

## SWORN STATEMENT

I, the undersigned Fabiano Emmanuel Dos Santos, , A Mozambiquan national, going by the name "JOSH", do hereby state in English and under Oath as follows:

1.

I was hired in the year 2000, by Mr. David Mabuza, who is now a premier in Mpumalanga Province, to work for him and Mr. Steve Mabona, who was then a minister of police in Mpumalanga Province. I was hired to be a "cleaner" for both of them. Being a "cleaner" means eliminating political and or business opponents of both Mr. Mabuza and Mr. Mabona.

2.

I was brought in Mpumalanga by Mr. Mabuza, who had requested Mr. Bobby Motaung of kaizer Chiefs, to set-up a meeting between the three of us (myself, Mr. Mabuza and Mr. Motaung). By this time I was doing work for Mr. Motaung, which included "cleaning" up for him, facilitating the entry of Drugs into South Africa and Arms and Aminition. After this meeting, I moved to

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Mpumalanga to work for Mr. Mabuza, who then introduced me to Mr. Mabona.

3.

In 2000, I was instructed by Mr. Mabuza and Mr. Mabona, to shoot and kill Mr. Fish Mahlalela, who was a minister in Mpumalanga. I was told that Mr. Mahlalela was causing problems for Mr. Mabuza and Mr. Mabona's businesses. A friend of mine, warned me that Mr. Mahlalela had received military training in Angola and Russia, that attacking him maybe the end of me! I reported this to Mr. Mabuza and Mr. Mabona and told them that I could not go through with it. On that day, in my presence, at a Farm in Elandshoek near Ngodwana, Mr. Mabona phoned the premier of that time, Mr. Mahlangu and instructed him to remove Mr. Mahlalela from the cabinet. Mr. Mahlalela was saved assassination by being removed from the cabinet in 2000.

4.

Again in 2000, I was sent to Kwandebele and spent three weeks, monitoring a certain Mr. Msiza, who owned a Driving School that was competing with Mr. Mabona's. I eventually shot and killed Mr. Msiza in Kwaggafontein

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late in 2000. I was paid Ten thousand Rands for this job, by Mr. Mabona. In the same year, Mr. Mabuza instructed me, to plant drugs (mandrax and cocaine) at the home of Mr. Isiah Khoza, who was a mayor of Nelspruit. The plan was to then inform Mr. Mabona, who was send a team of Policemen led by Captain Fannie Molapo, to search Mr. Khoza's house and to arrest him! I planted the drugs as instructed but Captain Molapo was ill at the time and the arrest did not go-ahead. I don't know what happened to the drugs at Mr. Khoza's house in Nelspruit.

5.

In 2001, I was moved to Mr. Mabuza's farm in Barberton, after they clashed with Mr. Mabona. From this period, I did a lot of work for Mr. Mabuza and other businessmen. These include messers Bobby Motaung, Patric Chirwa and Herbert Theledi. The work that I was doing, involved smuggling drugs, buying Dagga in bulk for Mr. Mabuza, poisoning certain individuals and carrying out murder hits. Between 2002 and 2009, I moved from Elandshoek farm and Mr. Mabuza's farm in Barberton, while carrying out my work.

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People that I was personally involved in either poisoning, planting illegal substances in their homes and carrying out hits on them are as follows:

A. JAMES NKAMBULE

In 2006, Mr. Mabuza, at his farm, instructed me, to poison James Nkambule. He only told me that James Nkambule was writing stories about him in newspapers. He also told me that James Nkambule was a big problem that needed to be silenced. While Mr. Mabuza was on speaking terms with James Nkambule, Mr. Mabuza made me to pretend to be a traditional healer, and took me to James Nkambule's house in Barberton Town, when James Nkambule was sick. This may have been in 2002, I cannot recall. That is why I did not need a picture of Mr. James Nkambule when I had to poison him, because I knew him.

Mr. Mabuza handed me a small bottle that was full of liquid substances. He instructed me to infiltrate a Catering company that was catering for a matric dance at which James Nkambule was to speak. I did in September 2006, and at the Barberton Guest House, empty the bottle

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Mr. Mabuza gave me, into James Nkambule's food and I went to personally serve him at his table. For this, Mr. Mabuza paid me Five thousand Rands (R 5 000.00) a week later. Mr. Mabuza complained in December 2006, that I did not do a proper job, because James Nkambule was not dead, he was hospitalized only. I told Mr. Mabuza, that I did as he instructed me to do.

**B. ANDRIES GAMEDE**

In 2008 or 2007, Mr. Mabuza instructed me to poison Mr. Andries Gamede. I was surprised at this instruction as Mr. Gamede, who was the Mayor of Gert Sibande District Council, was a friend of Mr. Mabuza. I was to poison Mr. Gamede at a function in Ermelo, in similar circumstances as James Nkambule. On the day in question, I panicked and instead, phoned Mr. Gamede and told him not to eat anything at the function. I also told him that I was sent to poison him, but never told him who sent me or my name. I threw the bottle of poison away on my way back from Ermelo. I was transported on this trip by Mr. Welcome Nkuna, an associate of Mr. Mabuza's.

**C. MR. ISIAH KHOZA**

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Mr. Mabuza and Mr. Mabona, instructed me in 2000, to plant drugs at Mr. Isiah Khoza's house in Nelspruit. Mr. Khoza was the mayor of Nelspruit. The plan was to plant mandrax and cocaine at Mr. Khoza's house and then phone captain Molapo, to raid Mr. Khoza's house and arrest him. I was handed the drugs by Mr. Mabuza himself. I did plant the drugs as instructed, but captain Molapo was ill on the day in question and the arrest could not happen. I don't know what happened to the drugs at Mr. Khoza's house!

#### **D. FISH MAHLALELA**

I was instructed by Mr. Mabuza and Mr. Mabona in 2000, to shoot and kill Mr. Mahlalela who was a minister in Mpumalanga. I did not proceed with this shooting, after I learnt that Mr. Mahlalela had extensive Military training in Russia and I was warned that I may not come out alive! After Mr. Mahlalela was removed as a minister, Mr. Mabuza instructed me, in 2003, to arrange a certain Mr. Britain Fakude, who works at Correctional services, to befriend Mr. Mahlalela's wife, known as Faith/Faith. This was after I had arranged an HIV-positive prostitute, to sleep with Fakude. Mr. Fakude

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complied and had sex with Mr. Mahlalela's wife, at a room at Road Lodge Nelspruit. The aim was to break Mr. Mahlalela's marriage and to infect him with HIV. Mr. Fakude still maintains a relationship with Mr. Mahlalela's wife and was guaranteed protection by Mr. Mabuza.

#### **E. MR. MSIZA**

I was instructed by Mr. Mabuza and Mr. Mabona in 2000, to shoot and kill a certain Mr. Msiza from Kwandebele who owned a Driving school and was costing Mr. Mabona and Mr. Mabuza business, because he refused to sell his driving school to them. I shot and killed Mr. Msiza in late 2000. Mr. Mabona paid me Ten thousand Rands (R 10 000.00)

#### **F. BURIAL OF AN UNKNOWN MAN**

In 2004 or 2005, Mr. Patric Chirwa and a young man who was introduced as Sbusiso Sigudla from Ermelo, came in one night with a body of a dead man. I was instructed, by both Mr. Chirwa and Mr. Mabuza (who arrived later) to dig a grave and bury the man, which I did. This was a Elandshoek farm . I over-heard a conversation between Mr. Chirwa, Sigudla and Mr.

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Mabuza, that Mr. Chirwa will drive the dead man's car into Malawi and make it look like the man "vanished" into Malawi. During the same period, two bodies of men were brought for burial by Mr. Bobby Motaung, accompanied by Mr. Mabuza. I buried these bodies at Elandshoek farm!

### **G. MBOMBELA OPERATION**

In November 2008, I was called into a meeting, at the lounge of Mr. Mabuza's house at Barberton. Present at the meeting were messers David Mabuza, Patric Chirwa, Bobby Motaung and Herbert Theledi. At this meeting, I was instructed to recruit four others, to help me with this "operation". The "operation" meant the elimination of people, whose pictures and corresponding names were given to me. These were identified as:

- i. Lassy Chiwayo
- ii. Jimmy Mohlala
- iii. Naki Ndlovu
- iv. Victor Mlimi
- v. Sgananda Siboza

I subsequently recruited the following people: Edgar Muzai, Rogers Ndlovu, Ralph Muzenda (all from

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Zimbabwe) and Arnando Ferera from Mozambique. I was instructed in the meeting with messers Mabuza, Theledi, Motaung and Chirwa, to prioritize Mr. Jimmy Mohlala.

In a follow-up meeting with the four gentlemen, held at Mr. Mabuza's house at Barberton, I reported that my team was ready and Mr. Mabuza said we would be paid Forty-thousand Rands (R 40 000.00) per person, per hit. At this meeting, Mr. Chirwa handed me an amount of One hundred thousand Rands (R 100 000.00) in cash, as a deposit to be shared equally amongst all Five of us. A promise was made that the remainder will be paid after we had carried the hit on Mr. Mohlala.

After following Mr. Mohlala's movements, we splited into two groups. One group of three was stationed at one of his two houses and the other group of myself and Armando was stationed at the other house. We followed Mr. Mohlala into his house and I shot him twice or thrice. He was with a child who was shot by Armando, while I had to make sure that Mr. Mohlala was dead! This was in January 2009. I called Mr. Mabuza and told

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him the job was done. Mr. Mabuza sounded very happy upon hearing this news.

We retreated back to Mr. Mabuza's farm in Barberton, where he told me we must move to Elandshoek farm, until the rest of our money was settled. He told me, the rest of our money will be paid sooner. He also told me to "shake" Mr. Chiwayo with threats on his phone, which numbers Mr. Mabuza gave me. I threatened Mr. Chiwayo on his phone at least five times.

7.

In August 2009, while on my way back to Elandshoek from Nelspruit, a lady friend called on my cell and told me "NEVER" to return to Elandshoek because my other four colleagues had been executed at the farm, by two Men in the presence of Mr. David Mabuza and Mr. Bobby Motaung. Scared, I asked her what to do, and she advised me to travel to Barberton and tell Mr. James Nkambule everything, including that we were to attack him on or before August 15<sup>th</sup> 2009. Afraid and tired of the killings, I went to Barberton on August 13<sup>th</sup> 2009, where I asked to speak to Mr. James Nkambule and I told him everything.

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Mr. Nkambule asked if I had a problem writing all I told him and I said I had no problem. A lady unknown to me was called by Mr. Nkambule and she typed, on a Laptop, everything that I said. An Old man who spoke both Portuguese and Tsonga was also brought in and he translated to me in Portuguese and Tsonga, the typed statement, which was exactly what I had said.

8.

After making a number of calls, by Mr. Nkambule, I was taken across Swaziland and into Mozambique, by a car I suspected to be a Police car. Mr. Nkambule assured me that he will make everything possible, that I must be safe and testify against my Bosses once he was sure that the time was right. I asked Mr. Mr. Nkambule to get me Protection (indemnity) from prosecutor before I can testify. I also asked him to arrange that I meet Mr. Mohlala's children, Mr. Chiwayo and other people I was to kill, to apologise to them.

9.

Mr. Welcome Nkuna, came to my home in Mozambique looking for me, in October 2009. My aunt told him I had committed suicide and showed him a fake death

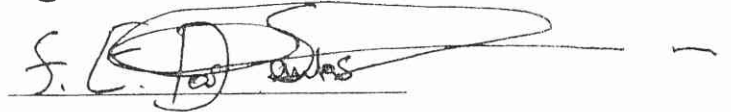
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certificate and my uncle's grave as mine! This allowed me to be safe, during which time, Mr. Nkambule sent me food via some officials I suspected to be police. I am not proud of what I did. I am sorry for everything. I did what I did for money to support my three children.

10.

This statement was read in Portuguese and Tsonga for me. It contains the true facts as I know them. I consider this statement to be binding on my conscience and I have no objection to taking the prescribed Oath.

Done on this 13<sup>th</sup> day of August 2009, and at Barberton.



**Deponent**

LANDDROS  
PRIVAATSAK/PRIVATE BAG X1614  
2010 -02- 16  
BARBERTON 1300  
MAGISTRATE

*[Faint, mostly illegible text from a form, likely a deposition or affidavit form, with some handwritten marks and a signature.]*

CLEDAS VUYANI NKAMBULE  
COMMISSIONER OF OATHS  
DE VILLIERS STREET  
2010. 02. 16 BARBERTON