



MEDIA STATEMENT

The following statement has been provided on the record to members of the press following the publication of several extracts from Prime Minister Dr Moeketsi Majoro's sworn affidavit, submitted to the South African court on 18 June 2021.

A spokesperson for Frazer Solar GmbH (FSG) said:

"Dr Majoro has misled the DCEO, he has misled Basotho, and now we learn he intends to mislead the South African court as well. This pattern of inaccuracies raises serious questions over the Government of Lesotho's ability to present any credible legal case as – and when – proceedings begin in South Africa.

It is clear that complacency, not conspiracy, is the reason GOL has failed to engage with this legal process. This fanciful conspiracy has been dreamed up by Dr Majoro. It is an insult to Basotho, and a desperate attempt to distract attention away from the multiple opportunities he and the GOL were offered to resolve this dispute, but failed to act."

MEDIA BRIEFING – RECENT REPORTS

The following information is provided to members of the press for briefing purposes, and sets out to challenge a series of falsehoods included in Government of Lesotho (GOL) statements to the press or within legal documents.

1. Prime Minister Majoro has misled the DCEO

In a letter from the Directorate on Corruption and Economic Offences ('DCEO') to the then acting Attorney General (Ntebaleng Morojele) on 9 June 2021, acting Director General Sefako Seema states that:

- "On the alleged concealment of the arbitration papers, both the Attorney General (Morojele) and the Right Honourable the Prime Minister (Majoro) claim they were neither served nor informed of the papers despite being the only authorities empowered to deal with such."

However, in Dr Majoro's affidavit to the South African Court, he confirms that:

- "The Ministry of Foreign Affairs did receive the notice of motion and founding affidavit in the application to make the arbitration award an order of court. All court papers received by the Ministry of Foreign Affairs by 8 December 2020 were contained in a dossier. The dossier was forwarded to the Office of the Attorney General after 9 December 2020 but never reached the Attorney General" (93)

It is a matter for GOL to explain why these documents were allegedly never received by the Attorney General, but given the extent of FSG's efforts to inform the widest possible array of Ministers and Ministries of the legal action, it is not plausible to suggest the pending legal action could have been concealed from relevant parties.

It has already been established that Dr Majoro himself received notice of the pending legal action – confirmed by way of 'read receipt' for documents received in April 2021 and his own affidavit for documents received in March 2021 – which suggests that he either has been dishonest in his testimony to the South African courts, or in his evidence to the DCEO.

2. A Fanciful Conspiracy Theory

In its attempts to excuse the GOL's failure to engage with this legal process over the past two years, Dr Majoro's affidavit to the South African court relies exclusively on the notion that documents, letters, phone calls, and emails were deliberately and successfully concealed from relevant Ministers and Ministries by four individuals.

This conspiracy theory does not exist in reality, and is instead a fanciful product of Dr Majoro's own creation.

The facts are as follows:

- Dr Majoro identifies four alleged participants in the conspiracy: former-Minister Ts'olo, former-Government Secretary Mphaka and their secretaries Ms Ntobaki and Ms Lebusa. The secretaries claim that at all times they were only following the directions of their superiors.
- GOL's position is that Mr Ts'olo and Mr Mphaka were able to intercept and conceal all documentation related to the case with complete precision on every single occasion over the last two years, while somehow exacting enough control over anyone within the Government from ever talking about it or taking any action.
- Taking these points into consideration, it is impossible to see how any of the four individuals could have seized all crucial information, as Dr Majoro alleges, including from Dr Majoro himself.
- Furthermore, with the exception of Mr Ts'olo (who, according to Dr Majoro's affidavit, ceased being a member of GOL in June 2020), none of the individuals held positions of sufficient power or influence to conceal legal documents or prevent further enquiries across multiple ministries.

ENDS.