

## Tšolo Charged With Fraud And Corruption



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LOCAL NEWS



Former Minister in the Prime Minister's Office, Temeki Tšolo

***...Frazer Solar slams "politically motivated" charges in connection with botched M1, 7 billion solar deal***

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THE Directorate on Corruption and Economic Offences (DCEO) has charged former minister Temeki Tšolo with corruption in connection with the botched M1, 7 billion solar power deal between the government and Frazer Solar.

Mr Tšolo appeared at the Maseru Magistrates' Court on Thursday where he was read the charges and released on M5000 bail. He will next appear in court on 30 December 2021.

The fraud and corruption charges relate to Mr Tšolo's role in committing the government to the deal with the German company for the supply of solar power to Lesotho over a period of four years.

The M1,7 billion deal was signed in 2018 during the tenure of the previous Thomas Thabane administration. Mr Tšolo was Minister in the Prime Minister's Office at the time.

He signed the deal on behalf of the government. However, the project was not implemented after Prime Minister Moeketsi Majoro- who was Finance Minister at the time- refused to sign the financing agreement for the implementation of the project.

However, Frazer Solar insists it had a valid agreement that was signed on behalf of the Lesotho government by Mr Tšolo.

Early last year, the German company was granted a massive £50 million (M856 million) in damages by a South African arbitrator for the government's alleged breach of the contract. In April this year, Frazer Solar successfully petitioned the Gauteng High Court to grant it an order allowing it to garnish Lesotho's water royalties due to it in terms of its Lesotho Highlands Water Project (LHWP) agreement with South Africa for the transfer of water to the neighbouring country.

However, Frazer Solar has not laid its hands on the royalties and Lesotho's other assets. This after Dr Majoro petitioned the same court to nullify the damages award. Dr Majoro has also petitioned Lesotho's High Court to overturn the damages award. Both cases are pending.

As part of the government's multi-pronged approach to reverse the deal, the DCEO has now charged Mr Tšolo with fraud and corruption in the Maseru Magistrates' Court.

According to the charge sheet, Mr Tšolo acted in "joint common purpose" with Frazer Solar director, Robert Frazer, to "make a false representation" that Mr Tšolo was authorised to represent and bind the Lesotho government to the solar power deal with Frazer Solar.

Messrs Tšolo and Frazer’s aim was for the government to act on the misrepresentation “to its detriment in the amount of M855 000 000, thus the accused is guilty of fraud,” the charge sheet states.

Mr Tšolo is further accused of corruption in that he unilaterally and unlawfully signed a memorandum of understanding and supply agreement with Frazer Solar “for the purpose of obtaining an undue advantage to himself or another, Robert Frazer. Thus, the accused is guilty of the crime of corruption”.

Frazer Solar has slammed the charges, describing them as baseless and politically motivated.

“These charges are nothing more than a baseless, politically motivated smokescreen. The Government of Lesotho is scrambling to cover its tracks. Resorting to such desperate tactics only serves to expose the true weakness of their position. Frazer Solar continues to enforce its final and binding arbitration award in South Africa and other international jurisdictions. Distractions and obfuscations like this don’t and won’t stop Frazer Solar enforcing its rights and it remains as confident as ever of ultimate victory,” the German company said in a weekend statement.



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