

Annexure:
Case No:

THE STATE

versus

**BRANDON-LEE THULSIE and
TONY-LEE THULSIE**

PROVISIONAL CHARGE SHEET

COUNT 1:

CONTRAVENTION OF SECTIONS 14(c) AND (d), READ WITH SECTIONS 2, 1, 15 AND 18(1)(a) AND (f) OF THE PROTECTION OF CONSTITUTIONAL DEMOCRACY AGAINST TERRORIST AND RELATED ACTIVITIES ACT 33 OF 2004 (POCDATARA): CONSPIRACY AND INCITEMENT TO COMMIT THE CRIME OF TERRORISM

In that on or about or during the period October 2015 to 8 July 2016
and at or near **Johannesburg**

in the Magisterial district of **Johannesburg**

the accused unlawfully and intentionally conspired to commit the crime of terrorism by **planning to cause explosions at a Mission of the United States of America and Jewish institutions (all such structures located in the Republic of South Africa)** in order to endanger life, cause death and / or serious bodily harm and the destruction or substantial damage to such structures

and in the pursuance of such conspiracy incited persons whose identities are either **withheld by or unknown to the State** to aid and abet them in the execution of such conspiracy.

Such conspiracy and incitement was intended to cause or spread feelings of terror, fear or panic in the **civilian population of South Africa and in particular the US and Jewish sector thereof and to intimidate the government of the United States of America.**

Such conspiracy and incitement was directly or indirectly, in whole or part, to further the political, religious or ideological motives and objectives of an **international terrorist organization** which has been designated by the Security Council of the United Nations, namely the **Islamic State in Iraq and the Levant (ISIL, also known as Da'esh and ISIS)** (hereinafter referred to as **ISIL**), to which the accused had committed themselves.

COUNT 2:

CONTRAVENTION OF SECTIONS 14(b) AND (c), READ WITH SECTIONS 3(1)(a) AND (c), 1, 15 AND 18(1)(a) AND (f) OF THE PROTECTION OF CONSTITUTIONAL DEMOCRACY AGAINST TERRORIST AND RELATED ACTIVITIES ACT 33 OF 2004 (POCDATARA): CONSPIRING AND ATTEMPTING TO COMMIT ACTS ASSOCIATED WITH TERRORIST ACTIVITIES

In that on or about or during the period April 2015
and at or near Johannesburg

in the Magisterial district of Johannesburg

and at **Oliver Tambo International Airport** in the Magisterial district of **Kempton Park**
the accused unlawfully and intentionally conspired and attempted to perform acts which
were likely to enhance the ability of an entity, namely **ISIL**, to engage in terrorist activity
and / or made themselves available for the benefit of such entity when they knew or ought
reasonably to have known or suspected that such acts were done for the purpose of
enhancing the ability of **ISIL** to engage in terrorist activity by **conspiring and attempting**
to leave the Republic of South Africa in order to join ISIL in Syria for the purpose of
participating in acts of terrorism being committed by ISIL, its members and
associates in that country.

COUNT 3:

CONTRAVENTION OF SECTIONS 14(b) AND (c), READ WITH SECTIONS 3(1)(a) AND
(c), 1, 15 AND 18(1)(a) AND (f) OF THE PROTECTION OF CONSTITUTIONAL
DEMOCRACY AGAINST TERRORIST AND RELATED ACTIVITIES ACT 33 OF 2004
(POCDATARA): CONSPIRING AND ATTEMPTING TO COMMIT ACTS ASSOCIATED
WITH TERRORIST ACTIVITIES

In that on or about or during the period July 2015
and at or near Johannesburg

in the Magisterial district of Johannesburg

the accused unlawfully and intentionally conspired and attempted to perform acts which
were likely to enhance the ability of an entity, namely **ISIL**, to engage in terrorist activity
and / or made themselves available for the benefit of such entity when they knew or ought
reasonably to have known or suspected that such acts were done for the purpose of
enhancing the ability of **ISIL** to engage in terrorist activity by **conspiring and attempting**
to leave the Republic of South Africa in order to join ISIL in Syria for the purpose of
participating in acts of terrorism being committed by ISIL, its members and
associates in that country.