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noseweek

ISSUE 236 JUNE 2019

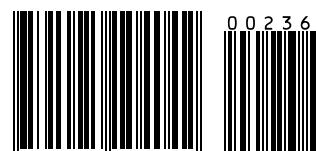
CAPE TOWN'S DESALINATION DECEIT

**STATE CAPTURE
PROBES:** Is Pravin
secretly pulling
the strings?

*Fury over
faulty Fords*

**Iqbal's China
connection:**
His salvation?

*Thousands of
new condoms
in Durban
flood debris*





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Letters

Strachan's blasphemy

WITH REGARD TO E WRIGHT'S LETTER (*nose235*) and your editorial response: I defend your columnists' freedom of licence, even if it means the pejorative usage of "Jesus" in his *Noseweek* column, although it's hardly brave; Jesus is a safe target.

My guess is that your writer would be a lot more cautious of exercising such freedom across the board – think of a comparable reference to Islam, for example. Given the above, I found your response facile and limp.

TJ Ruthenberg
Sunningdale

Voting for Cyril

THE ELECTION POSTERS ASKING PEOPLE TO VOTE for Cyril Ramaphosa should have been declared illegal – as you were not voting for Ramaphosa.

John Simpson
Sandton

■ I'M NOT BLUFFED BY CYRIL RAMAPHOSA and his New Dawn and Thuma Mina: He always voted to support Zuma and actually claimed he knew nothing.

He also did not fix anything at the SOEs in the three years he was in charge. He is not the man to serve the country and let the people guide him.

Zondra Hoffman
via Facebook

Shooting down the Gatling

I AM DEAD AGAINST SOUTH AFRICA BUYING those M134D Gatling miniguns. Johan Erasmus [former National Intelligence agent-turned-arms dealer], please!

Mosa Damane
Sydney, Australia

Killer Quantum taxis

VIRTUALLY EVERY STEP WAS COMPROMISED BY an incompetent administration that just doesn't care.

Paul West
Plettenberg Bay

Eskom and centralisation of power

HAVING NOTED THAT THE NATIONAL government is responsible for bulk supply through Eskom – which generates about 90% of South Africa's electricity – and that the national government is also responsible for transmitting electricity across the country to the major distribution centres, Helen Zille claims:

"We have a game changer for the power supply problem – now we must implement it."

From Enron to Eskom it has become clear that the real problem is the centralisation of power – pun intended. We will make no progress while this critical resource remains under the control of bureaucrats. Advanced economies have long since recognised this fact by breaking up and privatising the monolithic monopolies that were originally created to raise the capital required for centralised power systems. The DA does not address this problem but merely claims that it would provide a better bureaucracy than the ANC.

Modern technology reduces the need for these gargantuan financial and physical structures. South Africa is among the top ten countries in the world for its per capita solar power-producing potential, only behind sparsely populated countries such as Mongolia and Namibia.

The cost of solar photovoltaic (PV) generation of electricity now rivals traditional energy sources, and its downward trend is likely to continue into the future. As important, however, is that PV can scale to fit the size of demand. This enables one to adopt a bottom up, decentralised model.

However PV is seen by municipalities as a threat, not an opportunity. They rely on a dwindling pool of consumers that they can force to pay their outrageous electricity tariffs. They seek to regulate and extract revenues from investments in

PV made by their citizens without adding any value. For example, Cape Town charges an extraordinary R10,000 for a meter to measure and credit surplus PV energy at a derisory rate. This is money that would be much better spent on additional solar capacity.

We are on the cusp of a massive disruption in the way that electrical power is financed, generated, distributed and consumed. Just as telecommunication by land line has virtually disappeared in the past decade we can expect, given the correct policies, a similar revolution in power supply.

Municipalities must look beyond their narrow desire for revenues to enable a sustainable future. Private capital is available to fund this disruption with such policies in place. Otherwise history shows that revolting taxes will lead to tax revolt.

Chris Marshal
Camp Bay

Leaving on a jet plane

SORRY GUYS AND GALS BUT WILL NOT BE renewing. Leaving this shithole country.

The less I hear about it, the better I will feel.

Len Bloch
Fresnaye

Give it six months and you'll be missing us. – Ed.



Cape Town knee-deep in...

NOSEWEEK HAS LONG SUSPECTED THAT THE DA-led Cape Town City Council has been so absorbed in politicking that it has neglected the job of ensuring the city will have enough water in years of drought to come. Perhaps they don't believe in climate change, so they've done nothing other than repair a fair number of leaking joints – and reduced water pressure on the system to slow down the leakage from those that remain. And, business-oriented as they are, they've upped the price of water. I have heard it referred to as "disaster profiteering".

To give credit where credit is due, *Noseweek* accepts that some councillors and municipal executives have occasionally stopped to pray for rain. For now, their prayers have been answered. But what of those much-heralded desalination plants they hurriedly commissioned? Silence.

Noseweek can now reveal why that is: The three completed plants are non-operative because the city's problems are much, much bigger than we could have imagined. We cannot draw water from the sea that surrounds the city because the Council has for decades neglected to build and maintain sewerage plants. Instead it has found it cheap and convenient to pump the huge and growing tonnage of raw sewage into the sea – on both sides of the peninsula.

But they've also been fudging the pollution statistics – on a scale to equal Steinhoff – to fool tourists into trusting our "blue" beaches. The sea is now so polluted that the filters of the desalination plants clog up within an hour, slowing down the process – and raising the cost. They are designed to take out salt, not sewage – megatons of it. Admit their failure? Never! The game of pass-the-buck (and the bill) is already in full swing. Turn to page 18 and read on.

● MNS Attorneys, established in 2002, is an on-the-up all-black law firm operating from Johannesburg's Illovo. The firm's impressive public-private client list, includes the DTI, Transnet, Prasa, Telkom, Rand Water and the KZN Treasury. Chairman Mncedisi Ndlovu, it is said on the firm's website, "also acts as procurement ombud for Transnet".

In our not-to-be-missed story on pages 6-8, you will learn that MNS has a major role in the privatisation of criminal investigations where the appropriate organs of state are no longer trusted with the task.

But can these private investigators operating in the shadows be trusted to be law-abiding and unbiased?

● The UN Working Group on Arbitrary

Detentions (UNWGAD) has protested WikiLeaks co-founder Julian Assange's precarious position ever since he first sought asylum in the Ecuador Embassy in London. With good reason.

It now emerges that a US secret grand jury has had whistle-blowing soldier Chelsea Manning jailed in solitary confinement for years to pressurise her to testify against Assange. She has announced she will not testify against him.

Assange's WikiLeaks published Manning's leaked video of US soldiers gunning down civilians from a helicopter in Iraq. The *New York Times* and *The Guardian* were amongst the publications that thought it in the public interest to publish the video, too.

Meanwhile, any number of brave whistle-blowers have been inspired by Assange to leak massively important hidden computer-held data for which citizens everywhere must be immensely grateful: think only of the Panama Papers, of the LuxLeaks exposing hundreds of major tax dodgers sheltered by Pricewaterhousecoopers (PwC) in Luxembourg (*nose225*) – and our own Gupta Leaks.

Assange needs support: this is the major freedom of speech issue of our time. As the UK holds Assange in custody pending his expected extradition to the US, it celebrates press freedom as two Reuters journalists are released in Myanmar. It's okay to champion journalists when they expose official enemies, but not when they train their sights too close to home?

South Africa's silence – in failing to speak out for Assange – is sad and worrying.

● Also in this issue, Ed Herbst brings us the latest on Iqbal Survé. The storm clouds are clearly closing in on the good doctor, what with the ANC rejecting his R1m election donation – to applause from Cosatu.

All that and more in this great issue of *Noseweek!* – **The Editor**

Apology and Correction

IN NOSEWEEK'S ISSUE 235 WE USED A PHOTO OF advocate Herman Steyn in our story "Bungle justice" about a mismanaged criminal court case in the southern Cape. Prominently featured in that story was senior prosecutor, advocate Herman Steyn. Unfortunately the photograph we used was of the wrong advocate Herman Steyn, for which we sincerely apologise. The man pictured is of advocate Herman Steyn who practises at the Johannesburg and Windhoek Bars and has no connection to our story. – Ed.

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Notes & Updates

Is Pravin Gordhan secretly controlling state capture probes?

THERE'S BEEN A SIGHTING OF YOLISA Pikie, former R900,000-a-year overseer of ethics and good governance at the South African Revenue Service. Pikie, whose 13-year career at SARS included a spell as special adviser to then commissioner Pravin Gordhan. His last job there was as special adviser to acting commissioner Ivan Pillay.

Before his departure, Pikie had been facing disciplinary charges for faking his CV – falsely claiming he held a BCom degree from the University of the Western Cape. He had also passed himself off at official meetings as a lawyer. More controversially, he featured in KPMG's rogue unit report under the heading "Tampering with evidence".

What was that all about? Three days after acting commissioner Pillay was suspended on 5 December 2014 over rogue unit allegations, he contacted Pikie and asked him to surreptitiously collect two cell phones that he had inadvertently left behind. They were two of four "pool phones" bought

by the SARS Restricted Taxpayer Unit and loaned to Pillay the previous August [for off-the-record conversations? –Ed].

But where were the other two phones? Under questioning Pikie said that he had one and the other was with "the other guy" – who he then admitted was Johann van Loggerenberg. All four phones were then made available to the KPMG investigators – but when Pikie eventually brought them in, their sim cards had been destroyed and no data remained on them.

Today, *Noseweek* can report that Yolisa Pikie is back with his old boss Pillay and SARS's former rogue unit leader Johann van Loggerenberg, the three of them discreetly commissioning and controlling private-sector forensic investigations into corruption and state capture at State Owned Enterprises (SOEs). Droll, really, with Pillay and Van Loggerenberg both out on bail, along with Janse "Skollie" van Rensburg, on charges of illegal interception of communications and corruption relating to the alleged

bugging of the offices of the National Prosecuting Authority in 2007 (next scheduled court appearance June 12).

In April (*nose234*) we revealed that Pillay and Van Loggerenberg were linked to a shadowy company called Ukhobi Forensics and Consulting Services. We stated that Ukhobi had been working for Warren Goldblatt's notorious security firm BCPS (Basileus Consilium Professional Services), which in turn was commissioned by Werksmans attorneys to run surveillance as part of an investigation into corruption at Prasa, the state-owned rail transport entity.

We reported that little-known Ukhobi started business on 10 July 2015, two months after Pillay's departure from SARS with a controversial near-R10m goodbye pay-off. One of Ukhobi's registered directors was Luvo Lincoln Makasi, the recently-fired chairman of the Central Energy Fund, who would only confirm that Pillay and Van Loggerenberg did "ad hoc consulting" for the company. He didn't remember them being Ukhobi shareholders.

It now emerges that Ukhobi operates from allocated space within BCPS's offices at 313 Rivonia Road in Morningside, Johannesburg. And there to be found are Ivan Pillay, Johann van Loggerenberg and Yolisa Pikie.

Quite apart from Prasa, Ukhobi has been playing a key role in the Transnet state capture probe. So has BCPS, and here we have better detail on who does what. Different attorneys this time, but that's all.

"The new Transnet board appointed MNS (Mncedi Ndlovu and Sedumedi Attorneys) to do the report," says our source. "MNS outsourced the work to Ukhobi, and Ukhobi outsourced the work to BCPS. Ivan Pillay attends the BCPS meetings and Pillay and Van Loggerenberg control the entire engagement between MNS, BCPS and Transnet to the satisfaction of the minister [Gordhan]."



Yolisa Pikie(left) with Peter Richer and Ivan Pillay in the Labour Court

Notes & Updates

The source continues: "When last I was there, Van Loggerenberg was working behind a computer in an office next to the boardroom. Pikie is there too, he's one of the key role-players in Ukhodzi."

Ivan Pillay takes his long-accustomed boardroom role, and apart from Van Loggerenberg, a seasoned professional spy for 12 years and once rated the best investigator at SARS, it seems that the company has no other investigative staff. "They are all coming from BCPS," says our source.

When required, Ukhodzi subcontracts specialists like Forensics Consulting, who – as reported in April – employs Anton van 't Wout, Van Loggerenberg's cyber crime expert in the former High Risk Investigation Unit (HRIU) at SARS.

The old names keep popping up again, personalities in Ukhodzi's modus operandi merging seamlessly with those in Van Loggerenberg's old media manipulation games at SARS. Back then Van Loggerenberg and his HRIU would dig out the dirt on big name tax dodgers. Van Loggerenberg would offer the scoop to a favoured mainstream journalist (who would dutifully submit their copy to him for approval prior to publication).

SARS's official spokesperson Adrian Lackay would provide the usual: "SARS does not comment on individual taxpayers" quote to tack on the end and everyone in the whole charade was happy, apart from the luckless tax dodger.

Today Lackay is Pravin Gordhan's spokesman and trusted aide at Public Enterprises, where he provides a familiar and reliable link between "PG" and his Ukhodzi rottweilers. Political interference? Well, nobody knows, so what's the problem?

As *Noseweek* went to press Judge Raymond Zondo's state capture inquiry was preparing to focus on Transnet and the forensic investigations conducted by attorneys MNS and Werksmans – and their contracted controversial private investigators.

MNS Attorneys' managing director Tshiamo Sedumedi did not respond to our request to discuss Ukhodzi, BCPS and the Transnet investigations.

Sikhakhane pressured to withdraw report

FOR FIVE YEARS MUZI SIKHAKHANE SC has been under pressure to withdraw his SARS-commissioned report which found that Johann van Loggerenberg's High Risk Investigation Unit and its predecessor, the National Research Group, were illegally established and engaged in activities they had no lawful authority to perform.

The rogue unit and its mentors have friends in high places. The pressure on Sikhakhane to withdraw began even before his 2014 report had been officially released, with a call from retired Constitutional Court judge, Justice Zak Yacoob.

"He called me to rebuke me," Sikhakhane tells *Noseweek*. "This was when my report was still confidential. I told him that I took exception to his call because he was defending his friends [Judge Yacoob is a close friend of minister Pravin Gordhan and Ivan Pillay] and I did not think it was our call as lawyers and judges to do that."

Four months after the report's release there were three more approaches, all in the same month, all urging him to meet with Ivan Pillay in what were clear attempts to have him "think again". Sikhakhane is reluctant to name the callers, one of whom he says was a mainstream newspaper editor.

Former police spy Van Loggerenberg has consistently claimed that Sikhakhane's report was flawed in fact and law. He disputes its contents, as well as the conclusions – in a separate, independent report – of retired Judge Frank Kroon "in their entirety".

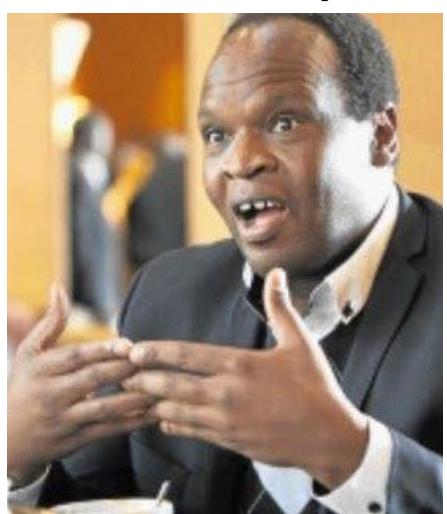
Last year Kroon, whose 2015 committee of inquiry had confirmed Sikhakhane's findings, buckled and told the Nugent Commission that his own conclusions were not "thought through properly", were incorrect and that the establishment of the covert unit was lawful.

There's an interesting background to all this. In September 2014 Sikhakhane and his panel were appointed by acting SARS commissioner Ivan Pillay to investigate attorney Belinda Walter's multiple allegations of impropriety against her former lover Johann van Loggerenberg.

The previous April then finance minister Pravin Gordhan had appointed the previously mentioned Judge Zak Yacoob and Sikhakhane to conduct an inquiry into allegations that then SARS commissioner Oupa Magashula had placed the reputation of SARS at risk by the inappropriate offer of a job at SARS to a chartered accountant. Their obliging conclusion enabled Gordhan to announce Magashula's immediate resignation three months later – along with Pillay's promotion to acting commissioner.

So when Pillay appointed Sikhakhane to investigate Belinda Walter's complaints he confidently expected Van Loggerenberg and his HRIU unit to come out smelling of roses. On the eve of the report's publication *City Press* reporter Caiphus Kgosana was working on a shock exposé of a secret spy unit at SARS. Revenue's press spokesman Adrian Lackay was trying frantically to persuade the newspaper not to rush to press on "concocted evidence", but to wait for Sikhakhane's report (which Lackay, Van Loggerenberg and Pillay were convinced would kill these embarrassing leaks).

Van Loggerenberg's media collaborator Jacques Pauw was mobilised to talk *City Press* assistant editor Nicki Gules and editor Ferial Haffajee into spiking Kgosana's exposé, promising to personally write the real story ("it is apparently very explosive," Pauw assured them) when they exclusively received the Sikhakhane report.



Advocate Muzi Sikhakhane

Notes & Updates

Imagine his rude shock when the report concluded the opposite.

Pillay had signed Sikhakhane's terms of reference on 10 September 2014. Just 17 days later, as the investigation was in full flow, new broom Tom Moyane arrived to take over as commissioner at SARS. And Moyane took a very different view of these allegedly covert goings-on. So, went the thinking, had Moyane nobbyled Sikhakhane to sharpen his sights on the perceived miscreants? Enter retired Judge Robert Nugent.

Last June, Nugent's commission of inquiry into governance at SARS heard evidence from witnesses including Ivan Pillay, SARS's former spokesperson Adrian Lackay and ex-enforcement chief Gene Ravele (a rogue unit? Hogwash! declared Ravele). So Nugent decided to make his own inquiries. *Noseweek* has a set of the correspondence between him and Muzi Sikhakhane.

"I note that you met with Commissioner Moyane after his appointment," wrote Nugent on July 10. "Could you advise me whether your mandate was altered or extended in consequence of that meeting, and if so, in what respect it was altered or extended."

Sikhakhane's reply of July 13: "Our mandate was neither extended nor altered at any point after we commenced our investigation. We acted and prepared our report in accordance with and on the basis of our letter of appointment and our terms of reference."

On September 10 Nugent struck again, scarcely bothering to veil his sarcasm. "I have been studying your report to SARS and am not entirely sure on what grounds you considered the NRG Unit to be unlawful (I am not now referring to the alleged conduct of its members). There is mention in the report of the National Strategic

Intelligence Act but I am not sure what section you refer to as prohibiting the 'conducting of covert intelligence gathering' so far as it relates to, for example, gathering evidence on the activities of the illicit tobacco trade. If there is some other basis for your conclusion would you kindly advise me."

Sikhakhane's reply of September 11: "We do not consider it appropriate or proper to say more than is contained in the Report. This is especially so as the Report was written almost four years ago and was not sought to be reviewed by any person that was entitled to do so. It suffices to say that the Report records our conclusion that SARS was not empowered by any legislation to engage in covert intelligence gathering itself, as opposed to doing so in conjunction with the various National Intelligence Structures defined and regulated by the National Strategic Intelligence Act 39 of 1994."

"It is for you to decide whether this question falls within your jurisdiction and, if so, whether you agree with the legal conclusion reached."

Despite this correspondence, in the last week of September Judge Nugent commented at his commission that he had sent Sikhakhane an email to obtain clarity on his findings but had received no response. Nugent said he had also called Sikhakhane with questions but was told by the advocate that doing so was unlawful.

Barry Bateman, a reporter for *Eyewitness News*, sent Sikhakhane a WhatsApp asking: "If these claims are correct, why are you unwilling to assist the commission? Do you stand by the findings of your report? Are you entirely satisfied that due process was followed when making your findings?"

Sikhakhane was out of the country so advocate Nasreen Rajab-Budlender, a member of Sikhakhane's panel, replied. It was false that they did not respond to emails from the commission,



Tom Moyane

said Rajab-Budlender. "It is also false that Judge Nugent contacted Adv Sikhakhane and that he declined to answer Judge Nugent's questions."

Rajab-Budlender added: "We stand by our report, which recognises the limits of our own powers as a non-judicial panel of inquiry appointed by the then Acting Commissioner Mr Ivan Pillay."

Today Muzi Sikhakhane will still not speak publicly on the controversy that continues to swirl around his rogue unit report, which is a shame, for in private the senior counsel talks freely of the dangers he sees in the plethora of un-mandated bodies such as private security companies conducting state capture investigations. In his view this has created a parallel state, itself a form of state capture.

On the hot potato of what Ivan Pillay may have hoped to gain by appointing Sikhakhane to investigate Belinda Walter's complaints, a friend of Sikhakhane reflects the advocate's position. "Muzi was never going to tell Ivan what he thought was wrong at SARS. Maybe Ivan's upset with him, but Muzi's not a guy to buy, if that's what Ivan thought. We have to rid our country of corruption. Not one form, all of it. But in Muzi's view, what we're finding here is society being hoodwinked into ignoring the facts, not looking at certain crooks and looking at other crooks." ■

Judge Nugent

Another feud about faulty Fords

IN JANUARY 2017, FORD RECALLED 4,556 of its Kuga vehicles in South Africa after many reports of that specific model catching fire. Now the car manufacturer is under pressure again: Ford owners say their Fiestas and EcoSport models have alarm systems that criminals are able to override within seconds.

Facebook page "My FORD was broken into South Africa" has become the mouthpiece of several thousand disgruntled owners of the popular brand. Group members recently surpassed the 14,000 mark and the numbers are still growing. They are all complaining bitterly about the alarms in their Fords that did not go off when their vehicles were broken into. More recently the complaints are also about Ford South Africa expecting its clients to pay for what is obviously a factory/design flaw.

Earlier this year Ford said in a statement the break-ins were neither related to vehicle design nor manufacturing faults but were a result of "a vulnerable access point into the vehicles".

However, the alarm in some Ford models is disabled when the lock on the driver's door is forcefully opened with a sharp object like a screwdriver. When the lock snaps, the manual override is activated and all the door locks pop open. As a result the boot becomes accessible, leaving whatever goods in there open to theft by the car thief. To replace the lock costs around R4,000 at a Ford dealer.

Some Ford owners have been hit repeatedly. It takes an unscrupulous crook just a few seconds from the time their accomplices stop next to a parked Ford Ecosport or a Fiesta until the vehicle's boot is opened and cleaned out. Research conducted by the Facebook group found that up to 40 Fords are broken into each day in South Africa using this modus operandi.

Gangs are specifically targeting Fords because the word on the street is that the Ecosport, Fiesta and some other Ford models are there for the taking – with their weak security systems. Gauteng is worst hit; Mall of Africa, Menlyn Mall, Maponya Mall, Melrose Arch, Sunninghill, Craighall Park and Illovo have been repeatedly mentioned in social media posts. A photograph posted by Briony Simon

on Facebook in April shows an incident at Centurion Mall where three Fords, parked a few meters apart, were targeted on the same night. Laptops, prescription glasses and bags were stolen from the cars' boots. The post was shared 11,000 times in just three days.

"I don't have a boot to use any more," says one unhappy member of the group. And with social media in overdrive, hundreds of other Ford owners are griping, all gunning for Ford South Africa whom they believe has let them down.

"I took the outside table in my favourite restaurant so I can watch my Ford after every sip. This is truly not the way to live," grumbles Sam Ntlombe who has not had a break-in yet but is worried that the law of averages is against him and that a break-in could happen at any time.

"The only way companies listen to us is if we stick together. We had already paid for our vehicles and were not aware that there was a problem with their locking system," writes Desiree Chaves.

"I believe Ford overlooked the fact that the alarm is not activated when the lock is snapped," says Matthew Parker who modifies the locks of the affected Ford models by removing the lock-pins. He is a systems architect at Dimension Data but has modified more than 600 locks in his spare time while desperate Ford owners queue for his services.

The "My FORD was broken into South Africa" Facebook page was started in

2015 by Erin Gray Stacco. In recent months the page has grown rapidly, with members putting pressure on Ford to recall the models concerned or at least come up with a plan. In May this year the manufacturer eventually offered customers a solution: "A reconfiguration will ensure the existing alarm will remain active when entry to the vehicle is gained using the key lock on the driver's door."

But the customer is expected to fork out R155.25 for the reconfiguration and that did not go down well at all. More than 150 angry Ford owners have made their feelings known on Ford South Africa's website.

"I don't understand how it has become our problem that your product is faulty," declares Jennifer Falconer.

Ford was quick to reply saying all its vehicles have an anti-theft system that meets with all required safety and security measures and, as such, this cannot be considered a design or manufacturing fault.

"The question is, which standards are those?" Brent Lawrence then asks. "Were these 'standards' designed by Noddy or Postman Pat?"

The core problem remains: The lock can be opened within seconds with a screwdriver! – **By Susan Puren ■**



Unconscionable conduct – judge

IN APRIL THIS YEAR THE FEDERAL Court of Australia declared by consent that Ford Motor Company of Australia Limited engaged in unconscionable conduct in the way it dealt with complaints about PowerShift transmission (PST) cars, and ordered Ford to pay \$10 million in penalties.

Consumers complained to Ford and its dealers about Ford Fiesta, Ford Focus and Ford Ecosport vehicles fitted with PST between May

2015 and February 2016. The cars had excessive clutch shudder, excessive noisiness from the transmission, delayed acceleration and excessive shuddering and jerking when accelerating and 37% of these vehicles had at least one clutch replacement.

"Ford told consumers that refunds and replacement vehicles were not an option, when they may have been legally entitled to these remedies under the consumer guarantees." ■

Iqbal Survé – the China connection

Iqbal Survé, Independent Media's chairperson, testified that the group had been making interest payments only to a Chinese consortium and not to the state's asset manager, the Public Investment Corporation

INDEPENDENT MEDIA EXECUTIVE CHAIR Dr Iqbal Survé was appointed to the First Council of the Belt and Road News Network (BRNN) at a highly exclusive gathering of world media leaders in Beijing on Tuesday. He was the only South African to be invited to serve on the First Council, which represents 26 countries and 39 media organisations. – IOL 24/4/2019: “Top honour for Survé in China”.

Wikipedia describes the Belt and Road Initiative as “a development strategy adopted by the Chinese government involving infrastructure development and investments in 152 countries”.

The intention of the BRNN initiative is to create more markets for China and to enhance its geopolitical influence by spending billions on construction projects in countries which lack the capital to do this themselves.

Early examples of the indebtedness this creates is a debt crisis in Pakistan, and a default by Sri Lanka on a \$1.3-billion loan from a Chinese state-owned company to build the Hambantota Port – and then ceding control of the port to China for the next 99 years.

So why was Survé the only South African invited to the media section of the Belt and Road News Network?

The ANC was effectively given control of the largest grouping of English newspapers in the country, in part through a PIC loan and through a multi-million-rand investment by two state-owned Chinese companies, China International Television Corporation and the China Africa Development Fund.

China would have been very impressed by a statement Survé made during his testimony under oath to the Mpatis Commission that he had only been making interest payments to the Chinese financiers but not to the PIC.

The fact that he had reneged on the PIC payment to the long-term detri-

ment of the country’s almost two million civil servants and pensioners was revealed by finance minister Tito Mboweni in Parliament on 2 November last year. This news, unsurprisingly, has not been communicated to the readers of the newspapers Survé owns nor on his IOL website – censorship by omission being a defining characteristic of the propagandist.

Another reason why Survé would have been invited is the almost-bizarre level of Chinese coverage his editors are compelled to publish on the front pages of his newspapers. (See examples in *nose229* of November 2018.)

But a more compelling reason for his invitation could well relate to the giant, brainwashing internment camps that China is building to incarcerate more than a million Uighur Muslims in the Xinjiang province because they are perceived to be a security threat.

Satellite imagery shows the exponential expansion of these camps where Muslims are being forced to renounce their religion and sing the praises of President Xi Jinping.

Separation of families, forced labour and torture such as waterboarding are claimed to be routine in these internment camps. China denies the claims, saying the camps are “vocational training centres”.

Wikipedia provides more information under the headline “Xinjiang re-education camps” as does Amnesty International under the headline “Up to one million detained in China’s mass ‘re-education’ drive”.

News agency *Al Jazeera* has done more investigative work on this subject than any other. One of its journalists is Azad Essa who had been a freelance columnist for Survé’s Sekunjalo Independent Media newspapers and its IOL website for two years when, in September last year, he submitted an article about the suppression by China of the Muslims in Xinjiang.

Within hours he was told that his

column would no longer be published.

The silence of African Editors Forum president Jovial Rantao – the internal ombudsman of Survé’s newspapers, although he has never been known to make a ruling – was deafening.

But the censorship of Essa had not gone unnoticed in China, a country where media freedom does not exist.

Survé’s appointment to the BRNN Council was an acknowledgement of the role he is playing in South Africa in promoting China and suppressing information which is inimical to its international reputation.

The termination of Essa’s column, along with the dismissal of editors Alide Dasnois and Wally Mbhele provide proof, however, of Iqbal Survé’s perjury when he told the Lex Mpatis Commission, on the record and under oath, that he does not interfere in the editorial processes of his newspapers.

So massive has been the loss of staff desperate to escape what I call the “Sekunjalo Stench” that Survé has been forced to hire the *Sunday Times*’s Fake News castoffs, Piet Rampedi and Mzikazi wa Afrika.

In suborning the newspapers he owns – and their editors – for his personal aggrandisement and profit, by attacking and dismissing those who did not show his required level of sycophancy, Survé has prostituted South African journalism to an unprecedented degree. Read the unchallenged Dougie Oakes article “It is time to go, Iqbal Survé” on *Daily Maverick*.

One expects nothing less from “the other Mandela doctor”, a money launderer for Brett Kebble, an avid Jacob Zuma faction supporter and a self-acknowledged legend in his own lunchtime.

But where was the due diligence when Dr Dan Matjila, former CEO of the PIC, lent Iqbal Survé R1 billion for the newspaper purchase, R4bn for AYO and attempted to lend him another R3bn for the Sagarmatha fantasy? – **By Ed Herbst ■**



'Not-timeshare' evangelism preys on unsuspecting pensioners

TSMACKS OF AMERICAN PENTECOSTAL evangelism: a well spoken, good-looking charmer cracks jokes in several official South African languages as he moves to music across the stage against a backdrop of scenes of stylish living projected in vivid colour to a crowd of pensioners.

Lured to the show by promises of mystery gifts and other pleasures, they watch intently, seemingly hypnotised by the honeyed tones of the master of ceremonies.

I am in the audience, here to observe how one's hard-earned cash can be handed over as a trade-off for life-long discounted travel and luxurious holiday accommodation across the globe. Hello Vacation Hub International (VHI), the winner of an international award for the Best Vacation Club.

It all started in November last year with one of those dreaded phone calls where an anonymous voice announced my name and would not take no for an answer to a fabulous proposal. A "friend" whom I had met once during an interview a year earlier, had kindly

nominated me to receive a gift, said the caller in a distinctively Durban accent.

My amazing present was waiting at a well-known landmark hotel in Pretoria.

Here's my way out I thought as I explained very politely that I lived 1,000km away from the capital city. Give it to someone else, I suggested, and no, I do not actually recall this friend you are talking about.

But to get VHI off my back was easier said than done. Four months later, another caller, this time in Cape-Afrikaans, informed me my gift was waiting for collection in Mossel Bay. We go the extra mile, he declared triumphantly. All that was needed from me was to market VHI's amazing holiday packages among my friends. Mr Cape-Afrikaans assured me there was no catch: this was not timeshare and the gift was nothing less than two free holidays for me and my friends. Now who could say no to that?

The Mossel Bay venue was once again an upmarket hotel, and my gift would be handed to me by the

company's regional manager. The appointment was set for the following Wednesday and over the next few days I was reminded several times not to be late for this important get-together. An hour before the big do I was asked whether I would have tea or coffee during the audience with the regional manager.

Whether by coincidence or design, I found myself next to the only other single woman in the conference venue. We were surrounded by around ten senior-citizen couples, all anxiously awaiting the VHI gospel message to be spread to other eager beavers in return for a free gift. The lights dimmed and the spotlight panned to an opening in the curtains. Voila! Out stepped the regional manager to the roll of a drum. For the life of me I cannot remember his name but his quackery was overpowering.

"Thanks for taking the time to learn a little more about VHI. When was the last time you travelled? Where did you go? How much did you pay? We can guarantee a fantastic 80% discount for you! Fact is, if you travel, Vacation



Craig Browne

Hub International is a must in your life (another drum roll).

From his smart phone he apprised us of the lowered price that VHI was able to offer to its members. Members? Who said anything about members, I said to the woman next to me. She looked at me blankly.

We sat mesmerised during a Power Point presentation on the Taj Mahal, the Grand Canyon and the splendour on board a giant cruise liner traversing the Mediterranean.

"The days of a VHI member having to call Juan from Mexico to cancel or amend a booking are gone," declared the regional manager, quoting almost verbatim from the VHI website. "Not only do we ensure that you will be getting the best available rates at the time of your quotation, but we pride

ourselves on being a complete solution for all your travel needs."

Forty minutes into the presentation each one of us was introduced to a sales consultant who, up until then, had been hiding in the shadows behind us, ready to pounce. My chap was a decent clean-cut type, a bit inexperienced for a hard-core journo like me. He kicked off in Centurion Afrikaans: "Which package are you interested in?"

"The cheapest," I said, "one that I can afford on my Sassa pension."

The half-price offer was R70,000 but it was only valid for that day if I signed there and then. The down payment to be paid immediately was R14,000.

While the word Sassa did not seem to ring a bell with my consultant, my claim of poverty eventually convinced him that he was wasting his time. I escaped to fresh air and sunlight, but not before I received my "free" gift which was a glossy pamphlet with a unique number that I had to use when activating my free holidays. How exciting, I thought.

But it bothered me a bit that those hapless pensioners in there were probably not able to tell a white lie about only having a meagre Sassa pension and could be totally helpless in resisting the smooth-talking VHI sales people. After all, the VHI website openly boasts that families are unable to "resist the financial logic of being part of a membership program."

Twitter confirmed my doubts about the sales pitch I had witnessed. I was not just cynical and prejudiced, it seems.

"Avoid this company at all costs," warned Kevin in Aug 2013.

"***SCAM ALERT!***," cautioned Zaheerah with stars and exclamation

marks in June 2018.

So, at home I logged on to the trusted *Hello Peter* website. The list of complaints about the company's selling process was endless. It went as far back as 2015!

Shafiek called it his worst experience ever. "The sales agent advised that we could cancel the contract if we were not happy and the only amount payable would be R469.00. We sent an email two days after signing, advising them of our cancellation with a copy of the deposit slip, and every day thereafter and until today, weeks later, we have not received any correspondence."

Michael signed up as a member on 22 January 2019.

"I wanted to pay the full amount upfront and their agent told me that I could not. I had to pay a deposit of R9,199.00 and thereafter R1,688.58 for 24 months.

"The agent took my wife and I to a dark room to sign the contract and pay the deposit. When I arrived home and after reading everything I realised that the VHI agent did not disclose the reliance benefits contribution of R449.00 for 120 months to me. I immediately emailed a cancellation letter. My bank reversed the deposit but they deducted it again and they refuse to pay back my deposit."

Cindy and her husband attended a presentation in January 2019. "We were told that we pay a lump sum that night, thereafter for 24 months we pay a monthly fee. Thereafter payment stops. After 10 years we get all our money back yet have membership for 15 years. This got us interested."

They signed the contract but later learned from VHI that the monthly payment did not stop after 24 months



Cellar Door open
Monday - Friday 09:00 - 17:00
Saturday 09:30 - 15:30

After Hours
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96 Winery
Road



Cnr of R44 & Winery road, between Somerset West & Stellenbosch | GPS: 34° 1' 39.06" S 18° 49' 12.83" E

Tel +27 (0)21 855 2374 | info@kenforresterwines.com | www.kenforresterwines.com

and that it was their word against that of the agent, unless they had proof of what he said. So in February Cindy attended another presentation and recorded the conversation with the second agent. He also said the monthly payment was for 24 months only.

"Not a cent after 24 months and I have 15 years membership. I have a 3 months period in which I can cancel the contract and will get a refund back on the lump sum I paid. I have given VHI time to investigate this matter, supplied them with ALL the evidence yet to date they have not come back with a solution."

Chase wrote that his family was excited to join VHI because they were promised that accommodation would always be available.

"Each time we query they want to FORCE us onto something we don't want, so we decided to cancel as this is not suitable for us. So now we have to pay a cancellation fee of 50% of the total contract, which is R18,096 plus another R18,096 for the remaining months of the contract, which is the amount we paid on joining and not once we have used it."

The standard reply from VHI to each of the many complaints was, "We regret your complaint, will do a full and thorough investigation and will contact you shortly to make sure you receive feedback on all your concerns."

As for the gift that triggered my interest and resulted in this story, it was nothing like what was promised. There were only three places to choose from and only one was available. You also had to eat breakfast and dinner at the place and pay upfront for that.

It took quite a few emails before I was able to validate my voucher. My

unique number was missing one digit and this also applied to the many people who once again took their complaints to *Hello Peter*.

"SCAM, SCAM, SCAM," explodes Barbara Reid in capital letters. "I tried to register and am told I have one free night and one I have to pay for."

"Definitely a scam," says Diane Naicker. "Two hours of my time."

According to its website Vacation Hub International is a membership-based wholesale travel club and lifestyle company, which is a wholly-owned subsidiary of the Somerset West based Onyx Group Holdings (Pty) Ltd. The group's website says its success is mainly due to Meridian Travel Services (MTS), a registered tour operator also wholly owned by Onyx.

The website claims VHI has 61,505 "happy clients" and have made 419,031 bookings in five years.

Records at the Companies and Intellectual Property Commission (CIPC) show the directors of all three entities as Craig Ernest Browne, Theresa Vanessa le Grange and Thilo Elkehard Lippert.

In terms of section 16 of the Consumer Protection Act, a consumer who bought goods as a result of direct marketing has a five-day cooling off period after receiving the goods.

The goods can be returned, the contract cancelled without a penalty and the payment refunded.

VHI responded: "VHI acts in accordance with the Consumer Protection Act," says Hannelie Jacobs, the company's client service manager.

"When a new member signs on he or she gets a duplicate of the contract, which contains a detailed explanation about the cancellation procedure.



Theresa Le Grange

It stipulates that half of the contract is due if cancelled after the five-day cooling off period but that has to be done in writing."

Jacobs claims that 70% of references to VHI on *Hello Peter* are from clients who had positive experiences and only 30% are actual complaints.

"Such a high percentage of positive feedback is better than what most well-known retailers are able to achieve."

However, *Noseweek* could not find any positive references to the VHI sales presentations or to the subsequent cancellation of contracts on *Hello Peter*.

The positive feedback Jacobs refers to is only about travel experiences and the tourist attractions that VHI members visited. – **By Susan Puren ■**

The Most Luxurious Train in the World



www.rovos.com

Raw deal: desalinator's job 'is to remove salt, not sewage'

Water desalination contractor Herman Smit believes his pending court action against the City of Cape Town will reveal, among others, that the city has long been 'cooking the books' to hide dangerously high sewage levels in the sea around Cape Town

AFEW MONTHS AGO, CAPE TOWN'S water desalination contractor Herman Smit turned in desperation to his lawyer and said, "Now I'm going to steal Patricia's words: I need to get out of this abusive relationship!"

As MD of Quality Filtration Systems (QFS), the company contracted by the City of Cape Town to build the desalination plant at the V&A Waterfront, Smit had spent the past year in dispute with the City of Cape Town over outstanding payments of R20 million due to his company. By now his disenchantment must equal that of former mayor Patricia de Lille who said the same about her relationship with the DA-run city.

Smit's company is taking the city to court because QFS hasn't been paid for the past eight months despite having produced 181 million litres of salt-free water up to the end of January.

While desalination might no longer be considered the best solution for Cape Town, Smit wants his contract honoured.

His case is expected to blow open a much bigger story relating to allegations that the City of Cape Town has been hiding information about the real state of Cape Town's water quality; that, since 2015, the city has been quashing evidence about sewage spills and algae bloom in the ocean; that sub-quality water is going into the city's system because it is pumping millions of litres of raw sewage into the sea. And as a result of the city's alleged deviousness, the sea-water quality detailed in the desalination plant tender documents was incorrect.

The saga also raises numerous questions which *Noseweek* will address in upcoming editions, such as why the city's water quality data is not publicly available and why

it is not peer reviewed.

"I am convinced the City of Cape Town deliberately misled us by not divulging the true raw water quality, so as a result, our design was based on a false water quality in the tender," Smit told *Noseweek*.

He believes the city is trying to make his company the scapegoat for its own mistakes in failing to test the seawater at the Waterfront or acknowledge warnings about its bad quality.

"If we'd had the correct information, we would have known beforehand that we would have to install additional technology to handle the sewage spills and high algae blooms – at extra cost.

"If the city had put the true water quality information in the tender document, they would have had to acknowledge that they have a sewage problem in Table Bay. Now they are saying the contract says we have to install a plant that is robust enough... but you can't manufacture any plant to be robust enough for what we faced."

QFS was contracted in January 2018 – at the height of Cape Town's water crisis – to provide one of three desalination plants to provide fresh drinking water from sea water using reverse osmosis technology.

The V&A Waterfront plant was built at QFS's expense, was completed in March 2018 and came online at the end of May last year. QFS says the company's plant has, since then, injected into the city's water reticulation system more than 181,000kl of water, within the required standard specifications of SA National Standard 241 part 1.

QFS is claiming that although the city has sold the water on at an augmented price, so far it has only paid QFS R4.2m.

Additionally, the city is currently

penalising QFS for not producing water "although QFS have been waiting for instruction from the City to inject, the network pressure is 2 bar higher and the feed water quality is in dispute. The calculations for penalties are so wrong that the City is now sending the company invoices".

The City of Cape Town now claims that the water it sold on at this rate was not to specification. QFS is claiming that the city was aware that the raw water they were tasked with desalinating was contaminated before the tender was awarded to QFS.

The company has also accused the city of non-compliance with water safety regulations and of failing to conduct routine tests of the local seawater quality and identify any potential health risks.

Smit believes the city is covering up "for not doing their job beforehand". "They don't want people to know that they knew about the raw sewage in the beaches. That's what they are hiding," he told *Noseweek*.

QFS claims that the original contract was valued at R53m and that, to date, the company is owed R20m.

Due to the contractual disputes the plant is lying dormant, not producing water. The city has indicated it is willing to pay amounts certified by the city's engineers, but the contract does not allow for certification.

QFS went into a five-day mediation process with the City of Cape Town but that ended in April without consensus being reached. Smit claims the city dragged the process out for months, arriving armed with a team of five lawyers for mediation alone, and has blocked the mediation report from being made public.

When Smit, accompanied by his business partner, Musa Ndlovu, visited *Noseweek's* offices to discuss

the pending court battle, the duo looked tired and stressed.

Smit told *Noseweek* he feels disillusioned and constantly anxious since the dispute started.

"We feel like abused kids. The only thing left for us now is to go to court and tell our story," said Ndlovu.

"This has been the most stressful year of my life," continued Smit.

"We've been building this business for 23 years and to date, besides this one, we have never had a contractual dispute. I've never been in a court. Now I'm confronted with all these contractual disputes. We wanted to help. We spent our own money. Every day that we survive this ordeal is a miracle."

Smit described how, when the city was suffering a severe water shortage at the end of 2017 and Day Zero loomed, he had jumped at the opportunity to get involved. "People were panicking... and the city was calling on private companies to assist."

Smit said that when the city resolved to use desalination as a means of augmenting water supply, his company had placed a tender.

"They gave us eight weeks to construct the desalination plant. We partnered with an Australian company and worked day and night to complete it."

However, said Smit, the tender data that the city provided to be used in designing the desalination equipment did not cite warnings received by the city from researchers relating to contamination of the water.

He has since learned that in September 2017, the University of the Western Cape's Prof Leslie Petrik had issued a warning to the city's desalination tendering committee that the tender document was "inadequately specified to produce safe, potable water".

"In the tender document, there is no disinfection step. Hence it is highly likely that the recovered water may still be contaminated with chemicals, priority pollutants, bacteria or viruses etc after the reverse osmosis process, given the quality of the water in such close proximity to the marine outfall pipe in Green Point, that will need to be treated to drinking quality."

Petrik, a senior professor of environmental chemistry at UWC, along with other researchers from Stellenbosch University and UCT, warned in a research article published in the *South African Journal of Science* that



Inner workings of the desalination plant

the water recovered from desalination might still be contaminated with traces of complex pollutants after desalination and probably presented a public health issue. The article made front-page news in several South African daily newspapers.

At the same time, Petrik wrote to the Environmental Affairs department in Pretoria, urging them to not grant an application by the City of Cape Town to discharge effluent into the coastal waters at Hout Bay, Camps Bay and Green Point. She cited numerous concerns of civic groups in Cape Town as well as legislation pertaining to water disposal that was being contravened.

Some excerpts from her letter:

"The results of water tests conducted by the City of Cape Town at Camps Bay and Clifton Beach show that levels of E.Coli and Enterococcus often exceed the permissible limits and on occasion reach critically high concentrations. Our own independent research has confirmed very large

spikes of bacterial contamination on the city's beaches and in the ocean in the vicinity of the marine outfalls, mainly due to inadequate dispersal of the excessive volumes of sewerage being pumped into the ocean by the marine outfalls which continue to operate unabated..."

"Due to population increase, there is a growing amount of detergents, disinfectants, antiseptics, shampoo, toothpaste, deodorants, dyes, pesticides, paint, medications like antibiotics or painkillers, herbicides and weed killers, stimulants like caffeine, etc that are daily going into the sewers from domestic, light industry, hospitals and commercial operations in the city and suburbs."

All these products contain toxic chemicals that do not break down readily in the environment. They are persistent in the environment and bio-accumulate. They are far more harmful than the microbes in the sewerage itself, causing feminisation or sterility of fish populations, cancers,

growth deformities, foetal abnormalities, hormonal disturbances, etc. These compounds bio-accumulate in marine organisms, and are being passed up the food chain to humans who eat fish and mussels etc, ultimately causing the same effects in humans.

"Currently there are plans afoot to build desalination plants along the very oceanic seafront areas which are affected by pollution from the marine outfalls in Cape Town. Desalination is very expensive and not designed to remove persistent pollutants, nor viruses; merely salt..."

"The continued release of the untreated sewerage through our marine outfalls is barbaric, considering the harm it is doing to our marine ecosystems and to the population who use our marine amenities..."

Smit said that during the commissioning phase, QFS characterised the water and noted contaminants that were not included in the tender data and wrote a letter to warn the City of Cape Town but the city ignored them.

So QFS installed extra equipment at their own cost to curb the abnormal variance in feed water quality... and construction was completed on 13 March 2018. Their water quality was independently tested and it complied with the South African National Standards 241 quality.

Smit said his team were baffled when, "on 26 March, we said, 'guys we inject (pump the water into the network) tomorrow', only to have the city reply, 'no, you can't inject'.

"Day Zero was supposed to be 20 days away. They didn't want to take the water or pay the rental. We had spent R30m on the plant."

QFS is arguing that, according to the contract, the City of Cape Town should be paying back their capital every month from when the plant was ready.

"We couldn't understand... we immediately wrote them a contractual letter and said 'why are you not taking our water?'. "In hindsight we were very naïve... we should have realised they knew something about the water coming in that we didn't know. When we tested the water and showed them it was different, they ignored us. I said, 'you can't ignore us, this is completely different from what is in the tender'."

Permission to inject was finally granted on 28 May but the city requested that only 25% of the water be injected. Permission to inject 2MLPD was finally granted in September 2018. But QFS has not been paid for eight months and now the plant is lying dormant.

The legal wrangling is complicated, however a dossier of documents from QFS, including the timelines for contractual disputes, can be read on *Noseweek's* website.

In layman's terms: the contract was for a "fixed portion" (the rental of the plant) and for a "variable portion" (the water produced). "According to the contract, regardless of what happens, if we have proven we placed the plant,

the City of Cape Town are bound to pay the rental amount..."

QFS wants the contract honoured – and to be paid the monthly rental for the plant. "The contract reads, that, from the first month we are ready, they must pay us back our capital every month. They've not done that."

Smit claims that the city has not provided any reasons for not taking the water, despite numerous attempts to solve the dispute which has been going on since August. "We have been stonewalled throughout the process."

Smit has reluctantly resorted to court action.

"We believe the big issue is with incoming water quality... it changed considerably over the months ... it is completely different from the water quality they put into the tender documents... they didn't want to use the water as it was contaminated. Instead of saying, 'listen guys, we now have information that the water is contaminated', they got us to run the plant – and then penalised us because we didn't produce full volumes.

"In hindsight, we see they didn't want to take the water as they were scared we would not be able to produce good quality water out of the raw sewage coming into the harbour."

The drama is expected to play out in the court process – which is also expected to blow a lot of information into the water, so to speak.

Smit is not backing down:

"We tried for months to convince the city before resorting to legal action. We put our company at risk, borrowed money, as a small SME. We really put our hearts into this thing, as we wanted to help Cape Town."

"We test the water on an hourly basis. It is completely different to the water quality they put in the tender documents. Surely we shouldn't foot the bill for water which was out of specification coming into the plant?"

QFS is currently surviving on other contracts. "But this saga is causing a big dent to our cash flow as it's a huge project. Every month we have this massive debt repayment and we're not getting anything back from the City. The cash flow problem puts a strain on us going out after other business."

Shortly before going to press Smit notified *Noseweek* that Quality Filtration Systems had terminated their contract with the City of Cape Town. – By Sue Segar ■

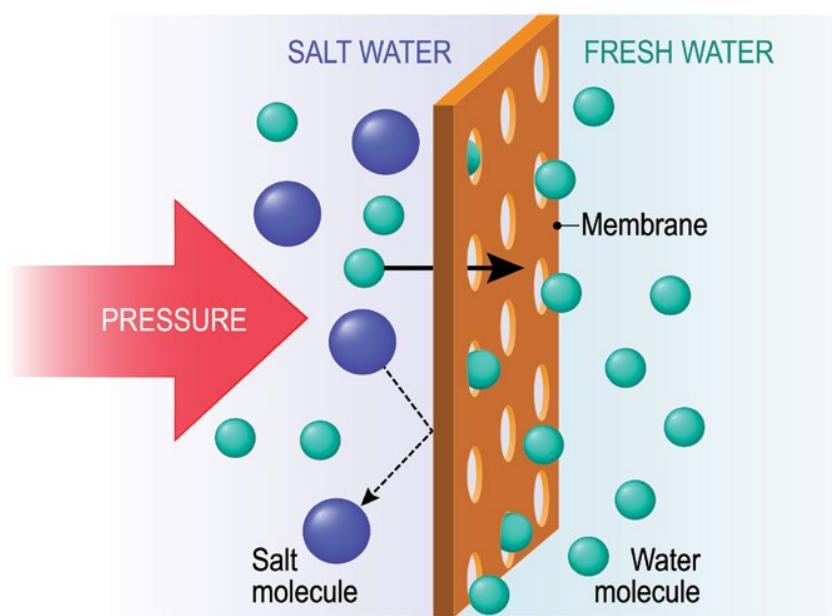


Diagram showing how reverse osmosis works

Champions of new technologies in water treatment using home-grown equipment

HERMAN SMIT GREW UP IN JOHANNESBURG AND GRADUATED with a BSc from the University of the Free State, then gained a post-graduate degree in biotechnology from the University of Potchefstroom (now North West University). He lives in Somerset West.

Interviewed by *Noseweek*, Smit spoke passionately about the 27-strong company he started in 1996 and built up to become a leader in membrane technology.

His biggest passion is water re-use. "Every town in South Africa could potentially reuse their waste water. It's affordable and it's been done for years overseas. We want to localise what's already being done in other countries. With our technology, we could decentralise the treatment of water to reduce the pumping of water all over the place. We want to educate people that you can take waste water in – and drink it from a glass on the same plant. It's a mind shift."

Ndlovu, a mechatronics engineer who became a director of QFS in 2017, is currently researching the operating costs of running membrane plants compared with conventional plants.

"QFS has always championed new technologies and tried to bring to South Africa the best of what the world offers and then manufacturing locally," said Smit.

"We believe the future is in new technologies and our aim has always been to make these affordable for the SA market... and to create jobs.

"Reverse osmosis technologies for desalination and reuse have only recently become buzzwords here, but we've been advocating these types of applications for 20 years.

"We've had some resistance from the more conventional fraternities in the country who kick against the new technologies because our water treatment fraternity is very civil oriented.

People can build dams and big structures but they haven't done the big leap into the new technologies which are internationally renowned.

"For example, 70% of Israel's irrigation and fresh drinking water comes out of desalination. We are so far behind and we have this massive coastline. If you look at the amount of water we reuse it's a drop in the ocean, compared to what is happening internationally.

"In Singapore they recover 100% of their waste water. They call it new water. It's a perception thing! We are the only company in South Africa that has taken domestic waste water back to drinking water standards. We did a plant in Beaufort West in 2010 and one in Ballito in 2018 for direct re-use of water. We've done another plant to take the water to irrigation standards in the De Doorns valley.

"We've successfully installed more than 40 plants – a combination of desalination, re-use, industrial waste water and mine water – in South Africa, including a big project for ArcelorMittal's waste water."

Smit described his efforts to "get intervention and make sure a local SME doesn't go under because of mistakes

made in the City of Cape Town. We've written to Xanthea Linberg, Anton Bredell and Alan Winde. We've met with the head of the red-tape reduction unit. We've exhausted every political avenue we can. Everyone says the DA is the party that promotes jobs, small businesses, red tape reduction and is anti-corruption. They've done nothing for us. You build a business for 23 years with no contractual disputes... and now this.

"When I look at the South African landscape, many of my peers in water treatment are leaving the country because of difficulties with government tenders.

"We've stuck it out and abided by all the conditions. I don't know of another company that has the technology we do, and can implement it. We can do so much to help. We've done all the groundwork. The rest of the people are packing for Perth but we're still here.

"Now I am wondering what's keeping me here.

"We are all so obsessed with energy at the moment. There are many alternative solutions for energy but none for water. You can't make water." – **By Sue Segar ■**



Musa Ndlovu and Herman Smit

Statement issued by the City of Cape Town in response to a list of detailed questions submitted by Noseweek (which remain unanswered):

THE CITY OF CAPE TOWN WAS ADVISED on Tuesday 7 May 2019, by Quality Filtration Systems (QFS) of their decision to terminate the [V&A Waterfront desalinated] water supply contract with the City and pursue legal action.

1. The City is disappointed with this unilateral decision and is now considering the legal ramifications. Given this latest development, we consider it opportune to state our version of events, notwithstanding the City's reluctance to debate contractual matters in the media. *[This is no mere "contractual matter: this is a matter of grave public concern! – Ed.]*
2. The City would like to state upfront that QFS has been paid to date for the actual amounts of drinking water delivered to the City since May 2018. *[A half-truth – see opposite page. – Ed.]*
3. It should be noted that in terms of the contract, the City does not own the plant and equipment. QFS were responsible for the cost of establishing the plant, which cost would have been recovered by QFS through the sale of water to the City. *[Another half-truth.]*

QFS was awarded the tender on 8 January 2018 for the establishment of a small temporary desalination plant at the V&A Waterfront to be operated by a suitably experienced water treatment specialist team for a period of two years.

4. A requirement of the specification was that the plant would be able to cope with normal variation in seawater quality conditions likely to be encountered at a selected site at the V&A Waterfront, close to the harbour entrance.
5. The contract was awarded to QFS to produce and deliver 2 million litres of potable water per day in accordance with the South African National Drinking

Water Quality Standards (SANS 241:2015 Parts 1 & 2).

6. During May 2018, the plant started delivering water to the City. However, between May 2018 and January 2019, QFS were unable to fully comply with their obligations in terms of the contract. This led to various contractual disputes with the supplier, which culminated in the institution of a mediation process in January 2019.
7. It is now public knowledge that the confidential mediation process failed to resolve the various disputes. In terms of the Mediation Agreement, there was no mediation report required.
8. The City made every attempt to find a workable resolution with QFS and during the mediation process placed a number of proposals on the table. Each of these were rejected. The City has done everything possible to protect the service provider's interest while staying within our mandate to meet the requirements of the Municipal Finance Management Act. In light of the termination of

the contract by QFS, the City is in the process of taking legal advice on the way forward.

9. The Strandfontein and Monwabisi desalination plants continue to operate. *[Questionable – see opposite page.]* The City is committed to augmenting its water sources using desalination as per the City's recently published Water Strategy.

[More likely an entire and integrated reassessment of the city's water and sewerage situation by competent professionals is called for – in a hurry. That can only happen after a few obvious incompetents have been fired. – Ed.]

Herman Smit of Quality Filtration Systems (QFS) responds:

How the council has lied

1. On 9 May 2019, the City, via its legal representatives Webber Wentzel Attorneys, formally accepted the termination without raising any issue of wrongful termination.
2. A fixed rental of R1.5m per month, regardless of water usage, was determined in our contract. This rent was never paid by the City. Dirty water and too-high pressure on the city's water system caused the underproduction. We were lied to about feed-water quality. Now they *[the city]* are penalising us for their default. This statement is false and misleading. In May the City took only 25%, then penalised us for the 75% deficit! The City has an amount of almost R21m still unpaid to us.
3. Mayco member for informal settlements, water and waste services Xanthea Limberg was reported explaining that the new high water tariffs are because of the fixed rental fee that had to be paid to desalination contractors! To avert a day-zero scenario, the City pleaded with local and inter-



national businesses to assist in the implementation of emergency measures. Council did not have the capital. But ever since it became clear that the drought had been relieved by natural means, the City has fought to free itself of a contract which it believes it no longer needs, despite its actions resulting in a R50m-plus-financial-loss for QFS.

4. The seawater data was provided in the tender document. It is important to note that the City had appointed a firm of engineers, in 2015, to conduct a long-term study required to facilitate the installation of desalination plants. It is clear that after two years the engineers had conducted no study whatsoever and it has now become clear that the information provided in the tenders was hurriedly garnered from various sources such as CSIR data that was completely inadequate and outdated.

The City did not disclose to us that, shortly before tenders were called for, they had privately been made aware of multiple independent studies that had conclusively revealed vastly different marine conditions to those advised by the City in its tender specifications. Tenderers were given only two weeks to assess the data supplied. The research withheld from us had advised the City that the plant it was proposing for the Waterfront would not cope with the severely adverse and heavily contaminated marine conditions in the bay.

5. Compliance with SANS 241 part 2 is the legal responsibility of the City of Cape Town as the Water Services Authority. The City had failed to conduct routine water tests in the bay/harbour area. It has since been proven that the tests that have been conducted have been deliberately withheld, not only from QFS, but from the residents of Cape Town.
6. The City has, in a written statement, verified that QFS had fully commissioned the Waterfront Plant on 13 March 2018. The City was in breach of the terms of the contract

in not requesting that QFS supply water directly after it had verified the commissioning.

The reason for this has now been clearly identified: The City has a policy of discharging massive volumes of untreated sewage into the sea around Cape Town. From March 2018 until May 2018, the City was belatedly attempting to deal with the high level of contamination in the water. When no solution could be found they made the issue the problem of QFS and laid the blame firmly at QFS's door.

Had the City advised us timely of the poor state of the sea water and the extraordinary levels of contamination which it had been made fully aware of, the plant tendered would have been designed to deal with the high levels of contamination – at a higher cost.

The City are fully aware of the reason why QFS could not comply and have made no effort to answer the charge that they were fully aware of the high levels of contamination in the sea water. The City simply denied three separate research studies which found that its policy of discharging untreated sewage water into

the sea had resulted in severe contamination of the local marine environment. The levels of contamination are so excessive that Professor Leslie Petrik advised that even once treated, the water still presented a severe health risk to end users.

The City ignored this advice, placing hundreds of thousands of residents in harm's way.

7. The City is fully aware that a mediation report would have laid bare these facts, so it took unreasonable measures to prevent the mediator from issuing a report, which would have served to make the public aware of the facts of the matter.
8. The only effort made by the City has been to frustrate and delay the resolution of the matter.
9. It is public knowledge that neither the Strandfontein nor Monwabisi plants are operating at anywhere near capacity and were shut down for the entire month of November 2018 as a result of poor feedwater quality.

Xanthea Limberg has been forced to make visits to Khayelitsha to address residents' concerns related to illnesses attributed to the quality of the water provided by the local desalination plant. ■



*"These projected figures are a figment of our imagination.
We hope you like them."*

Slew of free new condoms piles up after deluge in Durban

*State-supplied condoms are washing up on Durban's beaches by the hundreds.
They're the tip of a much bigger problem*

WHEN CYRIL RAMAPHOSA, as deputy president, punted the government's free "Max" condoms to Parliament on 1 September 2016, he might have hoped the prophylactics would at least end up on his parliamentary members' members. And perhaps some did. After all, they came in exciting new scents of grape and apple. But thousands of these condoms are not fulfilling their purpose.

After torrential rains in KwaZulu-Natal on 22 March, the waters of the Umgeni River rose dramatically. As the soupy brown water roared towards the river mouth, it picked up a horrific assortment of waste. Cool-drink bottles, shoes, roll-on deodorant containers, crumbling polystyrene, broken buckets and toys, medicine bottles and – you guessed it – the

state-issued free and fruity scented Max condoms, thousands of them still in their sealed wrappers.

On Freedom Day, 700 Durbanites gathered at the Umgeni River mouth to retrieve the mountain of trash before it washed out to sea. One of them was teacher Vee Mottram, who expressed disbelief at the heaps of plastic, condoms and polystyrene littering the shoreline. "I despair really because the problem is so big and so deep and so wide," Mottram said.

Another, 16-year-old Jordan Joubert, picked up 72 condoms from Beachwood Beach, not far from the river mouth. The vast majority of these were Max and Choice (Max's unscented predecessor in the government's free public sector condom programme).

Unfortunately, finding condoms washed up on beaches is not unusual.

"Both male and female condoms wash up every single time there is a major storm. I personally pick up about 50 condoms in one clean-up. It is a huge – and puzzling – problem," said Dale Johnson, founder of the Clean Blue Lagoon (CBL) movement.

CBL's Denise McCreadie suggested that the condoms perhaps did not meet people's expectations and were thrown out in vast numbers with the trash. "Well-known brands like Durex hardly ever wash up unopened. Maybe the Durex ones are always used because they are ribbed for your pleasure," mused McCreadie.

Thomas Hart, a research and communication consultant at Green Archeol Consulting (which specialises in community development in informal markets), found it suspicious that the condoms were washing up in their wrappers, en masse.

"The condoms could either be from a faulty production run at the factory which was illegally dumped by a waste contractor," Hart said, referring to the R150-million condom factory built by HBM-SA at the Dube TradePort.

Hart continued: "Or they're being distributed to informal settlements as a health drive and the distributor is quietly dumping half his load on the banks of the Umgeni or its tributaries."

Informal settlements are targeted for illegal dumping because they generally do not have the resources, infrastructure and services to manage their waste. "The waste builds up around these settlements and waste contractors and construction companies take advantage of this to dump there without prosecution," Hart said.

Riverside settlements in Umlazi, Cato Manor, Kwadabeka, Quarry Road, New Germany, Pinetown, Newlands West and East, KwaMashu and Phoenix are likely sources of the waste that ends up on the beaches.



A pile of washed up trash including unopened condoms

"Tributaries to the Umgeni and the harbour, such as Umlazi, Sea Cow, Umhlatuzana, Palmiet and the Umbilo rivers go through several informal settlements too. Over 20 illegal dump-sites were found on the banks of the Palmiet in a 3km stretch," Hart said.

Litter for Tokens' project director Lindsay Hopkins said some informal communities were passionate about keeping their environments clean but were frustrated by illegal dumping on their doorstep.

"Waste contractors hired by Durban Solid Waste and the municipality to collect waste from informal settlements have been seen dumping on the banks of rivers and in open fields outside informal settlements – because it's cheaper and easier than paying to transport and dump it at operational landfill sites," Hopkins said.

Hanno Langenhoven, Wildlands strategic manager for recycling, estimated that 50 tonnes of waste washed up on beaches from Amanzimtoti to Durban after the April storm – and condoms were consistently a visible presence in amongst the waste.

"Most of the waste collected from beach clean-ups ends up at Wildlands' Cato Manor recycling depot for sorting. Plastic makes up 90% of all pollution on beaches. An estimated 40% cannot be recycled and ends up in landfill. (Condoms, which are latex, cannot be recycled.) The other 60% is sent to the relevant recycling industry," Langenhoven told *Noseweek*.

PET bottles, Coca-Cola in particular, are the biggest waste contributor. "PET Coke bottles make up 60-70% of the volume of all waste from beach clean-ups; followed by other PET bottles like Coo-ee (20%). Polystyrene is the second-largest problem by volume but the bigger environmental problem. It breaks down into millions of tiny pieces that can be ingested. The third-biggest problem is products from companies like Unilever: roll-on deodorant and containers for ice-cream, margarine and washing powder etc."

By volume, small items like condoms are a minor problem – but they're evidence of a monumental cock-up.

The National Department of Health has made a huge investment in making condoms freely available to the public. In 2017/2018, it distributed 694-million Max condoms at a cost of R312m; 839-million Max condoms in 2015/16, and 734-million Choice condoms in 2014/15, according to the health



Clean-up teams wade through plastic debris at the mouth of the Umgeni River

department's Deputy Director General Dr Yogan Pillay.

While these are mostly imported, a sizeable portion is now being manufactured at a R150m condom factory built by HBM-SA at the Dube TradePort. The production capacity of this factory is 453 million pieces per annum, and it won a government national tender to produce 15 million condoms for 2019.

'Plastic Coca-Cola bottles make up 60-70% of all waste from beach clean-ups'

These are distributed by the health department and service providers to health facilities, universities and colleges, workplaces and non-traditional outlets such as spaza shops, hair salons, taverns and shebeens.

Given that Choice condoms are still washing up even though they are no longer in production, is a puzzling feature of the beach litter.

Society for Family Health marketing specialist Ndinatsei Mumbengegwi said the Department of Health had made a great investment in the free public sector condom programme to ensure that all South Africans have

access to condoms.

"The Society for Family Health historically distributed 45 to 50 million condoms-a-year. In 2018, we distributed 489,000 condoms in KZN and 90% of these were in uMgungundlovu," said Mumbengegwi, adding that the society ceased distributing condoms after 30 September 2018, when it lost funding for distribution.

"However, the condom programme continues to grow. Young people and the general population seem to be enjoying the Max condoms. Condom usage is important as it is the only dual protection method against pregnancy and HIV," Mumbengegwi said.

Dr Pillay of the health department had no prior knowledge of condoms washing down the river. But he, too, took the opportunity to emphasise the importance of condom use. "Condoms are a cornerstone for the prevention of HIV, STIs and unplanned pregnancies. Correct and consistent use of condoms will avert all the above and most importantly save lives."

But when a fistful of bad choices combine – from poor choice of packaging material to irresponsible waste disposal – condoms as plastic waste can make the difference between life and death for marine and land creatures too. They're just on the wrong side of the equation.

"What your generation needs to remember is that you're just borrowing the earth from my generation," said schoolboy Joubert. "What kind of a mess are we going to inherit from you?" – **By Robyn Powell ■**



Plastic monster left outside Nestlés factory in Kenya

'Monster' stalks big businesses using throwaway plastic wrappers

A SHORT WHILE AGO, STAFF AT Nestlé headquarters in Nairobi, Kenya, were surprised to find a huge "plastic monster" outside their offices. Tagged with the name Ngori, it had horns and sported a big "return to sender" label.

The monster had been delivered by Greenpeace Africa volunteers with the aim of returning throwaway plastic "right back to its source" – the Nestlé factory in Nairobi's industrial area. The activists entreated the multinational corporation to stop relying on single-use plastic.

Ngori (local slang for trouble, used during protests in Kenya) was covered with Nestlé-branded plastic packaging and made out of piles of single-use plastic bottles and packaging collected by volunteers from a nearby river.

Protests by Greenpeace and other organisations in the Break Free From Plastic movement also took place at Nestlé offices in Manila, capital of the Philippines, Rotterdam in the Netherlands and at its head office in Vevey, Switzerland.

Greenpeace has been raising awareness about the plastic production crisis in towns and villages across the globe.

Earlier this year, the Global Alliance for Incinerator Alternatives (Gaia) revealed that Nestlé and Unilever are jointly responsible for a quarter of the "branded throwaway" plastic that is causing the plastic pollution crisis in the Philippines. Their report, produced in collaboration with the University of Santo Tomas's Research Centre for Social Sciences and Education, followed

a series of brand and waste audits conducted in six cities and one province in the Philippines.

It brought to light new evidence of Nestlé and Unilever's over-production of single-use sachets (small packets which contain single-use quantities of materials).

The report found that while Southeast Asian countries are persistently blamed for the crisis of plastic pollution, "the responsibility lies with multinational corporations like Nestlé and Unilever that continue to expand their production of unnecessary throwaway plastic at the expense of our communities, waterways and health."

Said Greenpeace Philippines campaigner Abigail Aguilar: "The only solution is for them to significantly reduce the production of

throwaway plastics and move toward refill and reuse systems for their customers throughout the world."

Last year, Nestlé, along with Coca-Cola and PepsiCo, were found to be the worst plastic polluters in a worldwide brand audit and cleanup conducted by the Break Free From Plastic movement providing "undeniable proof of the role that corporations play in perpetuating the global plastic pollution crisis".

Nestlé last year used 1,7 million tonnes of plastic packaging – an increase on the year before.

Renee Olende, who was the project leader in the recent Nairobi action said their plastic monster took 14 activists a week to build. "The most traumatising part of the process was the journey to the Nestlé head office, driving very carefully so as to not cause any turbulence that might damage Ngori."

The people at Nestlé were "surprised, but very professional" said Olende.

Nestlé has since responded through generic letters from their headquarters and the country CEOs.

Here's Nestlé's edited response with Greenpeace's retorts:

Nestlé: "Tackling plastic pollution, especially in our oceans, is an urgent priority for us. We take this responsibility seriously. We support all efforts to raise awareness and find solutions to the plastic waste problem."

Greenpeace: Great to hear that you support our efforts to find real solutions to the plastic pollution problem! And as we all know, the only real solution is reducing the overall production of throwaway plastic packaging.

Nestlé: "In April last year, we pledged to make 100% of our packaging recyclable or reusable by 2025."

Greenpeace: Just because plastic is "recyclable" does NOT mean it will actually be recycled. In fact, only 9% of the plastic ever produced has been recycled.

Nestlé: "We are committed to making a significant difference everywhere we operate."

Greenpeace: As Jane Goodall once said, 'What you do makes a difference, and you have to decide what kind of difference you want

to make.' Unfortunately, you've already made a difference, and not in a good way: waterways around the world are now choked with plastic.

Nestlé: "That is why we have been working with governments, NGOs, suppliers, waste managers, retailers as well as other companies to take meaningful actions. [But] The safety and quality of our foods and beverages are non-negotiable."

Greenpeace: Thanks for saying you will never compromise the health of your consumers – but it's not healthy for people to live among piles of plastic waste, or for marine creatures. Microplastics have been found in our bodies, in our water and in our food, and scientists are only just beginning to research the implications.

Nestlé: "We are determined to reduce our use of single-use plastics."

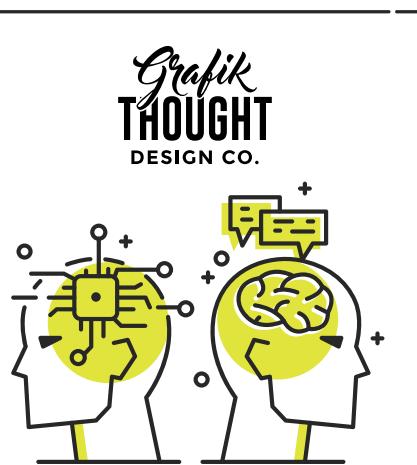
Greenpeace: Okay, well then do it. You could start by being transparent about exactly how much plastic you are producing overall and setting up annual reduction goals.

Nestlé: "We are currently testing reusable ice-cream containers for our Häagen-Dazs brand in the U.S. Dispensers for Nescafé and Milo are already available in many. In early 2020, we will launch new water dispensers, allowing consumers to fill their own reusable bottles."

Greenpeace: We are happy to hear you are investing in reusable and refillable systems. Now you need to do so on a scale that will actually make a dent in the amount of plastic you are producing.

Nestlé: "You can find out more about what we are doing to tackle the plastic waste problem by visiting: <https://www.nestle.com/csv/global-initiatives/zero-environmental-impact/packaging-plastic-pollution>"

Greenpeace: We're disappointed that there's really nothing new or innovative here. Your current investment in reduction initiatives are really small scale, and there's nothing in any of your plans so far to keep you from continuing to increase your overall production of products wrapped in single-use packaging. Let's be honest, shall we?" – **By Sue Segar ■**



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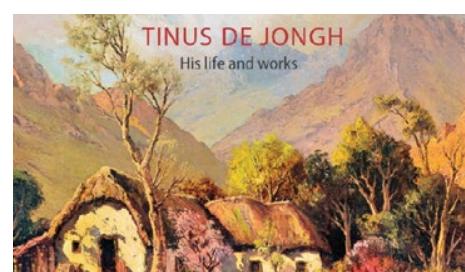
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Maasai giraffe browse alongside geothermal power infrastructure in Hell's Gate National Park, Kenya

How Kenya's push for development is threatening its famed wild lands

Kenya is pursuing a plan to build an extensive network of roads, power lines, dams, wind farms and geothermal facilities. But many of these projects are being constructed in the nation's iconic parks and wildlife areas. By Adam Welz

KENYA HAS LONG BEEN THE Western world's quintessential "Africa," a land of vast golden savannas teeming with zebras, elephants, giraffes, and lions. Despite high-profile terrorist attacks and the high prices charged by its national parks and eco-tourist lodges, the country remains extremely popular with foreigners wanting to walk at least a little on the wild side. Visits by international tourists grew by 37% last year, reaching two million, with tourism revenues hitting \$1.6 billion (R22.7bn).

But Kenya's reputation as a top-drawer ecotourist destination and conservation leader could be in jeopardy. Billions of dollars are pouring in for new infrastructure projects — roads, railways, power plants, and power lines — which are being rapidly built to fulfill the aims of "Kenya Vision 2030", the government's plan to transform Kenya into "a newly industrialising, middle-income country." Many of these projects are being constructed in national parks and important conservation areas, threatening rare species. "By 2030," reads

a founding document of the plan, "it will become impossible to refer to any region of our country as 'remote'."

Many of the projects that are chipping away at Kenya's natural heritage are supported by sustainable development agencies like the United Nations Environment Programme, the Global Environment Facility (overseen by the World Bank), the US Agency for International Development and others, because the projects are for ostensibly green renewable energy initiatives: geothermal plants, wind farms, hydropower dams, and asso-

ciated networks of pipelines, power lines, and roads.

Researchers have identified at least 23 sites in Kenya with potential for geothermal power generation, including some in or very near national parks and reserves, like Mount Longonot and Lake Bogoria. Wind farms are going ahead in an area south of the capital, Nairobi, even though expert consultants say they will almost certainly kill significant numbers of threatened and legally protected birds.

The Kenyan government plans to build 57 large dams, many for hydro-power, and many in sensitive or protected areas; dam contracts worth \$7 billion (R99.7bn) have already been entered into or are awaiting signing, according to Kenyan news reports. These projects are moving forward despite growing concern that climate change and drought threaten the country's hydropower potential.

A huge expansion of the electric grid is also in the works to link these power sources, bring electricity to rural areas, and shuttle power between Kenya and neighbouring countries; many of these new power lines will pass through national parks and wildlife-rich areas.

Aside from renewable energy, other major projects pose risks for Kenya's wildlife and wild places, including the Lamu Port-South Sudan-Ethiopia Transport development (Lapsset) corridor, billed as eastern Africa's largest infrastructure project, which is cutting highways, railways, oil pipelines and power lines across remote regions of northern Kenya to stimulate large-scale agriculture and industry.

Conservationists say that government agencies mandated to protect the environment are ineffective, contending that the agencies are incentivised to allow infrastructure in protected areas because they get large compensation payments from it.

To be sure, parts of Kenya remain unspoiled and are likely to retain tracts of wildlife-rich wilderness, including the iconic Tsavo East and West national parks and the core of the Maasai Mara National Reserve, as well as some community conservancies in northern Kenya. But even parts of these areas have seen infrastructure development in recent years, and maps of proposed roads and power lines show that they would pass through many of Kenya's parks or reserves.

A trip to Hell's Gate National Park, a couple of hours' drive from the capital, Nairobi, provides a sobering vision of the changes coming to many of Kenya's natural areas. Visitors are lured by photos of the area's stark cliffs and gorges (one of which resembles the "gateway to hell") and vivid descriptions of a geologically active landscape marked with lava flows, steaming natural hot springs, and fumaroles. They're often told that Hell's Gate is an excellent place to see spectacular and rare birds of prey – large eagles and vultures – and other wildlife.

Few tourist guides mention that Hell's Gate lies at the heart of Kenya's efforts to become a world leader in geothermal power generation, which

and some hydropower dams can no longer reliably run their turbines. Combined with a rapidly growing population, this has caused unacceptably common power cuts, he says.

Kenya's position astride Africa's geologically active Rift Valley gives it access to huge geothermal resources. Drill a well down about 3,000m and you can tap a virtually limitless source of steam to run massive generators on the surface. In support of Vision 2030, Karingithi says that KenGen will more than double its generation capacity in just five years, to 3,330MW, half of which will be geothermal.

The future KenGen will thus be a "green KenGen," he says.

When compared to conventional fossil fuel generation, geothermal power produces far fewer greenhouse gases. But geothermal plants can release other noxious gases and polluted water, and their associated infrastructure can be environmentally damaging, as it has been in Hell's Gate.

The park and surrounding areas used to be famed for their breeding populations of scavengers and birds of prey, many of them threatened species like bearded vultures, Egyptian vultures, Rüpell's vultures, African White-Backed vultures, Martial eagles, and Crowned eagles. Of these six species, only one – Rüpell's vulture – still breeds there, and many other less-threatened raptor species have disappeared. Although geothermal power cannot be solely blamed for the birds' disappearance, Kenyan researchers have evidence that new well heads have pushed birds out of their territories, and that others have died in KenGen geothermal vents or by colliding with or being electrocuted by power lines. A large spill of contaminated water from a KenGen well once flowed over the main Rüpell's vulture breeding cliff at Hell's Gate.

Vultures play an important ecological role in wild African savanna and cattle ranching regions. By rapidly clearing up carcasses, they prevent diseases like anthrax from spreading through animal and human populations. African vultures breed very slowly; when they vanish it takes decades to build up ecologically functional populations again. Most African vultures are declining rapidly; Egyptian, Rüpell's and African White-Backed are classified as globally endangered by the International

'Agencies are incentivised to allow infrastructure in protected areas because they get compensation'

means that visitors entering the park via its Olkaria entrance, as I did during a media tour last month, are immediately confronted by infrastructure: Warehouse-like power plants, networks of roads, pipelines snaking over hills, industrial signage, and thickets of power lines. Towering plumes of steam rise from condensers and wellheads scattered to – and over – the horizon. Machine noise is inescapable. A small group of Maasai giraffes browse nearby, an ironic reminder of the area's legal status as part of a national park.

Cyrus Karingithi, assistant manager of resource development at Kenya Electricity Generating Company (KenGen), the largely government-owned utility that generates most of Kenya's electricity, says that KenGen currently has the capacity to generate 1,630 megawatts of electricity, but 50% of that is hydropower. This is a problem: Kenya's climate is drying,

Union for Conservation of Nature.

No evidence of serious attempts to build bird-friendly infrastructure in Hell's Gate or systematically monitor bird deaths was visible during my recent visit there. What was in evidence was extensive use of power line and power pylon types that have been proven to kill significant numbers elsewhere in Africa. The lines could be retrofitted with bird-scaring devices or replaced with bird-safer designs, but this has not been done. KenGen has also proposed five large industrial areas just outside the southern border of Hell's Gate to take advantage of its electric power and steam.

Many Kenyan conservationists warn that Hell's Gate is not an anomaly. Top Kenyan officials, including the president himself, have made clear that infrastructure will be pushed into national parks and sensitive areas if it is considered to further the aims of Vision 2030.

Some environmentalists I spoke to refused to be named or quoted, afraid for their jobs or personal safety. Corruption is common in infrastructure projects, one told me, and "bad things happen to those who uncover corruption in Kenya".

The Standard Gauge Railway (SGR), a centrepiece of Vision 2030, is often cited by environmentalists as a prime example of the government's determination to ride roughshod over environmental laws and considerations. The SGR is a Chinese-funded and Chinese-constructed line (part of the globe-spanning Belt and Road Initiative (see page 6) that will link the Kenyan port of Mombasa with the interior and neighbouring countries. Phase 1, from Mombasa to Nairobi, was completed in 2018 at a cost of R45.4bn). Phase 2, under construction, will link Nairobi with Naivasha, a town some 90km to the northwest.

Seven alternative routes for the line out of Nairobi were proposed, including some through Nairobi National Park, a world-famous park on the edge of the city. Conservationists pointed out that Kenyan law is clear that no infrastructure can be constructed in a national park unless that park has an up-to-date management plan. Nairobi National Park's management plan expired in 2010. Nonetheless, the government announced in 2016 that a route bisecting the park had been chosen. This was subjected to numerous court challenges by

conservationists, at least two of which resulted in construction stop orders. The government decided that the track would be placed on pillars through the park, so that wildlife could pass underneath, and that the Kenya Wildlife Service (KWS), which manages all national parks, would receive large compensation payments to buy land to extend the park.

Despite the court-issued stop orders and ongoing court cases, the railway's Chinese contractors, protected by armed KWS rangers, moved into the park in February 2018 and construction of the line has proceeded rapidly.

"The government just blatantly broke its own laws," says Jim Karani, legal affairs manager for Wildlife Direct, a Kenyan nonprofit. Karani says that it now appears that compensation money has been used for KWS

species of migratory birds, means that "it should simply not go ahead" on legal and conservation grounds.

"It's one of the three worst sites for a wind farm that I've seen in Africa in terms of its potential to kill threatened birds," he adds.

Initially, a consortium of respected conservation nonprofits including BirdLife International, The Peregrine Fund, and Nature Kenya agreed with Jenkins. In a March 2017 letter to Kipeto's shareholders, they warned: "this project will set a significant precedent for future projects" and that "no amount of mitigating or offsetting will compensate" for its biodiversity impacts.

In mid-2018, the London-based investment firm, Actis, that bought up 88 percent of Kipeto, told members of the bird conservation consortium that about \$1 million could be made available per year for mitigation work, including saving vultures from poisoning elsewhere in Kenya to make up for those killed by the turbines.

The leading consortium members have dropped their opposition and are now applying for their share of the mitigation financing. BirdLife International, who said in an email that it is working with the wind farm owners to "help improve the outcomes for vulture species", did not answer questions about whether its decision to drop opposition to the farm was tied to the promise that it would receive annual mitigation money.

The Kenya Wildlife Service has gone along with projects inside parks and protected areas after being assured it would receive compensation funds. Many sources point out that KWS's government funding has been heavily cut in recent years. Wildlife Direct's Karani contends that it is therefore perversely in KWS's short-term interests to degrade the parks that it's mandated to protect.

"I've never seen a single government-backed project be denied an environmental impact assessment license by KWS or the National Environmental Management Authority," Karani says. "They are captured."

According to news reports, KWS has been assigned compensation of about \$90m (R1.3bn) for the Standard Gauge Railway and highways that have been routed through national parks.

Conservationists complain that infrastructure location details are often kept secret until the very last

'Corruption is common in infrastructure projects and bad things happen to those who uncover it...'

operational expenses and the park will not be expanding after all. (KWS did not respond to requests for comment.)

Conservationists also cite a series of wind farms planned for an area south of Nairobi as an example of the government forcing through supposedly green projects that are environmentally damaging. The first of these, Kipeto, is going ahead despite both its proponents and opponents agreeing that its 60 large turbines will likely kill substantial numbers of threatened, protected vulture and eagle species.

"Kipeto ticks every single box for a bad wind farm," says Andrew Jenkins, a South African bird-of-prey biologist who has consulted on numerous wind projects across the continent, and who researched the Kipeto site. He says its location near the largest colony of the critically endangered Rüppell's vulture in southern Kenya and in the middle of a flight path for threatened



©Adam Welz

A geothermal well being tested in Hell's Gate National Park will generate enough electricity to power 50,000 Kenyan homes

moment, preventing them from being meaningfully involved in decisions. The Kenyan government says that it has to keep locations under wraps to prevent land speculation.

Lucy Waruingi, executive director of the African Conservation Centre, says that infrastructure is often placed in protected or remote areas because these have fewer owners that must be compensated. “Areas that are considered remote also tend to be the areas that harbour most of our biodiversity,” she says. “It’s almost inevitable that infrastructure is going to go through wildlife-rich areas.”

Numerous Kenyan conservationists described Chinese-funded infrastructure projects as more difficult to nudge in an environmentally friendly direction than Western-funded ones. Few would go on the record, given China’s perceived influence over Kenya’s political elite. But they note that many Western financing agencies, such as the World Bank, have some form of environmental stand-

ards, even if these are not always fully adhered to. On the other hand, China’s environmental guidelines for its Belt and Road developments are vague, and the planning processes and corporate cultures of Chinese companies are particularly opaque. China prides itself in being a “no strings attached” infrastructure funder, contrasting itself to Western funders with their meddling, “neo-colonialist” terms and conditions.

The Lapsset development corridor – also part of China’s Belt and Road Initiative – is slated to bring industry and infrastructure to remote regions and link with similar corridors in South Sudan and Ethiopia. Lapsset, as currently proposed, is a 500-metre-wide infrastructure channel with 50-kilometre-wide strips on either side designated for intensive agriculture and industrial development.

Although its detailed final route is not yet public, it will almost certainly pass through important community conservancies, affect national parks,

and sever wildlife migration routes in some of the most biodiverse parts of the country.

Wildlife Direct’s Karani says that his advocacy has earned him numerous threats and insults, and he’s often accused of being anti-development and therefore anti-Kenyan; a stooge for foreign white conservationists.

“I don’t want to see people continue to live in poverty,” he tells me. “I’ve lived overseas in a rich country [*the US, where he completed a Master’s in law*]. I want those nice things, too. But do we have to kill the goose that lays the golden eggs – our national parks – just to enjoy a bit of its flesh?” ■

● Adam Welz’s travel to Kenya was funded by the United Nations Environment Programme.

● A longer version of this story, with document references appeared online in Yale Environment 360 and can be found at: (<https://bit.ly/2Dy6L6C>) This edited version is published with their permission.



The Mastermind: The Hunt for the World's Most Prolific Criminal by Evan Ratliff (Bantam)

TITLE AND SUBTITLE RESPECTIVELY stress the two aspects of this book: on one hand its portrayal of its central character, The Mastermind; on the other, the story of the search for him. This is not unusual in investigative reporting, where the account of the actual conducting of the investigation is often as interesting as its subject.

In this case, The Mastermind, Paul le Roux, really comes into focus only about 60 pages into the book; before that, we are given an apparently random collection of incidents: a gathering of international drug dealers in a seedy hotel in Liberia; the discovery of the body of a female estate agent in the Philippines; the plight of an octogenarian pharmacist in Oshkosh, Wisconsin; the struggle of a young Indian-American doctor to establish a practice in Philadelphia. The rest of this hefty book weaves all these strands into an intricate web of crime and deceit, of fraud and murder.

Ratliff, an investigative reporter, not a novelist, seems more interested in what Le Roux did, where and when and with and to whom, than why. He was born in the then Rhodesia, and moved with his parents to South Africa after the Mugabe take-over. He seems to have been a reclusive but pleasant boy, showing an early interest in, indeed obsession with, computers and computer programming. He also loathed South Africa, regarded his schoolmates as morons, and couldn't wait to leave. In spite of this, his adoptive family reportedly loved him.

Le Roux first appears, nebulously, on the radar of two investigators of the Drug Enforcement Agency in Minneapolis, Kimberley Brill and Steven Holdren. They become aware of an inordinate amount of internet traffic in prescription drugs generated by an outfit called RX Limited: "Over the previous 16 months, Brill and Holdren estimated, RX Limited

had delivered 72 million doses of painkillers to Americans." These were not controlled substances, and thus there was not necessarily anything illegal about it but "[s]omething about RX Limited smelled illegal and dangerous. They just weren't sure what it was."

Illegal and dangerous it turns out to be: the vast trade in painkillers generates huge profits for all concerned (including the mom-and-pop pharmacies who are recruited to fill the orders streaming in on the internet, and the doctors writing the online prescriptions), but most of all for The Mastermind behind the scheme, Paul le Roux, a genius programmer who uses the income from the just-about-legal trade in prescription drugs as the basis of his immense drug empire and its support system of light and heavy arms wielded by a veritable army of heavies: bodyguards, drug smugglers, arms dealers, gold mules, assassins.

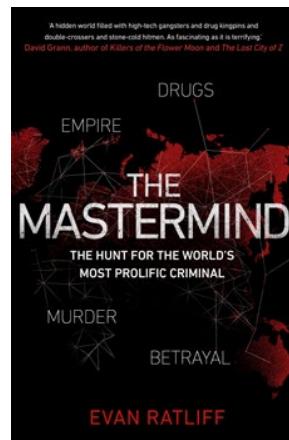
In all his dealings, the one thing that seemed to move Le Roux to literally murderous rage was people stealing from him – which, given the nature of his associates, was not an infrequent occurrence. Most of the assassinations he ordered seemed to be of people he suspected of defrauding him: the Philippines estate agent, for instance, was suspected, probably unjustly, of having siphoned off some money from a property deal. He sent his delegates all over the globe to exact his revenge, and expected proof, preferably photographic, of mission accomplished.

He demanded absolute loyalty, but in the end, once trapped by agents of American justice, thought nothing of betraying his closest associates. He collaborated with equanimity

in setting a trap for his erstwhile henchmen, and testified against them in court with aplomb. He is still awaiting sentencing, but it seems likely he will be rewarded for his cooperation with a relatively light sentence. As one of his former associates said, "For him it's just time to plan the next thing."

Towards the end of this fascinating book, Ratliff does speculate about "[w]hat Le Roux wanted and why." He mentions various theories: he was addicted to money, he was "a complete sociopath"; more sentimentally, "his drive was fuelled by some submerged pain – his hurt over being adopted". Ratliff himself inclines to the theory that "at least a part of the answer dwelled in his life as a programmer. Le Roux had found his place inside a code, a universe in which he could bend reality to his will... he tried to apply the detached logic of software to real life." Another theory, voiced by a former employee, is that Le Roux wanted to have his story told: "If you publish this story, ultimately you are giving him what he wanted."

So we must imagine Le Roux happy. The most interesting thing about people who are in other ways utterly banal, like Le Roux and Donald Trump, is our puzzlement at their apparent lack of any moral basis: only, for Le Roux, a computer program, and, for Trump, the Deal. Le Roux is Trump without the bling and glitz and pretensions to morality: simply the bloated face of unbridled greed and a total dedication to self-interest. The main difference is that one is languishing in prison; the other is president of the United States. ■



Letter from Umjindi

BHEKI MASHILE



Election entertainment got my vote of approval

YES INDEED, IT WOULD SEEM WE ARE getting praises from all corners of the globe for conducting what was a free and fair election – moreover, one that was free from violence. Why must the world always assume the worst of our African countries and why am I even posing that question when we all know the answer? Our brothers and sisters from the other mothers in too many countries on the continent just can't get it right.

But, nosey ones, I am bumming – that is US slang for disappointed – for I could not make it to the polls to cast my vote. As much as I had wanted to vote and looked forward to it, the aggravation of my healing groin and hip ligaments resulted in the stressing of my knee so that any movement would have seen it swell to the size of a basketball again.

So what was this very patriotic boy to do? Well, I had to follow what turned out to be the excellent coverage by our public broadcaster. And it gave me immense pleasure!

Firstly it was the consistent reporting of how the DA had lost a lot of ground. Don't get me wrong, I'm not anti-DA, in fact, quite the opposite. I have always hoped that with the DA being the official opposition it would strengthen its position and parliamentary representation so we can have a better balance in our national assembly. This of course would mean a better chance of a successful no-confidence vote against a mampara like our last so-called president.

However, I noticed early on in the DA campaign that the party's messages were too confusing and bordered on being seriously patronising.

Next came the electorate telling most of the newly formed parties to take a hike. Forty-five 45 political parties! Was this a joke or what? I

certainly hope that those chancers who thought they could wake up one day and launch a political party have come to realise that the people of Mzansi clearly take their voting seriously.

I have a suggestion for these chancers: hey guys, next time, if there is a next time – some were interviewed saying they are here to stay – take your registration fees and register a political action group under section 21; remember the Treatment Action Committee (TAC)? I highly recommend that they follow their lead; to say that group's achievement with its ARV rollout campaign was remarkable is an understatement.

And besides that suggestion, I must pose the question: who or what "third party" is funding these chancers to enable them to pay the IEC's hefty elections contestation fee, which if you do not garner enough votes (R45,000) is non-refundable?

These chancers did nothing but quadruple the IEC's costs: costs that are borne by the taxpayer.

One solution is to raise the contestation fee to, say, a whopping R1-R2 million so that we weed out the chancers.

Yes, I know some will say that would be undemocratic. So what! Out of the 45 parties who contested the election only 14 made the grade while the remaining 31 were nothing but a waste of taxpayer's money.

Or maybe we should introduce a primary vote – elections that would require new parties to demonstrate a satisfactory number of votes in order to be allowed to run in the national elections. [That would be cheaper – two elections instead of one? – Ed.]

Bottom line is something needs to be done about this new party launching nonsense.

Among my other election pleasures, I must say I was also delighted at the reporting that the ANC's percentage points had dropped since the 2014 vote. I am a staunch ANC supporter, but heck, sometimes tough love is the only way to send a message, especially to those you love.

And let's be clear here, comrades, I couldn't care less which individual you put into the presidency, the attraction is simply the overall policies that the ANC stands behind; you lose those or deviate from them and Jesus will be here – accompanied by Mandela.

Lastly, I am very pleased that the firebrand Patricia de Lille did "Good" enough to make it to the national assembly. [I agree, but haven't you just condemned this "new party launching nonsense"?] – Ed.

De Lille's parting of the ways with the DA and starting her own party could very well be a blessing in disguise: we need someone like her on the national arena, so for Mzansi, this is very "Good". ■





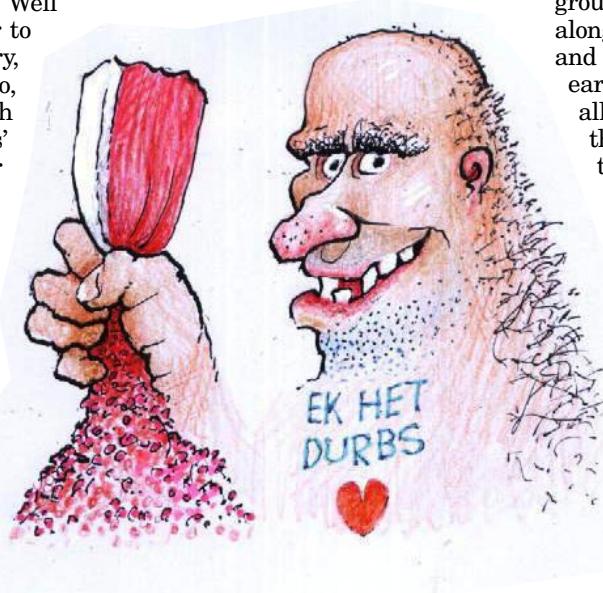
Unbalancing nature

IT'S PEOPLE LIKE YOU WHICH CAUSE climate change! snarls this crabby old cow at the Saturday morning braaifest on the pavement outside the Spar. Such snarl is directed at poor young Krish who's raising clouds of smoke, she's looking for a fight with him, such is her weekend sport. I've just seen her snarling inside with the girl at the takeaway counter, in the matter of whether there was too much or too little of something or other in the chicken curry. Girl had made the obvious response: If you don't like it you can spit it out, pointing out that it was not she who had cooked the curry anyway. I want to speak to the cook, said Old Cow. Well you can't, said Girl, they took her to the hospital. From eating the curry, said OC with heavy sarcasm. No, said Girl with equal aplomb, with shattered neffs from customers' abuse. OC thereupon ground her teeth something horrid and headed for the manager. Manager saw her coming, he'd seen her coming before, now he ducked into the Gents where he splashed water on his face and combed his hair and braced up and sat for some minutes on the toilet seat in a Yoga sort of way to focus his mind against the shattered nerves.

So here's young Krish then, new boy at the Glenwood Spar, and it's his satanic job to keep the pavement hellfire at ju-u-ust the right temperature for the Sat Morn Seething of Flesh. It fair fills you with unspeakable carnivore greed, I tell you, when the prevailing s/westerly wind wafts the delicious greasy vapours and bitter boerries smoke clean across the freeway and three city blocks along the Berea and into your open window. Well, mine, that is. No poensy chefs'-school graduate round here, thank you, this boerewors is made by 'n ware V-twin 1100cc Boer name of Rhino Retief, according to an ancient

recipe brought to Natal in 1842 by his ancestor Piet. Rugby grub, this, man! They say ou Rhino minces his meat with his hands.

Hmm? say Krish, and looks over his shoulder to see who is causing the climate change. Yes, you! says Old Cow, pointing. What sort of carbon footprint will you leave here today? Krish looks under his tekkies to see if maybe he's trodden in some dog's doodoo. The salivating queue shuffles and grumbles. The little pharmacist lady from the chemist shop says Four boerewors rolls, please, with mustard and tomato sauce.



OC glowers grimly at her. Yes, and you too, says she, prodding the air with her forefinger, you support all this carbon pollution of the air and go against the Balance of Nature!

Hundreds and hundreds of millions of years ago, says Pharmacist Lady whilst her boerries is browning, when there were just tiny little bits of life, hardly any in fact and that only in the sea, at that time the atmosphere was full of carbon gas, dense and deep, and

there was no oxygen in the sea or air. Then slowly slowly for a billion years or so bacteria called stromatolites in the sea filled sea and air with oxygen and plants came along, just greenish sticky stuff on the rocks, but after hundreds of millions of years growing nice green leaves on ferns and great big trees, and they took the carbon out of the atmosphere and made it part of themselves and pumped the air full of oxygen. So when they died and slowly got buried they took all this carbon with them, and after another few hundred million years all the tree trunks and leaves and compost turned into coal under the ground. Then a certain Mr Watt came along and invented the steam engine and we hauled all the coal out of the earth again and burned it to drive all the pistons and generators and things and return all the carbon into the atmosphere.

Old Cow scowls hideously. I hope you are the first to go extinct, says she. Nono! Pharmacy Lady replies, first must come the various beautiful beasties whose hides and horns rich people lust after. Then again in dinosaur times we got hit by a sixteen kilometre rock shunting across the cosmos at 40,000kph which left a 200km hole in the ground and but a few titchy little mouse species and certain ancient crocodiles. Maybe next time we mammals will disappear and give the goggas a chance.

Maybe in 100,000,000 years cockroaches will be having a braai right here with roachwors handmade by Roach Retief. Maybe we folks will have gone kaput and the rats will now get their break, plenty smart, hey, maybe they'll get really cultured with time and write music like Beethoven or wriggle their fannies on a stage with electronic music.

It's people like you which cause unrest! cries Old Cow. ■

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