

(Cc)

**IN THE COMMISSION OF INQUIRY ISSUED  
UNDER THE CONSTITUTION OF THE REPUBLIC OF THE GAMBIA TO  
INQUIRE IN TO THE FINANCIAL DEALINGS, ASSETS ETC OF EX-  
PRESIDENT YAHYA JAMMEH, FAMILY MEMBERS AND CLOSE  
ASSOCIATES**

**DATE:** THURSDAY 24<sup>TH</sup> AUGUST 2017 AT 3:03PM

**SUBJECT MATTER:** GAMICO, APAM

**EXPECTED WITNESS:** TONI GHATTAS

**APPEARANCES:**

**CHAIRMAN TO THE COMMISSION:** HONOURABLE SURAHATA B. S. JANNEH

**COMMISSIONER:** HONOURABLE BAI MASS SAINÉ

**COMMISSIONER:** HONOURABLE ABIOSSEH GEORGE

**SECRETARY TO THE COMMISSION:** MR. ALHAJI MAMADI KURANG

**COUNSEL TO THE COMMISSION:** MRS. AMIE N. D. BENSOU DA

**COUNSEL TO THE WITNESS:** MR. SHERIFF M. TAMBADOU

**TRANSCRIBER:** HADDY JAGNE

**(WITNESS TONI GHATTAS- RECALLED AND REMINDED OF HIS OATH)**

1. Q: Mr. Ghattas, you were required to produce certain documents as well as the originals of
2. other documents?
3. A: Yes.
4. Q: Tell us what you have?
5. A: I have the handing over letter from the previous management of **APAM**; the original.
6. Q: Is that the handing over, what is it exactly; what letter is it?
7. A: It is a list of items; cheque book, stamp, external hard drive.
8. Q: The list of items you took over from the previous management of **APAM**?
9. A: Yes. It is not the same like what they wrote. Also the receipt which was not clear.
10. Q: Receipt of what?
11. A: **£33, 000** (Thirty-three thousand Pounds) and **\$6, 000** (Six thousand Dollars) for
12. **General Badjie.**
13. Q: The General Badjie's receipt?
14. A: Yes.
15. Q: The one you said was signed by a lady at State House?
16. A: Yes. The payment for Chinese team, tickets with the names.
17. Q: The payment from where?
18. A: From **APAM**.
19. Q: What document do you have?
20. A: I have the names and the payment slip.
21. Q: The payment for the tickets. My understanding was; you paid **Satguru**?
22. A: Yes from **Satguru**.
23. Q: To issue tickets for these consultants?
24. A: Yes.
25. Q: What are you showing us in that document?

26. A: You asked me to bring the names of the Chinese team; the one who travelled.
27. Q: The names of the Chinese team for whom payment was made?
28. A: Yes. We have also a receipt from **Satguru**.
29. Q: A receipt from?
30. A: From **Satguru**.
31. Q: In the sum of how much?
32. A: It was part payment **D300, 000** (Three hundred thousand Dalasis) and the total
33. amount was **\$21, 000** (Twenty-one thousand Dollars). So the **\$15, 000** (Fifteen thousand
34. Dollars) was paid after.
35. Q: The total amount was **\$15, 000** (Fifteen thousand)?
36. A: **\$21, 000** (Twenty-one thousand Dollars).
37. Q: And you have a receipt for **D300, 000** (Three hundred thousand Dalasi)?
38. A: **300, 000** (Three hundred thousand) and the **\$15, 000** (Fifteen thousand Dollars)
39. you could see on the statement, it was a transfer to **Satguru**.
40. Q: They didn't give you a receipt for that one?
41. A: Well I didn't see a receipt.
42. Q: You couldn't find the receipt?
43. A: No.
44. Q: Where was this payment made for **D300, 000** (Three hundred thousand Dollars)?
45. Was it cash or from the Dalasi account?
46. A: It was from Dalasi account to **Satguru's** account.
47. Q: Do you have the date?
48. A: 10<sup>th</sup> January 2017.
49. Q: What else do you have?
50. A: It's a receipt for diesel, two of them. One is the **\$36, 000** (Thirty-six thousand
51. Dollars) and the **\$40, 000** (Forty thousand Dollars) for diesel.

52. MS.A. BENSOUDA: Let's have the ones you have already produced.
53. Q: Can you confirm **MS11**? - - -.
54. A: **Mr. Bah** or something. I think they put **Momodou Lamin Bah**, he is the one from the
55. previous management and this one is **John Annan**, he is our Accountant. On behalf of the
56. new management but he is not from **APAM**, he is our Accountant.
57. Q: What do you mean by your accountant; Ghatta's accountant?
58. A: **GHATSON** Accountant.
59. Q: **GHATSON** account handed over to you?
60. A: No, who handed over to me is Momodou Lamin Bah.
61. Q: Who is Momodou Lamin Bah?
62. A: He is from the previous management. I don't know him.
63. Q: You don't know him?
64. A: No.
65. Q: He didn't remain with the Company?
66. A: No.
67. Q: You did not retain his services?
68. A: No.
69. Q: Did you meet with Ansumana Jammeh?
70. A: Once, when they hand over at the Office.
71. Q: You are saying you sign **Exhibit MS9**; you said it was your signature?
72. A: It's not my signature, that one.
73. Q: Just identify the people?
74. A: I am just clarifying that it was not my signature over and I didn't receive all these - - .
75. MS.A. BENSOUDA: No problem if you say so. Purported handing over of items from
76. outgoing management of **APAM** to the witness and his team.
77. THE CHAIRMAN: Handing over notes of **Momodou L.S. Bah** to **James Amus Annan**

78. dated 7<sup>th</sup> December 2015 with business card of **Bah** attached and handing over notes of
79. **Ansumana Jammeh** allegedly to **Toni Ghattas** (Not sign by him) dated 7<sup>th</sup> December 2015.
80. Admitted, marked **MS19**.
81. MS.A. BENSOUDA: May I apply to substitute **MS11** with a duplicate copy of a payment
82. voucher.
83. THE CHAIRMAN: Very well. That's noted, then accepted.
84. Q: Mr. Ghattas, the **Satguru** receipts; where is the original? You were asked to provide
85. original documents? You still brought a photocopy.
86. A: I didn't get the original with me.
87. Q: You received a photocopy from **Satguru**?
88. A: You asked me yesterday to bring the names of the - - .
89. MS.A. BENSOUDA: No, I asked you to bring originals of documents you want to tender. You
90. should bring Originals?
91. WITNESS: Ok.
92. Q: Does **APAM** have a **Skye Bank** account?
93. A: No.
94. Q: Now this **Satguru** receipt is for a Skye Bank cheque of **300, 000** (Three hundred
95. thousand). That's what it says?
96. A: Yes.
97. Q: Its address to **APAM** but it's a Skye Bank cheque it refers to?
98. A: Yes.
99. Q: Do you have an explanation for this?
100. A: Yes.
101. Q: What is the explanation?
102. A: The explanation is that; when they stop, blocked the account at **GT Bank**, we open at
103. **FI Bank**. Due the same process that there is no documents, **FI Bank** send a letter that we have to

104. provide all these documents and we don't have it. So I told General Badjie that we are facing the  
105. same problem that we cannot use any of this account and to keep records. What is the solution?  
106. He said "**now we cannot do anything until maybe you can use one of your own companies**  
107. **and pay from there**". So I used **Shanghai Gambia Company** to continue the operation and pay  
108. from there.

109. MS.A. BENSOUDA: We only have these documents admitted for the record. These are two  
110. documents; a letter from **Satguru** dated 24<sup>th</sup> November 2016 address to **APAM** and a receipt for  
111. **D300, 000** (Three hundred thousand Dalasis) issued by **Satguru** to **APAM**. I am applying to  
112. have them admitted. When you bring the originals, we will substitute them. But you are required  
113. to bring the originals?

114. WITNESS: Ok.

115. THE CHAIRMAN: Receipt dated 10<sup>th</sup> January 2017 from **Satguru** to **APAM** being payment  
116. for air tickets in the sum of **D300, 000** (Three hundred thousand Dalasis) plus supporting  
117. documents on Chinese travellers. Admitted, marked **MS20**. I shall add the receipt **No.014157**.

118. Q: Mr. Ghattas, when was your account at **FIB Bank** blocked; that is the **APAM** account at  
119. **FIB**?

120. A: I don't remember exactly, between December and January.

121. MS.A. BENSOUDA: I don't think it was December, it was in 2017 that your account was  
122. blocked. Anyways, since you say you don't remember, you don't remember. Can I have the  
123. Exhibit?

124. Q: The difficulty I have Mr. Ghattas is that the letter from **Satguru** to you asking that you  
125. settle the outstanding invoices they called them '**Below listed bills**', it's dated 24<sup>th</sup> of November  
126. 2016 at this time, your account was not blocked. You said you paid **D300, 000** (Three hundred  
127. Thousand Dalasi) and you paid **\$15, 000** (Fifteen thousand Dollars), is that what you are saying?

128. A: Yes.

129. Q: From Skye Bank?

130. A: It was not from Skye Bank, it was from GT Bank that time.
131. Q: It says "**Cheques Skye Bank**"?
132. A: The **300, 000** (Three hundred thousand)? Yes. I am talking about the **\$15, 000**
133. (Fifteen thousand Dollars).
134. Q: Now you said '**General Badjie said that you should use your own company accounts-**  
-?'
135. A: Yes.
136. Q: -- **because the account was blocked**"?
137. A: Yes.
138. Q: Can you tell us how much of the money that was due **APAM** went into your Company
139. Accounts after your accounts with GT Bank and - -?
140. A: Yes.
141. Q: You can?
142. A: Yes.
143. Q: Let us know how much that is?
144. A: Ok. Will bring it later.
145. Q: You don't know it now?
146. A: I don't know.
147. Q: Which of your companies has an account at Skye Bank?
148. A: **GHATSON and Multi Shipping and Shanghai Gambia.**
149. Q: This cheque that we have on **Exhibit MS20** is from which Bank? This **300, 000** (Three
150. hundred thousand) is from which Bank account?
151. A: **Shanghai** I believe because we use that account for records.
152. Q: We require you to produce your bank accounts for you Companies from the time the
153. account was blocked and you said this was in - -?
154. A: This is the one we used for **APAM; Shanghai.**

155. Q: Bring **Shanghai**, bring **GHATSON**, bring all your bank account. We would like to see  
156. them?

157. A: Ok.

158. Q: And make a statement of all the monies that belong to APAM that went into your bank  
159. accounts during this period?

160. A: I have a receipt from Geology for the royalty according to everyday the money that  
161. entered into the account. We pay the royalty on daily basis. So it will show the payment to  
162. Geology, payment to account. So I have this, you can check them and confirm.

163. Q: When you have your accounts, when you make a statement?

164. A: Yes.

165. Q: You can also bring the account for the royalties?

166. A: Exactly.

167. Q: According to Geology Department, there is an arrears of royalties owe. Do you know  
168. that?

169. A: I know.

170. Q: You know?

171. A: Yes.

172. MS.A. BENSOUA: Let's have that statement.

173. Q: What other documents; you were giving us more documents?

174. A: This is the outsourcing contract of employment. Yesterday it was not clear for - -.

175. Q: What was tendered yesterday was the Investment Agreement not the outsourcing  
176. contract?

177. A: Yes but this is the - -.

178. Q: Do you have the original of the Investment Agreement or a clearer copy?

179. A: You ask me to bring the outsourcing contract.

180. MS.A. BENSOUA: We will come to the outsourcing. Give us first the ones that you tendered



181. that were not cleared, the Investment Agreement? It's called Investment Agreement Corporation  
182. between **Shanghai** and **APAM**. That was tendered yesterday but the copy is quite bad and we  
183. asked you to produce; do you have it? Ok, very good.

184. Q: You were talking about an outsourcing agreement that you had in respect of which you  
185. said you paid **\$150,000** (One hundred and Fifty thousand US Dollars)?

186. A: Exactly, yes.

187. Q: Is that the one you now want to tender?

188. A: Yes.

189. MS.A. BENSOUDA: Let's have that one as well. I am applying to substitute **MS14**; it's a scan  
190. copy but a much better copy than **MS14**. I would also like to have admitted the purported  
191. outsourcing agreement between **Guang Zue Yuaping Labour Service Company Limited** and  
192. **APAM**.

193. THE CHAIRMAN: Substitutions noted and accepted.

194. MS.A. BENSOUDA: Substitution?

195. THE CHAIRMAN: Yes. I think you are substituting?

196. MS.A. BENSOUDA: I am substituting the first one that is **MS14**.

197. THE CHAIRMAN: Which is being substituted the Investment Corporation Agreement?

198. MS.A. BENSOUDA: Yes.

199. THE CHAIRMAN: Investment Corporation Agreement substitution is accepted and noted.

200. MS.A. BENSOUDA: It's **MS14**, isn't it?

201. THE CHAIRMAN: **MS14**?

202. MS.A. BENSOUDA: Yes. Can you give him back the copy, he says that's the only copy he  
203. has.

204. THE CHAIRMAN: Now it remains the --, we have the pro forma invoice. What do you want  
205. to be done with it?

206. MS.A. BENSOUDA: Sorry Mr. Chairman?

207. THE CHAIRMAN: We have a pro forma invoice here dated December 23<sup>rd</sup> 2015.
208. MS.A. BENSOUDA: Attached to that is the, what he calls ‘**an Outsourcing Agreement**’.
209. Yesterday he said he paid **\$150, 000** (One hundred and Fifty thousand Dollars) in China as an
210. advance payment in respect of an Outsourcing Agreement and he produced a copy of the
211. Outsourcing Agreement but the copy was so bad; I told him we could not accept it. So now he is
212. producing his original. So I am applying to have it admitted?
213. THE CHAIRMAN: Original pro forma invoice **No.1896** dated 23<sup>rd</sup> December 2015 plus
214. Outsourcing contract of employment dated 10<sup>th</sup> December 2015 between Guang Zue Yuaping
215. Labour Service Company and APAM. Admitted, marked **MS21**.
216. Q: Do you have any other document?
217. A: Yes. I have the two payments of the **\$36, 000** (Thirty-six thousand Dollars) and the
218. **\$40, 000** (Forty thousand Dollars) for diesel. Attached is the permission to facilitate this process
219. because when I pay the money, the company in Senegal they refuse to deliver to Office of the
220. President unless they have a permission or license or something like to allow them to bring it into
221. Gambia. So this is what I have.
222. Q: You know what I don’t understand, you said you were asked to settle diesel bills in
223. Senegal. Why would they refuse to release the diesel to you after you had settled the bills? You
224. said you were asked by General Badjie to settle diesel invoices in Senegal, isn’t that what you
225. said?
226. A: Yes. Excuse me, I didn’t hear you.
227. Q: What you told this Commission is that you were requested to settle diesel invoices in
228. Senegal?
229. A: Yes.
230. Q: Now why would the Senegalese company refuse for the diesel to be delivered to General
231. Badjie?
232. A: Because I am from Gambia. They needed a permission from the Gambian authorities that

233. this diesel it is going to Gambia, it should have something; a permission.

234. Q: Can you read that letter? It's a letter from where?

235. A: *"The Islamic Republic of The Gambia, Office of the President, State House, Banjul."*

236. Q: Addressed to who?

237. A: *"To whom it may concern. Permission to facilitate the importation of petroleum*

238. *Products. Permission is hereby granted to the Office of the President, Islamic Republic of The*

239. *Gambia for APAM (Alhamdulillah Petroleum and Minerals) located at 54 Kairaba Avenue,*

240. *Islamic Republic of The Gambia to be importing the petroleum products to the Gambia. In*

241. *view of the forth going, concern party are hereby requested to grant the required support to*

242. *facilitate the importation of petroleum products into The Gambia".*

243. Q: Mr. Ghattas, that letter is not what you said; it's not in respect of any invoice or the

244. importation of any fuel, it's just permission for the Company to import fuel?

245. A: That is what I am saying that that is why when they asked me to pay the money, maybe

246. they wanted to bring it to Gambia. And the Company in Senegal, they required something

247. like this, otherwise they will not accept.

248. Q: You deducted **\$40, 000** (Forty thousand Dollars) and **\$36, 000** (Thirty-six thousand

249. Dollars) from the **APAM** account?

250. A: Yes.

251. Q: Which you transferred into your own account GHATSON Limited and you said the

252. reason you did that was to settle fuel bills for the Office of the President in Senegal?

253. A: Exactly.

254. Q: That letter is not about any fuel bill Mr. Ghattas. That letter is a general permission to

255. **APAM** to import fuel because one of the company's objects is to import petroleum products and

256. that is why it's called '**Alhamdulillah Petroleum and Mining Company Limited**'?

257. A: It was not to my knowledge that they would start importing petroleum.

258. Q: Isn't that what that letter says?

259. A: This is to facilitate the Company in Senegal to allow these payments to be done and to - - .
260. Q: Which payment? Where does it talk about any payment in the letter?
261. A: No. When I pay the money and they want to take the diesel, they didn't allow this diesel
262. to go unless they have a permission. APAM will import or not, they needed a permission and they
263. give me this letter.
264. Q: Do you agree with me that there is nothing in that letter that refers to any invoices or any
265. amount of money that you are supposed to pay in Senegal?
266. A: This is a general - - .
267. Q: Do you agree that there is no reference to any invoice you were supposed to settle in
268. Senegal?
269. A: I don't agree on that.
270. Q: You don't agree on that; why?
271. A: Because - - .
272. Q: Where does it say you are to settle invoices in that letter?
273. A: It doesn't state anything here to settle invoices. I know that but this is to facilitate the
274. Companies in Dakar to allow this product while we pay it. You can see it was paid in like 1month
275. before to get this permission.
276. Q: Which Company in Dakar?
277. A: **Amares Oil and Gas.**
278. Q: Is the Company stated in that letter?
279. A: No, this is **'To Whom It May Concern'**.
280. Q: You told us yesterday and I ask you specifically why would State House buy fuel in
281. Senegal and you sough your shoulders; I think that is your answer. You didn't seem to
282. understand. Are you making up stories for this Commission?
283. A: I am not making any stories. I swear to say the truth. There is no story on that.
284. MS.A. BENSOUA: Let's have the document. I am applying to have admitted documents

285. from the witness including letter dated 4<sup>th</sup> of October 2016 which he says is the authority from the  
286. Office of the President to pay the sums of **\$40, 000** (Forty thousand US Dollars) and **\$36, 000**  
287. (Thirty-six thousand US Dollars).

288. MR.S. TAMBADOU: May I please Mr. Chairman, the witness never said **‘that is authority to**  
289. **Pay’**. The witness was very clear **‘after payment’** because it takes the diesel to be transported to  
290. Gambia to GHATSON office. He never said the letter was - - -.

291. THE CHAIRMAN: What did you say Counsel?

292. MS.A. BENSOU DA: The witness was required to provide his authority to pay two sums of  
293. money from the APAM account into his own Company accounts and he had previously told this  
294. Commission that he had paid these monies on the authority of General Badjie because State  
295. House had a fuel bill outstanding in Senegal. And he had authority to pay those monies into his  
296. own account and so that he could settle himself for having I think probably pre finance the  
297. payment of this fuel. And I specifically ask the witness **‘Why State House would buy fuel in**  
298. **Senegal’?** and he did not seem to have an answer. So he was required to produce any document  
299. from the Office of the President authorizing him to settle an invoice for petroleum in Senegal and  
300. he produces a document allowing APAM to import fuel into the country. And I specifically ask  
301. him again and he said **“This document is specifically in respect of the \$40, 000**  
302. **(Forty thousand Dollars) and the \$36, 000 (Thirty-six thousand Dollars)”**. It was not a  
303. general permission to be importing fuel because he didn’t even know that he was supposed to  
304. import fuel. So I don’t think its counsel’s own interpretation of the witness’s evidence might be  
305. different. But I am applying that it be tendered in line with his evidence that these documents  
306. supports he’s having deducted the sum of **40** and **36**, that’s **76, 000** (Seventy-six thousand) from  
307. the APAM account. These documents are in respect of those two figures. They are not at large  
308. with respect to my learned friend. So I am applying just to be clear that this documents be  
309. tendered in relation to the witness’s evidence that the approve of his authority to deduct **\$76, 000**  
310. (Seventy-six thousand Dollars) from the APAM account and pay them into the **GHATSON**

311. account. That was the context in which he is producing this document.

312. THE CHAIRMAN: Yes Mr. Tambadou.

313. MR.S. TAMBADOU: Mr. Chairman, Counsel for the Commission is at liberty to make

314. reduction or assumptions but she cannot use it to say this is what the witness say. That the witness

315. never said that this is a letter that authorizing me to deduct; this is not his evidence. This evidence

316. is on record, it's clear. Counsel may have asked certain questions about your authority to pay

317. these sums of money or where he got authority from. It maybe that that authority is not produced

318. but certainly this witness has not said that the letter he has produced is authority for those

319. payments. He clearly said **“This letter was to facilitate the delivery of the diesel after making**

320. **the payments”**. He produced the receipts for the payments. Whether he has produced the

321. authority, is another question. But he certainly never said **“that this is authority for the**

322. **payment”**.

323. THE CHAIRMAN: Alright. What is evidence is clearly on record and we need not state what

324. the evidence says. But what is clear is that the document now being tendered is relevant and it

325. shall be admitted on that basis. May we have the document?

326. MS.A. BENSOUA: As the Chairman pleases.

327. THE CHAIRMAN: Letter from Office of the President dated 4<sup>th</sup> October 2016 addressed

328. ***“To whom it may concern. Re-permission to facilitate the importation of petroleum***

329. ***products”*** plus invoices for delivery of diesel to Banjul respectively **Numbered 17-009/0001** and

330. **No.16-008/0001**. Admitted and marked **MS22**.

331. Q: Mr. Ghattas, yesterday you said that you had an interest in **Multi Shipping Company**

332. **Limited**; you had shares in **Multi Shipping Company Limited**?

333. A: Yes.

334. Q: **Multi Shipping Company Limited** works for **Gambia Milling Corporation** in terms of

335. transporting wheat to the mill in Banjul?

336. A: No. It's receiving vessels, bulk of wheat grain and then deliver it to the silos.

337. Q: You don't transport it?
338. A: First; it's receiving vessels, then transport.
339. Q: Do you have any shares in **Gambia Milling Corporation**?
340. A: No.
341. Q: It's your Company that works for them?
342. A: Of course, I do services.
343. Q: I will draw your attention to the fact that; when the sum of **\$60, 000**
344. (Sixty thousand Dollars), the payments from the **APAM** account with **Guaranty Trust Bank**.
345. You know you received several payments as I'll be taking you to the Dollar account. Yesterday I
346. took you through the Dollar account of **APAM** at **Guaranty Trust Bank**. Do you remember?
347. A: Yes I remember.
348. Q: On the 29<sup>th</sup> of July, I told you **60, 000** (Sixty thousand); you agreed **\$60, 000**
349. (Sixty thousand Dollars) was deducted from the **Dollar Account** at **GT Bank** and paid into the
350. **GHATSON's** account at **GT Bank**?
351. A: Yes.
352. Q: The **GHATSON's** statement of account from **GT Bank** shows that on that very same
353. day, the sum of **\$59, 800** (Fifty-nine thousand Eight hundred Dollars) was then transferred to
354. **Gambia Milling Company**?
355. A: Yes.
356. Q: On the 4<sup>th</sup> of August 2016, **60, 000** (Sixty thousand) was again debited from the **APAM**
357. account and transferred into the **GHATSON account** at **GT Bank** and on that same day, the sum
358. of **\$60, 000** (Sixty thousand Dollars) was transferred to **Gambia Milling Company**?
359. A: Yes.
360. Q: On the 19<sup>th</sup> August 2016, the sum of **\$30, 000** (Thirty thousand Dollars) was debited from
361. the **APAM account** and transferred into the **GHATSON accounts** at **Guaranty Trust Bank** and
362. on that very same day 19<sup>th</sup> of August the said sum and sum of **\$30, 000** (Thirty thousand Dollars)

363. was transferred to **Gambia Milling Company**?

364. A: Yes.

365. Q: Then on the 1<sup>st</sup> of September 2016, the sum of **\$36, 605** (Thirty-six thousand Six hundred  
366. and five Dollars) which the **Guaranty Trust Bank** Managing Director says “**was the balance in**  
367. **the shipment account or shipment ledger of the amount that was in the APAM account of**  
368. **\$314, 000(Three hundred and fourteen thousand US Dollars)**”. That amount **36, 605**  
369. (Thirty-six thousand Six hundred and five) was paid into the **GHATSON** account from the  
370. **APAM** account that very same day the sum of **\$30, 000** (Thirty thousand Dollars) was transferred  
371. to the **Gambia Milling Company**?

372. A: Yes.

373. Q: My question Mr. Ghattas, is that if you work for **Gambia Milling Company** and  
374. **Gambia Milling Company** does not work for you; why were monies from **APAM** transferred to  
375. **GHATSON** and then transferred to **Gambia Milling Company**? Now **Gambia Milling**  
376. **Company, Muhammed Bazzi, 50%** right?

377. A: I don't know.

378. Q: You said “**It was Muhammed Bazzi's Company**” yesterday. You know that  
379. Muhammed Bazzi had an interest in **Gambia Milling Company**?

380. WITNESS: Did I say that?

381. MS.A. BENSOUDA: Yes you did.

382. A: He is a shareholder in this Company.

383. Q: You did know he was a shareholder?

384. A: Yes but I don't know the percentage.

385. Q: Yes but today you are pretending you don't even know he is a shareholder. Why?

386. A: No he is a shareholder but I don't know the percentage. And about the money, the **60** and  
387. **30**, this is **\$150, 000** (One hundred and fifty thousand Dollars) **GHATSON** paid in China.  
388. **APAM** should pay it back to **GHATSON** and **GHATSON** is the sole agent of the animal feed



389. from **GMC**. So I have to pay. That's why I was asking - -.

390. Q: Who paid in China?

391. A: **GHATSON** pay in China the **\$150, 000** (One hundred and fifty thousand Dollars)

392. according to the employment agreement. So this money belongs to **GHATSON**. We have to pay

393. dues at the **GMC**.

394. Q: You have to?

395. A: I have to pay the animal feed at **GMC**. They produce animal feed.

396. Q: Animal Feed?

397. A: Yes not only flour.

398. Q: You have to pay them for what?

399. A: The animal feed.

400. Q: Which animal feed? You have a farm?

401. A: The brand. You know when they mill, they have flour, they have byproduct; the brand. I

402. have all these production exclusivity to sell it to Senegal, to Gambia, to anywhere. It's for animal

403. feed. So I have to pay this product and most of this product goes to Senegal. So obviously, I have

404. to pay my money to support my business. That is why you could see that when I took the **60, 000**

405. (Sixty thousand), I paid directly into **GMC account**.

406. Q: Yesterday, you said "**You had nothing to do with Gambia Milling**"?

407. A: I have nothing to do with them as Management or Ownership or Shareholder or

408. something. But I have business with them. I am not a shareholder, I am a businessman; I do

409. business with whoever there.

410. Q: You have a contract with **Gambia Milling**?

411. A: I don't have a contract.

412. Q: You don't have a contract?

413. A: No.

414. Q: You pay them about **\$200, 000** (Two hundred thousand Dollars) into their account from

415. your account which came from **APAM account** and you have no contract with them?
416. A: I pay them more than **\$3, 000, 000** (Three million Dollars) for animal feed.
417. Q: You are Managing Director of **GHATSON**?
418. A: Yes.
419. Q: You are Managing Director of **United African Group Senegal Limited**?
420. A: Yes.
421. Q: You are the Managing Director of **Multi Shipping**?
422. A: Yes.
423. Q: You are also the Managing Director **AFRISA**?
424. A: Yes.
425. Q: And all these companies including **APAM** are operated from one office?
426. A: Yes.
427. Q: That's at Kairaba?
428. A: Yes.
429. Q: You sign on behalf of **APAM**?
430. A: Yes.
431. Q: You sign on behalf of **GHATSON**?
432. A: Yes.
433. Q: You sign on behalf of **United Africa Group**?
434. A: Yes.
435. Q: So we see in your documents transactions in which you sign as Managing Director of all
436. **3 Companies** at once?
437. A: Yes.
438. Q: I will like you to look at this document. Mr. Ghattas, this is a **First International Bank**
439. **RTGS** Fund Transfer Form; is that correct?
440. A: Yes.

441. Q: And it shows that you sign this form authorizing the bank to pay **GHATSON** from
442. **Alhamdulillah account** the sum of **D2, 155, 058** (Two million One hundred and fifty-five
443. thousand and Fifty-eight Dalasis) for spare parts?
444. A: Yes.
445. Q: And a list of spare parts are attached?
446. A: Yes.
447. Q: You said yesterday that **“What you earn from APAM was commission”**?
448. A: I said from **GAMICO**, I get commission.
449. Q: You said **“From APAM you also got commission”**?
450. A: From **APAM** I do services, business with **APAM** and mining. It’s not commission from
451. **APAM**. I do commission I said from **‘GAMICO’**.
452. Q: You said also **“APAM did not own any trucks, it was you who own trucks”**?
453. A: Of course, yes.
454. Q: If you own the trucks, how comes **APAM** is the one who has to service those trucks?
455. A: It’s not servicing trucks, its servicing pickups.
456. Q: **APAM** has pickups?
457. A: Yes. **APAM** not having pickups, it’s our pickups going to deliver - - they don’t own
458. anything **APAM**.
459. Q: Mr. Ghattas, either **APAM** has vehicles or it does not have vehicles. Make up your mind.
460. Does **APAM** have vehicles?
461. A: No.
462. Q: The vehicles are own by **GHATSON**?
463. A: **GHATSON**.
464. Q: If the vehicles are own by **GHATSON** and **APAM** is paying for your services. Why
465. should **APAM** pay **2.1 Million** for spare parts for your vehicles?
466. A: This is not for vehicles.

467. Q: This is for what?

468. A: This is for the mining machines, equipment. And we had a major breakdown and we  
469. bring it by plane. **2, 000, 000** (Two Million), I buy **5** trucks. Doesn't have anything with the  
470. trucks. We had a major breakdown on the hydraulic dredger.

471. Q: Hydraulic dredger belonging to who?

472. A: The Chinese and it's in **Sanyang** for mining.

473. Q: You are claiming that those equipment belong to you; that you brought them as United--?

474. A: I am a partner with the Chinese, Madam.

475. Q: If they belong to whoever; why is **APAM** the one that's fixing them?

476. A: The agreement is **APAM** against the **60%** net profit should do all the operation and pay  
477. everything until the business continues. That is the business agreement. That is why we agree if  
478. we pay **\$3, 000, 000** (Three million Dollars) - -.

479. Q: Which Agreement?

480. A: The **Investment Agreement** and the **Mining Agreement**. This is the business which is  
481. going to start, we were setting up a business.

482. Q: You were setting up a business?

483. A: Yes. And if you have a major breakdown, you have to pay for the parts to continue.

484. Q: If you are setting up business, the business has not yet started; why would spares be  
485. required to be paid for by anyone?

486. A: Because when we condition the machines in October and we start mining in November, a  
487. major breakdown happened. It can happen, it's a machine.

488. MS.A. BENSOUUDA: I don't doubt that. I am still trying to wondering why **APAM** should pay  
489. for it. Can you give him the **Investment Agreement** please?

490. WITNESS: This is what we agree that all the operation will be **APAM** against **60%** net  
491. profit. All expenditures will come back to **APAM** against **60%** profit. So all of this will go  
492. into - -.

493. Q: **60%** profit for **APAM**?
494. A: For **APAM**, yes and **40%** for **Shanghai**.
495. Q: **Shanghai**, which is your Company? How many shares do you own in **Shanghai** by the
496. way?
497. A: **Shanghai Gambia**, I don't remember maybe **30%** or **35%**.
498. Q: Do you have the **Memorandum and Articles of Shanghai**?
499. A: Not here, not with me.
500. Q: Can you bring it?
501. A: Yes.
502. Q: What about **Multi Shipping**?
503. A: I think you have the **Memorandum of Multi Shipping**.
504. Q: Do you have the **Memorandum and Articles of Multi Shipping**?
505. A: No, I can bring them.
506. Q: This is an agreement dated 15<sup>th</sup> December 2015, this Investment Agreement. The invoice
507. I have shown you is dated 13<sup>th</sup> December 2016. Can you explain to us how you could have an
508. Invoice issued under this Agreement that you are mentioning before it was even sign?
509. A: This is 2015.
510. Q: 2016?
511. A: And this is 2016. Its **1year** later.
512. Q: There is a **1year** difference. Show us in the Agreement where it says that **APAM** should
513. be responsible for buying spare parts for the machine?
514. A: It's not written in the Agreement here. But what we agreed on **APAM** to have **60%**, they
515. should pay all - -.
516. Q: Mr. Ghattas, I am talking about this invoice; let's be specific. You said the Agreement
517. was that **APAM** will be responsible for buying things like spare parts for the operation. I just
518. want you to show me in that **Investment Agreement** where it says that?

519. WITNESS: I have to read all of this? Do you want me to read it now?

520. Q: Just show us where; which clause?

521. A: I can't now.

522. Q: But it's your Agreement?

523. A: Yes but I can't see it right now.

524. Q: Alright. You can come back and let us know if there is any provision in the Agreement,

525. we would like to know. Because you see you are Managing Director of **4 or 5 companies**?

526. A: Yes.

527. Q: And you are invoicing yourself, you are paying, authorizing, approving and **APAM** is a

528. public company. So you have to be able to show us on what basis all the monies from **APAM**

529. where spent by **GHATSON**?

530. A: Yes.

531. Q: Because basically all the money in **APAM** was spent by **GHATSON**?

532. A: Not all. The services **GHATSON** did, took the money. But what we didn't do, we didn't

533. touch it.

534. Q: Mr. Ghattas, you Toni Ghattas authorized the spending of every Dalasi and every Dollar

535. in the **APAM account**. Do you agree with that?

536. A: No, because I have another signature here.

537. Q: Mr. Ghattas, you Toni Ghattas authorized the spending of every **Dollar** and every **Dalasi**

538. in the **APAM accounts**?

539. A: With instructions from General Badjie. If I say '**I have to pay this, do you agree with**

540. **me; yes or no. If yes I pay, if no, no**'.

541. Q: Unfortunately Mr. Ghattas, we have not seen any single instruction from General Badjie.

542. All we have are invoices from one of your companies to **APAM** either **GHATSON's** or **United**

543. **Africa Group**, all your companies. You prepare a voucher, you don't have a single staff from

544. **APAM** that had remain with you. You had a management; you took over from the management.

545. You don't seem to have retained any staff, that is what you told us; that you did not retain  
546. anyone. You operated **APAM** from **GHATSON Limited**, you operated **United Africa Group**  
547. from **GHATSON Limited**, **Multi Shipping** from **GHATSON Limited**, **AriStar** from  
548. **GHATSON Limited**. You sign for every voucher or you approve every voucher for the  
549. withdrawal of all monies **61, 000, 000** (Sixty-one million) plus in the **APAM** account and over  
550. **\$300, 000** (Three hundred thousand Dollars) in the Dollar account and we don't have a single  
551. authority from the Office of the President. I just want you to know what you are facing. So you  
552. have to satisfy this Commission that all the payments made out of that account were properly  
553. made? I am just trying to tell you that we are here as Commission to find out the facts, you  
554. understand.

555. A: I understand and I am helping you to find the facts by **\$1** (One Dollar) from the account  
556. or **D1** (One Dalasi) to move from the account without an instruction and approval by phone  
557. usually; **90%** of the business was on phone, **10%** face to face. Do you think that I will have the  
558. power to move **D1** (One Dalasi) or **\$1** (One Dollar) without 'yes'. No, let us be saying the truth  
559. here because I am not here to make stories or to find a way how to get **D5, 000, 000**  
560. (Five million Dalasi) or **D2, 000, 000** (Two million Dalasi). This all happened by instruction from  
561. General Badjie. Sometimes the bank will not allow us move **D1** (One Dalasi) from the account  
562. and we need money; use your account after you take it from **APAM**. Because we had big  
563. problem with the documents, we didn't have even documents to submit at the bank and the  
564. **GT Bank**, 2or 3 times sent us letters that he cannot anymore provide money. Of course I am  
565. signing all these companies. Of course I do signing on all these companies. Of course I do  
566. everything on these companies but **APAM** especially, I have to seek approval because there are  
567. some other circumstances on this matter on **APAM**.

568. Q: If you have any documents showing those approvals, please produce them?

569. WITNESS: Can I say something?

570. Q: Mr. Ghattas, before you say something, my question is; as a businessman, did you not see

571. anything wrong in you running **4 companies** invoicing each other?

572. A: Nothing wrong if you do the right way. Any company of this, has the right. I have

573. partners in other companies, it's not only me. People have hundred companies and nothing wrong

574. with this.

575. Q: Was any of the people that were working for you, was any of them employed by General

576. Badjie?

577. A: No.

578. Q: Was anyone employed by State House; did State House bring anyone for you to employ?

579. A: No.

580. COMMISSIONER SAINÉ: Do you have anything on record describing to you what

581. responsibilities General Badjie had with respect to **APAM**?

582. WITNESS: No.

583. COMMISSIONER SAINÉ: Where you employed by General Badjie?

584. WITNESS: As far as I know that I was employed from the Office of the President.

585. COMMISSIONER SAINÉ: Do you have an appointment letter sign by General Badjie?

586. WITNESS: No.

587. COMMISSIONER SAINÉ: Do you have a job description or objective linking you to

588. General Badjie in terms of reporting line?

589. WITNESS: No.

590. COMMISSIONER SAINÉ: Why do you tell us you took instructions from General Badjie?

591. WITNESS: Because the day they gave me the appointment letter at Mr. Touray, he **said "go**

592. **to General Badjie's Office and you report to him"**.

593. COMMISSIONER SAINÉ: How long have you run a businessman?

594. WITNESS: Long time.

595. COMMISSIONER SAINÉ: How many years' experience do you have in running a business?

596. WITNESS: More than **17years**.



597. COMMISSIONER SAINÉ: Do you know about segregation of duties? Do you know that a  
598. company the size of APAM and its volumes and turn over needs to have a Managing Director, a  
599. Finance Director, a Head of Human Resources and so on?
600. WITNESS: Well, I was helping **APAM** with my staff.
601. COMMISSIONER SAINÉ: You were helping **APAM**?
602. WITNESS: Yes
603. COMMISSIONER SAINÉ: And you took instruction from a General?
604. WITNESS: Yes.
605. COMMISSIONER SAINÉ: Do you know a role of a General in running in a business? Was  
606. he a shareholder? Was he a Director?
607. WITNESS: He was the power to tell me what to do.
608. COMMISSIONER SAINÉ: Can you show us that power in terms of writing? Do you run a  
609. business **90%** on verbal instructions and **10%**?
610. WITNESS: Face to face.
611. COMMISSIONER SAINÉ: **10%** face to face and **90%** on verbal instructions?
612. WITNESS: Yes.
613. COMMISSIONER SAINÉ: And you call that an international company registered in the  
614. Gambia?
615. WITNESS: Well **APAM** is a different company than my companies.
616. COMMISSIONER SAINÉ: But you had the option to get responsibilities?
617. WITNESS: The start was like that and it continues like that.
618. COMMISSIONER SAINÉ: Do you have on records any job description helping you with  
619. regards to your duties?
620. WITNESS: Like what?
621. COMMISSIONER SAINÉ: As Managing Director?
622. WITNESS: As a Managing Director on **APAM**?

623. COMMISSIONER SAINÉ: Yes. You just got a letter?
624. WITNESS: It is only letter.
625. COMMISSIONER SAINÉ: And you had a free hand to run it any how you wanted?
626. WITNESS: No.
627. COMMISSIONER SAINÉ: Who did you report to?
628. WITNESS: I just said, to General Badjie.
629. COMMISSIONER SAINÉ: Who never wrote you a letter? Your letter of appointment was
630. signed by the Office of the President?
631. WITNESS: Yes
632. COMMISSIONER SAINÉ: General Badjie is a soldier in the **Gambia National Army**?
633. WITNESS: I was reporting to him.
634. COMMISSIONER SAINÉ: Can you show me anything on records that you are reporting to
635. him? This is a serious Commission we want - -.
636. WITNESS: This is serious and I am being serious - -.
637. COMMISSIONER SAINÉ: Can you let me finish?
638. WITNESS: Yes.
639. COMMISSIONER SAINÉ: It is a serious Commission. You were a Managing Director of a
640. Company. We want you to tell us what were your guide lines, your terms of references of running
641. this company? If you had any instructions from General Badjie, where they recorded? Where they
642. written? Give it to us. But to tell us that you run this company for years based on verbal
643. instructions and you have nothing to proof to us, it doesn't make it easy. And you are not helping
644. us, you are helping yourself. There are implications to how this thing was going. Is that clear?
645. WITNESS: It is clear.
646. COMMISSIONER SAINÉ: Thank you.
647. WITNESS: I didn't have any record and it was not for years it was only just for **8months**. I
648. was working as **MD**. After I was demoted to **DMD**.

649. COMMISSIONER SAINÉ: Yes, but you were still working there; it is the role that changed?
650. WITNESS: Yes.
651. COMMISSIONER SAINÉ: How many years' service did you have with **APAM**?
652. WITNESS: **8months.**
653. COMMISSIONER SAINÉ: **8months**, okay. Less than a year.
654. WITNESS: Less than a year. So this 8months we were just preparing to do business. When
655. we started the mining they stopped and we still have on the ground more **4000, 5000** metric tons
656. of minerals. It doesn't mean that this money was paid in the air, we were doing business.
657. COMMISSIONER SAINÉ: We understand that but in doing business - -.
658. WITNESS: All this is what am saying is that it was by instructions from General Badjie.
659. COMMISSIONER SAINÉ: Who did not employ you?
660. WITNESS: He did not employ me but he has the power
661. COMMISSIONER SAINÉ: How?
662. WITNESS: Everybody knows how. No, it's not funny. I am telling you if you say the word
663. twice, you are in trouble go do your job, am not ready. I am a businessman I am not ready to be in
664. **Mile2** or with the mosquito; I don't need this.
665. COMMISSIONER SAINÉ: And you didn't have the option also not to do it?
666. WITNESS: I have the option not to come back but I have my trucks, I have my business, I
667. have **90** employees. Is not like am coming out of the blue.
668. COMMISSIONER SAINÉ: Fair enough. Did you register your concern with your Attorney
669. or anybody at any point in time about you receiving instructions from a General who had nothing
670. to do with a Company?
671. WITNESS: I didn't know that I should do that.
672. COMMISSIONER SAINÉ: But now you know?
673. WITNESS: For the next General, I will know.
674. Q: Mr. Ghattas, just to remind you that you were employed on the 30<sup>th</sup> of November 2015 by

675. **APAM** from the Office of the President?

676. A: Yes.

677. Q: And you continue to be the Managing Director; did you resign your office as Managing

678. Director of **APAM**?

679. WITNESS: Right now?

680. Q: Did you resign at any time?

681. A: No, I was demoted in 2016.

682. Q: You were demoted?

683. A: Yes I was demoted in 2016.

684. Q: But you continued to run for the Company?

685. A: Yes.

686. Q: And you continued to run it until the court made an Order that the Company be frozen. Is

687. that not correct?

688. A: Geology Department, they call us verbally and they say "**You stop working**".

689. Q: When was that; that was 2017 isn't it?

690. A: I think in 2017 February on the white sand and they sent us a letter. I believe in May or

691. something to stop.

692. Q: I am just telling you that you did not work for **APAM** for **8months**, you worked for over

693. **1year**?

694. A: I said I worked for **APAM 8months** as an **MD**.

695. Q: As an **MD**?

696. A: Yes. After that, I wasn't the sole signatory. We were 2 signing on the account.

697. Q: Which accounts? Not all the accounts.

698. A: **FI Bank** and **GT Bank**. Once I was demoted, they blocked the account at **GT Bank**.

699. Q: Apart from you, who else sign on the Dollar account at **GT Bank**?

700. A: After that, me and **Wari Njie**.

701. Q: Did **Wari** ever sign any transaction on the Dollar account?
702. A: She didn't have the chance because they blocked the account.
703. Q: You said you paid **150, 000** (One hundred and fifty thousand) in China?
704. A: Yes.
705. Q: And according to the Outsourcing Agreement I have seen, the Chinese company was to
706. Pay the employees?
707. A: Yes.
708. Q: Why were you paying **Mr. Zeng Weng** and Mr. - -. Because we have a list of payments
709. that were made to Chinese employees. On the 11<sup>th</sup> of August you paid **Zeng Weng D736, 000**
710. (Seven hundred and Thirty-six thousand Dalasis). You also made another payment of about
711. **600, 000** (Six hundred thousand). On the 6<sup>th</sup> of June and on the 29<sup>th</sup> of September another
712. payment of **644, 000** (Six hundred and Forty-four thousand). Total payment made to Chinese
713. workers just looking at it from my own point of view, it's about **2, 000, 000** (Two million). Why
714. is that?
715. A: That's after we agree that **APAM** will pay the salaries, the allowances, the operation, the
716. diesel, everything and then we deducted when we the shipments. That's what we agree later on.
717. Q: Let me understand this. You said you paid **150, 000** (One hundred and Fifty thousand) in
718. China?
719. A: Just to send the employees here because they refused categorically to send anybody from
720. China to Gambia due to the fact that **5, 6** times the Chinese were removed from here.
721. Q: I understand that. You said all that. But I need to understand the math?
722. A: Yes.
723. Q: You paid **150, 000** (One hundred and Fifty thousand) advance?
724. A: Yes.
725. Q: And the Chinese were supposed to pay these workers, then you said you used your own
726. Money?

727. A: Yes.

728. Q: And that is what you were recovering from the account even though what you took from  
729. the account was over **200, 000** (Two hundred thousand). You said that is what you were  
730. recovering?

731. A: It's not **200, 000** (Two hundred thousand), **150, 000** (One hundred and fifty thousand).

732. Q: No. What I am saying is that you said you paid **150, 000** (One hundred and fifty  
733. thousand) and then that is what you were recovering from the account of **APAM**?

734. A: Yes.

735. Q: You said "**General Badjie said, pay it in China and you can pay yourself in small,**  
736. **small amounts**". Isn't that what you said?

737. A: Yes, it's not what I said; that's what happened.

738. Q: But you paid yourself the **150, 000** (One hundred and fifty thousand)?

739. A: I paid the Company.

740. Q: You paid the Company **GHATSON**?

741. A: I refund the company, yes.

742. Q: You paid **GHATSON** from **APAM**? Now you said the agreement changed and the  
743. Chinese said "**You had to pay them salary**". Isn't that what you are saying now?

744. A: It's not change, it's business. We agreed that **APAM** should instead to start doing  
745. expenditure here, we put it all in one company. We see how much the expenditures are for this  
746. shipment, we deducted and later on in **6months** or in **1year**, we will do the benefit whatever the  
747. shares they have just one company to do the expenditures, the other company has the investment.  
748. That's what we see, it's more clear and easy than to pay diesel from this company, employees  
749. from that company. To mix everything up, we decided to put it on **APAM**, **APAM** will pay  
750. everything. At the end of the day, we will see the expenditures and we make the accounts.

751. Q: Mr. Ghattas, I am not a business person but it just doesn't make sense to me; **APAM** had  
752. already paid **\$150, 000** (One hundred and fifty thousand Dollars) and you as Managing Director

753. of **APAM** are telling us “**It maybe business**”, business sense for **APAM** to pay additional  
754. amounts to employees after it had paid **\$150, 000** (One hundred and fifty thousand Dollars). That  
755. for me is not logical. Even if it makes business sense to you. I just wanted you to clarify?

756. A: For business people, its logic because when you have a project of **\$3, 000, 000**  
757. (Three million Dollars) and you pay **7, \$800, 000** (Eight hundred thousand Dollars) or  
758. **\$1.2** Million Dollars, you are still behind the **\$3, 000, 000** (Three million Dollars) in the front. So  
759. the **\$3, 000, 000** (Three million Dollars) project, you invest One point something million and you  
760. know in the next **1, 2, 3months**, you will start recovering your money; it’s different. That’s all of  
761. the business prospect.

762. Q: You have an agreement and the clauses in the Agreement which I have looked at, for me  
763. are quite clear. “**It says Party A who are the Chinese are responsible for the workers**”. So now  
764. you are saying “**that changed**”. Do you have any supplemental agreement showing the change?

765. A: It’s not the Chinese are responsible for the workers to provide employees. This is an  
766. agreement resourcing of employees, it’s not something else. The agreement is with **Shanghai - - -**  
767. **Minerals**, it’s not with the company who provide resource with the employees. It’s different  
768. companies.

769. Q: We have your employees; that is **GHATSON** Gambian employees withdrew cash, a lot  
770. of cash from the Company **APAM** and the total cash that they withdrew is over **D9, 000, 000**  
771. (Nine Million Dalasis). They were withdrawing cash on your instructions?

772. A: Yes.

773. Q: They said they withdraw the cash and they hand it over to you or your Accountant. I just  
774. want you to explain why your workers were being instructed to withdraw cash from the  
775. Company?

776. A: It is possible to be salaries for the Chinese and the Gambians who are working at the site  
777. because they didn’t have bank accounts.

778. Q: And you have vouchers from Gambian workers supporting every withdrawal?

779. A: Yes.

780. THE CHAIRMAN: You said in your own words General Badjie was “**A power**”. Now I  
781. want to know after you were told when you were employed, the very first time after you were  
782. told to go and see General Badjie; what did he say to you when you saw him?

783. WITNESS: Before I saw him, I went to **Mr. Nuha Touray**; he called me to collect the  
784. employment letter. So I went there, he was telling me this is your employment letter and now you  
785. have to be reporting to General Badjie.

786. THE CHAIRMAN: Yes we know that. What did General Badjie say to you?

787. WITNESS: I went there, I didn’t find him; I came later on and he told me congratulations,  
788. now you are the Managing Director of **Alhamdulillah Petroleum And Minerals (APAM)**. I said  
789. thank you very much. I didn’t feel like I fear him but he was telling me he offered me the salary  
790. because we didn’t talk about this with Mr. Touray. He said now the salary is how much and I said  
791. well for me I didn’t think about salary, I was thinking about more benefit from this business to  
792. involve my companies to make more money. It’s not like I am coming to take the **D27, 000**  
793. (Twenty seven thousand Dalasis) because I am paying salaries for my people. So I didn’t fear him  
794. at all. So it was a good meeting and I was happy that I was working with the Office of the  
795. President. It’s a privilege to work with the Office of the President; that’s the truth.

796. THE CHAIRMAN: And that’s all you talked about when you met?

797. WITNESS: Yes and he said “**Go and do your job**” and feed me back with everything. It was  
798. just like 10minutes.

799. CHAIRMAN: 10minutes?

800. WITNESS: Yes.

801. THE CHAIRMAN: Did General Badjie tell you to report to him from time to time?

802. WITNESS: Yes.

803. THE CHAIRMAN: Did you report to him from time to time?

804. WITNESS: By phone because usually most of the time he is not available.



805. THE CHAIRMAN: Did you ever give General Badjie a written report?

806. WITNESS: One letter only.

807. THE CHAIRMAN: Where is that letter? Memorandum addressed to Ex-President Jammeh

808. Re-update and business proposal dated 6<sup>th</sup> January 2016 by Toni Ghattas, **MD APAM**. Admitted,

809. marked **MS23**. Now Mr. Ghattas, it is clear from the letter that this report was addressed to

810. **H.E Sheikh Professor Dr. Alhaji Yahya A.J.J. Jammeh Babili Mansa** and not General Badjie.

811. Do you agree?

812. WITNESS: Yes.

813. THE CHAIRMAN: I said by the time you wrote this letter **MS23**, you never met the Ex-

814. President?

815. WITNESS: No, this is through General Badjie. I sent this letter to General Badjie's office.

816. THE CHAIRMAN: Take a look at this please? Now on that letter, do you have General

817. Badjie or Ex-President Jammeh as the addressee?

818. WITNESS: Yes you are right; it's the Ex-President. But I sent this letter to General Badjie,

819. he delivered it the Ex-President for approval.

820. THE CHAIRMAN: The question that I want to ask is a follow up to the questions I have

821. already ask. In that letter, there is no report what so ever concerning financial transactions. You

822. have not reported anything on the monies going in or going out. There is no account; do you

823. agree?

824. WITNESS: This letter was for the equipment in Dakar.

825. THE CHAIRMAN: First of all, do you agree with what I ask?

826. WITNESS: There is no --?

827. THE CHAIRMAN: I said there is nothing concerning money going in and out of **APAM's**

828. Account?

829. WITNESS: No.

830. THE CHAIRMAN: There is nothing concerning audited or non-audited accounts for that

831. matter. In fact, you are not saying anything concerning the operations of **APAM**. Is that not  
832. correct?

833. WITNESS: I was just informing about the operation that is going smoothly and this is only  
834. 1month operation. As you can see this is January and I was there in 7<sup>th</sup> December.

835. THE CHAIRMAN: But you agree you have not reported anything concerning monetary  
836. terms of - -?

837. WITNESS: At this moment, no I didn't.

838. THE CHAIRMAN: In that letter?

839. WITNESS: In that letter, no.

840. THE CHAIRMAN: Did you ever report concerning money affairs to either General Badjie or  
841. the Ex-President?

842. WITNESS: To General Badjie, yes and he inform him.

843. THE CHAIRMAN: And all the report concerning money was made verbally?

844. WITNESS: Yes.

845. MS.A. BENSOUDA: I will like to apply to have admitted the document I had shown the  
846. witness in relation to the spare parts, the transfer from **First International Bank** to **APAM**  
847. **Account** for spare parts. I am applying to have that **RTGS** transfer from an invoice admitted; it is  
848. in respect of the spare parts.

849. THE CHAIRMAN: **First International Bank (FIB) RTGS** meaning **Real Time Grows**  
850. **Settlement** funds transfer form dated 13<sup>th</sup> December 2016 from **APAM Account** to **GHATSON**  
851. **Account** in **Eco Bank** in the sum of **2, 155, 58.85** (Two million One hundred and Fifty-five  
852. thousand and Fifty-eight and Eighty-five bututs) and an invoice from **Hainan Fugang Mining**  
853. **Company** in the sum of **\$45, 369.66** (forty-five thousand Three hundred and sixty-nine Dollars  
854. and Sixty-six) dated circa, that's about the 25<sup>th</sup> of September 2016. Admitted in a bundle, marked  
855. **MS24**.

856. MS.A. BENSOUDA: Thank you Mr. Chairman. We are requesting that this matter be

857. Adjourned; his witness's testimony be adjourned to next Wednesday the 30<sup>th</sup> at 2:30. That should
858. give him sufficient time to put together any documents that are outstanding.
859. THE CHAIRMAN: The next sitting will be on Monday the 28<sup>th</sup> of August.
860. MS.A. BENSOU DA: Yes Mr. Chairman. - - -.
861. THE CHAIRMAN: Yes I have got that that is granted. Monday at 10 o'clock.

**(CASE ENDS AT 5:30PM)**