

THE PLATFORM TO PROTECT WHISTLEBLOWERS IN AFRICA



P P L A A F

SECOND ACTIVITY REPORT 2017-2020



TABLE OF CONTENTS

Introduction

Al-Jazeera, « William Bourdon: PPLAAF aims to support whistle-blowers,» 6 April 2017

The PPLAAF team

PPLAAF's missions

Public whistleblowers accompanied by PPLAAF

Jean-Jacques Lumumba

Guylain Luwere

Mosilo Mothepu

Bianca Goodson

Noureddine Tounsi

Aaron Kaase

Johannes Stefansson

Simphiwe Mayisela

Bongani Mathebula

Fadiala Coulibaly

The revelations of PPLAAF

Lumumba Papers

Banana Ports Papers

State Capture

#GuptaLeaks

#LuandaLeaks

Fishrot

The Dan Gertler investigations

Legislation and research

PPLAAF funders

Chronology 2017- 2020

William Bourdon: PPLAAF aims to support whistle-blowers

*Whistle-blowers in Africa under threat have little legal protection, says lawyer representing Assange, Snowden and more.
by Anealla Safdar
6 Apr 2017*

As demand for the truth soars across the world, with confidence in media and governments plummeting, whistle-blowers are having quite a moment from the Global North to South.

The risk of whistle-blowing in much of Africa is incredibly high.

Of 54 African countries, just seven have passed whistle-blower laws.

William Bourdon, one of the world's leading advocates of whistle-blowers, has represented WikiLeaks founder Julian Assange, Edward Snowden, Antoine Deltour – the man behind the Luxembourg Leaks, and Herve Falciani, who exposed wrongdoing at HSBC's Swiss private bank.

Here, the French lawyer explains why he has founded Plateforme de Protection des Lanceurs d'Alerte en Afrique (PPLAAF), a platform to protect whistle-blowers in Africa comprising legal experts, investigative journalists, NGOs and academics.

Al Jazeera: Why did you decide to launch PPLAAF?

Bourdon: Creating PPLAAF was an absolute necessity. The great question of the 21st century appeared to be this great civic anger targeted against those who mix public money with private interests, and against this, impunity enjoyed by big multinationals.

In Africa, many NGOs and authorities have become more and more professional in their fight against corruption. However, I think one particular tool was missing while large flows of dirty and opaque money are prospering, and the separation between public and private interest is vague at best.

Regimes are sometimes held in an iron grip by kleptocrats who siphon public money and resources to satisfy their megalomania, and all too often government anti-corruption commitments are merely a front for eradicating political

opponents. But many brave people want this to stop.

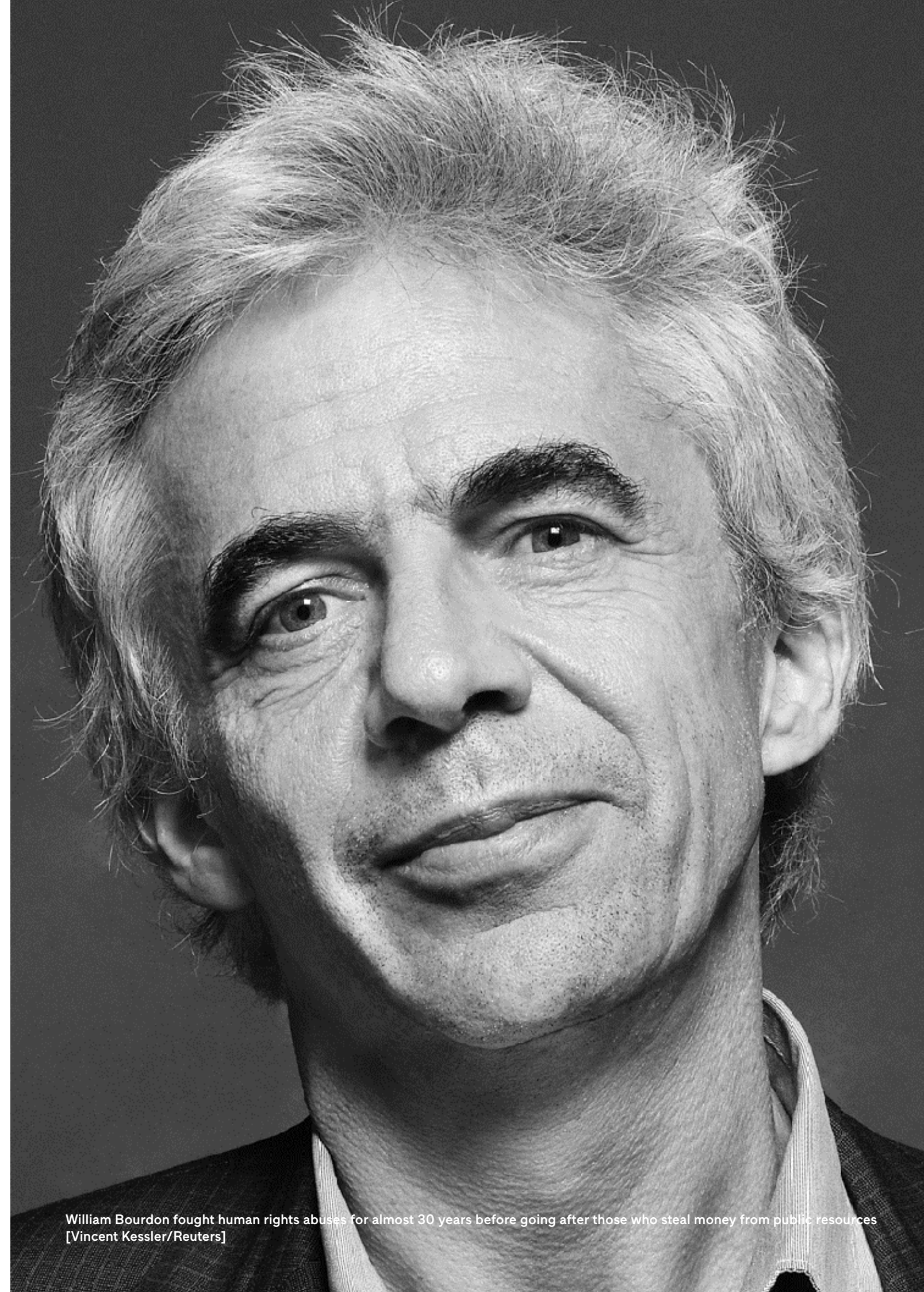
And we want to help them to disclose what they witness by offering them a legal protection. That's why we created PPLAAF.

Al Jazeera: What do you hope to achieve?

Bourdon: PPLAAF's priority is to offer legal protection to whistle-blowers. Too many of them in Africa have faced lethal danger, persecution, threats, only because their identity has been known. PPLAAF wants to protect them, technically and legally.

PPLAAF can work to iron out the many dangers a whistle-blower can face if she or he wants to disclose sensitive information relevant to the public interest. It can also work as a protective shield between them and the press.

The whistle-blower at the origin of the Panama Papers, the biggest leak in history, is still ano-



William Bourdon fought human rights abuses for almost 30 years before going after those who steal money from public resources [Vincent Kessler/Reuters]

nymous. That's a success story for the protection of whistle-blower.

But, of course, PPLAAF wants to achieve a greater objective and be an ally to all the good conscious who are fighting for a greater world. Giving the possibility to a whistle-blower to disclose for the public interest is a strong democratic act and is a step closer to the end of impunity for massive financial crimes.

Al Jazeera: Do you think, given the changing political climate across the world, there is a rising need for whistle-blowers?

Bourdon: There is a rising need for whistle-blowers. Worldwide, citizens are becoming aware of the dark and oppressive political, economic and financial powers being exercised over their daily lives.

Thanks to the revelations of whistle-blowers, along with new communication technologies and increased globalisation, we can better discern the surveillance by intelligence services and the financial losses generated by banking policies that favour tax evasion and money laundering over the needs of individual savers. The more professional secrecy is used in a way to organise the impunity of shameful behaviours which are contrary to international standards, the more whistle-blowers need to break this secrecy in order to reveal reprehensible activities. Whistle-blowers are watchdogs of democracy. In this civic anger which is rising in the world, from Bucharest to Seoul, whistle-blowers are the top of the pyramid. We need them in order to understand how we can improve the way we live together, the way we are led. That's why PPLAAF will be duplicated in other parts of the world.

Al Jazeera: How does whistle-blowing differ between Europe and North America, and Africa?

Bourdon: Even if they take great risks and face very damaging retaliation, whistle-blowers in Europe or in North America are better-protected thanks to strong democratic institutions and a real rule of law, although this latter always needs to be built stone-by-stone.

Several countries in the Western world have strong laws protecting whistle-blowers, such as France, the UK or the US. Progressive human rights courts like the European Court of Human Rights can also play a great role in the protection of whistle-blowers.

As an example, during the trial of Antoine Deltour before a court in Luxembourg, we sought his protection under Article 10 of the European

Convention on Human Rights which protects freedom of expression.

But where democratic institutions are weak or inexistent, whistle-blowers are at much greater risk.

Only seven of 54 African countries have passed whistle-blower laws. In countries like these, blowing the whistle can lead to lethal danger.

Moss Phakoe, a former local representative in South Africa, was killed in 2009 after disclosing information about corruption activities in Rustenburg.

Jean-Jacques Lumumba, a former employee in a Congolese bank had to leave the country in 2016 when his superior threatened to kill him after he showed him evidence that the bank was conducting serious illegal activities.

These are examples which show the risks taken by these very brave soldiers of democracy.

Al Jazeera: In the West, many are quick to cast Assange as pro-Russia and pro-Trump. Should whistle-blowers in the West and in Africa, whose leaks are subject to manipulation, now impose their own limits in terms of the information they are prepared to leak?

Bourdon: This is a very relevant question. Nowadays, information is of paramount importance, especially since it can be so quickly spread. It can change an election, it can destroy someone's life, it can interfere with the future of a nation.

Whistle-blowers have therefore a great responsibility when disclosing information, especially now that they can do it without going through the press, thanks to the new technologies. Whistle-blowers need to properly check the veracity and the credibility of the information they want to disclose.

PPLAAF can help them assessing the information they have at hand and see if it's something worth disclosing. To that end, PPLAAF will conduct an in-depth investigation to check the credibility. PPLAAF will never put itself in a situation where it only fuels the spread of a rumour.

That said, it is not for PPLAAF nor the whistle-blower to wonder whether the information to disclose will interfere with an election or the conclusion of an international contract.

Al Jazeera: Is there a history of whistle-blowers in Africa?

Bourdon: It depends on the scope of the definition of whistle-blowing.

If civic disobedience is included within the definition, then Africa can only be proud of the

noble examples it has, of these women and men who fought for their freedom during the colonisation or oppressive regimes like the Apartheid. Gandhi or Mandela have inspired the world.

The religious leader Cheikh Amadou Bamba who, at the end of the 19th century, decided to pray before a French court to show his opposition to colonial powers has triggered a non-violence conscious still in force today in Senegal.

We can also mention Algerian freedom fighters or Haile Selassie when he gave this prominent speech in 1936 before the League of Nations criticising the occupation of his country by the troops of Mussolini.

If you keep a strict definition, the first whistle-blower is probably the British journalist Edmund Dene Morel who, at the beginning of the 20th century, led a campaign in the UK to denounce the exactions committed in Congo by Belgian colonisers on behalf of King Leopold II. Never before had it been proved that the King was using Congo as a resource for forced labour. Colonisation was still perceived in Europe as a civic act of kindness.

“Whistle-blowers have therefore a great responsibility when disclosing information”

Al Jazeera: What protections exist in Africa for whistle-blowers, and how can your organisation help?

Bourdon: Except in certain rare circumstances, there is almost no protection for whistle-blowers in African countries. PPLAAF is here to fill in the gaps left by weak states or institutions.

Therefore, PPLAAF can offer four kind of services: technical assistance through encrypted channels (web portal to send sensitive documents and a hotline in French and English); legal assistance through a network of lawyers and activists; and mediatic assistance - PPLAAF acts as a shield between the whistle-blowers and the press.

Finally, PPLAAF can also work as a think-tank, advising governments and authorities on how adopting laws which will help to protect in a progressive and efficient way whistle-blowers.

OUR STAFF



Henri Thulliez
(France)
Director

Henri Thulliez is a lawyer and member of the Paris bar, and the Executive Director of PPLAAF. He graduated in Law School at University of Paris Ouest Nanterre La Défense, and holds an LLM from the School of Oriental and African Studies (University of London) in conflict resolution as well as a Master in International administration from the University of Paris 1 Panthéon-Sorbonne. He was the coordinator at Human Rights Watch of the Hissène Habré case, the former president of Chad who was tried before a special court in Senegal. He also managed the Fondation pour l'Egalité des chances en Afrique. Henri Thulliez has written numerous articles in Le Monde, Libération, Huffington Post US, Huffington Post France and News-week Europe.

PPLAAF
TEAM



**Zanele
Mbuyisa**
(South Africa)
Legal Counsel

Zanele Mbuyisa is the legal counsel of PPLAAF. Zanele is a director and co-founder of the Mbuyisa Neale Attorneys firm (South Africa), with a successful track record having served her articles and worked as a solicitor at a UK law firm, Leigh Day. In 2005, Zanele co-founded Garratt Mbuyisa Neale Attorneys which became Mbuyisa Neale Attorneys in 2012. She then went on to help establish Mbuyisa Moleele Attorneys in January 2017. Each of the previous law firms holds a significantly successful track record in litigation as well as settlement negotiation. In her 19 years of experience in practice, she is well known for her involvement in representing victims of economic crimes. Zanele is also the co-founder of Haki Legal Clinic, a free legal clinic established in 2017 to provide quality legal services for free to people who cannot afford legal services.



**Fadel
Barro**
(Senegal)
West Africa
Coordinator

Fadel Barro is the West Africa coordinator for PPLAAF. Trained as an investigative journalist, he is the co-founder of the Senegalese civic movement “Y’en a Marre” and one of its main architects since its creation in January 2011. Leader of a “conquering youth which turns its back on exile and defeatism”, Fadel Barro through his slogan “there is no foreclosed destiny, there are only deserted responsibilities” knew how to make civic engagement a philosophy of humanist action which rallied the young people of the continent to open new possibilities. He inspired a generation of activists who find themselves today within the Afrikki platform, made up of around fifty citizens’ movements and committed artists across Africa and its diasporas. The organization of the first Popular University of Citizen Engagement (UPEC) in Dakar in July 2018 helped consolidate and amplify the exchange of practices and experiences from these movements which, spontaneously drawing on the arts and culture, strengthen democracy and freedoms in Africa. Fadel Barro has been the Ambassador of Consciousness of Amnesty International since 2016.



**Gabriel
Bourdon-Fattal**
(France)
Project Manager

Gabriel Bourdon-Fattal is a project manager at PPLAAF. Gabriel is an experienced human rights jurist and campaigner. Among others, Gabriel led an organization against the deportation of migrant workers' children and worked on environmental justice issues in the Middle East. Gabriel has an LL .B from the University of Haifa and a Master in African Legal Studies from Université Paris 1 Pantheon-Sorbonne. Gabriel is an alumnus of the European Center for Constitutional and Human Rights in Berlin (ECCHR) and of the Our Generation Speaks Fellowship in Boston.



**Lee-Ann
James**
(South Africa)
Paralegal

Lee-Ann is a Senior Paralegal at PPLAAF. Lee-Ann Obtained her Senior Paralegal Diploma in 2011 through the South African School of Paralegal Studies and has been working for attorneys, specializing in labour law, since 2012. Lee-Ann Completed her Disciplinary Skills course through Lexis Nexis South Africa in 2012 which allows her to chair Disciplinary Hearings. She is currently completing her Law Degree through the University of South Africa.



Jaysen Naidoo
(South Africa)
Web Development

Jaysen Naidoo provides technical support and software and web development for PPLAAF. Jaysen is a software engineer with years of experience in application and software development.

BOARD



**William
Bourdon**
(France)
Chairman

William Bourdon is a lawyer and member of the Paris bar, specialized in corporate, media and criminal law. A lawyer at the forefront in the field of Human Rights, he defends victims of globalization and crimes against humanity. Bourdon is the advocate of whistleblowers Edward Snowden, Hervé Falciani (Swissleaks) and Antoine Deltour (Luxleaks). Previously, he was the advocate for Wikileaks Julian Assange. In 2001, he founded the association Sherpa the purpose of which is to "defend victims of crimes committed by economic operators." He was secretary-general of the International Federation for Human Rights from 1995 to 2000. William Bourdon is the author of several publications on questions of international justice and Human Rights and the "Petit manuel de désobéissance citoyenne" (Short manual on citizens' disobedience) (2014).



Alioune Tine
(Senegal)
Board member

Alioune Tine is a prominent Human rights defender in Western Africa. A former professor at the Cheikh Anta Diop University in Dakar, he created in 1990 with other activists the Rencontre africaine pour la defense des droits de l'Homme (RADDHO), one of the most influential human rights organizations in francophone Africa, always at the forefront of the fight against impunity. Tine had been the director of the RADDHO for more than 20 years when he was appointed president of the Human Rights Senegalese Committee, an administrative authority responsible for advising the Senegalese Government on Human rights protection. In 2015, Alioune Tine was appointed Director of Amnesty international for Western Africa, running the work of Amnesty in 22 African countries.



Baltasar Garzon
(Spain)
Board member

Baltasar Garzon is a Judge with 32 years of experience, specialized in the investigation of crimes against humanity, terrorism, drug trafficking, corruption, economic and financial crimes. He is the President of the International Foundation Baltasar Garzón (FIBGAR) and the "International Legal Office for Cooperation and Development" (ILOCAD). Garzon has been a Criminal Law professor at the Complutense University of Madrid for 22 years and was the adviser to the prosecutor at the International Criminal Court (ICC) between 2010 and 2012. Author of seven books, he also publishes articles and essays frequently.



Jihan El-Tahri
(France, Egypte)
Board Member

Jihan El-Tahri is an award-winning director, writer, producer and visual artist. She is an Egyptian and French national, who started her career as a Foreign Correspondent covering Middle East Politics. She has produced and directed numerous documentaries, including "Egypt's Modern Pharaohs", "Behind the Rainbow", "Cuba, an African Odyssey", as well as the Emmy nominated House of Saud. Her writings include "Les Sept Vies de Yasser Arafat" (Grasset) and "Israel and the Arabs, The 50 Years war" (Penguin). El-Tahri has served as treasurer of the Guild of African Filmmakers in the Diaspora, Regional Secretary of the Federation of Pan African Cinema (FEPACI) and as an Advisor on Focus Feature's Africa first Program.



Pierre Sané
(Senegal)
Board Member

Pierre Sané is the founder and president of the Imagine Africa Institute. He was UNESCO's Assistant Director-General for Social and Human Sciences from 2001 to 2010, and Secretary-General of Amnesty International from 1992 to 2001.



Khadija Sharife
(South Africa)
Board member

Khadija Sharife is an award-winning investigative journalist, researcher and editor. She is the Africa editor of OCCRP, author of Tax Us If You Can: Africa, board member of Finance Uncovered and fellow with the World Policy Institute. Previously, she was the editor at the African Network of Centers for Investigative Reporting (ANCIR). Her work has been presented at a number of forums including OECD, AU, Pan-African Parliaments among other platforms. She holds a master of financial law and is based in South Africa. Khadija acts as PPLAAF's Southern Africa coordinator.

Advisory Committee

Anas Aremeyaw, investigative journalist
Nnimmo Bassey, director of the Health of Mother Earth Foundation (HOMEF)
Ben Wizner, director, ACLU's Speech, Privacy, and Technology Project
John Christensen, founder and director, Global Tax Justice Network
Andrew Feinstein, author and campaigner
John Githongo, CEO, Inuka Kenya Ni Sisi!
William Gumede, Chairperson, Democracy Works
Mohamed Kamel Jendoubi, human rights activist
Claude Kabemba, Director, Southern Africa Resource Watch (SARW)
Anuradha Mittal, founder and executive director, the Oakland Institute
Alvin Mosioma, founder and executive director, Tax Justice Network – Africa
Roshnee Narrandes, manager, OSISA Partnerships
Giovanni Pellerano, CTO, Globaleaks
Thomas Pogge, founder and executive director, the Global Justice Program at Yale.

PPLAAF'S MISSIONS



SECURE COMMUNICATION

PPLAAF provides a secure web portal for sending information and documents, as well as secure hotlines at the disposal of whistleblowers in both French and English.



RESEARCH AND ADVOCACY

PPLAAF advocates for the adoption of progressive whistleblowers protection laws by African governments and helps in writing them. PPLAAF also assesses current African legislation in these matters.



LEGAL ASSISTANCE

PPLAAF has created an international network of law firms ready to provide whistleblowers with counsel and protection from all forms of retaliation, even if they lack the financial resources.



MEDIA ASSISTANCE

PPLAAF assists whistleblowers to disclose information through its network of international and African journalists and media outlets. PPLAAF also supports whistleblowers and journalists in deepening investigations.



PPLAAF's public whistleblowers

☛ While in some cases PPLAAF considers that the anonymity of the whistleblower is often the best protection against retaliation, several whistleblowers have preferred to reveal their information publicly, sometimes to better protect themselves, sometimes in an effort to set an example for their respective communities.

☛ The list of whistleblower profiles presented below is therefore partial, as many others have chosen to remain anonymous.

☛ PPLAAF is also contacted very regularly by people seeking information on the risks of whistleblowing. PPLAAF assesses potential risks and reprisals with these individuals. As a result of this assessment, some decide to proceed, while others prefer not to disclose.

☛ PPLAAF never encourages a person to blow the whistle. PPLAAF strives to objectively assess the potential whistleblower's situation and the risks he or she faces. The decision to disclose information that is illegal, unlawful or contrary to the public interest rests solely with the whistleblower.

☛ PPLAAF can accompany the whistleblowers at all stages of their journey: risk assessment, legal advice, safe placement, investigations on the basis of information from the whistleblower, sharing of information with the press or the prosecuting authorities according to the interest of the whistleblowers and their information – and always with a focus on their protection –, strengthening the impact of the disclosure, public relations of the whistleblower, etc.

☛ Nearly all the whistleblowers supported by PPLAAF come from the same background: a competent young African middle class that sees the fight against corruption as an important ideological value. All have refused to condone illicit activities and, by denouncing abuses, have decided to participate in the construction of the rule of law. It is this group of people who will build the future of Africa and whom PPLAAF wants to support.

Jean-Jacques Lumumba Democratic Republic of Congo

“ I am one of the first whistleblowers in my country to be supported by PPLAAF. I am very happy with the legal protection and above all, the moral comfort it has given me. The action and the fight that I lead is the establishment of democracy and the rule of law in my country the Democratic Republic of Congo. William Bourdon is a visionary who understood the need for the protection of whistleblowers in the process of democratization of African countries, a guarantee of stability and revival of economic development. ”

“The greed of some politicians is so huge that they have taken Congo hostage. People are dying and are being tortured. Many cannot speak anymore,” Jean-Jacques Lumumba told in an interview for Deutsche Welle, “We have returned to dictatorship because it is all about sustaining power.”

Lumumba served as the head of the Credit department at the Congolese bank BGFI Bank DRC. In 2016, Lumumba started noticing shady activities: suspicious transactions of dozens of millions of dollars between the bank, controlled by President Kabila's family, and organizations with close ties to the president. A few months after his suspicions begun, Lumumba alerted his superiors of these transactions. Threatened with a gun to keep quiet by the director of the bank, Joseph Kabila's adopted brother, Lumumba fled his homeland and bravely revealed this massive embezzlement of public funds scandal.

Lumumba is the grandnephew of one of Congo's independence leaders, Patrice Lumumba, who was executed seven months after becoming Congo's first democratically elected leader in 1960. At barely 30, he held a comfortable position as a bank executive in one of DRC's largest banks. It was his refusal to cooperate with the misuse of public funds that turned his life upside down. Does Lumumba regret his deed? “Of course not. I did it for my country and this new generation who wants to build the Rule of Law in the DRC”, he told PPLAAF.

Since January 2017, PPLAAF has been working closely with Lumumba, providing him with pro-bono legal counsel, analyzing and researching the documents he provided, and using forensic researchers to discover more corruption affairs embedded in President Kabila's ventures.

Investigations conducted by PPLAAF, Le Monde and OC-CRP showed how public money was embezzled, notably to buy wild animals in Namibia for the private interests of President Kabila.

Jean-Jacques Lumumba now lives and works in European exile. He is fighting for the rule of law in his country and for the Democratic Republic of the Congo to know peaceful and democratic times.

With the support of PPLAAF, Jean-Jacques Lumumba and his former colleague Guylain Luwere have sued their former employer and its parent company before the French jurisdictions in February 2019. PPLAAF's lawyers have taken the case forward on the grounds that the whistleblowers, as French refugees, have the right to refer their cases to the French courts, and that they would be victims of a denial of justice if they tried to bring their case before the Congolese or Gabonese courts.

In early 2020, the French courts ruled they had jurisdiction to settle the disputes.



Guylain Luwere

Democratic Republic of Congo

“ I did it as an employee of the bank and as a Congolese citizen. I could not stand that illegal acts of corruption, theft, money laundering remain hidden and unpunished. That was against the bank’s internal procedures and against a banker’s ethics. ”

Graduate of a Master in Risk and Insurance Management, Guylain Luwere studied in Germany where he acquired international accounting techniques and worked in various institutions of micro-finance and banking before being recruited in 2015 within the Congolese subsidiary of the Gabonese bank Banque Gabonaise et Française et Internationale (BGFI), as the management accountant.

In 2017, he discovered transactions between the BGFI-Bank DRC and companies suspected of financing terrorism with the complicity of the bank’s officials. He decided to draw the attention of his hierarchy and of the managing director – Francis Selemani Mtwale, President Kabila’s adopted brother – on such practices contrary to the interest of the bank. As a result of this alert, the managing director threatened him with a gun and ordered him to remain silent. Luwere was then physically assaulted with his wife in the street.

Luwere was forced into exile in France. Guylain Luwere, alongside his former colleague Jean-Jacques Lumumba, have sued their former employer and its parent company before the French jurisdictions in February 2019 (see above).



Mosilo Mothepu

South Africa

“ I would say they have to resist if they are now being given an unlawful instruction by a superior,” when asked what her message to public servants in the South African parliament is. “The fact that you don’t have the courage to say ‘no’ breeds the cancer. ”

Mothepu served as Chief Executive Officer at Trillian Financial Advisory, a South African consulting firm and a subsidiary of Trillian Capital. The firm is owned by Salim Essa, an associate of the powerful Gupta family, who has been accused of growing rich from his strong relationship with President Zuma. When Mothepu noticed significant and questionable activities involving state-owned entities, and in the hopes of assisting Thuli Madonsela, the former Public Protector (an ombudsman whose independence is guaranteed by the Constitution) with her investigation, she resigned and stepped forward. Key to her disclosure were the removals of South Africa’s Finance Ministers from their posts due to the Guptas’ influence.

Although she feared legal consequences and being sued for defamation, she sent a statement to Madonsela, who published the “State of Capture” report in October 2016. The statement was leaked by an unknown source to the Sunday Times which, in October 2016, published a story on state capture showing the links between the Gupta Family and President Zuma. The Sunday Times failed to confirm that Mothepu was not the source of the leak, and she subsequently faced lawsuits from Trillian alleging cyber-crime, fraud and theft, among other charges. The lawsuit has effectively prevented her from obtaining other employment. In a closed-door meeting with select media and flanked by PPLAAF’s team, Mothepu spoke about her financial struggles, the legal threat of her former employers and the loneliness of whistleblowing. But

she also spoke about having the courage to stand on the frontline for the truth. The following year buried under the weight of political risk and financial vulnerability, Mothepu went one step further and testified in front of South African Parliament.

Mothepu had a bright future ahead of her, and her decision to give up on this prestigious position and speak up came at a price. “People always ask me, ‘Will you do it again?’ I say, ‘Yes, I will do it again.’ I didn’t appreciate how my life would change but South Africa’s worth it.”

PPLAAF stood by Mothepu’s side, evaluating the risks she might face after blowing the whistle, providing her with legal counsel and financial support and assisting her with preparing herself and her testimony. PPLAAF has also promoted her case in national and international media.

In 2018, South African authorities decided not to pursue the charges against Mothepu. Later that year, Mothepu won the 2018 Reconciliation Award from the Institute for Justice and Reconciliation (IJR).

Noureddine Tounsi

Algeria

“Corruption in Algeria has increased significantly,” Noureddine Tounsi told PPLAAF. “The judiciary system pursues whistleblowers instead of launching in-depth investigations and letting the people know what the real findings of those investigations of alleged deeds of corruption are.”

Tounsi is a former sales manager of the Port Enterprise of Oran (EPO), a state-owned company. In April 2016, after having warned his superiors about suspicious activities and misappropriation within the EPO and receiving no response, he filed a complaint with the prosecutor. But once the inquiry was launched, he was subjected to reprisals from his supervisors, suspended, demoted, and eventually fired in September 2016.

Despite the slow pace of the investigations into Tounsi's allegations concerning fraud and corruption, the cases launched against him by his former employer were examined rapidly, with Mr. Tounsi facing EPO complaints for slander and disclosing confidential information or proprietary business secrets.

Tounsi has recently created a national committee to defend the denunciations of corruption in Algeria: “My message to whistleblowers is to hold on, don't give in, don't regret anything and try to contact various international NGOs... while protecting yourself from reprisals by the judicial authorities which refuse to protect the values of justice.”

The Oran Port corruption

Tounsi revealed that fraudulent practices were done to benefit the Entreprise des travaux routiers, hydrauliques et bâtiments (ETRHB), a company importing various goods. The company is owned by Ali Haddad, an influential Algerian businessman. With the complicity of the EPO, Haddad has allegedly gained vast sums of money by avoiding paying the fees on imported goods.

Various methods would have allowed to avoid paying the fees: offering services for free or undercharged, forging invoices to get advantageous prices, modifying the type of the imported goods, contesting the bill of services that were supposedly not provided in order to get a refund with the aid of internal recourses, etc.

In another case, Tounsi revealed that private importers arranged with the Office algérien interprofessionnel des céréales (OAIC), a public authority, to get their boats unloaded at the port ahead of those of the OAIC even though they arrived later. As a result, the OAIC loses money by having to pay penalties for late deliveries, which the private importers do not pay.

Tounsi's disclosures were revealed to the Algerian public in 2016 and 2017 through the media outlets Al Akhbar and Algérie Part. He is also supported by the Algerian League for the Defense of Human Rights (LADDH).

PPLAAF accompanied Tounsi in the media until his acquittal. PPLAAF called on the authorities to release Tounsi and journalist Said Boudour when they were both arrested in June 2018 and released 48 hours later. Also in 2018, PPLAAF called on the Algerian authorities to grant Tounsi the protection he deserves under Algerian law.

In March 2018, PPLAAF co-founder Henri Thulliez has answered questions from Algeria Part regarding Tounsi and the Oran Port corruption. The article was read and shared tens of thousands of times on social media.

Bianca Goodson

South Africa

“I always knew that the information I had would corroborate suspicions about Trillian's dealings with State-owned Enterprises.” Bianca Goodson said in an interview to the Daily Maverick. “I felt that I was being spineless not to speak up, I decided one day that I was allowing my experience to bully me.”

Goodson served as the Chief Executive Officer of Trillian Management, a South African consulting firm and a subsidiary of Trillian Capital. The firm is owned by Salim Essa, an associate of the powerful Gupta family, which is accused of growing rich thanks to its strong relationship with President Zuma. Goodson quickly started noticing shady activities: the firm was using its connections to land lucrative government contracts, such as a contract with national energy company Eskom, then handing them to external partners.

Feeling lied to by her superiors about the company's activities, Goodson resigned from Trillian in April 2016, after a few months working for the company. Although she feared legal consequences and defamation, Goodson decided to speak up. She released a detailed statement on Trillian's activities through PPLAAF and testified in front of South African parliament in November 2017.

For Goodson, a promising executive at a young age, refusing to stay silent about the misuse of public funds was not easy and took a personal and professional toll. “Doing the right thing is never, ever easy. If you find yourself in a situation such as mine, it's probably because you have the strength to deal with it”, she told The Daily Maverick.

PPLAAF stood by Goodson's side, providing her with a legal counsel of her choice, assisting her with preparing herself and her testimony, evaluating the risks she faced and promoting her case on national and international media.

A year after quitting her job, Goodson found a job at Sage, a global accounting software business. While she kept her employer informed of her whistleblowing intention, offering her resignation were the company to suffer any backlash, the company decided to process her resignation immediately after she went public.

At the end of 2018, a South African parliamentary committee concluded its investigation into the governance of the state-owned Eskom. The findings, based in part on information provided by Goodson, recommended a review of the legislative and regulatory framework for state-owned enterprises.

Six months later, the South African High Court ruled that Eskom's payment of 600 million rand to the corrupt Trillian company was illegal.

Aaron Kaase Nigeria

“I want to commend PPLAAF for being a voice for whistleblowers in Africa. From 2015 to date, I have become a victim of high wired reprisals after I blew the whistle on procurement and other fraudulent financial acts involving the Chairman of the Police Service Commission, an agency that oversights the Nigeria police force, where I work. PPLAAF has been wonderful by offering financial assistance to support the litigation processes after over two years of ongoing legal battles, while serving an illegal suspension without pay has taken a toll on me. The effort of this organization to put this matter on the front burner is also commendable.”

“I blew the whistle out of conviction. The current leadership of this important public office ran it to the ground. It was dangerous, but I had to do it,” Aaron Kaase said when asked why he revealed significant corruption in the Nigerian Police Services Commission (PSC) organized by its former chair, Mike Okiro.

Kaase has been working as a senior officer with the PSC, an agency that oversights the Nigeria Police Force, since 2003. In May 2015, Kaase had strong suspicions of fraud: the PSC had assigned hundreds of thousands of dollars to train 900 members although the entire force has fewer than 500 members.

Kaase then petitioned both the Independent Corrupt Practices Commission (ICPC) and the Economic and Financial Crimes Commission (EFCC). As a result, he has been arrested, detained and harassed, as well as suspended from his work.

For a few months, Kaase has also received threats by telephone. He has written to the police repeatedly.

But Kaase does not regret his decision. His message to other whistleblowers? “It has to come from your strength. You must work for a better society. You can do it in your own name or through an NGO, but if no one speaks out, society will not get better.”

On November 30th, 2017, the National Industrial Court of Abuja decided to reinstate Kaase in his position at the PSC. The court ordered the PSC to “pay the claimant all his emoluments and entitlements accruable to him during the period of his suspension” and stated the PSC “failed to present” any evidence his suspension was done in the proper manner.

PPLAAF has been standing by Kaase’s side, providing counsel to his lawyers, promoting his case in local me-

dia and assisting him with financial support for his legal proceedings. The Human and Environmental Development Agenda (HEDA), a Nigerian NGO, has also been assisting Kaase in his case.

Along with being reinstated in his position by the court, Kaase has also been acquitted of what have been described as “trumped up” charges made up by Okiro.

Police Services corruption

According to Kaase’s disclosure and the ICPC investigations, the PSC had received 350 million Nairas (about 821,000 euros) from the National Security Agency to train its staff members on monitoring police conduct during the elections. The PSC had budgeted for the training of 900 staff and the conduct of trainings in Abuja, Lagos and Kano. Yet the entire force was little more than 400 people. The “mock trainings” were organized in Nasarawa State instead of in Kano, Lagos and Abuja.

In late 2015, the ICPC published a report on Kaase’s petition directing the PSC to refund the sum of 133 million nairas (about 312,000 euros) to its recovery account. The ICPC curiously found no criminal infraction on the person of Okiro although Emmanuel Ibe, Director of Administration and Finance of PSC, was charged with ten counts of fraud in a Nigerian court.

On January 28th, 2018, HEDA petitioned the ICPC asking it to review its investigative finding: “Commendable as this is, it is incomplete and unjustifiable if your Commission chooses to prosecute only Mr. Ibe and allow Mr. Okiro to walk a free man. Considering Mr. Ibe acted under the instruction of Mr. Okiro.”



Simphiwe Mayisela SouthAfrica

Simphiwe Mayisela is the former Chief Information Officer of the Public Investment Corporation (PIC) of South Africa. PIC is a state-owned company with assets in excess of 2 trillion rand (€121 billion). It is the largest asset manager in Africa. PIC holds significant stakes in several South African companies. Approximately 98% of the value held or supervised by PIC is owned by the South African government or its employees, including dozens of social security and pension funds.

A few days after his appointment, Mayisela was tasked with identifying a whistleblower who had shared incriminating

information about PIC’s then-CEO Dan Matjila. Matjila quickly asked him to contact the South African Police Service to identify the whistleblower.

But the police were more interested in the information disclosed by the whistleblower than in the identity of the source. Mayisela therefore began to cooperate with the police to help them analyse the allegations.

He was suspended and fired shortly afterward and has since become a key witness for the Mpati Commission in its investigation of illegal transactions within PIC. PPLAAF has been providing him with legal and media support since 2018.



Bongani Mathebula SouthAfrica

Bongani Mathebula is a former Corporate Secretary of the Public Investment Corporation (PIC), Africa’s largest asset manager.

Mathebula was accused by Dan Matjila, former CEO of PIC, of disclosing confidential information to an alleged whistleblower and was subsequently fired. A commercial lawyer, Mathebula was hired by PIC in 2015. Mathebula’s role was to be present at board meetings to take minutes.

PIC used internal disciplinary proceedings against Mathebula to harass her, damage her reputation and ruin her financially, even though the evidence against her was contradicted by PIC’s own records.

Mathebula is now a key witness before the Mpati Commis-

sion to investigate PIC’s illegal transactions. She has finally been reinstated in the PIC. Mathebula told the Commission that she believed that the suspension and disciplinary measures «were part of a general pattern of victimization of employees suspected of having contributed to exposing wrongdoing by the PIC». She added: «When the former CEO informed me that he no longer trusted me and wanted me to leave, it was my understanding that I was not trusted to keep silent about the improper events of the PIC».

PPLAAF’s support for Mathebula since 2018 is a testament to the courageous stand she has taken to oppose the shameful reprisals she has suffered.



Johannes Stefansson Iceland / Namibia

A former director of the Icelandic fishing company Samherji, Stefansson denounced the corruption of several ministers in Namibia and Angola. Stefansson disclosed 30,000 emails, documents, contracts and other confidential evidence. Stefansson’s revelation led to the resignation of Namibian fisheries minister Bernhard Esau and Justice minister Sacky Shanghala, among others.

As Al Jazeera wrote, «the documents disclosed show how they [Samherji] conducted their operations in Namibia with full knowledge of the corruption there».

With annual revenues of \$700 million, Samherji is one of the world’s largest fishing companies.

Stefansson spent years cooperating with the authorities, including special units of the Namibian government, in what came to be known as the ‘Fishrot’ case. Supported by WikiLeaks, which originally published the leak, and by the legal expertise of former judge Eva Joly and PPLAAF, he showed resilience despite constant intimidation and harassment.



Fadiala Coulibaly *Mali*

“ The Chairman of the board of Directors of the Confederation of Cooperative Societies of Cotton Producers refused to give the peasants the subsidy they were owed. Therefore, I started to alert on the matter within the organization. They offered me 30 million CFA francs to buy my silence. I refused! They offered to change my work position to double my salary. I refused! They ended my contract to sanction me. I blew the whistle to the Prosecutor in charge of the financial crimes to expose the vast mafia network which was diverting the subsidies allocated to Malian cotton farmers. The Chairman of the Board and his accomplices were arrested and put in jail. Even though I lost my job, it was worth stopping this corruption that is plaguing and destabilizing the Malian society today. ”

Born in Balandougou in the Kayes region, Fadiala Coulibaly is an Accountant/Auditor who has decided to get involved in the fight against corruption in his country. “Mali is now living through a serious political crisis that threatens its stability, already weakened by the rebellion in the north of the country, and its social cohesion. All this is, in part, the result of corruption and impunity », he argues, considering that the population is revolted by the number of cases of corruption and embezzlement of public funds which are not thoroughly investigated. At least, he says, «those with ties to the power enjoy complete impunity.»

“I discovered there was a major mafia network which was embezzling nearly 90% of the funds intended for rural producers.»

Fadiala worked in the Malian administration as Administrative and Financial Manager at the Confederation of Cooperative Societies of Cotton Producers (CSCPC) which brings together the 7177 cooperative societies in the cotton activity across the country. This rural structure is attached to the Permanent Assembly of the Malian Chamber of Agriculture (APCAM). “My work as an Accountant/Auditor gave me access to a lot of information. I quickly realized that a lot of things were not up to the standards. I talked about it to my boss several times but he refused to act on my reports. I discovered there was a major mafia network which was embezzling nearly 90% of funds intended for rural producers.»

Yet Fadiala Coulibaly started to blow the whistle within the organization. He even spoke to the Chairman of the Board to make proposals for better uses of resources. “Between 2016 and 2017, given the amount of the funds that the structure received, I suggested to the Board of Directors that it was possible to grant 1 million CFA francs to each Communal Union, that is to say to each of the 288 Communal Cooperatives, that it was possible to transfer 5 million to each of the 41 Sector Cooperatives, and 50 million to each of the four Regional Cooperatives.»

But his proposal is frowned upon by his hierarchy, which seeks to dissuade him. The only reaction of the Chairman of the Board of Directors was: «you are very young and it would be better to close your eyes to certain things to live a long time». These thinly veiled threats did not undermine the determination of the Auditor, eager to continue his fight for the interests of cotton peasant producers already weakened by the decisions of the World Trade Organization, which would favour the competitors of cotton producers from northern countries.

“I tried to raise the Chairman of the Board’s awareness, to no avail. I met him to tell him that the money is intended for the farmers and that the structure is there for the farmers. We had to work for this purpose. He openly told me he was going to oppose me.” And Fadiala Coulibaly’s troubles started to escalate.

They first tried to buy his silence by offering him 30 million CFA francs. «I refused. They offered me another work position paid the double of my salary. I refused because I am working to achieve goals and I still had things to do. They hired my driver who started recording all my conversations when I went on a mission. When I realized it, I wrote a letter to the Chairman of the Board telling him that these practices are at odds with the values of the company and that it could not continue. There was no reaction, therefore I blew the whistle by referring the matter to the Prosecutor of the economic and financial pole and providing him with all the information he needed to open an investigation. It was also to put myself at his disposal to help training investigators of his service. This led to the arrest of the PCA and his accomplices. «

But before being arrested, the Chairman of the Board initiated dismissal proceedings against Fadiala Coulibaly. To reach the number of votes required at the Board of Directors for the dismissal of the whistleblower, «they had to bribe the 17 members of the Board,» Fadiala accuses, with supporting documents. “They withdrew 200 million CFA francs from the accounts of the company to be able to “grease the palm’ of the members of the Board. I have documentation on these withdrawals. The Chairman of the Board informed the Board members that as long as Coulibaly is there, they cannot enjoy the money the way they want. It was this injustice that led to the termination of my contract. The Coordinator clearly told me that my dismissal was motivated by the fact that I have never given up on cleaning up the finances of the structure, something that some cannot accept. A recording of this statement was transcribed by my bailiff.”

The Labour Court ruled in favor of Fadiala by ordering the Confederation of Cooperative Societies of Cotton Producers to pay 50 million CFA francs in damages. Despite the Confederation’s appeal, the Court of Appeals confirmed that the dismissal was unfair but lowered the damages to 5 million, without stating the reasons for this decision. The case is now pending before the Supreme Court.

In the meantime, Fadiala Coulibaly has become one of the icons of the fight against corruption in Mali. He organizes awareness-raising sessions on the dangers of corruption, call out to his corporation to become whistleblowers and offers decision-makers mechanisms to end the scourge of corruption in his country.

«I want to create a platform for whistleblowers to encourage young people to report the embezzlement of funds and certain practices that plague our country. But for that to happen, they must be protected and it is at this level that PPLAAF can be a great opportunity for Mali. The experience and networks of PPLAAF can help citizens become whistleblowers. When you blew the whistle that brought down heavyweights, it isolates you. No more companies want to hire me, but I have made the choice to fight corruption and I will see it through. And with PPLAAF, I am no longer alone in the fight. «

The PPLAAF revelations

When PPLAAF agrees to accompany a whistleblower in the disclosure of his or her information, it will analyze with the whistleblower the best course of action: either to inform his or her superiors, to give the information to competent authorities which are eager to prosecute, or to reveal the information to the public.

At each stage of disclosure, PPLAAF accompanies the whistleblower and, when necessary – in particular, when the whistleblower's information is relevant for certain authorities – PPLAAF hires a lawyer to represent the whistleblower.

In the event of a public disclosure, and to best protect the whistleblower, PPLAAF may undertake to release the information directly after a thorough investigation. PPLAAF and the whistleblower may also decide to work with investigative media which will take responsibility for the publication. PPLAAF negotiates with journalists for the right to review passages that refer to the source of the information, which may provide identifying information about the whistleblower, to ensure that the identity of the whistleblower is not compromised if he or she wishes to remain anonymous.



State capture Suspicious links between South Africa's president and the powerful Gupta Family

The principal charge against South African former President Jacob Zuma, originating with claims from whistleblowers working with the PPLAAF, is of "state capture". The local term is in widespread use. State capture is more than simple corruption. It is pillaging national companies and institutions, depriving the people of power, as well as changing the country's laws so that they all work in the private interest's interest.

The three Gupta brothers moved from India to South Africa in the 1990s and turned a computer parts business into a conglomerate with properties in media, mining and professional services. One of President Zuma's sons, Duduzane, has worked for the family. Mosilo Mothepu is the first whistleblower to have stepped forward. Mothepu served as Chief Executive Officer at Trillian Financial Advisory, a South African consulting firm and a subsidiary of Trillian Capital. The firm is owned by Salim Essa, an associate of the Gupta family.

Feeling lied to by her superiors about the company's activities, Mothepu resigned from Trillian in June 2016. Although she feared legal consequences and being sued for defamation, Mothepu decided to speak up. She sent a statement to Thuli Madonsela, the former Public Protector, an ombudsman whose independence is guaranteed by the Constitution,

which resulted in the publication in October 2016 of "State of Capture", a report on the links between the Gupta Family and President Zuma. She then testified in front of the South African parliament in October 2017.

The "State of Capture" report investigated claims of "alleged improper and unethical conduct by the president and other state functionaries relating to alleged improper relationships and involvement of the Gupta family in the removal and appointment of ministers and directors of State Owned Entities (SOEs) resulting in improper and possibly corrupt award of state contracts and benefits to the Gupta family's businesses." President Zuma unsuccessfully applied for a court order to prevent the publication of the report on 14 October 2016, Madonsela's last day in office.

Within days of Madonsela's report publication, Trillian's then-chairman, Tokyo Sexwale, announced a wide-ranging internal probe into the former executive's allegations, led by attorney Geoff Budlender. The investigation ended in the publication of "The Budlender Report."

Mothepu's statement was then leaked by an unknown source to the Sunday Times, which resulted in the publication in October 2016 of an article showing the links between the Gupta Family and President Zuma.

South African police raid Gupta home, pressure cranks up on Zuma

Published 1:47 AM ET Wed, 14 Feb 2018 Updated 4:31 AM ET Wed, 14 Feb 2018

Reuters

- Gupta family member arrested, SABC says
- "This is a crime scene" - police outside Gupta home

The Sunday Times failed to confirm that Mothepu was not the source of the leak, and she subsequently faced lawsuits from Trillian alleging cyber-crime, fraud and theft among other charges. Another Trillian whistleblower, inspired by Mothepu's action, decided to speak up: Bianca Goodson. Goodson served as the Chief Executive Officer of Trillian Management, another subsidiary of Trillian Capital. Noticing shady activities as well, Goodson left Trillian in April 2016. A year later, Goodson released a detailed statement on Trillian's activities through PPLAAF and testified in front of the South African parliament in November 2017.

In early 2017, two media organisations alongside PPLAAF received what was then called the 'GuptaLeaks': hundreds of thousands of documents, emails, etc., sent between the Guptas and their associates, showing the extent of the Gupta family's control over politicians and state-owned companies and the involvement of many international firms with the Gupta family's businesses.

Many other revelations were made concerning the case, exposing government firms such as state-owned electricity utility company Eskom and international firms HSBC and consulting firm McKinsey, among others. McKinsey was involved in landing Eskom contracts for Trillian and received illegal payments from the company.

On December 13th, 2017, a South African high court ordered President Zuma to establish a judicial inquiry into the alleged claims that he and his son Duduzane were involved in state capture. In a separate ruling, the court stated President Zuma's attempt to block the release of the "State of Capture" report by the Public Protector was abusive. The government investigation was officially launched on January 25th, 2018.

On January 16th, 2018, McKinsey's South Africa branch was served with an asset seizure order initiated by the Asset Forfeiture Unit, part of the Natio-

nal Prosecuting Authority. This order arose from the illegal payment of monies from state owned electricity utility, Eskom, to McKinsey and Trillian. McKinsey has had 1.1 billion rands seized and Trillian 95m rands.

On January 19th, 2018, with PPLAAF's support, the South African Federation of Trade Unions (SAFTU), comprised of 700.000 South African union workers, filed charges against Trillian to gather evidence in support of both criminal charges and civil forfeiture including fraud, theft, corruption and money laundering. In another procedure, South Africa's state-run Asset Forfeiture Unit (AFU) has moved to seize alleged illicitly obtained assets of Trillian.

PPLAAF stood by Goodson's and Mothepu's sides, providing them with a legal counsel of their choice and financial support, assisting them with their testimonies, evaluating the risks they faced and promoting their cases in national and international media. PPLAAF has also partnered with South African media amaBhungane and Daily Maverick to provide access to the GuptaLeaks through a single portal - Investigative Dashboard via the Organised Crime and Corruption Reporting Project (OCCRP) with the support of Finance Uncovered.

PPLAAF has also worked with the AFU and SATFU team that recently achieved the promising milestone of seizing the assets of Trillian as being the suspected proceeds of crime.

At the heart of the affair are allegations that the Guptas had excessive influence over South African politics, from which they profited by shifting political appointments and illegally landing government contracts.

The result of the putting of state-owned enterprises and other governmental institutions in the hands of people looting their funds, according to ex-finance minister Pravin Gordhan, is that "150bn-200bn rand (\$11bn-15bn) has been looted."

Illegal landing of government contracts

In their testimonies, Mothepu and Goodson unraveled how Trillian was using its connections to illegally land lucrative government contracts. The company planned to generate revenue through access to state-owned entities such as South African electricity supplier Eskom and logistics company Transnet. Trillian ostensibly used political connections to create and secure large deals for partners who would carry out the work. In exchange, the company received as much as 50% of the contract value.

A legal challenge between Trillian's CEO and his former partners revealed how Trillian allegedly earned millions of rands from their business with Transnet. In addition, three Trillian companies were named in the Public Protector report as having contributed an amount of 235-million rands towards the Gupta family consortium's purchase of the Optimum Coal mine, the coal mine that supplies Eskom's power station.

Political appointments

Also revealed by whistleblowers was how the firm allegedly pushed for the Finance minister Nhlanhla Nene being fired and planned to exploit access to the National Treasury under his replacement, Des van Rooyen. The minister was abruptly fired and replaced by Van Rooyen, who had been in a business relationship with the Guptas beforehand. Having revealed the evidence on Nene's removal by the Guptas, Mothepu became known as the "NeneGate Whistleblower".

In another case, deputy Finance minister Mcebisi Jonas stated in a sworn affidavit to the Public Protector that he had been offered over \$40M by one of the Gupta brothers if he accepted to be nominated Finance minister and then replace key executives in the National Treasury. When he declined the offer, he was offered \$4M in cash on the spot for him to change his mind.

International companies

Some of the biggest global companies in business found themselves entangled in the state capture affair and the work they did for the Guptas.

The vast corporate landscape included shell and pass-through companies and used secrecy jurisdictions, such as Dubai, to facilitate money moving and receive illicit payments. Other companies, with substantive performativity, served the same parallel purpose. These companies aesthetically operated out of Dubai (Accurate, Global Corporation and Gateway etc.) and South Africa (Linkway Trading, Mabengela, Elgasolve, Sahara, Oakbay) among other jurisdictions from Hong Kong to Lesotho and London.

The money was siphoned from state-owned entities such as Transnet and Eskomand, repurposed or diverted for other means ranging from personal gain to ostentatious shows of power and wealth.

KPMG, one of the biggest global audit companies,

was Linkway's auditor during a period when the company acted as a laundromat siphoning monies from the Free State's Estina project, designed to support small black dairy farmers. Instead, monies were funneled to Dubai and part of it returned for the Guptas' wedding. The firm has since apologized for the "quality" of its audit.

A significant beneficiary of Gupta-linked contracts, KPMG wrote a report supporting the claims that the South African Revenue Service (SARS) had "gone rogue". Its report led to Pravin Gordhan, former Finance minister, being charged. The firm has since admitted they had no evidence to support the fact that Gordhan knew about the unit "going rogue" and acknowledged KPMG's contribution to the "state capture".

As a result, KPMG chief executives and partners in South Africa have left the firm. KPMG repaid the money it received for writing the report on SARS and donated millions to NGOs.

Also revealed by Goodson was the information that international consulting firm McKinsey did highly paid work for Eskom. Documents show that McKinsey worked with Trillian Capital as part of winning contracts from the utility.

McKinsey says it never entered into a formal contract with Trillian or made payments to the company, and there are letters showing that McKinsey warned Eskom that doing business with Trillian is risky.

Goodson, however, has shown evidence that McKinsey treated Trillian as an "unwanted piece of baggage" and showing how a McKinsey representative stated that "[supplier development] doesn't really matter as long as you get your percentage".

International Bank HSBC allegedly failed to close accounts that were linked to the Guptas although their South Africa staff warned them of suspicious activities.

Public relations firm Bell Pottinger helped the Guptas to brand the attacks on them as having a racial background. The firm experienced severe problems keeping clients as a result and is currently going into insolvency.

SAP, a German software firm, has launched an internal investigation and found that more than \$6M of commissions were paid to companies linked with the Guptas for contracts with state-owned companies. The company sent the materials to American authorities and announced it will no longer pay commission to SAP employees securing contracts in countries scoring badly on Transparency International's Corruption Perceptions Index.

The Banana Port Papers

The Banana Port Papers describe the negotiations between the Government of the Democratic Republic of Congo («DRC») and the global port operator Dubai Port World («DPW») regarding the construction in the city of Banana of DRC's largest deep-water port to date. They disclose that the multi-million-dollar deal is completely tainted with allegations of corruption.

PPLAAF has received this information through whistleblowers who participated in the negotiations between the Government and DPW. Having doubts about the contract's legality, at least one of the whistleblowers notified his superiors who did not act. Concerned about their inaction and the lack of other alternatives, they connected with PPLAAF to aid them in revealing how the negotiations took place.

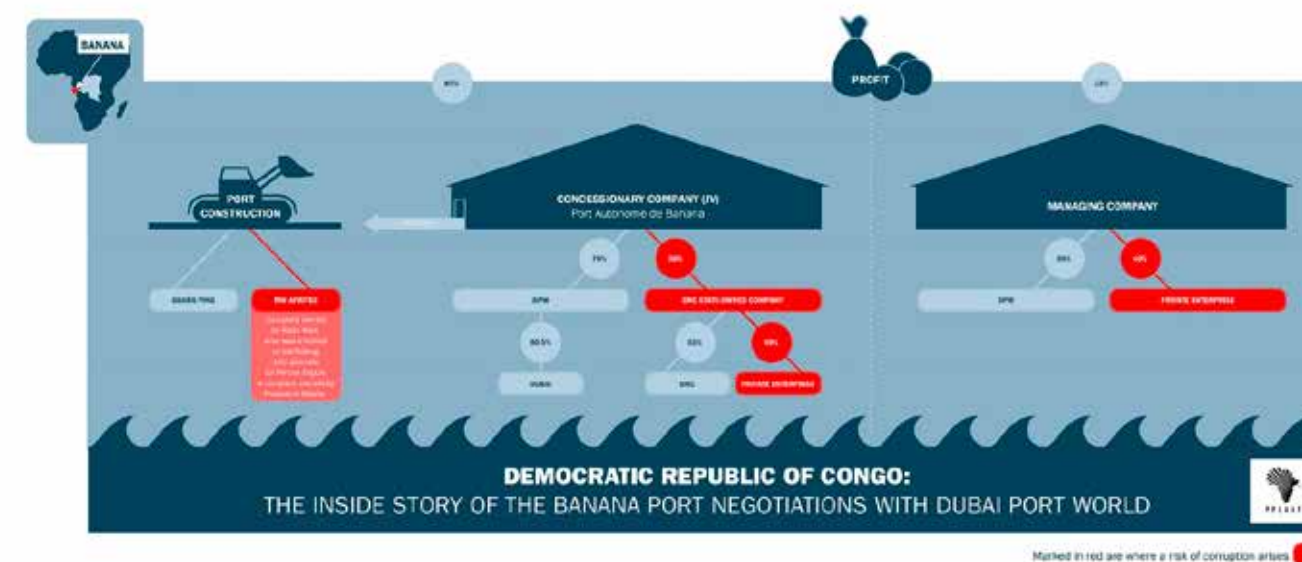
The contract to be signed by the DRC government and DPW for the construction and operation of the Banana port is expected to create a corporate structure, allowing the personal enrichment of several political figures, including Congolese President Kabila. The whole of the negotiations, on a project exceeding one billion US dollars, would be tainted with corruption. The project concerns the construction and management of a port and free trade area in Banana, the only city in the DRC with access to the Atlantic Ocean, at a cost of more than 1 billion US dollars.

The negotiations took place without a call for

tender as the Congolese law dictates. Following the first negotiations with DPW, President Kabila allegedly told businessman Moise Ekanga, a close associate of his who was involved in the negotiations, that he wanted a guarantee that he would have a personal profit from the construction and operation of the port. On October 4th, 2016, in this context, Sultan Ahmed Bin Sulayem addressed a letter to President Kabila. This letter ensures the intention to grant a percentage of the capital of the company that will build the port to a new Congolese state company.

The letter proposes to give 40% of the managing company to this private company. The private company may be a company ultimately owned by President Kabila. The managing company would, therefore, be a «subsidiary of DPW», owned 40% by a private company, presumably for President Kabila's benefit.

According to the document presenting the as-



sumptions to President Kabila, such an arrangement would allow the private company to earn more than 45.3 million dollars in seven years. The public will know that a joint venture, called during the negotiations «Port Autonome de Banana», will be created by a Congolese state company and DPW.

This joint venture should then enter into a concession agreement with the DRC government. The state company in the joint venture should have logically been one of the Congolese public authorities in charge of the ports (the National Transport Office of the Democratic Republic of Congo or the OEBK), but they have been allegedly put aside in favor of this new state entity. It is the joint venture «Port Autonome de Banana» that should own the concession.

It would be a limited company, under Congolese law, owned 30% by the State of DRC or the new state entity to be created, and 70% by DPW. The parties would have initially negotiated a split of 25% for the DRC and 75% for DPW, but it is a 70/30 split that would have been accepted.

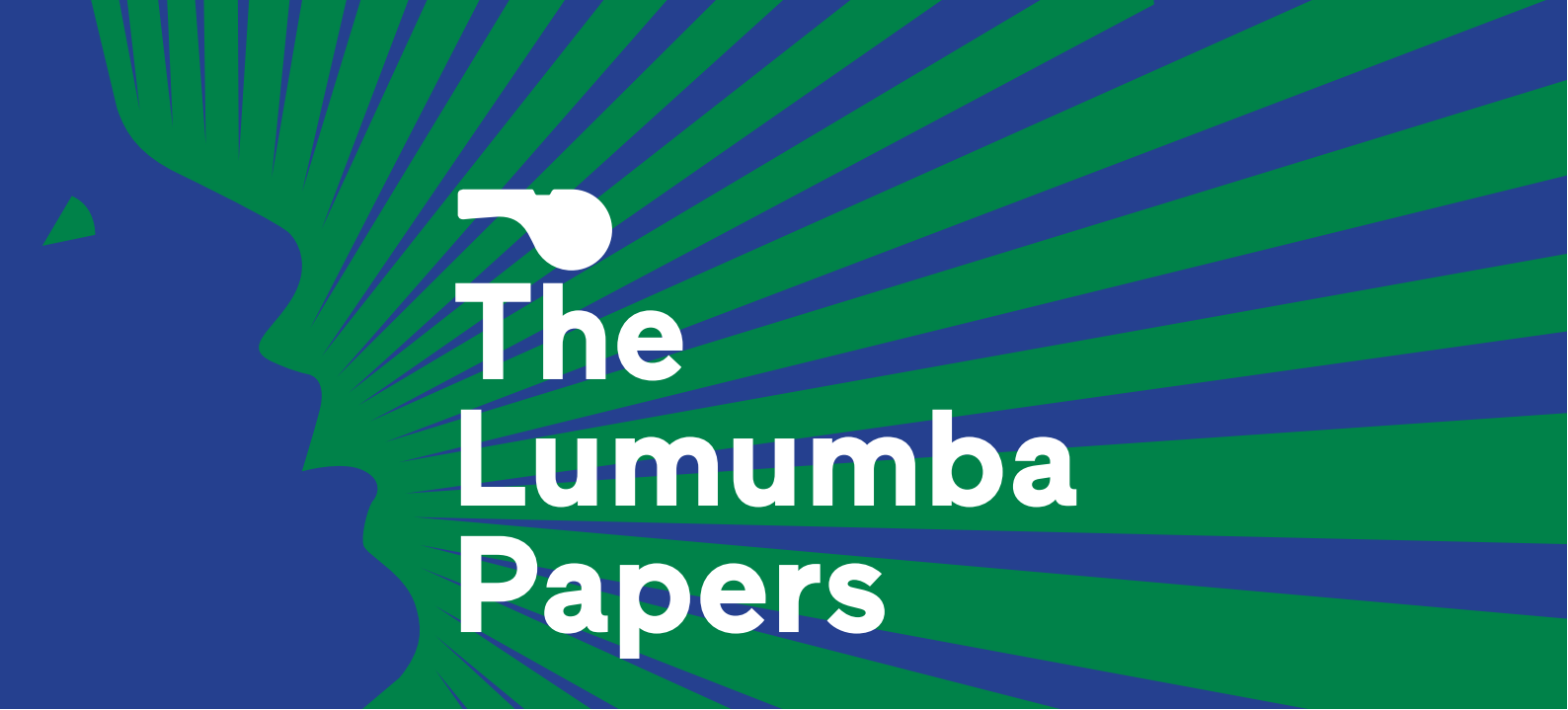
The state-owned company in the joint venture is expected to be 51% owned by the Congolese state. According to the whistleblowers, the remaining 49% will belong to a nominee of President Kabila or to a Congolese private company in which Kabila has shares directly or indirectly. Given that the identity of the company holding the 51% is not yet known, it is possible that President Kabila also benefits from it by creating a new state company.

This, of course, is on top of the profits made by the private company allegedly owned by Kabila in the managing company. Of the 100% of re-

venues that will be generated during the operation, the managing company would receive 15% gross.

This 15% will then be divided between DPW (60%) and the private company that would be partially owned by President Kabila. This private company will be created by the presidential adviser to the Republic and current director of the Insurance Regulatory Authority, Alain Kaninda, and owned by President Kabila and the Sultan.

The construction of the port would be accomplished by a Chinese company, Guang Ping International. Guang Ping is alleged to have already signed a logistics contract with Alain Wan's company, MW Afritec, to use the latter's private port located on his quarry near Boma for construction. Alain Wan, a Belgian-Congolese businessman, has already been pinpointed by PPLAAF, Le Monde, and the Organized Crime and Corruption Reporting Project (OCCRP) as one of the instigators of a vast fraudulent system combining several front companies to spend public money for the private interests of Ferme Espoir, a company owned by President Kabila.



The Lumumba Papers

The Lumumba Papers reveal the suspicious activities of the BGFI RDC bank, a subsidiary of Gabonese Bank Banque Gabonaise et Française et Internationale (BGFI) in the Democratic Republic of Congo, and its involvement in corruption and misappropriation of public funds. Largely based on internal documents disclosed by the former employee of the bank Jean-Jacques Lumumba, the case also reveals the existence of suspicious transactions between the BGFI and the National Independent Electoral Commission.

The Gabonese bank BGFI has branches in a dozen countries, including the DRC, Ivory Coast and France. The owners of the Congolese subsidiary are, among others, the BGFI Holding Corporation (60%) and Gloria Mteyu - the sister of President Kabila (35%).

Lumumba has been a senior executive in the credit division of the BGFI RDC since 2014. In 2016, Lumumba discovered the existence of several suspicious transactions worth tens of millions of dollars between the Congolese bank, run by relatives of President Kabila and by companies, also controlled by relatives of the President. Lumumba has tried to alert his superiors internally. Threatened with a firearm by the bank's managing director, Francis Selemani Mtwale, President Kabila's adopted brother, Lumumba left his country and bravely revealed this massive corruption scandal.

In October 2016, the Belgian newspaper Le Soir published an in-depth article on the revelations. In December 2016, Bloomberg published an ar-

ticle describing the wealth of Kabila and his family, relying partially on Lumumba's documents. The various members of the Kabila family have, according to the article, shares in dozens of companies, including mining companies and bankers. The article also mentions the misdeeds of the BGFI.

Since January 2017, PPLAAF has been working closely with Lumumba, providing pro bono legal advice, analyzing and researching the documents it has provided, and using specialized researchers to analyze documents it has kept since its creation. transition to BGFI.

The Independent National Electoral Commission (CENI)

The documents given by Lumumba to PPLAAF contain statements from CENI's bank account at BGFI. These documents reveal unexplained financial transactions that are inconsistent with the responsibilities of the CENI. They show, for example, that CENI officials made cash withdrawals totaling \$ 7.5 million over a three-month period in 2016, without giving any explanation for these transactions.

In addition, the BGFI DRC allegedly granted a bank loan to the CENI of \$ 25 million dollars, which constitutes a breach of the internal procedure of the bank as well as the blacklisting of the CENI by the Central Bank of Congo decided on May 22, 2014. According to Instruction N.13 of the Central Bank, blacklisting entails, on the listed entity, the suspension or the prohibition of the benefit of services from all credit institutions. According to Lumumba, this credit was validated by the bank's deputy director General on the orders of the Director General, despite the blocking of the account requested by Lumumba.

EGAL

The General Company of Food and Logistics (EGAL) is, officially, an importer of food products. EGAL has received, through a bank account within BGFI, \$ 42.9 million from the Central Bank of Congo, although the latter does not have the authority to transfer money to private companies. At the time, the director of the Central Bank, Albert Yuma, was also a member of the board of directors of EGAL. In 2013, BGFI granted EGAL, in the form of unsecured loans, over \$ 42 million.

Much of this money was then transferred to foreign companies, some of which belong to the owners of EGAL: Samaki in Namibia, All Ocean Logistics in the Faroe Islands and African Trading and Maintenance in Hong Kong. These companies were then used for the purchase, in Namibia, of wild animals and their transport to the DRC where they were delivered to Ferme Espoir, a company owned by President Kabila. In addition, according to EGAL's 2014 Annual Report, the company has received significant tax cuts.

EGAL's board of directors includes Albert Yuma, president of the Congolese Employers Federation, Eric Monga, a close friend of Kabila, Marc Piedboeuf, administrator of Ferme Espoir, and Alain Wan, director of construction company MW AFRITEC.

According to EGAL's bank statements, the company has no income except loans granted by the Central Bank of Congo.

Trafficking wild animals

Research conducted by PPLAAF, Le Monde and OCCRP show how EGAL was used to import wildlife animals from Namibia to the DRC, presumably for the private interests of President Kabila. Two businessmen and close associates of Kabila, Alain Wan and Marc Piedboeuf, sold in 2010 the company Grands Elevages du Congo (GEL) to Kabila, which now is the property of the aforementioned company of Kabila: Ferme Espoir.

Ferme Espoir is headed by Piedboeuf, who also remained General Manager of GEL.

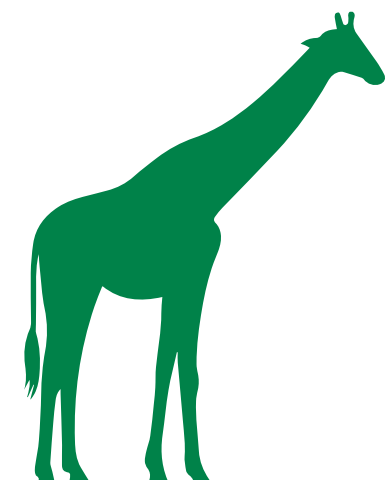
President Kabila intends to turn Ferme Espoir into an amusement park. EGAL buys the wild animals and sends them to Ferme Espoir. In May 2017, for example, 450 wild animals including antelopes, giraffes and zebras were transferred to Matadi at the request of the President. The animals are transported by the boat El Nino, property of All Ocean Logistics.

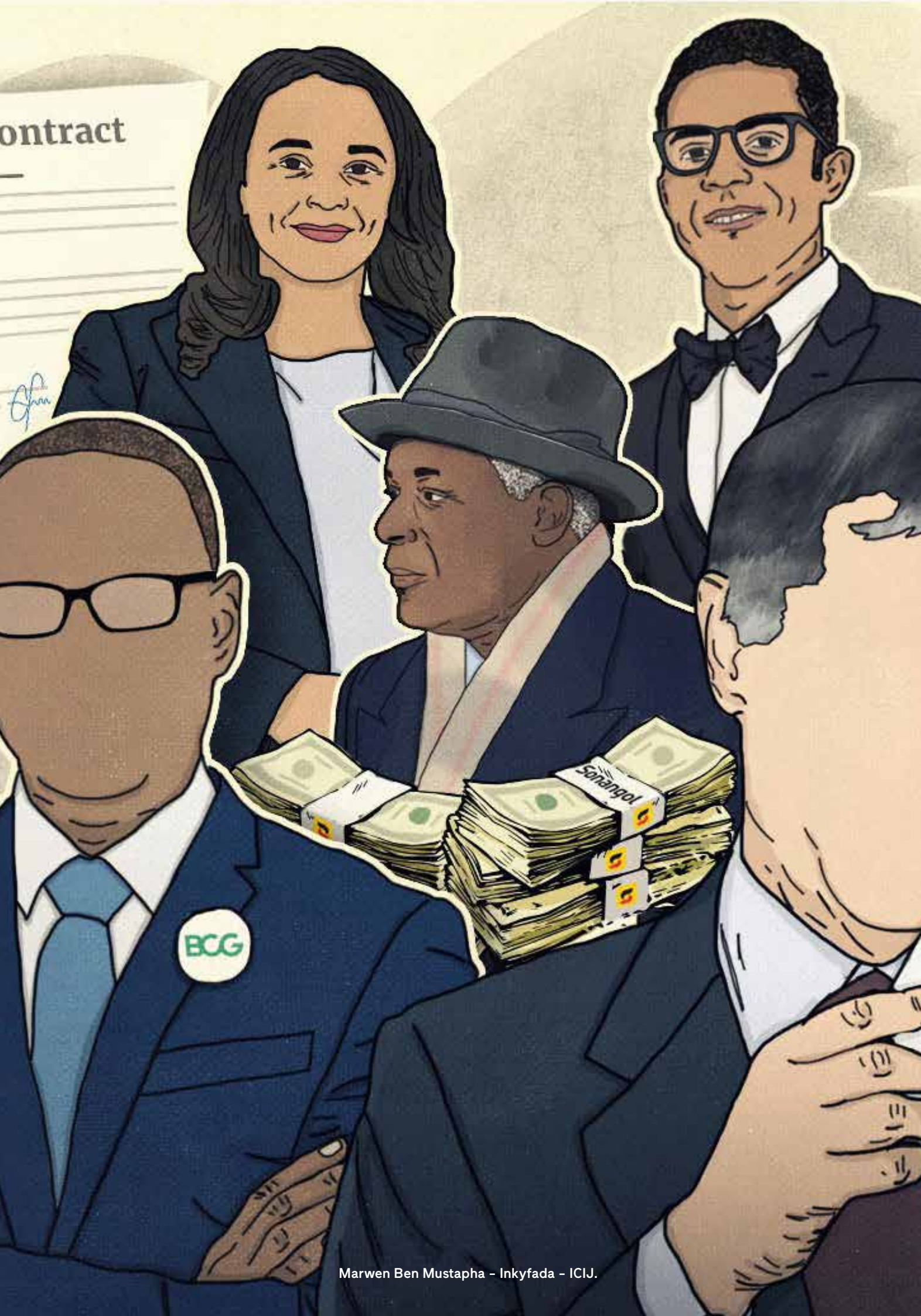
Gécamines case

Gecamines, a Congolese state-owned company, is a mining company chaired by Albert Yuma. According to Le Soir's article developed using Lumumba's evidence, the company opened a \$30 million overdraft line at BGFI. The repayment was to be made over a year with an interest rate of 11.5%.

Lumumba revealed in the press that the bank claimed their interest twice a month, doubling the sum. This led to an overpayment of 2.7 million US dollars by BGFI.

After the revelations, the bank repaid the overpayment to Gécamines.





Marwen Ben Mustapha - Inkyfada - ICIJ.

Luanda Leaks

The «Luanda Leaks» are revelations about how hundreds of millions of dollars were able to flow through a large galaxy of companies and subsidiaries to benefit Isabel Dos Santos, the daughter of former Angolan President José Eduardo Dos Santos, and her family. The publication, dubbed the «Luanda Leaks,» comes from data obtained by PPLAAF and shared with the International Consortium of Investigative Journalists (ICIJ).

ICIJ and more than 120 journalists from 36 media outlets in 20 countries worked on the «Luanda Leaks», publishing key information on the wealth of Isabel Dos Santos and her husband, Sindika Dokolo. The files and articles also show how a plethora of financial companies, lawyers, accountants and civil servants from around the world have rallied behind the system.

José Eduardo Dos Santos was president of Angola from 1979 to 2017. During his presidency, corruption was endemic. He was regularly accused of enriching his family, including through nepotism, after his daughter was appointed president of Sonangol, Angola's oil company, and his son, chairman of Angola's sovereign wealth fund. The «Luanda Leaks» had been entrusted to PPLAAF by the whistleblower Rui Pinto, who was eager to denounce illegal activities or activities which are contrary to the public interest. Pinto had already distinguished himself in the past by participating in the revelation of the «Football Leaks,» tens of millions of documents relating to contracts, transfers, commissions and tax evasion in the world of football. This disclosure, and Rui Pinto's cooperation with many European authorities, led to the initiation of judicial investigations in several countries. He is considered by many international media and prosecutorial authorities to be a whistleblower.

On August 13th, 2020, Pinto was released from custody, pending trial. Pinto is now part of Portugal's witness protection program. Pinto had been held in police-owned housing in Portugal without access to the Internet since earlier this year awaiting trial for computer sabotage, attempted extortion, and other offenses. As part of his release, Pinto must regularly report to authorities. His trial began in September.

The Luanda Leaks disclosure had an immediate impact. During the investigations, the Angolan authorities announced the freezing of assets, bank accounts and holdings in several companies in Angola of Isabel Dos Santos. A few weeks later, the Portuguese judicial authorities announced that they had opened an investigation against Isabel Dos Santos for money laundering.

Right after the publication of the Luanda Leaks, global accounting firm PWC announced that an internal investigation was being conducted, and that it had ceased working with certain individuals and corporations linked to the scheme. EuroBic, a Lisbon-based arm of a bank where Isabel Dos Santos was the biggest shareholder, stated on January 20th that it was ending its "commercial relationship" with her.

In July 2020, an Angola Court has tied dos Santos to a 'fraudulent' diamond deal and said the deal between the country's diamond company and Isabel dos Santos' husband was harmful to average Angolans. Later that month, European lawmakers have demanded the banking regulator to assess "whether there were breaches of either national or EU law, and to assess the actions taken by financial supervisors" in the Luanda Leaks wrongdoings, and a Paris tribunal dismissed billionaire Isabel dos Santos' case against Angola over a \$1.5 billion port project, ordering her firm to pay \$232,000 in costs.

In August 2020, Angola's Supreme Court handed a five-year jail sentence to Jose Filomeno dos Santos, Isabel dos Santos' brother, for fraud when he headed the national sovereign wealth fund. In September, a Dutch court ordered an investigation to be launched into a company seemingly involved in embezzlement linked to Isabel dos Santos.



The Dan Gertler investigations

On July 2nd, 2020, a joint investigation by PPLAAF and Global Witness, “Undermining sanctions”, uncovered evidence indicating controversial mining magnate Dan Gertler allegedly used an international money laundering network to attempt to evade US sanctions and continue doing business in the Democratic Republic of Congo (DRC). This scheme seems to have allowed him to funnel millions of dollars abroad and acquire new mining assets in DRC. We had been working on this investigation for more than a year with Le Monde, Bloomberg and Haaretz in Israel.

The groundbreaking evidence has shown the workings of Gertler’s complex business empire and a system designed to conceal the movement of millions of dollars. This scheme would allow Gertler to continue reaping the vast financial benefits of his business deals in DRC, despite being sanctioned by the US Treasury Department in December 2017 for “opaque and corrupt mining and oil deals”.

The sanctions against Gertler, a close personal friend of DRC’s long-time former President Joseph Kabila, prohibit him from doing business with US citizens, companies, or banks. PPLAAF and Global Witness have revealed evidence indicating that despite this, Gertler may have found a way to continue to handle US dollars, consolidate his fortune and even acquire new assets in DRC. The revelations highlight critical loopholes and lapses in international sanctions enforcement and anti-money laundering frameworks, with lax banking regulations, lawyers and corporate secrecy enabling the scheme.

The report also showed how two major international mining companies operating in DRC, Sicomin and ERG, appear to have made payments to customs and logistics agencies controlled by Gertler or his associates while Gertler was already under US sanctions. The multinational commodities giant Glencore, which has ties to Gertler stretching back to 2007, has also continued to make highly controver-

sial royalties payments to him, despite US sanctions. The report’s findings suggest that Gertler relocated his business interests from secretive offshore tax havens to DRC with the help of proxies. Gertler and his network of proxies then set up bank accounts at the Congolese branches of Cameroon-based Afriland First Bank. New names started to appear on both companies and bank accounts connected to Gertler in a variety of subtle ways, including the name of someone implicated in a VAT carbon tax fraud costing the EU €5 billion.

In total, between June 2018 and May 2019, at least \$100 million flowed through bank accounts associated with this network. Much of it was denominated in US dollars, despite the US sanctions, and almost 70 percent of it was deposited in cash into accounts apparently connected to Gertler or his associates.

Among the various transactions revealed, at least \$21 million was sent to unknown accounts held outside DRC and \$25 million was sent to DRC’s controversial state-owned mining company Gécamines. Gertler seemingly used proxies to make these payments to Gécamines in exchange for new mining licenses, just before the 2018 elections. This is reminiscent of deals Gertler did with the state miner before the 2011 elections – a scheme that contributed to the imposition of sanctions for “corruption”.



A month after our report, US NGO The Sentry revealed that North Korean businessmen also used Afriland DRC to bust UN, EU and US sanctions imposed against North Korean.

In the backstage of PPLAAF’s disclosure, there are also threats, intimidations, and blackmails against the NGOs and the press. Prior to the publication, Gertler’s lawyers sent us a series of letters over more than 2 months that included wild accusations against both Global Witness and PPLAAF and threats of legal action.

The day before the publication, dozens of conspiracy videos flourished on Congolese social networks against both organisations.

The report was followed with a criminal complaint against both organisations and a libel suit in Israel against Haaretz. Both organizations obviously criticized the tactic as a SLAPP procedure.

PPLAAF and its chairman have been subjected to other direct threats openly intended to inhibit publication. Journalists were under threat too: an Haaretz journalist working on the investigation reported Gertler threatened to “finish his career”.

The report was largely covered in international media, and members of PPLAAF interviewed on TV-5MONDE, RFI and Deutsche Welle. PPLAAF West Africa coordinator Fadel Barro intervened to explain how such corrupt practices expose African economies to grave danger.

Following the report, PPLAAF has led a campaign in DRC alongside the «Congo is Not for Sale» coalition to fight for concrete measures to be adopted. The campaign included, for example, a press conference in Kinshasa despite fears of retaliation and the Covid-19 pandemic, a social media campaign and a call to reform the banking sector. PPLAAF-supported whistleblower Jean-Jacques Lumumba was one of the campaign’s major spokespersons during this period. In September 2020, Nobel Prize winner Denis Mukwege and Congo is Not for Sale spokesperson Jean-Claude Mputu attended the European Parliament commission on human rights and demanded to stop impunity and protect whistleblowers in the Congo. Several EU MPs regretted that perpetrators of corruption could continue their business activities within the European Union.



The Fishrot scandal

The Fishrot revelations, disclosed by Icelandic whistleblower Johannes Stefansson, show how Icelandic fishing company Samherji paid millions of dollars, through tax havens such as Cyprus and the Marshall Islands, to bribe high level officials in Namibia in exchange for trawling rights. With an annual turnover of \$700 million, Samherji is one of the largest fishing companies in the world.

In 2011, Stefansson, then the Director of Operations for Samherji in Namibia, and Adalstein Helgason, former director of Operations in Africa, met Tamson Hatuikulipi, the son-in-law of the newly elected Fisheries Minister. Tamson Hatuikulipi reportedly agreed to help Samherji obtain the fishing quotas the company wanted, in exchange for «quota fees» to be paid to the presidential party and several top Namibian officials and businessmen.

According to Stefansson, the potential benefits for Samherji of this agreement in Namibia were openly discussed at the company's annual executive board meeting in March 2012. Millions of dollars in bribes are alleged to have been paid by Samherji for at least four years.

Under Namibian law, only Namibian majority-owned companies are eligible to benefit from fishing quotas. Therefore, Samherji became a minority shareholder in his own Namibian subsidiary, Katla, the rest of the shares being held by a Namibian co-shareholder. Stefansson, however, alleged that the co-shareholder was only a figurehead for Mr. Hatuikulipi, and that Samherji actually continued to control its subsidiary and receive 75% of its profits.

As written by Al Jazeera, "the leaked documents show how they [Samherji] conducted their operations in Namibia with full knowledge of the prevailing corruption". The company also had a bilateral agreement with Angola to expand the company's coastal reach.

Johannes Stefansson disclosed to Wikileaks over 30,000 documents including emails, memos, invoices and other key documents.

Published in November 2019, the scandal resulted in the resignation of several Namibian officials, including Minister of Fisheries Bernhard Esau and the

Minister of Justice Sacky Shanghala. Both former ministers have been indicted with corruption, fraud and money laundering by the Namibian authorities. Samherji's CEO Thorsteinn Mar Baldvinsson temporarily stepped aside after the investigation was launched – and came back to his CEO position in March 2020.

Since the disclosure of the "Fishrot case", Namibian authorities have launched an investigation and requested legal assistance from several countries.

On January 17th, 2020, the Icelandic fishing company Samherji announced that it was withdrawing from Namibia.

In total, the investigation team of the Namibian Anti-corruption Commission accuses six people of fraud, corruption and money laundering. In September 2020, this Commission declared it was about to finish its investigations on the Fishrot case. Stefansson spent years cooperating with authorities including special units of the Namibian government. Supported by Wikileaks which originally published the leak, by the legal expertise of former judge Eva Joly and by PPLAAF, he has been steadfast despite ongoing harassment and intimidation.

In October 2017, Namibian President Hage Geingob had signed a law to protect whistleblowers. It was specifically passed by parliament to provide protection for whistleblowers in order to effectively combat corruption. However, this act has not been put into force yet. In 2020, PPLAAF published a report on the protection of whistleblowers in Namibia.

RESEARCH AND LEGISLATION

COUNTRY REPORTS

PPLAAF encourages the adoption of progressive laws protecting whistleblowers in Africa. To this end, PPLAAF continues to seek to centralize legislative information on this issue. That is why PPLAAF, with its NGO partner Blueprint for Free Speech, is researching the current state of the law in each African country.

To date, PPLAAF has published reports on Senegal, the Democratic Republic of Congo, Mauritania, Ethiopia, Ghana, Guinea Conakry, Nigeria, Côte d'Ivoire, Benin and The Gambia, Zambia, Zimbabwe, Namibia, Botswana, Eswatini.

These reports are specifically designed to help local whistleblowers, lawyers, journalists, activists and others understand and be aware of the legal risks they are taking.

The reports are also an excellent advocacy tool to push authorities to adopt progressive whistleblower protection laws.

BILL IN NIGERIA

In Nigeria, PPLAAF has drafted a whistleblower protection bill in partnership with local organizations and members of parliament. This bill expands the definition and scope of whistleblower protection, as well as addresses military and national security issues (which is usually an exception to whistleblower protection in many laws).

The bill was presented by PPLAAF to the Financial Crimes Commission of the Nigerian House of Representatives on June 13-14th, 2017, at a conference with members of Nigerian civil society.

In May 2018, the bill was discussed during a second reading in the House of Representatives. In October 2018, Nigerian activists encouraged MPs to pass the bill by symbolically blowing whistles during parliamentary sessions.

PPLAAF stands ready to assist any state that wishes to improve its body of whistleblower protection legislation.

PPLAAF FUNDERS



A CHRONOLOG

🔊 Launch MARCH 2017

PPLAAF is launched in Dakar.

The organization is backed by legal heavyweights such as Judge Baltazar Garson (Spain), human rights attorney Alioune Tine (Senegal) and whistleblower advocate Mark Worth (United States). At the Dakar-based launch, William Bourdon declares: “We have decided to protect whistleblowers here in Africa, the continent where they take the greatest of risks and are the least protected”. The launch is covered in numerous media outlets, including Le Monde, The Guardian and Al Jazeera.



☛ Landmark Whistleblower Judgment in France

MARCH 2017

The Paris-based administrative tribunal grants a PPLAAF-protected whistleblower permission to enter French territory and to seek asylum – a critical precedent enabling whistleblowers to seek asylum as a human right. The whistleblower, persecuted in his home country, now lives safely in France.



☛ Nigeria's Whistleblower Protection Law

JUNE 2017

Soon after meeting with Nigerian deputies and activists in Abuja, PPLAAF presents a whistleblower bill to Nigeria's House of Representatives on Financial Crimes. The bill, drafted in partnership with local organizations, is unprecedented in terms of broadening the definition and scope of whistleblower protection beyond the limited notion of those currently employed by a company and addresses issues of military secrets, national security and intelligence.

☛ #GuptaLeaks

EARLY 2017

PPLAAF and alongside two media organization receive what later came to be known as the 'GuptaLeaks': 540,000 pieces of information including bank transfers, contracts, documents and passports embedded in emails belonging to a senior Gupta associate. The leaks reveals the systemic hijacking and influence over key state-owned entities in South Africa and the raiding of tens of millions of dollars. They also underscore the role that former President Jacob Zuma's son, among others, played. Eventually, PPLAAF's representation of key Gupta/Zuma whistleblowers alongside the GuptaLeaks leads to the ultimate resignation of former President Jacob Zuma in a narrowly avoided military coup.

☛ Training African Activists

JULY 2017

During 2017, PPLAAF trains a large number of stakeholders including activists, journalists and bloggers with a West African network called AfricTivistes. The training focused on security and communication for the purposes of avoiding surveillance. Focus countries included The Gambia, Guinea Conakry, Mauritania, Burkina Faso and Niger.



☛ Democracy Defenders Conference

JULY 2017

PPLAAF helps create the Democracy Defenders conference at the Wits School of Governance in Johannesburg. Broadcast around South Africa via eNCA with over twelve million viewers, William Bourdon alongside former Public Protector Thuli Madonsela, former Finance Minister Pravin Gordhan and chair of Democracy Works, William Gumede, debate the role and impact of whistleblowing in democratic countries specifically targeting the "state capture" affair involving former President Zuma and his son.

Le Monde Afrique

La Une Pays **Politique** Économie Sport Culture & Style Monde Débats Afric-

ENQUÊTE

Girafes, buffles et zèbres en cargo ou les lubies animalières de Joseph Kabila

Pour assouvir sa passion, le président congolais n'hésite pas à faire venir de Namibie des centaines de bêtes sauvages en mobilisant tous ses réseaux d'affaires.

Par Khadija Sharife et John Grobler

☛ Lumumba Papers Story Breaks *JULY 2017*

Le Monde, OCCRP and PPLAAF publishes exclusive revelations regarding Congolese companies close to President Kabila, following an investigation lasting several months. The investigation was based on documents provided by PPLAAF whistleblower Jean-Jacques Lumumba, a former senior official at DRC-based BGFI bank.

☛ Bianca Goodson's Statement *SEPTEMBER 2017*

Bianca Goodson, former CEO of Trillian Management Consulting, one of several entities involved in South Africa's "state capture" scandal, opts to make a public disclosure including an affidavit through PPLAAF. The process continues with the forthcoming State Capture Commission as well as a book deal organised by PPLAAF.



Source: Carte Blanche



Source: News365

☛ Mothepu and Goodson Testify

NOVEMBER/OCTOBER 2017

Bianca Goodson and Mosilo Mothepu, former CEOs of Gupta-linked Trillian, testifies with PPLAAF's support before South Africa's parliamentary Portfolio Committee on Public Enterprises. The focus includes criminal collusion between US-listed McKinsey as well as large-scale planned raiding of up to ten billion rand from state-owned Eskom.

☛ Court Orders Aaron Kaase's Reinstatement

NOVEMBER 2017

The National Industrial Court of Abuja decides to reinstate whistleblower Aaron Kaase. Kaase was fired for disclosing fraud perpetrated by the Nigerian Police Services Commission's Chair. PPLAAF assisted Kaase for several months prior with legal strategy, legal fees, general care and advocacy support.

☛ South Africa Seizes Gupta-linked Assets

JANUARY 2018

South-African Asset Forfeiture Unit (AFU) serves McKinsey with an asset seizure order and moves to seize alleged illicitly obtained assets of Trillian. This follows the South African Federation of Trade Unions (SAFTU) in partnership with PPLAAF filing charges against Trillian to gather evidence in support of both criminal charges and civil forfeiture including fraud, theft, corruption and money laundering. PPLAAF actively supported both the AFU and the SATFU, which relied on the same affidavits, evidence and legal strategy.



Source: AfricTivistes

☛ Meeting with Burkina Faso's President

JANUARY 2018

The AfricTivistes team, and PPLAAF's Charles Sanches (fourth from the left) meet with Charles Marc Kaboré, President of Burkina Faso, to discuss media security and democracy in Africa.

☛ PPLAAF Stands Behind Algerian Whistleblowers

FEBRUARY 2018

PPLAAF voices its support of Algerian whistleblower Noureddine Tounsi, who denounced suspicious activities and misappropriation within the Port of Oran and was indicted for "divulgence of business secrets".

☛ Jacob Zuma Resigns

FEBRUARY 1, 2018

PPLAAF, through information disclosed by whistleblowers, reveals that DRC's government and port operator Dubai Port World are on the verge of concluding a multi-million-dollar deal tainted with corruption that will possibly allow the personal enrichment of dignitaries of the Congolese regime.

☛ Banana Port Papers Break

MARCH 2018

PPLAAF, through information disclosed by whistleblowers, reveals that DRC's government and port operator Dubai Port World are on the verge of concluding a multi-million-dollar deal tainted with corruption that will possibly allow the personal enrichment of dignitaries of the Congolese regime.

🔊 South African whistleblower charges dropped

APRIL 3, 2018

The South African authorities decides not to pursue charges against Mosilo Mothepu, the whistleblower whose testimony formed the basis of the report on «State Capture» and whose scandal eventually led to the resignation of former President Jacob Zuma.

🔊 PPLAAF in Le Monde Diplomatique

MAY 2018

From Johannesburg to Kinshasa, whistleblowers are on the front line. Le Monde Diplomatique publishes an article describing the perilous struggle of whistleblowers in Africa and the work of PPLAAF. The article is also published in The Nation.

🔊 PPLAAF denounces terrorist financiers

MARCH 2018

PPLAAF, together with the American NGO The Sentry, publishes a report based on whistleblower information showing that a Congolese bank was holding bank accounts for companies with links to terrorist organizations, despite warnings from its employees, other banks and the US government.

🔊 Algerian whistleblower arrested

JUNE 1, 2018

Noureddine Tounsi, the whistleblower who revealed major corruption at the port of Oran, is arrested late in the afternoon shortly before the Iftar, in the middle of the street. PPLAAF calls for his release immediately, which would take place 48 hours later.

🔊 PPLAAF among the founders of the Maison des Lanceurs d'Alerte

NOVEMBER 2018

PPLAAF is one of the co-founders of the Maison des Lanceurs d'Alerte, a French association created to protect whistleblowers.

🔊 A dubious campaign team in the DRC

NOVEMBER 16, 2018

PPLAAF and its partner Global Witness warn that the team of Emmanuel Shadary, a Congolese presidential candidate, includes individuals who have headed agencies, departments or projects in which significant public funds have disappeared over the past decade.



🔊 Mosilo Mothepu wins the justice and reconciliation award

NOVEMBER 18, 2018

South African whistleblower Mosilo Mothepu wins the Institute for Justice and Reconciliation (IJR) 2018 Reconciliation Award.

🔊 Two Congolese whistleblowers sue a Gabonese bank in France

FEBRUARY 2019

Whistleblowers Jean-Jacques Lumumba and Guylain Luwere sue the BGFI and its Congolese subsidiary, which was headed by relatives of former President Joseph Kabila, in the French courts. The two bankers had reported embezzlement to their superiors and were forced into exile with their families.

☛ Whistleblower from Africa's largest asset manager testifies

APRIL 24, 2019

Bongani Mathebula was a company secretary at the Public Investment Corporation in South Africa, the largest asset manager in Africa. She was the victim of reprisals and harassment by her employer, who accused her of being a whistleblower. However, Mathebula was later reinstated by the board of directors. She testifies on Wednesday, April 24, before a board of inquiry.

☛ Congolese whistleblower launches anti-corruption platform

MAY 30, 2019

Whistleblower Jean-Jacques Lumumba is among the co-founders of UNIS, the pan-African anti-corruption network: «UNIS will advocate that African states adopt measures to protect African whistleblowers».

☛ PPLAAF publishes reports on whistleblower protection in Côte d'Ivoire, Gambia and Benin

MAY 2019

PPLAAF, in partnership with Blueprint for Free Speech, publishes reports detailing the legislation in the countries in Côte d'Ivoire, The Gambia and Benin. PPLAAF shows that whistleblowers are not properly protected by the law and can, therefore, be subjected to dangerous reprisals. PPLAAF previously published reports on seven other African countries.

☛ Guptas are sanctioned

OCTOBER 10, 2019

The U.S. Treasury announces sanctions against several members of the Gupta family, as well as against Salim Essa, a Gupta associate. The Guptas have, through corruption, controlled politicians and state enterprises with the involvement of many international companies. PPLAAF met with U.S. authorities in 2017 to assist them in their investigations.

☛ The PPLAAF video

OCTOBER 2019

PPLAAF publishes a video in English and French that demonstrates why and how it protects whistleblowers in Africa. The video will soon be available in local languages.



🔑 Revelation of the Fishrot Files

NOVEMBER 2019

Several whistleblowers, including Johannes Stefansson, who is defended by PPLAAF, disclosed to Wikileaks the #Fishrot Files, the biggest corruption case in Namibia's history.

🔑 French courts declare they have jurisdiction to try the case of Congolese whistleblowers against their former employer

NOVEMBER 28, 2019

The Tribunal de Grande Instance of Créteil declares it has jurisdiction to rule on the complaint of whistleblowers Jean-Jacques Lumumba and Guylain Luwere against their former employer, the BGFI bank. This latter filed an appeal.

🔑 PPLAAF member of a campaign against corruption in the DRC

DECEMBER 2019

PPLAAF joins the «Congo is Not for Sale» campaign to fight for concrete measures against corruption in DRC alongside many local and international organizations.



🔑 Jean-Jacques Lumumba wins #ACEAward

DECEMBER 9, 2019

Jean-Jacques Lumumba wins the #ACEAward2019 awarded by the UN and Qatar, a clear testimony of his incredible courage and his fight against corruption in the DRC.



Marwen Ben Mustapha - Inkyfada - ICIJ.

☛ Luanda Leaks JANUARY 19, 2020

New revelations show how hundreds of millions of dollars were able to flow through a vast galaxy of companies and subsidiaries for the benefit of Isabel Dos Santos, the daughter of former Angolan President José Eduardo Dos Santos. The publication, named «Luanda Leaks,” is based on data obtained by PPLAAF through #FootballLeaks whistleblower Rui Pinto and shared with ICIJ.

☛ PPLAAF stands by Fishrot whistleblower

JANUARY 31, 2020

PPLAAF stands in support of Johannes Stefansson. The Icelandic whistleblower's disclosures show how his former fishing company Samherji paid millions of dollars through tax heavens such as Cyprus and the Marshall Islands to bribe high level officials in Namibia, in exchange for trawling rights.

☛ Fishrot accused face new charges

FEBRUARY 19, 2020

6 Namibian public officials, including 2 former ministers, are facing new charges of bribery. The 6, known as the “Fishrot Six”, were already facing charges ranging from corruptly using office, to fraud and money laundering for their involvement in the Fishrot scandal.

☛ West Africa: two prominent members of African civic engagement join PPLAAF

APRIL 21, 2020

Pierre Sané, formerly Secretary-General of Amnesty International, and Fadel Barro, a Senegalese civic leader, join PPLAAF as board member and West Africa director. A unique opportunity to promote whistleblower protection in the region.

🔑 PPLAAF participates in OECD seminar on whistleblowing during Covid

MAY 2020

Former PPLAAF director Khadija Sharife participates in the OECD seminar on emergency measures to protect whistleblowers and promote reporting during the #COVID19 crisis and beyond. Khadija later published an article on the OECD's website on why we need to protect African whistleblowers.

🔑 PPLAAF webinars

MAY-JUNE 2020

PPLAAF organizes two webinars in French, one on the protection of whistleblowers in Africa with whistleblower Jean-Jacques Lumumba and with the participation of Famous reggae star Tiken Jah Fakoly, and the second on the fight against corruption and whistleblowers in Mali alongside members of civil society.

🔑 Rui Pinto released from custody

AUGUST 13, 2020

Rui Pinto, the Luanda Leaks whistleblower, is released from custody, pending trial. Pinto is now part of Portugal's witness protection program.

🔑 Workshops with Senegalese journalists

SEPTEMBER 19, 2020

PPLAAF organizes a weekly workshop with journalists from main Senegalese media on investigative journalism and protection of whistleblowers.



🔑 Revelations on Dan Gertler's sanctions evasions

JULY 2, 2020

A new joint investigation by PPLAAF, Global Witness and international media, uncovers evidence indicating controversial mining magnate Dan Gertler allegedly used an international money laundering network to attempt to evade US sanctions and continue doing business in the DRC.

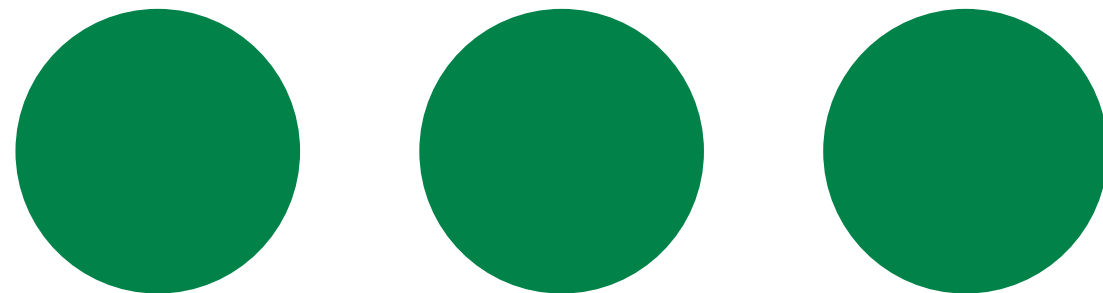


Southern Africa reports

SEPTEMBER 2020

PPLAAF, with OSISA's support, publishes reports on the state of legal whistleblower protection frameworks in Zimbabwe, Zambia, Namibia, Eswatini and Botswana.

TO BE CONTINUED



Help us support African whistleblowers



PPLAAF is working daily to protect whistleblowers, provide them with support and advice, and bring their stories to the world. We are working solely on donations, and your support can help us make a vital change.

Please contact info@pplaaf.org for details.

FB <https://www.facebook.com/PPLAAF/>

TWITTER <http://www.twitter.com/pplaaf>

WEBSITE <https://pplaaf.org>

