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Full text of the High Court papers Themba Langa filed on behalf of Rabbi Berland this morning:

This serves to confirm that the Bail application of Rabbi Berland tomorrow at Randburg Magistrate Court. The bail hearing will stand down for 2pm as we have launched an urgent application at the North Gauteng High Court. The basis of the North Gauteng urgent application is found on the fact that the warrant of arrest which was issued by the Magistrate on the 18 February 2016 was issued before the government even received the request from the State of Israel.

The department of international relations and cooperation received the request from the State of Israel and on the 26 February 2016 Dirco sent the request to the Department of Justice and Constitutional Development. On the 29 February 2016 sent the request for extradition to the Johannesburg office of the National Prosecuting Authority. The Department of Justice made it clear to the NPA that the request for extradition has been submitted to the Minister of Justice.

The relief we seek is for the warrant to be set aside as the Magistrate is not competent to issue a warrant of arrest on the basis of an opinion of a foreign government, without our Minister of Justice expressing his opinion on the matter. As at the 18 February, the Minister of Justice had not yet received the request for extradition but the Magistrate had already issued a warrant of arrest allegedly on the basis of information that the Magistrate received from the office of Interpol South Africa.

When we requested Interpol SA to provide us with evidence that shows that they received the request from Interpol International or from the State of Israel, they failed to produce proof thereof. Therefore, it strongly appears that the Magistrate was misled. In other words, as at the 18 February 2016, Interpol South Africa did not receive the request from Interpol International nor from the State of Israel. There is no doubt that Interpol South Africa used their own channels, and not government channels to process the warrant of arrest.

As at the time of arrest of the Rabbi, the Minister of Justice had not yet expressed an opinion on the matter therefore the warrant of arrest should not have been issued because an extradition application is found on the opinion of the Minister of Justice, and no one else. It is even more so in this matter as the Rabbi is not red-flagged by Interpol or is not on the Interpol wanted list. The Rabbi is not a fugitive from justice, he is only at loggerheads with the government on ideological issues pertaining the Palestinian issue. The Rabbi's institute is situated in a Palestinian neighbourhood.

We have reason to believe that it is a rendition of a special type as it is processed through the courts, unless the unlawfully obtained warrant of arrest is set aside by the North Gauteng High Court.