

SUBMITTED TO:**ADVOCATE TSELISO THIPANYANE**

CEO: The South African Human Rights Commission (SAHRC)

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RECEIVED BY: _____ SIGNATURE _____

DATE/TIME/STAMP _____

VIOLENT HUMAN RIGHTS ABUSES**TORTURE TRAUMA DESTITUTION LOSS OF DIGNITY****LOSS OF INCOME UNLAWFUL IMPRISONMENT LOSS OF PROPERTY**

SUBMITTED BY INFORMANTS/VICTIMS/COMPLAINANTS:

Arnold Michael Stainbank (aka Mike Stainbank)

Stainbank & Associates (Pty) Ltd

The Apartheid Museum (Pty) Ltd. Registration No: 2009/007114/07

The Apartheid Museum Foundation. Registration No:2009/007306/08

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SUBMITTED BY: _____ SIGNATURE _____

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AFFIDAVIT FOR THE RECORD

BACKGROUND AND INTRODUCTION

This is a record of the *“follow up meeting”* held at the Offices of The South African Human Rights Commission on Friday 07 February 2020. We feel compelled to document, what, for us, were the high points of this meeting. However, we felt there were low points that came about because, out of respect, we chose not to dictate how the Commission should go about meeting its mandate to the people. While we did reference the Act as the need arose during discussion, we chose not to be argumentative. Toward the end of this record, we respectfully seek to address our understanding of your mandate in terms of the Act and trust we will emerge better educated in our own work on Human Rights.

Present at the meeting were Advocate Buang Jones, Advocate Sifundisise Moyo and Ms Kelly Anne Cleophas for the SAHRC. I (Mike Stainbank) on behalf of the informants/victims/complainants, was accompanied by Mr Rithuli Orleyn and Mr Mabule Mokhine of BlackHouse Kollektive.

The earlier meeting, initiated by the Commission, was held at your offices, on 22 January 2020. Advocate Tseliso Thipanyane, the Chief Executive Officer of the Commission was present in the meeting. That meeting, as I understand, was recorded, so there is no need to document all the detail. I should note however, that I was mistaken in my understanding that a decision was taken to review our earlier complaints to the Commission.

I must now accept the explanation that this *“follow-up meeting”* was in fact an opportunity extended to us to solidify our complaint which would then be taken back to the CEO for a final decision. On reflection, I believe my misunderstanding might have been influenced by the fact that the Commission, of its own accord, initiated the meeting of 22 January 2020. Further, it was the CEO who explained that the Board has the authority to review decisions

taken by the division. Lastly, it seems, we were overly encouraged when we heard the CEO, more than once say; ***“you must tell us how we can help you.”***

In advance of the *“follow up meeting”* we sent three relevant documents for study. The first is a letter sent on 23 January 2020. Said letter emanates from the Regulator, the Gauteng Gambling Board and is addressed to Mr Dan Mzizi, a Director at Gold Reef City Casino. Two important points, ***on the version of the Regulator***, emerge from this letter. The first is that the finalisation of the casino licence is dependent on the completion of **FREEDOM PARK** as the deliverable to the people of South Africa. (On our evidence, Freedom Park is conceived as a Verwoerdian styled cultural village of local tribes designed by Claude Grundman, an Israeli woman.) The letter warns the owners of the temporary Gold Reef City Casino Licence that they run a risk of their own if they divert from their undertaking and or continue with their secret meetings; **the licence will not be finalised.**

The second document we sent to the Commission on 30 January 2020 is just three-pages long and is headed “THE ONLY POINT OF FOCUS.” The most important fact in that document is the evidence of TWO, purportedly JURISTIC PERSONS, bearing one UNIQUE registration number: 2001/019108/08. Both, in the full knowledge of the owners of the Gold Reef City Casino License, unlawfully, use MY registered trademark. Both, purportedly incorporated on 14 August 2001, come into existence after the registration of my trademark The Apartheid Museum®. Both, on the authority of Gold Reef City Casino, have unlawfully, enjoyed the status of ***legal persons at law.***

The third document is a letter addressed to retired Justice Kathy Satchwell, who now chairs the Panel of Inquiry into South African Media. The relevant section reads: *This is especially so because, Gold Reef City Casino, has defrauded tourists from across the globe. Our allegations should not be misconstrued as oversight or negligence. We allege deliberate, malicious and criminal intent against South African Media.*

OVERVIEW: 07 FEBRUARY 2020 - FOLLOW UP MEETING

Mindful of all three documents mentioned above, sent for study in advance, our SUPPLEMENTARY AFFIDAVIT then became the focal point of our meeting at the Commission on 07 February 2020. There were many encouraging moments for us in the meeting. We found agreement on important issues of statutory law and Human Rights. There was acknowledgement and or agreement on matters of domestic and international statute that has earned South Africa a respected seat at the United Nations.

Importantly, the Commission agreed with our contention that property is a Human Right. There was acknowledgment, because, in terms of statutory law, there cannot be any argument over the fact that the proprietor of a registered trademark enjoys protection, under domestic and international statute.

There was acceptance, because there cannot be any dispute over the fact that, in terms of statutory law, the Companies Act does not allow for the incorporation of a company using somebody else's registered trademark, without the written permission of the owner of said trademark.

There was agreement, because there cannot be any quarrel over the fact that, under the provisions of statutory law, the Companies Act does not allow for the incorporation of two companies using one UNIQUE registration number.

There was acknowledgment, because there cannot be any doubt over the fact that, under the Constitution of this Republic, and indeed any Member State of the United Nations, a non-existent person cannot enjoy audience in a competent court of law.

There must be confirmation, because there cannot possibly be a situation where a company, which over a period of 22 years has taken approximately R2Billion from tourists, **is not so much as registered with the South African Revenue Services.**

“The organisation which operates as “The Apartheid Museum” is a company registered in terms of Section 21 of the Companies Act with registration number 2001/019108/08, by the name of “The South African Apartheid Museum at Freedom Park”

The extraordinary depth of legal expertise among the owners of the Gold Reef City Casino Licence is buttressed by an array of external legal luminaries in their service. The fact that this one fatal averment has survived scrutiny through all superior courts for 18 years is, on our experience, testimony to the fact that the Democratic State, as we know it, is violent and controlled by White Racist Savages, in the mould of Solly and Abe Krok.

There was no interrogation or disagreement with any of the evidence we provided under oath concerning culpability of The Gauteng Gambling Board, The National Lotteries Commission nor The Registrar of Companies. None of these three organs of state have disputed, any one of the many allegations we levelled against them.

None, despite the warning that our evidence may be used against them in a future tribunal, have offered an alternative version. All three organs of state acted outside the provisions of statutory law, to assist the brothers Krok and Gold Reef City Casino, in the violation of the Human Rights we hold in the registered trademark The Apartheid Museum®. Our respectful submission is that having found agreement with us on these tested provisions of statutory law, your deliberations, under the mandate of the Commission, should, in the public interest, confirm the investigation.

THE CONSEQUENCES: 2003 - 2020

SUPPLEMENTARY AFFIDAVIT 07 February 2020:

“This affidavit shifts focus from our earlier complaint in order to draw attention to the **consequences of Gross Human Rights Abuses.**”

In the year 2003, when we arrived at the South African Human Rights Commission with our complaint of racism against the brothers Krok and Gold Reef City Casino, we did not suggest a charge of **VIOLENT** and or **GROSS** Human Rights Abuses, neither did we claim to have suffered physical and mental torture, trauma, destitution, loss of dignity, loss of income, unlawful imprisonment and loss of property. In the year 2003, we did not know that Gold Reef City Casino, through Mr Christopher Till, was in a relationship with SAHRC. The Commission, contrary to law, did not disclose a conflict of interest.

Seventeen years later; it is because we can prove, that we allege both VIOLENT and GROSS Human Rights Abuses that have manifested physical and mental torture, trauma, destitution, loss of dignity, loss of income, unlawful imprisonment and loss of property.

Seventeen years later, in this February of 2020, we are compelled to ask; **what was the very least** the Commission could have done when we arrived with our complaint of racism against Solly and Abe Krok and Gold Reef City Casino. Especially because the Commission was already in a relationship with the casino; did the Commission entertain the possibility that, like all others, it too, was duped by the racist propaganda that South African mainstream media wilfully disseminated on behalf of Gold Reef City Casino?

We respectfully submit that, had you paused, but for one minute, you need only have interrogated the veracity of one BLATANT UNTRUTH: *“The Apartheid Museum as a concept was conceived four years ago by business tycoons Solly and Abe Krok, as a carrot to be dangled before the Gauteng Gambling Board in the hope of securing a gambling licence for the Gold Reef City Casino”*. Sunday Times: 02 December 2001.

Had the Commission paused, but for one minute, our lives and that of so many others would never have been what it is today.

THE SOUTH AFRICAN HUMAN RIGHTS COMMISSION ACT, 2013

Because we had studied the mandate of the Commission, we arrived at the follow-up meeting reasonably satisfied that the merits of our case and our proposals on how the matter might proceed, were on firm ground. Hence it is that, in this affidavit, we have, in summary form, revisited the strength of the evidence placed before the Commission. All the evidence is solidly placed within the ambit of tested statutory law, as it would be applied in a Constitutional Democracy that is subject to the rule of law. It paints a picture of a racist Mafia styled criminal enterprise run by individuals who have, for 22 years, enjoyed the privilege of a Public Licence, with the cost of probity checks met by taxpayers.

In the meeting, we spoke about the disadvantage of not knowing the reasons for rejecting our original complaints. We're still in the dark on that score and therefore cannot address the areas that might have given the Commission reason to reject our complaints in the first place. In the absence of these reasons we are compelled to speculate, especially since the low points in the meeting, did not come from anything that we could address directly. It came from casual remarks: "*We have heard you*" + "*We must manage expectations*" + "*Look at judgments of the court.*" Against the weight of the evidence, we remain perplexed.

We address our concerns directly by revisiting one obligation of the Commission.

Powers and Functions of the Commission:

***MUST** liaise and interact with any organisation which actively promotes the respect for human rights and other sectors of civil society to further the objects of the Commission.*

Perhaps it was the other way around. The question is, was it the Commission that approached the Casino after all the mainstream media hype about two White Zionist Criminals who had found inspiration while visiting the Holocaust Museum in Washington?

- ❖ DEMOCRACY
- ❖ EQUALITY
- ❖ RECONCILIATION
- ❖ DIVERSITY
- ❖ RESPONSIBILITY
- ❖ RESPECT
- ❖ FREEDOM

These words on the concrete pillars that constitute the main feature the architecture of that racist edifice at Gold Reef City Casino, could never have been conceived by two White Racist Zionist Criminals who dehumanised the Black body for over 40 years with their skin whitening experiments in hydroquinone and mercury.

No other private commercial enterprise in South Africa goes to such extremes to prop-up the now wholly discredited scam of 1994. Elsewhere, we have addressed the Gold Reef City Casino averment: *“met with the approval of the South African Government”* **as in all three spheres of government.** It all makes sense now because, in the telling of the TRUE story of The Apartheid Museum, there emerges but one reason to explain why every ANC cadre deployed in every organ of state has, for 22 years, acted with impunity and has corrupted statutory law, for the sake of Violent White Supremacist Criminals.

These pillars will never stand a competent test of the evidence, worse still, they return to exacerbate, in the most revolting way possible the Violent White Racists charade of Democracy, Equality, Reconciliation, Diversity, Responsibility, Respect and Freedom. We, respectfully request that the Commission set the record straight: who approached who?

THE PREVAILING AUTHORITY OF THE ACT

The authority of the Commission in matters of Human Rights, in our view, is all-encompassing. In our study of the Act, there is no mention of the judiciary. We did find: ***INDEPENDENT and impartial, in good faith and without fear favour bias or prejudice and subject ONLY to the constitution and the law.***

This is the context in which we find the Commission is obligated to ensure the “**protection**” and “**attainment**” of Human Rights, where, **ALL** organs of state, as we understand it, are subject to the Commission in the sphere of Human Rights.

In response to a comment about a “civil outcome” we note that the Act provides for “appropriate redress” as it does for Mediation, Negotiation and Conciliation. The Act, we respectfully submit, is so replete with the emphasis we seek to draw to your attention that it would be pedantic and disrespectful to attempt a line-by-line interpretation. In closing, and perhaps most importantly, the Act speaks of “*compromising the credibility, impartiality, independence or integrity of the Commission.*”

Who made the approach, in this context, is now of little importance. In our opinion, the credibility and integrity of the Commission is compromised. Unless and until this investigation, with the participation of all South Africans is completed, neither the Commission, nor the others who assisted Gold Reef City Casino, will be free of racist blemish in what is clearly a moral and financial fraud that has worldwide ramifications.

END THE TORTURE: GET ME INTO PRISON

Should the Commission decide against this investigation, we ask that you assist in getting me into prison. For my family, comrades and friends, there is torture in the uncertainty. The Registrar of the JHB High Court, has refused to issue the warrant for my arrest. This constitutes unlawful torture and is contrary to the Universal Declaration of Human Rights. The South African Apartheid Museum at Freedom Park, the applicant, notwithstanding our request, has done nothing since 10 June 2019. (See Werksmans Affidavit – 10 June 2019)

Judgment in Case Number: 37609/2014 JHB GLD was handed down in December 2014 by Acting Justice Raylene Keightley, who, after explaining to the world that I am probably mentally unbalanced, notes at Paragraph 26: “**The fact of the matter is that the applicant was incorporated as a section 21 company in 2001, and remains so incorporated.**”

I hereby formally grant the Commission my authority to use all our evidence, to compel the Registrar to issue the warrant for my arrest at the behest of a non-existent person. In that process the Commission may also seek to ensure that we receive the invoice for R5.7Million, which, according to said non-existent company is owed to them in legal fees.

OATH

I, Arnold Michael Stainbank (aka as Mike Stainbank) do hereby make oath and state; I am a South African citizen born into the cruel inhumane, violent White colonial aberration of apartheid racism. I am a Black person as defined in the lexicon of the Black Consciousness Movement. Black people are those who are, by law or tradition, politically oppressed, economically exploited and socially discriminated against and who identify as a unit in the struggle toward their aspirations to create a free and egalitarian society.

The facts in this affidavit, to the best of my knowledge and beliefs, are both true and correct.

DEPONENT: ARNOLD MICHAEL STAINBANK

I CERTIFY that the deponent has acknowledged that he knows and understands the contents of this affidavit which was signed and sworn to before me at _____ on this _____ day of _____ 2020, the regulations in Government Notice No:R1258 dated 21 July 1972 and R1648 dated 19 August 1977 as amended having been duly complied with.

COMMISSIONER OF OATHS