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Zondo commission – Masango refutes Koko claim of criminal case

Former Eskom executive Matshela Koko may have misled the state capture commission in his claim that he laid a criminal case of corruption against then colleague Abram Masango in 2017, which led to the latter implicating him in state capture.

The commission heard from both Masango and his attorney, Advocate Kenny Oldwage, on Tuesday that they are not aware of such a case of corruption relating to Kusile and Medupi power plants being laid by Koko against Masango.

Masango is the former project manager at Eskom's Kusile power station in Mpumalanga, and at times reported to Koko in circumstances where former group capital head Dan Marokane was unavailable, he said in previous testimony. He told the commission that Koko called him to the offices of Gupta associate Salim Essa in Melrose Arch on the eve of 10 March 2015. The date is significant because it was the eve of the Eskom board's suspension of the top level of Eskom at the time, including Koko, CEO Tshediso Matona, CFO Tsholofelo Molefe, and Marokane.

According to Masango, Koko told him on the day of the pending suspensions and how they would happen, adding that Masango would most likely be appointed to act in Marokane's position. When it was his turn to testify on the matter, Koko denied this, telling the commission that Masango must have been bitter over the fact that he had opened a police case against him, and concocted the story to get back at him.

Another former executive Suzanne Daniels told a similar version to that of Masango, claiming that she too learned from Koko for the first time on that day that the suspensions would happen. But Koko in turn said the two were part of a campaign he termed the "Koko hunt", designed to discredit him.

Masango dismissed the claim, saying he had no reason to lie. His return to the commission, in fact, was to clarify whether or not he recalled the building at which the said meeting had occurred. Together with commission investigators, Masango returned to Melrose Arch in March this year to point out the building that he believes housed Essa's office.

On the matter of the criminal case, however, he said he heard of it for the first time from Koko's evidence. "I'm not aware of Koko laying a criminal charge against me. There is an alleged case at Kusile that I'm attending," said Masango.

Asked for more details by commission chairperson Deputy Chief Justice Raymond Zondo, he added: "What I know is that there is an alleged case that I'm attending, it's on pre-trial now and was laid by Eskom ... in 2017. When I look at it now, it was laid by the security manager ..."

Oldwage said although there is a case in which Masango and other Eskom officials are respondents, Koko is not listed as the one who laid a charge, nor has Oldwage come across a statement by him in

the court papers. “There is no case. I represent Mr Masango in those proceedings. It has absolutely nothing to do with Mr Koko.”

He added that in his bail application, Masango was asked by the court if there were any pending cases against him, and he responded by saying no. “What I can be sure of is the docket contents of that matter have been disclosed to the defence. I have read those papers and there’s certainly no charge against Mr Masango where Mr Koko is the complainant.”

Zondo noted that the complainant may well be recorded in the docket as Eskom, but Oldwage explained that Koko is not even recorded as the first informant of crime in the matter. Evidence leader Advocate Pule Seleka said to put the matter to rest, he would obtain from Koko documents that the latter claimed are proof of the existence of the case.

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