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CHAIRPERSON: Good morning everybody. Advocate Lebala.

ADV LEBALA: Esteemed Commissioners, the witness Admiral Johnny Kamerman is standing before the Commission regarding [indistinct].

CHAIRPERSON: Can he take the oath?

(Witness is sworn in.)

CHAIRPERSON: Thank you.

ADV LEBALA: Thank you Esteemed Commissioners.

10 Please be informed that there are two bundles, we'll use bundle and files interchangeably to lead Admiral Kamerman, and I beg your pardon for calling Admiral Kamerman Mr Kamerman, in actual fact he is supposed to be Rear Admiral Kamerman Esteemed Commissioners. Two files will be relied upon and I

15 note that you are looking at your files. Now you will note that bundle 1, file 1 consists of a statement with 108 pages and annexures thereto, and inside that File 1 there are annexures starting from page 1 to page 373. Those annexures are annotated as Annexure "JK1" to "JK8". Now there's another

20 bundle esteemed Commissioners, or File 2, spanning from page 374 to page 662. Now in that bundle there would be Annexure "JK9" to Annexure "JK51", and enjoined to it it's two appendices, Appendix "A" and Appendix "B". Now I would need the direction whether the Commissioners are with us. I have

25 just been informed that the Commissioners received their

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bundles only a day before yesterday, hence I need to be assured that the Commissioners are with us in as far as the bundles are concerned. I see both Commissioners are nodding.

5 **WITNESS : ADMIRAL JONATHAN EDWIN GOLD KAMERMAN**
(Hereinafter referred to as "ADM KAMERMAN"), GIVES
EVIDENCE UNDER OATH

EXAMINATION IN CHIEF:

ADV LEBALA: Admiral Kamerman, let me direct you to ...

10 I beg your pardon. My attention is drawn to the fact that the witness has not been sworn in. [Indistinct], the witness has been sworn in.

CHAIRPERSON: Maybe let me ask Advocate Lebala just to concentrate.

15 ADV LEBALA: When it's said by you Chair it's forceful, I would not add to it. Admiral Kamerman, you have prepared a signed statement consisting of 180 pages, am I right?

R/ADM KAMERMAN: That's correct Commissioners.

20 ADV LEBALA: We will be taking you through your statement and this statement details how [indistinct] your testimony before the Commission. I assure the Commissioners that we are not going to deal with each and every detail of your statement as a large part of it is common cause. Now let's look at page 1 of your statement. I'm going to read from page

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“I, the undersigned Jonathan Edwin Gold Kamerman state that I’m an adult male, South African citizen, presently employed by Thyssenkrupp Marine Systems (TKMS) of Germany where I work and
5 *reside”.*

Permit me from now on to refer to Thyssenkrupp Marine Systems as Thyssenkrupp.

R/ADM KAMERMAN: You can call it by its commonly known abbreviation “TKMS”.

10 ADV LEBALA: Now I know that ...

R/ADM KAMERMAN: Whichever suits you.

ADV LEBALA: Now I know that it’s very intense to satisfy [indistinct] in order to build your confidence. Which one do you prefer?

15 R/ADM KAMERMAN: I prefer TKMS simply because Thyssenkrupp is a huge 200 000 person concern and my company is only 5 000, so TKMS.

ADV LEBALA: If I keep on calling it Thyssenkrupp I hope you will be [indistinct] from the same page, am I right?

20 R/ADM KAMERMAN: That’s correct Commissioners, I have no objection to Thyssenkrupp or Thyssenkrupp Marine Systems, or any abbreviation of those two.

ADV LEBALA: Still no paragraph 1 why is it called Thyssenkrupp Marine Systems of Germany?

25 R/ADM KAMERMAN: Well, it’s the ..., the combination of

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Thyssen and Krupp come from the two very large German conglomerates, one called Thyssen and the other called Krupp that arose in the 19th century and by the 2nd World War were major industrial concerns and they, they were forcibly broken
5 down after the war by the allied powers and then came together again as individual companies in the 1960's and then they merged in the late-1990's to form the Thyssenkrupp company. They may ...

ADV LEBALA: Thank you Mr Kamerman, it's okay, thank
10 you. Please, when you testify I'll be looking at you, I'll also be looking at the Commissioners. When [indistinct] enough details I'll draw your attention to it because we've got to get going. That's not an essential piece of your testimony, ...

R/ADM KAMERMAN: I understand.

15 ADV LEBALA: ... the history of Thyssenkrupp, I just wanted you to qualify. Let me actually complete, is there a Thyssenkrupp of South Africa or of Russia, or of England?

R/ADM KAMERMAN: It's one of the world's largest multinational companies on all the continents, and yes, there is
20 a Thyssenkrupp and a Thyssenkrupp Marine Systems in South Africa.

ADV LEBALA: Thank you. And we see in paragraph 2 you refer to a copy of your CV. I'm not going to take you there, in actual fact you will see this spans four pages, let's not waste
25 time. I'm still dealing with your CV in the context in which

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you'd be testifying. Am I right to say the following; you will be testifying in different capacities, starting with you as a project officer of Project Sitron spanning from the year 1993 when the acquisition of the patrol Corvettes [indistinct] place, am I
5 right?

R/ADM KAMERMAN: That's correct, Commission.

ADV LEBALA: You will also be testifying as the overall project director who supervised the patrol Corvettes and the submarine building projects after you appointed [indistinct]
10 admiral around the year 2000 isn't it?

R/ADM KAMERMAN: It's correct Commissioners. It was [indistinct] after the selection of preferred suppliers for the patrol Corvettes, submarines as well as the Maritime Helicopters and I was appointed to direct all three of these
15 programmes out of Germany and the United Kingdom.

ADV LEBALA: Now I note that you have one leg in the Project Sitron and another leg in Project Wills dealing with submarines. Would you quickly just briefly explain?

R/ADM KAMERMAN: Yes Commissioners, as the senior officer
20 between myself the Project Officer Wills, at that time Captain Reed and subsequently Captain Jourdan, I had disciplinary control, that's a very specific military concept. Disciplinary control, and I exercised also directorship over the two projects and as I add the third from 2001 onwards Project Maulstick, the
25 acquisition of the Helicopters. Because of the size of the

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programme and because of the, we interfaced so extensively with the German Government for support I was actually the executor, formally designated by our Government to execute these projects in our interfacing, not only with the suppliers, but also with the German and the United Kingdom Governments.

5 ADV LEBALA: Thank you Admiral Kamerman, you have just mentioned the capacity that you would be testifying as the executor of bilateral agreements between the Government of South Africa and the South African ... No, the Government of South Africa presenting the South African Navy and the Government of Germany, am I right?

10 R/ADM KAMERMAN: That's correct Commissioners, we had a number of bilaterals, one between ARMSCOR and the German equivalent of ARMSCOR called BWB, it's a similar organisation, it now changed its name, but nevertheless I am between the South African Navy and the German Navy, at that level there was a naval agreement and then there was a bilateral agreement of which the Navy and the ARMSCOR agreements were sub-agreements and I was responsible for administrating and executing this lot. My particular energies of course were directed in the Navy to Navy exchange because that was where the real training and technical support, logistic support, seagoing training and all sorts of other training, as well as administration, our people lived in German barracks and boardrooms and we had a total integration with the German

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Navy at one stage.

ADV LEBALA: Thank you. Actually you have covered almost two thirds of your CV in summary, hence I'm not going to take you through it. And lastly you will testify in your capacity as a project officer of Project Suvecs. Now the Commissioners have heard so much about Project Suvecs, they know that it was a technology retention project during the years 1995 to 1999, you need not delve into it, am I right?

R/ADM KAMERMAN: Correct Commissioners, it was actually until 2000 but that's a minor point.

ADV LEBALA: Now paragraph 3, you joined the South African Navy in 1973 aged 17. Now I'm trying to relax you, I can imagine in 1973 what was happening in our country to allow a 17-year old. Explain why at that age and one notes that you served as an active duty naval officer, what does that entail? I've asked you a compound question. Firstly were you allowed to start as early as the age of 17?

R/ADM KAMERMAN: Yes Commissioners, we had a different education system in those days and my mother was a teacher, so I started in Sub A at Standard 4 [sic], but I've always wanted to join the Navy, particularly in my mid-early teens, my father and brothers had been lost at sea, so my mother wasn't too keen, but nevertheless I followed my brother and my brother in law into the Navy and the Navy in fact was my first love if you want to call it that, literally.

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ADV LEBALA: Let me direct you. It's okay, it's [indistinct]. Let me direct you to now something of keen interest to, I suppose your testimony, which piggybacks on your CV. You joined as an active duty naval officer, what does that entail, was it when you were 17?

R/ADM KAMERMAN: No, no, you ... Well yes, yes and no, because your first two years in the force are officers training that you are given a, in the Navy it's called a midshipman and in the Army and Air Force a cadet officer, so you spend your first two years with a white tab and not a star on your shoulder, or in the Navy a stripe on your shoulder, and if you are successful you then get commissioned under a State President's commission as an officer in the SANDF. But basically from the day you join you are what used to be termed the permanent force.

ADV LEBALA: Thank you. Perhaps I've already traversed it, this is how we are going to deal with your testimony, we are no longer going to focus on paragraph 3, except just to enquire about when you were promoted to rear admiral junior grade, how many stars did you have?

R/ADM KAMERMAN: I beg your pardon, could you repeat that please Sir?

ADV LEBALA: Okay, please feel free if you don't comprehend my questions or understand, or whether I speak fast, to request me to repeat. Now when you got promoted as rear admiral

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junior grade, and I take it that you are still an admiral, how many stars? I know that we started appreciating that ...

R/ADM KAMERMAN: Stars? I beg your pardon, I thought you said something else. A junior grade Admiral or rear admiral
5 junior grade is a one star, in other words it's the lowest what we call "flagged" rank in the Navy, it's equivalent to brigadier general in the Army and the Air Force and it's a common rank in most navies of the world as the lowest flagged rank as ...

ADV LEBALA: Thank you Admiral, thank you. The
10 Commissioners have heard about that. I'm satisfied it's one star. Let's proceed on. At the [indistinct] of paragraph 3 I know that I said that we'll part ways with it, I just want to draw your attention to what you say in the last sentence:

*"In September 2006 I retired from the South African
15 Navy and joined Thyssenkrupp Marine Systems, AG of Hamburg, Germany".*

Now this is one of the most controversial aspects. You will see that we'll be crisscrossing in as far as your testimony is concerned. I think we should take this aspect directly. The
20 critics are saying when you joined Thyssenkrupp Marine Systems you were allowed to do it because you did a favour, of course [indistinct] favour, to the German Frigate Consortium which had a relationship with Thyssenkrupp [indistinct] and that's the reason why you were allowed to join Thyssenkrupp
25 without respecting some bilateral terms of your employment

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agreement. It means there were conditions but you could not leave the South African Navy and join Thyssenkrupp without having observed a period of eight years' grace. You know what I'm talking about?

5 R/ADM KAMERMAN: Correct.

ADV LEBALA: Now I want you to explain to the Commissioners, because it's what the critics are saying at this stage, let's take advantage, and of significance is to draw the Commissioners' attention to the fact that this aspect is the last
10 part of your testimony, we are not going to go back to it. I want to draw the Commissioners' attention to page 105 paragraph 153.1, to page 108 paragraph 153.4.6. Now we start at the outset at [indistinct] what the critics are saying. Now do you want to explain this aspect? Now we can deal with it by
15 starting on page, paragraph 1.5.3.1 and let me take the liberty to read it, I see the Commissioners [indistinct], please could the esteemed Commissioners seek my eyes if you are at that page. May I take the liberty to read it, in paragraph 5.3 and 280.7 of your statement:

20 *"[Indistinct] resignation from the South African Navy during July 2006 and my taking up of employment with Thyssenkrupp ...".*

That you comfortably call TKMS:

25 *"[indistinct] and indicative of the practice of the so-called revolving door".*

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This issue is also raised by Feinstein and Holden at pages 158 and 159 of their joint submission. I assure the Commission that this is what the critics are saying without doing cross-referencing.

5 *“[Indistinct] and Feinstein make these allegations in the context of [indistinct] insinuating that such employment is a bribe in return for [indistinct] for corrupt acts carried out by me, whereby [indistinct] the selection of the German Frigate Consortium as*
10 *the preferred bidder”.*

Now I want you to summarise your response as to what do you say about that.

R/ADM KAMERMAN: Thank you Commissioners. I do make this statement, I deny these allegations completely and set out
15 the relevant facts henceforth. My leaving the Navy had nothing to do whatsoever to my activities under Project Sitron. In 2005 as a mechanism to ease the early retirement of, let's say senior officers from the previous dispensation, the SANDF, I had turned 50 and this was 2005, they constituted a mechanism
20 known as the Management Exit Mechanism or commonly referred to as MEM. This enabled people with a certain seniority and a certain amount of years of continuous service to retire voluntarily early without the penalty which had hitherto applied that if you retired before the age of 60, before
25 the earliest retirement age in my case, you would lose your

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pension completely, but in order to get things moving and this MEM, so-called MEM was that you were able to retain the portion of this pension that you had in fact paid in, you did lose the Government portion but if you did it early enough you had a second career. Why did I want a second career, well, I've been in the Navy for 33 years, wonderful career, and basically I'd done everything, I had in particular been very operational, involved in warships and their building and their operations and combat activities and so on my entire career, and it was pretty clear to us and was one of the reasons why the MEM was constituted that our generation could no longer aspire without our particular profiles to have an opportunity to become Chief of the Navy, which was my long-held career goal. That's ...

ADV LEBALA: If I may interpose just there, and I would like to draw the Commissioners' attention to what you are saying now, I would like the Commissioners to go to page 106 paragraph 153.3.2, and I would like to read it because it's an incremental question that I would like to ask you. I see the Commissioners are there, I see the Chairperson is there. Commissioner Musi, I would appreciate you nodding. Thank you.

"After 33 years in the Navy ...".

You have just mentioned now:

"... and having delivered the Navy its [indistinct]"

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ships from Germany, and with the commission of the first ship into service schedule for 2006 I decided on a career change”.

You mentioned that.

5 *“I’ve been promoted to admiral quite early at the age of 44, but given the personnel imperatives of the new SANDF my generation could no longer aspire to become Chief of the Navy which was my long-held career ...”.*

10 What are you talking about, are you referring to the fact that you were a white male, or are you referring to the fact that you were of a generation in the 1940’s? Kindly explain.

R/ADM KAMERMAN: No, I’m referring to the reality, the political reality at the time, still pertinent, of the need to make
15 the SANDF representative of the people and that is an objective that I completely support, and but it was clear to us, my generation in other words that people then in the early phase of admiral, that we would not become Chief of the Navy, and that’s precisely what happened, so this was an exit
20 mechanism not to punish those people but in fact at the end of the day to give them a forward push into a new career.

ADV LEBALA: May I interpose? To be precise you are saying as a white male, isn’t it?

R/ADM KAMERMAN: Correct.

25 ADV LEBALA: Thank you. Let’s proceed.

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5 R/ADM KAMERMAN: Well, as I've said my whole career had been an intensely operational one and if had stayed in the Navy I faced an administrative job which was not [indistinct], it's relatively unexciting and I love Pretoria's weather but I'd spent 10 years before and I would have probably spent the rest of my career in Pretoria, I come from Durban and Cape Town, so that too was a fact I must be quite frank with you.

ADV LEBALA: And then you decided to go to a cold place in Hamburg. Now let's get that right, ...

10 R/ADM KAMERMAN: Yes indeed.

ADV LEBALA: Now let's get directive and point. Remember the critics are you saying you actually did some elicit favour, hence briberies mentioned for the German Frigate Consortium, that's why you ended up at Thyssenkrupp. I would like you to confirm that in the context of the Supply Terms of the Corvette contract. That said you had to wait for eight years, eight years' grace period before you could join any other entity that dealt with, I suppose, the procurement packages. Now explain that.

20 R/ADM KAMERMAN: Well yes indeed Commissioners, the Supply Terms are quite specific, it says that no person who had been directly involved in the procurement activities on the part of the state in the procurement of these equipment types, in this case the Corvette, could be employed by any one of the suppliers who were party to the Supply Terms, in this particular

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case including the German Frigate Consortium, which in turn is a consortium, was a consortium of Blohm+Vos, the frigate builders in Germany, and HDW who also built two of the frigates.

5 ADV LEBALA: Now just explain the relationship between these entities that you are mentioning at Thyssenkrupp.

R/ADM KAMERMAN: Right. In 2005 the new company grouping was formed where Thyssenkrupp decided to go into the marine business, took over the ownership, 100% ownership
10 of Blohm+Vos, HDW and another shipyard in Sweden called Kockums, but I won't go into that. To that effect they were the legal transference of authority although they were a group company and those other companies, in this case Blohm+Vos and HDW were still registered companies and there was no
15 legal connection to me working for Thyssenkrupp Marine Systems and those companies, but nevertheless in terms of being responsible and in terms of being the 100% owner there was no question there was a relationship between the companies that had participated and had been the suppliers of
20 the Corvettes and Thyssenkrupp Marine System.

ADV LEBALA: Now let's be direct, were you permitting, because it's also an allegation that Minister Lekota still has to come and explain to the Commission, if need be, why he said what he said in Parliament. At one time in Parliament Minister
25 Lekota told Parliament when he was asked a question about

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this controversy that you left the South African Navy without the permission of the authorities that be to join Thyssenkrupp during this eight years' grace constrained period created by the Supply Terms of the Corvette contract. Just to restating he
5 said you were not given permission, is that correct?

R/ADM KAMERMAN: Yes, it's a little bit more complicated than that, if you would allow me Commissioners. The issue is simply this, that the Supply Terms did not forbid any joining of any one of these suppliers. What they do is permit that without
10 permission within an eight year grace period and that permission is either in my case the Chief of the SANDF or his deputy, and I don't mean by that deputy as in the post-deputy Chief of the Defence Force, in fact it reads "Deputy CEO of ARMSCOR and the Chief of the SANDF or his deputy", so it's
15 with a small "d", in this case it relates to the personnel, primarily the personnel function. My post has always been with the South African Navy, I've never served outside of the South African Navy, my function even as Project Sitron right up until the day I left the Navy, my post was at Naval Headquarters and
20 my direct line reporting was the Chief of the South African Navy, so in every way he deputises for the Chief of the SANDF in matters relating to me as a flag-ranked admiral reporting to him as the Chief of the Navy.

ADV LEBALA: Now may I interpose at this stage. To be
25 precise you were given permission according to your

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testimony?

R/ADM KAMERMAN: Yes indeed, the Chief of the Navy signed my permission, explicit written permission. I did not need that permission as an individual of course because I'm not party to
5 the Supply Terms, but my company required me inter alia, but I certainly had the personal view that as a naval officer there's a certain ethic, there's a certain morality and there's a certain culture and obviously to allay any problems subsequently, it didn't, but nevertheless that was my thoughts at the time. I
10 explicitly sought the written permission of the Chief of the Navy which he granted me on the 9th of December 2005.

ADV LEBALA: Now let's be precise. I would like to draw the Commission's attention to page 107 paragraph 125 ... I beg your pardon. Paragraph 123.4.1 Commissioners towards
15 the bottom. Page 107 of the witness's signed statement. I see Commissioner Musi seems to be gravitating there, I don't know whether you are there Chair? Paragraph 153.4.1 page 107. I would like to read it if you are ready Commissioners. It's at the bottom of page 107. I'm looking at the sentence starting
20 with: "This permission was granted by the Chief ...", I beg your pardon, "CNAVY". What does "CNAVY" stands for?

R/ADM KAMERMAN: Chief of the Navy, it's a colloquialism and he is commonly known as CNAVY as in CSANDF.

ADV LEBALA: *"... who signed an approval of my request
25 on the 9th of December 2005".*

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You have just testified to that.

"It was duly entered into the records. I attach a copy of that letter of request as Annexure 'JK31', duly certified as a true copy".

5 I would like the Commissioners to go to page 651 to 652, Annexure "JK31" within the File 2 Commissioners. It's File 2 Commissioners, Annexure "JK31", it's actually one of the last, last annexures before Appendix "A" and "B".

COMMISSIONER MUSI: [Indistinct] 615?

10 ADV LEBALA: It starts, it's 651 esteemed Commissioners, it starts on page 651, goes to 652 and in repetitive pages one [indistinct] and its interpretation, translation I beg your pardon, not interpretative packs, the translated packs. Another one is in 654, this is in line with the
15 witness's testimony. Now I don't have to say a number of compound things, I would like to start on page 651 Commissioners, if you are with us. File 2 Commissioners, page 651. I'm waiting for direction from the esteemed Commissioners. I see the Chairperson is nodding, I would
20 appreciate your direction Commissioner Musi. I see Commissioner Musi is nodding. Now just take the Commissioners quickly through what we see on page 651, just be brief please.

R/ADM KAMERMAN: Certainly. This is a letter to my Chief
25 directly in proper form of navalese, and I tell him that, about

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TKMS recently formed a holding of eight European shipyards, and I then say that there's no direct contractual relationship between them and any of my current or past, past or current duties, which was correct, but nevertheless in order to ensure that there's no issue of "revolving door" I had arranged with my company or my prospective company at that stage that I would not be engaged with any commercial activities or any activities for that matter with the South African Navy for at least two years.

10 I might add that subsequent to the joining I have not yet been involved directly with the South African Navy and it's now eight years since I left. I ...

ADV LEBALA: Now let's be precise, I see that in the self-same page on this letter dated the 8th December 2005 paragraph 3 seems to be harping on the theme of this letter. Of course there are other tributaries that flow into this theme. [Indistinct] future employment, but let me take you paragraph 3:

20 *"Sir, I hereby respectfully seek your approval and blessing for my future employment".*

[Indistinct] in 7 and we see that it has been signed by you. Now did you get a response to this letter?

R/ADM KAMERMAN: Yes, the Chief of the Navy signed it in my presence at Admiralty House which is our naval, at the Chief of the Navy's residence office in Simonstown when he's there, he

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signed it in the presence of Mr January Masilela with whom he had a quick chat about it and Mr Masilela in my own hearing said there's absolutely no problem and the Chief was happy and he signed it.

5 ADV LEBALA: Now you are referring to the late Mr Masilela?

R/ADM KAMERMAN: I'm referring, unfortunately Sir, to the late, His Excellency January Masilela.

10 ADV LEBALA: Right, to be precise look at page 652, is that the approval you are referring to?

R/ADM KAMERMAN: That's correct, that's the standard Navy, SANDF in fact, approval mechanism. It's approved, not approved and if the officer has any remarks he appends them, if none, he does not, and if he approves he crosses out the
15 "Not Approved" and then signs, which as you can see he duly did, you can see on both of these pages that this has been [indistinct]. I can't think of the English word, sworn as a true copy.

20 ADV LEBALA: Now for the sake of completeness I would like you to just tell the Commission about what we see on page 653.

R/ADM KAMERMAN: Well, what you see on 653 is the confirmation of the holding of the original by the regional criminal of office of Landeskriminalamt Nordrhein - Westfalen
25 and that was the office where my documents went when they

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were seized from my office in a raid on that office as part and parcel of the German State Prosecutor 26th of November 2006 ...

ADV LEBALA: Now let's pause there. I've got to be careful not to lose control, lose control and travel. We can't take the Commission all over. Now we've got to lay the basis for actually what we're directed to in page 653 and 654 but let's complete the picture. On page 107 we now know that an approval was given.

5
10 R/ADM KAMERMAN: Yes.

ADV LEBALA: And you say in paragraph 153.4.3 page 107, I would like to read it:

"I enjoyed a high profile in the Navy".

I suppose the Commissioners are with me? I don't have to rush, I've got to be careful, page 107 Commissioners, paragraph 153.4.3.

15
20
25 *"I enjoyed a high profile with the Navy. For over six months prior my retirement virtually the entire Navy was aware that I was leaving and going to work for Thyssenkrupp. In his speech at the reception after the commissioning of our second Corvette, the SAS Isandlwana in July 2006 at Durban hosted by Thyssenkrupp and in front of some 300 guests the Chief of the Navy made [indistinct] remarks about me and expressed his*

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regret that I was leaving the South African Navy”.

Now by the Chief you are referring to Admiral Mudimu, is that

...

R/ADM KAMERMAN: Correct.

5 ADV LEBALA: The one who signed the new approved as per the document you are referring to no page 652, am I right?

R/ADM KAMERMAN: That’s correct, he was our Chief of the Navy at the time, recently retired.

ADV LEBALA: To complete that sentence:

10 *“He added his congratulations to the top management of Thyssenkrupp present that I was joining them”.*

Paragraph 153.4.4 Commissioners on the same page:

15 *“After I had left the Navy I was privileged to be awarded one of the highest South African National Defence medals for Outstanding Performance by the President of South Africa”.*

Who was the President then by the way?

R/ADM KAMERMAN: That was 2006, I believe it was Mr Mbeki.

20 ADV LEBALA: Thank you. Well, there was no need for you to bring the medal. Is it in Hamburg?

R/ADM KAMERMAN: I beg your pardon Sir?

ADV LEBALA: Is the medal in Hamburg?

25 R/ADM KAMERMAN: The medal is in my workshop in Hamburg, yes.

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ADV LEBALA: So, are you South African or German now?

R/ADM KAMERMAN: I'm South African a hundred percent Sir.

ADV LEBALA: Who lives in Hamburg.

R/ADM KAMERMAN: Well my wife is there, my son is there,
5 everything I cherish is there, I mean not bodily cherish, and my
uniforms are there and my wife keeps my medals in good order.

ADV LEBALA: Let's proceed.

"As a special courtesy to me ...".

We are on page 108 Commissioners.

10 *"As a special courtesy to me, and in keeping with
the military culture in this regard it was not sent to
me in the post, but presented to me by the South
African Navy admiral in my office at Thyssenkrupp
in the presence of my top management".*

15 Paragraph 153.4.5 in the self-same page:

*"In response to the media enquiries to the South
African National Defence Force in November 2006
arising from out of the Parliamentary question about
my having permission to join Thyssenkrupp I sent
20 explanatory statements and copies of the aforesaid
letter to the Navy Public Relations Office and the
South African National Defence Force media
liaison".*

Paragraph 153.4.6:

25 *"I've no idea of the origin of the opposition question*

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in Parliament about this matter and have no idea why the-then Minister of Defence Mr Lekota should have replied to questions in the way that he did”.

Let’s not worry about that, he’ll come and explain to us how the
5 questions were posed, if need be we’ll refer to the Parliamentary [indistinct] if need be. Page, paragraph 153.5:

“I dedicated over 33 years of uniformed service to my country ...”.

Which country, Germany or South Africa?

10 R/ADM KAMERMAN: Republic of South Africa Sir.

ADV LEBALA: I thank you.

*“... and others, not me, say that I served with selfless distinction. When I left the South African Navy to take up employment at Thyssenkrupp it was
15 not as a result of any recommendation that I made as project officer in regard to the German frigates Meko 200A Corvette”.*

Actually it’s supposed to be German Frigate Consortium’s Meko A200 Corvette, am I right?

20 R/ADM KAMERMAN: That’s quite correct Sir, that’s a ..., it’s a silly typo, I must have made it in the middle of the night.

ADV LEBALA: Now:

“In fact the recommendations signed by me placed the Spanish Bazàn at the top of the evaluation list”.

25 Now let’s pause here, we want to close this, we are not coming

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back here. Amongst explanation that you give levelled by the critics is that you did not even recommend the German Frigate Consortium in as far as the evaluations were concerned, remember at one time the project officer and the leader of the evaluation team that was evaluating the bids, now you are
5 telling the Commission that in actual fact you placed Spanish Bazàn at the top.

R/ADM KAMERMAN: Yes, I did in fact, I evaluated, I was the leader of the evaluation and the author of the value systems
10 duly authorised of course by Chief of the Navy, four times in all, and those, that was the total of the ship evaluations across the suite of Project Sitron. 1994 where the Germans were not, were present in the evaluation and that evaluation was signed by me and Spain was number one, Germany was number 3. In
15 1995 the Germans were not taking part because that was a shortlist between Spanish and the UK, again I recommended Spain as the top performer. In 1997 with Germany pitched against Spain and Britain and France I again evaluated or led the team that recommended Spain and again in 1998 with the
20 same group of four countries competing I again was, led the exercise which led to the submission of Spain as the winner of the military value, I must add these were military value, and as you will hear later Spain did not bring the competition because of other factors that came. When I evaluated the ships for the
25 South African Navy I did not ever recommend Germany.

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ADV LEBALA: It has become clear that at no stage did you influence the selection of the German Frigate Consortium as the preferred bidder according to you, am I right?

5 R/ADM KAMERMAN: That's absolutely correct Sir, and anything else is [indistinct].

ADV LEBALA: Now let's proceed, we have traversed your CV, we are going to other areas of your testimony that will qualify your *Curriculum Vitae*. Commissioners, now we are crisscrossing back to page 1, we'll run through page 1 quickly,
10 paragraph 4, the witness's signed statement Commissioners, File 1, bundle 1, page 1 paragraph 4. I see the Chair is ready. Commissioner Musi please nod? I see Commissioner Musi is nodding.

15 *"During my more than 33 continuous years of naval service I amassed considerable experience and expertise in naval fighting operations and naval combat systems, in particular [indistinct] electronic warfare and combat management. In addition I gained considerable technical knowledge and
20 management experience ..."*

We are in page 2 Commissioners.

"... in the specification functional design".

Now this paragraph, I think let's not waste time on it. Would you say it qualifies you as an expert?

25 R/ADM KAMERMAN: Yes Sir, I'm an expert in combat at sea,

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including this whole warfare which was my particular specialisation.

ADV LEBALA: Now you piggyback on what you are testifying now towards the ending that paragraph, paragraph
5 line number seven. May I take the liberty to read it Commissioners?

*“My career thus spanned the full spectrum of both operational and technical management experience. I’m thus an acknowledged expert in naval surface
10 warfare, surface warship functional design and operation and in naval surface combat systems and I’ve presented numerous papers on these aspects to prestigious naval official institutions and conferences internationally in the last two decades
15 now”.*

[Indistinct] whether you are an expert or not, it’s not why you are before this Commission, but permit me to complete this by asking this question, are you able to give us one or two papers that you presented out of the cuff, the name of the papers that
20 you presented?

R/ADM KAMERMAN: Yes.

ADV LEBALA: And to which institution.

R/ADM KAMERMAN: Yes, for example probably the most prestigious institute was, is an institute called Royal Institute
25 of Naval Architects, and I presented there three occasions I

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think if I my memory serves me, two or three occasions on warship design and particularly the latest manifestations of the changing tactical scenario as a result of moving from blue water to, let's say asymmetric warfare, and the design implications of that. Last year I've presented a very long paper to the, it was an international naval architecture and operational design group called MAST, held in different venues each, every year, this one was in [indistinct] in Sweden, and it brings together the world's foremost naval producers, not only European but also of course American and middle and far eastern ship designers and operational entities.

ADV LEBALA: Thank you Admiral, thank you. Have you published any of those ...

R/ADM KAMERMAN: Yes, they all get published. Excuse me Commissioners, yes, they all get published as part and parcel of if it's a conference it's part of the proceedings, and of course one is published in different [indistinct], sometimes I don't go to a conference, I write a paper for a particular publication and that gets published.

ADV LEBALA: Thank you, we will leave paragraph 5, it's standard. Paragraph 6 talks about your approach Commissioners, page 2 paragraph 6 you explain how your signed statements deals with your testimony. Now in paragraph 6.1 you are saying that:

25 *"Part 1 is a record of processes, events and*

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5 *decisions as they transpired during the capital acquisition activity known as Project Sitron for the supply of the four frigates now in the service with the South African Navy from the inception of Project Sitron in 1993 until contract signature signed on 3 December 1999”.*

We are not going to traverse that, we will select where you have to bring clarity.

10 *“Part 2 is a rebuttal of the various allegations and insinuations of corruption, bias and irregularity in the tender solicitation, tender evaluation and contracting phases of Project Sitron raised by various individuals, in particular those of Dr RMM Young and Mr A Feinstein before this Commission”.*

15 Now this will be the main focus of your testimony, am I right?

R/ADM KAMERMAN: That’s correct Sir.

ADV LEBALA: We’ve already started dealing with a part of this aspect by taking you to your employment with Thyssenkrupp that it was not undertaken, the fact that there was some favours that you did to the German Frigate Consortium. Now let’s proceed. Paragraph 7 common cause, nothing turns around it. Paragraph 8 informs us that ... We’ll not traverse the whole statement, we will consider and deal with it whenever [indistinct] applicable. Paragraph 9 regurgitates that. Now what we will do, we will assist in not

20

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overwhelming the Commission and the record. Now we are going to repeat testimony which has become common cause. Part 1 paragraph 10.3, common cause. Paragraph 11 common cause. Page 4 ... Now Commissioners, let's the record reflect

5 that these paragraphs have been inserted with a view just to create a common synergy for one to appreciate why certain paragraphs are in place without even [indistinct] colleagues who have prepared this well-drafted statement. One appreciates why it has to be in place and there's no way in

10 which one would appreciate the next paragraph without resorting to that part of the history. Paragraph 12 we can deal with it just to complete the clarity. The Commissioners have heard about Project Falcon and Foreshore, we can't [indistinct], but permit me just to take you through the, just to

15 part of it and let me read it to the Commission.

"A project called Project FALCON (subsequently Foreshore) was eventually launched in the late 1980's and a contract was placed on the Spanish naval shipbuilder Bazàn in 1989".

20 Did you play a role in assisting or in placing this [indistinct] on the Bazàn, not in the context of assisting them, but as in evaluating, did you play a role?

R/ADM KAMERMAN: No Sir, I was at that stage seconded to the Israeli Navy and had nothing to do with the acquisition until

25 I returned in 1991.

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ADV LEBALA: Thank you. I think what is significant is this brings clarity about an aspect that is hanging before the Commission and completes the picture when you read the next sentence:

5 *“Spain was one of the few countries at that time willing to circumvent the United Nations prohibition on the export of armaments to South Africa”.*

Now I then, if I’m not mistaken the UN sanctions were still in place, am I right?

10 R/ADM KAMERMAN: That’s correct Sir and they were biting the Navy very hard, not so much the Army and the Air Force.

ADV LEBALA: Now the rest is common cause. Paragraph 13 page 4, the “Inception of Project Sitron”, the Commissioners have heard about that, we are not going to traverse it, all that
15 this paragraph does, it explains that the new acquisition project was launched, there was a new staff requirement and you played a significant role. That’s why we started by explaining the different capacities in which you will be testifying. For instance if one reads towards the bottom
20 Commissioners page 5 paragraph 13 line number four, I have to take it from where it starts on 5:

“... was written by me and approved by the Naval Board in April 1993 and subsequently by CSANDF”.

That we know stands for the Chief of the South African National
25 Defence Force:

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“With the approval of the Naval Staff Requirement, a new acquisition project for these ships, called Project SITRON, was launched”.

We've already explained to the Commission the capacities in which you would be testifying and some of your colleagues actually, Mr Byrall Smith, did testify about the role that you played in [indistinct] this new staff requirement. Paragraph 14 common cause. Now paragraph 14 brings clarity into something that has obviously has restless myself and Mr Ngobese and our team, the use of Corvettes and frigates, and you explain it so well. I don't want you to spend time on it but simply put you are saying that frigate denotes the complex and costly ship whereas Corvette doesn't, and the reason why you use Corvette is you wanted to salivate the appetite of the-then-South African National Defence Force because the Navy was not [indistinct] and you wanted to demonstrate to them that you will get [indistinct] expensive and complex costly ships, am I right?

R/ADM KAMERMAN: That's quite correct Commissioners, it was an attempt by the Naval Board to basically disguise what we were trying to get because frankly of the hostility of leading generals, one of which who has testified before this Commission that the Navy was going to try again to get, excuse the expression, to get expensive ships and we had to do something about that. The irony, as I've stated in that paragraph Commissioners was that the new Minister coming in

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to the new government Mr Joe Modise was completely and strategically au fait with these terms and he was very happy with the term "frigate", but by that stage we've done so much paperwork and we've written so many specifications we just
5 kept the term patrol Corvette, but in fact the Valour Class ships that we obtained under the aegis of Project Sitron are in every way light frigates, they are designated as such, the Navy finally came out of its closet and acknowledged that it should have [indistinct] "F" standing for frigate, "C" for Corvette, "D"
10 for Destroyer and so on, those international abbreviations recognised internationally and in fact the ships are now classified as DLG's, correction, FLG's, Frigate Light Guider.

ADV LEBALA: Thank you. Towards the bottom you even qualify that you will continue in this statement to refer to
15 Patrol Corvettes or simply Corvettes. Now the next paragraph Project Sitron Phase 1 1993-1995 you played a role isn't it?

R/ADM KAMERMAN: That's correct Commissioners, I was the project officer.

ADV LEBALA: Now we've heard a lot about this period,
20 we are not going to repeat it, and you complete that [indistinct] reading what is before us, Project [indistinct] until Project start until suspension. Now paragraph 15 page 5, common cause. Let's not waste time. Paragraph 16 page 6 common cause. Of significance is if you look at, Commissioners we're at page 6
25 paragraph 16, I just want to refer to a project that we are

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traversing as a team, myself and Mr Ngobese for the first time, Project Caliban. How is it related to, we know that Project Suvecs and Project Diodon were technology retention projects. Now paragraph 16, let me put this in a proper context, let's
5 read at that. Just at the top page 6, the paragraph headed: "Local Combat Systems":

*"It was envisaged that the Combat Suite would mainly be locally sourced, arising from the technology development from Projects Diodon and
10 Project Caliban".*

What is Project Caliban?

R/ADM KAMERMAN: Sir, very briefly the strike craft which was our nine vessels of which it constituted our surface fleet at that time, the small strike craft, had by 1993 reached the
15 middle of their operational life, typically these small ships are 25 to 30 year ships. And it's perfectly normal to do the upgrading not of the hulls and the machinery which remain for 30 years, but the combat systems, so we were engaged in an upgrading project to bring our strike craft to a level of
20 modernity so that they could complete the second half of their operational service. ADS led that project because ADS at that time were upgrading our submarines and they were the designated combat management and combat system naval house in South Africa as opposed to other companies such as
25 Denel and so on, I've listed them in this lengthy explanation.

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ADV LEBALA: Thank you. In actual fact the remaining portion of 16.1 to 16.9 Mr Fritz Nortjé educated us about it, how the local industry systems [indistinct] came to the fore [indistinct]. Page 7 paragraph 17, we are looking at how ADS
5 came into the picture and this is common cause, and it how it ended up being the only Combat Suite systems technology hub in South Africa, am I right?

R/ADM KAMERMAN: That's correct Sir, those days we didn't have the luxury of competitive situations, there was not a
10 return, much of a commercial return with the government encouraged industrial and technological development to broaden our defence industry base. The company called UEC owned by a holding group Altech had established itself or was established by Altech to provide the naval systems house, so
15 they were the only company in the country that was concerned with the critical technology of naval integration which is bringing all of the components together and integrating them into a ship, that in itself is a science.

ADV LEBALA: Now the remaining paragraphs bring
20 further clarity on what I think the Commission has heard about, paragraph 18, paragraph 19 page 8, your personal involvement with [indistinct], but I would like to read it for the record:

*"At the time of the inception of Project Sitron I had
been centrally involved in the operational
25 requirement development for such a capability".*

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See why we didn't want to waste time with those four pages, you can see it because you piggyback on them.

R/ADM KAMERMAN: Forgive me for that.

ADV LEBALA: I beg your pardon?

5 R/ADM KAMERMAN: I'm sorry, forgive me for that
Commissioners.

ADV LEBALA: Thank you. You are not going to be crucified for that.

10 *"I was appointed in 1990 to Naval Headquarters as
SSO (senior staff officer) of Surface Warfare ...".*

We heard about it.

15 *"... as well as the Project Falcon User Specialist for
the combat systems of the vessel, and was
appointed as a designated captain of the first-of-
class ship then building in Spain. In 1992 I was
appointed as SSO Surface Plans at Naval
Headquarters, responsible for generating the user
requirement of the new ship. Thus I was the
principle ...".*

20 Am I right, it's not supposed to be "principal"?

R/ADM KAMERMAN: Yes, the ... As it's spelt the "principle author", there were other specialists in engines and so on who I consulted, but I was what we call in the navy the principle author.

25 ADV LEBALA: Now that paragraph of you being

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[indistinct] and prepared to be a specialist in the Combat Suite and combat management system, I think the foundation has been laid, we are not going to spend time with paragraph 20, let's pass. Paragraph 21 has ignited some controversy in as far as the exclusion of the Germans are concerned, it lays a basis to [indistinct] we be dealing with as we go deeper in your testimony, but let's leave it because we are going to deal with it better when we deal with the criticism that the Commission has heard.

10 The Commission has heard, because we put this criticism to Mr Byrall Smith, to Mr Rob Vermeulen where the criticism was that President Mbeki, after the Germans were not [indistinct] and/or included in the bid, President Mbeki went to Germany and subsequent to his return the Germans filed their bid and they succeeded, I think we'll deal with that at the right stage.

R/ADM KAMERMAN: Yes indeed, but if I may, with your permission Commissioners just comment. In this particular paragraph Germany declined to offer because of the arms boycott against the apartheid South Africa, but you will recall from a few minutes ago Spain was in fact engaged in actually illegally selling us weapons, to the apartheid regime in 1989, so it's quite ironic in this particular case that somebody should in fact raise any issue about the [indistinct].

25 ADV LEBALA: I sense I've got to be careful, I know the

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Commissioners will call me to order as to why you are inclined to [indistinct] in favour of the [indistinct]. Does it start as early as this period?

R/ADM KAMERMAN: No, in my particular case it had nothing
5 ..., I was not involved at all with the selection of Spain or any of these highly secret, one of these dark projects, the biggest disappointment of my life personally that I didn't get to command the ship because I was designated as the OC, but we'll put that aside. The second phase when we were a
10 democratic country and Germany was offering ships and Spain was offering ships, they too had undergone a governmental change and the only evaluation criteria that I ever used was value for money.

ADV LEBALA: Thank you. You deal with this [indistinct]
15 positions in page 9 where you explain the [indistinct] 1994, paragraph 21 Feasibility Study 1993, the exclusions of the Germans because of the sanctions, and 23 deals with the inclusions of the Germans in 1994 and you have laid a foundation for that. We will pass. 25, 26, 27 common cause,
20 we will bring clarity. 29 common cause, 28 common cause. [Indistinct] just bring clarity and I think a foundation for those testimonies enveloped in these paragraphs, the Commission has heard about it. Now we will start at page 12 paragraph 32
25 headed "Project Suvecs 1995 – 2000: Ensuring the retention of Naval Surface Combat System Technology". Now we will not

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traverse it, it's common cause, it brings more clarity. I think the Commission has heard a lot about it, the foundation has been laid on it and one doesn't underline the fact that you bring clarity on some of the things that one could have taken
5 for granted in dealing with the testimony of your colleagues the programme managers from ARMSCOR and the project managers from the South African Navy, but let's proceed on.

We go past page 15, 16, 17, it's just clarity, clarity on what the Commission has heard about. 18, 19, clarity. 17
10 and 18 and 19 are very important. I would like you to explain them in the context of C2I2, what C2I2 projects [indistinct] and projects that [indistinct], but I'll tell you why [indistinct] to them, because your colleague Mr Fritz Nortjé dealt with it. You still have so much to deal with, so I think we should part ways,
15 we still have so much, unless you want to comment on what you see on page 18 and 19.

R/ADM KAMERMAN: Yes.

ADV LEBALA: You want to say something?

R/ADM KAMERMAN: Just quickly, very briefly I make the point
20 that 18 South African companies participated in Suvecs, it was an absolutely outstanding success, it enabled all companies to prepare themselves technologically as, and technically and managerially for participating in Suvecs and of course subsequent to Suvecs many of them to gain significant export
25 orders to benefit our economy and our technology base as well

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as to attract the interest of international blue chip defence industry investment.

In this process C2I2 was enabled, in other words his participation on Project Suvecs which was a technology retention project, it enabled C2I2 to be in a position to bid for certain contracts of which he won four contracts, two of the four contracts unfortunately for him were cancelled by the contracting parties due to the lack of performance on the part of C2I2 and I'm not going to traverse into that area, but it's a fact he won two, correct, he won four and then proceeded to have two of them cancelled by an antagonistic process with his contractors, but I say that only to illustrate what has become the conventional wisdom that by losing one of the contracts, in this particular case the Databus contract, and we'll certainly be traversing that in detail Commissioners, I'm sure, as well as the System Management System, the SMS, that in fact we somehow were unfair, we somehow, we displaced and we somehow ill-treated him during this process. That's absolutely untrue, C2I2'd was a valued member of Suvecs, participated and was able to bid for seven contracts on Sitron and Wills and won four of them.

ADV LEBALA: Thanks for this clarity and thanks for summarising so adequately because we could have spent I suppose more than 30 minutes dealing with it. Commissioners, I don't know whether it's an appropriate time for tea, you could

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stretch your legs and from there we'll be starting with the brief military value system, SOFCOM, how Admiral Kamerman as the leader of the Evaluation Team played a significant role as one of the capacities that we introduced at the outset. If
5 [indistinct] for tea we put our foot on the petrol, but I thought that the break would do you good Commissioners, without imposing on you.

CHAIRPERSON: I think there is a need for tea, so we'll take a break for 20 minutes.

10 ADV LEBALA: Thank you Chair.

(Commission adjourns.)

(Commission reopens.)

NOTE: Witness confirmed to be still under oath.

ADV LEBALA: Thank you esteemed Commissioners.
15 Admiral Kamerman, before we adjourned for tea you testified about the period prior to 1994 and how the [indistinct] of 1993 where the Germans were excluded and the period post-1994 including 1994 where the Germans were included. You also testified about the local industry when it was catered for in the
20 context of Project Suvecs. Now I would like to draw your attention before we go ahead, go back to page 9, your signed statement on paragraph 23 headed "Project Study and Inclusion of the Germans in 1994". Now we know that after the inclusion of the Germans there was evaluation, if you look at page 10
25 paragraph 23.1 to 23.5 that resulted in those five shipbuilders

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and countries being in the picture, and paragraph 24 Commissioners page 10. May I take the liberty to read it:

“It was the Project Team’s expectation that the first two or three placed contenders ...”.

5 Are you with me Admiral?

R/ADM KAMERMAN: I am Sir, yes.

ADV LEBALA: Let me start again, paragraph 24:

“It was the Project Team’s expectation that the first two or three placed contenders (i.e. the Spanish Bazàn, the Danish Svendborg and possibly the German Blohm+Vos) would be issued with a Request for Final Offer (RFFO) as was standard practice in major capital acquisitions”.

10

Now what was your role at this stage briefly?

15

R/ADM KAMERMAN: Can I request this microphone be sorted out? It’s just electronics, how fickle they are. Would you repeat the question briefly Mr Lebala, I am afraid I was concentrating on getting my microphone fixed.

20

ADV LEBALA: The long and short of it is I took you through paragraph 21 and 22, I was specifically directing you to paragraph 22, 23, the inclusion of Germany in 1994 that resulted in the evaluation of five shipbuilders in the countries from paragraph 23.1 to 23.5.

25

R/ADM KAMERMAN: Yes Sir.

ADV LEBALA: And I read paragraph 24 and asked what

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was your role at that stage.

R/ADM KAMERMAN: My role was as project officer Project Sitron and thereby as the leader of the drafting of the value system, the drafting of the specifications and the lead-in and subsequent evaluations of those offers.

ADV LEBALA: Thank you. Let's recapitulate and [indistinct] on paragraph 25 and my colleague [indistinct] attention to some questions which arise from that paragraph. Let's look at paragraph 25 page 10 and may I take the liberty to read it to you, it's headed "Minister Applies Strategic Imperatives". Now it's common cause, the Commission has heard about it but the questions that comes out of it, given your role as the project officer and the leader of the Evaluation Team:

"By late 1994, at the time of the conclusion of the Sitron Project Study, Denel was bidding with its Rooivalk helicopter in the United Kingdom attack helicopter competition, a multibillion pound project to equip the Royal Air Force. To be able to seriously compete in this in major competition was of enormous national strategic and commercial worth to SA, and a boost to our whole defence industry. Against this background the-then Minister of Defence Mr Modise, decided that in order to maintain and to promote the Rooivalk in the UK

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5 *helicopter competition the UK would not be excluded from the next round of Project Sitron tendering. The Minister therefore instructed that the shortlist of shipyards to receive the request for a best and final offer were to be Bazàn of Spain and Yarrows of the UK, even though the latter had been placed fourth”.*

10 Now your role remained that of the head of the Evaluation Team and the project officer of Project Sitron as at that stage, am I right?

R/ADM KAMERMAN: That’s correct Commissioners.

15 ADV LEBALA: Were you concerned with this disposition of the Minister given what we see his instruction, knowing that the UK had to be, had not to be excluded from the next round of Project Sitron tendering?

20 R/ADM KAMERMAN: Commissioners, not at all. In the first instance the Minister and the Cabinet are responsible for strategic relationships which we as soldiers must support. In the second instance all of the ships were good, they had a range of value, but they were all good ships, the UK ships certainly as the Minister intended, was to bring it up to the same technical standard precisely, and he said as much to the Navy in my earshot that: “I don’t want you to be disappointed with these ships” and the nickname was Simpson-Anderson.
25 So, we went to Yarrows and we brought under the Minister’s

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instruction, we assisted the Brits, and I don't mean in any untoward manner in terms of commercial and other things, we didn't review their value system and so on, but we assisted them to improve their technical offer for the next round. As it was the next round in January again I adjudicated and with my team that the Brits hadn't done enough and in the meantime the Spanish, no slow coaches when it comes to naval design had in fact improved their design as well, and again Spain was judged to be the better ship.

5
10 ADV LEBALA: Thank you. But you are still not responding to my question. There's no doubt that the Minister played a significant role for various reasons, national and strategic and commercial [indistinct] South Africa. My question is you as Admiral Kamerman, the project officer of Project Sitron and the head of the Evaluation Team, were you
15 concerned?

R/ADM KAMERMAN: Commissioner, I was not concerned, the Minister was shortlisting, he did of course jump the queue so to speak with the Brits, but that was his prerogative and we were
20 happy to go forward, we looked forward more than anything else to getting our ship and getting on with the acquisition of whichever ship comes first.

ADV LEBALA: Yes, we have just heard that the Minister jumped the queue, it means the Minister was not following the
25 correct process [indistinct] by the queue, am I right?

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R/ADM KAMERMAN: Correct, he was bypassing what would have been a shortlist arising from our technical and commercial value systems, he was applying the strategic value system which was his prerogative. It is my opinion.

5 ADV LEBALA: I beg your pardon?

R/ADM KAMERMAN: I say that's my opinion, we certainly did not query him on this, at the time I personally felt no qualms at my middle management level, the Chief of the Navy and the chairman of ARMSCOR Mr De Waal, correction, at that time Mr
10 Haywood and the CFO of ARMSCOR Mr De Waal, had absolutely no objections, neither did Mr Esterhuysen who was also in that meeting.

ADV LEBALA: Yes, you still haven't answered my question. I [indistinct] keep on giving us information on detail,
15 it's okay, you can give more, but you yourself qualifies that the Minister jumps the queue, which informs one that the particular process had been followed, there might have been the queue and the Minister jumps it. Now let's pause here, who was your boss at that stage, who were you reporting to?

20 R/ADM KAMERMAN: I was reporting to Rear Admiral JG Howell at the time who was Chief of Naval Staff Plans and thus responsible for projects.

ADV LEBALA: Was he concerned about what the Minister has done?

25 R/ADM KAMERMAN: I was not aware of his concern and I, we

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would meet on a daily, hourly basis throughout this period, he expressed no such concern to me, I do not know whether he raised any concerns, certainly not downwards to our level.

ADV LEBALA: Were there other persons in the Project
5 Sitron that were concerned that you know of, if any?

R/ADM KAMERMAN: I think there was a general disquiet
amongst the professional managers at ARMSCOR, because the
Minister was making a strategic decision which was not new to
them, simply because in the previous era since they had joined
10 ARMSCOR as young men in a non-democratic era it had been a
completely different ballgame, ARMSCOR carried the weight
and had, how they got themselves, how they got equipment
selected for the SANDF I'm not too sure, but ARMSCOR was in
charge. This was the ...

15 ADV LEBALA: Admiral Kamerman, may I interpose?

R/ADM KAMERMAN: Certainly. There is nothing wrong in
doing things right and doing things in a right way, and I think
you keep on going back to what the Minister was seeking to
achieve, it's before the Commission, there's no doubt that he
20 had a major role that the executive had to see to it that the
national strategic and commercial worth of South Africa is
placed ahead. I am talking about what you qualify as jumping
the queue, we are dealing with that, let's confine ourselves to
that. We have heard all the reasons that could justify it, were
25 there other persons outside the project team who showed

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concern about this conduct of the Minister?

ADV LEBALA: I'm not aware of them at all Commissioners.

ADV CANE: Commissioner, may I please interject at
5 this point. It seems that what is being sought from the witness is an opinion on others' reactions to a particular decision by the Minister and I would submit the witness has answered the question properly.

CHAIRPERSON: In fact as I understand the question firstly
10 the question was, was the witness concerned and he said no, are you aware of other people who were concerned, he said: "I'm not aware", so you are right that he has answered the question and Advocate Lebala, maybe let's move to the next question. But besides that you know whatever you are going to
15 ask him, whatever answer he is going to give us is going to be his opinion. He did mention that as far as he understands that process the process that was followed by the Minister, it was not the correct process, whether he was concerned or not concerned I think is neither here nor there.

ADV LEBALA: Thank you Chair for the clarity. I need to
20 put it on record that Ms Cane has commented that this is not a trial, it's a commission, opinions matter in a commission because esteemed Commissioners at the end of the day have to make facts, establish facts, make recommendations and it's
25 inclusive of all these processes. These questions are not

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questions in the abstract Chair, the relevancy may come at a later stage esteemed Commissioners, we do not want to take you by surprise, if need be, when we make closing submissions, because you may be asking the question what's the basis of this submission. We'll leave it, but of significance Admiral Kamerman is for us to close this question by asking the following question; is there anything that you could have done in the face of what we have heard that it was the prerogative of the Minister to see to it that the national strategic and commercial worth of South Africa takes precedence when he jumped the queue?

R/ADM KAMERMAN: No.

ADV LEBALA: As the project officer, is there anything that you could have done as a project officer?

R/ADM KAMERMAN: Commissioners no, not at all. As a project officer I was responsible for the technical execution of the project, not the approvals of the decisions on the project and I reported through a long line of people, all who were present at the meeting when the Minister directed us. In any event the permission to travel overseas in the SANDF is a process whereby the Chief of the Navy has to approve and then subsequently the Chief of the SANDF and then subsequently the Minister before any uniformed man travels abroad, we went abroad with some 11 people.

ADV LEBALA: You are still not responding to my question

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fully, but I like the way you give information but if I think that you were giving more information which is not pertinent to the question I will stop you. I assure you that the Commissioners will definitely call me to order if I ask you unfair questions and
5 if I think you [indistinct] I'm calling to my attention unjustifiably and [indistinct].

R/ADM KAMERMAN: Sir, I will certainly. I don't [indistinct] any of these questions, we're here to give information to the Commission. I do, if I may, if I may draw your attention to
10 paragraph 28 ... Not paragraph 28, I can't remember where it is now, but anyway I do make the point in this statement that we've never ever at any level from whom whatsoever came under any pressure in this matter, there was no [indistinct].

ADV LEBALA: We'll come to that. We'll come to that, I'm
15 not going to allow you to hide behind that [indistinct] statement. The Commissioners' attention will be drawn to that at the right time.

CHAIRPERSON: Advocate Lebala, can you repeat your question again because I seem to be losing you too, we seem
20 to be running around at one spot. Can you just repeat your question?

ADV LEBALA: I will Chair, I will. You see, I'm not going to be allowed to ask you unfair questions, don't agonise about that, be rest assured that [indistinct] that I have to [indistinct],
25 I don't even have to try. Now as a project officer the chair

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wants to understand my question and I'll rephrase that. As a project officer there were people who were reporting to you, am I right?

R/ADM KAMERMAN: No, absolutely.

5 ADV LEBALA: You were also the head of the Evaluation Team, isn't it?

R/ADM KAMERMAN: Quite correct.

ADV LEBALA: In both capacities you had subordinates?

R/ADM KAMERMAN: Quite correct.

10 ADV LEBALA: Now were there subordinates who were concerned about this jumping the queue?

R/ADM KAMERMAN: No, my subordinate team was unanimous in supporting and/or looking forward and indeed participated vigorously in the, let's say the education of Yarrows to prove
15 their technical design.

ADV LEBALA: Now let's take these two responsible positions, now let's start with your cap on as a project officer. Were you concerned, yes or no?

CHAIRPERSON: Just hold on. Just hold on. Advocate
20 Lebala, you have asked that question twice, thrice, and the witness has answered that question.

ADV LEBALA: Thank you.

CHAIRPERSON: Let's get to the next question.

ADV LEBALA: Now as an evaluation officer were you
25 concerned?

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R/ADM KAMERMAN: No.

ADV LEBALA: Why?

R/ADM KAMERMAN: Simply because by making the range of technical separation between ship options on the table in the
5 second round which was the one in January we were in fact aiming towards or reaching the goal of the most cost-effective ship for the Navy. In fact the second round was very, very close, but the Spanish were better than the Brits.

ADV LEBALA: Let me understand, and I'm going to close
10 this by way of an analogy. You have a son, am I right?

R/ADM KAMERMAN: Yes, I do Sir.

ADV LEBALA: If your son is supposed to be in the top [indistinct] and he jumps and gets to be ...

CHAIRPERSON: Advocate Lebala, let's get to the next
15 question please. Let's leave that question, the witness has given us answers, let's get to the next question.

ADV LEBALA: I will leave it and proceed. Let's look at paragraph 26 Chair, Commissioner Musi, page 10 paragraph 26, paragraph 26 page 10.

20 *"Being aware that the UK design had scored much more than the Spanish one, the Minister instructed the Navy and ARMSCOR in a meeting with Chief of the Navy, Vice-Admiral Simpson-Anderson ..."*

By the way you were reporting to him, am I right?

25 R/ADM KAMERMAN: Through Admiral Howell, yes Sir.

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ADV LEBALA: *“... and the chairman of ARMSCOR, Mr De Waal, in the first days of December 1994, that the a Project Sitron project team was to visit Yarrows shipyard in the UK ...”.*

5 Let’s pause there. It was your team, am I right?

R/ADM KAMERMAN: Correct. Co-led by Byrall Smith in the old traditional rivalry between the Navy and ARMSCOR.

ADV LEBALA: Let’s proceed:

10 *“... shipyard in the UK immediately and discuss with them the weaknesses of their design, with the aim of allowing them to improve the design to compete with Bazàn”.*

Let’s pause there. Did you inform Bazàn about this?

15 R/ADM KAMERMAN: No, we did not. No, we did not inform Bazàn about that.

ADV LEBALA: Was [indistinct] that you were going to go to Yarrows shipyard in the UK to go and advise them about the competition in which Bazàn was a player?

20 R/ADM KAMERMAN: I don’t know if Bazàn was aware, they were certainly aware that the best and final between them and the Brits, Bazàn like many competitors worldwide, we are [indistinct] Thyssenkrupp knowledge of these things.

25 ADV LEBALA: I’m starting in your capacity with your hat on as the project officer of Project Sitron. Was there anything wrong that of going to Yarrows shipyard, going to advise them

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about the competition in which another player, Bazàn, is not aware of? I'm asking you now in your capacity as the project officer of Project Sitron.

R/ADM KAMERMAN: Well, that wasn't the normal procedure, what we would have done was to send RFP, the RFFO's and then the normal procedure, perfectly normal and natural would be to invite both shipyards on different days, different occasions to have discussions, technical discussions with us.

ADV LEBALA: Now were you concerned about this abnormality? I'm [indistinct], you say it was abnormal, you say it's [indistinct] it's done that way, this was not. Were you concerned?

R/ADM KAMERMAN: No. I wasn't concerned that Bazàn would be in any way prejudiced in that matter for the simple reason they had received like the Yarrows had received exactly identical Requests for Final Offer, so Bazàn too had the full, they had the full right, if they wished to do so, to engage with us technically, they did not see the need to do that and again despite that they still approved their offer, so at the end of the day they won anyway.

ADV LEBALA: I haven't used the word "prejudiced".

R/ADM KAMERMAN: I beg your pardon Sir?

ADV LEBALA: I haven't used the word "prejudiced", it comes from you.

R/ADM KAMERMAN: No well, I was using the context of your

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question Sir. No, I don't believe that Bazàn was prejudiced in us going to Britain to technically advise rather than the Brits coming to South Africa, which was the same thing in my view.

ADV LEBALA: Now this abnormality in your view, now I'm
5 asking you with your cap on as a project officer, this abnormality, doesn't it create prejudice?

CHAIRPERSON: Advocate Lebala, whatever his views are I don't think they will help us, we all draw inferences from the evidence that they gave and we'll form an opinion. Ask him
10 questions that deals with what he has done, his opinions are totally irrelevant to us. He told you exactly what they did, they went to the UK and he doesn't know whether Bazàn was aware of that or not. I don't think the witness can take it further than that.

ADV LEBALA: Thank you. Let me close my question now, I'm going to ask you compound question, please listen to me carefully because I'm going to put two questions in one and I'm not supposed to because you will be confused as to which one you want to respond to. Before the former Minister comes or
15 senior executive officers comes before the Commission I would like to know as to whether you could guide us because they may have to ask this question. With your cap on as the project officer of Project Sitron and as the head of the Evaluation
20 Team, did you draw your attention to Admiral Howell, N Howell, Admiral Simpson about this abnormality? I'm using your words.
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COMMISSIONER MUSI: You know Advocate Lebala, I'm sorry to interrupt you, his evidence is very clear, those people were present in that meeting, the people you are talking about, they were present in that meeting, they heard what the Minister
5 said, and then actually Admiral Howell was part of his team to Yarrows. Now how can you him a question like that?

ADV LEBALA: Thank you. Thank you Commissioner Musi. In actual fact I know ...

CHAIRPERSON: Just hold on. Just to follow up on what
10 Commissioner Musi has said, can we get to the next question, I think you have exhausted that question.

ADV LEBALA: Now let me conclude by saying yourself, Admiral Howell, Admiral Simpson never expressed this abnormality, following up on what you said, never discussed
15 this abnormality?

R/ADM KAMERMAN: No, no. No, we didn't discuss it as an abnormality, we discussed it as an instruction, the Chief of the Navy received the instruction directly through Admiral Howell, it was a military order in terms of the Military Discipline and
20 Code on me to comply [indistinct] completely irrelevant, but in fact I have thoughts about it as being in any way an untoward matter.

ADV LEBALA: Was it a military order or an executive order?

25 R/ADM KAMERMAN: Under the Military Disciplinary Code the

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instruction to me by my superiors is precisely that it's an order that I must obey, or I have the option to resign my commission.

ADV LEBALA: Let me understand, please assist me, I've got to go to the next line because we have a lot to traverse. Is there a difference between an order that comes from the Minister and the Chief of the SANDF?

R/ADM KAMERMAN: I didn't receive my orders from the Minister, I receive them from Admiral Howell, then-Admiral Howell, Rear Admiral JG Howell, my direct reporting military discipline superior who in turn is instructed by his being the Chief of the Navy, this was not an instruction from the Minister to the Project Team, it was an instruction by the Minister to the CEO of ARMSCOR who is his line reporting authority or he is the line reporting authority, certainly in those days, and of course the Chief of the Navy.

ADV LEBALA: I haven't seen any directive from the Chief of the Navy, it's from the Minister and that's my concern, hence I'm asking you is it an instruction from the executive or is it an instruction from the Chief of the Navy? I haven't seen a direction from the Chief ...

R/ADM KAMERMAN: We ...

ADV LEBALA: Can I finish?

R/ADM KAMERMAN: Yes.

ADV LEBALA: I've seen a concern that wants to improve the [indistinct] strategic and commercial [indistinct] of South

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Africa directed by the executive head, the Minister.

R/ADM KAMERMAN: The ...

ADV LEBALA: I don't see it coming from the Chief of the SANDF.

5 R/ADM KAMERMAN: Well, the Chief of the Navy represents the Chief of the SANDF in this matter, that meeting that took place I was a staff officer appointed to support the Chief of the Navy's team in a meeting with the Minister. As such I never spoke and clearly understood what the instruction was. I don't
10 know if it was ever translated to a written instruction, but certainly we clearly understood what the Minister wanted to do and a week later we were on our way to the UK as a team.

ADV LEBALA: Now in closing there, why do you call it a military order because it came from the executive head, not the
15 Chief of the SANDF?

CHAIRPERSON: Advocate Lebala, I'm not going to allow you to pursue that line. Let's get to the next point, whether they were military orders or orders from the Minister, the witness told us exactly what he understood and he told us that
20 those were instructions and his duty was just to carry them out. Let's get to the next question and then that questions that you are putting to the witness have already been answered.

ADV LEBALA: Thank you Chair. Look at paragraph 27 [sic], "Suspension of the Project Sitron", common cause.
25 Actually we've gone past all these. I would like us to go to

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page 30.

R/ADM KAMERMAN: 30 Sir.

ADV LEBALA: Actually let's recapitulate before we go to page 30, I want us to start on page 26. I beg your pardon
5 esteemed Commissioners, page 26, Evaluation Results, it's common cause. Can you see that [indistinct] graph, is it, at the top they talk about Serial, Country, Shipyard.

R/ADM KAMERMAN: The table Sir?

ADV LEBALA: The table. It's common cause, let's pass
10 it. [Indistinct], page 27 paragraph 69:

"As for the Corvettes, I was appointed the leader and chairman of the Maritime Helicopter RFI evaluation by an SA Navy, SAAF, ..."

What does SAAF stand for?

15 R/ADM KAMERMAN: South African Air Force.

ADV LEBALA: *"... and ARMSCOR Evaluation Team which resulted in a shortlist of two options for the RFO round: the UK and the ..."*

Now all that I want to know at this stage is, is it another
20 responsibility that you assumed or was it part of your leader of the whole team on the side of Project Sitron and Project Wills?

R/ADM KAMERMAN: Yes. The Maritime Helicopter always formed part of what we call the vessel system to be acquired under Project Sitron, so in effect a Maritime [indistinct]
25 Helicopter was a sub-element of Project Sitron and forms part

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and parcel of the naval Staff Requirement. However, it was decided in 1997 as part and parcel of the discussions relating to which major items were to be procured and how they would be, to be procured, I believe it was the Armament Acquisition Council, I cannot be a hundred percent sure, made the decision that the helicopter element of Project Sitron was to be separately acquired as a separate contract and not as a subcontract of Sitron. There are pros and cons in this commercially and so on, I frankly tell you that I was not, I was dead against that because we knew then we would not get our helicopters when our ships arrived and that's exactly what happened. But nevertheless it was separated from Sitron as a project, but managed by Sitron as a single entity because the Naval Staff Requirement which was the, it's a very fundamental legal document, calls for a ship, plus its helicopters, so Project Maulstick, that strange name which is the little stick with the painted leaves on apparently [indistinct], is, was subordinate to Sitron in the systems hierarchy, because it's a level 4 product system, it's not a level 5 [indistinct] system.

ADV LEBALA: Thank you. Thanks for that clarity. Let's go back to page 30. Remember when I took you back I wanted to draw your attention to page 30, just to complete the testimony. It's common cause paragraph 76 Commissioners:

"Prior to the receipt of offers, a comprehensive and in-depth Corvette Military Value System (over 1000

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technical value measurement points) was again drawn up by the project team under my leadership”.

That has become common cause. The ... Now your role here?

CHAIRPERSON: I'm sorry Advocate Lebala, which page are you reading now?

ADV LEBALA: Advocate and Chair, I'm on page 30 paragraph 76. A lot of confusion was created by the fact that I referred the witness to that paragraph that I went back to page 27, these are [indistinct] Maritime Helicopter. Page 30, paragraph 76. It's common cause, just so that we bring some clarity, particularly with the question of the moderator that we still have to deal with. Now let me take the liberty to read it to you:

“Prior to the receipt of offers, a comprehensive and in-depth Corvette Military Value System (over 1000 technical value measurement points) was again drawn up by the project team under my leadership. The Value System was derived from the value system applied in the RFI evaluation, ...”.

We've seen that.

“... and was essentially identical to the latter, expecting for minor adjustments to account for the updated Ship Platform Specification, and to improve the range and scale of certain evaluation criteria”.

Now were these adjustments moderated?

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R/ADM KAMERMAN: Yes, they were indeed Commissioner. They were very minor in nature, but that's why we had, because we made any change [indistinct] made any change, even typographical change to that system it has to reapproved and re-moderated, so that's exactly what we did, relatively minor changes because like all other competitions the first round, the so-called RFO round, we saw that [indistinct] we've actually under-specified, we can get better [indistinct] made slight adjustments, for example the top speed. Like [indistinct] we adjusted it a half a knot, and other small things, and then it was subject to those things having to be explained to the moderator, in this case acting in his capacity as Chief of the Naval Staff Plans, not as an evaluation moderator, he ratified it and then the Chief of the Navy, and in this case Chief of the Acquisition because it was a formal offer, approved the Value System.

ADV LEBALA: To be specific, the name of the person and the title of [indistinct].

R/ADM KAMERMAN: Rear Admiral Junior Grade AN Howell.

ADV LEBALA: Thank you. The next paragraph has become common cause, page 30 paragraph 77, SOFCOM. 77, 77.1, 77.2, 77.3, 77.4 common cause. 78, "Firewalling between MV ...", what does MV stand for?

R/ADM KAMERMAN: Military Value Commissioners.

ADV LEBALA: IPV, what does that stand for?

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R/ADM KAMERMAN: Industrial Participation Value.

ADV LEBALA: And then FV?

R/ADM KAMERMAN: Financing Value.

5 ADV LEBALA: Now what is your relationship with all these, MV, IPV and FV evaluations?

R/ADM KAMERMAN: The SOFCOM determined that there would be a value system consisting of a Military Value, looking at the Fighting Value of the ship divided by its cost, in other words military performance divided by cost of the ship, and that was
10 to be done by the Technical Project Teams of which I was the designated leader. The second value carried equal weight, each of these values carried 33.33 recurring weight, 1/3 was the Industrial Participation value, and that in turn had different sections, Direct Industrial Participation, Indirect Industrial
15 Participation.

ADV LEBALA: May I interpose there Admiral Kamerman, the Commissioners heard about that, don't agonise.

R/ADM KAMERMAN: Okay.

ADV LEBALA: I just wanted to draw your attention to ...

20 R/ADM KAMERMAN: If I may, just to conclude, I was only concerned and allowed to be concerned with the Military Value, I took no part in, and neither did any of my team members and the other two, to wit the IPV and FV evaluations.

ADV LEBALA: Now these three evaluations, I'm going to
25 ask you a broad question, please apply your mind, I'm certain

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that we are going to pick up [indistinct], we then have the common denominator like a common person or a common party, a common entity that related that.

R/ADM KAMERMAN: Yes, there were several common entities, 5 firstly the secretariat of the SOFCOM Captain D Dewey, secondly the members of the SOFCOM, in this case from ARMSCOR, Mr Hanafey and Mr Brits, they were respectively senior managers Maritime, senior management Aeronautics. The Navy's representative on the SOFCOM, in this case 10 Admiral Howell, the Air Force [indistinct] and then of course the two co-chairman, one of whom was Mr Esterhuyse, the general manager of ARMSCOR for Maritime and Aeronautics, Aeronautics and Maritime [indistinct], and of course the Chief of Acquisition representing the Secretariat on the DoD 15 [indistinct]. However, I must say that I never read these things, I never attended the SOFCOM, I have no personal knowledge at all of the SOFCOM deliberations.

ADV LEBALA: Now these common entities, what would they do when, if you could respond to this question, being the 20 common denominator between these teams of entities?

R/ADM KAMERMAN: Well, we had no interface whatsoever with these people other than on the lower end I would, I submitted my evaluation personally to Captain Dewey after the Naval Board had ratified it. At the top end we had the 25 moderator, that is of course Rear Admiral Anthony Neville

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Howell who moderated the evaluation of our team as it was done for the Military Value, and of course we had the two co-chairmen Esterhuysen and Shaikh, in this case there was no participation by either of those gentlemen in the evaluations at all, other than we got an instruction to please provide some of our technical information to the Industrial Participation, the Direct Industrial Participation Team which we duly did.

ADV LEBALA: Now let me understand, these common entities, were they allowed to, let me be specific, coordinate, to liaise with these three teams?

R/ADM KAMERMAN: I don't know what their mandate across the three teams were, the only coordination that we had was the coordination once by Mr Shaikh to coordinate the supply of information, we were given a written instruction to do so, we did so, but that was the only ..., he never participated or entered the room. The moderator of course was, his responsibility was not to coordinate our leave but to actually moderate our proceedings and at the end of the day be the overseer, if you wish, of our results to report to higher authority that they were, that the evaluation had been done in good faith, honestly, in isolation, and in one or two cases if you read the text we actually refer to him where we wanted a discretionary adjustment to the value system.

ADV LEBALA: Now let's be precise, Admiral Howell, other than him being the moderator, what made him a common

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denominator between the Military Value Team, the Industrial Participation Value Team and the Finance Value Team?

R/ADM KAMERMAN: Only I, I assume, and I'm now guessing, only assuming that he was a member of the SOFCOM sitting
5 and deliberating these things.

ADV LEBALA: Now let me understand, are you saying that the members of SOFCOM could be a common denominator amongst these three teams, or specifically Admiral Howell/

R/ADM KAMERMAN: Admiral Howell is the designated
10 moderator.

ADV LEBALA: Now that has become common cause.

R/ADM KAMERMAN: Yes. I don't know how he coordinated anything between any of the other value systems, I was not even aware that he was participating in those things. For us
15 the Military Value, he was the formally designated moderator and we've established that. The chairmen of this, of SOFCOM in my view were constituted to ensure that the SOFCOM was properly run and that the process of evaluation, that they were mandated to control was done properly, but I have no
20 knowledge of the deliberations or how they coordinated, I just know that Mr Shaikh on one occasion sent an instruction, perfectly routine instruction requiring us to provide some technical information on the combat system to the, to the leader of the IP Evaluation, the DIP, Mr ... His name escapes
25 me now, from ARMSCOR. I will think of it in a moment, we did

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in fact give them that, it was perfectly normal, they needed the costing and technical information for them to evaluate the Direct Industrial Participation.

ADV LEBALA: Would you like to have a glass of water so that you should remember his name? I want to part ways with this question, but it's the relevancy, it's coming with the next questions. Now you have just informed the Commission that there were entities and individuals that were a common denominator amongst these three teams, albeit deliberations, you do not know whether they participated in them, am I right?

R/ADM KAMERMAN: That's good. I have no, even today, no knowledge of how the SOFCOM operated, we did the evaluation under the aegis of the moderator and submitted the results secretly to the Secretariat.

ADV LEBALA: Now you keep on going back to SOFCOM, you seem to be suggesting, informing the Commission that only members of SOFCOM, or a member of SOFCOM was qualified to be a common denominator amongst these three teams, is that what you are saying?

R/ADM KAMERMAN: No, I don't say that at all, I don't have a knowledge of the SOFCOM's mandate other than what I've read, I do have absolutely knowledge because it was formally promulgated that Admiral Howell was the designated evaluation moderator for my evaluation which was the Military Value. I have no knowledge of these other, of anybody else's

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responsibilities in the SOFCOM.

ADV LEBALA: Let me accredit what you say, it's true that Admiral Howell was a member of SOFCOM isn't it?

5 R/ADM KAMERMAN: He was, for me he was the designated moderator, I don't know whether he was a part of the constituted membership, I know that he was formally appointed as the moderator of our military evaluation and that he did.

ADV LEBALA: To be precise Mr Chippy Shaikh was a member of SOFCOM?

10 R/ADM KAMERMAN: I'm aware that by reading the constitution of SOFCOM, at least the Draft Constitution of SOFCOM, that Mr Shaikh and Mr Esterhuysen were co-chairman of that body.

ADV LEBALA: I have to be careful not to mislead you.

R/ADM KAMERMAN: Did you hear what I said [indistinct]?

15 ADV LEBALA: I've got to be careful, I don't have to ask you unfair questions, I have to be careful. I just beg your pardon. Commissioners, I beg your pardon. Actually I stand corrected, Admiral Simpson-Anderson represented the Navy at SOFCOM.

20 R/ADM KAMERMAN: No, I don't think so Sir. With respect he was a member of the Project Control Board, the SOFCOM was not at the Chief of the Navy level, it would have been unusual for him. I don't know, I don't know. I don't recall that.

ADV LEBALA: Now let's look at what you say in
25 paragraph 62, just the introductory part.

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COMMISSIONER MUSI: Paragraph?

ADV LEBALA: 62, page 31 Commissioners. I beg your pardon, paragraph 78 page 31 Commissioners. Page 31, paragraph 78. Now before we even [indistinct] my memory serves me well Admiral Howell testified that when you came to do the presentation before SOFCOM and when Captain Reed came to do presentations before SOFCOM he was present in those presentations, hence I want to say he was a member of SOFCOM.

5
10 R/ADM KAMERMAN: I guess so yes, but [indistinct] presentations of SOFCOM, he is possibly thinking of the previous, the RFI phase which was the Chief, which was chaired by the Chief of Logistics and the Chief of Logistics and ARMSCOR of course was [indistinct] the RFI.

15 ADV LEBALA: May the record reflect that I would like to handle this piece of testimony with care without misleading the witness esteemed Commissioners, we'll revisit it if need be [indistinct], but let's read, page 31 paragraph 78 headed "Firewalling between MV, IPV and FV Evaluations":

20 *"In keeping with the strict instructions of the SOFCOM, the execution of each respective evaluation of the Corvette Military Value, Corvette Industrial Participation Value, Corvette Financing Value were kept strictly separated, each offer*
25 *divided into its separate relevant parts on receipt*

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by the ARMSCOR Secretariat”.

Let’s pause there. Would you say that giving what you testified about that they had common denominators, would you say that if it be found that Admiral Howell, you mentioned the
5 Secretariat and Mr Chippy Shaikh, because evidence is before the Commission that Mr Chippy Shaikh coordinated all these three teams as a common denominator. Then it goes against the spirit and letter of what I’m reading to you. I’m not saying that’s correct what I’m reading to you, am I making sense?

10 R/ADM KAMERMAN: You are making sense, except I would say that the co-chairmanship was always there, Mr Esterhuyse was directly in his formal responsibility as general manager Maritime and Aeronautics, as I understood it, co-chair and in fact at the same ranking level for the civil service in any event.

15 ADV LEBALA: Hold that, hold there Admiral Kamerman, I don’t have anything about the name that you are mentioning being a common denominator amongst these three evaluation ...

R/ADM KAMERMAN: I can’t comment any further, it’s beyond
20 my [indistinct].

ADV LEBALA: Let’s leave it.

NOTE: Caucus.

ADV LEBALA: In the remaining paragraph ...

CHAIRPERSON: I’m sorry Advocate Lebala, for us to
25 understand exactly where you are going, what is this “common

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denominator” that you keep on referring to? What is a common denominator?

ADV LEBALA: Common player, common entity, common person, someone who could go to all of them, someone who
5 liaises with all of them, someone who plays a role in all of them and I understood this witness to be understanding that in that context, and in all fairness Chair probably one [indistinct] qualified that, but this witness with subsequent questions kept on explaining what he understands, hence we kept saying oh, it
10 makes sense because Mr Shaikh was a member of SOFCOM, he kept on saying there are members of SOFCOM who were common here and we know that Mr Shaikh, there’s evidence saying he was the coordinator, it means he was common amongst these three entities, but this witness says not in as
15 far as deliberations are concerned, he’s being very clear on that. Then we read to him that what you say in relation to what has been said in this statement, does it make sense. I don’t know whether the Chair appreciates where we come from? We are seeking that clarity, because against that Chair let’s go
20 back to paragraph 78.

CHAIRPERSON: Never mind, it’s just that I wanted to understand the word “common denominator” because you kept on using the word common denominator and as I understood the witness, the witness said that: “I was not a member of
25 SOFCOM, I don’t know what their mandate was and the only

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person that was supposed to coordinate the activities of the three teams is Chippy Shaikh who was one of the chairpersons of SOFCOM”, and he kept on saying that the three teams were separated, they were all working in silence in order to make
5 sure that they don’t influence each other. That is why I have a problem about this word of “common denominator”.

ADV LEBALA: Thank you Chair, but may I remind you Chair, that this witness went further and said, in actual fact he mentioned the Secretariat and a certain captain, short of
10 saying as common faces, as common heads who were common between these three teams. It’s a fact that Mr Shaikh was common, but this witness cautiously says in as far as deliberations are concerned he does not know, he doesn’t know what Mr Shaikh deliberated at this military value team, also
15 deliberated at the IP Value Corvette, also deliberated at Financing, he says: “That part I do not know”.

CHAIRPERSON: If I understood the witness correctly, that is why I have a bit of confusion, he was part of the team which did the Military Value and he says that he didn’t participate, he
20 said Mr Chippy Shaikh didn’t participate there, so that is why I didn’t quite understand the question of common denominator.

ADV LEBALA: Chair, in making the Value System Mr Shaikh did not participate but what has become common is Mr Shaikh was a common denominator as a coordinator between
25 the team that they are working with the Military Value, the

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Corvette Industrial Participation Value and the Financing Value, that has become common, that he did not participate in preparing the value is one thing, he didn't, but he became a common [indistinct] as well as the coordinator, hence this
5 witness [indistinct] and he says cautiously that ..., he gave us further names, he gave, I don't Captain ...

R/ADM KAMERMAN: Dewey.

ADV LEBALA: Yes, and he even mentioned Admiral Howell and he says Admiral Howell in as far, it was in as far as
10 his moderating role is concerned. Chair, the significance of this testimony is nothing compared to what this witness still has to testify about. We could leave it. Isn't that it has to positively address one aspect which we'll relate to other Terms of Reference Chair. If you permit us we'd like to proceed.

ADV CANE: Chair, may I with your leave interpose? I see my microphone isn't working but I think I'm projecting my voice loudly enough. The witness's evidence is set out in paragraph 85 of his statement and there he deals specifically with the role of the Chief of Acquisition Mr Chippy Shaikh, and
20 what he didn't do in relation to the Military Value and what he did do in coordinating the teams. In particular he makes a point that other than the one instance that he described and in fact has already described in his evidence relating to the provision of certain information to the IP Evaluation Team, as I
25 understood it, to enable them to do their evaluation, Mr Shaikh

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was not present during any of the evaluation processes or meetings. Now I am becoming concerned that there has been a blur, a blur in here as to the extent of Mr Shaikh's participation. Perhaps if the witness were to be directed to paragraph 85 he would be able to make it clear what role Mr Shaikh played in relation to the Military Evaluation.

CHAIRPERSON: You know, I have seen that paragraph and that is why I wanted to find out from Advocate Lebala what he means by a common denominator. As I understand the statement of this witness all those teams, they were working in silos, during the deliberations they did not allowed any outsider who is not a part of that team to participate or even to come anywhere near them and as I understand the statement Mr Shaikh never played any role in the team in which he was, that is why I'm a bit confused about Advocate Lebala keep on talking about this common denominator, I didn't quite understand where is he trying to take us to.

ADV CANE: Yes, thank you Chair. That's certainly our instructions, but perhaps the witness could confirm that and we could move on from there.

CHAIRPERSON: That's right.

ADV LEBALA: Chair, I've simplified that, we're going directly to paragraph 85. Actually let's complete page 31 paragraph 78 by saying the remainder of it is common cause. Page 32 paragraph 79 we are bringing clarity on issues, it is

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common cause. Paragraph 80, what is significant, it confirms the fact that you chaired the evaluation team, for instance let's read from line number 3:

5 *"These were subjected to the Military Evaluation in the period 12-29 May 1998 by a joint evaluation team, chaired by me".*

Paragraph 80.1 to 80.11.3, common cause. Nothing turns around it that much. We've heard [indistinct] when Mr Byrall Smith and Fritz Nortjé, if I'm not mistaken, [indistinct] Rob Vermeulen because he was with Project Wills, testified. 10 Paragraph 81 on page 33 it's common cause, the same paragraph 82 brings clarity, it's common cause. To be specific paragraph 65 just dealing with how the Military Evaluation Team operated, I think we could deal with it. Let's read for the 15 record paragraph 81:

"Due to the enormity and complexity of the task, plus the fact that the operational/technical and logistic aspects of the offer constituted natural subdivisions of expertise, it was decided that the 20 team would operate in parallel sessions in separate workrooms, one sub-team concentrating on the operational/technical aspects and one sub-team concentrating on the logistic aspects. However, the teams came together at intervals, at least daily, for 25 integration of the findings".

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Paragraph 82:

“The total of 15 clarification questions were directed to the various contenders ...”.

Paragraph 82 Commissioners, it explains the context of the role of the moderator, it comes out clearly at the bottom:

“A total of 15 clarification questions were directed to the various contenders during the evaluation session, with care being taken to prevent any improvement or modification to the offers received. The queries and responses were all formally registered the ARMSCOR Secretariat”.

Actually the moderator comes in the next paragraph 83:

“The evaluation ranges of three of the scoring parameters (ships’ radiant signatures) were found to be too limited for valid scoring of the offers received. This was because the offers were much better than envisaged in the specification. The scoring range of each of these were adjusted accordingly, with the consent of the Moderator”.

Now the Moderator in as far as page 83 is concerned, did he [indistinct] go to him and seek advice and guidance?

R/ADM KAMERMAN: Yes, if we ... When we [indistinct] to be too limited in a particular parameter which happened on two occasions, it was not good enough to go forward without the moderator’s consent because that was a fundamental

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adjustment to the basis on which we were doing the evaluation. In both cases we then, myself and the project team, [indistinct] and myself and the platform engineer [indistinct] took the matter to the moderator, explaining why we as a team thought
5 that we should expand the range of the scoring in that particular parameter, remember it's 1 080 of these things, he agreed and they sent it to our [indistinct]. In my view that's typical moderator's role, guiding and vetoing if he did not think that it was appropriate to do that.

10 ADV LEBALA: I think you confirm that role in paragraph 84, especially the vetoing. What becomes clear, I think Admiral Howell testified that as a moderator he guided, he advised you and that he approved for instance paragraph 84 page 34:

15 *"R Adm Howell acted as moderator, ..."*

It's common cause:

*"... sitting in and observing from time to time in the evaluation proceedings, checking on our processes and being available for offering guidance and
20 advice if and when the need arose, and to approve or veto proposed discretionary changes proposed by the evaluation team to improve evaluation. He had access to any process or part of the evaluation and to all documentation"*

25 Now if I may ask, why is [indistinct] also evaluated the finance

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evaluation team, was [indistinct] to moderate the Finance Evaluation Team?

R/ADM KAMERMAN: I don't know, I very much doubt it, because that was not his expertise and neither was financing of
5 any naval responsibility, so I would say that to the best of my knowledge no, he did not.

ADV LEBALA: And this is unfair because we could have asked him this question but if I remember well he said no, he was just focused on the [indistinct].

10 R/ADM KAMERMAN: No, [indistinct] are not good at financing.

ADV LEBALA: Chair, it's now late for me to ask you whether [indistinct] in the Industrial Participation?

R/ADM KAMERMAN: No, and in fact I believe it did not because there was an ARMSCOR moderator, a senior ARMSCOR
15 moderator, that's their level of expertise.

ADV LEBALA: But what has become clear is that as far as the technical military value takes [indistinct] here he had access to any process, we are still no paragraph 84 page 34:

20 *"He had access to any process or part of the evaluation and to all documentation. He exercised his authority in the most professional manner as our senior supervisor, encouraging the team and giving his assent on the two occasions of applying our discretion to the Critical Performance Filter".*

25 What has become clear is that the term "moderator", I think it

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has been explained by Admiral Howell himself, it's used as a national [indistinct], do you agree, [indistinct].

R/ADM KAMERMAN: Indeed I do Sir. [Indistinct]. It is in fact [indistinct] I agree with you, I found it strange that we called it
5 moderator like some sort of examination, I don't know, Biology 101. He was in my view acting in his capacity as the senior officer, he was the supervisor, he was our leader on the spot in charge.

ADV LEBALA: Now we go to the paragraph that my
10 learned friend Ms Cane drew our attention to with a view to help and to [indistinct] the concerns of the commissioners, particularly the chair, paragraph 85, page 34 paragraph 85:

*"The Chief of Acquisition, Mr S ("Chippy") Shaikh, acted as coordinator between the Military, Industrial
15 Participation and Financing evaluation teams".*

Let's pause there. What has become clear is that you do not know whether Mr Shaikh participated in the deliberations in as far as all these teams are concerned?

R/ADM KAMERMAN: No, I absolutely know he did not
20 participate in my evaluation Sir, absolutely. I do not know what, how he interacted or participated, if, when and if and how with any of the other two evaluation teams but I can state unequivocally he did not participate in my evaluation.

ADV LEBALA: Thanks for the clarity. I can't even say
25 that he did not participate in the Industrial Participation of

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Financing Evolution Team but I could say in as far as your team is concerned he did not participate.

R/ADM KAMERMAN: No, was not present, did not require information, we wouldn't have given it anyway, but he was
5 simply not there.

ADV LEBALA: Now what is significant is he was common, let me use an ordinary expression, he was a common face amongst these three teams.

R/ADM KAMERMAN: That [indistinct] SOFCOM, SOFCOM is
10 the common denominator but [indistinct] yes, I can't disagree with you or agree with you. With respect, as I've said before I don't know how they operated together. I do know however, and that's a very important point, if I may Commissioners, that the core for the evaluation results from the respective team
15 leaders was, were all delivered simultaneously in my knowledge because I knew who the evaluator, evaluating leaders of those two teams [indistinct] to the SOFCOM, so certainly in my case, I can't speak for the others, they were confidential and closely guarded evaluations.

ADV LEBALA: Now you keep on emphasising, and I'm
20 saying this cautiously, that SOFCOM was a common phase, do you know Mr David Griesel?

R/ADM KAMERMAN: Dawie Griesel yes, I do.

ADV LEBALA: Was he a common face, did he coordinate
25 as Mr Shaikh has done in the context of paragraph 85 on page

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34?

R/ADM KAMERMAN: Dawie would have done so if he was a member of the SOFCOM, I can't recall absolutely whether he was, certainly it wouldn't have been amiss for Dawie to have
5 been a member, he is a highly professional and senior manager. Also in the preceding months and years he had been a member of the previous commission, RFFO's, [indistinct] the previous coordinating body which was led by Chief of Staff which was [indistinct] Dawie was a member, I don't know.

10 ADV LEBALA: Admiral Kamerman, may I interpose? There's a reason why, and there is a reason why I mention Mr Dawie Griesel, he was a member of SOFCOM, I don't have anywhere any witness statement mentioning that he was the coordinator between the Military, Industrial Participation and
15 Financing Evaluation Teams and you keep on saying if he is a member of SOFCOM or anyone is a member [indistinct].

CHAIRPERSON: I'm sorry, but that might be the right time to adjourn for lunch. I'm not quite sure if at all that you are correct by saying Mr David Griesel was a member of SOFCOM, I
20 think probably that needs to be checked during the lunch break. Two, the witness said that he didn't know how SOFCOM operated, so I'm not quite sure what purpose are we trying to achieve by keep on asking him about SOFCOM.

ADV LEBALA: Chair, before ...

25 CHAIRPERSON: We'll adjourn on that basis and then you

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can answer me when we come back.

ADV LEBALA: Thank you Chair. Thank you.

CHAIRPERSON: We'll adjourn for lunch.

(Commission adjourns.)

5 **(Commission reopens.)**

CHAIRPERSON: Can the witness confirm that he is still under oath?

R/ADM KAMERMAN: I do.

ADV LEBALA: Thank you esteemed Commissioners.
10 Admiral Kamerman before we adjourned for lunch we traversed paragraph 78 on page 31 and paragraph 85 on page 34 dealing with the Corvette Military Value, Corvette IP Value and Corvette Financing Value that had to be kept strictly separated, do you remember?

15 R/ADM KAMERMAN: I do Sir.

ADV LEBALA: And what became significant is a [indistinct] called denominator was used and we tried to explain that denominator means something common and we gave an example of Mr Chippy Shaikh as a coordinator between these
20 three teams, do you remember that?

R/ADM KAMERMAN: I do Sir.

ADV LEBALA: Now from now on I don't want us to spend a lot of time on this because we still have quite a few more of your testimony to traverse on relevant things that the
25 Commission would like to hear about. In the remaining

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questions I would like you to look at the common denominator, actually I want to leave it and use a common phrase, permit me to use a common phrase because a denominator means something that is common.

5 R/ADM KAMERMAN: Yes.

ADV LEBALA: We say if you take 4, 8, 12, a common denominator amongst them is 4, you will take 9, 3, 15 the common denominator amongst them is 3. 9, 3, 12 yes, of course they are odd numbers. Something which is common,
10 something that goes into the [indistinct], maybe I used this term as a misnomer. Let's say common-face, permit me to use common-face from now on.

R/ADM KAMERMAN: Yes.

ADV LEBALA: Now agreed to is a common-face, do you
15 agree that if Mr Shaikh is a coordinator of this value, let's use the correct words here so that the record should reflect the Value Teams that have to be kept strictly separated, then he is a common-face. If Mr Shaikh is a coordinator of these three value teams, the Corvette Military Value, Corvette IP Value and
20 Corvette Financing Value, then he is a common-face, do you agree?

R/ADM KAMERMAN: If he was indeed appointed as the coordinator, I'm not sure what his mandate was relative to that as the other SOFCOM members, I'm only aware that he was the
25 co-chairman.

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ADV LEBALA: Yes, let's forget about what was his mandate, what has become common cause is that he was the coordinator, you do know that, am I right?

R/ADM KAMERMAN: Yes, yes, we were [indistinct] I think
5 verbally, I'm not sure, but certainly I was aware he had a
coordination role and in fact we experienced that coordination
role as I've said on one occasion when he coordinated the, in
your words, between the two evaluation teams, in this case
mine for Military Value and Johan, somebody said it just now,
10 would ... Van Dyk, Jan Van Dyk, I've just yes, remembered at
lunch, we were reminded at lunch that it was Jan Van Dyk. We,
I in fact [indistinct] on the necessary data that he requested so
that he could conclude his evaluation and that coordination was
by a request sent by Mr Shaikh to both teams, so you guys
15 coordinated, get your information between you that you need.

ADV LEBALA: Now up to so far will you agree with me
that in as far as these three teams are concerned the only
common-face that we know about, and it's a fact, is Mr Shaikh?

R/ADM KAMERMAN: Well, as I said I don't know the
20 commonality, I only interface with Shaikh directly, not as part
of [indistinct] coordination effort, and again I mentioned Mr
Howell, but I don't know, Admiral Howell, but I don't know what
he did in [indistinct], if anything at all.

ADV LEBALA: Now let's look at, and the reason why we
25 started wasting time, and I know it's a waste of time because

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nothing turns much around it, you kept on going back to SOFCOM and insisting that it's not only him, even other members of SOFCOM are common-faces, permit me to use common-face, you kept on saying no, it is not only him, even
5 members of SOFCOM are a common-face, do you remember?

R/ADM KAMERMAN: Yes I do, and it arises from my understanding ...

ADV LEBALA: That's all that I want.

R/ADM KAMERMAN: ... SOFCOM was.

10 ADV LEBALA: I beg your pardon Mr, Admiral Kamerman, if I wanted you to explain I would definitely ...

R/ADM KAMERMAN: Certainly.

ADV LEBALA: That's all I want to know, yes or no. You kept on going back and saying even other members of SOFCOM
15 are a common-face, yes or no?

R/ADM KAMERMAN: I beg your pardon, could you rephrase that please?

ADV LEBALA: You remember we kept on saying to you that Mr Shaikh is the only common denominator as a
20 coordinator between these three value teams, and you kept on saying no, no, no, even other members of SOFCOM, as long as he is a member of SOFCOM he becomes a common-face, do you remember?

R/ADM KAMERMAN: Precisely, because SOFCOM was the
25 coordinating committee of these evaluations, that was their

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function.

ADV LEBALA: Now let me ask you a question, do you know Mr Esterhuyse I suppose?

R/ADM KAMERMAN: Oh Eric, very well, yes indeed.

5 ADV LEBALA: He was the co-chairperson of SOFCOM.

R/ADM KAMERMAN: He was, yes.

ADV LEBALA: Have you seen any document that says he was the coordinator amongst these three teams?

R/ADM KAMERMAN: I have not.

10 ADV LEBALA: Admiral Howell, he was a member of SOFCOM, that has become clear and you verified it. Have you seen any document, [indistinct] military or at that stage he was the coordinator of these three teams?

R/ADM KAMERMAN: No, he was the moderator appointed, 15 member of SOFCOM and moderator of the Military Value for Sitron.

ADV LEBALA: Now what has become common cause also is that the structure of SOFCOM says that the execution of each respective evaluation of the Corvette Military Value, 20 Corvette IP Value, Corvette Financing Value were kept strictly separated, that has become common cause.

R/ADM KAMERMAN: Indeed.

ADV LEBALA: Would you agree with me if I were to say Mr Shaikh, actually his role as a coordinator goes against this 25 SOFCOM strict instruction principle?

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5 R/ADM KAMERMAN: Well, then who coordinates between these committees? Let me rephrase that. It was my understanding that the coordinator would act when coordination was required within the principle of a silo evalu..., of evaluation teams.

ADV LEBALA: Yes, but that's a concern. The issue is this question is not fair to you, I'm going to be called to order and I have to caution myself. The question is why him, also him as a member of SOFCOM and not any other ...

10 R/ADM KAMERMAN: I'll give you my opinion if I may, I'm not allowed to express opinions but I have to. Mr Shaikh ...

CHAIRPERSON: Just hold on. Despite the fact that my co-commissioner said to me that I should leave you to give your opinion I don't think it's appropriate for you to give me your opinion.

R/ADM KAMERMAN: Certainly.

CHAIRPERSON: If you don't know that point, you don't know it. I don't want your opinion.

20 R/ADM KAMERMAN: I can't respond to that point other than an opinion, so I will not say anything.

CHAIRPERSON: Thank you.

25 ADV LEBALA: Actually let's part ways with this line of questioning. Let's look at paragraph 86, I don't think we are going to say anything to it. Paragraph 87, just for analysis and clarity, paragraph, particularly paragraph 86 it just explain how

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the Military Performance Evaluation was done, where it was done, why was it done that way. Let's leave it. Paragraph 87 on page 35, "Recording", I don't think the Commission would like us to spend time on there, it just brings clarity which is before the Commission, it completes the picture of what we heard. Paragraph 88 is common cause, for instance paragraph 88 on page 35:

"In addition the offer prices were only opened after completion of the military performance evaluations, ...".

We spent a lot of time with Mr Byrall Smith there, and thus [indistinct] to me and the ARMSCOR Programme Manager, Mr Smith, that's Byrall Smith, am I right?

R/ADM KAMERMAN: That's correct Sir. If you would permit me, because it was specifically, it is raised as an allegation which I've dealt with in the second half, but this is where I say what actually happened and that is the non-rejection of the German design on the basis of its non-compliance to the critical minimum performance filter. It's alleged in the Feinstein, Holden book that we should never have done that and then ergo the Germans got through the filter in a legal way. Now they didn't, as I've stated here. The offer that they, the design that they offered was actually superior in many respects to the specification, we'd specified a [indistinct] standard propulsion layout, the Germans came with a very

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innovative propulsion layout, the Germans came with a very innovative propulsion layout which didn't require the separation of the gearing the main engines, I won't go into the detail, but we had judged that to be superior to the aim of that particular criteria filter point, which was the survivability, separation of the engine rooms. We took it to the moderating, concurred, and we went and we moved on, so there is nothing strange or irregular to that at all.

ADV LEBALA: Thank you for the clarity. I want to finish reading this paragraph 88 on page 35:

"The application ..."

That is line number 3 after "Programme Manager, Mr Smith":

"The application of cost to the military performance score to obtain the Military Value was limited to myself and Mr Smith in separate private sessions. The remainder of the team was not informed of, or shown the final Military Value scores"

Now at this stage were you aware of any offer that came late, either from a shipyard or a country whilst the bids were being invited? I think it was after the RFO yes, after the, at the RFO stage, were you aware of any offer of any country that arrived late, yes or no?

R/ADM KAMERMAN: No. Not at all.

ADV LEBALA: Were you aware of any offer of any shipyard or country that came before the value, the RFO value

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was sealed?

R/ADM KAMERMAN: No.

ADV LEBALA: Okay. Paragraph 89 common cause, page 35, we're not going to spend time on it. Page 36 paragraph 90
5 common cause, 91 common cause, 92 common cause. What you do in these paragraph with your adequately, well-prepared statement, you bring clarity on things which have become common cause before the Commission, I wouldn't like us to waste time. Paragraph 78 page 37. I beg your pardon,
10 paragraph 95 page 37, may the record reflect as paragraph 95: "Ratification by the Naval Board and Presentation to SOFCOM":

"On 18 June 1998 I presented the results of the Military Evaluation to the Naval Board and it ratified them without change".

15 Now you do presentations at SOFCOM and also at the PCB, am I right?

R/ADM KAMERMAN: Not at the SOFCOM Sir, we merely presented our findings in a sealed envelope to the Secretariat. The calculation amongst the Military Value, IP Value and
20 Financing Value was done by the SOFCOM in closed sessions, assuming on the information we had presented for the Military Value at least.

ADV LEBALA: Okay, maybe I should start here, have you ever done a presentation at SOFCOM?

25 R/ADM KAMERMAN: I beg your pardon Sir?

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ADV LEBALA: Have you ever done a presentation at SOFCOM?

R/ADM KAMERMAN: Not to the SOFCOM, we had some
informatory meetings of how this thing was to be done,
5 particularly that it had to be done in isolation and all of the
security and so on, but we never made formal presentations, we
made submissions in writing to the Secretariat.

ADV LEBALA: Now Captain Reed who was the project
officer of Project Wills, Submarines, did a presentation at
10 SOFCOM, are you aware of that?

R/ADM KAMERMAN: I am, I believe it went about the combat
system selection of the submarines, I can't, I speak under
correction because there was a big controversy about that part
of the evalu..., of the ...

ADV LEBALA: In actual fact we could go to that
15 testimony, we don't have, we have it here, we have the I-Pad,
actually we're looking at it. Short of saying he simply says the
reason why he went to do a presentation is because he was
invited and Captain Howell, or Admiral Howell was also there,
20 and after that presentation it was a confirmation that his
report, his evaluation report that was moderated by Captain
Howell was accepted without question. Now my question is you
did not do that at all?

R/ADM KAMERMAN: No, no, we presented firstly to the Naval
25 Board because the Naval Board is the primary arbiter of the

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technical side of ships for the Navy and that report was then, once the Naval Board had approved my report without change, had there been a change we would have naturally looked at changing the report or at least, including the Naval Board's observations. There weren't any, so that was, it didn't apply. We then ..., I then wrote the report off and I think the next day or that same evening took it through to deliver to the hands of Derick Dewey, Captain Dewey.

ADV LEBALA: So, who presented it at SOFCOM? Look at actually ..., I understand what you are saying ...

R/ADM KAMERMAN: I would assume the Secretariat presented the findings because at the bottom line the SOFCOM is charged to integrate the various value systems, the three evaluations into one final bottom line preferred supplier score. So, we were really just providing mathematical data, these figures you see on the tables were the main information that they required.

ADV LEBALA: Okay just to complete what you say in paragraph 36, in page 37 paragraph 95 line number 3:

"The Military Evaluation Report was signed by myself on 25 June 1998 and accepted by the evaluation moderator ...".

Of course that's Admiral Howell, am I right?

R/ADM KAMERMAN: Correct, Sir.

ADV LEBALA: "... on 26 June 1998, and duly provided to the Strategic Offers Committee Secretariat on the

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same date”.

But we now know that it's not you who presented it to SOFCOM, as you did the presentation at SOFCOM.

R/ADM KAMERMAN: Yes, yes, I submitted it physically and I
5 took no further part in the exercise.

ADV LEBALA: In this paragraph issues that are being covered are common cause, we are not going to burden the Commission by the SOFCOM criteria, the Best Value, the Commission has heard so much about it. The SOFCOM Military
10 Value, Figure of Merit, no, I'm not going to bother the Commission about it. Paragraph 97, common cause. Paragraph 98 common cause, paragraph 99 common cause, brings clarity on the Maritime Helicopter once again and we know that you played a significant role there. Now there's
15 something that comes out of paragraph 99 line number ... Just for the Commissioners to appreciate it would be fit for us to read from the top: "Maritime Helicopter". We know the story of the Maritime Helicopter, you clarified it:

*“As for the Corvettes I acted as the leader and
20 chairman of the Maritime Helicopter RFO evaluation by a SA Navy, SAAF and ARMSCOR evaluation team against an approved Military Value System, which resulted in the United Kingdom (GKN Westland) SUPER LYNX helicopter receiving the highest
25 Military Value. This evaluation was presented to*

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the SA Command Council and approved, and delivered to the SOFCOM for calculation of best value in evaluation report co-signed by me”.

Who also signed it, you just co-signed?

5 R/ADM KAMERMAN: I was my ARMSCOR counterpart on the Military helicopter Mr Francois Kotzé who was the ARMSCOR Programme Manager Project Maulstick. There is, if I may point out to the Commission, a typographical error, the second letter should read: “This evaluation was presented to the South
10 African Air Force Command Council”. The Air Force for some reason don’t call a board like the Navy does, they call it a command council, it is not the SA Command Council, it’s the SAAF Command Council, I beg your pardon, that’s my own error in typing this.

15 ADV LEBALA: Thank you. Page 39 paragraph 100, common cause. 101, common cause. Paragraph 102, common cause. We see your personal involvement again in paragraph 102 for instance from line number 7 ..., the 6th. “The Navy JPT ...”, does it stand for Joint Project Team I suppose?

20 R/ADM KAMERMAN: Correct.

ADV LEBALA: *“... members mainly involved in the negotiations with the preferred supplier to reach a contract were myself ...”.*

You are personally involved there, the rest is common cause,
25 we have tried to bring clarity on what the Commission has

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heard. Towards the end you mention Mr Fritz Nortjé and that
piece of testimony has become common cause before the
Commission. Paragraph 103 common cause. Now paragraph
103 also deals with the Joint Project Team reporting lines, it
5 doesn't take issues beyond dispute, paragraph, all the
paragraphs from 103.1 to 103.4 on page 41, common cause,
they are just bringing clarity there. "My Post", paragraph 104
page 41, your reporting lines to the Chief of the Navy as the
professional head, nothing turns around it, just brings clarity.
10 All these paragraphs, 106, 107 "Negotiation Process", 108,
109, 110, they are common cause. What we are doing, we are
bringing such clarity into them and we don't want to waste time
as the Commission has been overwhelmed about them, the
foundation has been laid. What one could utilise is just to
15 appreciate loose ends that were not tied, but we are not
spending time.

R/ADM KAMERMAN: May I, with your permission
Commissioner just highlight one small point which I think is
very pertinent?

20 ADV LEBALA: Well, feel free. In relation to which
paragraph?

R/ADM KAMERMAN: It relates to 106 Commissioners, very,
very quickly, and it will be [indistinct], so Mr Lebala is putting
the correct fact.

25 ADV LEBALA: Just a minute, let's direct the

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Commissioners, page 42 paragraph 106 headed "The GFC-ADS as Partners". I tell you we've overwhelmed the Commission about that. At one time the Commission has even lost their [indistinct] patience, they called me to order because I was
5 trying to simplify what's the relationship between the GFC, ADS entails, [indistinct] coming in, but if you want to clarify something?

R/ADM KAMERMAN: It only relates to the fact it's a very strong allegation that ran through both Young and Feinstein,
10 that the Germans were coerced or somehow pressured into ADS as a partner, that's simply not true. All competing shipyards in the RFO, all four of them nominated or selected or stated that ADS would be their partner in the next phase, and of course again arising from the simple and stark fact that ADS was the
15 only South African company in the country capable of combat system, command and control development and certainly the only one capable of combat system integration, so it was perfectly ..., we never pushed the GFC at all in the direction of ADS, GFC is an international shipyard, they found the South
20 African partner, in this case the only one being ADS. There's no mystery that ADS was selected by the German Frigate Consortium to partner them and eventually become part and parcel of the main contractor and throughout the negotiations, in fact from certainly with effect from late January they were a
25 team negotiating *de facto* as the main contractor with us, it was

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[indistinct] signed the Consortium Agreement.

ADV LEBALA: I'm certain that unfortunately for the Commissioners, I know that they received your signed statement and the bundles late, but you deal with that adequately when we start to deal with the critics, where the real nub of your testimony is, but thanks for laying the foundation, we are not even going to waste time and repeat that, unless there's a need. Now we are in paragraph 109, page 45. Page 46 common cause, 47 common cause. 49, the Commission has heard about it, I've told you about the "Main Contractor Consortium" and this paragraph relates page 49, paragraph 111, 112, this paragraph to overall acquisition cost formation of a GFC – Thales/ADS Consortium that came to be known as ESACC, we are not spending time on it. The issue of the elimination of risk and cost, we say cost for instance at paragraph 112.1 the last sentence:

"This new arrangement completely eliminated one layer of risk provision, and realised an enormous price reduction of some R600 million".

The Commission has heard about it. Paragraph 112.2, cost reduction figures, the Commission has heard about the need to save cost and the reduced price of the ships, Corvettes by R600 million and what follows thereafter, common cause. Paragraph 113 common cause, 114 common cause. Page 51, cost reduction measures, common cause, both from the Project

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Sitron side and the Project Wills side, the Commission knows the processes that went into to reduce cost and the measures that have been put in place. Page 52 common cause, you bring clarity there. Page 53 common cause, you bring clarity there. 5 Page 54 common cause, you bring clarity sought there, page 55 common cause. Page 56 common cause, page 57 common cause, page 58 common cause. The emphasis of paragraph 121 “The Largest Project in the History of the South African Navy”, that has become common cause, all the naval officers testified 10 to it, common cause. Paragraph 121.2 we can traverse it, page 59.

R/ADM KAMERMAN: May I ask whether at this juncture we can look at Appendix “A” Commissioners?

ADV LEBALA: I think I would like us to deal with it, it’s 15 very critical, at the right time.

R/ADM KAMERMAN: Correct.

ADV LEBALA: I know it is here, ...

R/ADM KAMERMAN: [Indistinct], yes.

ADV LEBALA: We’ll get back to it, we are not going to 20 ignore it. Commissioners, the witness wants to know as to whether can he deal with what you see in paragraph [indistinct] page 659 ...

R/ADM KAMERMAN: Three pages.

ADV LEBALA: 661. And I say we will get there at the 25 right time. I would like us to look at paragraph 121.

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CHAIRPERSON: Just hold on Advocate Lebala, we also want to satisfy ourselves about this document. 659.

ADV LEBALA: Thank you Chair. It's 659 to 661. Its relevancy, we'll come back to it, it's a very, very important document, the witness wanted to traverse it now, unless we get direction that we should deal with it now, but it will create a proper synergy at the appropriate time. We're waiting for direction still Commissioners.

CHAIRPERSON: I think somewhere, I think towards the end of his statement he does deal with these issues, we can deal with them at that stage.

ADV LEBALA: Indeed Chair. Page 59 Commissioners, I do not know whether Commissioner Musi wants to give direction on something?

COMMISSIONER MUSI: No.

ADV LEBALA: Thank you. Page 59 paragraph 121.2, may I take the liberty to read it:

"Project Sitron's efforts and successes were regrettably subjected to a sustained attack from 1999 until today. This attack sought to impugn the reputations of the Department of Defence, the SA Navy, ARMSCOR and the people within these organisations that led and directed the project".

Let's pause there. I nearly said so what?. Do you agree with me for it to say that this was a big project, not only for the

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Navy but for the whole country?

R/ADM KAMERMAN: It certain was Sir, it's the future of the Navy but it also physically was the largest acquisition project ever undertaken overseas. There were bigger ones during the
5 Angola War locally, but overseas procurement this was the biggest in the history of South Africa.

ADV LEBALA: I suppose, let me even add further by saying in the continent of Africa it was the biggest?

R/ADM KAMERMAN: Certainly.

10 ADV LEBALA: Now it involved public finances and public figures isn't it?

R/ADM KAMERMAN: Quite correct Sir, it had a political and social domain far beyond the normal techno-economic consideration of the normal acquisition project.

15 ADV LEBALA: And certainly the public had an interest in it, because this puts these figures in the public [indistinct] on the spot.

R/ADM KAMERMAN: The public owns the Navy Sir.

ADV LEBALA: So, this attack, it's a public issue.

20 R/ADM KAMERMAN: Yes it was, but it was done in a manner which was in my view to, that sought to impugn the reputations of the Military, one can only go onto the internet to see the degree of hysteria but in terms of legal challenge and what I would call, and I don't use the, I use purely the English word,
25 not the legal term, in my view vexatious litigation, we went

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through enormous exercise where there were, there was, there were court cases all over the place, they were all withdrawn, it's never been brought to court and here we sit 15 years later with the same allegation, or no, a sub-set of those allegations
5 minus the ones that have already been proved in a public forum to be absolutely fallacious.

ADV LEBALA: Certainly, but that's why in a democracy it happens. I mean if it does happen in the United States the same forum would have been constituted.

10 R/ADM KAMERMAN: Yes.

ADV LEBALA: I'm not trying to say that there are better exemplary democracies, I don't know if it happened in Burkina Faso or Iran or India, it had happened, I'm just giving examples of countries, don't read too much into it. These are the
15 consequences that come up, but let's read further, let's read further:

*"I submit that it was a campaign founded on false allegations and insinuation of corruption that have done lasting damage to the international image of
20 South Africa".*

But you see, that's why the frameworks of the Terms of Reference, this Commission were farsighted, they knew that these aspects have to be dealt with and we are coming there. Do you agree?

25 R/ADM KAMERMAN: No, I absolutely do and I absolutely will

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give participation in this forum, which is an even-playing field, the [indistinct] team was not.

ADV LEBALA: I will now address “This allegations ..., of course you will deal that:

5 “... allegations that the Department of Defence and
ARMSCOR project leadership was at best inept, at
worst corrupt, failed to obtain for the nation the
best ships for its maritime security, and conspired
to dilute the participation of the SA defence
10 industry, are truly false”.

Now we are done with Part 1, we are going to the nub of your testimony, do you agree?

R/ADM KAMERMAN: Correct Sir.

ADV LEBALA: And of course let's close by saying those
15 who have an interest in being vindicated, this Commission is
still going to deal with the Terms of Reference and they could
read what comes out of the recommendations of the
Commission if they feel aggrieved but this, the foundation of
these paragraphs is leading us to your real testimony which is
20 Part 2 starting on page 59 paragraph 122 headed “Part 2:
Allegations of Corruption, Wrongdoing and Impropriety”. Now
the introductory part of paragraph 122 page 59 reads as follows
“Scope of Part 2”:

25 *“I have read Young’s ‘comprehensive updated draft
Witness Statement’ dated 3 June 2013”.*

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You are right, we looked at that statement.

5 *"This is virtually identical in content to his sworn affidavit made to the Constitutional Court of South Africa, dated 14 June 201, and which was annexure RMY01 to his application to cross-examine Mr Fritz Nortjé of 17 October 2014. I understand that Young's application was subsequently withdrawn. However, during March 2014 Young referred to his draft statement of June 2013 as an extremely*

10 *comprehensive draft statement provided to the APC for the preparation of his witness statement. To the best of my knowledge, this constitutes Young's witness statement and I'm thus compelled to answer the allegations in as far as they concerned me, as*

15 *found in the aforesaid 'Draft Witness Statement'. I do so on the understanding that this constitutes the best available recordal of the allegations Young intends to make before the APC. Should this understanding prove to be incorrect, then I would*

20 *seek an opportunity to deal with any further allegations Young may make that concern me. For convenience, and in dealing with Young's allegations I shall refer to the sworn affidavit made to the Constitutional Court and his 'comprehensive*

25 *updated draft Witness Statement' as being "Young's*

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statement' and use the term 'the State' to include the DoD and ARMSCOR".

Now are you going to be dealing with this part of your testimony in the context of the SDPP's?

5 R/ADM KAMERMAN: Yes, indeed Sir.

ADV LEBALA: Nothing personal, we are going to focus on your role with your cap on in those five capacities, am I right?

R/ADM KAMERMAN: That's completely correct Sir.

ADV LEBALA: Paragraph 123:

10 *"I have also read the 'Joint Submission' of Messrs Andrew Feinstein and Paul Holden to this Commission dated January 2013, and I answer the allegations ...".*

We are on page 60 esteemed Commissioners:

15 *"... insofar as they concern me, as found in the aforesaid 'Joint Submission', also on the understanding that this constitutes the best available recordal of the allegations either Feinstein or Holden jointly or singly intend to make*
20 *before the APC. Should this understanding prove to be incorrect, then I would seek an opportunity to deal with any further allegation Feinstein or Holden may make that concern me. For convenience and in dealing with Feinstein's and Holden's allegations, I*
25 *shall refer the 'Joint Submission' as being*

'Feinstein submission'”.

Actually you know this statement simplify things for our team to the point, especially that introductory background in the relevant portions that you referred to, some of which were probably before some witnesses in as far as these critics are concerned. Paragraph 124 page 60:

“In answering the allegation of Young and Feinstein I confine myself to those allegations pertaining to the technical, commercial and management issues that were addressed during the Project Sitron Phase 1, Project Suvecs and the military evaluation and technical negotiation phases of the Corvette in 1997-1999 that were raised during the SCOPA/JIT investigation of 2000-2001, and as repeated and expanded in allegations laid before this Commission, and including those allegations against me that relate to my subsequent retirement from the SA Navy and my taking up employment in the private sector, as well as to Feinstein’s allegations against me of criminal misconduct in the execution of my duties as Project Officer Project Sitron”.

Now we know that you are not going to be personal, the foundation has been laid, we are going to deal with this professionally, we’ve clarified it in words and it’s also confirmed by your statement. We’ve already traversed

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[indistinct], we're just about to go to the criminal prosecution when remember we said to you that we will deal with it?

R/ADM KAMERMAN: Yes Sir.

ADV LEBALA: Now page [sic] 125:

5 *"Before addressing any particular allegation, I wish to address three general matters running through the web of allegations as a continuous theme, namely the issues of:*

10 *125.1 The general issue of influence, pressure or inducement in the JPT's workings.*

125.2 The issue of Mr S Shaikh's alleged influence in the JPT's workings.

15 *125.3 The allegation that without the corrupt intervention by Mr Shaikh and others, ADS would not have acted as a main contractor member for the combat system integration".*

Now we start. Paragraph 126 "Influence, Pressure or Inducement in the JPT's Activities":

20 *"I hereby state categorically that throughout the processes that I and my team member were engaged in to evaluate, to negotiate, to analyse, to report and to recommend a course of action or particular equipment to be included in the contracting baseline, or to recommend any other matter, no*
25 *pressure or influence was ever placed on me by any*

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person in whichever capacity or organisation, whether from within the DoD, DAPD, SA Navy, ARMSCOR, industry or as a private individual, to influence any action or viewpoint taken by me; ...”.

5 Let's pause there. You can't speak for your team?

R/ADM KAMERMAN: Yes I can Sir, I was their direct military senior and their leader, I can talk, I can speak for their activities, actions and also in the course of my military discipline over these individuals what they, how they acted
10 when I was in their presence about these matters. I cannot of course speak to them in a private capacity when they were outside of my sight or hearing.

ADV LEBALA: Oh indeed, indeed, and I have got to be careful not to speculate. For instance you completed it for me
15 for it to say [indistinct] in restaurants, you know who they ..., you don't know who they met, who they discussed this with.

R/ADM KAMERMAN: No.

ADV LEBALA: That's speculation, I'm not putting it as a fact, but you are confirming that you've testified that you are
20 talking about yourself, albeit there are instances where you can speak on behalf of your team.

R/ADM KAMERMAN: And my team to the best of my knowledge bearing in mind that at that stage I had some 25 years' of leading men.

25 ADV LEBALA: Then you further say:

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“To the best of my knowledge the same applies to all of my SA Navy and ARMSCOR JPT colleagues”.

I suppose you share the same sentiment?

R/ADM KAMERMAN: That’s the point.

5 ADV LEBALA: “The Myth of the Influence of Mr Shaikh in the Workings of the JPT”. I don’t think we need to spend time on it, but do you want to summarise ... I see the Commissioners are conferring, let me hear if my attention is being drawn to a particular aspect Chair.

10 CHAIRPERSON: Yes. We’re just trying to suggest to you that maybe it might be better if you let the witness explain in his own words, particularly as particular allegations.

ADV LEBALA: Indeed Chair, we acknowledge that. Actually we are starting on page 61. Remember we laid a
15 foundation, now he is starting to deal with that in page 61 paragraph 127 “The Myth of the Influence of Mr Shaikh in the Workings of the JPT”. Where is this myth from?

R/ADM KAMERMAN: Well, over the years the myth, more than a myth, it’s actually been propagated as a fact in many, many
20 allegations by Mr Young and laterally Feinstein, Holden, Van Vuuren *et al*, as recently ago on German national television, some three weeks ago, where I featured prominently as a dubious person from the mouth of Mr Feinstein, but you’ve cautioned me not to get personal, my wife, however, will
25 caution you about something else, she burst into tears and I

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never heard the end of it, but nevertheless the myth of Chippy Shaikh dominating us like a spider in the middle of a web and catching various companies as they flew in is you know, a complete myth, it just has no bearing at all to the truth of the matter.

I speak from my own perspective but I also speak as a senior officer involved in this entire exercise from the word "go". I read my first paragraph because that really sums it up'

"Much has also been made of the alleged insidious influence exercised by Mr Chippy Shaikh, Chief of Acquisitions, over the whole process of the Corvette platform selection and in particular the combat system selection, arising from his family connection to ADS and his allegedly corrupt links to the Germans and the French, that ensured a German win for the ships and an ADS-French win for the Combat Suite, in a grand and orchestrated conspiracy".

This is ...

ADV LEBALA: Let's pause there, but remember there are common cause facts there, that he had family members in the ADS.

R/ADM KAMERMAN: Indeed, the point is it's been propagated as a fact that those connections and other connections he may or may not have had out of [indistinct] directly influenced the

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selection of companies and the selection of equipment. In fact it's stated directly in Feinstein and Young's allegations in writing to this Commission that he put pressure on the team through me to ensure that we increase the French portion of the combat system *inter alia* as a good example. I can only say that in this, if we go throughout this entire exercise Mr Shaikh in his personal or formal or official capacity placed no pressure or suggestions or any activities at all by him that would be construed as untoward, as outside of his function, as related to any personal connection to any of the companies involved and so on and so forth. In short there was no influence whatsoever, he played no part in the negotiations for the combat system from my angle, from my height, if I may call it that, he played no part in the evaluation of the ships, no part in the evaluation of the logistic efforts whatsoever.

ADV LEBALA: You concretise that when one looks at page 61 paragraph 127.3 towards the end after you've explained everything at the top in line number 6 that:

"... it is an objective fact that ADS's role as the provider of the Combat Suite was not in any way the result of Mr Shaikh's influence or role".

R/ADM KAMERMAN: Yes I completely, I report that as completely concurring with that. If Mr Shaikh had never been born ADS would have had exactly the same role on this programme as before, as I said earlier this morning they were

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the only South African company that had the experience, the technical capability and indeed had been the system house developing a precise technology for the previous 15 years.

ADV LEBALA: I just want us to be specific, I wish the
5 Commissioners could appreciate that we've already laid a foundation and traversed 127.1 to 127.2 to 127.3, I would like us to be specific in 127.4 by reading it:

"I hereby ...".

Commissioners, page 61 paragraph 127.4:

10 *"I hereby amplify that statement, and hereby testify that there was not a single occasion or instance I know of or experienced when Mr Shaikh made an attempt of any nature to interfere in, or influence me or any of the team members, ...".*

15 That's where I have a problem, you can't say that.

R/ADM KAMERMAN: To my knowledge I would say that. Of course again as I said earlier, outside of my immediate sight and hearing I cannot say that, but there was no occasion where any team member who were intensely loyal to me, and we really
20 had a good team, anywhere reported any untoward incident either.

ADV LEBALA: Fair enough. Remember I cannot speculate, I'll be in trouble, I'm not saying that happened, I'm just reminding you be cautious.

25 R/ADM KAMERMAN: Yes.

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ADV LEBALA: I can't speculate either, I can't say that he influenced, that's not what I'm suggesting, I sit with ...

ADV CANE: Commissioners I'm sorry, I must interject at this point. The second line of the paragraph specifically
5 state the witness is dealing with what he knows of and he experienced and his statement is limited to that extent. Thank you.

ADV LEBALA: Chair, it's not appropriate for me to discuss the subjectivity of this witness which is interpreted
10 objectively in a statement. I'll leave it, let's proceed, let's read on.

R/ADM KAMERMAN: Right.

ADV LEBALA: *"... nor to solicit any information from any of us directly or indirectly".*
15 Now that's where my problem is. Now let me ask you a question, are you aware that there has been project control board meetings where the subject of the Combat Suite was discussed in the presence of Mr Shaikh, in the presence of Mr Shaikh?

R/ADM KAMERMAN: Indeed, I am.

ADV LEBALA: Where finances pertaining to the Combat Suite were discussed in the presence of Mr Shaikh?

R/ADM KAMERMAN: Indeed I am.

ADV LEBALA: I'm not saying he participated in the
25 discussion but he was present.

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R/ADM KAMERMAN: Yes, I mean he did not recuse himself physically as one would have expected in a recusal situation. I had nothing to say about that because I was not a member of the PCP and my superiors were, had made arrangements which I thought were adequate, that he would not contribute to decisions or make any, have any discussion with regard to the Combat Suite. There were, however, some occasions when he did withdraw, I can't remember exactly when they were, I just remember that Mr Shaikh would say: "Okay I'm now leaving for another meeting" or whatever the case might be and he'd hand over the chairmanship, but that was not germane to our reporting, our reporting was, that's myself when I say I, myself and Mr Nortjé who reported as OPS Sitron and APM Sitron respectively, we reported not as members of the PCB but as project level people reporting to our higher authority called in this case controlling board.

ADV LEBALA: By the way you would go to the PCB as per invitation, am I right?

R/ADM KAMERMAN: Correct, there was an agenda published by the *de facto* Secretariat, it included people like Captain Jourdan, usually Mr Hanafey because he was Mr Swan's direct report in his professional capacity. Remember Swan was wearing two hats, he was wearing ...

ADV LEBALA: Don't worry about that, the Commission has seen it, actually we've taken them through minutes where

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they have seen that Mr Hanafey would be there, Mr Louis Swan, the CO of ARMSCOR [indistinct] just trying to save time.

R/ADM KAMERMAN: Correct.

5 ADV LEBALA: Now my question is have you ever been in a meeting where you were invited, we know that you are not a member of the PCB, where the subject of the Combat Suite and the finances pertaining to the Combat Suite were discussed in the presence of Mr Shaikh? I'm not saying where he participated in the discussion, where there was a discussion on
10 these two subjects. Remember finances pertaining to the Combat Suite.

R/ADM KAMERMAN: Yes?

ADV LEBALA: And the Combat Suite were discussed.

R/ADM KAMERMAN: My answer is yes.

15 ADV LEBALA: Now let me ask you a question based on what one witness said, Admiral Howell said before you that the fact that Mr Shaikh sometimes did not recuse himself as walking out of the room could be interpreted as indirect influence.

20 R/ADM KAMERMAN: Well, firstly Admiral Howell has the right and the duty to make those statements, he was after all a member of that PCB.

ADV LEBALA: But let me be cautious, I think the Chair, the Commissioners would call me to order, he does not say it
25 indirectly influenced him, he doesn't say so, he said it could be

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interpreted as indirect influence because he's sitting there in the deliberations on the subject going on.

R/ADM KAMERMAN: Yes indeed, and that's for a member of the PCB to adjudge, I cannot say that I've ever had those same
5 notions, it was simply a report by the project team to the PCB, how of course if he had those inclinations would have discussed and would have, and had of course the right to raise his objections as a full member if indeed he had objections, which I understand from his testimony he did not.

10 ADV LEBALA: I think in all fairness to Admiral Howell I repeat, he repeats what you said that whether Mr Shaikh was there or not, it didn't influence him. Mr Shaikh did not directly take him by the scruff of his neck, that: "You are going to think this way, you are going to vote this way, you are going to look
15 at the interest ...", that has become clear, but I am saying forget about the fact that you are not a member of the PCB, fact is you were there as per indication.

R/ADM KAMERMAN: Yes.

20 ADV LEBALA: Now would you look at the presence of Mr Shaikh as an indirect influence noting that you are saying he never influenced you, that we know.

R/ADM KAMERMAN: Yes. I think it hinges, if I may slightly expand, not expand but slightly deviate from the direct yes or
25 no approach, it rather hinges around whether you feel intimidated by the presence of an individual and I certainly was

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never intimidated by Chippy Shaikh, so no, and it never crossed my mind. As an intellectual argument yes of course it can be said that somebody in the room has indirect influence by his mere, his or her mere presence. For me as a fairly
5 robust senior naval officer Chippy Shaikh didn't intimidate a hair on my head.

ADV LEBALA: Okay. Let's read on in line with your testimony, I know that you've laid a foundation, we just want to complete the picture, the Commissioners wanted you to testify,
10 in actual fact we are done with this piece of testimony, I just want the record to reflect it, 127.4:

*"I hereby amplify that statement, and hereby testify that there was not a single occasion or instance that I know of or experienced when Mr Shaikh made
15 an attempt of any nature to interfere in, or influence me or any of our team members, nor to solicit any information from any of us directly or indirectly, despite his positions of authority as C Acq, and as a senior member of the SOFCOM, PCB and IONT.
20 He was not present in any of the JPT negotiations ..."*

Page 62 Commissioners:

*"... and discussion sessions with any of the offering parties, nor did he solicit or receive any feedback
25 into these sessions. He gave no instructions that I*

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am aware of for conduct or strategies for any part of the technical negotiations by the State”.

We've clarified that. 127.5 page 62:

“From our perspective ...”.

5 It's only [indistinct] that speaks to that.

“From our perspective ...”.

Who?

R/ADM KAMERMAN: The Joint Project Team Sir.

ADV LEBALA: But that's a problem that I have, that's
10 your perception Sir. We know, it's a fact that we know that you
are a leader of the team but you can't say that. Are you talking
about your perspective?

R/ADM KAMERMAN: I'm talking about my ..., of course I'm
15 talking about my perspective but forgive me, we work in small
teams in the Navy, I was certainly able to say that and I am
able to say that on behalf of the team that I led, our joint
collective perspective was that he had no influence on us.

ADV LEBALA: Okay, we'll come and argue if need be. See,
20 let's start, you talk of a reasonable inference, that's not the
proper forum for it, I'll be called to order, I just want to read
what you say.

R/ADM KAMERMAN: I'm just speaking as a sailor Sir.

ADV LEBALA: Fair enough. From our perspective
25 therefore you played no part at all in the methods leading to
the establishment of the technical baseline for the Corvettes,

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we've heard about the technical baseline:

5 *"... including the work contracted to ADS or its
eventual position as part of the main contractor
supply consortium. ADS, as acknowledged by even
10 its severest critic, Young of C2I2, was the only
company in South Africa capable of acting as a
partner for the naval combat system integration of a
major warship programme, and had been leading the
industry in South Africa in this technology since the
15 eighties. ADS would thus always have taken the
roles that it did in 1998-1999, irrespective of its
ownership or shareholding before, during or after
the Corvette evaluation and negotiations. Young
himself recognised this. I refer to paragraph 21 of
his note of 5 August 1999 (Annexure 'JK20')".*

Page 521. Of course he says that, we need not waste time, he says, I don't know whether we could complete it, but this annexure confirms that, is that correct?

R/ADM KAMERMAN: It confirms it categorically Sir.

20 ADV LEBALA: Paragraph 128, page 62, common cause,
we are not traversing it. Now we have dealt with one aspect of
the criticism that Mr Shaikh at no time influenced you or
members of the JPT, ADS as a powerhouse with, or without Mr
Shaikh had been in the picture. Page [sic] 129, I mean
25 paragraph 129 page 63, "My Association with Young". Of

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course you were acquaintances at one time, isn't it?

R/ADM KAMERMAN: We were in fact more than that, we were friends at one time.

ADV LEBALA: Paragraph 130, "Young's Hostility to ADS",
5 please deal with it to the Commission.

R/ADM KAMERMAN: Yes. One of the aspects which I had to manage, myself and Fritz Nortjé and in particular our subordinates who dealt with them on a technical level every day, throughout the years of Sitron, that's 1993 through 1995
10 and then Suvecs, 1995 through 2000 and [indistinct] also the negotiations for the Corvette in 1999 was that we had to deal with Young (a), as an engineer, a very good engineer, he played a leading part in developing the Combat Suite and walking hand in hand with us as a member of the so-called
15 Design Advisory Committee which was a committee set up under my leadership and including key advisors across industry to advance the achievements of the technology demonstrated, not a particular bottle, but the whole room being the combat system technology demonstrator that we were running towards,
20 crawling towards financially under Project Suvecs.

The problem that we had was that he had an antagonistic relationship with ADS, arising out of his short employment there, several years when he was a younger man, and a very acrimonious parting that the two parties had.

25 ADV LEBALA: What ... Let me understand, what makes

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you to say he had an antagonistic relationship based on the way he left ADS?

R/ADM KAMERMAN: It was based on that, it came out clearly in various discussions because I tried to mediate many, many
5 times, my colleagues did as well. He had a personal antagonism and it was a mutual antagonism, I must say I'm not putting anything untoward on Richard's shoulders yet, but it was clear that they parted the ways and they had, what had
10 happened was that C2I2 was set up while, as a private company while Young was working as a manager for ADS and in fact that was the nub of the problem between the two of them.

ADV LEBALA: Let me understand. Did Mr Young have problems with ADS or certain individuals within ADS?

R/ADM KAMERMAN: He had problems overall with ADS
15 because when he worked at ADS he established his company and started it in a secret way and then he had a major blowout as a result of that with the management of ADS, particularly Mr Duncan Hiles who was still the senior manager responsible during these negotiations several years later, as well as
20 individuals such as Mr Doug Law-Browne who was a fellow engineering manager with him when these things were happening. Some of Brown's technologies were utilised, let's say for commercial means.

ADV LEBALA: So you are confirming that he had issues,
25 there was a [indistinct] between him and certain high-powered

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individuals within ADS?

R/ADM KAMERMAN: Yes, there were serious issues. We tried to mediate because Young was a valued colleague of ours and ADS was also valued colleagues, but of course we had to
5 mediate very carefully because it was exactly that interface, the interface between Young's combat system Databus, and ADS's system integration roll as well as their specific subsystem the Combat Management System that's the risky, risky, technically risky, corporate risky *et cetera, et cetera*, but
10 certainly technically risky, those interfaces had to be managed within a team, within a team that works together well, a well-oiled team.

ADV LEBALA: Let me ask you a question. If you have a problem with the MD of ThyssenKrupp Hamburg, and his deputy,
15 and the CEO, does it mean that you have a problem with ThyssenKrupp?

R/ADM KAMERMAN: The analogy ... I would say if you want to use an analogy does it mean that he had a problem with Altech? No. With ADS, yes, because ADS's management only
20 consisted of seven of our people, so it was a small handful of people. The issue here was simply this, we had to manage this antagonism and it used to come out in, like all antagonisms, sometimes unexpectedly in meetings, and many, many was the time that I would mediate outside of the room or we'd say, have
25 a sudden unplanned coffee break just to let things cool down,

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but it was there, it was always there.

ADV LEBALA: Okay, for whatever it's worth I want to deal with 131, 131.1, 131.2, 131.3, 131.3.1 up until 131.3.3, I would like you to summarise it to the Commission, the absence of
5 certain allegations in as far as statement is concerned, but before you do that, for whatever it's worth, if I may ask, and I want to close this, within these few individuals at ADS, were those, were there those who related well with Mr Young? Do you know, yes or no?

10 R/ADM KAMERMAN: I beg your pardon Sir, say that again please?

ADV LEBALA: ADS was a small company if I'm not mistaken, its directorship isn't it?

15 R/ADM KAMERMAN: It's directorship yes, it's a medium-sized company, it was over 400 people at that stage.

ADV LEBALA: Fair enough. Amongst these directors were there those who related well with Mr Young?

R/ADM KAMERMAN: [Indistinct], no.

ADV LEBALA: [Indistinct] tried to rectify that?

20 R/ADM KAMERMAN: No, we were working with Hiles and his technical team, I wasn't working with the, let's say the Human Resources manager or the CFO, I was working with the technical director and his team of engineers.

25 ADV LEBALA: Thank you. Please proceed to deal with those subsequent paragraphs.

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R/ADM KAMERMAN: You're not traversing paragraphs 131 and onwards Sir?

ADV LEBALA: Yes Sir, paragraphs 131.3.3 on page 65.

R/ADM KAMERMAN: Yes I, as I said in paragraph 131 when I
5 looked at the allegations made before this Commission by both
Young and Feinstein I compared them to the allegations that
Young had originally posited in 2001 in his famous [indistinct]
memoire and his subsequent allegations beyond the [indistinct]
memoire in his litigation that he raised as a plaintiff against
10 the Minister of Defence, ARMSCOR and *inter alia* against
myself in a libel charge. He subsequently withdrew those
completely, there was a settlement made where neither party
acknowledged any guilt or any transgression and he was paid
R15 million I believe. Nevertheless I assumed that Young
15 would at least lay those same allegations in front of this
Committee, he did not, in fact he doesn't lay his primary
allegations of 2001, that is his so-called deselection in the
INS, the Databus, and secondly that he was cheated out of the
SMS System, Management System, those were his primary
20 allegations.

Instead they are very briefly alluded to in Young's
evidence and he uses Feinstein as a proxy engineer going into
very detailed examinations of the technical technicalities, very
detailed technicalities between an FDDI based BUS
25 architecture and its relevant performance, things like Latency

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and Jitter and so on, and a fast Ethernet pace. What Mr
Feinstein knows of these things, I can only wait for his own
testimony. Nevertheless it's quite dramatic that those things
have been shifted into Feinstein's allegations before this
5 Committee, but not in Young's.

There were also other aspects of that, I've
mentioned the core aspects but he also, in that he alleges,
significantly alleges collusion, corruption *et cetera* by GFC, by
ourselves and GFC, by collusion between GFC and ADS, but he
10 leaves out the very categoric statement that he made under
oath to a duly appointed body, state body called the Joint
Investigation Team in an aid memoire in 2001 that we, "we"
being the Joint Project Team and the German Frigate
Consortium, had colluded to punish him by ensuring that he did
15 not receive the IPMS Simulator contract and he leaves it
completely out of his allegations now, and of course it's quite
significant because that allegation and the subsequent
debunking of it in public would have otherwise led to the
conclusion, anybody reading these allegations that there's a
20 distinct hostility between him and GFC as well, and that's
another chapter completely but in fact we organised him to, we
introduced him to the German Frigate Consortium as a
candidate for the IPMS Simulator but, however, it was entirely
in their hands to select him or not to select him, he was
25 invited, he was one of the seven tenderers that we made, and

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he lost on the grounds of performance, price and timescale, all the three, the three technical performance, timescale and price.

ADV LEBALA: I'm posing myself the following question; is there anything wrong when Young selects what he wants to give, you say no, actually it goes to his credibility because those issues matter, but equally is there anything wrong when those issues are brought before the Commission? For information's sake Mr Fritz Nortjé traversed the issue of the Integrated Platform ...

R/ADM KAMERMAN: Management Simulator.

ADV LEBALA: Modular Simulator.

R/ADM KAMERMAN: Yes.

ADV LEBALA: Dealt with it, he explained all these issues, some of which I suppose other witnesses could come and deal with. What's wrong with that?

R/ADM KAMERMAN: There's nothing wrong with it at all, a man can witness what he wants to witness but then later on in the same allegations he piles up allegations against GFC and the JPT with a history, a background of a fraudulent, false statement about our intentions of, in fact he uses the words "to punish me" in 2001 which he laid before the public as a flat statement. He doesn't traverse that now, we can move forward, I'm just using it as an example where we said well, he raised these things in 2001, what has made them go away, these

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allegations? Simply they don't back up his cause, but I move on in that particular [indistinct].

We noticed as well that he made the flat statement, which he now makes again, but again it's parked mainly in the Feinstein side, that we had colluded, in fact we were corrupt and/or inept in ensuring that *le France*, the French, was enabled to win the three overseas supplied items ...

ADV LEBALA: Yes, but that's my concern. Does it matter how it comes before the Commission?

10 R/ADM KAMERMAN: No, it doesn't.

ADV LEBALA: It's before the Commission. It will be before the Commission, it will be before the Commission I suppose, whether it comes through Feinstein or Holden we will deal with it when it gets there, as long as it's before the Commission and we will traverse it.

R/ADM KAMERMAN: Yes indeed, I'm glad. I had to remark on this because it was so unusual to find details of 250 millisecond BUS latencies in a report by a man who has no training or knowledge in this, but they don't appear in the allegations of the man who has exact and exquisite training in those things.

ADV LEBALA: I have an [indistinct] that we should be done with your testimony tomorrow and I would like to deal with the remaining one or two critical paragraphs before we take the day's adjournment. Let's look at page 65 paragraph 133, the

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rebuttal of allegations concerning the combat system Databus. The Commission has heard so much about this. Fritz Nortjé, Mr Fritz Nortjé laid a foundation for a Databus, but I would like you to explain it in the manner which you can by starting to
5 introduce at paragraph 133. Let me read it:

“Before I commence with the rebuttal ...”.

The next paragraphs we will deal with them, just to refresh you:

*“Before I commence with the rebuttal of the
allegations concerning the combat system Databus,
10 the architecture and hierarchy of the Corvette
combat system should be set out, ...”.*

Now Mr Nortjé did that. We know that there was a competition between two Databus systems, it was the Disekta/Detexis Databus and C2I2 IMS Databus, am I right?

15 R/ADM KAMERMAN: The word “competition” is not a direct work that I would use, of course it was a competition but it was really an issue of a risk environment where the one risk environment would cost the state a lot of money and would incur a lot of risk. The other risk environment would incur
20 significantly less risk and cost the state significantly less money, so it wasn’t so much a head-to-head tendering competition but it was more a competing environment of risk which one was acceptable to the State, which one was completely acceptable to the State.

25 ADV LEBALA: In this paragraph you are giving the

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background of the architectural and hierarchy of the Corvette Combat System, you refer to Appendix "B".

R/ADM KAMERMAN: Yes.

5 ADV LEBALA: Now I want to take you to Appendix "B". I know we have partly heard of Appendix "A", but the foundation that takes us to Appendix "B" has to be completed in what is said in this paragraph.

R/ADM KAMERMAN: Yes.

10 ADV LEBALA: Line number 3:
"... in particular the function and relative criticality
of the combat system Databus to the overall
functioning of the vessel within the context of the
risks intrinsic to the Databus function. This informs
the necessity of maintaining this subsystem as one
15 for which the Main Contractor bore the risk. I refer
to the presentation at Appendix B".

Let's see whether the Commissioners would find this enchanting to be taken through. What are you seeking to demonstrate with Appendix "B"? Let's start there.

20 R/ADM KAMERMAN: I'm seeking to demonstrate very quickly ...

ADV LEBALA: Commissioners, Appendix "B", it's in File 2 page 662, the document headed "The Criticality of the Combat System Databus Performance Risk". Remember Mr Fritz Nortjé
25 tried to simplify the databus to us, if you want to use this to

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just explain in line with the foundation of ...

R/ADM KAMERMAN: Commissioners, I drew this little diagram precisely because Fritz made a rather complicated matter of it, because he's a superb engineer and he simply can't reduce ...,

5 he's my good friend as well. If you look at Appendix "B" it's a single sheet. This is a combat system, in fact this is *the* combat system of the Corvettes, stripped of a few irrelevant details, but essentially you see the blue and the grey part up the top of the page are all of the sensors, all of the sensors,

10 they are the radars, the Search Radar, the Fire Control Radar, the Electro-Optic Tracker, the Target Designation Sights, the Navigation Radars and the Radar Electronic Support Measures where you actually listen to a radar and don't transmit and those are very, very analogous to the sensors of the body, the

15 eyes and the ears, they are absolutely analogous the sensors of the body.

Then at the bottom you have why the ship exists in the first place, and that's of course the effectors, some people call them weapons but in today's modern world they are more

20 than just weapons, it's the guns, in this case the 76mm and 35mm Gun, the Radar Jamming System which is a weapon, you're sending out energy, it's a weapon. Rocket Decoy System to protect the ship and provide alternative decoys to the incoming missile, an Anti-Ship Missile System, our lovely

25 [indistinct], I beg your pardon, the MM40, and then our Anti-Air

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Missile System, and those are the hands and the feet of the body. So you've got the sensors, the eyes and the ears and the effectors, the hands and the feet of the body, very analogous.

5 In the middle we have the yellow part which of course is the brain, and as we all know you can't use your eyes and your ears and your hands or your feet without the brain, I suppose some would say one can, my wife certainly says so sometimes but you know, a warship you can't, and so the
10 yellow part is the Combat Management System, this big computer with lots of consoles and humans behind them driving the Combat Management System. And in the middle you will see connecting the sensors and the effectors, the hands and the feet, the eyes and the ears to the brain is this red databus,
15 that is the Combat Suite Databus, it's in fact the very complicated, sophisticated, but nevertheless it's a wiring diagram, it's not wire anymore, it's fibre optic cable, but it's still the connectorisation diagram or the connectorisation of those things, the sensors, the effectors and the brain.

20 And of course it's not a simple thing, it's a very complex piece of machinery that runs through the ship in fibre optic cables, usually in special [indistinct] places so that if the enemy breaks it with shell fire or some other disaster then you have alternative routes and so on and so forth, double, triple,
25 quadruple redundancy and so on, and it's controlled by a very

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sophisticated piece of software called the Databus Control Computer and this is exactly analogous as I've put there Commissioners, to the central nervous system. It's very simple to understand but it's very fundamental that if any of this red
5 part doesn't work then none of the rest of the ship will, and the ship is just a very expensive hulk that can go at 30 knots and it's made out of steel but it can't fight and defend the nation or even stop its own ships company from dying in a couple of minutes or seconds in an incoming missile engagement.

10 So, this is an absolutely risk critical part of the combat system, it isn't a lot of things, it isn't a massive gun or very shiny missiles, it's even hidden in the structure of the ship, but just like the central nervous system it's critical to the functioning in the ship and we were never going to put that
15 central nervous system in the hands of anybody else but the main contractor, not only because it was our training and our desire to do so, but at that time in 1999 there was a massive litigation going on in the latest frigate project that was in the international environment which was the frigate project for the
20 British Aerospace to build two FT-2000 frigates for Malaysia. I actually had the privilege of watching one, the launch of one in that trip that I mentioned earlier to Yarrows in December 1994.

The Malaysian Government eventually took the British Government and British Aerospace in a huge litigation,
25 the ship was three and a half years late, it was £600 million of

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litigation and Malaysia Navy actually didn't get the ship it wanted, and the fault was exactly the Combat Suite Databus and the interface between the Combat Suite Databus and the Combat Management System, the yellow brain that you see. So there's just no way, like in a 747 you don't have the autopilot supplied by anybody else but Boeing and if it fails Boeing is completely responsible, even if they buy it from somebody else, this is exactly the same thing, and we simply were not going to place, we could not place the Combat Suite Databus risk profile in the hands of a 20-man company, what we did is we demanded alternatives from the main contractor, they provided one from a company called Detexis, 7 500-man company, including over 5 000 engineers, they are supplying the Combat Suite Bus and that was the risk scenario that we were prepared to live with.

We were never prepared to put the Combat Suite Databus into Part B and that's another conventional wisdom that I want to crack right here Sir. We never took the Combat Suite Databus out of Part B and placed it in Part C, there was no Part C and Part B, there was only Part B. We took some South African components that we could live without, if you want to call it that, the Denel gun. Six months later it ended up by the way being 18 months late, so what, the ship can still go to sea, it can still integrate, it still can fire missiles, it can still detect aircraft, it can still be even commissioned, but I as

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a gunner would be very loathe to commission a ship without a gun and I never did, but there is a good example. Denel was late with their gun, it didn't stop the march or progress of that integration and the completion of the ship. Databus, from the word go if the databus is defective you can forget it, you have to start again from the beginning, not only the databus but this entire mess of projects that you would see if the databus was not working. That's why I wanted to draw your attention to this very simple diagram. I only appreciate being able to do so.

5
10 ADV LEBALA: Thank you. Thank you for that illustrative analogy and testimony. You have traversed paragraph 134, we are not going to repeat it, that the Combat System Databus is akin to the central nervous system, you've demonstrated that. Page 66 paragraph 135, 136 you have dealt with it, the risks, Part C, Part B. Now we deal with "Allegations of Corruption, Corvette Platform". Now we dealt with this. The ... You said this relates also to ... My attention is being drawn Chair?

15
20 CHAIRPERSON: Yes, I see you are about to start with a new topic, is it perhaps not the appropriate moment to adjourn, you will start with this project tomorrow morning.

ADV LEBALA: Chair yes, we could adjourn. We tend to be confident that we will be done with this witness tomorrow.

CHAIRPERSON: Can we start tomorrow at 09h30?

25 ADV LEBALA: Certainly Chair, if we start at 10h00 we will assure you that we will be done with his evidence

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tomorrow.

CHAIRPERSON: Yes, I understand that but I was suggesting that we start at 09h30. I understand that you will be through with the witness.

5 ADV LEBALA: Thank you.

CHAIRPERSON: Good. Thank you. Then we will adjourn until tomorrow morning, we will start at 09h30. It's just that I want to make sure that we finish with this witness tomorrow, unless if at all there's going to be lengthy cross-examination.

10 Thank you, we'll adjourn until tomorrow morning. Thank you.

(COMMISSION ADJOURNS)