials to find themselves in such pivotal positions to ensure such actions ?

12.

I have been confronted at various stages with questions such as , why would it be cheaper to take me out than rather settle with me ? Also I have been continuously advised from various quarters that my life is endangered. In this regard the fingers are being pointed to SA Special Forces who had been identified as having been involved in highly questionable actions on a continuous basis.

12.1

I have referred to assassinations of George Darmanovitch and Jimmy Mohlala , all people who had at one or other stage been working with me . I must also point out that my partner , Ivan Monsieur , was assassinated on 2 June 2009 about a kilometer from his home. It is most interesting that in all these assassinations the perpetrators until today has not yet been caught.



A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke, positioned above a solid horizontal line.



A small, handwritten mark or signature in blue ink, located in the bottom right corner of the page.

Deponent

I hereby certify that the Deponent has acknowledged that:

- 1) he knows and understands the contents of this declaration;**
- 2) he has no objection to taking the oath;**
- 3) he considers the oath to be binding on his conscience,**

**Thus signed and sworn to before me at Pretoria on the 17th day of
October 2018,**

**The Regulations contained in Government Notice No. R1258 of 21 July
1972 having been fully complied with.**



Commissioner of Oaths

Christian Jacobus van Dijk (prakties Atty; in the name)

Van Dijk & Hen Atty

Makelaars

49, 1111 St, Makelaars

PA

083 741 3281. (5)