

**Payments 'were for Zuma RDP trust'
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DURBAN - The "bribes" allegedly paid to Deputy President Jacob Zuma, which are at the centre of the corruption case against Schabir Shaik, have been explained away as mere donations to a charitable trust.

The claim came as part of an all-out assault on the pillars of the state's case in the Durban High Court yesterday during cross-examination of the state's star witness, forensic auditor Johan van der Walt of KPMG.

Correspondence and meetings between Zuma, Shaik and Thomson-CSF officials were nothing more than attempts by Shaik to facilitate a donation by the arms company to the Jacob Zuma RDP Education Trust, Shaik's defence lawyer, Francois van Zyl, said.

It is crucial evidence, contradicting the state's portrayal of the events as being designed to secure a R500000-a-year bribe for Zuma, in return for protection in investigations into government's multibillion-rand arms deal.

Van Zyl also took aim at the notion of the encrypted fax allegedly sent by Zuma to Thomson-CSF's head office in Paris to confirm his acceptance of the conditions of the bribe. The bribe is alleged to have been discussed at a meeting in Durban between Shaik, Zuma and Thomson-CSF's sales director for Africa, Alain Thetard, on March 10 2000.

Shaik, Van Zyl said, would testify that a donation to the Jacob Zuma Education Trust was discussed at the Durban meeting, and it would make no sense to encode a fax confirming the discussion since there were "only three of them present" at the meeting and they "discussed everything openly".

The alleged recipient of the fax, Thomson-CSF's sales director for Africa, Yann de Jomaron, attended a meeting in Pretoria of shareholders and directors of African Defence Systems (a joint venture between Thomson and Shaik's Nkobi Holdings) three days before the fax was alleged to have been sent.

This called into question the credibility of testimony by Thetard's former secretary, Susan Delique, that the fax was indeed sent to De Jomaron in Paris, Van Zyl said.

Van Zyl said Shaik would tell the court he was in an "embarrassing" situation, having promised Zuma that donations for the trust would be forthcoming from the French, but failing to deliver.

Van der Walt questioned the fact that these donations were never referred to explicitly in Shaik's correspondence when "usually a donation one can be proud of wouldn't be regarded as a secret".

The issue of a payment made to Nkobi in terms of a service provider deal with Thomson also came under fire. Van Zyl insisted it was purely intended for Nkobi to undertake research into potential new projects for Thomson-CSF. The arms company was bound by its corvette contract to also create countertrade investment opportunities.

"Thomson-CSF was waiting for Nkobi to earmark projects, complete its investigations and fulfil its obligations in terms of the service provider agreement." Shaik's testimony would signal Thomson-CSF never made a second payment, as Nkobi had not delivered on its counter-trade opportunities.

Earlier yesterday, Judge Hilary Squires refused an application by the state for a witness, John Lennon, to testify from the UK by videoconference.