



## **EFF Treasurer General Honorable Omphile Maotwe Debate On The Removal Of Advocate Busisiwe Mkhwebane As The Public Protector**

Honorable Speaker, myself and the president of the EFF participated in this process from its inception. The president of the EFF would have been here to participate in this debate if he was not persecuted by the alliance of the ANC and white right wingers who have now forced him to appear in court on frivolous charges.

The report we are required to endorse today is a product of a process that has been grossly unfair to the Public Protector, and which has been nothing more a vindictive political witch hunt against the public protector.

As the old English saying goes, in matters of conscience, the law of the majority does not work.

Here today, the uninformed majority seeks to railroad all of us to impeach a person not liked by the establishment. Here today, we see parliament being used to break the law in order to protect the powerful.

This report was hurried and ignored basic principles of fairness that are normal and ought not be negotiable in a process such as this one.

It is a clear demonstration of the determination of the chairperson to move with speed to impeach the Public Protector, regardless of the litany of procedural mishaps committed by the committee since inception.

The hurried nature in which this report has been prepared lays credence to the view held by the Public Protector that this is a frivolous political process meant to

punish a person who is non-compliant with the dominant narrative which seeks to hold up the current head of state as a saint.

Apart from the many procedural own goals by the chairperson and the committee, the most important issue at the moment is that the Public Protector has not had legal representation in the committee since the termination of the funding for her legal fees by the Acting Public Protector since the end of March.

The Acting public Protector's belated offering of a R4 million has been mired in controversy which has not allowed the legal protector space to have legal representation.

Firstly, the Acting PP indicated that Adv Mkhwebane must appoint her legal representatives herself and manage the addition R4 million that the office of the PP made available as she wishes. This was unheard of and placed the PP in a very precarious position, because she is here to account for her performance as a PP, and not as a private individual.

Secondly, this committee railroaded the PP to have the State Attorney as her attorneys of record, this was done despite the PP having raised concerns about the conflict of interests of the State Attorney. This was disregarded by the Committee again, further exposing the PP to a state sanctioned witch hunt, whose figurehead has always been the chairperson.

When the PP finally managed to appoint Chaane Attorneys, the committee refused to give them time to acquaint themselves with the record. On what basis were these attorneys going to brief Counsel if they themselves did not have an opportunity to study the record and get to know the case?

Chairperson, Rule 129AD requires that this committee must conduct its proceedings in a "reasonable and procedurally fair manner". You can never claim that your conduct was reasonable or fair in the manner you have handled this.

From the Initial Directives that the Chairperson issued, right up to the end, this process has been grossly unfair to the PP.

The findings in the report that the PP demonstrated incompetency in relation to the charges against she faced were therefore predetermined. This is the mandate that the chairperson and the evidence leaders were given, and these findings were made without affording the PP with her constitutionally enshrined rights to legal representation.

The fact that the report mentions that the process will be moot after the term of this PP expires in October is proof enough that this process is no longer about justice, but about punishing an individual. Parliament can't be reduced to a tool for punishing individuals.

We reject the report, and we reject the political witch-hunt initiated by the DA and supported by the ANC to punish Advocate Mkhwebane in order to protect Mr. Ramaphosa.

We reiterate our stance that we reserve our right to take this report and the illegal adoption of this report by parliament on judicial review, and we invite all interested parties to join us in doing so, including Adv Mkhwebane and all justice loving individuals in this country.

**ISSUED BY THE ECONOMIC FREEDOM FIGHTERS**

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