



SIERRA LEONE GOVERNMENT

White Paper

ON THE

REPORT

OF THE

HON. MR. JUSTICE WILLIAM ANNAN ATUGUBA

COMMISSION OF INQUIRY

into the Assets and other related matters in respect of persons who were President, Vice Presidents, Ministers, Ministers of State and Deputy Ministers; and Heads and Chairmen of Boards of Parastatals, Departments and Agencies within the period from November 2007 to April 2018.

SEPTEMBER, 2020

Volume 2

WHITE PAPER ON THE REPORT OF THE HON. MR. JUSTICE WILLIAM ANNAN ATUGUBA COMMISSION OF INQUIRY TO, INTER ALIA, EXAMINE THE ASSETS AND OTHER RELATED MATTERS IN RESPECT OF PERSONS WHO WERE PRESIDENT, VICE PRESIDENTS, MINISTERS, MINISTERS OF STATE AND DEPUTY MINISTERS; AND HEADS AND CHAIRMEN OF BOARDS OF PARASTATALS, DEPARTMENTS AND AGENCIES WITHIN THE PERIOD FROM NOVEMBER 2007 TO APRIL 2018.

1. The SLPP New Direction Government in its commitment and desire to eradicate corruption, mismanagement and indiscipline in the affairs of government, as well as the recovery of all State assets and properties acquired through unexplained wealth and unjust enrichment, by Constitutional Instrument No. 67 of 2018 published in the Supplement to the Sierra Leone Gazette Vol. CXLIX, No. 76 dated 27th September, 2018, instituted the Commission of Inquiry (Examination, Inquiry and Investigation) Notice (3), 2018 with Hon. Mr. Justice William Annan Atuguba as Chairman and Sole Commissioner in order to:-

- a) examine the assets and other related matters in respect of-
 - (i) persons who were President, Vice President, Ministers of State and Deputy Ministers; and
 - (ii) Heads and Chairmen of Boards of Parastatals, Departments and Agencies within the period from November 2007 to April 2018
- b) Inquire into and investigate whether assets were acquired lawfully or unlawfully;
- c) inquire into-
 - (i) persons who were President, Vice President, Ministers of State and Deputy Ministers; and
 - (ii) Heads and Chairmen of Boards of Parastatals, Departments and Agencies;
- d) ascertain as to whether the persons referred to in sub paragraphs (a) to (c) –
 - (i) maintained a standard of life above that which was commensurate to their official emoluments;
 - (ii) owned or were in control of pecuniary resources or property disproportionate to their official emoluments or there are evidence of corruption, dishonesty or abuse of office for private benefit by them;
 - (iii) collaborated with any person in respect of such corruption, dishonesty or abuse of office;
 - (iv) acted wilfully or complacently in such a manner so as to cause financial loss or damage to the government, local authority or parastatal including a public corporation;
 - (v) acquired directly or indirectly financial or material gains fraudulently, improperly or wilfully to the detriment of the government, local authority or a parastatal including a public corporation, statutory Commission, body or any university

e) to inquire into and investigate any persons or matters as may from time to time referred to the Commission by his Excellency the President.

2. The Commission has submitted its Report on the assets and other related matters in respect of persons who were President, Vice Presidents, Ministers, Ministers of State and Deputy Ministers; and Heads and Chairmen of Boards of Parastatals, Departments and Agencies within the period from November 2007 to April 2018 and Government has since reviewed the Report and recommendations therein.

3. Government wishes to reiterate its commitment in the fight against corruption and public malfeasance as well as restoring decency, accountability, transparency and good government in the administration of our country.

4. Accordingly, it is hoped that public officers would learn from the findings of the Commissions of Inquiry.

Assets Investigations: Unexplained Wealth and Unjust Enrichment by Public Officials
between November 2007 and April 2018

1. **Sylvester Earl Osmond Hanciles, Former Deputy Minister of (a) Energy, (b) Education, Science and Technology and (c) Transport and Aviation, between 21/3/2009 – May 2018.**

Government accepts this recommendation:

The Commission found that “that this Person of Interest did not dishonestly acquire any assets or live a life style beyond his legitimate means during his tenure of office.”

2. **Ahmed Bakarr Kamara, Former Managing Director, Commerce and Mortgage Bank 17/2/17 – 20/8/2019**

Government rejects this recommendation. Government directs the Anti-Corruption Commission to investigate the assets of Ahmed Bakarr Kamara, and particularly unexplained wealth and unjust enrichment.

The Commission found that this Person of Interest “received huge payments of money in connection with the Commerce and Bank investments in land properties, and this has been dealt with under that part of this Report relating to that matter.”

3. **Abdul Aziz Kamara, Former Director-General of Sierra Leone Roads Authority**

Government notes that “his total emoluments during his tenure as Le165,807,000.00. This figure, if right, is difficult to reconcile with the statement of his emoluments”. That “since all his financial energies were sapped by the construction of the house at [No. 19 Old Aberdeen Road, Lumley], he had no residue of honest sources from which to acquire the house situate at 21 Old Aberdeen Road, Lumley Freetown.”

Government accepts these recommendations:

In the circumstances I recommend that the other assets of this Person of Interest be scrutinized by another public authority, such as the Anti-Corruption Commission which is not jurisdictionally fettered like this Commission. The evidence regarding his assets as contained in his Exit Declaration Form, exhibit BJ7 contrasts with that on his other Assets Declaration Forms which have been tendered in evidence before this Commission namely exhibits 8 to 10.

However, for the reasons already given above, the house covered by exhibit BJ6, aforementioned was dishonestly acquired by this Person of Interest and should therefore be confiscated and vested in the State.

4. Dr. Matthew M. Teambo, Former Minister of Labour and Social Security

The Commission perused his assets declaration forms and found nothing questionable. The Commission also “examined his salary details which can amply justify his acquisition of the properties referred to above.”

Government accepts this recommendation:

I find nothing dishonest in the affairs of this Person of Interest during his tenure as Minister of Labour.

5. Leonard Balogun Koroma, Former Minister of State in the Office of the Vice-President, November 2007 to November 2009 and Minister of Transport and Aviation, June 2013 to April 2018

The Commission found that this Person of Interest said that he used the US\$200,000 derived from the sale of his property at No. 154D Wilkinson Road in 2012 to develop his property at Takoradi Corner, Yengema, Kono, but his affidavit of 8th November, 2019 says that he constructed the said property from 2008 to 2015. What the Commission found perplexing is: “How could the proceeds of the sale in 2012 be used for the cost of construction over the years that preceded 2012 namely 2008, 2009, 2010 and 2011?” In addition, he deposed in an affidavit that one AM Bocakarie owns the house at Gbangbayilla, Hill Station from whom he intended buying it and had a site plan and building permit issued in his name. However, he abandoned his intent to purchase it on realizing that the said A.M. Bockarie was a lessee and not owner of the said house. Strangely, he declared this house in his Assets Declaration Form dated 26th October, 2017. The Commission notes that “if he had indeed abandoned this property because the owner thereof was a lessee, how did he erect a flat on it since he says that he only had a site plan and building permit issued in his name at the time that he allegedly abandoned it?”

Government accepts the following recommendations:

From the above analysis I find that this Person of Interest dishonestly acquired the house and land situate at Alshek Drive, Gbangbayilla, Hill Station, Freetown see exhibit BH3 and the house and land at Takoradi Corner, Yengema, Kono and should be confiscated and vested in the State.

As to his pecuniary assets time will not allow this Commission to adequately scrutinize them and same should be dealt with by the Anti-Corruption Commission.

Plots of Land

This Person of Interest deposed that during his tenure as a Minister he and his wife purchased an empty plot of land at Lungi which is undeveloped, lease of an empty plot of land at Tokeh, Western Rural District and a lease of an empty plot of land at Regent, Western Urban District.

Vehicles

The Commission found that this Person of Interest owned 7 private and 1 commercial vehicles. However, this Person of Interest denied having that number of vehicles in his affidavit of 8th November, 2019, stressing that he only owned a grey Toyota Sequoia, a white Jeep Cherokee and a Ford Explorer 2004.

Government accepts this recommendation:

As to his vehicles ownership of which he has denied they should also be confiscated and vested in the State.

Bank Accounts

Inspector Brima Koroma tendered in evidence the Person of Interest's bank statements from Commerce and Mortgage Bank, Sierra Leone Plc, exhibit BH7 and Guarantee Trust Bank, Sierra Leone exhibit BH8.

Government accepts this recommendation:

Time constraints, aforesaid requires that his other assets referred to above be investigated by the Anti-Corruption Commission.

6. Mohammed King Koroma, Former Statistician General 4th November 2012-30th June, 2017

The Commission found that this Person of Interest has a two-storey building in Freetown and 3 one-flat unfinished dwelling structures at New Port Loko-Rogbere Junction Highway, Magbelelol Village, Maforki Chiefdom, in the Port Loko District. The Commission notes that his total earnings as Statistician General is Le1,512,000,000. However, before that he was a teacher from 1980-1984 from which he earned a total of Le150,000,000.

His acquisition of the two sets of properties commenced only during his tenure as Statistician General. He expended Le2,100,000,000 on the property at New Port Loko-Rogbere Junction Highway, Magbelelol Village, Maforki Chiefdom, in the Port Loko District. Even accepting his own evidence that he spent Le250,000,000 to acquire the property in Freetown, “the acquisition of these properties far exceeded his legitimate income, excluding the purchase price disclosed in respect of the property at New Port Loko-Rogbere Junction Highway”. It is noted that beyond the conveyance in respect of the land at New Port Loko-Rogbere Junction Highway, there is no evidence from the Person of Interest showing the sources of his private income.

Government accepts this recommendation:

From all the above considerations I find that the two sets of property covered by exhibits BK and BK1 were dishonestly acquired by the Person of Interest while he was the Statistician General of Sierra Leone and should be confiscated and vested in the State.

7. Allie Kamara, Former Resident Minister for the North, 2007-2018

Government accepts this recommendation:

Since this matter is also before the Anti-Corruption Commission, the actual period and ramifications of BK20 and BK21 can be ascertained thereof. I however find nothing dishonest about his acquisition of his plot of land covered by exhibit BK22 aforementioned. Indeed, the evidence before this Commission is that the investigators could not locate this property.

8. Abdul Kareem Kalokoh, Former Chief Executive Officer of the Road Maintenance Fund Administration, January 2015 to July 2018

The Commission notes that the only property discovered belonging to this Person of Interest is a two-storey house located at Juba Hill, Kalokoh Drive, Freetown and was valued at Le4,985,000,000. The Commission however, found “no grounds to disbelieve his explanation

of acquisition of this property even if such acquisition were within his period of tenure as Chief Executive of the Road Maintenance Fund Administration.”

Government accepts this recommendation:

For all the foregoing reasons I find nothing colourable in the tenure of this Person of Interest in so far as his assets are concerned.

9. Olumiya Robin-Coker, Former Minister of Energy 2012-2014

Government accepts the following recommendations:

Real Property

The only property revealed by the Commission’s investigators as belonging to this Person of Interest is a piece of land he purchased under a deed of Conveyance, exhibit BJ4 from Ernest A. Webber, dated the 5th day of May 2014, at the cost of Le20,000,000. This however raises no issue of accountability since, as per the statement of his salaries as Minister he earned a net amount of Le375,157,991.00, exhibit BJ18.

Pecuniary Property

A Financial Intelligence Unit Report, exhibit BJ15 and his bank statement from Guaranty Trust Bank exhibit BJ17 were tendered in evidence. Whilst some of the transaction stated in exhibit BJ15 may fall within the Person of Interest’s tenure as a Minister, they are stated in lumped up figures thereby rendering scrutiny thereof by this Commission difficult. Exhibit BJ15 however involves 4 different bank accounts belonging to this Person of Interest and can be of interest to the Anti-Corruption Commission. Exhibit BJ17 however does not raise eyebrows but can be of interest to the Anti-Corruption Commission.

I stress that investigations into the Assets of Persons of Interest were commenced before this Commission at the tail end of this Commission’s sittings and therefore could not be gone into in details as regards certain matters specified in this Report.

10. Victor Bockarie Foh, Former Vice-President of Sierra Leone 19th March 2015 – April 2018

The Commission notes that this Person of Interest was Vice President for the short period from 19th March 2015 to April 2018. The Commission found it difficult to ascertain on the evidence the amounts of money spent on some of the properties he constructed which

commenced prior to his appointment as Vice President and completed after his assumption of office. Further, matching the purchase prices disclosed by the evidence, with what he earned in total, “it cannot be said that they were not within his means.”

Government rejects this recommendation. Government directs the Anti-Corruption Commission to investigate the assets of Victor Bockarie Foh, Former Vice-President of Sierra Leone, and particularly unexplained wealth and unjust enrichment.

I make no adverse findings of dishonesty against this Person of Interest concerning his real properties.

With regards to his moveable properties the time frame of this Commission will not enable me deal with the same. Same may be taken up by the Anti-Corruption Commission.

11. Ibrahim Kemoh Sesay, Former Minister of Works and Public Assets. Minister of Political and Public Affairs and Minister of Transport and Aviation between 2007- 2018

The Commission found that the Person of Interest has the following properties: a house at Bintumani Ring Road, Aberdeen, Freetown in the Western Area of Sierra Leone, valued at Le29,900,000,000; a house at 19 Wharf Road, Port Loko in the Northern Province of Sierra Leone valued at Le6,040,000,000 and another house (a hotel) in Port Loko. However, the Commission found that his net salaries Le1,276,640,610 for the period 2007-2018, cannot warrant the acquisition of these properties by him (even though one of them was acquired for his daughter Zauda K. Sesay). Therefore, the acquisitions are “wholly unexplained and unaccounted for” and must therefore have been dishonestly acquired.

Government accepts the following recommendations:

From all the analysis above I find that the house at Bintumani Ring Road, Aberdeen Freetown and the house at 19 Wharf Road, Port Loko were dishonestly acquired by this Person of Interest during his terms of office as Minister between the years 2007-2018 and should be confiscated and vested in the state.

The total of his net salaries Le1,276,640,610 for the period 2007-2018, as per exhibit BH 17 cannot warrant the acquisition of these properties by him (even though one of them was acquired for his daughter Zauda K. Sesay, aforesaid).

Pecuniary Assets

The Financial Intelligence Unit of Sierra Leone has submitted an Intelligence Report on the bank accounts of this Person of Interest, exhibit BH21.

His bank accounts stand as follows:

STANDARD CHARTERED BANK SIERRA LEONE

1. USD account No. 8700101335100

Total credit details for the period 05/07/17 – 28/08/17 – USD168,350.00

2. SIERRA LEONE COMMERCIAL BANK SIERRA LEONE LTD

USD account No. 003001106006410142

Total credit deposits between 30/08/17 – 04/09/19 = USD 12,200

3. SIERRA LEONE COMMERCIAL BANK SL LTD

Leone account No. 003001106006100110

Total non-salary deposits between 27/01/16 – 29/09/17 = Le634,820,000.00

4. ZENITH BANK SL LTD.

Leone account No: 6020162079

Total credits between 22/09/2016 - 31/03/2017 = Le905,850,000.00

Leone account No. 4110143241

Total credits between 23/09/2016 – 31/12/2018 = Le85,044,328.30

USD ACCOUNT No. 4070122834

Total credits between 22/09/2016 – 13/03/2017 = USD 11,800

5. FIRST INTERNATIONAL BANK (SL) LTD.

Leone account No. 21412-02

Total credits between 31/07/2009 – 30/09/2017 = Le2,109,927.66

Leone account No. 21412-01

Total credits between 31/07/2009 – 30/09/2017 = Le1,425,000.00

6. COMMERCE AND MORTGAGE BANK

Leone account No. 21010091028

Total credits between 14/10/2009 – 01/06/2019 = Le1,448.597,118.77

USD account No. 21010092016

Total credits between 14/10/2009 – 01/06/2019 = USD60,000.00

It is quite apparent that this Person of Interest had multiple bank accounts during his Ministerial tenure between 2007-2018, some were USD accounts while others are Leone accounts, all with heavy deposits from undisclosed or unjustifiable sources. However, this Commission is of the view that though heavy sums of money can be recovered from this Person of Interest, the best course to take in fairness to both the State and the Person of Interest is for the Audit Service to conduct a thorough audit into the bank accounts of this Person of Interest as revealed by the Financial Intelligence Report, exhibit BH21 in order to ascertain the sums of money that should be recovered from him for the State. This is because exhibit BH21 is in 2 parts, (a) A report on the financial position of this Person of interest submitted to the office of the Attorney General dated 13th February, 2019 and one submitted to this Commission dated 11th July 2019. These two reports need to be reconciled.

Even in the report submitted to this Commission a sudden mention is made to Rokel Commercial Bank SL Ltd whereas it was not cited as one of the banks covered by this report.

Vehicles

In exhibit BH16 headed POLITICALLY EXPOSED PERSONS AND NUMBER OF VEHICLES this person of Interest is listed as having 2 private vehicles and 1 commercial vehicle. No explanation as to their acquisition is forthcoming from this Person of Interest, they should therefore be confiscated and vested in the State.