SWORN STATEMENT

I, the undersigned Paul O'Sullivan ID No. [redacted] state under oath as follows:

1

I am an adult male Forensic Consultant and confirm that the information set out on the SAP 3M (a) is true and correct. The purpose of this sworn statement is to open a criminal docket in respect of the offences of **Defeating the Ends of Justice** and/or Obstructing Justice, against Arthur Fraser. I also want to request the State to re-open a docket on which Walther Rhoode was previously arrested and charged, namely corruption, in that he allegedly received bribes with other National Prosecuting Authority officials, to enable a certain contractor to 'win' a security tender. In this regard, it is believed that the charges against Rhoode and his accomplices, were dropped due to the unlawful intervention of persons close to then President, Jacob Zuma. The role of then Director in charge of the Commercial Crime Unit, Adv Lawrence Mrwebi, needs to be carefully reviewed, to ascertain WHY the criminal charges against Rhoode and his accomplices were unlawfully dropped, with a view to reinstating such charges.

The Role Players & the Docket Opened by Fraser

2

Fraser Arthur Joseph Peter Fraser, a coloured male with ID No. [redacted]

Rhoode Walther Peter Rhoode, a coloured male with ID No. [redacted]

The meta data on the PDF copy of the docket Fraser leaked to the media, clearly shows:

File Name	: 01740F28-98DE-4B33-BE8F-E5EB6FEC5E0E.pdf
File Size	: 3.0 MB
PDF Version	: 1.4
Linearized	: No
Create Date	: **2022:06:01 18:59**:23+02:00
Creator	: **RICOH MP 7503**
Page Count	: 48

The ONLY explanation for the above is that Fraser first went to Rosebank police station, from his lawyer's office at Jan Smuts Avenue, to sign the affidavit, thereafter, returning to his lawyer's office to have it scanned on a Ricoh MP 7503. Fraser then went back to Rosebank Police Station to open the docket and then published the docket to his chosen journalists. Alternatively, Fraser made two original sworn statements, one of which is in his possession after scanning it.

3

Fraser's desperate conduct explains my assertion that the actual opening of the docket was only secondary to trying to take down the president, through a carefully planned campaign with the use of 'flexible' journalists, who were happy to be part of the campaign. In this regard, Fraser should be summonsed to the Investigative Directorate, to explain how, when and where he got his so-called evidence from, as well as the timing of the case he opened, which coincided with actions, by the President against the Public Protector. Curiously, a Public Protector alleged to have historical links with Fraser's State Security Agency.

Background Information

4

Rhoode had previously been employed by the National Prosecuting Authority **'NPA'**, during a period when the NPA and Police/DPCI had been criminally 'captured' by persons close to Zuma, so that those engaged in corruption for the benefit of Zuma and his allies, would be protected from prosecution. That 'protection' was extended to Rhoode by senior NPA officials, who caused the unlawful withdrawal of charges against him and those charged with him. It is not known how an individual that had been arrested and charged with corruption was able to worm his way into the police at the rank of Major General unless some or other form of corruption took place. I request the State to leave no stone unturned in understanding who was bribed so that this man of low ethics could get such a senior position, which then enabled him to become a valuable 'asset' for Fraser.

5

Fraser had a chequered past in National Intelligence and later as Head of Correctional Services. There are many published allegations concerning theft of large sums of money from state resources, which he has yet to be held accountable for. It needs to be established if, like Rhoode, Fraser has been protected by corrupt officials in the police and/or NPA.

6

Fraser certainly has a motive for wanting the current president of South Africa out of office and replaced with a president that would be more amenable to re-capturing the criminal justice system. With a corrupt president in place of Cyril Ramaphosa, Fraser and his kind would be less likely to face the criminal justice system. Even more so if Fraser had a hand in overthrowing Ramaphosa.

Phala Phala Allegations

7

It is common knowledge that in June 2022, Fraser opened a criminal docket, replete with hearsay and misstatements of fact with the sole intention of bringing about the downfall of Ramaphosa. It needs to be established that he not only opened the docket, but he also managed to get Rhoode to hand him the only video recording of the housebreaking that took place at Pahala Phala in February 2020. It is also common knowledge that Fraser handed the docket AND video to pre-selected journalists that could be relied on to assist with his plan to unseat Ramaphosa. In this regard not only Fraser, but other persons linked to Fraser, have spent years cultivating a network of dishonest journalists, who could be relied upon to assist with various misinformation projects. These 'flexible' journalists exist in the print as well as radio and television media. It is now seeming that Cyril Ramaphosa does NOT have, nor do any of his staff have, the video of the break-in at Phala Phala, yet the same video is in the hands of corrupt journalists, who are driving an agenda in coordination with Fraser, aimed at overthrowing Cyril Ramaphosa.

8

However, having analysed the docket of Fraser, it is crystal clear that most of it is nothing more than untested hearsay, or speculation. More recently, on 23 June 2022, Fraser unlawfully and intentionally handed a 'letter' which his agents in the media have wrongly referred to as a supplemental affidavit. In that letter, he fraudulently claims that I, or my staff, assisted in tracking and arresting the so-called suspects who are alleged to have stolen monies from Phala Phala. Not only are Fraser's claims **fraudulently** untrue, but they are also defamatory. It's time the State dealt with this fraudster in the manner befitting his crimes. I attach a copy of the letter Fraser gave to the DPCI and leaked to the media and certain politicians, as **Annexure 'A'**.

9

For the avoidance of doubt, I wish to state in no uncertain terms that:

i. The first time I even heard the name Phala Phala or about any theft of cash from Phala Phala, was after Fraser had leaked his hearsay 'scandal' to the media.
ii. I can categorically state that neither I, nor anyone reporting to me, was ever involved in any investigations of a housebreaking that allegedly took place at Phala Phala in February 2020, or the tracing of any suspects.
iii. I've read the so-called docket of Fraser and am at a loss to understand why Fraser does not explain why he kept quiet for two years, if he genuinely believed Ramphosa committed any offence.

10

Turning back to the carefully timed 2022-06-23 letter of Fraser to the DPCI, which Fraser also intentionally leaked to the media and chosen politicians. In this document Fraser unlawfully and intentionally misleads the DPCI by deliberately fabricating certain matters, which he dresses up as 'facts', whilst at all material times he knew that they were a figment of his imagination, intended to whip up amongst the criminal elements in the ANC and elsewhere, support for his goal of overthrowing the president of the country. I am only going to focus on one of the fraudulent lies perpetrated by Fraser and that is the massive lie concerning myself, wherein he fraudulently states the following:

5.24.	*Mr O'Sullivan, who is a close associate of both the President and Mr. Chauke, is said to have used his private investigation company to assist in the tracing of the persons alleged to have broken into the president's residence.*

The above allegation by Fraser is nothing more, or less than an outright lie, **intended by Fraser to defeat the ends of justice**.

Other Persons Unlawfully Defamed by Fraser

11

I attach hereto, the response to a journalist, by Bejani Chauke, Special Advisor and/or Special Envoy to Cyril Ramaphosa, sent on 2022-10-26. This is attached as **Annexure 'B'**. The journalist in question is clearly a Zuma loyalist, that has been hard at work discrediting, not only Chauke and Ramaphosa, but also myself and others like me, that stand against the corrupt activities of the Zuma loyalists, otherwise known as the Radical Economic Transformation **'RET'** movement. The RET movement is nothing more, or less, than a treasonous corrupt cabal of criminal individuals, using the acronym RET to hide behind, in their quest to bring this country to its knees and regain unlawful access to taxpayer funds. This journalist is NOT alone, he is part of a cabal of journalists in the print, electronic, radio and television media, being controlled or manipulated by Arthur Fraser, or being paid by Fraser, with taxpayer funds.

12

I also attach hereto, the response sent to the media by another of Fraser's innocent victims, a Mr Zahir Vallie, wherein Mr Vallie, like Bejani Chauke, makes it clear that Fraser is lying through his teeth. This document is attached as **Annexure 'C'**.

Motive of Fraser

13

It is clear, when reading the Zondo reports, that Fraser could potentially anticipate spending the rest of his life in prison, should he be convicted of the very serious offences he is likely to be charged with. As I have previously stated, a change of President within the ANC, from Ramaphosa to a Zuma and/or RET loyalist, would deeply improve Fraser's chances of staying out of prison, because an incoming corrupt president would re-establish the *status quo ante* prior to Ramaphosa coming into power. This means that re-capture of the criminal justice system is part and parcel of the long-term goals of Fraser and his accomplices or corrupt future president of the ANC / South Africa.

SUMMARY

14

In order for this matter to be properly handled, the following is needed, on an urgent basis:

i. Investigation to determine why the criminal charges against Rhoode and his accomplices, simply faded away.
ii. How Rhoode was able to inveigle himself into the police at the rank of Major General, when it was clear he was totally unfit for such purposes.
iii. Whether, Fraser bribed Rhoode to assist him in a deliberate scheme to unseat the President.
iv. Why Fraser is allowed to get away with making what are patently false claims, both under oath and in letter form, replete with hearsay expressions like ***"It is said that…."***, without saying who said it, when, why and where and in what context.
v. Unless Fraser can present any *prima facie* evidence of an actual crime by the President, he should be charged with defeating the ends of justice.
vi. In respect of the fraudulent claims against myself, he MUST be charged with the offence of defeating the ends of justice.

Regarding *vi* above, I require that the State either prosecute Fraser, for such offence, or give a certificate in terms of Section 7 (1) (a) of Act 51 of 1977, so that I can prosecute this dishonest criminal myself.

15

It follows that Mr Arthur Fraser, **MUST** be criminally charged with the offence of Defeating the Ends of Justice, in that on or about 2022-06-23, at Ground Floor, 158 Jan Smuts Avenue, Rosebank, or at 82 Maude Street, Sandton, Fraser did unlawfully and intentionally, provide a letter to the DPCI, containing information which was known by Fraser to be false, with the sole intention of perverting the false criminal investigation he had previously opened against Cyril Ramaphosa and others, at Rosebank Police Station.

16

Whilst I am not certain, whether it was the Rosebank or Sandton address, where the offence took place, this can be confirmed during the investigation and by speaking to the DPCI

Officers, who received said letter. For now, I am saying that the scene of crime is the Rosebank address, which is also the address from which he launched his first attack on the President of the Republic.

17

Finally, the people of South Africa need to know why an unemployed person, like Fraser is still leaving and entering South Africa on a Diplomatic Passport, in an arrogant display of unlawfulness.

18

Prior to me signing this statement, I have carefully read through it and am satisfied that the facts are correctly and accurately recorded. The following questions were put to me in person by the commissioner of oaths and I entered the answers thereto in my own handwriting:

'Do you know and understand the contents of this statement?' Yes

'Do you have any objection to taking the prescribed oath?' No

'Do you consider the prescribed oath binding on your conscience?' Yes

Paul O'Sullivan

I certify that the deponent has acknowledged that he knows and understands the contents of this statement which was sworn to before me, and the deponents' signature was placed thereon in my presence at **GALLO MANOR** on the **EIGHTEENTH** day of **NOVEMBER 2022**

0530469-9
W/O

Commissioner of Oaths

SOUTH AFRICAN POLICE SERVICE
CLIENT SERVICE CENTRE
SANDTON
2022 -11- 18
KLIENTE DIENSSENTRUM
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SUID-AFRIKAANSE POLISIEDIENS

ANNEXURE 'A'

June 23, 2022

Directorate for Priority Crime Investigation
South African Police Service
Promat Building
1 Cresswell Road
Silverton
Pretoria
0186

By Hand

Attention: Brigadier Basi

RE: MEETING BETWEEN MR. ARTHUR FRASER AND MEMBERS OF THE DPCI IN RELATION TO BELA-BELA CAS 93/06/2022

COMPLAINT AGAINST PRESIDENT MATAMELA CYRIL RAMAPHOSA, MAJOR GENERAL WALTER RHOODE AND OTHERS

1. The above investigation docket and the meeting between me, my legal representatives and Brigadier Basi and Colonel Schnelle of the Directorate for Priority Crime Investigation ('DPCI' and/or 'Hawks') of 15 June 2022, refers.

2. Thank you once again for the meeting and the promptness and professionalism displayed in attending to my complaint into the conduct of the President of the Republic of South Africa, President Matamela Cyril Ramaphosa, (***'President Ramaphosa'*** and/or '***the President***'), the Head of the South African Police Services ('SAPS') Presidential Protection Unit, Major General Walter Rhoode (***'Major General Rhoode'***) and other persons.

3. As expressed during our meeting, I appreciate some of the difficulties and challenges the DPCI has, and which it may encounter, in investigating this matter.

4. Notwithstanding, it is for this reason that we undertook to write the DPCI to advise on some of the issues I conveyed, as obtained by me from various sources, during the course of our meeting and to advise on additional information that has subsequently come to my attention and which may assist in the course of the DPCI's investigation into the matter. I set out hereunder, not conclusions, but pointers of areas for further investigation. I do this not to accuse the individuals identified herein, but to assist your investigation as you requested me. I trust that these pointers can lead you to the truth and finality in your investigation.

5. As such I supplement my complaint and advise as follows:

   5.1. In response to a question from the DPCI investigators on where the money comes from, I advised that one of President Ramaphosa's closest Advisors, Mr. Bejani Chauke ('Mr. Chauke'), was ostensibly instrumental in illegally bringing large sums of US $ into South Africa for both he and the President after returning from trips he undertook on behalf of President Ramaphosa to various countries, *inter alia*, including, Saudi Arabia, Qatar, Egypt, Morocco and Equatorial Guinea. The money was not declared to either the South African Revenue Services ('SARS') or the South African Reserve Bank ('SARB') and did not enter the formal banking system in this country. Mr. Chauke allegedly, also on occasion, utilized the services of privately chartered flights for his travels. In this regard, the movement control records of Mr. Chauke's international travels, along with his mode of transport and the associated costs thereof ought to be established.

   5.2. Mr. Chauke is said to have concealed the undisclosed amount of US $ in one of his couches at his personal residence in Hydepark, Johannesburg and with the assistance of Major General Rhoode, transferred the couch to the President's residence at Phala Phala, with the full knowledge and acquiescence of the President. An analysis of the mobile telephone and tower networks of both Mr. Chauke and Major Rhoode's mobile telephones and vehicle tracking devices would shed some light hereon. Major General Rhoode's telephone numbers are 08[redacted] & 07[redacted], whilst Mr. Chauke's telephone numbers are 08[redacted] and +[redacted]59 (WhatsApp number).

5.3. This is the money that was stolen from the President's Phala Phala farm on 9 February 2020 and not any money derived from the sale of animals and/or the hunting of game as glibly articulated by the President on 5 June 2022 in his address to the closing of the African National Congress ('ANC') Limpopo Conference when he, *inter alia*, stated:

> *'... I want to reaffirm that I was not involved in any criminal conduct and once again I pledge my full cooperation with any form of investigation. Now due to the investigation I will not really be able to engage deeply or further on this matter as we should allow the due process to take place. However, I would like to say that I'm a farmer. I'm in the cattle business and the game business. And through that business that has been declared in parliament and all over. I buy and I sell animals. Sometimes people buy these animals and some of the people who buy these animals, some of them are here. I do it through the sales which are sometimes through cash and sometimes through transfers. Some of the people are offshore customers and who are sometimes local, come through and buy animals. And some of them come also to hunt on the farm. And, so this that is being reported was a clear business transaction of selling animals.'*

5.4. Business records of the President's sale of animals (including auctions and private sales) and hunting that took place at Phala Phala and on other farms through which the President conducts business must be obtained for the period 1 March 2019 to 29 February 2020, detailing all transactions and all invoices, receipts and communications (including e-mail) in relation to sales and purchases.

5.5. Both the business banking records and personal banking records of the President for the period 1 March 2019 to 29 February 2020 must be obtained, detailing all credits and debits.

5.6. It would be prudent to obtain witness statements from the Phala Phala farm manager and/or sales manager and/or any other person(s) responsible for the day-to-day business activities relating to the sales (and auctions) of animals and the hunting of animals at Phala Phala and or any of the President's associated entities on which such business activities are said to have taken place during the period 1 March 2019 to 29 February 2020.

5.7. In particular, all cash business transactions must be identified, which must be confirmed with the purchaser(s), including person(s) having hunted on the property.

5.8. It must also be established what the business practice is in relation to the handling of cash business transactions and where the monies are ordinarily kept.

5.9. The company registration documents in relation to Phala Phala and any of the President's associated entities on which business activities such as the sale (and auctions) of animals and the hunting of animals are said to have taken place during the period 1 March 2019 to 29 February 2020, must be obtained.

5.10. It must further be established from the SARB whether the President and/or Phala Phala, and/or any of the President's farming, animal or hunting entities had declared the possession of any foreign currency or any business transactions in foreign currency and/or had obtained any authorization from the Reserve Bank in this regard. Particularly, US $'s.

5.11. It must be established from SARS whether the President and/or Phala Phala, and/or any of the President's farming, animal or hunting entities had declared any income through foreign currency, particularly US $ in the submission of business and personal tax returns for the period concerned.

5.12. The Financial Intelligence Centre ('FIC') is in possession of a report demonstrating that the President does not utilize his private bank account for day-to-day transactions as is ordinarily expected of any person. A copy hereof ought to be obtained.

5.13. Mr. Chauke is said to have purchased a Mercedes Benz V Class, G Class and V Class registered in the name of his younger sister.

5.14. Mr. Chauke also purchased a house in Hyde Park for R10 Million during 2019, which is presently being renovated by a certain Themba Rikhotso.

5.15. Approximately 3 weeks ago, after charges were laid against the President, Mr. Chauke is said to have moved US$ 20 million in cash to a South African citizen, Mr. Zahir Vallie with ID Number [redacted]084 for safekeeping for himself and the President. Mr Zahir Vallie's mobile telephone number is 08[redacted].

5.16. Mr Zahir Vallie trades in property in Cape Town, called Z Prop. Mr Zahir Vallie's property portfolio is estimated to be worth approximately R800 million. He is known to bring large amounts of foreign currency into South Africa from the Middle East without declarations, through Cape Town International airport. Information received indicates that all his properties bought are cash purchases. It is well known that his properties are running at a considerable financial loss with low returns, clearly a sign of significant money laundering.

5.17. Mr. Chauke clearly enjoys a lavish lifestyle far beyond that to be expected of a Presidential Advisor. It is prudent that a lifestyle audit be conducted into the affairs of Mr. Chauke.

5.18. Mr. Chauke was further also instrumental in assisting the President and Major General Rhoode with the investigations into the theft at Phala Phala. In this regard, the following persons rendered, *inter alia*, assistance in the investigation to the President, Mr. Chauke and Major General Rhoode into the theft at Phala Phala:

5.18.1. Constable Rikhotso, a member of the Presidential Protection Services.

5.18.2. Constable Jabu Mahlangu, a member of the Presidential Protection Services.

5.18.3. Colonel Smanga Simelane ('Colonel Simelane') of the South African Police Services ('SAPS') Crime Intelligence.

5.18.4. Dr Anton Deon De Swardt ('Dr De Swardt'), a farmer and a managing partner at De Swardt Myambo Hlahla Attorneys, 941 Jan Shoba Street (Cnr Mackenzie Street), Brooklyn, Pretoria.

5.18.5. Deputy Minister of Human Settlements, Water and Sanitation, Mr. David Mahlobo ('Deputy Minister Mahlobo')

5.18.6. Deputy Minister in the Presidency, Mr. Zizi Kodwa ('Deputy Minister Kodwa')

5.18.7. Mr. Sean McCarthy of the Sean McCarthy Group ('SMG'), ('Mr. McCarthy').

5.18.8. Mr. Karl Lars Magnusson ('Mr Magnusson'), 19 St Louis Avenue, Fresnaye, Cape Town

5.18.9. Paul O'Sullivan ('Mr O'Sullivan')

5.19. Constable Rikhotso, whose mobile telephone number is 0[redacted], is said to have assisted in the tracing of the persons alleged to have broken into the President's residence using government resources and in torturing them in Cape Town. Constable Jabu Mahlangu's mobile telephone number is 07[redacted].

5.20. Colonel Simelane, whose contact number is 08[redacted], is said to have assisted Mr. Chauke, with whom he enjoys a particularly close relationship, in the tracing of the alleged to have broken into the President's residence using government resources.

5.21. Dr De Swardt is one of the President's farming neighbors near Phala Phala and is the farmer with investigation capacity who assisted in the viewing of the video security footage from the respective security cameras at Phala Phala and who assisted the President in the tracing of the persons alleged to have broken into the President's residence.

5.22. Deputy Minister Mahlobo, a former Minister of State Security, used his network of contacts to assist in the tracing of the persons alleged to have broken into the President's residence.

5.23. Deputy Minister Kodwa accompanied Major General Rhoode on numerous trips to Namibia in engaging with the Namibian President and Namibian law enforcement authorities on the matter.

5.24. Mr O'Sullivan, who is a close associate of both the President and Mr. Chauke, is said to have used his private investigation company to assist in the tracing of the persons alleged to have broken into the President's residence.

5.25. Mr McCarthy is said to have assisted the President and Mr. Chauke in facilitating converting large sums of US$ into Rands. Mr McCarthy is also said to have most of his capital kept offshore in Mauritius. Mr McCarthy's mobile telephone number is 08[redacted]9 and his email address is sean[redacted] .

5.26. Mr Magnusson, a neighbour to President Ramaphosa in Cape Town, and who is presently believed to be illegally in South Africa, is said to have not only assisted in facilitating converting large sums of US$ into Rands, but also assisted in the pinging of persons alleged to have broken into the President's residence and actively participated in their subsequent torture.

5.27. Government grabber devices were also used to trace and ping persons alleged to have broken into the President's residence. In this regard, one of the numbers pinged was that of Erkki Shikongo, namely, 07[redacted].

5.28. The telephone number of one of the members of Major General Rhoode's team who assisted in the investigation, namely, Mr. Trevor Fredericks, who is since deceased, was 07[redacted].

5.29. The President, through Mr. Chauke, had paid substantial amounts of money between February 2020 and July 2021 to trace persons alleged to have broken into the President's residence and to recoup some of the stolen US $.

5.30. During our meeting of 15 June 2022, I furnished the DPCI investigators with a copy of the Crime Intelligence Report from the Namibian Service, authored by Commissioner Nelius Becker, dated 21 June 2020 and simultaneously provided a high level assessment of the Namibian Crime Intelligence report.

5.31. Importantly, the Namibian Crime Intelligence Report (notably p.5) corroborates what I had been told by another source, as well as corroborated and provided further information to the evidence submitted together with his affidavit filed at the Rosebank police station on 1 June 2022, notably:

5.31.1. When the Namibian Police interviewed Mr. Imanuwela David, he confirmed that they had stolen US $ of President Ramaphosa that was concealed inside the furniture at President Ramaphosa's Phala Phala farm. This is how the Namibian authorities became aware of the theft that had taken place at Phala Phala farm.

5.31.2. The report details that the domestic worker, employed at Phala Phala farm had assisted Mr. Imanuwela David and his co-conspirators in locating the US $ concealed in the furniture at Phala Phala farm.

5.31.3. The report further details that the domestic worker also identified the suspects when she was confronted by South African authorities about the theft and as a result was not apprehended.

5.31.4. The report reflects that the Namibian authorities detected Mr. Imanuwela David when he illegally entered Namibia on or about 7 June 2020.

5.32. I further pointed out to the Hawks that there is a Colonel Edwards (female) who is attached to the South African Embassy in Namibia as the SAPS attaché and that she had been the nodal point of communication between the Namibian Police and the South African SAPS at the time in 2020, which communication was initiated by the Namibian authorities.

5.33. In this regard, the report reflects that the Namibian Police had provided Colonel Edwards with a copy of the RSA passport of Mr. Imanuwela David pursuant to detecting his illegal entry into Namibia and asked to establish if there was a warrant of arrest issued for Mr. Imanuwela David in South Africa.

5.34. Colonel Edwards in turn reverted to the Namibian Police that there was no warrant of arrest issued for Mr Imanuwela David in South Africa, but that he has prior convictions for drunken driving, assault GBH and drinking in public.

5.35. The Namibian authorities had asked SAPS to follow up on the cell number of **"Papa J"** and details of the vehicle that dropped Mr Imanuwela David at Rooiwal.

5.36. The SAPS subsequently reverted to the Namibian Police Service through Colonel Edwards that the vehicle was a Hyundai I20 with GP registration plates (no vehicle registration plate details provided). SAPS further reported that the vehicle had four occupants who claimed that they were from KZN. A cell number of one of the occupants named **"Prince"** was obtained, notably: +27[redacted].

5.37. It would thus be prudent to interview Colonel Edwards and obtain her statement in relation to her interaction with the Namibian authorities assistance hereon and the relevant assistance rendered.

5.38. Page 2 of the Namibian Police Intelligence Report references the acting CEO of Fishcor, Mr. Paulus Ngalangi as having been arrested by the Namibian authorities in June 2020 for assisting Mr. Imanuwela David to illegally cross from South Africa into Namibia on 13 June 2020. Mr. Ngalangi is currently out on bail and the criminal case is still ongoing. Mr Ngalangi had to subsequently resign from his employment with Fishcor.

5.39. Mr. Fraser referred the DPCI investigators to recent articles in the Namibian media (as of June 2022) confirming the arrest of Mr. Paulus Ngalangi in 2020 for assisting Mr. Imanuwela David to illegally cross the South African / Namibian border into Namibia on 13 June 2020.

5.40. I subsequently learned that Mr Imanuwela David and Mr Paulus Ngalangi are related and further that both Mr. Imanuwela David and Mr Paulus Ngalangi are related to Mr. James Hatuikulipi who is one of the accused in the infamous 'Fishrot' corruption case pending in the Namibian High Court. The Namibian Home Affairs department and the Namibian police can confirm these relations.

5.41. Mr. James Hatuikulipi is also closely linked to the President of Namibia. Information available is that one of the suspects in the matter, Mr. Maren De Klerk, an attorney, implicates some of the accused, along with the President of Namibia.

5.42. It is believed that Mr. Imanuwela David was laundering money into Namibia to cover the legal costs of some of the accused in the pending 'Fishrot' case.

5.43. It is also evident that Major General Rhoode's request for a meeting with the Namibian Commissioner of Police came about after the exchange of information between the Namibian Police and SAPS (through the SA Embassy in Namibia regarding Mr Imanuwela David and what had been discovered regarding an alleged theft at the Phala Phala farm of President Ramaphosa.

5.44. At page 6, par 2 of the Namibian Police's Crime Intelligence Report, I highlighted that according to the report, Major General Rhoode contacted the Namibian Police Special Branch, Crime Intelligence to set up a meeting in **"No man's land"** at Ariamsvlei border post.

5.45. During the meeting at **"No man's land"**, Major General Rhoode confirmed to his Namibian counterpart that **"something"** took place at President Ramaphosa's Phala Phala farm and that Mr. Imanuwela David was the mastermind behind the burglary.

5.46. Major General Rhoode, according to the report, supplied names and photographs of Mr Imanuwela David's accomplices and advised that due to the sensitivity of the matter and the envisaged fallout that it will create in South Africa, that the matter be handled with discretion.

5.47. The report further also noted that discussions were allegedly ongoing between the Presidents of South Africa and Namibia.

5.48. Page 7 of the report detailed that correspondence was subsequently written to the South African Police Service to follow up on the telephone numbers of **"Papa J"** and **"Prince".**

5.49. In addition, according to the report, the Namibian authorities would liaise with their South African counterparts regarding, on, inter alia:

5.49.1. The Namibian FIC to analyse the available bank accounts of the Namibian suspects and to liaise with the FIC in South Africa.

5.49.2. A letter to be sent to South Africa to establish if there is a predicate offence in South Africa, which would justify money laundering investigations in Namibia.

5.50. The Namibian authorities have subsequently publicly confirmed having written to South Africa in July 2020 seeking the requisite assistance in the investigation into the matter.

5.51. In this regard, the Namibian authorities can be engaged informally and/or formally to confirm the correctness of the contents of their report and to obtain witness statements, bank records and copies of the Namibian letter(s) to South Africa in which it seeks assistance, and a copy of the Namibian FIC report.

5.52. The report also stated that prior the housebreaking and theft at the President's farm, Mr. Imanuwela David and his fellow perpetrators spent a few days at Aventura, Warmbaths, Limpopo where the plan to break into the President's residence was devised. It would probably be advisable for the DPCI to approach Aventura and establish the correctness thereof. If in the affirmative, the names, addresses, contact details etc. of the person(s) who affected the bookings and the records of the stay ought to be obtained.

5.53. I was further advised that when the domestic worker was interrogated by Major General Rhoode and his informal investigative team, she had informed them that the persons who had broken into the home of the President had returned to Western Cape immediately after the break-in.

5.54. During about February to March 2020, Major General Rhoode's informal investigation team then contacted individuals within the SAPS Detective Services in Cape Town, advising under false pretense that they had information on individuals that were linked to drug smuggling.

5.55. In this fictitious **"drug smuggling"** claim, Major General Rhoode's informal investigation then provided the details of some of the individuals involved in the Phala Phala theft to the SAPS Detective services to track the individuals concerned.

5.56. As a result, an enquiry was opened into fictitious drug smuggling when in fact the investigation related to a crime committed at President Ramaphosa's Phala Phala farm.

5.57. Under this subterfuge, the detectives in Cape Town were able to trace the suspects to a residence in Milnerton, Cape Town, which was later, raided and where four males were temporarily detained. Photographs of the detainees, laying handcuffed on the floor are annexed hereto for ease of reference.

5.58. The detectives did not find any drugs on any of the suspects, but found cellphones and documents which they seized and booked into the Cape Town Central SAPS 13.

5.59. These devices were then handed over to DPCI Bellville to download the information from these devices, which subsequently assisted Major General Rhoode and his team in locating and tracking the alleged perpetrators of the theft at President Ramaphosa's Phala Phala farm.

5.60. Identity documents of the suspects were seized by Major General Rhoode's team and a link chart was developed. A copy thereof is annexed hereto for ease of reference.

5.61. A list of telephone numbers, extracted from the devices was also provided to Major General Rhoode and his team.

5.62. During our meeting I also indicated to the Hawks Investigators that he is aware that a sum of US$ 500 000, of the money stolen at Phala Phala farm, was exchanged at a Chinese pawnshop in Hout Street, Houtbay, Cape Town.

5.63. I further advised of an individual who facilitated the exchange of US $ at the Chinese pawnshop, who is being identified.

5.64. I have also been reliably informed that Mr. Chauke has photographs of US dollars wrapped in shrink-wrap on his WhatsApp number.

5.65. It would be advisable to obtain the relevant documents reflecting the purchase of moveable and immovable property by the alleged perpetrators of the theft at Phala Phala in both South Africa and Namibia.

5.66. The detailed bank records of the alleged perpetrators of the theft at Phala Phala ought to be obtained in both South Africa and Namibia.

5.67. The certified court record depicting the charges on which Mr Imanuwela David has since pleaded guilty on and in respect of which he had paid a fine ought to be obtained.

5.68. The FIC also needs to be approached in relation to any information it may have obtained and any analysis it may have conducted.

5.69. It ought to be established whether the leadership of the SAPS, including the Minister of Police, were aware of the theft of the monies at the President's Phala Phala farm.

5.70. The SAPS ought to advise whether it had received a formal or informal request from the Namibian authorities to render assistance in the Namibian investigation.

5.71. The SAPS ought also to advise on the resources and costs expended by it in the course and scope of the investigation.

5.72. It ought to be established whether the Director-General: Department of Justice and Constitutional Development, who is the central authority for letters of request for mutual legal assistance received any formal or informal request for assistance from the Namibian authorities.

5.73. It ought also to be established whether the Minster: Justice and Constitutional Development was aware of any informal or formal assistance requested by the Namibian authorities. I have been reliably informed that the Namibian Ministry of Justice is in possession of a receipt from the courier company confirming delivery of the Namibian letter seeking assistance from the South African authorities in relation to its own investigation into the matter.

5.74. The DPCI investigators ought also to establish from the National Director of Public Prosecutions ('NDPP') whether any informal or formal assistance was sought by the Namibian authorities and if in the affirmative why no assistance was rendered.

5.75. The National Prosecuting Authority ('NPA') must also advise whether any processes in terms of the Prevention of Organised Crime Act No. 121 of 1998 were invoked in relation to any of the alleged perpetrators apprehended under the subterfuge of a fictitious drug investigation and/or any investigation related to the alleged perpetrators of the theft at Phala Phala or any of the alleged perpetrators close associates.

5.76. Telephones were seized from Mr. Imanuwela David in Namibia and from alleged perpetrators in South Africa, in respect of which data was extracted. The data ought to be obtained in respect of all the telephones and SIM cards seized both in Namibia and South Africa. The detailed itemized billing in respect of all the telephone numbers ought to also be obtained from the relevant service providers.

5.77. A copy of both the media statement issued by the Presidency on 2 June 2022 and the address by President Ramaphosa at the closing of the ANC Limpopo Conference ought to be obtained along with any statements the President made in Parliament in relation to the theft at Phala Phala.

5.78. Copies of the media statement issued by the Presidency in Namibia and the Commissioner of Police in relation to the matter ought also to be obtained.

5.79. The alleged perpetrators also invested in businesses in both Namibia and South Africa. The records, including financial records in this regard ought to be obtained.

6. I remain available and committed to render assistance to the DPCI in furtherance of its investigation into the matter.

7. Should you require any further information or assistance from me, do not hesitate to contact my legal representatives.

Yours faithfully

Arthur Joseph Peter Fraser

ANNEXURE 'B'

To: The Independent Media (Investigation Unit)

Attention: Mr. Thabo Makwakwa

By: WhatsApp

<u>IN RE: RESPONSE TO LETTER BY MR ARTHUR JOSEPH PETER FRASER TO THE DIRECTORATE FOR PRIORITY CRIME INVESTIGATION DATED 23 JUNE 2022</u>

I refer to your WhatsApp where in you asked me to respond and comment on the Letter of Mr. Arthur Joseph Peter Fraser to the Directorate for Priority Crime Investigation ["the Letter"] that seems to have a deadline to write an article on the Letter that has been circling to media outlets as distributed.

I would like to note, from the outset, that it is not my intention to deal exhaustively with the issues transverse in the Letter and the allegations therein pertaining to the ongoing investigation by various the Organs of State, including the Directorate of Priority Crime Investigation, any failure to deal therewith, comprehensively or at all, must not be construed as a concession or admission adverse to me, nor as a waiver of any of my rights to deal with the allegations at an appropriate time in an appropriate fashion in the appropriate *forum*, if necessary.

I want to start off to state that I personally know Mr. Arthur Joseph Peter Fraser, especially in his capacity as the erstwhile Head of Intelligence of the Republic of South Africa and also Head of Correctional Services of South Africa, and I know him to be a very intelligent and experienced operator in the Intelligence Sector and that the Government invested a lot in him to build and curate his skills, and I am therefore highly suspicious that the Letter originated from him, as it is riddled with untruthful allegations, that a specialist like him would not have made.

I also wish to highlight that in the Letter, the alleged author of the document states that "*I do this not to accuse the individuals identified herein, but to assist your investigation as you requested me. I trust that these pointers can lead you to the truth and finality in your investigation.*"

I am still awaiting confirmation from the Directorate for Priority Crime Investigations that this alleged Letter exists and that it was authored by Mr. Arthur Joseph Peter Fraser, and indeed if the Brigadier Basi received it.

I deny, any illegal activities, as alleged in the Letter.

I admit that I have traveled extensively around the globe as an Envoy to the President of the Republic of South Africa, and at certain periods especially during COVID-19, I utilized private charted flights to have meetings with Presidents all around the world and some of the flights where funded by the relevant countries. My travels are always declared, as a result, so are my financial possessions and gifts that I take out and bring into South Africa. I specifically deny that I have brought any foreign currency in and out of South Africa, for whatsoever reason. I specific want to state that I have never been to Qatar, however, would like to go there, perhaps the Independent Media could send me there?

As stated above, I am not willing to respond to any questions relating to the ongoing investigation into the President's Phala Phala Farm, as the matter is currently being investigated by more than one Organ of State.

The Mercedes Benz V Class vehicle is owned by one of my businesses, being a restaurant and entertainment enterprise, in Limpopo, and for the sake of clarity it is a secondhand vehicle that my company purchased. Furthermore, I am the youngest sibling in my family, therefore I do not have a youngest sister. The other vehicles that are listed, is not registered in the name of my older sister, and ownership of vehicles could be easily verified through the e-Natis-system.

I admit having purchased a in Hyde Park, and I did so through a bank loan facility. I have never instructed Mr Themba Rikhotso to renovate my house, but I do admit that post Covid I did renovations to make working from home more convenient.

I deny knowing a Mr Zahir Vallie and or having knowledge his alleged businesses.

My business interests is on record in the declaration register of the Government, and I welcome a lifestyle audit on myself.

In respect to the persons named in the Letter, I might have met some of them, once or twice in my life, but deny the questions relating in relation to the Phala Phala Farm.

I can confirm that to the best of my knowledge and recollection I have been at the Phala Phala Farm on or about June 2017 and on or about October 2018.

I specifically deny that I have ever with or without the help of Mr. Major General Rhoode put any money into any form of a couch or other furniture and thereafter mored same from anywhere to anywhere.

I have no knowledge to the contrary, that as has been alleged, that Mr. Paul O'Sullivan, was used to investigate tracings of persons alleged to have broken into the President's Farm.

I have no knowledge and have never met Mr. Sean McCarthy and have no knowledge of his alleged business named Sean McCarthy Group.

I am of the opinion that a well-orchestrated campaign of disinformation is currently being directed against the President to influence the upcoming ANC conference in December this year. This is an old apartheid regime tactic that is being utilised to destabilize the ANC.

Most recently the fact that I live in a Sectional Title Unit near Mr Hangwani Morgan Maumela ["Maumela"] was used in the media to make false allegations against me.

I want to set the record straight in this regard:-

- It is denied that:-

1) I have any *"ties"* to Maumela;
2) I am *"associated"* as alleged with Maumela;
3) My company, Acute Strategies (Pty) Ltd, *"is regularly involved in election campaigns in Africa"*.

- I further note that: -

1) I did not have knowledge of Maumela purchasing a property in the same residential Complex as mine, or even when he did so;

2) I do not have knowledge of the business dealings of the owners of properties in the Complex where I live;

3) I have not been involved in business dealings with anyone in the Complex;

4) I am a special envoy to the President and have responsibilities and duties to fulfil in that capacity;

5) I only met Maumela at the Body Corporate Meeting of the Complex;

6) I am also outraged and sickened that the story is superficially linked to the death of the late Gauteng Health CFO.

7) It confirms to me that the journalist who wrote the outrageous article is associated with one of the tenants at the Complex.

8) I find it shocking for anyone who lives in South Africa to try besmirch the President's name and reputation, by using the name of a distant relative, Maumela, into the debacle by using innuendo and unsubstantiated claims.

Lastly, you also sent me a WhatsApp Message that it is alleged that *"run a shush fund for journalist at the Daily Maverick, News24 in Amabhungane who are said to be writing positive articles protecting tatana matamela."*. This allegation is denied.

Regards,

Dr. Bejani Chauke

ANNEXURE 'C'

STATEMENT BY ZAHIR VALLIE

I refer to various requests I have received for comment on what purports to be a letter from Mr Arthur Fraser to the DPCI, dated 23 June 2022.

To the best of my knowledge it has not been established, as a matter of fact, that such a letter exists. I certainly have no idea of whether this is the case and why I am implicated in paragraphs 5.15 and 5.16 thereof.

What has happened since this "*letter*" surfaced via a ghost account posting on Twitter is that the President and Dr Bejani Chauke have publicly indicated, via Mr Vincent Magwenya in Parliament earlier today, that they have "*no knowledge of this Mr Vallie*".

I can confirm that I have no relationship of any kind (business or personal) with either Dr Chauke or the President. We do not know each other at all. For what it is worth I can further confirm that I also do not know Mr Fraser.

Against that background, I turn to comment on the "*letter*" as follows:

- The grossly defamatory allegations made against me in the letter, which imply that I am involved in illegal safekeeping of cash for the President / Dr Chauke and in money laundering, are devoid of any truth whatsoever.

- However, other than to say that they are lies, it is not possible to comment meaningfully on the allegations. No details or even motive are given and the source of the allegations is not disclosed. It is simply sweeping slander. This means that before the matter is properly investigated, it would be wholly unreasonable and indeed irresponsible to continue to publish these allegations. Differently put, the duty of the media to act reasonably does not exhaust itself in providing me with an "*opportunity*" to comment on vague and general allegations. I point out that in the media statement of earlier today, Parliament's spokesperson (Mr Magwenya) also indicated that there has been no credible investigation, hence they could not consider and respond thereto.

- It is not in the public interest to publish as it is not even contended in the letter that I am somehow involved in the Phala Phala saga. For reasons that I cannot fathom, I have been dragged into this as a kind of sideshow by whom, I do not know. I do not work on government tenders or in any other capacity for government.

- I was not mentioned in the original criminal complaint made against the President by Mr Fraser, which was made under oath. It strikes me as strange that now, in a letter not made under oath – which cannot attract a criminal sanction for perjury -- I am implicated.

For all these reasons, I am requesting the media not to continue to publish these allegations. It cannot be justified in the circumstances. I hardly need to point out that the consequences of any further publication will be severe for me, my family and our business. Already we are getting enquiries from business partners, tenants etc about the allegations.

My legal rights are strictly reserved.

Zahir Vallie

4 November 2022