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Royal House of Mandela  
Mvezo Komkhulu



VAF no: Pretoria / 2635747

GWF no: GWF079566581

Date 21 October 2024

Dear Zwelivelile Mandlesizwe Dalibh Mandela,

**Your application for a visit visa to the United Kingdom has been refused.****What this means for you**

Any future UK visa applications you make will be considered on their individual merits, however you are likely to be refused unless the circumstances of your application change.

In relation to this decision, there is no right of appeal or right to administrative review.

**The reasons for this decision are set out on the next page.**

Yours sincerely,

ECO RO  
Pretoria

The Data Protection Act 2018 governs how we use personal data. For details of how we will use your personal information and who we may share it with please see our Privacy Notice for the Border, Immigration and Citizenship system at

<https://www.gov.uk/government/publications/personal-information-use-in-borders-immigration-and-citizenship>. This also explains your key rights under the Act, how you can access your personal information and how to complain if you have concerns.

**REASONS FOR REFUSAL**

1. On 8 October you applied for a visa to visit the UK.
2. In deciding whether you meet the requirements of Appendix V: Visitor of the Immigration Rules (<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-v-visitor>), I have considered:
  - your application your immigration history
  - open-source information

- the guidance titled “Suitability: non-conductive grounds for refusal or cancellation of entry clearance or permission” (Version 3.0, 16 January 2024)

### The decision

3. I have refused your application for a visit visa because I am not satisfied that you meet the requirements of paragraph V 3.1 of Appendix V: Visitor because your application falls for refusal under Part 9: grounds for refusal.
4. Under Part 9.3.1 of the Immigration Rules an application for entry clearance must be refused where the applicant’s presence in the UK is not conducive to the public good because of their conduct, character, associations or other reasons. This applies to conduct both in the UK and overseas.
5. Your presence in the UK has been assessed as not conducive to the public good on the grounds that you have engaged in unacceptable behaviour. You have made multiple statements which explicitly support Hamas and their terrorist violence, including glorifying the October 7 attack on Israel and their recently deceased leader Ismail Haniyeh. Further reasons are provided below.

### Support for Hamas

6. The military wing of Hamas has been proscribed in the UK under the Terrorism Act 2000 since March 2001. Proscription was extended in November 2021 to include the political wing with the Government assessing Hamas to be a complex but single terrorist organisation. On the day of the Hamas attack on 7 October 2023 you posted the following to Instagram:

*“We support the Palestinian right to resist and call on all resistance formations to likewise support operation Al-Asqa Flood and intensify the struggle on all fronts [...] We have left the Palestinian people with no other option than to resist with all their might and with everything at their disposal. We unequivocally support operation Al Asqa Flood”.*

7. A week later you called on the international community to: *“rise to the occasion and support Hamas and the Palestinian resistance in fighting their oppressor”.*
8. On 7 October 2024, one year on from the Hamas attack, you posted the following to Instagram:

*[to] “commemorate one year of heroic resistance in a long continuum of the Palestinian people’s inevitable march to freedom...We pay tribute to the families of Gaza, the West Bank and Lebanon who have paid the ultimate price and salute the martyrs who demonstrated their unflinching faith and willingness to sacrifice their lives for the liberation of Al Aqsa and all of Occupied Palestine”.*

### Glorification of Ismail Haniyeh

9. Ismail Haniyeh was the chairman of the Hamas Political Bureau. He was assassinated in July 2024. On 31 July 2024 you posted an image of you meeting Haniyeh with the following caption:

*“The Royal House of Mandela extends its condolences to the family of Sheikh Ismail Haniyeh, the Hamas Movement, the Palestinian people, the axis of resistance and all*

*in the Global struggle against Apartheid Israel. The martyrdom of one leader will not deter the struggle against occupation."*

10. The post also stated:

*"Sheikh Ismail Haniyeh dedicated his life to the liberation of Al Aqsa and Palestine as a whole and his assassination will only serve to increase the resolve of all in the Palestinian resistance to intensify the march to freedom...The blood of Sheikh Ismail Haniyeh will nourish the tree of freedom. May his soul rest in peace and may his life of struggle be a beacon of light, hope and freedom".*

11. You attended Haniyeh's funeral in Qatar in August 2024 and posted the following to Instagram:

*"We bid farewell to Sheikh Ismail Haniyeh as he is laid to rest today. He was a great leader and an inspiration to all revolutionaries and freedom fighters of the world... Many more will pay the ultimate price, but we understand that it's either victory or martyrdom... May his resting place be illuminated with love, light, and the joy of knowing that he has earned the highest reward; a glorious return, and a life and legacy celebrated by millions around the world".*

12. The post also included a photo of you with Khaled Meshaal, a Hamas senior leader currently in exile and who was indicted by the U.S. Justice Department on terrorism charges over the 7 October attack.

13. You met with Haniyeh on at least two occasions in Istanbul in January and April 2024.

14. You made a similar post in January 2024 when commemorating the death of Qassem Soleimani, the former Islamic Revolutionary Guards Corp senior commander, who had been under UK sanctions for terrorism and terrorist financing since 2011 prior to his death. The post stated:

*"We salute the heroes of the Palestinian struggle. The sacrifice, bravery and resolute faith of the martyrs nourish the tree of freedom...General Qassem Soleimani dedicated his life to the liberation of Palestine...Long live the memory of General Qassem Soleimani".*

15. You also glorified the 'martyrdom' of Saleh al-Alouri, a Hamas military leader and financier who was killed by Israel in the same month, January 2024.

#### *Other pro-Hamas statements*

16. You have made further general statements which explicitly support and legitimise Hamas. At a pro-Palestinian protest in Cape Town in November 2023, you told the crowd: *"Viva Hamas Viva! Viva the Palestinian resistance Viva!"* According to The Times, at the same protest you stated: *"We want to say to Hamas, the Palestinian Islamic Jihad, the Palestinian resistance, Hezbollah and the mujahideen: intensify the struggle in occupied Palestine".*

17. In February 2024 you posted to Instagram a link to an article by Mousa Abu Marzook, head of Hamas's International Relations, which condemned the designation of

Hamas as terrorists, and stated:

*“Hamas is not the problem, Apartheid Israel’s occupation and genocide is...We support the legitimate struggle of the people of Gaza, Hamas their duly elected government, and their right under international law to resist occupation and genocide.”*

#### *Mitigating evidence*

18. In making this assessment consideration has been given as to whether you have since publicly retracted these views and not reengaged in such behaviour. I have seen no evidence that you have attempted to retract or clarify any of the statements evidenced above.

19. In October 2024 you published a statement on Instagram in response to calls for you to be banned from the UK, which appeared to have been written by the organisers of your upcoming UK tour, stating:

*“There is a bitter irony that genocide supporters in politics and the corporate media are calling for Mandla Mandela to be banned from the UK, reprising Thatcher and many others’ attacks on his grandfather Nelson Mandela as a ‘terrorist’. Let Mandela speak to UK and Irish audiences”.*

20. The above statement provided a link to the recent article by the Times raising concerns about your views, including your comments in support of 7 October and Hamas. It is noted that the statement did not address these concerns.

#### *Support for Hizballah*

21. You have made at least one statement which almost certainly shows support for Hizballah by glorifying Hassan Nasrallah, the Hizballah leader killed by Israel in September 2024. According to PressTV, you stated that Nasrallah *“dedicated more than 30 years of his life fighting imperialist occupation and history will record him as one of the great freedom fighters whose lives will be celebrated in a liberated Palestine”*. Press TV also reports that you offered thoughts and prayers to the leadership and followers of Hizballah and stated: *“The Great Cedar of Lebanon has fallen but in the shadow of his glorious sacrifice, the forests of freedom will flourish. May Allah Almighty accept the martyrdom of Sayyed Hassan Nasrallah”*.

22. The Times have separately reported that you expressed support for Hizballah at a November 2023 protest in Cape Town, as referenced in paragraph 16.

23. You have highly likely expressed further indirect support for the groups by praising the ‘Axis of Resistance’, a term used to describe a network of Iranian-backed militant Islamist groups, including Hamas, Hizballah, the Houthis, and other groups in Iraq and Syria. In a February 2024 Instagram post you stated:

*“we say unequivocally Hamas and all in the axis of resistance are our comrades-in-arms waging a legitimate resistance against occupation, crimes against humanity, war crimes and systematic genocide”.*

24. Similarly, in August 2024 you posted on Instagram that *“the internal Palestinian Resistance supported by the broader Axis of Resistance continue to mount a brave struggle against the Zionist occupation forces”*.

#### *Support for other violent actors*

25. You have also made posts which highly likely show support for other violent Palestinian actors, including figures from the Lion’s Den, a Palestinian militant group operating in the West Bank who were sanctioned in June 2024 by the US for their involvement in violent attacks in the West Bank, Palestinian Islamic Jihad, a Palestinian militant Islamist organisation proscribed in the UK since March 2001, and the Houthis, a Yemen based Shia Islamist political and military movement. This is also supported by your comments on the ‘Axis of Resistance’ referenced in paragraphs 23 and 24.
26. In February 2023, you posted on Instagram condemning the killing of multiple Palestinians in an Israeli Defence Forces raid in Nabulus. Whilst some of those killed were reportedly innocent bystanders, at least three of the individuals, whom you refer to as ‘martyrs’, were members of the Lion’s Den. One of the individuals, Hussam Bassam Aslim, was reportedly a senior member of the Lion’s Den and allegedly a member of a cell that killed an Israeli soldier during a shooting attack in October 2022.
27. In 2023 you posted on Instagram in support of Khader Adnan, a Palestinian prisoner who died in May 2023 after going on hunger strike. Adnan was reported to have been a member of Palestinian Islamic Jihad and had previously made comments in support of suicide bombing. Your post glorifies Adnan by stating:
- “Sheikh Adnan Khadeer has not died but has multiplied through his children and the entire international solidarity movement. His fight will be carried by us for generations to come.”*
28. The Times have separately reported that you expressed support for Palestinian Islamic Jihad at a November 2023 protest in Cape Town, as referenced in paragraph 16.
29. You have also made at least one statement in support of the Houthis. In an interview with RT in July 2024 you stated:
- “We would say in the international solidarity movements and grassroots movement that the Houthis must remain steadfast and intensify the fight in liberating our brothers and sisters in Gaza and all over occupied Palestine”*.
30. You also posted to Instagram a video of a speech given by the Yemeni Armed Forces, which announced the success of attacks against Israeli and American ships under the direction of Abdul-Malik al-Houthi, the leader of the Houthis, and in support of Palestine.
31. Support for the actors referenced above further demonstrates your support for non-state, militant violence against Israel.

#### *Impact in the UK*

32. It is assessed that your proposed visit to the UK would highly likely cause tensions within UK Jewish communities due to your explicit statements highlighted above, particularly in relation to support for Hamas and glorifying the 7 October attack.
33. It is noted that you have visited the UK on at least three previous occasions, in 2021, 2019, and 2018 and these visits did not appear to generate community tensions. However, it is noted that the majority of the concerning statements you have made have been on or after 7 October 2023 and therefore following your last visit to the UK in 2021.
34. It is considered that you have engaged in unacceptable behaviour by making statements which explicitly support Hamas, and similar organisations. As such your presence in the UK is considered to pose a threat to UK society as it would highly likely cause tensions amongst UK Jewish communities.
35. For these reasons I am therefore satisfied that your presence in the UK is not conducive to the public good that necessitates a mandatory refusal of your application for entry clearance as a visitor. Your application is therefore refused under Appendix Visitor, V 3.1 read with paragraph 9.3.1 of the Immigration Rules.

### **The European Convention on Human Rights**

36. I have considered whether a refusal decision would breach Article 10 (freedom of expression) of the European Convention of Human Rights (ECHR). I consider that any interference, should Article 10 be found to be engaged, is necessary and proportionate due to the risk I assess you would pose if you were allowed into the UK in accordance with the legitimate aims of public safety and preventing disorder or crime. The *Lord Carlile* case (R (Lord Carlile of Berriew) v SSHD [2015] AC 945) outlines the requirements that should be met in order to interfere with an individual's freedom of expression under Article 10.
37. The first part of the test that must be considered is if the objective is sufficiently important to justify the limitation of a fundamental right. In this instance the objective is protecting public safety and preventing disorder or crime. Whilst the Article is also applicable to information or ideas which "offend, shock or disturb", the Court has reiterated that incitement to discrimination is a form of incitement to intolerance which together with incitement to violence and hatred is one of the limits which should never be overstepped in exercising the freedom of expression. It is noted that you have made multiple statements which explicitly support Hamas and their terrorist activity. If you were permitted to enter the UK, it is highly likely that this would cause tensions within UK Jewish communities. With consideration of the above it is deemed that refusal of admission and thereby interference with your right to freedom of expression is justified and proportionate in the legitimate aims of protecting public safety and preventing disorder or crime within the meaning of Article 10(2).
38. The second part of the test is whether the restriction is rationally connected to the objective. I am satisfied that refusal of admission is rationally connected to the objective of protecting public safety and preventing disorder or crime as a refusal decision will prevent you from travelling to the UK and further engaging in unacceptable behaviour by espousing extremist views which might lead to community tensions in the UK.
39. The third part of the test is whether a less intrusive measure could have been used. Given that you are a visa national, I assess that refusal of permission to enter is the

least intrusive power that can be used to ensure that you cannot travel to the UK and engage in unacceptable behaviour.

40. The final part of the test is, if having regards to these matters and to the severity of the consequences, a fair balance has been struck between the rights of the individual and the interests of the community. It is noted that you are seeking to enter the UK to attend a speaking tour of the UK and you have the right to express your views under Article 10. It is assessed that a visa refusal would still afford you the right to express your views from outside the UK via modern means of communication. A refusal would however prevent you from expressing your views in person which would mitigate the risk of community tensions within UK Jewish communities. It is in the interests of the community to refuse your visa to protect public safety and prevent disorder or crime in the UK.
41. Article 10 also protects the rights of your followers to receive your views. The decision to refuse your visa is not to deny you freedom to express your views, but rather to deny you the ability to express your views in person in the UK, which may lead to community tensions in the UK. A refusal decision will not prevent your followers in the UK from accessing your views as there are various digital mediums by which they can be distributed and accessed from outside the UK. This mitigates any interference with the rights of yourself or those who wish to receive your views.
42. It is considered justified to refuse your visa in line with Article 10(2) to prevent you from engaging in unacceptable behaviour by espousing extremist views at UK-based events.

## NEXT STEPS

NRA v 1.0

In relation to this decision, there is no right of appeal or right to administrative review.

<https://www.homeofficesurveys.homeoffice.gov.uk/s/visasurveyuk>

