

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

DATE: TUESDAY 29TH AUGUST 2017 AT 14:37PM
SUBJECT MATTER: FORMER GNPC MANAGING DIRECTOR
EXPECTED WITNESS: MOMODOU BADJIE FORMER GNPC M.D.

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. BENSOUDA

TRANSCRIBER: ADAMA CABALITY

WITNESS SWORN ON THE KORAN AND SPAEKS IN ENGLISH**EVIDENCE OF MOMODOU O.S. BADJIE FORMER MANAGING DIRECTOR OF GNPC**

1. **MRS. A. BENSOUDA:** I call on Mr. Momodou O.S. Badjie Former Managing Director of
2. **GNPC (Gambia National Petroleum Company Limited).**
3. Q: Can you give your full names to the Commission?
4. A: My name is Momodou O.S. Badjie.
5. Q: What does the O.S. stand for?
6. A: Ousman and Saruba.
7. Q: Where do you live?
8. A: I live in Kanifing Estate at D13.
9. Q: What work do you do?
10. A: I was the Managing Director of **Gambia National Petroleum Cooperation (GNPC)**
11. from January 2008 to June 19th 2016.
12. Q: What do you do now?
13. A: I was reinstated at **GNPC** but redeployed to **AMRC** as the Head of Finance.
14. Q: You said that you were Managing Director of the **Gambia National Petroleum**
15. **Company (GNPC)** from what period?
16. A: From January 2008 to June 19th 2016 when I was arrested and detained.
17. Q: Did you go back to **GNPC**?
18. A: Yes, I came back in June again 2017 and end of July 2017 I was redeployed to **AMRC**.
19. Q: Before you were Managing Director did you work in any other capacity at **GNPC**?
20. A: No, I came in as Acting Managing Director in 2008.
21. Q: Where were, you working before?
22. A: I worked at various places, I was Director of Finance at the **NRA** before coming to
23. **GNPC**.
24. Q: What is **NRA**?

25. A: **National Roads Authority.**
26. Q: Before that did you work in the Public Service?
27. A: I worked with **GAMTEL** and also **IBC**.
28. Q: You worked with **GAMTEL** during what period?
29. A: February 1991 to December 1998.
30. Q: In what capacity?
31. A: My last position was Senior Internal Auditor.
32. Q: Did you work in any other area in the public service other than **GAMTEL** and **NRA**?
33. A: Not in the Public Service but the private sector.
34. Q: We are only interested in your Public Service. What is **GNPC** (Gambia National
35. Petroleum Company Ltd)?
36. A: It was a limited company before but after it was changed to Cooperation in 2014 when
37. the Act was passed.
38. Q: It is a Public Enterprise?
39. A: Yes.
40. Q: Wholly owned by the government and the public institutions?
41. A: No, wholly owned by government.
42. MRS. A. BENSOUA: At some staged.
43. Q: I will show you this document which purports to be a Memorandum and
44. Article of association of **GNPC**; can you confirm that it is?
45. (Document shown to the witness).
46. A: Yes, I saw this document but this never took off.
47. Q: Was it registered as a Company before it became a Cooperation?
48. A: Yes, it was registered as a Company but the companies here never contributed anything.
49. Q: It was registered with them as Shareholders but they never contributed anything?
50. A: Yes.

51. Q: Is that a copy of what was registered?

52. A: Yes.

53. MRS. A. BENSOUDA: I am applying to have it admitted.

54. THE CHAIRMAN: Memorandum and Articles of incorporation of **Gambia National**

55. **Petroleum Company Ltd (GNPC)** dated 11th June, 2003 admitted and marked **SC1**.

56. MRS. A. BENSOUDA: Mr. Chairman what does **S** and **C** stands for?

57. THE CHAIRMAN: It is a notation for **State Cooperation**.

58. MRS. A. BENSOUDA: Thank you.

59. Q: Mr. Badjie this Commission is inquiring into the application of resources from Public
60. institutions with the involvement of the former government under Ex-President Jammeh. During
61. the period you served as head of **GNPC** was there any involvement whether directly or
62. indirectly by Ex-President Jammeh in the application of your resources?

63. A: Yes, we had directives.

64. Q: Can you tell us about the directives?

65. A: When I came in, I took over some liabilities which were from the government institutions
66. like **PEGEP, Kanilai Family Farms, Jammeh Foundations** and **Office of the President**. They
67. were loans given to them which actually are outstanding in our books.

68. Q: Can you take them one by one and tell us what these loans were, these are legacy issues
69. and you took them over?

70. A: Yes, I took these ones over. There was one for October 2006 which was **US\$45, 300**
71. (Forty-Five Thousand Three Hundred Dollars) to **PEGEP**.

72. Q: For who?

73. A: It was for **PEGEP**.

74. Q: What does **PEGEP** stand for?

75. A: I forget.

76. Q: Is it different from the President's empowerment something?

77. A: Yes, it is the **President's Empowerment for Girls Education Project (PEGEP)**
78. Q: So, there was a loan of **US\$45, 000** outstanding?
79. A: Yes.
80. Q: What documents were you looking at?
81. A: I am looking at the document dated October 2006 **Ref: GP001OA-171006-01.**
82. Q: Is it a letter?
83. A: Yes, that is the letter which was written to the Bank for the transfer.
84. Q: Which bank?
85. A: **Trust bank.**
86. Q: Give us details Mr. Badjie to transfer what?
87. A: To transfer **US\$45, 300** to **PEGEP** and the account number for **PEGEP** is **12010747401.**
88. Q: Can you hand over the documents to the Commission. You can go through your
89. documents but when you finish with it just hand it over to the gentleman.
90. A: The other one was also to **PEGEP** payment of cash **US\$1, 000, 000 (One Million**
91. **US Dollars).**
92. Q: What date and which bank?
93. A: 25th of October 2006.
94. Q: What is the document you are looking at?
95. A: It is a letter dated 25th October 2006 and the reference is **GP001OA25100601**
96. addressed to **Trust Bank** and this was cash payment.
97. Q: Cash payment to whom?
98. A: It was received by one **Omar Gibba** but for **PEGEP.**
99. Q: Omar Gibba was working where?
100. A: He was working at the Office of the President.
101. Q: Do you know in which capacity he was working?
102. A: I don't know exactly but at one time he was the Chief of Protocol or Assistant Chief of

103. Protocol, something like that.
104. Q: From which Bank Account was the amount paid?
105. A: This was **Trust Bank**.
106. Q: What was the date of received?
107. A: 25th of October 2006. There was also another loan to Office of the President for **US\$20,**
108. **000** (Twenty Thousand Dollars).
109. Q: What document do you have for this?
110. A: I am reading the letter from Office of the President to the Managing Direction **Gambia**
111. **National Petroleum Cooperation**, it was signed by O. Jammeh, I think it is Ousman Jammeh the
112. then Secretary General.
113. Q: Was the loan given?
114. A: Yes, it was given.
115. Q: From which bank ?
116. A: **Trust Bank**.
117. Q: What was the date?
118. A: The letter was dated 12th December 2006 and the reference is **GP0010A12120601**
119. Q: Can you hand over the document so that we can get to the next one?
120. (document handed over)
121. A: There was also a loan to the Office of the President for **US\$303, 000** (Three Hundred
122. and Three Thousand USDollars).
123. Q: To be paid to whom?
124. A: This was to be paid to **HOBO Entertainment**.
125. Q: Where?
126. A: Is Calabasas, California.
127. Q: To what account number?
128. A: The account number is **3879861916**.

129. Q: What bank?
130. A: **Wellsfargo Bank.**
131. Q: What address?
132. A: It is also Calabasas, California.
133. Q: Do you know what the purpose was?
134. A: No, I don't know.
135. Q: But the loan was given?
136. A: Yes.
137. Q: And the money was transferred to this accounts, **US\$303, 000?**
138. A: Yes, and in April 2012, there was a request for a loan for the Rehabilitation of Prisons.
139. Q: Where was it paid?
140. A: It was paid to the Secretary General, Office of the President.
141. Q: Which Secretary General?
142. A: Njogu. L. Bah
143. Q: How much?
144. A: **D10, 000, 000.00** (Ten Million Dalasis).
145. Q: Into which account was it paid?
146. A: This was by cheque but I don't have the attachment here.
147. Q: You will have to check it. What is the date?
148. A: The letter from the Office of the President was dated 5th of April, 2012.
149. Q: Can you hand it over? This was after you had taken office?
150. A: Yes, it was during my time.
151. Q: Can you have over the document? Is that all you have up to 2010?
152. A: Yes, that is what we have for 2010.
153. Q: Do you have a transaction relating to Air tickets?
154. A: No, I do not have those.

155. Q: During the period that you were there apart from these **D10, 000, 000.00** loan for Prison
156. renovation, was there any other directives?
157. A: Yes.
158. Q: Going back to the prison renovation do you know whether the money was spent on the
159. Prisons?
160. A: No, I do not know.
161. Q: Do you know who was the Director of Prisons at that time?
162. A: I can't remember.
163. Q: Did you deal with the Prisons at all in respect of this money?
164. A: No, we just drew the cheque and gave it to the Secretary General, that is all we did.
165. Q: Let's move on to the other Directives you said you received?
166. A: Around the 6th of August,2013 we received a directive to pay to the Office of the
167. President a sum of **US\$500, 000.00** (Five Hundred Thousand Dollars) but in two - **US\$250,**
168. **000.00** (Two Hundred and Fifty Thousand Dollars) in cash and the other one equivalent in Dalasi.
169. The payment was **US\$243, 243.25** (Two Hundred and Forty-Three Thousand Two Hundred and
170. Forty-Three and Twenty-Five) and was converted to Dalasi was paid to the Office of the
171. President. It was handed over to the Secretary General by then Mr. Sabally.
172. Q: Mr. Momodou Sabally?
173. A: Yes.
174. Q: From which bank was this paid?
175. A: The **US\$243, 243.25** was from **Skye Bank** and the withdrawal of cash of **US\$150, 000**
176. also, **Skye Bank** and **US\$100, 000** form **Access Bank** making it **US\$250, 000.00** was withdrawn
177. and given to the Secretary General then Mr. Sabally.
178. MRS A. BENSOUA: Can we have the Bank Statements **Skye Bank** that was tendered this
179. morning, **BB48** to **52**. Can I have them I don't need the Bank Statement for the dalasi account just
180. the dollar account. The **US\$243, 243.25** should reflect in the **Skye Bank** account?

181. A: Yes, the **Skye Bank** Dollar account but it was converted to dalasi which was around **D9,**
182. **000, 000 (Nine Million).**
183. Q: When it was converted was it paid into any account?
184. A: No, the cash was taken to the Office of the President.
185. Q: Who withdrew the cash?
186. A: The name on the letter is Medoune but I signed it with Medoune.
187. Q: What is Medoune second name?
188. A: Medoune Sanyang.
189. Q: Who took it to the Office of the President?
190. A: Myself and Medoune.
191. Q: You went together to the office of the president?
192. A: Yes.
193. Q: And who did you hand the money over to?
194. A: We handed over the money to the Secretary General Momodou Sabally and Nuha
195. Touray.
196. Q: Nuha Touray?
197. A: Yes, they were who the present confirm.
198. Q: Did they issue a receipt for it?
199. A: That was the Accountant's responsibility but they signed for it.
200. Q: Do you have the document that they signed here?
201. A: No, I do not have it.
202. Q: Should it be in the office at **GNPC**?
203. A: It should be there but as we were not in the office for almost a year and they have moved
204. offices. We had some problems when I went back to find some document so I don't know
205. whether it will be available.
206. MRS. A. BENSOUA: Can you give this document to the witness.

207. Q: What date was the transaction of the **US\$243, 243. 25**?
208. A: On the 7th of August 2013.
209. Q: Can you look at **BB52** and identify the transaction?
210. MRS. A. BENSOUA: You are highlighting it?
211. A: Yes, the two transaction.
212. MRS. A. BENSOUA: You can highlight it, but can you just hold onto that on the side and hand
213. over the document that you were referring to on the **US\$243, 243**. Now let us go on to the next
214. transaction but you can keep exhibit **BB52** beside you so that if you need to identify any
215. transactions you can do it.
216. (Document handed over to the witness)
217. A: This is **US\$150, 000** and the **US\$243, 243** also has already been identify.
218. Q: Was that the only directive you received?
219. A: Yes, for these transactions and the **US\$150, 000** on the **Access Account**.
220. Q: And that was it, you never received any other directives from the Office of the President?
221. A: The next thing we received was change of signature.
222. Q: Can you tell us about it, what happened?
223. A: We once wrote to the office of the President to request for the funds that we received i.e.
224. the **Rentals**, the **Bonus** and the **Sale of Data** to give us approvals for us to recognized it as a
225. **Grant** but what came out was they decided that they have to take over everything from us and
226. asked us to, in fact before that I was asked to write a comprehensive statement of all monies
227. collected from 2010 to date.
228. Q: Who asked you to write?
229. A: The Office of the President.
230. Q: They wrote to you?
231. A: Yes, they wrote to us.
232. Q: What is the date of that letter?

233. A: The letter was dated 30th July 2013.
234. Q: And what do they want, can you repeat what you said?
235. A: The letter was saying; *“Your letter reference GNPC 101230713/118 of 23rd July 2013.*
236. *The above caption was brought to the attention of His Excellency the President of the Republic*
237. *who has noted its concern. However, His Excellency has directed that you provide a*
238. *comprehensive statement of Account of all monies collected before 16:00hrs Wednesday 31st*
239. *July 2013 without fail. Furthermore, all payments made by Oil Companies from 2010 to date*
240. *must also be accounted for without fail. All such funds should be transferred from GNPC*
241. *Account to MOP Account at the Central Bank details of the Account will submitted to you*
242. *soon.”*
243. Q: The letter that is quoted, which is from you dated 23rd July 2013, do you have it there?
244. A: Yes.
245. Q: What were you asking for in that letter of 23rd July?
246. A: The one we wrote for ourselves was asking for them to allow us recognizes this as a
247. Grant to all the funds that we received.
248. Q: From the different Oil Companies?
249. A: Yes, from the Oil Companies.
250. Q: Can you explain what funds **GNPC** receives from Oil Companies?
251. A: **GNPC** receive Rentals that is surface rentals on yearly basis. Each licensee would have
252. to pay a Rental fee for the area that they have licensed.
253. Q: You issued licenses to prospecting Oil Companies?
254. A: Yes.
255. Q: Those who want to prospect for Oil in the Gambia?
256. A: Yes, in the Gambia.
257. Q: So, the licenses specifies that they have to pay surface rental?
258. A: Yes, they specify that-- depending in what was negotiated and agreed that they have to

259. pay surface rental on a yearly basis. It is from this funds that we - -

260. Q: Only surface rental?

261. A: Surface rentals and also sale of data, the data is the **Size-Mic data** that is processed,
262. which the Oil Companies would buy. We had a data that is owned by Gambia at one time and this
263. data whenever a Company wants to buy they have to paid a certain amount to be able to access
264. that data. The other one is **Multi-Client** where companies would come to the country and would
265. ask the **Ministry** that they want to do **Size-Mic** and without any cost to the Gambian government.
266. When they do the **Size-Mic** and they are selling the data we will have a percentage of that
267. revenue until they recover the cost. When they recover the cost, government would have more.
268. In the beginning, most of the time is **20/80** but when they recover, it becomes **60/40** or **80/20** for
269. the government that is sale of data and also **Bonus**. When the government negotiates any license
270. before the license is sign they will ask for a **Bonus**, the bonus depends on what was agreed
271. during the negotiation. Some would go up to, I think one of them went up to **5million** that is
272. **Africa Petroleum** --- before but some of them less than **5million**, depending on what you
273. negotiate.

274. Q: So as at the date of this letter the Company had received by way of revenue all these
275. lines of revenue?

276. A: On a yearly basis, we receive the Rentals and the Data sales is as per when it is sold.

277. Q: When you wrote that letter what did you want? Where did you lodged these monies that
278. You received yearly?

279. A: We had Accounts anyway not one Accounts, we have Accounts with most of the Banks,
280. **Trust Bank, Standard Chartered Bank, Skye Bank** also **Access Bank** and **GT Bank**. So, we
281. Will decide into with Account it goes depending on what agreement we have with the Bank
282. Because it was on a Business basis.

283. Q: So, when you wrote the letter of 23rd July 2013, what did you actually want for the
284. President to approve?

285. A: What we wanted is we are looking for at least something to save us from **Tax** element
286. And we wanted it to be treated as a Grant not as a revenue for us because the monies is for
287. Government but government allowed us to used it. We wanted it to be treated as a Grant so that
288. We will not be taxed that was the idea but unfortunately it turned otherwise.
289. Q: So, you wrote that letter?
290. A: Yes.
291. Q: And you got the reply that you should account for everything?
292. A: Yes.
293. Q: So what happened after that?
294. A: We accounted for everything that we did including the stations that we built.
295. Q: How many stations did you build?
296. A: We built Nine (9) stations from 2009 to 2013 across the Country.
297. Q: Nine (9) Filling Stations?
298. A: Yes. The **Petroleum House** was funded also from these funds and also from the
299. Investments that we have.
300. Q: The **Petroleum House** at Brusubi?
301. A: Yes.
302. Q: **GNPC** built it from its own resources?
303. A: Yes, we built it from these resources that we were managing.
304. MRS. A. BENSOUA: We will come back to your investments on this.
305. Q: Then what happened did you accounted to the Office of the President do you have the
306. letters you wrote in reply?
307. A: Yes, we have the letter were we stated a comprehensive list of what we have done and
308. also a breakdown of all the **revenues** that we received after Petroleum and Oranto and Camac
309. also on data sales which totaled to about **16, 531,001. 79 (Sixteen Million, Five Hundred and**
310. **Thirty-One Thousand and One and Seventy-Nine).**

311. Q: US Dollars?
312. A: Yes.
313. Q: From 2010 to 2013.
314. Q: As at the date of the letter did you have any cash balances?
315. A: Yes.
316. Q: How much was it?
317. A: After the construction works and other things we had a US\$ accounts in **Trust Bank** we
318. had about **\$341, 265.18** (Three Hundred and Forty-One Thousand, Two Hundred and Sixty-
319. Five Dollars and Eighteen Cents); **Standard Chartered** we had **\$11, 537. 14** (Eleven Thousand
320. Five Hundred and Thirty-Seven Dollars and Fourteen Cents); **Guaranty Trust Bank** we had **\$1,**
321. **348, 631. 88** (One Million, Three Hundred and Forty-Eight Thousand, Six Hundred and
322. Thirty-One Dollars and Eighty-Eight Cents); **Skye Bank** we had **\$5, 259, 053.78** (Five Million
323. Two Hundred and Fifty-Nine Thousand, Fifty-Three Dollars and Seventy-Eight Cents) - -
324. Q: These are dollars?
325. A: Yes, these are all dollars. And **Access Bank** we have our **\$419, 226.95** (Four Hundred
326. and Nineteen Thousand, Two Hundred and Twenty-Six Dollars and Ninety-Five Cents) which
327. total to **\$7,379, 714.93** (Seven Million, Three Hundred and Seventy-Nine Thousand, Seven
328. Hundred and Fourteen Dollars and Ninety-Three Cents).
329. Q: So, you submitted these to the Office of the President?
330. A: Yes.
331. MRS. A. BENSOU DA: Can you hand over if you are not using---
332. Q: What happened when you submitted this report?
333. A: This was 31st July but after that transaction that we did for the **US\$250, 000** and the
334. **US\$243, 000** we got a Directive to advise the Bank for change of signature that we should no
335. longer be signatories to these Accounts.
336. Q: Change of signatories to all your Accounts?

337. A: Yes, all our Dollar Accounts where we had these Rentals and Data Sales and Bonus.

338. Q: Basically, where you had the 7 million, the Signatories to all those Accounts were

339. Changed?

340. A: Yes.

341. Q: Who became Signatories to the Accounts?

342. A: According to the letter we got and in fact the letter we wrote also is for Sheik Professor

343. Alhaji Dr. Yahya AJJ Jammeh and Momodou Sabally were to be signatories, that was the

344. directive we got.

345. Q: You wrote to the bank as the signatories?

346. A: Yes.

347. Q: You and who?

348. A: Myself and Medoune who is the Finance Director.

349. Q: Thereafter did you know anything about these Accounts?

350. A: No, but because the Accounts were with us and they will know all the transactions but

351. Since the Accounts are in our books we will see the transactions later but at the end of the day we

352. decided that those transactions should be written off because we do not know what they were

353. used for.

354. Q: The **US\$243, 343. 35** you saying that is the last transaction you effected yourself and

355. Medoune?

356. A: Yes, according to the directives.

357. Q: After they had taken over the Accounts did any of your revenue continue to go into the

358. Accounts?

359. A: Yes, because we had no control over those revenues coming in at the end they have to go

360. there.

361. Q: All the Rentals went into that Account?

362. A: Yes, all the Rentals, Bonus and everything of those monies went into those Accounts.

363. Q: What Money did you have left for Operation?
364. A: We had the Dalasi Accounts and then after we had a facility with **IDB** and we decided to
365. Open also other Dollar Accounts for our operations.
366. Q: You had to take a loan facility to continue?
367. A: Yes, the facility with **IDB** was government guaranteed facility which we used to buy fuel
368. For **NAWEC** and for our own Petroleum problems.
369. Q: Fuel for **NAWEC** and?
370. A: Our own business.
371. Q: To the best of your knowledge do you know how much went into the account, we know
372. That you handed over about **US\$7.3million** that was what was left in those accounts?
373. A: Yes.
374. Q: Apart from that in terms of Rentals do you know what went into the Account between the
375. Period you were **MD** and when you left in 2016?
376. A: I don't exactly what went there but I know some monies went there. But I can't tell the
377. actual figure.
378. Q: You cannot tell now?
379. A: Yes
380. MRS. A. BENSOUA: Well we will call Finance to confirm these Accounts.
381. A: Yes.
382. Q: I would like you to take a look at the exhibits BB52, this is a statement of account from
383. Skye Bank and GT Bank is, ok let's put in these documents first.
384. MRS. A. BENSOUA: Mr. Chairman I am applying to put in the documents submitted by the
385. Witness with regards to the **GNPC**, in respect of Executive Directives.
386. THE CHAIRMAN: Financial Activities in respect of **GNPC** for the period 17th October 2006
387. To 13th August 2013 covering **Transfers, Cash withdrawals**, loan to **PEGEP, Prison**
388. **Rehabilitation, Foreign Currency, Sale and withdrawals** concerning various Gambian Banks

389. in a bundle, admitted, marked **SC2**.

390. MRS. A. BENSOUDA: Thank you Mr. Chairman.

391. Q: Mr. Badjie can you go through that statement **BB52** and confirm whether after the
392. signatories to the account changed any money was spent on **GNPC**. The Bank Statement of
393. **Skye Bank**?

394. A: After the Directive, transaction that we did there were other transaction which were not
395. done by us because by then our signatories have already been removed from the Bank.

396. Q: I understand, my question is they had taken over the operation of the Account was any
397. Money in the account spent on **GNPC** business?

398. A: No, not my time.

399. MRS. A. BENSOUDA: Give him exhibit **BB46**.

400. (Exhibits shown to the witness)

401. Q: Exhibit **BB46** is in respect of the **Ministry of petroleum** special services account at **GT**
402. **Bank**, I would like you to take a look at it. Where you aware of these Accounts?

403. A: Yes, I was aware that **Ministry of Petroleum** have opened an Account.

404. Q: Did **GNPC** have anything to do with that Account?

405. A: The account is for **Training and Resource** and with **Training Resources** we have an
406. Interest there because it is something that deals with both the **Ministry** and **GNPC**.

407. Q: Do you know what the source of the monies that went into the account is?

408. A: If it is the **Training and Resources** then yes, because these are agreements that are in
409. Place between the operators and the **Ministry** who signs these licenses for the payment of
410. Training and Resources funds on a yearly basis by the licensees.

411. Q: What are intended for?

412. A: It is intended for training of both **GNPC** and the Ministry of Petroleum capacity building
413. Per say and also other stakeholder. And also to resource things like computers when we need
414. Them especially for the data room.

415. Q: I see, did **GNPC** benefits from these Account?
416. A: Yes, we were benefiting before it was opened, when we go for Training and also
417. Workshops, Seminars which are organized by Petroleum Companies and so on. Yes, we benefited
418. From it and also from the training.
419. Q: What about after this Accounts was opened?
420. A: After it was opened actually we were not able to get anything from it.
421. Q: For the record the **Ministry of Petroleum** is which office?
422. A: **Ministry of Petroleum** is the Ministry. We share the same office but they are
423. Government Institution.
424. Q: Who were the Ministers during the period you were there?
425. A: Teneng was there as Minister.
426. Q: Teneng Mba Jaiteh?
427. A: Yes and Sira Wally Ndow and sometimes the President becomes the Minister also
428. Whenever there are no Minister.
429. Q: How is it possible for the Ministry to open an Account. Is it proper, is it regular for the
430. Ministry to open an account in **Commercial Bank**?
431. A: Under normal circumstances, No, it has to be through the **Central Bank** but
432. **Commercial Banks** is not normal for **Ministries** to have Accounts with them.
433. Q: There is just one more question I have, I want you to look at a document this document
434. That I am going to show you and tell me whether you have seen it before?
435. (Documents shown to the witness)
436. A: Yes, this was during my time at **GNPC**.
437. Q: Before we go into the document, was it effected?
438. A: Yes, it was effected.
439. Q: Tell us about that document, the date and what is the document?
440. A: 8th May 2007.

441. Q: What is it for?
442. A: Purchase of **11 Air Tickets** for the members of the **Frankie Paul dance band**.
443. Q: Who are these **Frankie Paul dance band**?
444. A: I don't know them personally but I know that they were here and it's a band from
445. America I think.
446. Q: What does the letter say?
447. A: The letter says that ***"I am directed to kindly ask you to finance the air tickets for the***
448. ***above-mentioned band due to perform in the Gambia shortly. Because of the 11 tickets is D662,***
449. ***506.10 (Six Hundred and Sixty-Two Thousand, Five Hundred and Six Dalasi and Ten Bututs) the***
450. ***amount has to be paid to Future Travel Agency. Please note that you will be refunded by this***
451. ***office in due course, we thank you for your cooperation"***.
452. Q: Did the office paid for these tickets?
453. A: No.
454. Q: You did not pay for this ticket?
455. A: No, we paid for the tickets.
456. Q: Did you get a refund?
457. A: No, we didn't get any refund.
458. Q: What are all those loans that you took over as far as you know that you gave evidence
459. about, where they paid for?
460. A: No, they were not paid.
461. Q: Did you make a demand?
462. A: Yes, I remember the **Finance Director** making a demand for it but they never paid.
463. Q: Medoune Sanyang was a signatory to the Account?
464. A: Yes.
465. Q: The signatories were changed?
466. A: Yes.

467. Q: Where you aware of that he was withdrawing any cash from the account on?
468. A: No, he cannot withdraw any more cash because he was no more a signatory and he has to
469. sign with me to be able to withdraw.
470. Q: Where you aware of any authorization he might have been given from the Office of the
471. President to withdraw cash?
472. A: No, I was not aware.
473. Q: You did not withdraw any cash after that from this accounts?
474. A: We didn't withdraw anything.
475. Q: You had no access?
476. A: Yes.
477. MRS. A. BENSOU DA: Thank you. Those are the questions I have for you. I hope you did not
478. attend the band dance when it came?
479. A: No, I did not.
480. MRS. A. BENSOU DA: You were not invited as a patron?
481. A: No.
482. COMMISSIONER GEORGE: Mr. Badjie just a quick question, the loans issued to office of the
483. President during your time because the others you said they were before you. Where any loan
484. agreement ever issued or any agreement drawn?
485. A: No, these were just directives no agreement.
486. COMMISSIONER GEORGE: In **GNPC's** books how was it treated as a loan or what?
487. A: We opened an account for them and this was example office of the president we put
488. Everything under office of the president. For **PEGEP** we open and account for it so that when the
489. Payments are made on their behalf we know where to put them.
490. COMMISSIONER GEORGE: It was just like treated as a receivable as debtor but then you
491. have mentioned something about something being written off, I didn't get that?
492. A: What I said is that when I took over actually to clean up the accounts I recommended to

493. The board because those accounts were there and we knew they will not be paid so we decided
494. That we write them off.
495. COMMISSIONER GEORGE: The other thing on that was the **500, 000** (Five Hundred
496. Thousand) withdrawal of cash on the 6th of August, how was that one treated?
497. A: It was a letter written to us.
498. COMMISSIONER GEORGE: I know it was a directive you mentioned but how was it
499. Captioned in your records?
500. A: That one was a cash withdrawal and we just withdrew it and paid it to them because that
501. was the directive. It was not a loan per say but a directive to say give me this.
502. COMMISSIONER GEORGE: Okay.
503. COMMISSIONER SAINÉ: Just a follow up, on the **US\$1, 000, 000 (One Million dollar)**
504. loan to **PEGEP**, where you repaid?
505. A: None of those were paid.
506. COMMISSIONER SAINÉ: Under what management approach were you able advance the
507. loan?
508. A: The **1, 000, 000** was not my time but it was a Directive that was given at that time for
509. them to issue that amount as a loan to **PEGEP**.
510. COMMISSIONER SAINÉ: I am just interested in the process how does it work, do you get a
511. board decision?
512. A: No, when directives come from the Office of the President you don't wait for the board.
513. COMMISSIONER SAINÉ: You just tell the bank to move the funds?
514. A: Yes.
515. COMMISSIONER SAINÉ: It was clear that this is not going to be repaid?
516. A: Initially you think it would be paid but as time goes on you realize that it will not.
517. COMMISSIONER SAINÉ: Last question, in terms of the activities of the Ministry of
518. Petroleum, we understand that ordinarily they wouldn't open Accounts in Commercial Banks so

519. in this case, is it one of the reasons they opened an account is that some of their activity and yours
520. overlap, why would you think they needed accounts in Commercial Banks?

521. A: I cannot speak on their behalf but I think maybe a Directive too but I do not know why
522. they should need that.

523. COMMISSIONER SAINÉ: Let me rephrase, what I try to say is that part of what they did
524. ordinarily would that be what you should be doing?

525. A: No, as a Ministry I don't think they should have opened a **Current Account** with the
526. **Commercial Banks**. That is my view.

527. COMMISSIONER SAINÉ: So, those funds that went to the accounts they opened, could they
528. have been assigned to you if they didn't have the accounts or its totally different?

529. A: The way it was before they opening of the account it was like this. The Operator will
530. handle the money under the payments on a yearly basis the Operator will handle it. The Ministry
531. and the Operator will manage the accounts like whenever we are about to travel or the Ministry
532. want to travel and they want to use those funds. If they get the approval like the clearance from
533. the Office of the President and in writing the clearance they would state that they will use those
534. funds. When they do get the approval, they will ask the Operator to pay, so the Operator handling
535. it at the beginning. So, later they decided that these funds should come In-Country and that is the
536. time they opened these accounts but before it was handle by the Operator and jointly managed by
537. the Ministry and the Operator. When we have yearly budget meetings these accounts are
538. reviewed, what has been paid, what is the balance and so on. Whatever is the balance there is
539. would be carried forward the following year but basically it is funds for Gambia government
540. through the Ministry even if the license expire they are supposed to pay those funds.

541. COMMISSIONER SAINÉ: To the **Central Bank**?

542. A: Yes, **Central Bank** or to **GNPC** if at all it was right.

543. COMMISSIONER SAINÉ: That is why I asked whether there was an overlap. Thank you

544. MRS. A. BENSOU DA: May I apply to have tendered the letter dated 18th May 2007 from Office

545. of the President for the purchase of **11 Air Ticket for the member of the Franky Paul band.**

546. THE CHAIRMAN: Letter dated 18th May 2007 from Office of the President to Managing
547. Director **GNPC** directing the purchase of 11 air tickets for the members of Frankie Paul dance
548. band totally **D662, 506** (Six Hundred and Sixty-Two Thousand, Five Hundred and Six dalasi)
549. admitted, marked **SC3**.

550. MRS. A. BENSOU DA: Thank you Mr. Chairman.

551. Q: Mr. Badjie just a point that I omitted, you did have a Board of Directors during all this
552. period?

553. A: Yes.

554. Q: The Chair and Directors?

555. A: Until 2014 when the Act was passed, the Chairman of the Board used to be the Secretary
556. General, Office of the President.

557. Q: Until when?

558. A: In fact 2015 when after the Act was passed then we had a new Board.

559. MRS. A. BENSOU DA: Then you had a new board.

560. A: Yes.

561. Q: And the Chairman changed to a member of the Private Sector?

562. A: Yes.

563. Q: So, in 2014 who was your Chairman?

564. A: When we had the Board, it was **Edrissa Jobe** then before him you know Secretary
565. Generals change all the time but - -

566. MRS. A. BENSOU DA: You had, of course many Chairman because of the changing role of
567. Secretary General.

568. Q: The question I want to ask is when you receive the Directives for the change of signatory,
569. normally the signatories to the account would be determined by the board, is that correct or was it
570. automatically the **Managing Director** yourself and the **Head of Finance**?

571. A: Yes, because we were signatories to the accounts so when we write to the bank they will
572. accept the directives.

573. Q: I understand but who decides who would be signatories to an account, was it the board
574. you will need a board resolution would you not in order to be a signatory to **GNPC** account?

575. A: Under normal circumstances yes.

576. Q: When you have these directives from the office of the president to change the signatories
577. to the account was it brought to the attention of the board?

578. A: No.

579. Q: It wasn't?

580. A: No.

581. Q: Was the board aware of it that the signatories had changed?

582. A: Yes, after.

583. Q: After wards?

584. A: Yes.

585. Q: But you did not consult them before?

586. A: Yes, not before but after.

587. Q: Why didn't you consult them before?

588. A: When these directives come, they don't give you time and you saw one of the letters I
589. read which gave us a dead line so sometimes it's always difficult for you to take certain processes
590. in place so you have to act.

591. MRS. A. BENSOUA: Thank you. We may need you to come back all the banks has submitted
592. their accounts.

CASE ENDS AT 15:50PM

