

EXHIBIT FF 11.1

AFFIDAVIT & ANNEXURES

OF

**JERRY MATTHEWS
MATJILA**





**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

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AFFIDAVIT - JERRY MATTHEWS MATJILA

I, the undersigned

JERRY MATTHEWS MATJILA

State under oath in English that:

1

I am an adult male in the employ of Department of International Relation and Cooperations, ("DIRCO") from 1994 to date. I am currently the Ambassador Extraordinary and Plenipotentiary and Permanent Representative of South Africa to the United Nations, New York., please find my resume' (Annexure 'A').

2

Prior to joining the DIRCO, between 1988-1994 I was Chief Representative of the African National Congress, (the "ANC") to Japan, China, Malaysia, South Korea, Indonesia and Singapore.

3

During 1985-1994 I was also Deputy Representative of ANC in Sweden and Finland.

4

Process followed in the appointment of Ambassadors / High Commissioners / Head of Missions:

- a) The appointment of Heads of Mission, ("HsOM") is a constitutional prerogative of The President, only! The President has the ultimate say in terms of who becomes Head of Mission.
- b) The Minister of DIRCO as a principal Foreign Policy Advisor to the President advises the President in carrying out this constitutional Mandate.
- c) DIRCO, through its Minister make the President aware of the Heads of Mission vacancies or pending end of tour of duty of Heads of Mission. This

is done in advance in order to enable the President to identify replacements or extension of tour of duty for the particular diplomats.

- d) The Minister of DIRCO consults with Directors General, ("DGs") and his/her top officials to enquire if there are suitable candidates within the Department with requisite skills, knowledge, experience etc to be recommended for the Heads of Mission.
- e) The DG may compile a list of Senior Managers with requisite qualifications, knowledge, skills etc for the Minister's reflections and further interrogation.
- f) Having satisfied herself/himself with the proposed list, that may include her own choices, she/he pays a visit to the President with a consolidated list and recommendations.
- g) The President may be in possession of potential HsOM from the President's own sources and other related consultations processes.
- h) After the President has made final choices, the Minister of DIRCO, calls in the DG of DIRCO ; informs of the President's decision and requests the DG to the facilitation of the process for posting of the HsOM designate.

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Process to be followed when there is a requests (Note Verbale) for Foreign Landing of Aircraft:

- a) Mr William Matjila addressed the process during his testimony before the Zondo Commission on Thursday 4 July 2019.
- b) The Note Verbal from a a foreign Mission in SA requesting the Presidential, Deputy President, Prime Ministers, Heads of States / Government, Special Envoys etc, will indicate among others:
 - I. The purpose and duration of the visit;
 - II. Which places are likely to be visited during the stay in SA;
 - III. The nature of the visit State v, Officias of visit;
 - IV. Summit or private!
 - V. Who will be on-board and parties accompanying the Chief Guests;
 - VI. When the visit will commence and what time the aircraft will arrive;
 - VII. The size of the aircraft
- c) The Bilateral Desk and Protocol at DIRCO exchange ideas and begin joint planning.

- d) The SA principal indicates availability, concurs with the request from foreign dignitaries, gives signal that preparations can commence.
- e) When everything has been clarified and all concerned are satisfied with all necessary supporting documentation, the Protocol at DIRCO approach the appropriate officials of the South African National Defence Force, ("SANDF") to take the process forward.
- f) The SANDF, if the landing of a foreign aircraft will be at one of their facilities, will necessarily initiate own internal processes, based on its prescripts, security considerations, and availability of the facility.
- g) When all SANDF processes are completed and satisfied, they will then indicate to DIRCO their decisions.
- h) If in agreement or Not, DIRCO will interact with the Concerned Diplomatic Mission.

6

Interaction between DIRCO and SANDF regarding State Visits

- a) Paras (e) - (h) above cover part of the interactive processes when preparing for the State Visits; further;
- b) When preparing the programme and content of the State visits, the relevant DIRCO Branch, led by the DDG, convene an Interdepartmental preparatory meeting at O.R Tambo Building, DIRCO Head Office.
- c) All relevant or related departments will be invited to attend at appropriate level at agreed day and time. SANDF is always among the key departments to attend such preparatory meetings given the strategic role in ensuring successful State visits; among others ensuring the Security of the Republic, Safety of Visiting Dignitaries, arranging necessary ceremonial activities etc..

7

How I got to know about the Waterkloof Landing:

The first time one heard about the Jet Airway charter aircraft, Jet JAI 9900 Landing at Air Force Base Waterkloof, ("AFB Waterkloof") was via the media on the 30th April 2013.

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Comments on the Justice Crime Prevention & Security, (“JCPS”) Cluster Report

Post-Arrival Phase

- a) **First Time:** Para 2.3.3; My first time involvement with Chartered, Jet Airways landing at AFB Waterkloof on 30 April 2013, par. 2.33 was in attendance of extended meeting NICOC Principals that was held on 1 May 2013 from 16h00 to 21h00. Prior to this meeting, at approximately 13h00 on 1 May 2013 and in preparation for the above meeting, one invited the then Spokesperson of DIRCO, Mr Clayso Monyelato to share more light on the events at the AFB Waterkloof as covered by the media. Ambassador Bruce Koloane, (“Amb Koloane”), the then Chief of State Protocol was also invited to join the DIRCO delegation to the said NICOC meeting. DIRCO is as such a party to the NICOC decisions on page 16, par. (i) – (x) of the JCPS Report.
- b) **Second Time:** The second time I got involved with the matter was at the end of the extended NICOC Principals meeting as per para.2.3.3 (x) of NICOC decision, one arranged a meeting to immediately brief Minister Nkoane Mashabane-Maite about the NICOC decisions. Amb Koloane, Deputy Director General, (“DDG”) Clayson Monyela and DG Mahoai (then DDG HR) at DIRCO joined me and the Minister from about 21h00 on 1 May 2013 till early hours of 2 May 2013.
- c) **Third Time:** Par.2.3.4:- The third time I was involved was when as the DG accompanying the Minister of DIRCO to the JCPS Ministers meeting that took place on 2 May 2013. The Ministers took a decision to establish a team of Directors-Generals to investigate the incident.

Para 2.3.6: I made a call to His Excellency, (“H.E.) High Commissioner of India in SA, Mr V Gupta to establish if there was any Union/National Minister on the Jet Airways flight that landed at Waterkloof Air Base on 30 April 2013. High Commissioner Gupta, (“H.C. Gupta”) replied that there were NO Union Ministers on that flight, but only State Ministers, which is equivalent of Member of Ministerial Committee in our context. And that the Gupta family (wedding party) did not approach him to assist with any arrangements for visiting wedding entourage.

- d) **Fourth Time:** Par.2.3.8:- On 3 May 2013, as DG of DIRCO, I invited High Commissioner Gupta to DIRCO Offices to discuss procedure the Indian High Commission followed or Not followed regarding the Jet Airways Landing. The High Commissioner agreed that the failure to send the Note Verbal was a grave mistake.

The meeting with the H.C. Commissioner also discussed the whereabouts of all the wedding party guests. The High Commissioner disclosed that said Indian State Ministers left on a chartered flight to Cape Town and would return later to India via Emirates flight. The High Commissioner was informed that this behavior was unacceptable.

Page 26, par.4.12:- Deviation from normal DIRCO processes.

- I. Recommendation by Bilateral Desk, and
- II. Holding of further – Departmental preparatory and planning meeting.

RECOMMENDATIONS

1. Following all the due procedures outlined in the Public Service, SMS handbook and DIRCO Disciplinary Guidelines, Amb Koloane who was implicated in the Jet Airway landing at Waterkloof Air Force Base was suspended from work whilst DIRCO was implementing Recommendations of the Investigating Team, par. 5.1 on page 29 of the JCPS Report.

9

Sequence of Events in Respect of Amb VB Koloane's Disciplinary Enquiry

On 02 May 2013, the Extended JCPS Ministerial Cluster appointed the team of Directors- General to undertake an investigation on the Unauthorised Landing of the Jet Airways Aircraft at Waterkloof Air Force base. The team was led by Mr DT Dlomo, the acting Director-General of the State Security Agency, as the Chairperson on the team. The JCPS Cluster then issued an investigation report dated 17 May 2013.

Under the recommendations of the JCPS Cluster report, point 5.1 states that "all affected departments and entities must complete their investigations into this matter as soon as possible to ensure that justice is seen to be done, and the required disciplinary measures are fully implemented where deemed necessary".

Subsequently on 27 May 2013, Amb VB Koloane was served with a notice of a disciplinary hearing and he acknowledged receipt thereof. He was charged with the following acts of misconduct:

Charge 1: it was alleged that during the period February to April 2013 the employee abused diplomatic channels and took upon himself to facilitate an illegal request for landing of an international aircraft at the Air Force Base Waterkloof on April 2013 between 06h50 and 07h00.

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Charge 2: It was alleged that the employee misrepresented facts in an endeavour to procure the illegal and unlawful and/or wrongful landing.

Charge 3: The employee compromised the process and procedures on his employer in that: there was no review and/or recommendation from the Political Desk in the Department on this particular request; and the interdepartmental coordination process that normally ensues did not take place.

Adv MB Matlejoane from the Pretoria Bar was appointed as the Chairperson of the hearing, Dr HN Manzini from the Independent Development Trust as the Departmental Representative and Amb VB Koloane was representing himself. The hearing set on 11 and 22 July 2013 and the employee pleaded guilty to all the charges. Parties were given an opportunity to submit their mitigating and aggravating factors before the chairperson could issue the sanction. The sanction dated 29 July 2013 was issued with the following pronouncements;

- Suspension without pay for a period of two months as an alternative to dismissal in terms of clause 2.7 (4) of Chapter 7 of the SMS Handbook.
- A final written warning which shall be placed on the employee's personal file and shall remain valid for 6 (six) months.

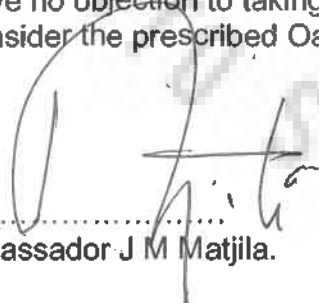
The sanction was duly implemented by the Directorate: Human Resources Administration on 19 August 2013 after receipt of an instruction from the former Director-General, Amb Jerry Matjila.

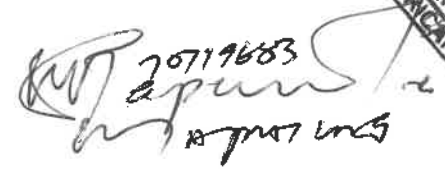
10

This is all I wish to state.

11

I know and understand the contents of this statement.
I have no objection to taking the prescribed Oath.
I consider the prescribed Oath to be binding on my conscience


.....
Ambassador J M Matjila.


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2001-2006

- **South African Ambassador to the European Union (EU), Kingdom of Belgium and Grand-Duchess of Luxembourg**
- **Chaired ACP Political and Cultural Sub-Committee**

1999-2011

- **Deputy Director General at the Department of International Relations and Cooperation (DIRCO)**

1996-1999 Chief Director in the Department of Foreign Affairs

1994-1999 Appointed First South African High Commissioner to India, Bangladesh, Sri Lanka, Nepal and the Maldives

1994 Director at the Department of Foreign Affairs

1994 Joined the Department of Foreign Affairs of the Republic of South Africa (now called the Department of International Relations and Cooperation)

1988-1994 ANC Chief Representative to Japan, China, Malaysia, South Korea, Indonesia and Singapore

1985-1994 Deputy Representative of ANC in Sweden and Finland

EDUCATION:

1996-1999 Masters Programme: University of Strathclyde Glasgow, Scotland

1992-1993 Diplomas in Diplomatic Training, France, Belgium, London, Norway, Germany

1976-1994 Fulltime and Active Member of the African National Congress (ANC) in Botswana, Zambia, Angola, Tanzania, Sweden, Norway and Finland

2006 Leadership Development Programme, University of South Africa

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AMBASSADOR JERRY MATTHEWS MATJILA

Email: Matjilaj@dirco.gov.za

Phone: 212 692 2465

PROFILE

June 2016 Ambassador Extraordinary and Plenipotentiary and Permanent Representative of South Africa to the United Nations, New York.

2011-2016 Director General/Permanent Secretary of the Department of International Relations and Cooperation (DIRCO)

- Appointed G-20 Sherpa
- Appointed BRICS Sherpa

2011

- Elected to Chair the Governing Body of the International Labour Organization (ILO)
- Elected Chair of the Ad-Hoc Committee on the Elaboration of Complementary Standards to the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) in the Human Rights Council (Geneva)
- Elected Chair of the Inter-Governmental Working Group (IGWG) on the issue of Private Military and Security Companies (PMSC) in the Human Rights Council

2010

- Permanent Representative of South Africa to the UN and International Organizations, Geneva
- Consul-General of South Africa to the French Speaking Counties in Switzerland

2006-2010

- National Coordinator of Forum for China-Africa Cooperation (FOCAC)
- National Coordinator for India-Africa Dialogue Forum
- National Focal Point for India, Brazil and South Africa (IBSA)
- National Coordinator for Tokyo Conference on Africa's Development (TICAD)



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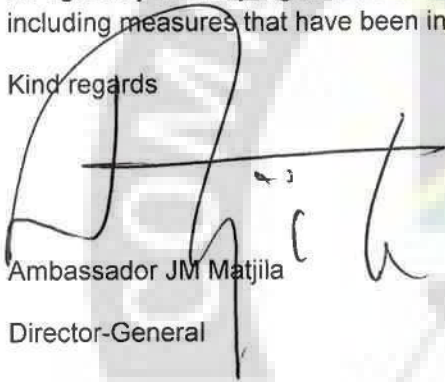
Dr Clinton Swemmer
Acting Coordinator of NICOC
Dulah Omar Building
Bogare Complex
C/o Atterbury & Louis Street
Menlyn
Pretoria

Dear Dr Swemmer

DIRCO SUMMARY REPORT REGARDING THE WATERKLOOF-GUPTA INCIDENT

As agreed yesterday night at the extended NICOC meeting, please find enclosed DIRCO's report to date, including measures that have been instated against the Chief of State Protocol.

Kind regards


Ambassador JM Matjila

Director-General

Date

02/05/2013

Kgoro ya Tirišano le Tšhomišano ya Dinaga tša Boditšhabatšhaba • Lefapha la Dikamano le Tshebedisano Dinaheng tsa Matjhaba • Lefapha la Dikamano tsa Boditšhabatšhaba le Tirisano • UMnyango Wezobudlelwano Nokubambisana Bamazwe Namazwe • Liliko Letebudlelwane Bemave kanye Nekusebentisana • ISebe lezobudlelwane neNtsebenziswano yamZwe ngamaZwe • UmNyango weTjhebiswano nokuSebenzisana kweenTjhabatjhaba • Muhasho wa Vhushaka ha Dzitshakatshaka na Tshumisano • Ndzawulo ya Vuxaka bya Matiko ya Misava na Ntirhisano • Departement van Internasionale Betrekkings en Samewerking

SECRET

DIRCO UPDATE TO NICOC**1. Facts**

- 1.1 DIRCO established that the Indian High Commission did not send a Note Verbale to DIRCO seeking assistance for aircraft clearance as it is customary to do.
- 1.2 The Indian High Commission sent a request for aircraft clearance directly to the Chief of Defence Relations, SANDF.
- 1.3 DIRCO Executive and the Director-General did not give any of the DIRCO staff the authority regarding the Gupta aircraft carrying the Gupta family wedding party.

2. Summary: Teleconference between Amb. JM Matjila , Director-General of the Department of International Relations and Cooperation, and the Indian High Commissioner V. Gupta on the private use of the Waterkloof Air Force Base by the Gupta Family

- Ambassador Matjila held a teleconference with High Commissioner (HC) Gupta on 02 May 2013. Ambassador Matjila alerted High Commissioner Gupta to the fact that he was on speaker-phone in the presence of other DIRCO officials.
- Ambassador Matjila expressed concern about the manner in which the application for over-flight rights was handled by the Indian High Commission and that the application was not channeled through DIRCO.
- HC Gupta confirmed that the application did not come through DIRCO, but directly from the Indian High Commission Defence Attaché to the SANDF as was the custom in the past.
- Ambassador Matjila posed the question whether there were any Union Ministers (National Ministers) on the flight. HC Gupta responded there were no Union Ministers on the flight but only State Ministers (i.e. equivalent to SA provincial MECs).
- He indicated that when they had first applied in February 2013, there was the indication that some Union Ministers would be in attendance. Until the last moment they did not know the composition of the delegation and that no Union Ministers would be on the flight.
- Ambassador Matjila pointed out that State Ministers are MECs in our system and HC Gupta should be aware of the South African system in this regard.
- Ambassador Matjila also pointed out that 217 Indian citizens entered South Africa for the wedding, which apparently included 150 chefs. He asked HC Gupta whether he was aware of how many Indians entered the country as part of the delegation for the wedding.
- HC Gupta said he was not aware of the number as his only concern was the VIPs. Although he had good friendship with the Gupta family, they did not ask him to assist with the arrangements for the delegation.
- Ambassador Matjila then indicated that ACSA had denied landing rights at OR Tambo International Airport as the Guptas' wanted to conduct certain ceremonies in public space. ACSA offered alternative landing spots at Lanseria, Pilansberg or Polokwane.
- HC Gupta said he was not aware of the aforesaid alternatives and that Waterkloof Air Force base was convenient as security for the Ministers was also an important issue for him. HC Gupta further said that some of the State Ministers on the flight were here for official purposes such as the Deputy Chief Minister, who had an official invitation from the Free State Government.

SECRET

- Ambassador Matjila highlighted the fact that even President Zuma used OR Tambo International Airport and there was no issue with the question of security. All South Africa's airports are secured. In fact, in 2007 the Indian Prime Minister used OR Tambo International Airport to attend the IBSA Summit.
- Ambassador Matjila then informed HC Gupta that the "*game had changed*" and that the aircraft must depart from Waterkloof Air Force Base today, as well as all the helicopters.
- Ambassador Matjila posited that of concern was that some people in the delegation had indicated that they were going to stay in the country for an additional 15 up to 30 days. In the visa application for the delegation that was submitted to the SA High Commission in Delhi, the Gupta family indicated that the invitees would only attend the wedding ceremony at the Lost City and that the Gupta family would take responsibility for all accommodation, travel and subsistence costs.
- HC Gupta responded that some Ministers wanted to go to Cape Town for two days after the wedding, including the Deputy Chief Minister, and that he was not aware of the movements of the other delegates. Ambassador Matjila emphasized that the letter of undertaking by the Gupta family only made reference to the wedding and not other subsequent activities.
- Ambassador Matjila asked whether the Indian High Commission arranged for the security of the delegation from Waterkloof Air Force Base to the Lost City. HC Gupta replied that the people from SAHARA made the security arrangements and that the High Commission did not request any security arrangements.
- The DDG for Public Diplomacy, Mr C. Monyela, posed the question to HC Gupta that whether he would agree that with hindsight the application by the Indian High Commission for over-flight rights, indicating "*Ministers and delegation*", was not done in good faith and carried a high reputational risk. Ambassador Matjila added that it would have been better to have indicated that the application for over-flight rights should have stated State Ministers rather than Ministers. HC Gupta again repeated that a MEC from the Free State Government had extended an invitation to the Deputy Chief Minister, who was a very senior politician. The Indian system did not distinguish between Union Ministers and State Ministers. The meeting between the Free State MEC and the Deputy Chief Minister took place on Wednesday, 01 May 2013 and that the signing of some MOU was now being contemplated.
- Ambassador Matjila then asked HC Gupta whether he was aware how many firearms, cameras and journalists had entered South Africa as part of the delegation. Furthermore, who was present from the Indian High Commission to receive the delegation? HC Gupta responded by saying that he was not aware of any firearms, cameras or journalists that entered South Africa as part of the delegation, although he knew that the New Age Newspaper had a relationship with the Times of India, the latter also being a shareholder in the New Age newspaper. Ambassador Matjila pointed out that usually Heads of Mission are aware of these items of as part of standard information regarding official delegations.
- Ambassador Matjila again posed the question why the choice was Waterkloof Air Force Base and not another one. HC Gupta said that his task was to ensure landing for a special aircraft with Waterkloof being a more convenient venue and also preferable seeing from a security view-point.

3. Request to the Indian High Commissioner:

Ambassador Matjila asked HC Gupta whether he could approach the Gupta family to ascertain the following information:

- How many chefs entered the country?
- How many journalists entered the country?

SECRET

- What media equipment entered the country?
- And how many security equipment & firearms entered the country?
- How many members of the delegation will stay on longer in the country?

4. Briefing to the DIRCO Minister:

Ambassador Matjila, accompanied by Ambassador Koloane and DDG Monyela, briefed Minister Maite Nkoana-Mashabane after the NICOC meeting of 01 May 2013.

5. Measures taken within DIRCO:

With regard to DIRCO's internal processes, Minister Maite Nkoana-Mashabane informed Ambassador Koloane that he would be suspended pending an investigation into his role in the matter, which he accepted.

6. Way forward:

Ambassador Matjila handed over the letter of intention to suspend personally to Ambassador Koloane on 02 May 2013 and DIRCO will now proceed to formally appoint an investigating officer. NICOC will be kept abreast of developments.



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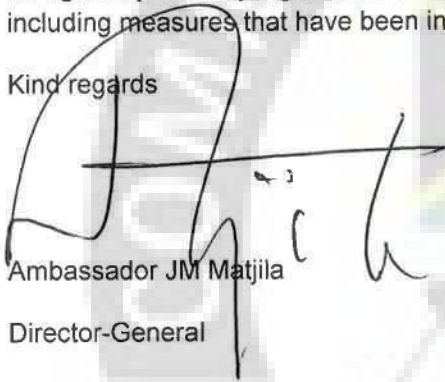
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Ambassador Matjila, accompanied by Ambassador Koloane and DDG Monyela, briefed Minister Maite Nkoana-Mashabane after the NICOC meeting of 01 May 2013.

5. Measures taken within DIRCO:

With regard to DIRCO's internal processes, Minister Maite Nkoana-Mashabane informed Ambassador Koloane that he would be suspended pending an investigation into his role in the matter, which he accepted.

6. Way forward:

Ambassador Matjila handed over the letter of intention to suspend personally to Ambassador Koloane on 02 May 2013 and DIRCO will now proceed to formally appoint an investigating officer. NICOC will be kept abreast of developments.