



EXHIBIT PP 2

**LIZO
NJENJE**



**JUDICIAL COMMISSION OF INQUIRY INTO ALLEGATIONS OF STATE CAPTURE,
CORRUPTION AND FRAUD IN THE PUBLIC SECTOR INCLUDING ORGANS OF STATE**

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**LIZO NJENJE'S STATEMENT TO THE STATE CAPTURE
COMMISSION LAWYERS MADE ON 29 OCTOBER, 2018.**

1. My name is Lizo Njenje an African male born on 24 December, 1958. I am also known as Gibson, a name I inherited since joining the ANC in exile in 1977.
2. I underwent military training as a soldier and later an Intelligence officer under the aegis of the ANC military wing, Umkhonto we Sizwe (MK). I plied the intelligence tradecraft from 1979 till 1994 in the Department of Intelligence and Security (DIS) performing in various positions and responsibilities in the then Frontline States.
3. Although I played a major role in the CODESA process and in the negotiations which culminated in the new civilian intelligence dispensation, I opted not to join the new government intelligence structures in 1995 when the amalgamation of the various Services was effected. Instead, I went for business management training in pursuit of private interest and later worked for the private sector. Notwithstanding my seniority in the DIS, I decided to leave intelligence because I felt very tired of doing the same job.
4. In around 2002 I was headhunted by the South African Secret Service (SASS) and served as the Deputy Director General (DDG) : Operations. In 2003, I was transferred from SASS to the National Intelligence Agency (NIA) as DDG Operations.
5. Late in 2005 I resigned from NIA because of certain developments which had political implications. This was the period leading to the ANC Polokwane national elective conference in 2007.

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6. Between 2006 and 2009, I went back to the private sector where, in the main, I continued with my interests in a number of companies, dealing in gold, coal and manganese.
7. In about mid July 2009, I was contacted by the then Minister of State Security, Dr. Siyabonga Cwele, who informed me that President Jacob Zuma (uBaba) was requesting me to join the SSA to become part of a new leadership to steer away the Organization from the challenges it was faced with. After several discussions with Cwele, I agreed to join the SSA as part of the Top 3 in the Agency. I was duly appointed the Head of Domestic Branch (effectively, NIA DG).
8. Ambassador Mo Shaik was appointed the Head of the Foreign Branch (formerly SASS), and Ambassador Jeff Maqetuka, to whom both Mo Shaik and I reported to, was what known as "Super DG".
9. As Head of the Domestic Branch my responsibilities mainly covered the Counter Intelligence function. The responsibility also empowered me to advise the Super DG, and/or the Minister, and/or the President at my discretion based on the gravity of the matter at hand.
10. From the outset, Cwele tasked me to investigate the activities of what was called the Principal Agent Network (PAN) Programme which had been directed the then DDG Operations, Mr. Arthur Frazer. This programme was supposed to be a deep cover collection structure with no formal links to NIA. In brief, the Minister suspected that the PAN Programme was established outside the legal and regulatory prescripts of the Agency.

I set up an investigation team which reported to me on a regular basis and I in turn, reported to the Minister. I also kept abreast my colleagues at Top 3 meetings on the developments of the

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12. investigation. While the investigation was on going, Arthur Frazer and several affected members were suspended. Frazer later resigned as a member of the Agency.

13. As a result of the amalgamation of the NIA and SASS into State Security Agency (SSA) in 2009, some restructuring and realignment was necessary and this became one focus area the Top 3 had to undertake almost on a daily basis. At the beginning Cwele gave us good support, but with time the enthusiasm waned and it took long for him to attend to our submissions for his approval. From there on, the relationship between the Minister and the Top 3 gradually began to suffer a strain.

14. As head of Domestic Branch, I found the challenge of the strained relationship to be a risk to the running of the SSA. I then took it upon myself to reach out to the Minister trying to show to him that there was no mal-intent on the part of the Top 3 other than trying to get our job done. But the situation continued to deteriorate to the point where the Top 3 decided to approach the State President for his intervention.

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At a Domestic Branch senior management strategy planning meeting in 2010, one of the Chief Directorates, as part of their report, were indicating that there is some work they were performing on the Gupta family. Indeed, there was nothing much to this more than open source analysis. I can also

add here that there were inquiries and information requests that NIA received from Foreign Intelligence Services with regards to a Gupta-owned uranium mine. Such requests are normal protocol between fraternal intelligence services.

15. I later heard that Minister Cwele was saying I was investigating the Gupta family because I have conflicting business interests with them.

16. In truth, the matter of the Gupta family and their relationship with President Zuma and his family, particularly Duduzane, was an open public talk and a worrisome one to State Security. At the Top 3 level, we decided to call a meeting with the President so we could canvass him on the matter of the Guptas as well as the deteriorating relationship with Minister Cwele.

17. In about 2010, I received a call from Mr. Archie Luhlabo, a long time friend and comrade. He asked to meet as a matter of urgency. He told me that he was at former President Kgalema Motlanthe's private residence in Sandton. It was a Sunday evening. When I got there, I found Archie in the company of Ms. Gugu Mtshali (then) and Mr.

18. Nogxina and he advised that I mediate between the parties. Adv. Nogxina was clearly informed about the issue.

19. Ms. Mtshali made contact with Mr. Ajay Gupta and he agreed to meet with me at Saxonwold. At the meeting with Mr. Gupta, I told



him about how I got involved in the matter and that I had also made contact with Adv. Nogxina. I was surprised to hear from Ajay that he knew of me and my job at SSA. From wanting to take 90% of ICT, I managed to get Ajay accept 50%. His claim was that ICT could only succeed against Kumba and Arcelo Mittal with the support of President Zuma which he had.

20. Still in 2010, I made a call to Ajay Gupta (whose contact details he had shared with me at the meeting with Gugu and Archie) and asked him for a meeting to which he agreed. We met at his Saxonwold residence. I wanted to make an assessment of the power which they seemed to wield over the President which was negatively affecting the government and the ruling. Basically, I told him that as SSA we were concerned about the negative publicity that the President was receiving as a result of their family relationship with him. I also told him that if indeed they were friends with the President, they would need to assist us in protecting the President against the negative perceptions that were doing the rounds. At this point, Ajay told me that, in fact, before he agreed to meet on the Sunday, he spoke to the President and latter told him that I am a "good man from old days". Ajay went on to agree with the approach that President's name and integrity must be protected. He further committed that he would talk to one of his brothers who was said to be very rude in dealing with people. He went on a long narration of his family background, religious beliefs, business ethics, business interests in SA and how they met Duduzile and Duduzane Zuma when President Zuma was a political polecat etc. He undertook that he would play his part. But then he wanted to know from me what I thought was



Minister Cwele in the Gupta family. I frankly told him that I did not know and asked him why the question. He responded that at an ANC fundraising event held at the Hilton Hotel in Durban not long before, Cwele forced himself onto the Gupta-bought table; that Cwele gave the impression he wanted to be in business with them and also wanted to be close to President Zuma. I told him I had no idea.

21. When the Top 3 met President Zuma in 2010 or early 2011, we raised our concerns with the President. In response, he gave us a lengthy explanation about the relationship with the Guptas. He gave us the background of his 2 children and how the Guptas assisted them to become independent. We shared our concerns with him and the damage caused by the relationship. Overall, it was our view as Top 3 that we were not convincing the President. He also made the point that there was nothing untoward in their relationship. On the matter of the deteriorating relationship between the Minister and the Top 3, President seemed helpless and annoyed. He finally told us "you guys are senior. You should find a solution". Meaning we as Top 3 must sit down with Minister Cwele and resolve the issues.

22. A lot of work into the PAN Programme investigations and by 2011 the team and I convened a meeting with the NPA, SIU and Hawks where prosecutions indicated their happiness with going ahead with the case. The documentation of the investigation was then handed over to the Hawks and the SIU. We were then ready to move with the prosecution process.

23. I got a call from Minister Cwele asking that we meet at OR Tambo International Airport. At the meeting he told me about his meeting with President Zuma where latter expressed strong opposition in us

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taking Arthur Frazer to court. He said there were concerns of national security. I was gobsmacked and all my attempts to something sensible from Minister Cwele drew a blank. He finally said, it is the President's decision. I had the misfortune of having to go to my team of dedicated investigators and convey this decision by the President.

24. To ameliorate the failing diplomatic relations between Pretoria and Kigali, SSA Top 3 undertook a painstaking intelligence operation spanning between SA and the Caribbeans. A great deal of work was done resulting in the Caribbean states agreeing to host 2 top former Rwandan security officers living in SA and suspected of causing political instability in Rwanda. Towards the end of 2011, Minister summoned me to Cape Town. He told me he wanted me to brief President Zuma on the progress made with resettling the 2 Rwandans. But the meeting with the President seemed an illusion. After about 2 days, I told the Minister that I could not sit idle in Cape Town and left back to Pretoria.

Cwele told me that he had recommended to the President that he appoints me as SA's ambassador to Kigali because of my "seniority" and understanding of the politics the Great Lakes and Central Africa. I told him that I was not interested. I phone my 2 colleagues and they were amused with this news.

25. A few days later Minister Cwele called me to his office in Pretoria to give him "feedback" on the "Kigali offer". I went to his office armed with my resignation letter. This was in November 2011.

26. I think it was at the Cabinet Lekgotla in 2011 when Adv. Sandile Nogxina informed me about a pending meeting between Minister Susan Shabangu and Ajay Gupta. He further told me that the DMR



was having hard time dealing with the demands of the Guptas. I offered to accompany them if his Minister were to agree. She agreed. At the point of leaving the marquee where lunch was served for the Cabinet Lekgotla, Minister Shabangu went to inform the President about her meeting, but he knew about the meeting already and it was to be held at Mahlambandlopfu. We found Ajay there and he led us to the President's study where the meeting was held. The meeting was not good. Ajay Gupta was talking down to the Minister and very much overbearing. He was demanding that Minister Shabangu must fast track their application for mineral rights. I intervened and stopped him for his conduct.

Signed : (Lizo Njenje)

26 November 2018.

Ek sertifiseer dat die volgende verklaring deur my afgeneem is en dat die verdagte erken dat hy/sy vertroud is met die inhoud van hierdie verklaring en dit begryp. Hierdie verklaring is voor my bevestigingsaflegging en voor my teenwoordigheid daarop aangebring.

I certify that the above statement was taken by me and that the deponent has acknowledged that he/she knows and understands the contents of this statement. This statement was sworn before me and deponent's signature/mark/thumbprint was placed thereon in my presence.

to MIDRAND on 2008/2011 at 18:37

Samsa Masekela
(SIGNATURE) KOMMISSARIS VAN EDE
(SIGNATURE) COMMISSIONER OF OATHS

AR OCEAL AND Smeets PR
VOLLE VOORNAAM EN VAN IN DRUKSKRIF
FULL FIRST NAMES AND SURNAME IN BLOCK LETTERS

HALFWAY GARDENS
BESIGHEIDSDRES (STRAATADRES)
BUSINESS ADDRESS (STREET ADDRESS)

WJ
RANG/RANK

SA POLISIEDIENS
SA POLICE SERVICE

