In the matter of an arbitration under the Rules of Arbitration of the International Centre for Settlement of Investment Disputes

Case No. ARB/18/21

Video conference via Zoom

Tuesday, 29th June 2021

Hearing on Jurisdiction and the Merits

Before: RT HON LORD PHILLIPS KG PC MR J TRUMAN BIDWELL JR MS BARBARA DOHMANN QC

BAY VIEW GROUP LLC and THE SPALENA COMPANY LLC

Claimants

-v-

GOVERNMENT OF RWANDA

Respondent

Secretary to the Tribunal: ALEX B KAPLAN

Transcript produced by Anne-Marie Stallard and Georgina Vaughn on behalf of Trevor McGowan

APPEARANCES FOR CLAIMANTS STEVEN COWLEY, Duane Morris LLP BRYAN HARRISON, Duane Morris LLP RODERICK MARSHALL, Bay View Group LLC FOR RESPONDENT RICHARD HILL QC, 4 Stone Buildings ALASTAIR TOMSON, 4 Stone Buildings MICHELLE DUNCAN, Joseph Hage Aaronson LLP DANIEL McCARTHY, Joseph Hage Aaronson LLP DANIELLE DUFFIELD, Joseph Hage Aaronson LLP LUCY NEEDLE, Joseph Hage Aaronson LLP NARCISSE DUSHIMIMANA, Rwanda Mining Board SPECIOZA KABIBI, MINIJUST, Government of Rwanda THIRD PARTY OBSERVERS LISA GROSH, United States Office of International Claims and Investment Disputes JOHN DALEY, United States Office of International Claims and Investment Dispute NICOLE THORNTON, United States Office of International Claims and Investment Dispute CATHERINE GIBSON, Office of the United States Trade Representative MICHAEL COFFEE, United States Department of Justice DONNA CHAPIN, United States Department of Justice INTERPRETERS SARAH ROSSI, French-English interpreter ELIZA BURNHAM, French-English interpreter ROBERT WOLFENSTEIN, French-English interpreter JEAN CLAUDE MUGENZI, Kinyarwandan-English interpreter ROSE-MARIE MUKARUTABANA, Kinyarwandan-English interpreter SUPPORT STAFF JAMES WATKINS, FTI Consulting DAVID BRODSKY, FTI Consulting ANNA LOUTFI, assistant to the Tribunal COLLEEN FERGUSON, ICSID paralegal IZABELA CHABINSKA, ICSID intern

INDEX

PAGE

MR EVODE IMENA (continued)1
Cross-examination by MR COWLEY (continued)1
Questions from THE TRIBUNAL
DR MICHAEL BIRYABAREMA (called)147
Direct examination by MR HILL147
Cross-examination by MR COWLEY148
Discussion re procedural matters

12:01 1	Tuesday, 29th June 2021	12:05 1	work conducted by NRD, and that is that was in 2009.
2	(Transcript times are British Summer Time)	2	So my statement here that I expected them to conduct
3	(12.01 pm)	3	extensive sampling is based on best industry standard.
4	THE PRESIDENT: Have we any housekeeping to deal with before	4	You cannot conduct proper exploration by only collecting
5	the witness returns?	5	100 and a few samples in an area of more than
6	MR COWLEY: No, your Honour, not for Claimants.	6	30,000 hectares.
7	THE PRESIDENT: No?	7	Q. So the 2009 letter you referred to was three years after
8	MR HILL: No, nothing from the Respondent.	8	the contract was entered; correct?
9	THE PRESIDENT: Very well. Then please invite the witness	9	A. You are right.
10	back.	10	C C
11	MR WATKINS: Okay, bringing him in now.	11	A. And at that time the minister was reminding NRD that
12	(12.02 pm)	12	-
13	MR EVODE IMENA (continued)	13	the end of their contract, and he was telling them that,
14	Cross-examination by MR COWLEY (continued)	14	
15	Q. May we bring up the first witness statement of Mr Imena	15	
16	and go to paragraph 12, please.	16	· • •
17	Mr Imena, do you recognise that this paragraph is	17	highlight that, Article 2, all the way to the bottom.
18	addressing the NRD November 2010 application and some of	18	
19	your criticisms of that application?	19	
20	A. Yes.	20	
21	Q. Focusing your attention on the criticism that begins	20 21	"Make a geographical demarcation of the
22	here of the exploration of reserves; do you see at the	21	perimeters"
23	beginning you're talking about that there?	22	A. That was one
23	And now if I could ask you to go onto paragraph 13.	23	Q. Sorry, let me finish the question. That's the contract
25	You say here:	25	provision you say gives rise to the expectation you set
25		25	provision you say gives rise to the expectation you set
	Page 1		Page 3
12:03 1	"In order to meet the requirements of the Contract.	12:06 1	out in paragraph 13 of your witness statement; correct?
12:03 1	"In order to meet the requirements of the Contract, I would have expected NRD to have collected thousands of	12:06 1	out in paragraph 13 of your witness statement; correct? A. Not correct. This obligation, you are just showing me
12:03 1 2 3	I would have expected NRD to have collected thousands of	12:06 1 2 3	A. Not correct. This obligation, you are just showing me
2	I would have expected NRD to have collected thousands of	2	
2 3	I would have expected NRD to have collected thousands of samples for this given area."	2 3	A. Not correct. This obligation, you are just showing me one point. But there are other obligations.Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5
2 3 4	I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with	2 3 4	A. Not correct. This obligation, you are just showing me one point. But there are other obligations.
2 3 4 5	I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question	2 3 4 5	A. Not correct. This obligation, you are just showing me one point. But there are other obligations.Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to
2 3 4 5 6	I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it.	2 3 4 5 6	A. Not correct. This obligation, you are just showing me one point. But there are other obligations.Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct?
2 3 4 5 6 7	I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA	2 3 4 5 6 7	A. Not correct. This obligation, you are just showing me one point. But there are other obligations.Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your
2 3 4 5 6 7 8	I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties;	2 3 4 5 6 7 8	A. Not correct. This obligation, you are just showing me one point. But there are other obligations.Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct?A. Not correct. If you look at point number 5, they say
2 3 4 5 6 7 8 9	I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct?	2 3 4 5 6 7 8 9	A. Not correct. This obligation, you are just showing me one point. But there are other obligations.Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct?A. Not correct. If you look at point number 5, they say that they should:
2 3 4 5 6 7 8 9 10	I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct.	2 3 4 5 6 7 8 9 10	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the
2 3 4 5 6 7 8 9 10	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your 	2 3 4 5 6 7 8 9 10 11	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years."
2 3 4 5 6 7 8 9 10 11 12	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone 	2 3 4 5 6 7 8 9 10 11 12	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And
2 3 4 5 6 7 8 9 10 11 12 13	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret 	2 3 4 5 6 7 8 9 10 11 12 13	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you
2 3 4 5 6 7 8 9 10 11 12 13 14	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret it yourself, not as the party that actually negotiated 	2 3 4 5 6 7 8 9 10 11 12 13 14	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you conduct extensive geological, geophysical, geochemical
2 3 4 5 6 7 8 9 10 11 12 13 14	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret it yourself, not as the party that actually negotiated it but how you want it interpreted now; correct? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you conduct extensive geological, geophysical, geochemical work. You conduct sampling, you conduct drilling, you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret it yourself, not as the party that actually negotiated it but how you want it interpreted now; correct? A. No, I don't agree. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you conduct extensive geological, geophysical, geochemical work. You conduct sampling, you conduct the geotechnical studies, you conduct financial
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret it yourself, not as the party that actually negotiated it but how you want it interpreted now; correct? A. No, I don't agree. Q. Okay. You will agree though, sir, you've never found 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you conduct extensive geological, geophysical, geochemical work. You conduct sampling, you conduct drilling, you conduct the geotechnical studies, you conduct financial studies. It's a whole bunch of studies that will lead
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret it yourself, not as the party that actually negotiated it but how you want it interpreted now; correct? A. No, I don't agree. Q. Okay. You will agree though, sir, you've never found anywhere in the NRD file any communication from anyone 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you conduct extensive geological, geophysical, geochemical work. You conduct sampling, you conduct drilling, you conduct the geotechnical studies, you conduct financial studies. It's a whole bunch of studies that will lead you to reserves calculations and feasibility study, and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret it yourself, not as the party that actually negotiated it but how you want it interpreted now; correct? A. No, I don't agree. Q. Okay. You will agree though, sir, you've never found anywhere in the NRD file any communication from anyone at MINIRENA to NRD stating this expectation as to what 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you conduct extensive geological, geophysical, geochemical work. You conduct sampling, you conduct drilling, you conduct the geotechnical studies, you conduct financial studies. It's a whole bunch of studies that will lead you to reserves calculations and feasibility study, and for that you cannot just collect 100 and a few samples
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret it yourself, not as the party that actually negotiated it but how you want it interpreted now; correct? A. No, I don't agree. Q. Okay. You will agree though, sir, you've never found anywhere in the NRD file any communication from anyone at MINIRENA to NRD stating this expectation as to what the contract requires in order to meet the exploration 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you conduct extensive geological, geophysical, geochemical work. You conduct sampling, you conduct drilling, you conduct the geotechnical studies, you conduct financial studies. It's a whole bunch of studies that will lead you to reserves calculations and feasibility study, and for that you will get there.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret it yourself, not as the party that actually negotiated it but how you want it interpreted now; correct? A. No, I don't agree. Q. Okay. You will agree though, sir, you've never found anywhere in the NRD file any communication from anyone at MINIRENA to NRD stating this expectation as to what the contract requires in order to meet the exploration of reserves requirement; correct? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you conduct extensive geological, geophysical, geochemical work. You conduct sampling, you conduct drilling, you conduct the geotechnical studies, you conduct financial studies. It's a whole bunch of studies that will lead you to reserves calculations and feasibility study, and for that you cannot just collect 100 and a few samples and think that you will get there. And in fact
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret it yourself, not as the party that actually negotiated it but how you want it interpreted now; correct? A. No, I don't agree. Q. Okay. You will agree though, sir, you've never found anywhere in the NRD file any communication from anyone at MINIRENA to NRD stating this expectation as to what the contract requires in order to meet the exploration of reserves requirement; correct? A. Not correct. In 2009, if I remember well, the then 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you conduct extensive geological, geophysical, geochemical work. You conduct sampling, you conduct drilling, you conduct the geotechnical studies, you conduct financial studies. It's a whole bunch of studies that will lead you to reserves calculations and feasibility study, and for that you will get there. And in fact Q. Sir
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret it yourself, not as the party that actually negotiated it but how you want it interpreted now; correct? A. No, I don't agree. Q. Okay. You will agree though, sir, you've never found anywhere in the NRD file any communication from anyone at MINIRENA to NRD stating this expectation as to what the contract requires in order to meet the exploration of reserves requirement; correct? A. Not correct. In 2009, if I remember well, the then Minister Bazivamo, Christophe, wrote to NRD explaining 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you conduct extensive geological, geophysical, geochemical work. You conduct sampling, you conduct drilling, you conduct the geotechnical studies, you conduct financial studies. It's a whole bunch of studies that will lead you to reserves calculations and feasibility study, and for that you will get there. And in fact Q. Sir A. Sorry.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	 I would have expected NRD to have collected thousands of samples for this given area." Then you go on with further criticisms. You'll agree that you weren't your position with MINIRENA in excuse me, I started the question incorrectly; I need to restate it. You'll agree that you were not working with MINIRENA when this contract was first entered by the parties; correct? A. Correct. Q. So you'll agree when you're talking here about your expectations, what you're talking about is someone coming after the fact and saying how you would interpret it yourself, not as the party that actually negotiated it but how you want it interpreted now; correct? A. No, I don't agree. Q. Okay. You will agree though, sir, you've never found anywhere in the NRD file any communication from anyone at MINIRENA to NRD stating this expectation as to what the contract requires in order to meet the exploration of reserves requirement; correct? A. Not correct. In 2009, if I remember well, the then Minister Bazivamo, Christophe, wrote to NRD explaining 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	 A. Not correct. This obligation, you are just showing me one point. But there are other obligations. Q. Let's go on to the next page. Sir, items 2, 3, 4 and 5 do not talk about establishing the level of reserves to the detail you talk about in paragraph 13 of your witness statement; correct? A. Not correct. If you look at point number 5, they say that they should: "Provide evaluation reports of reserves and the feasibility study after 4 years." Q. And A. So to conduct evaluation reports of reserves, you conduct extensive geological, geophysical, geochemical work. You conduct sampling, you conduct drilling, you conduct the geotechnical studies, you conduct financial studies. It's a whole bunch of studies that will lead you to reserves calculations and feasibility study, and for that you will get there. And in fact Q. Sir A. Sorry. Q. If MINIRENA wanted to impose all the requirements you

12:08	1 and asked NRI) if it would agree to them in 2006. But it	12:12 1		115 samples from all five were taken. That simply
	2 did not do so; c		2		wasn't true, is it?
		f you are a miner or if you are	3		A. It's true, my assertion is true. I don't exactly
		someone tells you, "Go and do evaluation	4		remember the page where they state that they only
		ou understand that you will do that. It	5		collected 100 and a few samples.
	-	erm that encompasses all those studies.	6	(Q. You
		ing up C-035, please.	7		A. And in fact, the fact that they conducted
		2010 application; do you see that, sir?	8		a non-exhaustive study led them to install a plant that
	9 A. I see it.	,,,,,,,	9		had never gone operational. The plant failed to be
		ould go to pages 101 and 102.	10		operational because they failed to conduct appropriate
		nal, just so that you're aware, you're	11		studies before installing that plant. And the
		don't know if you expect to be or don't,	12		government wanted them to conduct proper studies so that
		would point that out.	13		they can install adapted plants to these resources.
	4 A. Sorry, I could		14		Q. Sir, you do know that in this application they explain
	-	There's actually an analysis of wolframite	15		not that they missed wolframite where they built the
		ion which leads to an estimate of	16		plant, but that they built the plant in an area where
l	7 reserves; correc		17		the secondary reserves of wolframite were not
		mate of just one deposit, and these are	18		sufficient, but needed to be run off before they reached
		it. It means these are the remainings of	19		the primary reserves of wolframite, which would then
		And if I may remind you, they were	20		feed the plant over time; you know that they reported
	1 given five conc	essions and they only conducted	21		that to MINIRENA, correct?
	2 estimation of ta	ailings resources in only one deposit,	22	1	A. Actually, sir, you are confirming what I'm saying. If
	3 which is less th		23		they had conducted proper studies, they would have never
	4 Q. So would you	agree with me that it contains an estimate	24		installed that type of plant there. But they failed to
	5 of reserves of v	volframite? Can you agree?	25		conduct proper studies and then installed a dummy plant.
					D 7
		Page 5			Page 7
			1		
12.10	1 A L can agree		12.13 1		Ω . They reached the opposite conclusion: that over time the
12:10	1 A. I can agree.		12:13 1		Q. They reached the opposite conclusion: that over time the primary reserves were sufficient so that when they
12:10	2 Q. Okay.	ld, this is just for one concession and	2		primary reserves were sufficient so that when they
12:10	 Q. Okay. A. But if I can ad 	ld, this is just for one concession and	2 3		primary reserves were sufficient so that when they reached them, the plant would be very productive, and
12:10	2 Q. Okay.3 A. But if I can ad it's not even the	e primary resources. These are the	2 3 4		primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in
12:10	 Q. Okay. A. But if I can ad it's not even the tailings, the ren 	e primary resources. These are the nainings.	2 3		primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report;
12:10	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to 	e primary resources. These are the nainings. o read your witness statement, one would	2 3 4 5		primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct?
12:10	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away with 	e primary resources. These are the nainings. o read your witness statement, one would the belief that NRD never reached any	2 3 4 5 6		primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct? A. Not at all, sir. That plant was designed to process
12:10	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away win estimate of any 	e primary resources. These are the nainings. o read your witness statement, one would the belief that NRD never reached any or reserve; isn't that correct?	2 3 4 5 6 7		primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct?
	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away with estimate of any A. It's not correct 	e primary resources. These are the mainings. o read your witness statement, one would the belief that NRD never reached any o reserve; isn't that correct? t. I clarified in my reports and in my	2 3 4 5 6 7 8		primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct?A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material.
	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away with estimate of any A. It's not correct statement that 	e primary resources. These are the nainings. o read your witness statement, one would the belief that NRD never reached any or reserve; isn't that correct?	2 3 4 5 6 7 8 9		primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct?A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material.Q. You do understand that the people who wrote this report
	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away with estimate of any A. It's not correct statement that 	e primary resources. These are the nainings. • read your witness statement, one would the belief that NRD never reached any reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected	2 3 4 5 6 7 8 9 10)	primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct?A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material.Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they
	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away with estimate of any A. It's not correct statement that preliminary work 	e primary resources. These are the nainings. • read your witness statement, one would the belief that NRD never reached any reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected	2 3 4 5 6 7 8 9 10		primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct?A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material.Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant;
	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away with estimate of any A. It's not correct statement that preliminary were extensive work Q. If we could be 	e primary resources. These are the nainings. o read your witness statement, one would the belief that NRD never reached any reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected ts.	2 3 4 5 6 7 8 9 10 11 12)	primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct?A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material.Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct?
	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away with estimate of any A. It's not correct statement that preliminary were extensive work Q. If we could be 	e primary resources. These are the mainings. o read your witness statement, one would the belief that NRD never reached any or reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected is. ow up, on page 102, the reference to scree	2 3 4 5 6 7 8 9 10 11 12 13		primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct?A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material.Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct?A. I hoped they knew better than all of us. But
	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away with estimate of any A. It's not correct statement that preliminary work Q. If we could by samples. I'm g 5.2. 	e primary resources. These are the mainings. o read your witness statement, one would the belief that NRD never reached any reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected ts. ow up, on page 102, the reference to scree to pull up myself and direct ted out, this section is only referring	2 3 4 5 6 7 8 9 10 11 12 13 14		 primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct? A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material. Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct? A. I hoped they knew better than all of us. But unfortunately I was sad to see that their plant didn't
	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away with estimate of any A. It's not correct statement that preliminary work Q. If we could be samples. I'm g 5.2. As you point to one concess. 	e primary resources. These are the nainings. o read your witness statement, one would the belief that NRD never reached any or reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected ts. how up, on page 102, the reference to scree poing to pull up myself and direct ted out, this section is only referring ion area; correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15		 primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct? A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material. Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct? A. I hoped they knew better than all of us. But unfortunately I was sad to see that their plant didn't work. So that is a disappointment that I still feel.
	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away with estimate of any A. It's not correct statement that preliminary work Q. If we could be samples. I'm g 5.2. As you poin to one concessis A. You are right 	e primary resources. These are the mainings. or read your witness statement, one would the belief that NRD never reached any or reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected ts. low up, on page 102, the reference to scree going to pull up myself and direct ted out, this section is only referring ion area; correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16		 primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct? A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material. Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct? A. I hoped they knew better than all of us. But unfortunately I was sad to see that their plant didn't work. So that is a disappointment that I still feel. Q. And A. We thought they were very good, but in the end we were disappointed.
	 Q. Okay. A. But if I can ad it's not even the tailings, the rene Q. If one were to come away with estimate of any A. It's not correct statement that preliminary work Q. If we could bl samples. I'm g 5.2. As you poin to one concess A. You are right Q. And it's only 	e primary resources. These are the mainings. • read your witness statement, one would the belief that NRD never reached any reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected ts. low up, on page 102, the reference to scree going to pull up myself and direct ted out, this section is only referring ion area; correct? referring to one portion of that	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19		 primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct? A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material. Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct? A. I hoped they knew better than all of us. But unfortunately I was sad to see that their plant didn't work. So that is a disappointment that I still feel. Q. And A. We thought they were very good, but in the end we were disappointed. Q. And rather than report what was actually said in the
	 Q. Okay. A. But if I can ad it's not even the tailings, the ren Q. If one were to come away with estimate of any A. It's not correct statement that preliminary work Q. If we could be samples. I'm g 5.2. As you poin to one concess: A. You are right Q. And it's only concession are 	e primary resources. These are the mainings. • read your witness statement, one would the belief that NRD never reached any reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected ts. how up, on page 102, the reference to scree to ing to pull up myself and direct ted out, this section is only referring tion area; correct? referring to one portion of that a; correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20		 primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct? A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material. Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct? A. I hoped they knew better than all of us. But unfortunately I was sad to see that their plant didn't work. So that is a disappointment that I still feel. Q. And A. We thought they were very good, but in the end we were disappointed. Q. And rather than report what was actually said in the application about the timing and what it would take to
	 Q. Okay. A. But if I can ad it's not even the tailings, the reference Q. If one were to come away wite estimate of any A. It's not correct statement that preliminary work Q. If we could be samples. I'm g 5.2. As you poin to one concessis A. You are right Q. And it's only Concession are A. You are right 	e primary resources. These are the mainings. o read your witness statement, one would the belief that NRD never reached any or reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected ts. how up, on page 102, the reference to scree yoing to pull up myself and direct ted out, this section is only referring to area; correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21		 primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct? A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material. Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct? A. I hoped they knew better than all of us. But unfortunately I was sad to see that their plant didn't work. So that is a disappointment that I still feel. Q. And A. We thought they were very good, but in the end we were disappointed. Q. And rather than report what was actually said in the application about the timing and what it would take to reach the primary reserves that the plant was built to
	 Q. Okay. A. But if I can ad it's not even the tailings, the reference of a set of a	e primary resources. These are the mainings. o read your witness statement, one would the belief that NRD never reached any or reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected ts. how up, on page 102, the reference to scree yoing to pull up myself and direct ted out, this section is only referring tion area; correct? referring to one portion of that a; correct? st in that area, there were 130 samples	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22		 primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct? A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material. Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct? A. I hoped they knew better than all of us. But unfortunately I was sad to see that their plant didn't work. So that is a disappointment that I still feel. Q. And A. We thought they were very good, but in the end we were disappointed. Q. And rather than report what was actually said in the application about the timing and what it would take to reach the primary reserves that the plant was
	 Q. Okay. A. But if I can ad it's not even the tailings, the reference of a set of a	e primary resources. These are the mainings. oread your witness statement, one would the belief that NRD never reached any reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected ts. low up, on page 102, the reference to scree to pull up myself and direct ted out, this section is only referring tion area; correct? referring to one portion of that a; correct? st in that area, there were 130 samples	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23		 primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct? A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material. Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct? A. I hoped they knew better than all of us. But unfortunately I was sad to see that their plant didn't work. So that is a disappointment that I still feel. Q. And A. We thought they were very good, but in the end we were disappointed. Q. And rather than report what was actually said in the application about the timing and what it would take to reach the primary reserves that the plant was built to serve, you reported a conclusion that the plant was built where there would never be any reserves. That was
	 Q. Okay. A. But if I can ad it's not even the tailings, the renework Q. If one were to come away with estimate of any A. It's not correct statement that preliminary work Q. If we could be samples. I'm g 5.2. As you poin to one concesses A. You are right Q. And it's only concession are A. You are right A. You are right A. You are right A. You are right 	e primary resources. These are the mainings. • read your witness statement, one would the the belief that NRD never reached any or reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected ts. how up, on page 102, the reference to scree to sorre to sure the section is only referring to narea; correct? • referring to one portion of that a; correct? • st in that area, there were 130 samples	$ \begin{array}{c} 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 10 \\ 11 \\ 12 \\ 13 \\ 14 \\ 15 \\ 16 \\ 17 \\ 18 \\ 19 \\ 20 \\ 21 \\ 22 \\ 23 \\ 24 \\ \end{array} $		 primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct? A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material. Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct? A. I hoped they knew better than all of us. But unfortunately I was sad to see that their plant didn't work. So that is a disappointment that I still feel. Q. And A. We thought they were very good, but in the end we were disappointed. Q. And rather than report what was actually said in the application about the timing and what it would take to reach the primary reserves that the plant was built to serve, you reported a conclusion that the plant was built where there would never be any reserves. That was contrary to what NRD was saying its intentions and
	 Q. Okay. A. But if I can ad it's not even the tailings, the renework Q. If one were to come away with estimate of any A. It's not correct statement that preliminary work Q. If we could be samples. I'm g 5.2. As you poin to one concesses A. You are right Q. And it's only concession are A. You are right A. You are right A. You are right A. You are right 	e primary resources. These are the mainings. oread your witness statement, one would the belief that NRD never reached any reserve; isn't that correct? t. I clarified in my reports and in my they did good preliminary works: orks. But they didn't do expected ts. low up, on page 102, the reference to scree to pull up myself and direct ted out, this section is only referring tion area; correct? referring to one portion of that a; correct? st in that area, there were 130 samples	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23		 primary reserves were sufficient so that when they reached them, the plant would be very productive, and that's why they invested their money in that plant in that location. They told you that in this report; correct? A. Not at all, sir. That plant was designed to process scree material, not primary wolframite material. Q. You do understand that the people who wrote this report and invested in the plant knew better than you what they intended to do and how they intended to feed the plant; you will agree with that, correct? A. I hoped they knew better than all of us. But unfortunately I was sad to see that their plant didn't work. So that is a disappointment that I still feel. Q. And A. We thought they were very good, but in the end we were disappointed. Q. And rather than report what was actually said in the application about the timing and what it would take to reach the primary reserves that the plant was built to serve, you reported a conclusion that the plant was built where there would never be any reserves. That was

12:15 1	A. Can you repeat, please? I didn't get your suggestion.	12:18 1	Do you see that?
12.15 1	Q. Your witness statement, rather than report what NRD	2	A. I see that.
3	actually said its expectations were long-term in terms	3	Q. You didn't request them, did you?
4	of the supply of wolframite from the primary reserves,	4	A. I didn't have to request. They were supposed to
5	simply reported that there was never going to be any to	5	Q. Did you request them, sir?
6	support the plant and it was all a mistake. That's how	6	A. I didn't have to request them.
7	you described the application; correct?	7	Q. Did you?
8	A. I described the application as a very preliminary work.	8	A. I didn't have to request them.
9	And in fact in this 5.2 paragraph that you are showing	9	Q. You're not aware of anybody at MINIRENA requesting and
10	me, you see yourself at line number 4 that the samples	10	reviewing the detailed analyses of the wolframite
10	were put in rice bags. And sir, if a company is serious	10	samples that are offered, are you?
11	enough to invest in a mine, they would not use rice	11	A. The report that was submitted to MINIRENA was enough for
12	bags: they should bring proper bags and do proper work.	12	us to identify that they didn't perform well.
13	So this is another sign that their works was just	13	Q. Now, if I could ask that this be brought down and we
14	preliminary and superficial.	14	start at page 101.
15	Q. Sir, I'm going to ask you one last time. You decided	15	This section 5 on page 101 starts the report in the
10	when writing in your witness statement not to report	10	2010 application of NRD's "Resource and Reserve
17	NRD's actual expectations about hitting primary reserves	17	Estimations"; do you see that?
18	of wolframite, and instead simply reported the	18	A. Yes, I see that.
	conclusion that there would not be any wolframite to	20	Q. Okay. So you'll see just from the first three bullet
20 21	feed the plant; that's how you chose to describe this,	20	points that the only estimates were not scree wolframite
21	correct?	21	at Rutsiro. They right, in the first couple of
22	A. No sir, not correct.	22	paragraphs summarise some estimates of other minerals
23	Q. And you will agree with me that when you wrote your	23	at other locations; correct?
24 25	analysis in 2012 of the NRD application, you conducted	24	A. Correct.
23	analysis in 2012 of the NKD application, you conducted	23	A. Concet.
	Page 9		Page 11
12:16 1	no independent analysis of the reserves yourself;	12:19 1	Q. Okay. If I could ask now that that be brought down and
2	correct?	2	just scroll the pages from 101 to 115.
2 3	correct? A. My mission was not to conduct an independent analysis of	2 3	just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the
2 3 4	correct?A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct	2 3 4	just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather
2 3 4 5	correct?A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the	2 3 4 5	just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the
2 3 4 5 6	correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report.	2 3 4 5 6	just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready
2 3 4 5 6 7	correct?A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report.Q. Could I ask you to please focus on my question.	2 3 4 5 6 7	just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned.
2 3 4 5 6 7 8	correct?A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report.Q. Could I ask you to please focus on my question.A. Yes, sir.	2 3 4 5 6 7 8	just scroll the pages from 101 to 115.MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned.MR COWLEY: I'm not asking him to talk about any of the
2 3 4 5 6 7 8 9	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no 	2 3 4 5 6 7 8 9	just scroll the pages from 101 to 115.MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned.MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions
2 3 4 5 6 7 8 9 10	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? 	2 3 4 5 6 7 8 9 10	just scroll the pages from 101 to 115.MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned.MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling
2 3 4 5 6 7 8 9 10 11	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. 	2 3 4 5 6 7 8 9 10	just scroll the pages from 101 to 115.MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned.MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all
2 3 4 5 6 7 8 9 10 11 12	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of 	2 3 4 5 6 7 8 9 10 11 12	just scroll the pages from 101 to 115.MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned.MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's
2 3 4 5 6 7 8 9 10 11 12 13	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your 	2 3 4 5 6 7 8 9 10 11 12 13	just scroll the pages from 101 to 115.MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned.MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it.
2 3 4 5 6 7 8 9 10 11 12 13 14	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? 	2 3 4 5 6 7 8 9 10 11 12 13 14	just scroll the pages from 101 to 115.MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned.MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it.MR HILL: Well, if that was only the purpose, you could have
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? A. You are right. That was not my job. It was NRD's job 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned. MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it. MR HILL: Well, if that was only the purpose, you could have just said it's however many pages long. You plainly are
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? A. You are right. That was not my job. It was NRD's job to conduct evaluation of reserves; it was not the job of 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned. MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it. MR HILL: Well, if that was only the purpose, you could have just said it's however many pages long. You plainly are wanting to say something about the content.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? A. You are right. That was not my job. It was NRD's job to conduct evaluation of reserves; it was not the job of the ministry. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned. MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it. MR HILL: Well, if that was only the purpose, you could have just said it's however many pages long. You plainly are wanting to say something about the content. MR COWLEY: If you would allow me to conduct the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? A. You are right. That was not my job. It was NRD's job to conduct evaluation of reserves; it was not the job of the ministry. Q. Now, 5.2, the discussion of the samplings and analyses 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned. MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it. MR HILL: Well, if that was only the purpose, you could have just said it's however many pages long. You plainly are wanting to say something about the content. MR COWLEY: If you would allow me to conduct the questioning. It would have been over if it wasn't
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? A. You are right. That was not my job. It was NRD's job to conduct evaluation of reserves; it was not the job of the ministry. Q. Now, 5.2, the discussion of the samplings and analyses of the wolframite at Rutsiro, near the bottom of that 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned. MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it. MR HILL: Well, if that was only the purpose, you could have just said it's however many pages long. You plainly are wanting to say something about the content. MR COWLEY: If you would allow me to conduct the questioning. It would have been over if it wasn't interrupted.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? A. You are right. That was not my job. It was NRD's job to conduct evaluation of reserves; it was not the job of the ministry. Q. Now, 5.2, the discussion of the samplings and analyses of the wolframite at Rutsiro, near the bottom of that paragraph it says the concentrate that they took from 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned. MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it. MR HILL: Well, if that was only the purpose, you could have just said it's however many pages long. You plainly are wanting to say something about the content. MR COWLEY: If you would allow me to conduct the questioning. It would have been over if it wasn't interrupted. Can I just ask that the pages go until 115.
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? A. You are right. That was not my job. It was NRD's job to conduct evaluation of reserves; it was not the job of the ministry. Q. Now, 5.2, the discussion of the samplings and analyses of the wolframite at Rutsiro, near the bottom of that paragraph it says the concentrate that they took from their samples was dried, weighed and analysed in Germany 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned. MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it. MR HILL: Well, if that was only the purpose, you could have just said it's however many pages long. You plainly are wanting to say something about the content. MR COWLEY: If you would allow me to conduct the questioning. It would have been over if it wasn't interrupted. Can I just ask that the pages go until 115. Sir, you'll agree that your summary of the NRD
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? A. You are right. That was not my job. It was NRD's job to conduct evaluation of reserves; it was not the job of the ministry. Q. Now, 5.2, the discussion of the samplings and analyses of the wolframite at Rutsiro, near the bottom of that paragraph it says the concentrate that they took from their samples was dried, weighed and analysed in Germany at Starck's headquarters. Do you see that? 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned. MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it. MR HILL: Well, if that was only the purpose, you could have just said it's however many pages long. You plainly are wanting to say something about the content. MR COWLEY: If you would allow me to conduct the questioning. It would have been over if it wasn't interrupted. Can I just ask that the pages go until 115. Sir, you'll agree that your summary of the NRD provision of information about work done to conduct
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? A. You are right. That was not my job. It was NRD's job to conduct evaluation of reserves; it was not the job of the ministry. Q. Now, 5.2, the discussion of the samplings and analyses of the wolframite at Rutsiro, near the bottom of that paragraph it says the concentrate that they took from their samples was dried, weighed and analysed in Germany at Starck's headquarters. Do you see that? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned. MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it. MR HILL: Well, if that was only the purpose, you could have just said it's however many pages long. You plainly are wanting to say something about the content. MR COWLEY: If you would allow me to conduct the questioning. It would have been over if it wasn't interrupted. Can I just ask that the pages go until 115. Sir, you'll agree that your summary of the NRD provision of information about work done to conduct analyses and estimates of reserves at its concessions
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? A. You are right. That was not my job. It was NRD's job to conduct evaluation of reserves; it was not the job of the ministry. Q. Now, 5.2, the discussion of the samplings and analyses of the wolframite at Rutsiro, near the bottom of that paragraph it says the concentrate that they took from their samples was dried, weighed and analysed in Germany at Starck's headquarters. Do you see that? A. I see that, sir. Q. And in the application they say: 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	 just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned. MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it. MR HILL: Well, if that was only the purpose, you could have just said it's however many pages long. You plainly are wanting to say something about the content. MR COWLEY: If you would allow me to conduct the questioning. It would have been over if it wasn't interrupted. Can I just ask that the pages go until 115. Sir, you'll agree that your summary of the NRD provision of information about work done to conduct analyses and estimates of reserves at its concessions was very unfair in focusing on one or two small sections
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 correct? A. My mission was not to conduct an independent analysis of reserves. Actually, NRD's mission was to conduct an analysis of reserves. My mission was to evaluate the report. Q. Could I ask you to please focus on my question. A. Yes, sir. Q. When providing your analysis, you conducted no independent study of the reserves at Rutsiro; correct? A. I agree with you. That was not my job. Q. And you've never conducted an independent analysis of reserves at Rutsiro as of the time that you wrote your witness statement; correct? A. You are right. That was not my job. It was NRD's job to conduct evaluation of reserves; it was not the job of the ministry. Q. Now, 5.2, the discussion of the samplings and analyses of the wolframite at Rutsiro, near the bottom of that paragraph it says the concentrate that they took from their samples was dried, weighed and analysed in Germany at Starck's headquarters. Do you see that? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 just scroll the pages from 101 to 115. MR HILL: I wonder if the pages could be scrolled on the witness saying when the pages could be turned, rather than the FTI person, please. If we go back to the beginning, and the witness should say when he's ready for the pages to be turned. MR COWLEY: I'm not asking him to talk about any of the specific contents, I'm not going to ask him questions about the language. I'm just making the scrolling an effort to essentially turn the pages that we're all sharing, to see how long this section goes on. That's the purpose of it. MR HILL: Well, if that was only the purpose, you could have just said it's however many pages long. You plainly are wanting to say something about the content. MR COWLEY: If you would allow me to conduct the questioning. It would have been over if it wasn't interrupted. Can I just ask that the pages go until 115. Sir, you'll agree that your summary of the NRD provision of information about work done to conduct analyses and estimates of reserves at its concessions

12:22 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 of work done at all the concessions? A. I do not agree. If I may clarify, expecting that a detailed resources evaluation report would just be made by 15 pages of unclear images would be very, very wrong. So this is just a superficial understanding of the reserves. And in fact the people who made this report made it clear themselves that their plan for 2011 to 2017 was to do estimation of reserves. Actually they know themselves that they never conducted proper estimation of reserves, because they were planning to do so. But the government gave them four years to do that, and they failed. So it is written in this report. Q. If we could go back to the witness statement, paragraph 15, and highlight paragraph 15. Again, sir, here you are saying what the 	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 A. I do not agree. The contract said it specifically, that they need to do estimation of reserves and conduct a feasibility study, and they failed to do so. Q. Are you even familiar with the type of technology that went into the modelling of the different layers and images of the geography at the various concessions in the NRD application? A. Yes, I read that report. Q. Right. That was the most advanced technology for analysing below-grade reserves that they were using in that report, isn't it? A. If they believe that this was the most advanced technology, it's a good sign that they really failed to understand what is mining about. Q. Okay. In fact, Starck is itself a company full of experts on analysing reserves to invest in mining and
17 18 19 20 21 22 23 24 25	 expectations were of the contract that was entered prior to your starting with MINIRENA, and you say for an estimate of reserves, you expected: " a recognised expert setting out professional and detailed study of the level of mineral reserves at each site." Do you see that? A. I see that, sir. Q. Now, you'll agree you could not find anywhere in the NRD 	17 18 19 20 21 22 23 24 25	acquisition of reserves around the world, isn't it?A. I don't want to dispute anybody's ability, but I'm just giving you the facts, sir. And the fact is that this company failed to implement its contractual obligations.Q. You can't identify any other applicant, following the initial exploratory licence phase, that submitted estimates of reserves meeting the expectations you identify in your witness statement of thousands of samples and independent, recognised experts quantifying
	Page 13		Page 15
$\begin{array}{cccccccccccccccccccccccccccccccccccc$	 file such a communication of expectations to NRD at the time the contract was entered, could you? A. The contract was very, very clear at point number 5: it required NRD to do evaluation of reserves and a feasibility study. For any mining professional, for any geologist, you understand immediately what "evaluation of reserves" means. Q. And they did what they understood and submitted their report, but you said: no, it wasn't a recognised expert, and that's what you expected. And I'm asking you: can you agree with me that the contract you just pointed to does not say anything about a recognised expert setting out this analysis? You left to the contracting party, NRD, to provide the analysis it saw fit; correct? A. I do not agree. In this report you are showing me, they clearly say themselves that they failed to do the evaluation of reserves, and they were applying actually to renew the exploration licence so that they continue and Q. Do you remember my question? I simply asked you whether you could agree that the contract doesn't mention having to hire some outside expert; you left to NRD [in] what form it would submit its estimation of reserves. Can you agree with that? 	$\begin{array}{c}1\\2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\\25\end{array}$	 the specific reserves in the location, can you? A. I can, quickly, for the sake of an example. Rutongo collected 4,000 samples in just one tunnel. And another example, and I would be pleased that you come and visit that mine: it's New Bugarama mine. They provided an estimation of reserves, they installed two plants, and those plants are fully operational. You can come and see them. Q. If those reports included the estimated reserves using your expectations, you would have attached them to your witness statements and pointed to them as examples, wouldn't you? A. If you are willing to get those reports, they can be shared to you. But they have no matter to do with NRD. Q. You had the reports available to me. Q. And these reports, you say, followed your expectations; correct? A. They followed my expectations. Q. But you didn't attach those reports to your witness statement, showing them as examples, did you? A. If I was if I had been given the opportunity to give all the files that I had in my hand, I would have done so. But I focused on what was essential to NRD's matters.

12:29 1	Q. If we go back to I'm sorry, it's already up. You had	12:33 1	what they intended to do.
2	it up, I apologise paragraph 15 of your witness	2	But my statement says that they never conducted
3	statement, the bottom three lines, you say that:	3	environment impact assessment, and this is correct,
4	"Additionally, there was the problem that NRD had	4	because here there's no way where they say that they
5	obtained an environmental impact assessment for	5	completed environment impact assessment for these
6	an ore dressing plant at Rutsiro (which never in fact	6	concessions. So this is not the same.
7	operated) and an abbreviated (and inadequate) EIA for	7	Q. Can I now ask that we turn to page 143.
8	Nyatubindi"	8	At page 143 of NRD's 2010 application begins the
9	Then it carries on:	9	environmental impact assessment report for Rutsiro
10	" but not for any of the other concession	10	plant; correct?
10	areas."	10	A. Correct.
11	That's a criticism you lodge of the report:	11	Q. That environmental impact assessment report that you say
12	inadequate environmental analyses. And you say there	12	wasn't included is actually 80 pages long in the
13		13	application; correct?
14	are only two aspects of an environmental study at all submitted by NRD; correct?		A. This environmental impact assessment is just for one
	-	15	plant in Rutsiro; it's not even for the Rutsiro
16	A. Can you repeat your question, please?	16 17	concession.
17	Q. You criticise the environmental analysis in the		
18	application, and in doing so you identify NRD as having	18	Q. Sir
19	provided only these two environmental discussions and	19	A. It's not a
20	analyses at all; correct?	20	Q. My question was
21	A. Actually what I said, and it is clear in my statement:	21	A. Yes, please.
22	NRD had been given five concessions. They only	22	Q this environmental impact assessment report covers
23	conducted an environmental impact assessment for one	23	the next 80 pages, approximately, of the application; is
24	plant, not even one concession, and an abbreviated	24	that correct?
25	assessment for one deposit.	25	A. I don't remember the number of pages it has.
	Page 17		Page 19
12:30 1	So they didn't provide environment impact assessment	12:34 1	Q. Could I ask that we go to the end of this section.
2	for the five concessions. That is what I'm mentioning	2	I believe let me find it myself. (Pause)
2 3	for the five concessions. That is what I'm mentioning in my statement.	2 3	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier
2 3 4	for the five concessions. That is what I'm mentioning in my statement.Q. If we could go back to C-035 and start at page 121. Do	2 3 4	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said:
2 3 4 5	for the five concessions. That is what I'm mentioning in my statement.Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity	2 3 4 5	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say
2 3 4 5 6	for the five concessions. That is what I'm mentioning in my statement.Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next	2 3 4 5 6	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included"
2 3 4 5 6 7	for the five concessions. That is what I'm mentioning in my statement.Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir?	2 3 4 5 6 7	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because
2 3 4 5 6 7 8	for the five concessions. That is what I'm mentioning in my statement.Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir?A. Yes, I'm reading it.	2 3 4 5 6 7 8	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of
2 3 4 5 6 7 8 9	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to 	2 3 4 5 6 7 8 9	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment
2 3 4 5 6 7 8 9 10	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to	2 3 4 5 6 7 8 9 10	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have
2 3 4 5 6 7 8 9 10 11	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, 	2 3 4 5 6 7 8 9 10 11	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley.
2 3 4 5 6 7 8 9 10 11 12	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. 	2 3 4 5 6 7 8 9 10 11 12	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer.
2 3 4 5 6 7 8 9 10 11 12 13	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? 	2 3 4 5 6 7 8 9 10 11 12 13	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir?
2 3 4 5 6 7 8 9 10 11 12 13 14	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. 	2 3 4 5 6 7 8 9 10 11 12 13 14	 I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. So you'll agree that over the pages covered by 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to the last page with content on it of the report, 223? If
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. So you'll agree that over the pages covered by section 6.5, in fact NRD, in its 2010 application, 	$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ \end{array} $	I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to the last page with content on it of the report, 223? If you could
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. So you'll agree that over the pages covered by section 6.5, in fact NRD, in its 2010 application, discussed the environmental mitigation plans for Nemba, 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to the last page with content on it of the report, 223? If you could A. I didn't get your question, but I'm seeing here it is
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. So you'll agree that over the pages covered by section 6.5, in fact NRD, in its 2010 application, discussed the environmental mitigation plans for Nemba, Rutsiro and Nyatubindi over the next five years, and 	$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ \end{array} $	 I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" T'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to the last page with content on it of the report, 223? If you could A. I didn't get your question, but I'm seeing here it is written page 80. So I don't really get what you're
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. So you'll agree that over the pages covered by section 6.5, in fact NRD, in its 2010 application, discussed the environmental mitigation plans for Nemba, Rutsiro and Nyatubindi over the next five years, and then mentioned briefly general intentions for three 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\end{array} $	 I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to the last page with content on it of the report, 223? If you could A. I didn't get your question, but I'm seeing here it is written page 80. So I don't really get what you're asking to confirm.
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array} $	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. So you'll agree that over the pages covered by section 6.5, in fact NRD, in its 2010 application, discussed the environmental mitigation plans for Nemba, Rutsiro and Nyatubindi over the next five years, and then mentioned briefly general intentions for three other periods of the concessions, Giciye, Sebeya and 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" I'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to the last page with content on it of the report, 223? If you could A. I didn't get your question, but I'm seeing here it is written page 80. So I don't really get what you're asking to confirm. Q. Could I ask FTI to go to page 223. That's the last page
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. So you'll agree that over the pages covered by section 6.5, in fact NRD, in its 2010 application, discussed the environmental mitigation plans for Nemba, Rutsiro and Nyatubindi over the next five years, and then mentioned briefly general intentions for three other periods of the concessions, Giciye, Sebeya and Mara; correct? 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" Tm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to the last page with content on it of the report, 223? If you could A. I didn't get your question, but I'm seeing here it is written page 80. So I don't really get what you're asking to confirm. Q. Could I ask FTI to go to page 223. That's the last page of the environmental impact assessment that starts at
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. So you'll agree that over the pages covered by section 6.5, in fact NRD, in its 2010 application, discussed the environmental mitigation plans for Nemba, Rutsiro and Nyatubindi over the next five years, and then mentioned briefly general intentions for three other periods of the concessions, Giciye, Sebeya and Mara; correct? A. Not correct. Actually here they are saying that they 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" T'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to the last page with content on it of the report, 223? If you could A. I didn't get your question, but I'm seeing here it is written page 80. So I don't really get what you're asking to confirm. Q. Could I ask FTI to go to page 223. That's the last page of the environmental impact assessment that starts at page 80; correct?
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. So you'll agree that over the pages covered by section 6.5, in fact NRD, in its 2010 application, discussed the environmental mitigation plans for Nemba, Rutsiro and Nyatubindi over the next five years, and then mentioned briefly general intentions for three other periods of the concessions, Giciye, Sebeya and Mara; correct? A. Not correct. Actually here they are saying that they planted trees in Nemba; they constructed a dam in 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	 I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" T'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to the last page with content on it of the report, 223? If you could A. I didn't get your question, but I'm seeing here it is written page 80. So I don't really get what you're asking to confirm. Q. Could I ask FTI to go to page 223. That's the last page of the environmental impact assessment that starts at page 80; correct?
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. So you'll agree that over the pages covered by section 6.5, in fact NRD, in its 2010 application, discussed the environmental mitigation plans for Nemba, Rutsiro and Nyatubindi over the next five years, and then mentioned briefly general intentions for three other periods of the concessions, Giciye, Sebeya and Mara; correct? A. Not correct. Actually here they are saying that they 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" T'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to the last page with content on it of the report, 223? If you could A. I didn't get your question, but I'm seeing here it is written page 80. So I don't really get what you're asking to confirm. Q. Could I ask FTI to go to page 223. That's the last page of the environmental impact assessment that starts at page 80; correct?
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	 for the five concessions. That is what I'm mentioning in my statement. Q. If we could go back to C-035 and start at page 121. Do you see 6.5, near the bottom, sir, "Proposed Activity Plan in Environmental Mitigation", over the next five years as of then? Do you see that, sir? A. Yes, I'm reading it. Q. If we could go back, it continues. So we'll have to it's not just this one section. I'm going to ask you to put the pages upside by side. It starts on page 121, section 6.5, and it goes through page 124. Are you ready to turn the pages, sir? A. Yes, please. Q. Can you put pages 123 and 124 up side by side. So you'll agree that over the pages covered by section 6.5, in fact NRD, in its 2010 application, discussed the environmental mitigation plans for Nemba, Rutsiro and Nyatubindi over the next five years, and then mentioned briefly general intentions for three other periods of the concessions, Giciye, Sebeya and Mara; correct? A. Not correct. Actually here they are saying that they planted trees in Nemba; they constructed a dam in 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	 I believe let me find it myself. (Pause) MR HILL: Just while Mr Cowley is looking, his earlier question said: "[The] environmental assessment report you say [is]n't included" T'm not sure Mr Cowley meant to say that, because the witness statement does say in terms at the bottom of paragraph 15 that the environmental impact assessment for the ore dressing plant was made. So that may have been a slip by Mr Cowley. MR COWLEY: No, I picked up on his prior answer. It goes to page 223, does it not, sir? Do you agree that the environmental impact assessment within the application goes all the way to the last page with content on it of the report, 223? If you could A. I didn't get your question, but I'm seeing here it is written page 80. So I don't really get what you're asking to confirm. Q. Could I ask FTI to go to page 223. That's the last page of the environmental impact assessment that starts at page 80; correct?

12:37 1	Sir, in addition to the environmental impact	12:41 1	assessment. It's not an environment impact assessment
2	assessment report within the application, NRD also	12.41 1	study. It's just a
3	submitted to MINIRENA the environmental impact	3	Q. Can we go back to
4	assessment for Nyatubindi; correct?	4	A it's just a (inaudible) information.
5	A. You are right.	4	Q. I'm sorry, if you didn't hear me, can we go back to
6	Q. And that's this document?	6	Exhibit C-043.
7	A. I think so.	7	So the letter we were just looking at, you recognise
8	Q. Now if I could ask that C-043 be brought up.	8	as I'm sorry, I must have called up the wrong one.
9	As part of its application process and attempts to	9	I'm sorry, I said the wrong number. C-036.
10	discuss it with MINIRENA, NRD submitted in November 2011	9 10	You recognised the letter that we were just talking
10	an updated environmental mitigation report for		
11	Nyatubindi; correct, sir?	11 12	about as transmitting to all those individuals this
	A. I see that mission report. Yes, I can see it.		report; correct? A. You are right.
13	Q. That's C-043; correct?	13	-
14	A. Yes, I see that report you are showing me.	14 15	Q. And it asks at the end of the letter that experts on the
15	Q. May I ask that C-044 be brought up.	15	Respondent's side, experts from Rwanda and its locales
16	C-044 is a letter from NRD transmitting the updated		that were involved in the concession area, to provide
17	environmental impact assessment for Nyatubindi to	17	experts and work on development of a road that would be
18	a number of parties, and it concludes, on the second	18	utilised to conduct further anticipated remediation
19		19	work.
20	page, asking, on their end, others [who] worked with NRD	20	So the letter ended by saying, "We want to work with
21	to continue to push forward by discussing the next steps	21	you so we can continue our remediation experts, identify
22	with experts as to road access, so further remediation	22	experts and work with us". That's how the letter ended,
23	efforts can continue at that facility; correct, sir?	23	right?
24	A. Sorry, I didn't understand your question.	24	A. That is what I'm reading. Yes, you're right.
25	Q. This is the transmittal letter of the updated	25	Q. You're not aware of anyone ever doing that and
	Page 21		Page 23
	-		
12:38 1	environmental impact assessment report for Nyatubindi;	12:43 1	continuing to work with NRD on that issue, are you?
12:38 1	environmental impact assessment report for Nyatubindi; correct?	12:43 1 2	continuing to work with NRD on that issue, are you? A. I didn't get your question properly.
			A. I didn't get your question properly.
2	correct?	2	
2 3	correct? A. So can I be given some time to read this letter, if you	2 3	A. I didn't get your question properly.Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the
2 3 4	correct?A. So can I be given some time to read this letter, if you want me to confirm anything?	2 3 4	A. I didn't get your question properly.Q. Nobody on Rwanda's side came forward with experts of
2 3 4 5	correct?A. So can I be given some time to read this letter, if you want me to confirm anything?Q. Please. I didn't think I just asked you if that's	2 3 4 5	A. I didn't get your question properly.Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by
2 3 4 5 6	correct?A. So can I be given some time to read this letter, if you want me to confirm anything?Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it.	2 3 4 5 6	A. I didn't get your question properly.Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct?A. This letter was addressed to the mayor, not to myself.
2 3 4 5 6 7	correct?A. So can I be given some time to read this letter, if you want me to confirm anything?Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause)	2 3 4 5 6 7	A. I didn't get your question properly.Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct?
2 3 4 5 6 7 8	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated 	2 3 4 5 6 7 8	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district.
2 3 4 5 6 7 8 9	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated 	2 3 4 5 6 7 8 9	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody
2 3 4 5 6 7 8 9 10	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? 	2 3 4 5 6 7 8 9 10	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district.
2 3 4 5 6 7 8 9 10 11	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? 	2 3 4 5 6 7 8 9 10 11	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to
2 3 4 5 6 7 8 9 10 11 12	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to 	2 3 4 5 6 7 8 9 10 11 12	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right?
2 3 4 5 6 7 8 9 10 11 12 13	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to come and assess the work done by NRD at Nyatubindi, and 	2 3 4 5 6 7 8 9 10 11 12 13	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right? A. It's not as simple as you're suggesting. This letter
2 3 4 5 6 7 8 9 10 11 12 13 14	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to come and assess the work done by NRD at Nyatubindi, and asking an expert, an engineer, to come and agree with 	2 3 4 5 6 7 8 9 10 11 12 13 14	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right? A. It's not as simple as you're suggesting. This letter was addressed to the mayor of the district, and you're
2 3 4 5 6 7 8 9 10 11 12 13 14	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to come and assess the work done by NRD at Nyatubindi, and asking an expert, an engineer, to come and agree with them where the maintenance of the road should be done. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right? A. It's not as simple as you're suggesting. This letter was addressed to the mayor of the district, and you're asking me to confirm something for which I don't have
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to come and assess the work done by NRD at Nyatubindi, and asking an expert, an engineer, to come and agree with them where the maintenance of the road should be done. And this is in no way in contradiction with what 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right? A. It's not as simple as you're suggesting. This letter was addressed to the mayor of the district, and you're asking me to confirm something for which I don't have any information. I don't want to speculate. I was not
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to come and assess the work done by NRD at Nyatubindi, and asking an expert, an engineer, to come and agree with them where the maintenance of the road should be done. And this is in no way in contradiction with what I said in my statement. I said 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right? A. It's not as simple as you're suggesting. This letter was addressed to the mayor of the district, and you're asking me to confirm something for which I don't have any information. I don't want to speculate. I was not there and I was not the recipient of the letter.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to come and assess the work done by NRD at Nyatubindi, and asking an expert, an engineer, to come and agree with them where the maintenance of the road should be done. And this is in no way in contradiction with what I said in my statement. I said Q. I'm not asking to argue with you about anything yet, and 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right? A. It's not as simple as you're suggesting. This letter was addressed to the mayor of the district, and you're asking me to confirm something for which I don't have any information. I don't want to speculate. I was not there and I was not the recipient of the letter. Q. If I could ask to go to paragraph 58 of Mr Imena's
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to come and assess the work done by NRD at Nyatubindi, and asking an expert, an engineer, to come and agree with them where the maintenance of the road should be done. And this is in no way in contradiction with what I said in my statement. I said Q. I'm not asking to argue with you about anything yet, and 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right? A. It's not as simple as you're suggesting. This letter was addressed to the mayor of the district, and you're asking me to confirm something for which I don't have any information. I don't want to speculate. I was not there and I was not the recipient of the letter. Q. If I could ask to go to paragraph 58 of Mr Imena's witness statement.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to come and assess the work done by NRD at Nyatubindi, and asking an expert, an engineer, to come and agree with them where the maintenance of the road should be done. And this is in no way in contradiction with what I said in my statement. I said Q. I'm not asking to argue with you about anything yet, and I'm not asking you to argue with me about whatever point you want to make. I just asked you: do you recognise 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array}$	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right? A. It's not as simple as you're suggesting. This letter was addressed to the mayor of the district, and you're asking me to confirm something for which I don't have any information. I don't want to speculate. I was not there and I was not the recipient of the letter. Q. If I could ask to go to paragraph 58 of Mr Imena's witness statement. In paragraph 58 of your first witness statement,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to come and assess the work done by NRD at Nyatubindi, and asking an expert, an engineer, to come and agree with them where the maintenance of the road should be done. And this is in no way in contradiction with what I said in my statement. I said Q. I'm not asking to argue with you about anything yet, and I'm not asking you to argue with me about whatever point you want to make. I just asked you: do you recognise that this transmittal letter forwarded to all the 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right? A. It's not as simple as you're suggesting. This letter was addressed to the mayor of the district, and you're asking me to confirm something for which I don't have any information. I don't want to speculate. I was not there and I was not the recipient of the letter. Q. If I could ask to go to paragraph 58 of Mr Imena's witness statement. In paragraph 58 of your first witness statement, sir, you talk about Rutongo's application. Do you see
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to come and assess the work done by NRD at Nyatubindi, and asking an expert, an engineer, to come and agree with them where the maintenance of the road should be done. And this is in no way in contradiction with what I said in my statement. I said Q. I'm not asking to argue with you about anything yet, and I'm not asking you to argue with me about whatever point you want to make. I just asked you: do you recognise that this transmittal letter forwarded to all the parties shown here the updated environmental impact 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right? A. It's not as simple as you're suggesting. This letter was addressed to the mayor of the district, and you're asking me to confirm something for which I don't have any information. I don't want to speculate. I was not there and I was not the recipient of the letter. Q. If I could ask to go to paragraph 58 of Mr Imena's witness statement. In paragraph 58 of your first witness statement, sir, you talk about Rutongo's application. Do you see that testimony?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 correct? A. So can I be given some time to read this letter, if you want me to confirm anything? Q. Please. I didn't think I just asked you if that's what it is; I didn't cut off any attempt to read it. So, yes. (Pause) A. Yes, I finished reading. Q. So you recognise this is the transmittal of the updated environmental impact assessment report for Nyatubindi; correct? A. What I recognise is that they are transmitting a report to the mayor and asking an expert from the district to come and assess the work done by NRD at Nyatubindi, and asking an expert, an engineer, to come and agree with them where the maintenance of the road should be done. And this is in no way in contradiction with what I said in my statement. I said Q. I'm not asking to argue with you about anything yet, and I'm not asking you to argue with me about whatever point you want to make. I just asked you: do you recognise that this transmittal letter forwarded to all the parties shown here the updated environmental impact assessment report for Nyatubindi? 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 A. I didn't get your question properly. Q. Nobody on Rwanda's side came forward with experts of their own, worked with NRD to continue to explore the siting of the road for additional remediation efforts by NRD; correct? A. This letter was addressed to the mayor, not to myself. So I don't know what happened after this letter was addressed to the mayor of the district. Q. That's what I was asking. You're not aware of anybody actually working with NRD, in response to its letter, to do what it asks, right? A. It's not as simple as you're suggesting. This letter was addressed to the mayor of the district, and you're asking me to confirm something for which I don't have any information. I don't want to speculate. I was not there and I was not the recipient of the letter. Q. If I could ask to go to paragraph 58 of Mr Imena's witness statement. In paragraph 58 of your first witness statement, sir, you talk about Rutongo's application. Do you see that testimony? A. Yes, I see that.

12:45	1	A. Sorry, can I be given a minute and go through the	12:49 1	application from Tinco for the Rutongo concession, you
	2	paragraph, so that I can be able to answer to your	2	understood section 10 was trying to speak to how Tinco
	3	questions? (Pause) Yes, I have finished.	3	and its joint venture partner believed they met the
	4	Q. This reference to "Rutongo's application", Rutongo is	4	environmental impact assessment obligation in the
	5	actually excuse me, the applicant for the Rutongo	5	original exploratory licence contract; correct?
	6	concession is actually Tinco and its joint venture	6	A. I didn't understand your question.
	7	partner; correct?	7	Q. Okay.
	8	A. You are right.	8	A. Sorry.
	9	Q. And the joint venture partner is Rwanda; correct?	9	Q. You understood that they're addressing what they
	10	A. Yes, Rutongo is a joint venture company where the	10	believed was the contractual obligation to inform Rwanda
	11	Government of Rwanda has shares.	11	what environmental impact assessment had been done in
	12	Q. And at this time of its application when I say "this	12	the initial exploratory years of their contract;
	13	time", at the time of the application for extended	13	correct?
	14	licences past the exploration stage Rwanda was the	14	A. Sorry, I'm not I'm not understanding the question.
	15	overwhelming majority owner of the joint venture for	15	I'm very, very sorry.
	16	Rutongo; correct?	16	Q. I will
	17	A. I think so.	17	A. Maybe it's because I'm reading while at the same time
	18	Q. Now, you'll agree that you include this information in	18	you are asking me a question.
	19	paragraph 58 because what you're trying to convey to the	19	Q. You understood when criticising NRD's information in its
	20	Tribunal is: unlike NRD, whose application you heavily	20	application regarding environmental impact assessment
	21	criticise, you point to the Tinco and Rwanda application	21	that you were criticising their ability to meet
	22	for Rutongo's concession as the better application, and	22	an obligation of the contract; correct?
	23	that met your expectations; correct?	23	A. My report was giving facts, and the fact is that NRD
	24	A. This is an example among many. But you are right:	24	didn't submit an environment impact assessment for all
	25	Rutongo application was much better than NRD's	25	the five concessions.
		Page 25		Page 27
				-
12.47	1	application	12.50 1	
12:47	1 2	application. Ω And that's what you're trying to convey by including	12:50 1	Q. Sir
12:47	2	Q. And that's what you're trying to convey by including	2	Q. Sir A. This is what I said.
12:47	2 3	Q. And that's what you're trying to convey by including this information; correct?	2 3	Q. SirA. This is what I said.Q the reason you addressed that and raised that
12:47	2 3 4	Q. And that's what you're trying to convey by including this information; correct?A. This is what I agree with.	2 3 4	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to
12:47	2 3 4 5	Q. And that's what you're trying to convey by including this information; correct?A. This is what I agree with.Q. Okay. Could I ask that R-042 be brought up.	2 3 4 5	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct?
12:47	2 3 4 5 6	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the 	2 3 4 5 6	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak
12:47	2 3 4 5 6 7	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? 	2 3 4 5 6 7	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are
12:47	2 3 4 5 6 7 8	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. 	2 3 4 5 6 7 8	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm.
12:47	2 3 4 5 6 7 8 9	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that 	2 3 4 5 6 7 8 9	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and
12:47	2 3 4 5 6 7 8 9 10	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. 	2 3 4 5 6 7 8 9 10	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward.
12:47	2 3 4 5 6 7 8 9 10 11	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's 	2 3 4 5 6 7 8 9 10 11	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of
12:47	2 3 4 5 6 7 8 9 10 11 12	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the 	2 3 4 5 6 7 8 9 10 11 12	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it
12:47	2 3 4 5 6 7 8 9 10 11	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its 	2 3 4 5 6 7 8 9 10 11	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right?
12:47	2 3 4 5 6 7 8 9 10 11 12 13	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its contractual obligations; correct? 	2 3 4 5 6 7 8 9 10 11 12 13	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right? A. If you can allow me, you read at the last paragraph:
12:47	2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its contractual obligations; correct? A. Can you repeat your question, please? 	2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right? A. If you can allow me, you read at the last paragraph: they say that they conducted an environment audit. And
12:47	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its contractual obligations; correct? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right? A. If you can allow me, you read at the last paragraph:
12:47	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its contractual obligations; correct? A. Can you repeat your question, please? Q. This is the section, section 10 that we're looking at, 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right? A. If you can allow me, you read at the last paragraph: they say that they conducted an environment audit. And in our process you either provide an environmental
12:47	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its contractual obligations; correct? A. Can you repeat your question, please? Q. This is the section, section 10 that we're looking at, where Tinco addresses how it says it and Rwanda met the 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right? A. If you can allow me, you read at the last paragraph: they say that they conducted an environment audit. And in our process you either provide an environmental impact assessment or an environment audit. And here
12:47	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its contractual obligations; correct? A. Can you repeat your question, please? Q. This is the section, section 10 that we're looking at, where Tinco addresses how it says it and Rwanda met the environmental impact assessment obligation in the 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right? A. If you can allow me, you read at the last paragraph: they say that they conducted an environment audit. And in our process you either provide an environmental impact assessment or an environment audit. And here what I'm reading is that the company passed the audit,
12:47	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its contractual obligations; correct? A. Can you repeat your question, please? Q. This is the section, section 10 that we're looking at, where Tinco addresses how it says it and Rwanda met the environmental impact assessment obligation in the contract? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right? A. If you can allow me, you read at the last paragraph: they say that they conducted an environment audit. And in our process you either provide an environmental impact assessment or an environment audit. And here what I'm reading is that the company passed the audit, and the audit is much difficult to pass than just the
12:47	$ \begin{array}{r} 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 10 \\ 11 \\ 12 \\ 13 \\ 14 \\ 15 \\ 16 \\ 17 \\ 18 \\ 19 \\ 20 \\ \end{array} $	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its contractual obligations; correct? A. Can you repeat your question, please? Q. This is the section, section 10 that we're looking at, where Tinco addresses how it says it and Rwanda met the environmental impact assessment obligation in the contract? A. Here what I read is that they contracted a company, that 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right? A. If you can allow me, you read at the last paragraph: they say that they conducted an environment audit. And in our process you either provide an environmental impact assessment or an environment audit. And here what I'm reading is that the company passed the audit, and the audit is much difficult to pass than just the environmental impact assessment. So this confirms what
12:47	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its contractual obligations; correct? A. Can you repeat your question, please? Q. This is the section, section 10 that we're looking at, where Tinco addresses how it says it and Rwanda met the environmental impact assessment obligation in the contract? A. Here what I read is that they contracted a company, that company was given an environment impact assessment 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right? A. If you can allow me, you read at the last paragraph: they say that they conducted an environment audit. And in our process you either provide an environmental impact assessment or an environment audit. And here what I'm reading is that the company passed the audit, and the audit is much difficult to pass than just the environmental impact assessment: that Rutongo did much better
12:47	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its contractual obligations; correct? A. Can you repeat your question, please? Q. This is the section, section 10 that we're looking at, where Tinco addresses how it says it and Rwanda met the environmental impact assessment obligation in the contract? A. Here what I read is that they contracted a company, that company was given an environment Board, and that 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right? A. If you can allow me, you read at the last paragraph: they say that they conducted an environment audit. And in our process you either provide an environmental impact assessment or an environment audit. And here what I'm reading is that the company passed the audit, and the audit is much difficult to pass than just the environmental impact assessment. So this confirms what I said in my statement: that Rutongo did much better than NRD.
12:47	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 Q. And that's what you're trying to convey by including this information; correct? A. This is what I agree with. Q. Okay. Could I ask that R-042 be brought up. R-042 is the Tinco application submitted for the Rutongo concession; correct? A. Yes. Q. If I can ask that we go to page [67] of that application. Section 10 of the Tinco application for Rutongo's concession in section 10, Tinco discusses the environmental impact assessment element of its contractual obligations; correct? A. Can you repeat your question, please? Q. This is the section, section 10 that we're looking at, where Tinco addresses how it says it and Rwanda met the environmental impact assessment obligation in the contract? A. Here what I read is that they contracted a company, that company was given an environment impact assessment project brief by the Rwanda Development Board, and that they had started to complete an environment impact 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 Q. Sir A. This is what I said. Q the reason you addressed that and raised that criticism is because you thought you were speaking to an element of the NRD original contract; correct? A. Sorry, I'm I didn't get again. If you can speak slowly, maybe I will understand better what you are asking me to confirm or not confirm. Q. Okay. Let's move forward. I do have a time issue and so I need to move forward. To get back to Tinco, in reviewing section 10 of Tinco's application for Rutongo, you found it acceptable, right? A. If you can allow me, you read at the last paragraph: they say that they conducted an environment audit. And in our process you either provide an environmental impact assessment or an environment audit. And here what I'm reading is that the company passed the audit, and the audit is much difficult to pass than just the environmental impact assessment. So this confirms what I said in my statement: that Rutongo did much better than NRD. Q. Focusing on the aspect of Tinco's application where they

12:52 1	time of the application; correct?	12:55 1	Q. And in all that time, you did not receive
12.52 1	A. You are correct.	12.55 1	an environmental impact assessment report that you could
2	Q. And you didn't find that to be a concern; correct?	2	attach to your witness statement for Tinco's
	A. Actually in Rwanda you are not allowed to conduct the	4	application; correct?
4	environment impact assessment yourself; you are supposed		
5		5	 A. I didn't attach the environment impact assessment to Rutongo to my witness statement, yes, you are right.
6	to hire someone accredited by the Rwanda Environment	6	
7	Management Authority and by the Rwanda Development	7	Q. Well, you did attach one: you attached R-043. Can we
8	Board. So it's a duty to hire someone, as NRD hired	8	bring that up.
9	Dr Fabien. So this is normal process.	9	This is the environmental impact assessment report
10	Q. So you didn't find it a concern that only at the end of	10	you attached to your witness statement; correct?
11	the initial licence term they first hired such	11	A. Yes.
12	an independent environmental assessor to write a report,	12	Q. This is the environmental impact assessment that Tinco
13	an environmental impact assessment, and that they	13	obtained and provided at the beginning of its
14	anticipated that report would be done in 12-18 months	14	exploratory licence period, not at the end, the
15	after the application? You did not find that to be	15	12-18 months later that they said they would get, but
16	a concern; correct?	16	the one you already had from the beginning, right?
17	A. Actually I said that Rutongo had already passed	17	A. I don't know what you want you would like me to
18	an audit, and an audit is much more difficult than just	18	confirm. But here you are showing me an environmental
19	conducting an environment impact assessment. And NRD	19	impact assessment of 2008. You showed me a plan in
20	failed the easiest thing to do, which was to present	20	2011: the plan confirms that an environment audit was
21	an environment impact assessment, and that is what	21	completed. And I say that completing an audit
22	I'm saying in my statement.	22	Q. Can you answer my question. This environmental impact
23	Q. Sir, I'm asking you to focus on the Tinco application.	23	assessment report that you attached to your witness
24	You were not concerned that they never hired anyone to	24	statement was a report that Rwanda had from Tinco before
25	do an environmental impact assessment prior to the end	25	the expiration of its exploratory licence; correct?
	P 40		P 44
	Page 29		Page 31
	1 450 27		Page 31
	1 450 27		
12.54 1		10.57 1	
12:54 1	of the licence and told you that it wouldn't be ready	12:57 1	A. This is correct. This is a very good sign that
2	of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't	2	A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in
2 3	of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that?	2 3	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008.
2 3 4	of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be.	2 3 4	A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008.Q. At the beginning of its exploratory licence; correct?
2 3 4 5	of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct?	2 3 4 5	A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008.Q. At the beginning of its exploratory licence; correct?A. This confirms their seriousness.
2 3 4 5 6	of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question.	2 3 4 5 6	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact
2 3 4 5 6 7	of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco	2 3 4 5 6 7	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner,
2 3 4 5 6 7 8	of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't	2 3 4 5 6 7 8	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as
2 3 4 5 6 7 8 9	of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern.	2 3 4 5 6 7 8 9	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your
2 3 4 5 6 7 8 9 10	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different 	2 3 4 5 6 7 8 9 10	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement?
2 3 4 5 6 7 8 9 10	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. 	2 3 4 5 6 7 8 9 10	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't
2 3 4 5 6 7 8 9 10 11 12	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; 	2 3 4 5 6 7 8 9 10 11 12	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and
2 3 4 5 6 7 8 9 10 11 12 13	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? 	2 3 4 5 6 7 8 9 10 11 12 13	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking)
2 3 4 5 6 7 8 9 10 11 12 13 14	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are 	2 3 4 5 6 7 8 9 10 11 12 13 14	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are right. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you would have attached it to your witness statement,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are right. Q. And they never came back at least according to your 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you would have attached it to your witness statement, instead of an old, dated one that didn't meet the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are right. Q. And they never came back at least according to your witness statement and what you provide as exhibits, they 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you would have attached it to your witness statement, instead of an old, dated one that didn't meet the contract requirement that we're looking at?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are right. Q. And they never came back at least according to your witness statement and what you provide as exhibits, they never came back and provided that environmental impact 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you would have attached it to your witness statement, instead of an old, dated one that didn't meet the contract requirement that we're looking at? A. I think speculating on this on my side would not be
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are right. Q. And they never came back at least according to your witness statement and what you provide as exhibits, they never came back and provided that environmental impact assessment before getting that licence; correct? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you would have attached it to your witness statement, instead of an old, dated one that didn't meet the contract requirement that we're looking at? A. I think speculating on this on my side would not be appropriate. So I'm not wanting to speculate on data
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are right. Q. And they never came back at least according to your witness statement and what you provide as exhibits, they never came back and provided that environmental impact assessment before getting that licence; correct? A. Sorry, this paragraph you are showing me, it's 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you would have attached it to your witness statement, instead of an old, dated one that didn't meet the contract requirement that we're looking at? A. I think speculating on this on my side would not be appropriate. So I'm not wanting to speculate on data that I don't remember.
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are right. Q. And they never came back at least according to your witness statement and what you provide as exhibits, they never came back and provided that environmental impact assessment before getting that licence; correct? A. Sorry, this paragraph you are showing me, it's mentioning that in 2011 they were planning to have 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you would have attached it to your witness statement, instead of an old, dated one that didn't meet the contract requirement that we're looking at? A. I think speculating on this on my side would not be appropriate. So I'm not wanting to speculate on data that I don't remember. Q. The lack of any defined standards as to what applicants
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are right. Q. And they never came back at least according to your witness statement and what you provide as exhibits, they never came back and provided that environmental impact assessment before getting that licence; correct? A. Sorry, this paragraph you are showing me, it's mentioning that in 2011 they were planning to have an impact assessment report ready in 18 months, meaning 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you would have attached it to your witness statement, instead of an old, dated one that didn't meet the contract requirement that we're looking at? A. I think speculating on this on my side would not be appropriate. So I'm not wanting to speculate on data that I don't remember. Q. The lack of any defined standards as to what applicants were supposed to provide in order to meet the different
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are right. Q. And they never came back at least according to your witness statement and what you provide as exhibits, they never came back and provided that environmental impact assessment before getting that licence; correct? A. Sorry, this paragraph you are showing me, it's mentioning that in 2011 they were planning to have an impact assessment report ready in 18 months, meaning mid-2012. And they got their licences their licence 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you would have attached it to your witness statement, instead of an old, dated one that didn't meet the contract requirement that we're looking at? A. I think speculating on this on my side would not be appropriate. So I'm not wanting to speculate on data that I don't remember. Q. The lack of any defined standards as to what applicants were supposed to provide in order to meet the different elements of their exploratory licences permitted Rwanda
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. Tll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are right. Q. And they never came back at least according to your witness statement and what you provide as exhibits, they never came back and provided that environmental impact assessment before getting that licence; correct? A. Sorry, this paragraph you are showing me, it's mentioning that in 2011 they were planning to have an impact assessment report ready in 18 months, meaning mid-2012. And they got their licences their licence in 2015: it means four years after the report you are 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you would have attached it to your witness statement, instead of an old, dated one that didn't meet the contract requirement that we're looking at? A. I think speculating on this on my side would not be appropriate. So I'm not wanting to speculate on data that I don't remember. Q. The lack of any defined standards as to what applicants were supposed to provide in order to meet the different elements of their exploratory licences permitted Rwanda to apply complete subjective analysis, such that it
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 of the licence and told you that it wouldn't be ready for 12-18 months; correct? Can you agree you weren't concerned with that? A. I don't understand where the concern should be. Q. And so you agree you'd had none; correct? A. Sorry, I didn't get your question. Q. Tinco A. Because you're asking me if I had a concern. I didn't have a concern. Q. I'll ask the question again. I'll ask a different question, try to address it a different way. Tinco received a long-term concession for Rutongo; correct? A. Tinco received a large-scale mine in 2015, you are right. Q. And they never came back at least according to your witness statement and what you provide as exhibits, they never came back and provided that environmental impact assessment before getting that licence; correct? A. Sorry, this paragraph you are showing me, it's mentioning that in 2011 they were planning to have an impact assessment report ready in 18 months, meaning mid-2012. And they got their licences their licence 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 A. This is correct. This is a very good sign that Rutongo immediately completed an impact assessment in 2008. Q. At the beginning of its exploratory licence; correct? A. This confirms their seriousness. Q. And you'll agree: if you had an environmental impact assessment from Tinco and its joint venture partner, Rwanda, at the end of the exploratory licence, as promised, you would have attached that too to your witness statement? A. So there have been ten years since 2011. I don't remember with details what was submitted in 2011 and 2012. (Overspeaking) Q. And you can't agree with me that if you had it, you would have attached it to your witness statement, instead of an old, dated one that didn't meet the contract requirement that we're looking at? A. I think speculating on this on my side would not be appropriate. So I'm not wanting to speculate on data that I don't remember. Q. The lack of any defined standards as to what applicants were supposed to provide in order to meet the different elements of their exploratory licences permitted Rwanda to apply complete subjective analysis, such that it

		1	
12:59 1	impact assessment as insufficient, and yet accept the	13:02 1	continues onto the next page, all the way through
2	statement "We'll give you a report later" as sufficient	2	section 14. Do you see that?
3	for a different applicant, right?	3	A. I see that.
4	A. I totally disagree with your suggestion.	4	Q. If I could ask that we turn to pages 11 and 12.
5	Q. You will agree	5	Beginning on page 11, the tender informs all
6	A. Our 2008 law was very clear, the 2008 law was very clear	6	applicants generally how their submissions are to be
7	about what was supposed to be submitted; the 2006	7	evaluated, point by point. Every aspect that they're
8	contract was clear; the 2014 law was very clear. So	8	supposed to talk about in those submission 1 through 14
9	I totally disagree with your suggestion.	9	guidelines, it says what Rwanda believes needed to be
10	Q. The 2008 law, sir excuse me. The 2006 time period	10	done to meet that element; correct?
11	and the contract being formed, you'll agree that if	11	A. You are correct.
12	there are any statements of general guidelines,	12	Q. And that continues for two more pages, through 13 and
13	applicable to every applicant for a concession, they	13	14; correct?
14	would be provided in your witness statement as the	14	A. You are correct.
15	standard that everyone had to meet and that you were	15	Q. Now, you will agree with me, won't you, that the reason
16	applying; correct?	16	in 2016 public statement of not only the elements
17	A. Not correct.	17	required to be provided to Rwanda in order to be
18	If I can give a short and quick example, if you ask	18	a successful applicant for these concessions, and
10	me to respond to an email, you don't start telling me	19	a statement of exactly what Rwanda believed was required
20	that you start by switching on your computer. So these	20	and what was meant using your hypothetical, how it
20	are basic things anyone knows: that before responding to	20	believed one would successfully turn on the computer
21	an email, you need to have an operational computer.	21	before typing the email the reason it did that in the
22			
	So if a government tells you and you agree to	23	tender is because it didn't exist anywhere else, any
24	conduct estimation of reserves, you know that you will	24	time before, for the applicants to look at; correct?
25	switch on your computer. Just to link that example to	25	A. Not correct.
	Page 33		Page 35
	-		
13:00 1	what I'm trying to say.	13:04 1	Q. Prior to the tender in 2016, can you point to any
13:00 1 2	what I'm trying to say. Q. So to be clear, you're agreeing with me that there were	13:04 1 2	Q. Prior to the tender in 2016, can you point to any publicly available documentation explaining how the
2	Q. So to be clear, you're agreeing with me that there were	2	publicly available documentation explaining how the
2 3	Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to	2 3	publicly available documentation explaining how the various criteria for applicants for mining concessions
2 3 4	Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and	2 3 4	publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had
2 3 4 5	Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they	2 3 4 5	publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply?
2 3 4 5 6	Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first	2 3 4 5 6	publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply?A. If I can explain, here you are showing me a document
2 3 4 5 6 7	Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in	2 3 4 5 6 7	publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply?A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look
2 3 4 5 6 7 8	Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right?	2 3 4 5 6 7 8	publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply?A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing
2 3 4 5 6 7 8 9	Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right?A. I don't agree. In 2008 Rwanda had a law, which is	2 3 4 5 6 7 8 9	publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply?A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting
2 3 4 5 6 7 8 9 10	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written 	2 3 4 5 6 7 8 9 10	publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply?A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between
2 3 4 5 6 7 8 9 10 11 12	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. 	2 3 4 5 6 7 8 9 10 11	publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply?A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these
2 3 4 5 6 7 8 9 10 11 12 13	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. 	2 3 4 5 6 7 8 9 10 11 12	publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply?A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things.
2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of 	2 3 4 5 6 7 8 9 10 11 12 13 14	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of the NRD concessions that occurred in 2006; correct? 	2 3 4 5 6 7 8 9 10 11 12 13	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask you to pause. You're making an argument with me right
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ \end{array} $	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of the NRD concessions that occurred in 2006; correct? A. You are right. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask you to pause. You're making an argument with me right now about why you think this is different, and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of the NRD concessions that occurred in 2006; correct? A. You are right. Q. If I could ask that FTI turn to pages 7 and 8. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask you to pause. You're making an argument with me right now about why you think this is different, and I'm simply trying to focus you on a fact.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of the NRD concessions that occurred in 2006; correct? A. You are right. Q. If I could ask that FTI turn to pages 7 and 8. Focusing at the beginning of section 2.11, it 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask you to pause. You're making an argument with me right now about why you think this is different, and I'm simply trying to focus you on a fact. The reason that this is in the tender, spelled out
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of the NRD concessions that occurred in 2006; correct? A. You are right. Q. If I could ask that FTI turn to pages 7 and 8. Focusing at the beginning of section 2.11, it states: 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask you to pause. You're making an argument with me right now about why you think this is different, and I'm simply trying to focus you on a fact. The reason that this is in the tender, spelled out in the document, is because Rwanda couldn't refer to
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array} $	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of the NRD concessions that occurred in 2006; correct? A. You are right. Q. If I could ask that FTI turn to pages 7 and 8. Focusing at the beginning of section 2.11, it states: "The submission" 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\end{array} $	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask you to pause. You're making an argument with me right now about why you think this is different, and I'm simply trying to focus you on a fact. The reason that this is in the tender, spelled out in the document, is because Rwanda couldn't refer to an already-existing public statement of these elements
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of the NRD concessions that occurred in 2006; correct? A. You are right. Q. If I could ask that FTI turn to pages 7 and 8. Focusing at the beginning of section 2.11, it states: "The submission" For the applicants who want to participate in the 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask you to pause. You're making an argument with me right now about why you think this is different, and I'm simply trying to focus you on a fact. The reason that this is in the tender, spelled out in the document, is because Rwanda couldn't refer to an already-existing public statement of these elements for how it would evaluate the required aspects of the
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of the NRD concessions that occurred in 2006; correct? A. You are right. Q. If I could ask that FTI turn to pages 7 and 8. Focusing at the beginning of section 2.11, it states: "The submission" For the applicants who want to participate in the tender, their submission: 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask you to pause. You're making an argument with me right now about why you think this is different, and I'm simply trying to focus you on a fact. The reason that this is in the tender, spelled out in the document, is because Rwanda couldn't refer to an already-existing public statement of these elements for how it would evaluate the required aspects of the submission; it didn't already exist to just refer to,
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of the NRD concessions that occurred in 2006; correct? A. You are right. Q. If I could ask that FTI turn to pages 7 and 8. Focusing at the beginning of section 2.11, it states: "The submission" For the applicants who want to participate in the tender, their submission: " shall include the following documents:" 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask you to pause. You're making an argument with me right now about why you think this is different, and I'm simply trying to focus you on a fact. The reason that this is in the tender, spelled out in the document, is because Rwanda couldn't refer to an already-existing public statement of these elements for how it would evaluate the required aspects of the submission; it didn't already exist to just refer to, correct?
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of the NRD concessions that occurred in 2006; correct? A. You are right. Q. If I could ask that FTI turn to pages 7 and 8. Focusing at the beginning of section 2.11, it states: "The submission" For the applicants who want to participate in the tender, their submission: " shall include the following documents:" And then it lists in detail all the documents that 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask you to pause. You're making an argument with me right now about why you think this is different, and I'm simply trying to focus you on a fact. The reason that this is in the tender, spelled out in the document, is because Rwanda couldn't refer to an already-existing public statement of these elements for how it would evaluate the required aspects of the submission; it didn't already exist to just refer to, correct? A. Sir, you know that in every business there is evolution
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 Q. So to be clear, you're agreeing with me that there were no written guidelines for all applicants in Rwanda to look at to see that they applied to everybody and exactly what they were, and your argument is they weren't necessary. But I want to focus on the first part. You do agree with me that they didn't exist in writing, right? A. I don't agree. In 2008 Rwanda had a law, which is written, available to anyone, and that was the guideline at that time. In 2014 we had the law which is written and available to anyone: that is a guideline. Q. Can I ask that C-140 be brought up. C-140 is the documentation concerning the tender of the NRD concessions that occurred in 2006; correct? A. You are right. Q. If I could ask that FTI turn to pages 7 and 8. Focusing at the beginning of section 2.11, it states: "The submission" For the applicants who want to participate in the tender, their submission: " shall include the following documents:" 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 publicly available documentation explaining how the various criteria for applicants for mining concessions would be evaluated as to all the elements that they had to supply? A. If I can explain, here you are showing me a document prepared by the government whereby we are trying to look for potential good candidates and then we are showing them the criterias that will be applied in selecting them. And in 2006 the candidate had already been selected. The 2006 contract is the agreement between the government and the selected candidates. So these are two different things. Q. I understand your answer. If I could just briefly ask you to pause. You're making an argument with me right now about why you think this is different, and I'm simply trying to focus you on a fact. The reason that this is in the tender, spelled out in the document, is because Rwanda couldn't refer to an already-existing public statement of these elements for how it would evaluate the required aspects of the submission; it didn't already exist to just refer to, correct?

13:06 1	ten years' gap. So we have been progressing, and we	13:09 1 THE PRESIDENT: Thank you.
13.00 1	have been requiring more complicated criteria to admit	2 MR COWLEY: May I ask that we turn to page 16, section 2.38.
2	people into the sector. But NRD was very, very lucky to	3 In the tender Rwanda made it clear that the
4	be given a contract without even fulfilling these	 submissions and the information that would be provided
	conditions.	 submissions and the mormation that would be provided would look out, in terms of plans and budgets, for
5		
6	Q. Please answer the question please stick with the	5 1 5 7
7	questions. To get through your day, it's going to be	
8	very tough, and I	8 Q. And that's regardless of how long the licence that would
9	MR HILL: I would ask Mr Cowley to stop the implied	9 be issued actually would cover; correct?
10	criticism. I think these all have been answers to the	10 A. Can I get your question again?
11	questions.	11 Q. Regardless of how long the licence period would be for
12	MR COWLEY: I strongly disagree, and I just would like the	12 a successful applicant, its submission was only to
13	witness to focus on what I'm asking.	13 provide plans and budgets for the first five years of
14	If there were any other strike the question	14 the licence?
15	I started.	15 A. Yes, you need to provide a plan and budget for the first
16	At the time of the 2016 tender there was no prior	16 five years.
17	publicly available statement of how all the submission	17 Q. Even if the licence that would be issued would be
18	elements would be evaluated that could have been	18 longer; correct?
19	referred to; correct? Can you agree with me on that?	19 A. You are right.
20	A. I disagree. In 2006 there was no tender.	20 Q. And in fact the successful applicant in 2016,
21	Q. I didn't say anything about 2006. I didn't ask you	21 Fair Construction, was given a 15-year term for the
22	about a tender in 2006. Please address the question.	22 concessions; correct?
23	A. Can you repeat then the question?	23 A. Correct.
24	Q. In 2016 the reason the four pages of description of how	24 MR COWLEY: Mr President, I believe we're scheduled for
25	the elements of a tender would be evaluated were set	a break in four minutes. I'm about to change topics
	Page 37	Page 39
	1 450 57	1 420 07
13:07 1	forth in the document is because they didn't exist	13:11 1 altogether, so I think
13:07 1 2	forth in the document is because they didn't exist anywhere else to be referred to?	13:11 1 altogether, so I think2 THE PRESIDENT: Yes, these schedules that are prepared,
2	anywhere else to be referred to?	2 THE PRESIDENT: Yes, these schedules that are prepared,
2 3	anywhere else to be referred to? A. I don't understand what you are trying me to confirm.	2 THE PRESIDENT: Yes, these schedules that are prepared,3 I think I've already indicated, are not very
2 3 4	anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for
2 3 4 5	anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have
2 3 4 5 6	anywhere else to be referred to?A. I don't understand what you are trying me to confirm.I said that there was a 2008 law and a 2014 law, sothose were the reference documents. When NRD applied in2006 and got their licence, we had the 1971 law. So the	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only
2 3 4 5 6 7	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are
2 3 4 5 6 7 8	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in	 THE PRESIDENT: Yes, these schedules that are prepared, I think I've already indicated, are not very satisfactory. I think we would like to go on for another half an hour before we break, just to have a more balanced break, because the schedule only provides for a quarter of an hour break, but we are taking our lunch break at the first break.
2 3 4 5 6 7 8 9	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another
2 3 4 5 6 7 8 9 10	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. 	 THE PRESIDENT: Yes, these schedules that are prepared, I think I've already indicated, are not very satisfactory. I think we would like to go on for another half an hour before we break, just to have a more balanced break, because the schedule only provides for a quarter of an hour break, but we are taking our lunch break at the first break. So if that's acceptable, can we go on for another half an hour?
2 3 4 5 6 7 8 9 10	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it.
2 3 4 5 6 7 8 9 10 11 12	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my
2 3 4 5 6 7 8 9 10 11 12 13	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my 13 system a document that I have trouble bringing up.
2 3 4 5 6 7 8 9 10 11 12 13 14	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would be used to evaluate whether the applications met the 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my 13 system a document that I have trouble bringing up. 14 (Pause) If I could ask that we bring up C-062.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would be used to evaluate whether the applications met the standards required to be submitted; can't you agree with 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my 13 system a document that I have trouble bringing up. 14 (Pause) If I could ask that we bring up C-062. 15 Mr Imena, C-062 is an August 2nd 2011 letter from
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would be used to evaluate whether the applications met the standards required to be submitted; can't you agree with at least that? 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my 13 system a document that I have trouble bringing up. 14 (Pause) If I could ask that we bring up C-062. 15 Mr Imena, C-062 is an August 2nd 2011 letter from 16 Mr Kamanzi, your predecessor
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would be used to evaluate whether the applications met the standards required to be submitted; can't you agree with at least that? A. I agree with the fact that in Rwanda we abide by the 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my 13 system a document that I have trouble bringing up. 14 (Pause) If I could ask that we bring up C-062. 15 Mr Imena, C-062 is an August 2nd 2011 letter from 16 Mr Kamanzi, your predecessor 17 A. Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would be used to evaluate whether the applications met the standards required to be submitted; can't you agree with at least that? A. I agree with the fact that in Rwanda we abide by the laws and we use the law to evaluate the applications. 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my 13 system a document that I have trouble bringing up. 14 (Pause) If I could ask that we bring up C-062. 15 Mr Imena, C-062 is an August 2nd 2011 letter from 16 Mr Kamanzi, your predecessor 17 A. Yes. 18 Q at the ministry. And this is the first response to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would be used to evaluate whether the applications met the standards required to be submitted; can't you agree with at least that? A. I agree with the fact that in Rwanda we abide by the laws and we use the law to evaluate the applications. THE PRESIDENT: Mr Cowley, my recollection is that the 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my 13 system a document that I have trouble bringing up. 14 (Pause) If I could ask that we bring up C-062. 15 Mr Imena, C-062 is an August 2nd 2011 letter from 16 Mr Kamanzi, your predecessor 17 A. Yes. 18 Q at the ministry. And this is the first response to 19 NRD after its November 2010 application; correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would be used to evaluate whether the applications met the standards required to be submitted; can't you agree with at least that? A. I agree with the fact that in Rwanda we abide by the laws and we use the law to evaluate the applications. THE PRESIDENT: Mr Cowley, my recollection is that the witness did agree with what you were putting to him, and 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my 13 system a document that I have trouble bringing up. 14 (Pause) If I could ask that we bring up C-062. 15 Mr Imena, C-062 is an August 2nd 2011 letter from 16 Mr Kamanzi, your predecessor 17 A. Yes. 18 Q at the ministry. And this is the first response to 19 NRD after its November 2010 application; correct? 20 A. Yes, I think so.
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would be used to evaluate whether the applications met the standards required to be submitted; can't you agree with at least that? A. I agree with the fact that in Rwanda we abide by the laws and we use the law to evaluate the applications. THE PRESIDENT: Mr Cowley, my recollection is that the witness did agree with what you were putting to him, and explained that in Rwanda over the ten years they have 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my 13 system a document that I have trouble bringing up. 14 (Pause) If I could ask that we bring up C-062. 15 Mr Imena, C-062 is an August 2nd 2011 letter from 16 Mr Kamanzi, your predecessor 17 A. Yes. 18 Q at the ministry. And this is the first response to 19 NRD after its November 2010 application; correct? 20 A. Yes, I think so. 21 Q. And here it says the reaction is, "You didn't comply
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would be used to evaluate whether the applications met the standards required to be submitted; can't you agree with at least that? A. I agree with the fact that in Rwanda we abide by the laws and we use the law to evaluate the applications. THE PRESIDENT: Mr Cowley, my recollection is that the witness did agree with what you were putting to him, and explained that in Rwanda over the ten years they have been making progress in the assistance that they were 	 THE PRESIDENT: Yes, these schedules that are prepared, I think I've already indicated, are not very satisfactory. I think we would like to go on for another half an hour before we break, just to have a more balanced break, because the schedule only provides for a quarter of an hour break, but we are taking our lunch break at the first break. So if that's acceptable, can we go on for another half an hour? MR COWLEY: Certainly. I just wanted to raise it. Bear with me one moment. I'm trying to locate on my system a document that I have trouble bringing up. (Pause) If I could ask that we bring up C-062. Mr Imena, C-062 is an August 2nd 2011 letter from Mr Kamanzi, your predecessor A. Yes. Q at the ministry. And this is the first response to NRD after its November 2010 application; correct? A. Yes, I think so. Q. And here it says the reaction is, "You didn't comply with the contract; we have to talk about how the
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would be used to evaluate whether the applications met the standards required to be submitted; can't you agree with at least that? A. I agree with the fact that in Rwanda we abide by the laws and we use the law to evaluate the applications. THE PRESIDENT: Mr Cowley, my recollection is that the witness did agree with what you were putting to him, and explained that in Rwanda over the ten years they have been making progress in the assistance that they were providing to those seeking concessions. 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my 13 system a document that I have trouble bringing up. 14 (Pause) If I could ask that we bring up C-062. 15 Mr Imena, C-062 is an August 2nd 2011 letter from 16 Mr Kamanzi, your predecessor 17 A. Yes. 18 Q at the ministry. And this is the first response to 19 NRD after its November 2010 application; correct? 20 A. Yes, I think so. 21 Q. And here it says the reaction is, "You didn't comply 2 with the contract; we have to talk about how the 2 licences would be operated going forward"; correct?
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 anywhere else to be referred to? A. I don't understand what you are trying me to confirm. I said that there was a 2008 law and a 2014 law, so those were the reference documents. When NRD applied in 2006 and got their licence, we had the 1971 law. So the 1971 law was the reference in 2006; the 2008 law was the reference in 2010; and the 2014 law was the reference in 2016. So I don't know what more I can give. Q. Instead of just relying on the law as the reference, you do agree, at least, that Rwanda took the time and effort to set forth an explanation of the criteria that would be used to evaluate whether the applications met the standards required to be submitted; can't you agree with at least that? A. I agree with the fact that in Rwanda we abide by the laws and we use the law to evaluate the applications. THE PRESIDENT: Mr Cowley, my recollection is that the witness did agree with what you were putting to him, and explained that in Rwanda over the ten years they have been making progress in the assistance that they were providing to those seeking concessions. Is that right, Mr Imena? 	 2 THE PRESIDENT: Yes, these schedules that are prepared, 3 I think I've already indicated, are not very 4 satisfactory. I think we would like to go on for 5 another half an hour before we break, just to have 6 a more balanced break, because the schedule only 7 provides for a quarter of an hour break, but we are 8 taking our lunch break at the first break. 9 So if that's acceptable, can we go on for another 10 half an hour? 11 MR COWLEY: Certainly. I just wanted to raise it. 12 Bear with me one moment. I'm trying to locate on my 13 system a document that I have trouble bringing up. 14 (Pause) If I could ask that we bring up C-062. 15 Mr Imena, C-062 is an August 2nd 2011 letter from 16 Mr Kamanzi, your predecessor 17 A. Yes. 18 Q at the ministry. And this is the first response to 19 NRD after its November 2010 application; correct? 20 A. Yes, I think so. 21 Q. And here it says the reaction is, "You didn't comply 21 with the contract; we have to talk about how the 23 licences would be operated going forward"; correct? 24 A. Yes, I see that he's telling NRD that the contract was

13:14 1	of reserves and mining feasibility studies. Yes.	13:18 1	A. Sorry, what I see from the August 2011 letter is that
2	Q. Now if I could ask that C-034 be brought up.	2	the work from NRD was not satisfactory, but the ministry
3	C-034 is a letter from Mr Kamanzi again to NRD,	3	is extending six months in order as reads the last
4	further extending the licence period so that in his	4	line in order:
5	words, because:	5	" to allow us time to determine the future of
6	"It has not been possible to conclude the contract	6	these concessions."
7	in the above time of extension. I understand the	7	And the next letter says that, "Okay, we have
8	absolute necessity to conclude this agreement as soon as	8	an idea on the future of these concessions, and we would
9	possible for strong investor confidence."	9	like to give you time so that we conclude an agreement".
10	So he's extending the time period further; correct?	10	Q. Sir, in the second letter, in February, I believe it is,
10	A. You are correct.	10	if I can read it correctly yes, February 2012 the
11	Q. Now, there wasn't, in between those two letters,	11	minister isn't mentioning reconsidering what licences
13	a resubmission by NRD changing the licences it was	13	would be subject to discussion; correct?
14	applying for or otherwise abandoning the November 2010	14	A. No details yes, you're correct. No details are given
15	application in full; correct?	15	in the letter.
16	A. Yes, I think that's the situation, yes.	16	Q. Well, there is a detail that the ministry at that time
17	Q. Can you agree with me that if one were to read these two	17	recognised the "absolute necessity to conclude
18	letters side by side as messages to NRD as to what	18	[an] agreement as soon as possible", in order to promote
19	MINIRENA's reaction to the November 2010 application is,	19	"strong investor confidence". You see that detail;
20	one would have to conclude that the reactions are	20	correct?
21	entirely inconsistent?	21	A. I see that, correct.
22	A. I don't agree.	22	Q. So the message to NRD, reading that letter, is: we're no
23	Q. In the first letter there's no mention of needing to	23	longer being given pressure to give up the application
24	conclude quickly a contract meeting the parameters of	24	for the five licences we sought, rethink everything, and
25	the application; correct?	25	instead we're now being told: the ministry agrees we're
	Page 41		Page 43
13.16 1	A Can you repeat please?	13.20 1	
13:16 1	A. Can you repeat, please?	13:20 1	going to sit down, based on that application, and as
2	Q. Sure. Maybe we could put them side by side, because	2	going to sit down, based on that application, and as quickly as possible conclude those contracts. That's
2 3	Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term	2 3	going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right?
2 3 4	Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters.	2 3 4	going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right?A. There's nowhere the minister is saying that the five
2 3 4 5	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention 	2 3 4 5	going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right?A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying,
2 3 4 5 6	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work 	2 3 4	going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right?A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible".
2 3 4 5 6 7	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences 	2 3 4 5 6 7	going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right?A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not
2 3 4 5 6 7 8	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? 	2 3 4 5 6 7 8	going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right?A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter.
2 3 4 5 6 7 8 9	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April 	2 3 4 5 6 7 8 9	going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right?A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter.Q. Well, he also doesn't hint at the idea in February 2012
2 3 4 5 6 7 8 9 10	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? 	2 3 4 5 6 7 8 9 10	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question
2 3 4 5 6 7 8 9 10	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application 	2 3 4 5 6 7 8 9 10 11	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started.
2 3 4 5 6 7 8 9 10 11 12	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is 	2 3 4 5 6 7 8 9 10 11 12	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that
2 3 4 5 6 7 8 9 10 11 12 13	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, 	2 3 4 5 6 7 8 9 10 11 12 13	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved
2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the 	2 3 4 5 6 7 8 9 10 11 12 13 14	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the six months, the progress the process didn't yield any 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he? A. No.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the six months, the progress the process didn't yield any final decision. Then the minister is giving another 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he? A. No. Q. And you'll agree that before you can sit down and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the six months, the progress the process didn't yield any final decision. Then the minister is giving another six months. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he? A. No. Q. And you'll agree that before you can sit down and negotiate the terms of the contract for the licence, who
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the six months, the progress the process didn't yield any final decision. Then the minister is giving another six months. That is what I'm trying to interpret from these two 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he? A. No. Q. And you'll agree that before you can sit down and negotiate the terms of the contract for the licence, who was going to do what when, the various rights and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the six months, the progress the process didn't yield any final decision. Then the minister is giving another six months. That is what I'm trying to interpret from these two letters. 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\end{array} $	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he? A. No. Q. And you'll agree that before you can sit down and negotiate the terms of the contract for the licence, who was going to do what when, the various rights and obligations of the parties, the first thing that had to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the six months, the progress the process didn't yield any final decision. Then the minister is giving another six months. That is what I'm trying to interpret from these two letters. Q. The fair reading of the August letter is that the 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\end{array} $	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he? A. No. Q. And you'll agree that before you can sit down and negotiate the terms of the contract for the licence, who was going to do what when, the various rights and obligations of the parties, the first thing that had to be done in the process was agree on the parameters:
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the six months, the progress the process didn't yield any final decision. Then the minister is giving another six months. That is what I'm trying to interpret from these two letters. Q. The fair reading of the August letter is that the application for the five licences would need to be 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he? A. No. Q. And you'll agree that before you can sit down and negotiate the terms of the contract for the licence, who was going to do what when, the various rights and obligations of the parties, the first thing that had to be done in the process was agree on the parameters: what's the concession at issue, for how long you're
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the six months, the progress the process didn't yield any final decision. Then the minister is giving another six months. That is what I'm trying to interpret from these two letters. Q. The fair reading of the August letter is that the application for the five licences would need to be revised for any kind of contract because, in the terms 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he? A. No. Q. And you'll agree that before you can sit down and negotiate the terms of the contract for the licence, who was going to do what when, the various rights and obligations of the parties, the first thing that had to be done in the process was agree on the parameters: what's the concession at issue, for how long you're going to have it, what are you telling us you're going
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the six months, the progress the process didn't yield any final decision. Then the minister is giving another six months. That is what I'm trying to interpret from these two letters. Q. The fair reading of the August letter is that the application for the five licences would need to be revised for any kind of contract because, in the terms of the letter, the contract wasn't satisfied, so they 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he? A. No. Q. And you'll agree that before you can sit down and negotiate the terms of the contract for the licence, who was going to do what when, the various rights and obligations of the parties, the first thing that had to be done in the process was agree on the parameters: what's the concession at issue, for how long you're going to have it, what are you telling us you're going to do wit? We need to
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the six months, the progress the process didn't yield any final decision. Then the minister is giving another six months. That is what I'm trying to interpret from these two letters. Q. The fair reading of the August letter is that the application for the five licences would need to be revised for any kind of contract because, in the terms of the letter, the contract wasn't satisfied, so they needed to discuss the terms of what licences would be in 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he? A. No. Q. And you'll agree that before you can sit down and negotiate the terms of the contract for the licence, who was going to do what when, the various rights and obligations of the parties, the first thing that had to be done in the process was agree on the parameters: what's the concession at issue, for how long you're going to have it, what are you telling us you're going to mine for and how you're going to do it? We need to agree on that: then we know whether the terms we're
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 Q. Sure. Maybe we could put them side by side, because I don't want this to be a test of Mr Imena's short-term memory. C-062 and C-034, the two letters. So in the earlier one, in August, there's no mention here of acknowledging that MINIRENA is going to work quickly with NRD to conclude a contract for the licences that were sought in the 2010 application, right? A. In the 2011 letter, April Q. August? A. August, yes. NRD made an application. The application was received, but was deemed not satisfactory. NRD is given six months to complete what is not satisfactory, and the ministry to conclude an agreement. Then in the six months, the progress the process didn't yield any final decision. Then the minister is giving another six months. That is what I'm trying to interpret from these two letters. Q. The fair reading of the August letter is that the application for the five licences would need to be revised for any kind of contract because, in the terms of the letter, the contract wasn't satisfied, so they 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 going to sit down, based on that application, and as quickly as possible conclude those contracts. That's the message, right? A. There's nowhere the minister is saying that the five concessions will be given. The minister is saying, "I want to conclude an agreement as soon as possible". On which concessions, those are the details that are not included in the letter. Q. Well, he also doesn't hint at the idea in February 2012 that it's in doubt, and NRD strike the question I started. He does not even suggest in the February letter that that was a preliminary topic that had to be resolved before a contract could be discussed, does he? A. No. Q. And you'll agree that before you can sit down and negotiate the terms of the contract for the licence, who was going to do what when, the various rights and obligations of the parties, the first thing that had to be done in the process was agree on the parameters: what's the concession at issue, for how long you're going to have it, what are you telling us you're going to do wit? We need to

12.01 1	. 1 1.0	12.24 1	
13:21 1	to achieve, right?	13:24 1	concession that you're seeking at all, before you
2	A. No. I think if I am an investor, I first look at the	2	decide, "Let's negotiate the contract for it", right?
3	contract that I signed and see if I'm satisfactory in	3	A. I first read the contractual obligations. That's where
4	fulfilling all my obligations. But here the minister	4	I start.
5	has already told the investor that there are things that	5	Q. And you would do that in order to make a decision: are
6	are not okay. So to me, that is step number one to	6	you going to go forward with this applicant and discuss
7	anything that will follow.	7	the concession they're seeking at all? If you decide
8	Q. Sir, I didn't ask about investors. I'm not sure what	8	no, then there's no contract to negotiate, right?
9	that answered. So I apologise, but I'm going to have to	9	A. Yes, that's the essence I'm reading in these letters.
10	ask the question again and make sure we're talking about	10	Q. So if you're talking about scheduling a time to, as soon
11	the same thing.	11	as possible, sit down and negotiate the contract, that
12	If the two parties are going to sit down as soon as	12	means you had to already make that preliminary decision:
13	possible to negotiate the terms of a licence, before	13	are they going to pursue, and you're going to negotiate,
14	they can negotiate the specific terms of the rights and	14	licences for the concessions they applied for or
15	obligations in the licence, you needed to have	15	something different, right?
16	an understanding: what's the licence going to cover?	16	A. No. I think you know it better than me: negotiations
17	What concession? What minerals? How long? That had to	17	are a process. So it's not something written in the
18	be understood before you could negotiate the terms of	18	rock. So it's a process where the two parties discuss
19	the licence that provided for it, right?	19	and they end up concluding an agreement that is suitable
20	A. I think it's not necessary to interpret these letters	20	to both of them. So the ministry here is showing
21	beyond the message that they contain. The letters are	21	flexibility in saying, "Okay, we are allowing both of us
22	very clear. I think I don't I have not the	22	time so that we can conclude an agreement".
23	capacity to make any further interpretation to these	23	Q. That was sent on February 22nd 2012. If a meeting were
24	letters that are clear enough to me.	24	set up on March 1st 2012, what concessions or
25	MR HILL: Now, Mr Cowley knows very well there are letters	25	concession were the contracts going to address with
	Page 45		Page 47
			8
13:23 1	in between these two letters which he hasn't taken the	13:26 1	NRD?
13:23 1	in between these two letters which he hasn't taken the witness to, and I think he needs to be very careful with	13:26 1	NRD? A. If you may allow, let me not speculate on things that
13:23 1 2 3	witness to, and I think he needs to be very careful with	2	A. If you may allow, let me not speculate on things that
2	witness to, and I think he needs to be very careful with his questions here.		A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this
2 3	witness to, and I think he needs to be very careful with	2 3	A. If you may allow, let me not speculate on things that
2 3 4	witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely	2 3 4	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by
2 3 4 5	witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the	2 3 4 5	A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which
2 3 4 5 6	witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking.	2 3 4 5 6	A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on whichQ. And I'm asking you to place yourself in NRD's position.
2 3 4 5 6 7	witness to, and I think he needs to be very careful with his questions here.MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking.MR HILL: It's not, I'm afraid. I chose my words quite	2 3 4 5 6 7	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon
2 3 4 5 6 7 8	witness to, and I think he needs to be very careful with his questions here.MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking.MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of	2 3 4 5 6 7 8	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate
2 3 4 5 6 7 8 9	witness to, and I think he needs to be very careful with his questions here.MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking.MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression	2 3 4 5 6 7 8 9	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract.
2 3 4 5 6 7 8 9 10	witness to, and I think he needs to be very careful with his questions here.MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking.MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held	2 3 4 5 6 7 8 9 10	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the
2 3 4 5 6 7 8 9 10 11	witness to, and I think he needs to be very careful with his questions here.MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking.MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to	2 3 4 5 6 7 8 9 10	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going
2 3 4 5 6 7 8 9 10 11 12	witness to, and I think he needs to be very careful with his questions here.MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking.MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this.	2 3 4 5 6 7 8 9 10 11 12	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover?
2 3 4 5 6 7 8 9 10 11 12 13	 witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking. MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this. MR COWLEY: I strongly disagree that you've held back, and 	2 3 4 5 6 7 8 9 10 11 12 13	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover? A. Sorry, sir, that's what I said: that I think it's not
2 3 4 5 6 7 8 9 10 11 12 13 14	 witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking. MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this. MR COWLEY: I strongly disagree that you've held back, and I strongly disagree what you said was appropriate. The 	2 3 4 5 6 7 8 9 10 11 12 13 14	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover? A. Sorry, sir, that's what I said: that I think it's not appropriate to speculate. Let's just base on facts. So
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking. MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this. MR COWLEY: I strongly disagree that you've held back, and I strongly disagree what you said was appropriate. The witness knows I'm asking a general question about how to 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover? A. Sorry, sir, that's what I said: that I think it's not appropriate to speculate. Let's just base on facts. So there are letters that followed this February 2012
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking. MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this. MR COWLEY: I strongly disagree that you've held back, and I strongly disagree what you said was appropriate. The witness knows I'm asking a general question about how to discuss, how to negotiate a contract for a licence. You 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover? A. Sorry, sir, that's what I said: that I think it's not appropriate to speculate. Let's just base on facts. So there are letters that followed this February 2012 letter.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking. MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this. MR COWLEY: I strongly disagree that you've held back, and I strongly disagree what you said was appropriate. The witness knows I'm asking a general question about how to discuss, how to negotiate a contract for a licence. You know that as well. And I would appreciate being able to 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover? A. Sorry, sir, that's what I said: that I think it's not appropriate to speculate. Let's just base on facts. So there are letters that followed this February 2012 letter. Q. Before you go on to the other letters, can you agree
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking. MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this. MR COWLEY: I strongly disagree that you've held back, and I strongly disagree what you said was appropriate. The witness knows I'm asking a general question about how to discuss, how to negotiate a contract for a licence. You know that as well. And I would appreciate being able to answer the questions without interference. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover? A. Sorry, sir, that's what I said: that I think it's not appropriate to speculate. Let's just base on facts. So there are letters that followed this February 2012 letter. Q. Before you go on to the other letters, can you agree that, even knowing the full file, you can't say that on
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking. MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this. MR COWLEY: I strongly disagree that you've held back, and I strongly disagree what you said was appropriate. The witness knows I'm asking a general question about how to discuss, how to negotiate a contract for a licence. You know that as well. And I would appreciate being able to answer the questions without interference. Sir, can't you agree with me that in order to sit 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover? A. Sorry, sir, that's what I said: that I think it's not appropriate to speculate. Let's just base on facts. So there are letters that followed this February 2012 letter. Q. Before you go on to the other letters, can you agree that, even knowing the full file, you can't say that on
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array} $	 witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking. MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this. MR COWLEY: I strongly disagree that you've held back, and I strongly disagree what you said was appropriate. The witness knows I'm asking a general question about how to discuss, how to negotiate a contract for a licence. You know that as well. And I would appreciate being able to answer the questions without interference. Sir, can't you agree with me that in order to sit down with an applicant and negotiate a licence for mining concession, one needed to first agree what concession we're talking about? 	$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array} $	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover? A. Sorry, sir, that's what I said: that I think it's not appropriate to speculate. Let's just base on facts. So there are letters that followed this February 2012 letter. Q. Before you go on to the other letters, can you agree that, even knowing the full file, you can't say that on February 22nd NRD would be able to have any understanding of what concessions it was to sit down and negotiate contracts for; correct?
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking. MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this. MR COWLEY: I strongly disagree that you've held back, and I strongly disagree what you said was appropriate. The witness knows I'm asking a general question about how to discuss, how to negotiate a contract for a licence. You know that as well. And I would appreciate being able to answer the questions without interference. Sir, can't you agree with me that in order to sit down with an applicant and negotiate a licence for mining concession, one needed to first agree what concession we're talking about? A. Yes, that's part of what needs to be agreed upon. 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover? A. Sorry, sir, that's what I said: that I think it's not appropriate to speculate. Let's just base on facts. So there are letters that followed this February 2012 letter. Q. Before you go on to the other letters, can you agree that, even knowing the full file, you can't say that on February 22nd NRD would be able to have any understanding of what concessions it was to sit down and negotiate contracts for; correct? A. I'm sorry, I do not agree with your suggestion.
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking. MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this. MR COWLEY: I strongly disagree that you've held back, and I strongly disagree what you said was appropriate. The witness knows I'm asking a general question about how to discuss, how to negotiate a contract for a licence. You know that as well. And I would appreciate being able to answer the questions without interference. Sir, can't you agree with me that in order to sit down with an applicant and negotiate a licence for mining concession, one needed to first agree what concession we're talking about? A. Yes, that's part of what needs to be agreed upon. Q. So you first need to address whether you're going to go 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover? A. Sorry, sir, that's what I said: that I think it's not appropriate to speculate. Let's just base on facts. So there are letters that followed this February 2012 letter. Q. Before you go on to the other letters, can you agree that, even knowing the full file, you can't say that on February 22nd NRD would be able to have any understanding of what concessions it was to sit down and negotiate contracts for; correct? A. I'm sorry, I do not agree with your suggestion. Q. Then please tell me what concessions were to be covered
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	 witness to, and I think he needs to be very careful with his questions here. MR COWLEY: Mr Hill, I believe that's a completely inappropriate interjection, given the nature of the question I'm asking. MR HILL: It's not, I'm afraid. I chose my words quite carefully, because I'm quite disappointed with some of the questions so far which don't give a fair impression of the letters that passed in between. And I've held back, but it's gone on, and I do need to intervene to mention this. MR COWLEY: I strongly disagree that you've held back, and I strongly disagree what you said was appropriate. The witness knows I'm asking a general question about how to discuss, how to negotiate a contract for a licence. You know that as well. And I would appreciate being able to answer the questions without interference. Sir, can't you agree with me that in order to sit down with an applicant and negotiate a licence for mining concession, one needed to first agree what concession we're talking about? A. Yes, that's part of what needs to be agreed upon. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 A. If you may allow, let me not speculate on things that I can't answer, but let me rely on facts. After this February 2012 letter, there were other letters sent by the minister. So those are the facts on which Q. And I'm asking you to place yourself in NRD's position. It received the February 22nd letter, and on February 22nd it's reading it and talking about as soon as possible, March 1st, sitting down to negotiate a contract. At that time, based on your understanding of the parties' communications, what were the contracts going to cover? A. Sorry, sir, that's what I said: that I think it's not appropriate to speculate. Let's just base on facts. So there are letters that followed this February 2012 letter. Q. Before you go on to the other letters, can you agree that, even knowing the full file, you can't say that on February 22nd NRD would be able to have any understanding of what concessions it was to sit down and negotiate contracts for; correct? A. I'm sorry, I do not agree with your suggestion.

13:27 1	MINIRENA to NRD up through February 22nd 2012.	14:06 1	MR COWLEY: Mr President, can you just tell us what time you
2	MR HILL: Again, he's asking the witness to speculate on	2	would like a break, so I can keep my eye on it?
3	things without showing him the material, the letters	3	THE PRESIDENT: Right, that's kind of you. I should think
4	that passed immediately before this second letter, which	4	about 4 o'clock, or perhaps a bit before. In an hour
5	answer his question. And it's not fair for Mr Cowley to	5	and three-quarters, something like that.
6	deliberately not go to the previous correspondence and	6	MR COWLEY: Thank you, sir.
7	then ask the witness to speculate in this way.	7	THE PRESIDENT: Are you ready to proceed, Mr Cowley?
8	MR COWLEY: Mr President, I do not know what's being	8	MR COWLEY: Yes.
9	referred to. I have absolutely no intention of doing	9	THE PRESIDENT: Yes, thank you. Could the witness be
10	anything unfair.	10	invited back, please.
10	I can't imagine that counsel, after the type of	11	MR COWLEY: FTI, can you please bring up the exhibit that
12	testimony that's been provided and the wild opinions	12	Mr Hill insists the witness review, R-018.
12	about what everybody must have expected at different	13	Mr Imena, before the break, counsel for the
13	times, based on different things, that now a line is	13	Respondent insisted that you needed to review this
15	going to be drawn suggesting that this witness does not	15	before answering my questions. So by all means please
16	have the ability to look at a letter and say what the	16	review this. (Pause)
10	ministry would have understood it to mean and what NRD	17	A. Yes, I have finished reading.
18	would have understood it to mean. That's the only	18	Q. Can you bring back up C-034, please.
10	MR HILL: The question is to put it in the he's been	10	Now, Mr Imena, to pick back up the questions that
20	asked to the question asked the witness to put the	20	I was asking, in February 2012 you'll agree that your
20	letter in the context of what was going on at the time	20	predecessor was informing NRD that the parties should,
22	and what people would have thought. If he's going to do	22	as soon as possible, negotiate the terms of a licence
23	that, he needs to show him R-018, which passes	23	excuse me, complete the terms of a licence?
23 24	immediately before that and answers his question.	24	A. You are right.
25	MR COWLEY: Yes, I strongly disagree about the coaching.	25	Q. So at that time there was no understanding between the
		-	
	Page 49		Page 51
13:29 1	This is completely inappropriate intervention.	14:09 1	parties as to whether it was five concessions that were
13:29 1	This is completely inappropriate intervention. I will take the time to look at the document.	14:09 1	parties as to whether it was five concessions that were going to be ever approved, something less than five,
13:29 1 2 3	I will take the time to look at the document.	14:09 1 2 3	going to be ever approved, something less than five,
2		2	-
2 3	I will take the time to look at the document. I have absolutely no intention to leave something out	2 3	going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved
2 3 4	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my	2 3 4	going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill
2 3 4 5	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this	2 3 4 5	going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct?
2 3 4 5 6	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and	2 3 4 5 6	going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct?A. Actually, I thank our counsel that I was allowed to look
2 3 4 5 6 7	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would	2 3 4 5 6 7	going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct?A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context.
2 3 4 5 6 7 8	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break.	2 3 4 5 6 7 8	going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct?A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context.The first letter of 2011 shows that the report was
2 3 4 5 6 7 8 9	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley,	2 3 4 5 6 7 8 9	going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct?A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context.The first letter of 2011 shows that the report was
2 3 4 5 6 7 8 9 10	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that	2 3 4 5 6 7 8 9 10	going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct?A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context.The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move
2 3 4 5 6 7 8 9 10 11	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and	2 3 4 5 6 7 8 9 10	going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct?A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context.The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if
2 3 4 5 6 7 8 9 10 11 12	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then	2 3 4 5 6 7 8 9 10 11 12	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move
2 3 4 5 6 7 8 9 10 11 12 13	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is	2 3 4 5 6 7 8 9 10 11 12 13	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have
2 3 4 5 6 7 8 9 10 11 12 13 14	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is relevant correspondence linking the two letters, that	2 3 4 5 6 7 8 9 10 11 12 13 14	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have not finished to discuss on the negotiations, so
2 3 4 5 6 7 8 9 10 11 12 13 14 15	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is relevant correspondence linking the two letters, that may provide the explanation for an apparent	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have not finished to discuss on the negotiations, so I'm extending to you more time".
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is relevant correspondence linking the two letters, that may provide the explanation for an apparent inconsistency between the two.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have not finished to discuss on the negotiations, so I'm extending to you more time". So to me, the message from the ministry had been very clear to NRD: that you are given two concessions
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is relevant correspondence linking the two letters, that may provide the explanation for an apparent inconsistency between the two. The second letter is talking about the contract.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have not finished to discuss on the negotiations, so I'm extending to you more time". So to me, the message from the ministry had been very clear to NRD: that you are given two concessions
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is relevant correspondence linking the two letters, that may provide the explanation for an apparent inconsistency between the two. The second letter is talking about the contract. The first letter is talking about licences. MR COWLEY: Yes, sir. May we take the break and I will look up this document?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have not finished to discuss on the negotiations, so I'm extending to you more time". So to me, the message from the ministry had been very clear to NRD: that you are given two concessions and we are ready to negotiate on them. Q. Well, it says something more than you've now switched
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ \end{array} $	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is relevant correspondence linking the two letters, that may provide the explanation for an apparent inconsistency between the two. The second letter is talking about the contract. The first letter is talking about licences. MR COWLEY: Yes, sir. May we take the break and I will look	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have not finished to discuss on the negotiations, so I'm extending to you more time". So to me, the message from the ministry had been very clear to NRD: that you are given two concessions and we are ready to negotiate on them. Q. Well, it says something more than you've now switched the language. You suggested that the February letter
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array} $	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is relevant correspondence linking the two letters, that may provide the explanation for an apparent inconsistency between the two. The second letter is talking about the contract. The first letter is talking about licences. MR COWLEY: Yes, sir. May we take the break and I will look up this document?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have not finished to discuss on the negotiations, so I'm extending to you more time". So to me, the message from the ministry had been very clear to NRD: that you are given two concessions and we are ready to negotiate on them. Q. Well, it says something more than you've now switched the language. You suggested that the February letter says "to conclude negotiations". It actually says "to
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is relevant correspondence linking the two letters, that may provide the explanation for an apparent inconsistency between the two. The second letter is talking about the contract. The first letter is talking about licences. MR COWLEY: Yes, sir. May we take the break and I will look up this document? THE PRESIDENT: I think it would be a good idea. We'll take the break now and come back in half an hour. (1.30 pm)	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have not finished to discuss on the negotiations, so I'm extending to you more time". So to me, the message from the ministry had been very clear to NRD: that you are given two concessions and we are ready to negotiate on them. Q. Well, it says something more than you've now switched the language. You suggested that the February letter says "to conclude negotiations". It actually says "to conclude the contract"; correct?
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is relevant correspondence linking the two letters, that may provide the explanation for an apparent inconsistency between the two. The second letter is talking about the contract. The first letter is talking about licences. MR COWLEY: Yes, sir. May we take the break and I will look up this document? THE PRESIDENT: I think it would be a good idea. We'll take the break now and come back in half an hour. (1.30 pm) (A short break)	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have not finished to discuss on the negotiations, so I'm extending to you more time". So to me, the message from the ministry had been very clear to NRD: that you are given two concessions and we are ready to negotiate on them. Q. Well, it says something more than you've now switched the language. You suggested that the February letter says "to conclude negotiations". It actually says "to conclude the contract"; correct?
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is relevant correspondence linking the two letters, that may provide the explanation for an apparent inconsistency between the two. The second letter is talking about the contract. The first letter is talking about licences. MR COWLEY: Yes, sir. May we take the break and I will look up this document? THE PRESIDENT: I think it would be a good idea. We'll take the break now and come back in half an hour. (1.30 pm)	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have not finished to discuss on the negotiations, so I'm extending to you more time". So to me, the message from the ministry had been very clear to NRD: that you are given two concessions and we are ready to negotiate on them. Q. Well, it says something more than you've now switched the language. You suggested that the February letter says "to conclude negotiations". It actually says "to conclude the contract"; correct?
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	I will take the time to look at the document. I have absolutely no intention to leave something out that's relevant I don't think it is to my question. But I would like the opportunity, given this what I would consider to be remarkable intervention and representations on behalf of the witness, but I would like to do that during the break. THE PRESIDENT: I think that's a good idea, Mr Cowley, because this all started off with your suggesting that these two letters were not compatible or consistent, and for myself I am inclined to agree with that. That then raises the question of what links the two. If there is relevant correspondence linking the two letters, that may provide the explanation for an apparent inconsistency between the two. The second letter is talking about the contract. The first letter is talking about licences. MR COWLEY: Yes, sir. May we take the break and I will look up this document? THE PRESIDENT: I think it would be a good idea. We'll take the break now and come back in half an hour. (1.30 pm) (A short break)	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	 going to be ever approved, something less than five, only two: you'll agree that that was not yet resolved between the parties as of the letter that Mr Hill insisted that you read; correct? A. Actually, I thank our counsel that I was allowed to look at this letter, and now I understand properly the context. The first letter of 2011 shows that the report was not satisfactory, and this one of January gives a clear position of the ministry that they are okay to move forward with the negotiations on two concessions, and if NRD is happy with that proposition, they can move forward. And the February letter says, "Please, we have not finished to discuss on the negotiations, so I'm extending to you more time". So to me, the message from the ministry had been very clear to NRD: that you are given two concessions and we are ready to negotiate on them. Q. Well, it says something more than you've now switched the language. You suggested that the February letter says "to conclude negotiations". It actually says "to conclude the contract"; correct?

14:11		A. It's just the language. It's just the language.	14:14 1	concessions for mining going forward by NRD; correct?
	2	Q. Yes. Well, it's	2	A. Yes.
	3	A. But I think the context is the same.	3	Q. So it's perfectly reasonable for NRD to read the
	4	Q. It's very different language. So they were being	4	February letter, just as you do, to say, "We're no
	5	invited in to negotiate contracts for operating mining	5	longer saying that you don't get any concession and
	6	concessions. Your testimony is it was only going to be	6	licence going forward yet because you didn't invest
	7	two; correct?	7	\$40 million yet", right?
	8	A. Yes.	8	A. You are right.
	9	Q. Okay. First question: which two?	9	Q. And it was perfectly reasonable for NRD to read the
	10	A. That was to be chosen by NRD.	10	February 2012 letter to say the ministry is no longer
	11	Q. First of all, to be clear for the sake of the record,	11	saying they don't get any concession or licence going
	12 13	the Claimants continue to stand behind Mr Marshall's	12 13	
	13 14	testimony that the discussion that is purportedly confirmed in R-018 did not occur.	13	
	14	But putting that aside as a disagreement as to who	14	-
	16	said what to whom in December, your testimony now is:	15	· · · · · ·
	17	the ministry had approved the granting of concessions,	10	to give them a contract, right?
	18	any two to be chosen by NRD; and when they came in, as	18	
	19	soon as possible, to negotiate contracts, those	10	The ministry here is saying, "You have five
	20	contracts would be for licences to operate two mining	20	
	21	concessions. Correct? That's your testimony?	21	generous enough to allow you at least to negotiate for
	22	A. Not correct. Can I clarify what I want to say?	22	two contracts". And here you see that NRD had said,
	23	NRD had five concessions. The ministry evaluated	23	"No, you give us the five or nothing". And then the
	24	and said, "Okay, we can allow you to negotiate with us	24	ministry says, "No, we are generous: you can take two.
	25	two concessions". In this letter, the names of the	25	But if you still want only the five, then we are happy
		Page 53		Page 55
14.10	1		14.16 1	destance with every the descent of the descent of the latter
14:12	1 2	concessions are not mentioned. But what I recall, with my experience at that time, it is the concessions where	14:16 1 2	that you relinquish them". It is clear in the letter. So it was
	2 3	at least NRD tried more work compared to the other	2	30 ft was
	5	at least fired more work compared to the other	3	• And I'm not saving anything different in my question
	4	concessions and those concessions were Rutsiro and	3	Q. And I'm not saying anything different in my question, sir You're not focusing on my question. But I do
	4 5	concessions, and those concessions were Rutsiro and Nemba.	4	sir. You're not focusing on my question. But I do
	5	Nemba.	4 5	sir. You're not focusing on my question. But I do notice that you keep changing the term [from]
	5 6	Nemba. Q. So although it's not named in any letter, you say the	4	sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to
	5 6 7	Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two	4 5 6	sir. You're not focusing on my question. But I do notice that you keep changing the term [from]
	5 6	Nemba. Q. So although it's not named in any letter, you say the	4 5 6 7	sir. You're not focusing on my question. But I do notice that you keep changing the term [from]"concluding a contract", which is in the letter, to"negotiate", which is ambiguous as to what it may refer to. And I want to be specific.
	5 6 7 8	Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate	4 5 6 7 8	sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer
	5 6 7 8 9	Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate	4 5 7 8 9	 sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in
	5 6 7 8 9 10	Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct?	4 5 7 8 9 10	 sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to
	5 6 7 8 9 10 11	Nemba.Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct?A. The ministry was happy to move forward in negotiations	4 5 7 8 9 10 11	 sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences
	5 6 7 8 9 10 11 12 13 14	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and 	4 5 7 8 9 10 11 12 13 14	sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not
	5 6 7 8 9 10 11 12 13 14 15	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and Rutsiro. 	4 5 6 7 8 9 10 11 12 13 14 15	sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not sufficiently identified all reserves in all concession
	5 6 7 8 9 10 11 12 13 14 15 16	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and Rutsiro. Q. Please just focus on my question. I'm trying to see 	4 5 6 7 8 9 10 11 12 13 14 15 16	sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not sufficiently identified all reserves in all concession areas as of the application". That would be
	5 6 7 8 9 10 11 12 13 14 15 16 17	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and Rutsiro. Q. Please just focus on my question. I'm trying to see that we have agreement here that it's not just ambiguous 	4 5 6 7 8 9 10 11 12 13 14 15 16 17	sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not sufficiently identified all reserves in all concession areas as of the application". That would be THE PRESIDENT: Mr Cowley, you keep using the expression
	5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and Rutsiro. Q. Please just focus on my question. I'm trying to see that we have agreement here that it's not just ambiguous negotiations: they weren't inviting them in for 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not sufficiently identified all reserves in all concession areas as of the application". That would be THE PRESIDENT: Mr Cowley, you keep using the expression "going forward". Can you be more precise as to what you
	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and Rutsiro. Q. Please just focus on my question. I'm trying to see that we have agreement here that it's not just ambiguous negotiations: they weren't inviting them in for a negotiation of any and all issues, they were inviting 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not sufficiently identified all reserves in all concession areas as of the application". That would be THE PRESIDENT: Mr Cowley, you keep using the expression "going forward". Can you be more precise as to what you mean by that? Is there any length of period going
	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and Rutsiro. Q. Please just focus on my question. I'm trying to see that we have agreement here that it's not just ambiguous negotiations: they weren't inviting them in for a negotiation of any and all issues, they were inviting them in as soon as possible to conclude contracts. And 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not sufficiently identified all reserves in all concession areas as of the application". That would be THE PRESIDENT: Mr Cowley, you keep using the expression "going forward". Can you be more precise as to what you mean by that? Is there any length of period going forward that you're putting to this witness?
	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and Rutsiro. Q. Please just focus on my question. I'm trying to see that we have agreement here that it's not just ambiguous negotiations: they weren't inviting them in for a negotiation of any and all issues, they were inviting them in as soon as possible to conclude contracts. And you're saying the ministry intended in those discussions 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not sufficiently identified all reserves in all concession areas as of the application". That would be THE PRESIDENT: Mr Cowley, you keep using the expression "going forward". Can you be more precise as to what you mean by that? Is there any length of period going forward that you're putting to this witness? MR COWLEY: I have not put it to this witness on purpose
	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and Rutsiro. Q. Please just focus on my question. I'm trying to see that we have agreement here that it's not just ambiguous negotiations: they weren't inviting them in for a negotiation of any and all issues, they were inviting them in as soon as possible to conclude contracts. And you're saying the ministry intended in those discussions those contracts would be for Rutsiro and Nemba; correct? 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not sufficiently identified all reserves in all concession areas as of the application". That would be THE PRESIDENT: Mr Cowley, you keep using the expression "going forward". Can you be more precise as to what you mean by that? Is there any length of period going forward that you're putting to this witness? MR COWLEY: I have not put it to this witness on purpose because it's not in the letters, and I'm not suggesting
	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and Rutsiro. Q. Please just focus on my question. I'm trying to see that we have agreement here that it's not just ambiguous negotiations: they weren't inviting them in for a negotiation of any and all issues, they were inviting them in as soon as possible to conclude contracts. And you're saying the ministry intended in those discussions those contracts would be for Rutsiro and Nemba; correct? 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not sufficiently identified all reserves in all concession areas as of the application". That would be THE PRESIDENT: Mr Cowley, you keep using the expression "going forward". Can you be more precise as to what you mean by that? Is there any length of period going forward that you're putting to this witness? MR COWLEY: I have not put it to this witness on purpose because it's not in the letters anywhere. But concluding
	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and Rutsiro. Q. Please just focus on my question. I'm trying to see that we have agreement here that it's not just ambiguous negotiations: they weren't inviting them in for a negotiation of any and all issues, they were inviting them in as soon as possible to conclude contracts. And you're saying the ministry intended in those discussions those contracts would be for Rutsiro and Nemba; correct? A. You are right. Q. And the contracts that they were saying should be 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	 sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not sufficiently identified all reserves in all concession areas as of the application". That would be THE PRESIDENT: Mr Cowley, you keep using the expression "going forward". Can you be more precise as to what you mean by that? Is there any length of period going forward that you're putting to this witness? MR COWLEY: I have not put it to this witness on purpose because it's not in the letters, and I'm not suggesting it's hidden in the letters anywhere. But concluding a contract is what the minister did say, and I'm just
	5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 Nemba. Q. So although it's not named in any letter, you say the ministry had already made a decision as to which two concessions it would award contracts and negotiate specific contract terms for licences for NRD to operate those two concessions going forward; correct? A. The ministry was happy to move forward in negotiations with NRD on two concessions. Q. And the negotiations A. What I recall, it means that on our side, Nemba and Rutsiro. Q. Please just focus on my question. I'm trying to see that we have agreement here that it's not just ambiguous negotiations: they weren't inviting them in for a negotiation of any and all issues, they were inviting them in as soon as possible to conclude contracts. And you're saying the ministry intended in those discussions those contracts would be for Rutsiro and Nemba; correct? 	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 sir. You're not focusing on my question. But I do notice that you keep changing the term [from] "concluding a contract", which is in the letter, to "negotiate", which is ambiguous as to what it may refer to. And I want to be specific. My question to you is: it was reasonable in February 2012 for NRD to read the minister's letter to say, "Come in, we will conclude contracts for licences to operate" you say "two mining concessions going forward, and you don't have to worry anymore that you get nothing going forward because you have not sufficiently identified all reserves in all concession areas as of the application". That would be THE PRESIDENT: Mr Cowley, you keep using the expression "going forward". Can you be more precise as to what you mean by that? Is there any length of period going forward that you're putting to this witness? MR COWLEY: I have not put it to this witness on purpose because it's not in the letters anywhere. But concluding

 14:18 understood it to mean what – as the Tribunal knows, were off the table. 14:20 1 just wart o focus on the fact that we're no focus or tables of the table. 14:21 1 just wart o focus on the fact that we're no focus on the fact that we're no focus on taplication, we're taking about contract terms. Whether they reached agreement on the fact that we're no focus on tagestrifi is shown by these focus on the fact that we're no focus on tagestrifi is shown by these focus on the fact that we're no focus on table they have the table. 14:12 1 just wart of courses on the fact that we're no focus on table to the sense of the facts, and they we're table to the sense of the facts, and they we're table to invest 500 million, hecause it failed to pacefy the sense flow the more, licences for an concession. Face are sense that every concession relate to the sense of the facts, and the we're no factor for the sense for any concession. Face are sense on the minister whether objections is the sense of the contract terms frage sense on the fact to RND in agree that the minister whether objection to the sense of the contract terms frage sense on the fact the contract terms frage sense on the fact the RND fact the fact the objection the contract terms frage sense on the minister whether objection the contract terms frage sense on the terms with sense that the minister in the sense with you and the sense on the facts, and the sense with you and the sense of the facts, and this we have that the minister in the sense that the sense sense of the facts, and this we that the minister in the sense with you and the sense sense that the sense sense that the sense sense of the facts, and this we have the sense sense that the sense sense with you are sensed the terms with we sense that the minister in the s				
 we're ben sying NRD unkendod that these other issues we're ben sying NRD unkendod that these other issues we're off the table. Ijst want to focus on the fact that we're no ligst want to focus on the fact that we're no ligst want to focus on the fact that we're no ligst want to focus on the fact that we're no ligst want to focus on the fact that we're no ligst want to focus on the fact that we're no ligst want to focus on the fact that we're no ligst want to focus on the fact that we're no ligst want to focus on the fact that we're no ligst want to focus on the fact that we're no ligst want to focus on the fact that we're no ligst want to focus on the fact that we're no ligst want to focus on the fact to RDD that the state of rearry state store in the state of the state store in the state store in the state of the state store in the state sto	14:18	1 understood it to mean what as the Tribunal knows,	14:22 1	tell vou.
 were off the table. in your withress statement, all the states with you due to get any increases with you due to you any increases with you due to you any increases with you due to you with a your with agreemant in where with you and you agree that is a due to you with your many and you agree that is and Postmark 2012, the of the interverse is any interverse is a were you will agree that it was reasonable to provide adequate environment all the your provide adequate environment at the your agreemants or itervers at every concession, you will agree that it was reasonable to provide adequate environment at the your agreemants or itervers at every concession registering. A. I will agree that the ministry is there to signify the interverse at every concession. The your will garee that it was reasonable to provide adequate environment at the your provide adequate environment at the provide adequate environment at the your provide adequate environment at the your provide adequate environment at the your provide adequate environment at the second to you you garee with that. A. I will agree that the ministry is there to a WD. That is wath at think these tables or agreements or licence, as you wish, for two concessions. How every induce your they you have to be true: that your provide adequate environment at least one. If nor marks mather there they didth these tables are provide adequate environment at least one. If nor marks mather there they didth these tables areason with the your that an environment at least one. If nor with your they are attervent at the minister with the first but I thory. A. I space that the minister with the first but I they your they are attervent on the failing to remoting the your marks and the provide addition they appropriate to next. There you didth the your is a fact, in the there they didth the parties thom your seguremates. That is write a true to your as a fact, in the there they didth the paraties thow that we may conce				-
4I just sourt to focus on the fact that we're no5longer talking about application; we're talking about6contract terms. Whether they reached agreement on the7longer talking about application; we're talking about8longer talking about application; we're talking about9longer talking about application; we're talking about9questions, hecanse I don't mean that his answers imply10that.11So, Mr Imena, you will agree that it was reasonable12for XRD in 2012 or and the ministry letter to say it13was not disqualified from getting a licence for any14concession because it failed to provide sufficient15estimates of nearces at every concession, right?16A. I will agree that the ministry made it clear to NRD that17they failed for fill their obligations, fight?18ministry gave them the opportunity to negatiate19occnessions, because the ministry watted investors and20concession, but well still talk to you?, right?21A. Facuse me., I hink, as I explanied i hefore; it's not22statement ?Placed of we'll we'l or ond well and minister minister. in his far you and well and the far you well and there they diffic21for nyton concession, all they 'll conclude contracts. Correer?22A. Facuse me., I hink, as I explanied i hefore; it's not24nearce talk and minister, minister an integer talk and minister minister. in his far you concession?. In his third letter, he says, 'Ti'24for NND I can oally explaint the facts				
5longer tailing about application; we're tailing about5licence for any concession - because it failed to6contract terms. Whether they reached agreement on theinverst 40 million, because it failed to7length or not, 1 am not suggesting it is myguessions, because it failed toinverst 40 million, because it failed to9quessions, because it don't mean that is answers implyininverst 40 million, because it failed to11so, Mr Inena, you will agree that it was reasonablein concessions, Can you agree with that so Televary 2012, the12for NRD in 2012 to read the ministry theter to say itin concessions, Can you agree, sir, that was not standing by such13was not disquified from getting a licence for anyin any similary gave them inistry most licence for any16A. I was most singoprive to NRD. That is what 1 think thesein the inistry was the ministry vanted invectors and11was mach supportive to NRD. That is what 1 think thesein the inistry was the ministry vanted invectors and12was mach supportive to NRD. That is what 1 think thesein the or any concession, but we'll still talk to you', right?21for any concession, but we'll still talk to you', right?A. I's not only my predecessor who told NRD that. I met21for any concession, but we'll still talk to you', right?in the size sing the provide stillicence21for any concession, but we'll still talk to you', right?in the size sing the provide stillicence21for any concession, but we'll still talk to you', right?in to an alty heges in thery 202, there still sign you not no				•
6contract rems. Whether they reached agreement on the length or not, 1 am not suggesting it is now gestions, because 1 don't mean that his answers imply that.6invest 500 million, hecause it failed to predive the provide adequate environmental impact assessments at every site – you'll agree that it was reasonable for ARD hi 2012 to read the ministry letter to say it was not disqualified from getting a licence for any to encession because it failed to provide sufficient estimates of nestworks at every concession, fight?16A. I will agree that the ministry made it clear to NRD that they fuelde to full their obligations. But the ministry gave them the opportunity to negotiate to excession, because it failed to provide sufficient estimates of nestworks at every site. For any on agrees with the opportunity to negotiate to excession, fight?17O. Sir, you will agree, will you not, that the Peherury 2012 tetter does not say. "You did nat qualify for anything because you have not met the contract terms Page 5714:241NRD and told them, "Pease, we are willing to negotiate a dot know it was an chained portional in they to add to know it was not entified to anything, you 2014:201for any concession, but well still talk to you", right? 2A. Excuse me. I fink, as L explained to fefore, if you a appropriate to me to make further interpretation, rather 4 that what is written. a tay that the minister, in his first letter of 2011, says. "You did to perform a sexpected", but in his second letter says? We are hapty to fickness withy or 3 to concessions?. This that the robigations, but well have inset with the minister is not take in the source conclude to the source of the agreement". That is what fails the signal state of to make an interpretation		-		
7length or not, I am not suggesting is shown by these letters, and that's why Th not suggesting it in my questions, because I don't mean that his ansverse imply that.7exact reserves at every site you'll agree that as of February 2012, the every site you'll agree that as of February 2012, the every site you'll agree that as of February 2012, the concession because it fiable to provide sufficient estimates of reserves at every concession, right?7exact advecate outnuct every site you'll agree that as of February 2012, the concessions because it fiable to provide sufficient estimates of reserves at every concession, right?7exact advecate outnuct every site you'll agree that the ministry as we with that.16A. I will agree that the ministry multiply the opportunity to nor the opportunity to proportie to nor he opportunity on eoptiate concessions. because the ministry wavel there nor the the contract terms7excast reserves at every site you'll agree that is with 11200. First, you will agree, will you not, that the restring anything because you have not met the contract terms200. So won'l you agree, sir, that when you prepared your with that.211for any concession, but we'll still talk to you'', right? 2. A. Kry not will agree that in interpretation, rafte?14:241NRD and told them, "Hease, we are willing to negotiate 2. So won'l you agree, sir, that when you prepared your with talk.221for any concession, but we'll still talk to you'', right? 2. A. Kry not will agree that the interpretation, rafte?14:241NRD and told them, "Hease, we are willing to negotiate 2. So won'l you agree, sir, that when you prepared you divel to star when you				-
 letters, and that's why Tim not suggesting it in my questions, because I don't mean that his answers imply that. So, MF mena, you will agree that it was reasonable for NRD in 210 road the minister site is a sign that was willing to conclude contract a mejoritations for at least one, if not more, licenees for concession because it failed to provide sufficient estimates of reserves at every concession, right? A. I will agree that the ministry made it clear to NRD that it was a sign that the ministry made it clear to NRD that it was a sign that the ministry made it clear to NRD that it was every indulgent and generous to NRD. In agree totally with that. Q. So word you agree, sir, that when you prepared your winess statement that all these reasons why NRD in a concessions, because the ministry wanted investors and was much supportive to NRD. That is what I think these leaves reasons, why NRD more contracts with NRD going forward". Right? Q. Sir, you will agree, will you not, that the contract terms are great with supportive to NRD. That is what I think these standing thy these issues any further", as of 23 Q. Sir, you will agree, will you not, that the minister you do know as a fact, in the letter they didt for may concession, all they talk about, all the minister talks and interpretation, raber is a fact. So unection, and about it guidly lock the away to discuss with you for the fullings of NRD in its 2010 application, you know as a reality did not attuable length in your witness statement as the set with you for a lestnone. The support of the set with you for a lestnone is the vite as that and they withers statement as a sign that the minister is that the they didt from any concession. This first letter of 2011, as sys, 'You did not quantify for a becne for any concession correct? A. I agree that the minister, in his first letter of 2011, says, 'You did not quantify for a becnece for any concession correct? A. Not correct.				· ·
9questions, because I don't mean that his answers imply that.99every site $-y$ cull agree that is of Tehrung 2012, the minister advised NRD that it was not atoming by such that was not dispatified from getting a licence for any test was not dispatified from getting a licence for any test mates of reserves at every concession, right?9every site $-y$ cull agree that is of Tehrung 2012, the minister advised NRD that that was not dispatified from getting a licence for any test was not dispatified from getting a licence for any test was not dispatified from getting a licence for any test was reary indegent and generous to NRD. I agree totally with fatt that the failed to fulfil their obligations. But the ministry gave them the opportunity to negotiate test was much supportuve to NRD. That is what 1 think these test has of Tehrung 2012 letter does not say, "You did not qualify for anychne because the ministry wanted investors and appropriate to me to make further interpretation, rather that what is withen. I can't make an interpretation, appropriate to me to make further interpretation, rather that what is withen. I can't make an interpretation, appropriate to me to make further interpretation, rather that what is withen. I can't make an interpretation, appropriate to me to make further interpretation, rather that what is withen. I can't make an interpretation, appropriate to me to make further interpretation, rather test with you for an ever oncessions". That with s a fact. So - 6 0. And you do kno cubacke contracts. Correct?14:24 1NRD and fold fidem, "Please, we are willing to negotiate with you?. I had a meeting, it is written in my statement: "So and a such length my our witness statement as to dwit on a such length my our witness statement as to dwit on a such length my our witness statement				-
10that.10minister advised NED hat11So, MT Imena, you will agree that it was reasonable10minister advised NED hat12for NED in 2012 to read the minister's letter to say it11claims, and it was willing to conclude contract13was not dispualified from getting a ficence for any12negotiations for at least one. If not more, licences for14concession because it fieldet to provide sufficient13negotiations for at least one. If not more, licences for16A. I safe with that, and that is a sing that the ministry14A. I sage with that?17they failed to fulfil their obligations. Bat the111018ministry gave them the opportunity to negotiate10with cast19concression, because the ministry watted investors and11910concression, because you with a the111011greater with you with a the111112for any concession, but well still talk to your, "right?14/20114/201for any concession, all they talk about, all the minister talk11201for any concession, all they talk about, all the minister talk1121for any concession, all they talk about, all the minister talk11221for any concessions?. The start in this1123A. Excuse mc. I think, as I explained it before, if's not11241for any concessions?. The start in they talk about, all the minister in they talk about, all the minister in they talk ab				
 So, Mr Imena, you will agree that it was reasonable for NRD in 2012 to read the minister's letter to say it as not disquilified from getting a licence for any concession because if failed to provide sufficient environmental impact sets as a sign that the ministery and the interpretation of NRD. That is what I study and the interpretation of the set of NRD. That is what I think these 2 letters are telling us. Q. So work you agree, sir, hat when you prepared your with hat. Your predecessor minister already said, "We're not 2 oracession, Fegrer, will you not, that the 21 your predecessor minister already said, "We're not 2 standing by these issues any further", as of 2 February 2012 letter does not say, "You did not qualify 2 for anything because you have not met the contract terms Page 57 Page 57 Page 59 14:20 1 for any concession, But we'll still talk to you", right? A. Excuse me. I think, as I explained it before, if's not 3 appropriate to make on interpretation for NRD. I can only explain the facts that I know, 6 Q. And you do know as a fact, in the letter they did's about is they? I conclude contracts. Correct? A. I agree that the minister talks a about is they flore perform anything about not qualifying for any concessions, "In his third letter, he says, "To a did how as a fact, in the letter they did's about is they? I conclude contracts. Correct? A. I agree that the minister talks a about is they? I conclude contracts. Correct? A. Not correct. What I agree is that I' more. You concession, and they talk about, all the minister talks a about is they? I cancer for any concession correct? A. Not correct. What I agree is that The concerist? A. Not correct. What I agree is that The concerist? A. Not correct. What I agree is that The concerist? A. Not correct. What I agree is that The concerist? A. Not correct. What I agree is that The concerist? A. Not correct.				
12 for NRD in 2012 to read the minister's letter to say it magnetizing a licence for any 13 was not disqualified from getting a licence for any magnetizing a licence for any 14 concession because it failed to provide sufficient A. I agree with that, and that is a sign that the ministry was very indugent and generous to NRD. I agree totally 16 A. I will agree that the ministry gave them the opportunity to negotiate 7 17 they failed to fulfil their obligations. But the 7 18 ministry gave them the opportunity to negotiate 7 19 contracts or agrees, sir, that when you prepared your witness statement that sid all these reasons why NRD 14 mark ministry gave them the opportunity to negotiate 7 20 concreastion, because the ministry wanted investors and 9 21 was much supportive to NRD. That is what 1 think these 1 22 letters are celling us. 1 24 Formary 2012 Wwell work that the east that 1 know 1 24 for any concession, but well still talk to you?, right? A. Excuse me. I think, as lexplained in therpretation 3 appropriate to ne to make Unther interpretation 6 5 for MRD. I cant the as anitet repreta				
 13 was not disqualified from getting a licence for any concession because if failed to provide sufficient 14 concessions. Can you agree with that? 14 A. I agree with that is a sign that the ministry made it clear to NRD that the failed to fill their obligations. But the provide sufficient 14 A. I agree with that, and that is a sign that the ministry with that. An of that is a sign that the ministry is was near sufficient on the propertient on NRD. That is what I think these liters are relifing us. 15 concression, Can you agree with that? 16 with vary indugent and generous to NRD. I agree totally with that. 17 they failed to fory you agree, sir, that when you prepared your withess statement that said all these reasons why NRD in a lo know it was not entitled to anything. you concession, failing us. 17 they sufficient of vary was near sing in the there they diality 28 for any concession, but we'll still talk to you", right? 29 A. No correct. What I agree that it was reasonable for minister sin taking the provina sequenced in the insure state and provented to the same state prevented for any concessions. Carrect? 20 A. I agree that the minister in his first letter of 2011, agree. 21 failed to provide sufficient eriver state. 22 contracts or the learner by diality and track and they are assessment for every concession, correct? 23 A. Not correct. What I agree is that I'm not in a position tar NRD will not omake an interpretation of to make an interpretation of NRD. I'm making what 23 A. Not correct. What I agree is that I'm not in a position tar with agree with. 24 to make an interpretation for NRD. I'm making what 25 A. Not correct. What I agree is that I'm not in a position tar the relify the set as that intervite and the resisting to the provide set and the resisting with you so the satisfactory in conceasions. The term is a specifier with and the resisting with		· -		
14 concession baccause it failed to provide sufficient 15 estimates of reserves at every concession, right? 16 A. I will agree that the ministry made it clear to NRD that 17 they failed to fulfil their obligations. But the 18 ministry gave them the opportunity to negotiate 19 contracts or agreements of licence, as you wish, for two 20 concession, because the ministry wanted investors and 21 was much supportive to NRD. That is what I think these 22 letters are telling us. 20 Sir, you will agree, will you not, that the 21 you will agree, will you not, that the 22 february 2012. "We will negotiate at least one, if not 23 Pebruary 2012. "We will negotiate at least one, if not 24 February 2012. "We will negotiate at least one, if not 25 A. Its not only explain the facts that I. know. 24 February 2012. "We will negotiate at least one, if not 25 Furthin, as Tephtical in the forter they didn't 26 A. And you do know as a fact, in the letter they didn't 3 appropriate to me to make further interpretation, rather 3 apout wit shey! I conclude contracts. Corcert? <th></th> <th></th> <th></th> <th>-</th>				-
15 estimates of reserves at every concession, right? 16 A. I will agree that the ministry made it clear to NBD that 17 they failed to fifth their obligations. But the 18 ministry gave them the opportunity to negotiate 19 contracts or agreements on licence, as you wish, for two 20 concessions, because the ministry wanted investors and 11 was much supportive to NRD. That is what 1 think these 21 letters are telling us. 22 or anything because you have not met the contract terms 24 for any concession, but we'll still talk to you", right? 2 A. Excuse me. 1 think, as 1 explained it before, it's not appropriate to me to make further interpretation for NRD. 1 can only explain the facts that 1 know. 3 gaptropriate to me to make further interpretation for NRD. 1 can only explain the facts that 1 know. 4 A. I agree that the minister, talk about, all they all kabout, all the minister talks 9 about is they'll conclude contracts. Correct? 10 A. I agree that the minister, that what is what 11 giving you more time so that we can conclude the 12 second letter says, "We are happy to discuss with you <td< th=""><th></th><th></th><th></th><th>· -</th></td<>				· -
 16 A. I will agree that the ministry made is clear to NRD that they failed to fulfil their obligations. But the ministry gave them the opportunity to negotiate contracts or agreements or licence, as you wish, for two concessions, because the ministry wanted investors and was much supportive to NRD. That is what I think these letters are telling us. 17 Q. So won't you agree, sir, that when you prepared your with such as the the opportunity to negotiate your predecessor minister already said, "We're not standing by these issues any further", as of February 2012. Uter does not say, "You did not qualify for anything because you have not met the contract terms Page 57 14:20 1 for any concession, but we'll still talk to you", right? 2 A. Excuse me. I think, as I explained it before, it's not appropriate to not on was further interpretation for NRD. I can only explain the facts that I know. 6 Q. And you do now as a fact, in the letter thy didrit mention anything about not qualifying for any concession;". In this third letter, he says, "Tin di A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his zecond letters say, "We are lhappy to discuss with you it wo concession;". In his third letter, he says, "Tin di agree. 14.24 A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his zecond letters says, "We are happy to discuss with you it wo concession;". In his third letter, he says, "Tin di agree. 17 Q. Okay, And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence of may concession correct? 2 A. Not correct. What I agree is that Th not in a position di to make an interpretation for NRD. Tim making what 16 A. I take an interpretation for NRD. Tim making what 		-		
17they failed to fulfil their obligations. But the ministry gave them the opportunity to negotiate ministry gave them the opportunity to negotiate ocncessions, because the ministry wanted investors and 2017Q. So won't you agree, sir, that when you prepared your witness statement that said all these reasons why NRD 1920concessions, because the ministry wanted investors and 21was much supportive to NRD. That is what 1 think these letters are telling us.19had to know it was not entitled to anything. you you prepared your witness statement that said all these reasons why NRD 2021gave the ot NRD. That is what 1 think these letters are telling us.20purposely failed to state what you knew to be true: that 2122standing by these issues any further", as of 2223February 2012. "We will negotiate at least one, if not mere, contracts with NRD orgo ing forward". Right? 25241for any concession, but we'll still talk to you", right? 2A. Excuse me. I think, as I explained it before, it's not 3 appropriate to me to make further interpretation for NRD. I can only explain the facts that I know. 614:241NRD and told them, "Please, we are willing to negotiate 4 with you". I had a meeting, it is written in my statement: "Please, we are willing to negotiate 4 to undue an interpretation for NRD. I can only explain the facts that I know. 814:201for any concessions, at fact, in the letter they didn't mention anything about not qualifying for any stays, "You didn't perform as expected?", but in his first letter of 2011, says, "You didn't perform as expected?", but in his first letter of 2011, says, "You didn't perform as		· -		
 18 ministry gave them the opportunity to negotiate contracts or agreements or licence, as you wish, for two 20 concessions, because the ministry wanted investors and 21 was much supportive to NRD. That is what I think these 22 letters are telling us. 20 Q. Sir, you will agree, will you not, that the 24 February 2012 letter does not say, "You did not qualify for anything because you have not met the contract terms Page 57 214:20 1 for any concession, but we'll still talk to you", right? 2 A. Excuse me. I think, as I explained it before, it's not a popropriate to me to make further interpretation, rather 4 than what is written. I can't make an interpretation, rather 4 than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. 6 Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any 8 concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? 10 A. I agree that the minister, in his first letter of 2011, 1 says, "You didn't perform as expected", but in his farst that garee. 10 A. I agree that the minister, in his first letter of 2011, 1 says, "You didn't perform as expected", but in his farst letter says, "We are happy to discuss with you 1 says, "You didn't perform as expected", but in his farst letter of 2011, 1 agree. 10 A. I agree that the minister, in his first letter of 2011, 1 agree, "Wou dowl or as the ada to each or the agreement". That is what I agree. 11 Q. Okay. And you'll also agree that it was reasonable for minister is not taking the position that NRD will not 2 qualify for a licence for any concession because it 1 failed to provide sufficient environmental impact 2 assessments for every concession, correct? 23 A. Not correct. What I agree is that Tm not in a position 4 to make an interpretation for NRD. It making what to make an interpretation or NRD. It making what to the make			16	with that.
 19 contracts or agreements or licence, as you wish, for two concessions, because the ministry wanted investors and use much supportive to NRD. That is what I think these letters are telling us. 20 O. Sir, you will agree, will you not, that the contract terms Page 57 214:20 1 for any concession, but we'll still talk to you", right? 2 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, for NRD. I can only explain the facts that I know. 2 O. And you do know as a fact, in the letter they didn't mention anything about not qualify for any says, "You didn't perform as expected", but in his first letter of 2011, says, "You didn't perform as expected", but in his first letter of 2011, says, "You didn't perform as expected", but in his tragte. 3 A. I to take full perform as expected", but in his fare. 4 G. O. Kay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that I agree. 3 A. Not correct. What I agree is that Th not in a position to make an interpretation for NRD. I'm making what 		17 they failed to fulfil their obligations. But the	17	
 20 concessions, because the ministry wanted investors and was much supportive to NRD. That is what I think these letters are telling us. 20 purposely failed to state what you knew to be true: that your predecessor minister already said, "We're not standing by these sizes any further", as of 21 for anytoing because you have not met the contract terms Page 57 21 for any concession, but we'll still talk to you", right? 24 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation of NRD. I can only explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation of or NRD. I can only explained it before, it's not appropriate to me to make further interpretation of nor NRD. I can only explained it before, it's not appropriate to me to make further interpretation of nor NRD. I can only explained it before, it's not appropriate to me to make further interpretation for NRD. I can only explained it before, it's not go. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any second letter says, "We are happy to discuss with you is second letter says, "We are happy to discuss with you says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you is contract or the licence or the agreement". That is what i agree. 10 Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession because it failed to provide sufficient environmental impact assessments for every concession because it failed to provide sufficient environmental impact assessments for every concession because it for worner can be that it morit in a position that in a material stat that Cou's be from your predecesso			18	witness statement that said all these reasons why NRD
 21 was much supportive to NRD. That is what I think these letters are telling us. 23 Q. Sir, you will agree, will you not, that the February 2012 letter does not say, "You did not qualify for anything because you have not met the contract terms Page 57 14:20 1 for any concession but we'll still talk to you", right? 2 A. Excase me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather 4 than what is written. I can't make an interpretation 5 for NRD. I can only explain the facts that I know. 2 A. And you do know as a fact, in the letter they did't 7 metrion anything about to qualifying for any 8 concession; all they talk about, all the minister talks 9 about is they'll conclude contracts. Correct? 10 A. I agree that the minister, in his first letter of 2011, 11 says, "You didn't perform as expected", but in his second letter says. "We are happy to discuss with you 13 two concessions". In his this their tet tor 6 2011, 14 agree. 14 A. I agree that the minister talks 9 about is they'll conclude contracts. Correct? 16 A. I agree that the minister, his sing thet ref 2011, 17 g. O. Kay. And you'll also agree that it was reasonable for 18 NRD to read the February 2012 letter to say that the 19 minister is not taking the position that NRD will not 10 qualify for a licence for any concession because it 11 failed to provide sufficient environmental impact 22 assessments for every concession is that Tmo tin a position 23 A. Not correct. What I agree is that Tmo tin a position 24 to make an interpretation for NRD. Tm making what 24 form your predecessor Mi Stamazi, to NRD, further 		19 contracts or agreements or licence, as you wish, for two	19	had to know it was not entitled to anything, you
 22 letters are telling us. 23 Q. Sir, you will agree, will you not, that the 24 February 2012 letter does not say, "You did not qualify for anything because you have not met the contract terms Page 57 14:20 1 for any concession, but we'll still talk to you", right? 2. A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation of or NRD. I can only explain the facts that 1 know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any a Lagree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his a second letter says, "We are happy to discuss with you 13 two concessions". In his third letter, he says, "I'm 14 giving you more time so that we can conclude the contract tor the licence or the agreement". That is what 1 fagree. 14 that the inister is not taking the position that NRD will not qualify for a licence for any concession because it 24 more, contracts or the licence or the agreement". That is what 1 fagree. 14 the parties from going forward; correct? A. Not correct. What J agree is that T'm not in a position that NRD will not qualify for a licence for any concession because it 24 not correct? 35 A. Not correct. What J agree is that T'm not in a position that NRD will not agnetificient environmental impact as assessments for every concession because it 36 A. Not correct. What J agree is that T'm not in a position that not in a position that not in a position that and the interpretation for NRD. I'm making what 36 The the terms. That is what 1 agree with. 37 C-045, sir, is a September 13th 2012 letter, again from your predecessor, Mr Kamaazi, to NRD, further 	<i>.</i>	20 concessions, because the ministry wanted investors and	20	purposely failed to state what you knew to be true: that
 Q. Sir, you will agree, will you not, that the February 2012 letter does not say, "You did not qualify for anything because you have not met the contract terms Page 57 14:20 1 for any concession, but we'll still talk to you", right? 2 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation. for NRD. I can only explain the facts that I know. 6 Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concessions". In his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you 11 says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you 13 two concessions". In his first letter of 2011, 14 agree. 14 A. I agree that the minister, in his first letter of 2011, 15 contract or the licence or the agreement". That is what 16 I agree. 17 Q. Okay. And you'll also agree that it was reasonable for 18 NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession for ease is that I more 20 kar, and you'll also agree that it was reasonable for 18 NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession because it 21 failed to provide sufficient environmental impact 22 assessments for every concession; correct? 23 A. Not correct. What I agree is that I'm not in a position 24 to make an interpretation for NRD. I'm making what 24 cortexet. What NRD was not satisfactory in 25 contract. What I agree is that I'm not in a position 26 contract. What I agree is that I'm not in a position 27 coutes, isr, is a September 13th 2012 letter, again 28 concessions, Mr Kamaazi, to NRD, further 	<i></i>	21 was much supportive to NRD. That is what I think these	21	your predecessor minister already said, "We're not
 Q. Sir, you will agree, will you not, that the February 2012 letter does not say, "You did not qualify for anything because you have not met the contract terms Page 57 14:20 1 for any concession, but we'll still talk to you", right? 2 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation. for NRD. I can only explain the facts that I know. 6 Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concessions". In his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you it wo concessions". In his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you it wo concessions". In his first letter of 2011, it agree. Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession correct? Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession correct? A. Not correct. What I agree is that I'm not assessments for every concession; correct? A. Not correct. What I agree is that I'm not in a position to make an interpretation for NRD. I'm making what M. Not correct. What I agree is that I'm in a position to make an interpretation for NRD. I'm making what M. Not correct. What I agree is that I'm not in a position to make an interpretation for NRD. I'm making what 	(22 letters are telling us.	22	standing by these issues any further", as of
 February 2012 letter does not say, "You did not qualify for anything because you have not met the contract terms Page 57 14:20 1 for any concession, but we'll still talk to you", right? A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession." Ill they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his tage second letter says, "We are happy to discuss with you as a reality did not actually block the award of licence for any concession because it fagree. Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister taige the parties from going forward; Right? A. Not correct. What I agree is that Thm to in a position tay NRD will not qualify for a licence for any concession; correct? A. Not correct. What I agree is that Thm to in a position tay NRD. I'm making what C. Otfs, is a Sgetment T3th 2012 letter, again from your predecessor, Mr Kamanzi, to NRD, further 		6		
25 for anything because you have not met the contract terms Page 57 25 A. It's not only my predecessor who told NRD that. I met Page 59 14:20 1 for any concession, but we'll still talk to you", right? 2 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation for NRD. I can only explain the facts that I know. 14:24 1 NRD and told them, "Please, we are willing to negotiate with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? 14:24 1 NRD and told them, "Please, we are willing to negotiate with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? 14:24 1 NRD and told them, "Please, we are willing to negotiate with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to mention anything about not qualify for as second letter says, "We are happy to discuss with you second letter says, "We are happy to discuss with you second letter says, "We are happy to discuss with you statement in the letters. NRD was not satisfactory in contract or the licence or the agreement". That is what lagree. 1 A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory in completing and implementing its contractual socoassions? Those were not the isous that I agree with. 2 2				
Page 57 Page 59 14:20 1 for any concession, but we'll still talk to you", right? A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, for NRD. I can only explain the facts that I know. 14:24 1 NRD and told them, "Please, we are willing to negotiate with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". 6 Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? 14. A regree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you it wo concessions". In his third letter, he says, "I'm it wor concessions". In his third letter, he says, "I'm it wor concessions". In his third letter, he says, "I'm it wor you you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the ininister is not taking the position that NRD will not qualify for a licence for any concession because it failed to provide sufficient environmental impact assessments for every concession; correct? 14				
 14:20 1 for any concession, but we'll still talk to you", right? 2 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. 6 Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is theyl'l conclude contracts. Correct? 10 A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his econd letter says, "We are happy to discuss with you is two concessions?. In his third letter, he says, "T'm ig iving you more time so that we can conclude the i giving you more time so that we can conclude the i agree. 17 Q. Okay. And you'll also agree that it was reasonable for in minister is not taking the position that NRD will not qualify for a licence for any concession because it i failed to provide sufficient environmental impact assessments for every concession; correct? 23 A. Not correct. What I agree is that I'm not in a position i to make an interpretation for NRD. I'm making what 14:24 1 NRD and told them, "Please, we are willing and ready to negotiate with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". 5 That's - it's clear to me. 9 you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence with is clear in the letters. NRD was not satisfactory in completing and implementing its contractual obligations, but the government gave NRD a chance to at pleast negotiate for one or two concessions, although the government knew that NRD was not satisfactory in condets of the provide sufficient environmental impact assessments for ever	-			
 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the fagree. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree with targere with t		Page 57		Page 59
 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the fagree. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree with targere with t				
 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the fagree. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it was reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree that it may reasonable for targere. Q. Okay. And you'll also agree with targere with t				
 3 appropriate to me to make further interpretation, rather 4 than what is written. I can't make an interpretation 5 for NRD. I can only explain the facts that I know. 6 Q. And you do know as a fact, in the letter they didn't 7 mention anything about not qualifying for any 8 concession; all they talk about, all the minister talks 9 about is they'll conclude contracts. Correct? 10 A. I agree that the minister, in his first letter of 2011, 11 says, "You didn't perform as expected", but in his 12 second letter says, "We are happy to discuss with you 13 two concessions". In his third letter, he says, "Tm 14 giving you more time so that we can conclude the 15 contract or the licence or the agreement". That is what 16 I agree. 17 Q. Okay. And you'll also agree that it was reasonable for 18 NRD to read the February 2012 letter to say that the 19 minister is not taking the position that NRD will not 10 qualify for a licence for any concession because it 20 qualify for a licence for any concession because it 21 failed to provide sufficient environmental impact 23 A. Not correct. What I agree is that I'm not in a position 24 to make an interpretation for NRD. I'm making what 	14:20		14.24 1	
4than what is written. I can't make an interpretation4negotiate with you for one or two concessions".5for NRD. I can only explain the facts that I know.6Q. And you do know as a fact, in the letter they didn't67mention anything about not qualifying for any7A it's clear to me.8concession; all they talk about, all the minister talks8Q. It's true, sir, is it not, that all these issues that9you dwell on at such length in your witness statement as10A. I agree that the minister, in his first letter of 2011,1011says, "You didn't perform as expected", but in his1112second letter says, "We are happy to discuss with you1213two concessions". In his third letter, he says, "Tm1314giving you more time so that we can conclude the1415contract or the licence or the agreement". That is what1516ragree.1517Q. Okay. And you'll also agree that it was reasonable for1718NRD to read the February 2012 letter to say that the1819minister is not taking the position that NRD will not1912failed to provide sufficient environmental impact2023A. Not correct. What I agree is that I'm not in a position2124to make an interpretation for NRD. I'm making what24	14:20	• • •		
5for NRD. I can only explain the facts that I know.5That's it's a fact. So6Q. And you do know as a fact, in the letter they didn't6Q. And so7mention anything about not qualifying for any7A it's clear to me.8concession; all they talk about, all the minister talks9about is they'll conclude contracts. Correct?9you dwell on at such length in your witness statement as10A. I agree that the minister, in his first letter of 2011,11says, "You didn't perform as expected", but in his12second letter says, "We are happy to discuss with you13two concessions". In his third letter, he says, "Tm14giving you more time so that we can conclude the15contract or the licence or the agreement". That is what16I agree.17Q. Okay. And you'll also agree that it was reasonable for18NRD to read the February 2012 letter to say that the19minister is not taking the position that NRD will not20qualify for a licence for any concession because it21failed to provide sufficient environmental impact22assessments for every concession; correct?23A. Not correct. What I agree is that I'm not in a position24to make an interpretation for NRD. I'm making what	14:20	2 A. Excuse me. I think, as I explained it before, it's not	2	with you". I had a meeting, it is written in my
6Q. And you do know as a fact, in the letter they didn't6Q. And so7mention anything about not qualifying for any7A it's clear to me.8concession; all they talk about, all the minister talks9about is they'll conclude contracts. Correct?9about is they'll conclude contracts. Correct?9you dwell on at such length in your witness statement as10A. I agree that the minister, in his first letter of 2011,10to the failings of NRD in its 2010 application, you know11says, "You didn't perform as expected", but in his11as a reality did not actually block the award of licence12second letter says, "We are happy to discuss with you12contracts for at least one, if not more, mining13two concessions". In his third letter, he says, "Tm13concessions? Those were not the issues that prevented14giving you more time so that we can conclude the14the parties from going forward; correct?15contract or the licence or the agreement". That is what15A. I totally disagree with your suggestion. What I agree16I agree.16with is clear in the letters. NRD was not satisfactory17Q. Okay. And you'll also agree that it was reasonable for18obligations, but the government gave NRD a chance to at18NRD to read the February 2012 letter to say that the19least negotiate for one or two concessions, although the20qualify for a licence for any concession because it20government knew that NRD was not satisfactory in21a	14:20	 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather 	2 3	with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to
 mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "Im two concessions". In his third letter, he says, "Im two concessions". In his third letter, he says, "Im two concessions". In his third letter, he says, "Im tagree. contract or the licence or the agreement". That is what I agree. I agree. K. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory n completing and implementing its contractual obligations, but the government gave NRD a chance to at government knew that NRD was not satisfactory in completing its obligations. That is what I agree with. assessments for every concession; correct? A. Not correct. What I agree is that I'm not in a position to make an interpretation for NRD. I'm making what 	14:20	 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation 	2 3 4	with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions".
 8 concession; all they talk about, all the minister talks 9 about is they'll conclude contracts. Correct? 10 A. I agree that the minister, in his first letter of 2011, 11 says, "You didn't perform as expected", but in his 12 second letter says, "We are happy to discuss with you 13 two concessions". In his third letter, he says, "Tm 14 giving you more time so that we can conclude the 15 contract or the licence or the agreement". That is what 16 I agree. 17 Q. Okay. And you'll also agree that it was reasonable for 18 NRD to read the February 2012 letter to say that the 19 minister is not taking the position that NRD will not 20 qualify for a licence for any concession because it 21 failed to provide sufficient environmental impact 22 assessments for every concession; correct? 23 A. Not correct. What I agree is that I'm not in a position 24 to make an interpretation for NRD. I'm making what 	14:20	 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. 	2 3 4 5	with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So
9about is they'll conclude contracts. Correct?9you dwell on at such length in your witness statement as10A. I agree that the minister, in his first letter of 2011,10to the failings of NRD in its 2010 application, you know11says, "You didn't perform as expected", but in his11as a reality did not actually block the award of licence12second letter says, "We are happy to discuss with you12contracts for at least one, if not more, mining13two concessions". In his third letter, he says, "Tm13concessions? Those were not the issues that prevented14giving you more time so that we can conclude the14the parties from going forward; correct?15contract or the licence or the agreement". That is what15A. I totally disagree with your suggestion. What I agree16I agree.16with is clear in the letters. NRD was not satisfactory17Q. Okay. And you'll also agree that it was reasonable for17in completing and implementing its contractual18NRD to read the February 2012 letter to say that the18obligations, but the government gave NRD a chance to at19minister is not taking the position that NRD will not19least negotiate for one or two concessions, although the20qualify for a licence for any concession because it20government knew that NRD was not satisfactory in21failed to provide sufficient environmental impact21completing its obligations. That is what I agree with.22assessments for every concession; correct?22Q. Can I ask th	14:20	 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't 	2 3 4 5 6	with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so
10A. I agree that the minister, in his first letter of 2011,10to the failings of NRD in its 2010 application, you know11says, "You didn't perform as expected", but in his11as a reality did not actually block the award of licence12second letter says, "We are happy to discuss with you11as a reality did not actually block the award of licence13two concessions". In his third letter, he says, "Tm13concessions? Those were not the issues that prevented14giving you more time so that we can conclude the14the parties from going forward; correct?15contract or the licence or the agreement". That is what15A. I totally disagree with your suggestion. What I agree16I agree.16with is clear in the letters. NRD was not satisfactory17Q. Okay. And you'll also agree that it was reasonable for17in completing and implementing its contractual18NRD to read the February 2012 letter to say that the18obligations, but the government gave NRD a chance to at19qualify for a licence for any concession because it20government knew that NRD was not satisfactory in20assessments for every concession; correct?22Q. Can I ask that C-045 be brought up.23A. Not correct. What I agree is that I'm not in a position23C-045, sir, is a September 13th 2012 letter, again24to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further	14:20	 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any 	2 3 4 5 6 7	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me.
11says, "You didn't perform as expected", but in his11as a reality did not actually block the award of licence12second letter says, "We are happy to discuss with you12contracts for at least one, if not more, mining13two concessions". In his third letter, he says, "I'm13concessions? Those were not the issues that prevented14giving you more time so that we can conclude the14the parties from going forward; correct?15contract or the licence or the agreement". That is what15A. I totally disagree with your suggestion. What I agree16I agree.16with is clear in the letters. NRD was not satisfactory17Q. Okay. And you'll also agree that it was reasonable for17in completing and implementing its contractual18NRD to read the February 2012 letter to say that the18obligations, but the government gave NRD a chance to at19qualify for a licence for any concession because it20government knew that NRD was not satisfactory in20qualify for a licence for any concession; correct?22Q. Can I ask that C-045 be brought up.23A. Not correct. What I agree is that I'm not in a position23C-045, sir, is a September 13th 2012 letter, again24to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further	14:20	 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks 	2 3 4 5 6 7 8	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that
12second letter says, "We are happy to discuss with you12contracts for at least one, if not more, mining13two concessions". In his third letter, he says, "I'm13concessions? Those were not the issues that prevented14giving you more time so that we can conclude the14the parties from going forward; correct?15contract or the licence or the agreement". That is what15A. I totally disagree with your suggestion. What I agree16I agree.16with is clear in the letters. NRD was not satisfactory17Q. Okay. And you'll also agree that it was reasonable for17in completing and implementing its contractual18NRD to read the February 2012 letter to say that the18obligations, but the government gave NRD a chance to at19qualify for a licence for any concession because it20government knew that NRD was not satisfactory in21failed to provide sufficient environmental impact21completing its obligations. That is what I agree with.22assessments for every concession; correct?23C-045, sir, is a September 13th 2012 letter, again24to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? 	2 3 4 5 6 7 8 9	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as
13two concessions". In his third letter, he says, "I'm13concessions? Those were not the issues that prevented14giving you more time so that we can conclude the14the parties from going forward; correct?15contract or the licence or the agreement". That is what15A. I totally disagree with your suggestion. What I agree16I agree.16with is clear in the letters. NRD was not satisfactory17Q. Okay. And you'll also agree that it was reasonable for18NRD to read the February 2012 letter to say that the19minister is not taking the position that NRD will not19least negotiate for one or two concessions, although the20qualify for a licence for any concession because it20government knew that NRD was not satisfactory in21failed to provide sufficient environmental impact21completing its obligations. That is what I agree with.22assessments for every concession; correct?23C-045, sir, is a September 13th 2012 letter, again24to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, 	2 3 4 5 6 7 8 9 10	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know
14giving you more time so that we can conclude the contract or the licence or the agreement". That is what I agree.14the parties from going forward; correct?16I agree.15A. I totally disagree with your suggestion. What I agree locent is clear in the letters. NRD was not satisfactory17Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession because it failed to provide sufficient environmental impact assessments for every concession; correct?14the parties from going forward; correct? A. Not correct. What I agree is that I'm not in a position to make an interpretation for NRD. I'm making what14the parties from going forward; correct?14the parties from going forward; correct?14the parties from going forward; correct?15A. I totally disagree with your suggestion. What I agree locent agree with is clear in the letters. NRD was not satisfactory government knew that NRD was not satisfactory in 2016with is clear in the letters. NRD was not satisfactory government knew that NRD was not satisfactory in 2122government knew that NRD was not satisfactory in 2123A. Not correct. What I agree is that I'm not in a position 2424from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his 	2 3 4 5 6 7 8 9 10 11	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence
15contract or the licence or the agreement". That is what I agree.15A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory16I agree.16with is clear in the letters. NRD was not satisfactory17Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession because it 2017in completing and implementing its contractual 1819minister is not taking the position that NRD will not qualify for a licence for any concession because it 2119least negotiate for one or two concessions, although the 2022assessments for every concession; correct?21completing its obligations. That is what I agree with. 2122A. Not correct. What I agree is that I'm not in a position 2423C-045, sir, is a September 13th 2012 letter, again 2424to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you 	2 3 4 5 6 7 8 9 10 11 12	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining
16I agree.16with is clear in the letters. NRD was not satisfactory17Q. Okay. And you'll also agree that it was reasonable for17in completing and implementing its contractual18NRD to read the February 2012 letter to say that the18obligations, but the government gave NRD a chance to at19minister is not taking the position that NRD will not19least negotiate for one or two concessions, although the20qualify for a licence for any concession because it20government knew that NRD was not satisfactory in21failed to provide sufficient environmental impact21completing its obligations. That is what I agree with.22assessments for every concession; correct?22Q. Can I ask that C-045 be brought up.23A. Not correct. What I agree is that I'm not in a position23C-045, sir, is a September 13th 2012 letter, again24to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "I'm 	2 3 4 5 6 7 8 9 10 11 12 13	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented
17Q. Okay. And you'll also agree that it was reasonable for17in completing and implementing its contractual18NRD to read the February 2012 letter to say that the18obligations, but the government gave NRD a chance to at19minister is not taking the position that NRD will not19least negotiate for one or two concessions, although the20qualify for a licence for any concession because it20government knew that NRD was not satisfactory in21failed to provide sufficient environmental impact21completing its obligations. That is what I agree with.22assessments for every concession; correct?23Q. Can I ask that C-045 be brought up.23A. Not correct. What I agree is that I'm not in a position23C-045, sir, is a September 13th 2012 letter, again24to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the 	2 3 4 5 6 7 8 9 10 11 12 13 14	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct?
18NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession because it failed to provide sufficient environmental impact assessments for every concession; correct?18obligations, but the government gave NRD a chance to at 1918qualify for a licence for any concession because it failed to provide sufficient environmental impact assessments for every concession; correct?18obligations, but the government gave NRD a chance to at 1923A. Not correct. What I agree is that I'm not in a position to make an interpretation for NRD. I'm making what18obligations, but the government gave NRD a chance to at 1924to make an interpretation for NRD. I'm making what20court assessment, for were concession; correct?23A. Not correct. What I agree is that I'm not in a position to make an interpretation for NRD. I'm making what18obligations, but the government gave NRD a chance to at 1924to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the 	2 3 4 5 6 7 8 9 10 11 12 13 14	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct? A. I totally disagree with your suggestion. What I agree
19minister is not taking the position that NRD will not qualify for a licence for any concession because it failed to provide sufficient environmental impact assessments for every concession; correct?19least negotiate for one or two concessions, although the government knew that NRD was not satisfactory in 2122failed to provide sufficient environmental impact assessments for every concession; correct?21completing its obligations. That is what I agree with. 2223A. Not correct. What I agree is that I'm not in a position to make an interpretation for NRD. I'm making what23C-045, sir, is a September 13th 2012 letter, again from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the contract or the licence or the agreement". That is what 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct? A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory
20qualify for a licence for any concession because it20government knew that NRD was not satisfactory in21failed to provide sufficient environmental impact21completing its obligations. That is what I agree with.22assessments for every concession; correct?22Q. Can I ask that C-045 be brought up.23A. Not correct. What I agree is that I'm not in a position23C-045, sir, is a September 13th 2012 letter, again24to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "Tm giving you more time so that we can conclude the contract or the licence or the agreement". That is what I agree. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct? A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory
20qualify for a licence for any concession because it20government knew that NRD was not satisfactory in21failed to provide sufficient environmental impact21completing its obligations. That is what I agree with.22assessments for every concession; correct?22Q. Can I ask that C-045 be brought up.23A. Not correct. What I agree is that I'm not in a position23C-045, sir, is a September 13th 2012 letter, again24to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the contract or the licence or the agreement". That is what I agree. Q. Okay. And you'll also agree that it was reasonable for 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct? A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory in completing and implementing its contractual
21failed to provide sufficient environmental impact21completing its obligations. That is what I agree with.22assessments for every concession; correct?22Q. Can I ask that C-045 be brought up.23A. Not correct. What I agree is that I'm not in a position23C-045, sir, is a September 13th 2012 letter, again24to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the contract or the licence or the agreement". That is what I agree. Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct? A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory in completing and implementing its contractual obligations, but the government gave NRD a chance to at
22assessments for every concession; correct?22Q. Can I ask that C-045 be brought up.23A. Not correct. What I agree is that I'm not in a position23C-045, sir, is a September 13th 2012 letter, again24to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the contract or the licence or the agreement". That is what I agree. Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct? A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory in completing and implementing its contractual obligations, but the government gave NRD a chance to at least negotiate for one or two concessions, although the
23A. Not correct. What I agree is that I'm not in a position23C-045, sir, is a September 13th 2012 letter, again24to make an interpretation for NRD. I'm making what24from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the contract or the licence or the agreement". That is what I agree. Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession because it 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct? A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory in completing and implementing its contractual obligations, but the government gave NRD a chance to at least negotiate for one or two concessions, although the government knew that NRD was not satisfactory in
24 to make an interpretation for NRD. I'm making what 24 from your predecessor, Mr Kamanzi, to NRD, further		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the contract or the licence or the agreement". That is what I agree. Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession because it failed to provide sufficient environmental impact 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct? A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory in completing and implementing its contractual obligations, but the government gave NRD a chance to at least negotiate for one or two concessions, although the government knew that NRD was not satisfactory in completing its obligations. That is what I agree with.
		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "Tm giving you more time so that we can conclude the contract or the licence or the agreement". That is what I agree. Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession because it failed to provide sufficient environmental impact assessments for every concession; correct? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct? A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory in completing and implementing its contractual obligations, but the government gave NRD a chance to at least negotiate for one or two concessions, although the government knew that NRD was not satisfactory in completing its obligations. That is what I agree with. Q. Can I ask that C-045 be brought up.
		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the contract or the licence or the agreement". That is what I agree. Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession because it failed to provide sufficient environmental impact assessments for every concession; correct? A. Not correct. What I agree is that I'm not in a position 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct? A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory in completing and implementing its contractual obligations, but the government gave NRD a chance to at least negotiate for one or two concessions, although the government knew that NRD was not satisfactory in completing its obligations. That is what I agree with. Q. Can I ask that C-045 be brought up. C-045, sir, is a September 13th 2012 letter, again
		 A. Excuse me. I think, as I explained it before, it's not appropriate to me to make further interpretation, rather than what is written. I can't make an interpretation for NRD. I can only explain the facts that I know. Q. And you do know as a fact, in the letter they didn't mention anything about not qualifying for any concession; all they talk about, all the minister talks about is they'll conclude contracts. Correct? A. I agree that the minister, in his first letter of 2011, says, "You didn't perform as expected", but in his second letter says, "We are happy to discuss with you two concessions". In his third letter, he says, "I'm giving you more time so that we can conclude the contract or the licence or the agreement". That is what I agree. Q. Okay. And you'll also agree that it was reasonable for NRD to read the February 2012 letter to say that the minister is not taking the position that NRD will not qualify for a licence for any concession because it failed to provide sufficient environmental impact assessments for every concession; correct? A. Not correct. What I agree is that I'm not in a position to make an interpretation for NRD. I'm making what 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 with you". I had a meeting, it is written in my statement: "Please, we are willing and ready to negotiate with you for one or two concessions". That's it's a fact. So Q. And so A it's clear to me. Q. It's true, sir, is it not, that all these issues that you dwell on at such length in your witness statement as to the failings of NRD in its 2010 application, you know as a reality did not actually block the award of licence contracts for at least one, if not more, mining concessions? Those were not the issues that prevented the parties from going forward; correct? A. I totally disagree with your suggestion. What I agree with is clear in the letters. NRD was not satisfactory in completing and implementing its contractual obligations, but the government gave NRD a chance to at least negotiate for one or two concessions, although the government knew that NRD was not satisfactory in completing its obligations. That is what I agree with. Q. Can I ask that C-045 be brought up. C-045, sir, is a September 13th 2012 letter, again from your predecessor, Mr Kamanzi, to NRD, further

r			
14:25 1	[NRD]"; correct?	14:29 1	A. I think, sir, it's not appropriate for me to make
	. Can you repeat your question, please?	2	a further interpretation of this very clear letter. It
	. This is a September 13th 20	3	is in the same context with the previous letters. This
	. Excuse me. I think the problem: you are showing me	4	is a process that was ongoing. The government was
	a paper and you ask a question at the same time. So if	5	telling NRD, "Come to the table so that we negotiate".
	you can give me a minute, I can read, and then	6	So I think I'm not able to make further interpretation
	Absolutely. I have no trouble with that. Just let me	7	on this letter.
	know when you want me to repeat the question. (Pause)	8	Q. It's not just negotiate any topic, sir. You keep saying
	. Yes, please, you can ask it.	9	a very general term. The letter says specifically
	This is a September 13th 2012 letter from your	10	negotiating contracts, right?
	predecessor, Minister Kamanzi, to NRD, further extending	10	A. You are right.
	what is referred to as "the previous license" for three	11	Q. And the contracts that everybody was talking about in
	_		these letters are licences, one or more licences for one
	more months; correct?	13	
		14	or more concessions; correct?
	Just as an aside, sir, because I don't want this to feel	15	A. You are right.
	like it's some sort of battle, but when I ask that they	16	Q. You will agree that it would be completely inappropriate
	bring up a document and ask you a question about it,	17	if the ministry already made an internal decision to
	I have every intention to give you whatever time you	18	reject the November 2010 application for three
	need to read the document before answering. I'm not	19	concessions, so that NRD was not approved to operate
	demanding an answer immediately. So if I forget to say,	20	those going forward, to leave it nevertheless operating
	"Please let me know when you're done reading", just take	21	them; correct?
	the time to read it and let me know. Okay?	22	A. No, not it's not correct. Excuse me.
	. Noted.	23	There was a meeting between NRD and people of the
	. You'll agree that this letter to NRD does not state that	24	Rwandan Natural Resources Authority, and those people
25	only one or two or three previous licences were	25	were representing the ministry. They made it clear to
	Page 61		Page 63
	1450 01		1 450 05
14.27 1	avtandad: as of this time, your predecessor was	14.21 1	NPD that the ministry is ready to move shead with
	extended; as of this time, your predecessor was	14:31 1	NRD that the ministry is ready to move ahead with
2	extending all of them, so that the work on the new	2	contracts for two concessions, and it was also clear in
2 3	extending all of them, so that the work on the new contracts could continue. Correct?	2 3	contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term
2 3 4 A.	extending all of them, so that the work on the new contracts could continue. Correct? . I do not agree. This letter is extending the licences	2 3 4	contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either
2 3 4 A. 5	extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or	2 3 4 5	contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing.
2 3 4 A. 5 6	extending all of them, so that the work on the new contracts could continue. Correct? . I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous	2 3 4 5 6	contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context.
2 3 4 A. 5 6 7	extending all of them, so that the work on the new contracts could continue. Correct? . I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters.	2 3 4 5 6 7	contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing.So let's not extract this fact from this context.Q. Sir, you do know from your discussions and review of the
2 3 4 A. 5 6 7 8	extending all of them, so that the work on the new contracts could continue. Correct? . I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context.	2 3 4 5 6 7 8	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that
2 3 4 A. 5 6 7 8 9 Q.	extending all of them, so that the work on the new contracts could continue. Correct? . I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. . Sir, can	2 3 4 5 6 7 8 9	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very
2 3 4 A. 5 6 7 8 9 Q. 10 A.	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the 	2 3 4 5 6 7 8 9 10	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in 	2 3 4 5 6 7 8 9 10 11	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right?
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11 12	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, 	2 3 4 5 6 7 8 9 10 11 12	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him.
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11 12 13	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we 	2 3 4 5 6 7 8 9 10 11 12 13	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11 12 13 14	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we conclude negotiations". 	2 3 4 5 6 7 8 9 10 11 12 13 14	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he has a character. But we don't have time to spend on
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11 12 13 14 15 Q.	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we conclude negotiations". You'll agree that that message would never have been 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he has a character. But we don't have time to spend on that.
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11 12 13 14 15 Q. 16	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we conclude negotiations". You'll agree that that message would never have been delivered if in fact, as of September 2012, the ministry 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he has a character. But we don't have time to spend on that. But the message from the ministry has always been
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11 12 13 14 15 Q. 16 17	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we conclude negotiations". You'll agree that that message would never have been delivered if in fact, as of September 2012, the ministry had made the decision to reject the 2010 application for 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he has a character. But we don't have time to spend on that. But the message from the ministry has always been clear. That's what I would like to mention.
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11 12 13 14 15 Q. 16 17 18	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we conclude negotiations". You'll agree that that message would never have been delivered if in fact, as of September 2012, the ministry had made the decision to reject the 2010 application for three of the concessions; correct? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he has a character. But we don't have time to spend on that. But the message from the ministry has always been clear. That's what I would like to mention. Q. You do understand I asked you whether you already know
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11 12 13 14 15 Q. 16 17 18 19 A.	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we conclude negotiations". You'll agree that that message would never have been delivered if in fact, as of September 2012, the ministry had made the decision to reject the 2010 application for three of the concessions; correct? I didn't get your question, sorry. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he has a character. But we don't have time to spend on that. But the message from the ministry has always been clear. That's what I would like to mention. Q. You do understand I asked you whether you already know that Claimants dispute what was said at the December
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11 12 13 14 15 Q. 16 17 18 19 A. 20 Q.	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we conclude negotiations". You'll agree that that message would never have been delivered if in fact, as of September 2012, the ministry had made the decision to reject the 2010 application for three of the concessions; correct? I didn't get your question, sorry. The message that you just stated NRD was to understand, 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he has a character. But we don't have time to spend on that. But the message from the ministry has always been clear. That's what I would like to mention. Q. You do understand I asked you whether you already know that Claimants dispute what was said at the December meeting? That's my only question to you. You know they
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11 12 13 14 15 Q. 16 17 18 19 A. 20 Q. 21	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we conclude negotiations". You'll agree that that message would never have been delivered if in fact, as of September 2012, the ministry had made the decision to reject the 2010 application for three of the concessions; correct? I didn't get your question, sorry. The message that you just stated NRD was to understand, that it was being given the opportunity to continue 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he has a character. But we don't have time to spend on that. But the message from the ministry has always been clear. That's what I would like to mention. Q. You do understand I asked you whether you already know that Claimants dispute what was said at the December meeting? That's my only question to you. You know they say, "We don't agree with your characterisation of what
$\begin{array}{cccccccccccccccccccccccccccccccccccc$	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we conclude negotiations". You'll agree that that message would never have been delivered if in fact, as of September 2012, the ministry had made the decision to reject the 2010 application for three of the concessions; correct? I didn't get your question, sorry. The message that you just stated NRD was to understand, that it was being given the opportunity to continue mining at all five concessions while the discussions 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he has a character. But we don't have time to spend on that. But the message from the ministry has always been clear. That's what I would like to mention. Q. You do understand I asked you whether you already know that Claimants dispute what was said at the December meeting? That's my only question to you. You know they say, "We don't agree with your characterisation of what we were told"; correct?
$\begin{array}{cccccccccccccccccccccccccccccccccccc$	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we conclude negotiations". You'll agree that that message would never have been delivered if in fact, as of September 2012, the ministry had made the decision to reject the 2010 application for three of the concessions; correct? I didn't get your question, sorry. The message that you just stated NRD was to understand, that it was being given the opportunity to continue mining at all five concessions while the discussions continued, would never have been sent if in fact what 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he has a character. But we don't have time to spend on that. But the message from the ministry has always been clear. That's what I would like to mention. Q. You do understand I asked you whether you already know that Claimants dispute what was said at the December meeting? That's my only question to you. You know they say, "We don't agree with your characterisation of what we were told"; correct?
2 3 4 A. 5 6 7 8 9 Q. 10 A. 11 12 13 14 15 Q. 16 17 18 19 A. 20 Q. 21 22 23 24	 extending all of them, so that the work on the new contracts could continue. Correct? I do not agree. This letter is extending the licences for all the concessions for, I think, six months or something like that. It doesn't cancel the previous letters. And let's keep these letters in the same context. Sir, can They are written by the same minister, written to the same company. So this is to say, "Continue mining in the five concessions, I'm giving you that opportunity, and we are reorganising you ourselves so that we conclude negotiations". You'll agree that that message would never have been delivered if in fact, as of September 2012, the ministry had made the decision to reject the 2010 application for three of the concessions; correct? I didn't get your question, sorry. The message that you just stated NRD was to understand, that it was being given the opportunity to continue mining at all five concessions while the discussions 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 contracts for two concessions, and it was also clear in the mind of the ministry that it was for short-term licence, but NRD made it clear to them that they either get the five or nothing. So let's not extract this fact from this context. Q. Sir, you do know from your discussions and review of the NRD file, as well as your review of the materials that were submitted in this case, that the Claimants very much dispute Rwanda's description of what was said at a December meeting; you know it's in dispute, right? A. Dear sir, I met Mr Marshall, I discussed with him. Discussing with him is also very difficult: he is he has a character. But we don't have time to spend on that. But the message from the ministry has always been clear. That's what I would like to mention. Q. You do understand I asked you whether you already know that Claimants dispute what was said at the December meeting? That's my only question to you. You know they say, "We don't agree with your characterisation of what we were told"; correct?

14:32 1	telling me, right?	14:36 1	that you should vacate. Or yourself you can relinquish,
14.32 1	A. I know if he was agreeing, I wouldn't be sitting here!	14.50 1	on your own decision, and say, "I'm no longer interested
3	Q. Okay. So I am just trying to focus on the letter.	3	in this; I'm quitting".
4	A. I'm trying to give	4	Q. And if the ministry says, "No, we don't agree that you
5	Q. Let me ask	5	can operate, you're not going to be given a licence or
6	A the Tribunal the reality, the truth. That is what	6	permission to operate that mine", it can't nevertheless
7	I'm trying to do.	7	say, "But go ahead and do it anyway for a while, we'll
8	Q. Sir, please wait for a question, because	8	get back to you", right?
	A. Sorry, sorry, sorry.		A. Yes, when you are in the process of evaluation
9		9	· ·
10	Q I ask a question about a letter and you again argue	10	negotiation, you can be given extensions, as the case
11	about something that happened in a meeting, and they're	11	that has been granted to NRD.
12	not lining up. So I would like to stick with the	12	Q. Up until this point, where that's being extended again,
13	questions and answers, and your counsel is perfectly	13	you say that they're in discussions. But you've also
14	prepared to ask you other questions.	14	said that the ministry knows, and NRD is supposed to
15	You will agree that if the minister or the ministry	15	know, they're not in discussions and there's no
16	had reached a conclusion to reject the application for	16	possibility of getting licences to operate three
17	three concessions, it would be inappropriate, under	17	concessions. You said both, right?
18	Rwandan law, to leave NRD operating the concessions,	18	A. If I remember properly what I said, this was a process:
19	right?	19	NRD was given the opportunity to apply for two
20	A. Sorry, I'm going to repeat my answer. This was	20	concessions, and the ministry was extending the licence
21	a process that started in 2010, and the answers from the	21	to give NRD that opportunity. So this is what
22	minister are clear in the letter. So I do not agree	22	I remember I said.
23	with the suggestions you are making.	23	Q. Well, let's put specifics on that. What you're saying
24	Q. Under Rwandan law, the ministry must approve the	24	is the minister has told NRD, "We will give you the
25	operator of a mine. If not approved by the ministry,	25	opportunity to negotiate with us for contracts to
	Page 65		Page 67
	1 450 00		
14:34 1	it's illegal to operate the mine, collect the minerals	14:38 1	licence two mining facilities; we will not give you
14:34 1 2	it's illegal to operate the mine, collect the minerals and sell them; correct?	14:38 1 2	licence two mining facilities; we will not give you an opportunity to negotiate licences for these three",
	and sell them; correct?		an opportunity to negotiate licences for these three",
2	and sell them; correct? A. You are right.	2	an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"?
2 3	and sell them; correct?A. You are right.Q. So the ministry can't agree that a mine, for example,	2 3	an opportunity to negotiate licences for these three",and you're saying it's told NRD, "But operate all five"?A. Yes, "As we are concluding the negotiations, continue
2 3 4	and sell them; correct?A. You are right.Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what	2 3 4	an opportunity to negotiate licences for these three",and you're saying it's told NRD, "But operate all five"?A. Yes, "As we are concluding the negotiations, continue operating the five".
2 3 4 5 6	and sell them; correct?A. You are right.Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of	2 3 4 5 6	an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"?A. Yes, "As we are concluding the negotiations, continue operating the five".Q. And you'll agree that's entirely inconsistent with
2 3 4 5 6 7	and sell them; correct?A. You are right.Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right?	2 3 4 5 6 7	an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"?A. Yes, "As we are concluding the negotiations, continue operating the five".Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's
2 3 4 5 6 7 8	and sell them; correct?A. You are right.Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right?A. Sorry, I didn't get your question.	2 3 4 5 6 7 8	an opportunity to negotiate licences for these three",and you're saying it's told NRD, "But operate all five"?A. Yes, "As we are concluding the negotiations, continue operating the five".Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we
2 3 4 5 6 7 8 9	and sell them; correct?A. You are right.Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right?A. Sorry, I didn't get your question.Q. Okay. It's illegal under Rwandan law for miners to just	2 3 4 5 6 7 8 9	an opportunity to negotiate licences for these three",and you're saying it's told NRD, "But operate all five"?A. Yes, "As we are concluding the negotiations, continue operating the five".Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three
2 3 4 5 6 7 8	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, 	2 3 4 5 6 7 8	an opportunity to negotiate licences for these three",and you're saying it's told NRD, "But operate all five"?A. Yes, "As we are concluding the negotiations, continue operating the five".Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we
2 3 4 5 6 7 8 9 10	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, 	2 3 4 5 6 7 8 9 10 11	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"?
2 3 4 5 6 7 8 9 10 11 12	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? 	2 3 4 5 6 7 8 9 10	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain?
2 3 4 5 6 7 8 9 10 11	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. 	2 3 4 5 6 7 8 9 10 11 12	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question.
2 3 4 5 6 7 8 9 10 11 12 13	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. Q. So just as the ministry can't agree that miners can 	2 3 4 5 6 7 8 9 10 11 12 13 14	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question. A. The minister
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. Q. So just as the ministry can't agree that miners can simply operate a mine on their own, the ministry can't 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question. A. The minister THE PRESIDENT: I would welcome an explanation, please,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. Q. So just as the ministry can't agree that miners can simply operate a mine on their own, the ministry can't agree that someone it's rejected as an operator is left 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question. A. The minister THE PRESIDENT: I would welcome an explanation, please, because I'm puzzled about this.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. Q. So just as the ministry can't agree that miners can simply operate a mine on their own, the ministry can't agree that someone it's rejected as an operator is left in charge and nevertheless operating the mine, right? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question. A. The minister THE PRESIDENT: I would welcome an explanation, please, because I'm puzzled about this. A. This company was given five concessions in 2006. That
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. Q. So just as the ministry can't agree that miners can simply operate a mine on their own, the ministry can't agree that someone it's rejected as an operator is left in charge and nevertheless operating the mine, right? A. Sorry, I didn't get the question properly. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question. A. The minister THE PRESIDENT: I would welcome an explanation, please, because I'm puzzled about this. A. This company was given five concessions in 2006. That was in the context of privatisation. The government was
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. Q. So just as the ministry can't agree that miners can simply operate a mine on their own, the ministry can't agree that someone it's rejected as an operator is left in charge and nevertheless operating the mine, right? A. Sorry, I didn't get the question properly. Q. If an operator asks for approval of the ministry to 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question. A. The minister THE PRESIDENT: I would welcome an explanation, please, because I'm puzzled about this. A. This company was given five concessions in 2006. That was in the context of privatisation. The government was attracting investors.
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\end{array} $	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. Q. So just as the ministry can't agree that miners can simply operate a mine on their own, the ministry can't agree that someone it's rejected as an operator is left in charge and nevertheless operating the mine, right? A. Sorry, I didn't get the question properly. Q. If an operator asks for approval of the ministry to operate a mine at a particular concession area and is 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question. A. The minister THE PRESIDENT: I would welcome an explanation, please, because I'm puzzled about this. A. This company was given five concessions in 2006. That was in the context of privatisation. The government was attracting investors. But in 2010 the government noticed that the ability
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. Q. So just as the ministry can't agree that miners can simply operate a mine on their own, the ministry can't agree that someone it's rejected as an operator is left in charge and nevertheless operating the mine, right? A. Sorry, I didn't get the question properly. Q. If an operator asks for approval of the ministry to operate a mine at a particular concession area and is told no, it would be illegal for that operator to 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question. A. The minister THE PRESIDENT: I would welcome an explanation, please, because I'm puzzled about this. A. This company was given five concessions in 2006. That was in the context of privatisation. The government was attracting investors. But in 2010 the government noticed that the ability of this company is not sufficient to operate five
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. Q. So just as the ministry can't agree that miners can simply operate a mine on their own, the ministry can't agree that someone it's rejected as an operator is left in charge and nevertheless operating the mine, right? A. Sorry, I didn't get the question properly. Q. If an operator asks for approval of the ministry to operate a mine at a particular concession area and is told no, it would be illegal for that operator to nevertheless do it and operate that concession, right? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question. A. The minister THE PRESIDENT: I would welcome an explanation, please, because I'm puzzled about this. A. This company was given five concessions in 2006. That was in the context of privatisation. The government was attracting investors. But in 2010 the government noticed that the ability of this company is not sufficient to operate five concessions. This was notified to NRD. But in that
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. Q. So just as the ministry can't agree that miners can simply operate a mine on their own, the ministry can't agree that someone it's rejected as an operator is left in charge and nevertheless operating the mine, right? A. Sorry, I didn't get the question properly. Q. If an operator asks for approval of the ministry to operate a mine at a particular concession area and is told no, it would be illegal for that operator to nevertheless do it and operate that concession, right? A. Under the law, you are only allowed to mine if you have 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question. A. The minister THE PRESIDENT: I would welcome an explanation, please, because I'm puzzled about this. A. This company was given five concessions in 2006. That was in the context of privatisation. The government was attracting investors. But in 2010 the government noticed that the ability of this company is not sufficient to operate five concessions. This was notified to NRD. But in that period of time, while the government was expecting to
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 and sell them; correct? A. You are right. Q. So the ministry can't agree that a mine, for example, would be operated by artisan miners, free to do what they want, with no approved operator in charge of everything, right? A. Sorry, I didn't get your question. Q. Okay. It's illegal under Rwandan law for miners to just go mine minerals at a site, take them and sell them, without working under an approved operator of the mine, approved by the ministry, right? A. You are right. Q. So just as the ministry can't agree that miners can simply operate a mine on their own, the ministry can't agree that someone it's rejected as an operator is left in charge and nevertheless operating the mine, right? A. Sorry, I didn't get the question properly. Q. If an operator asks for approval of the ministry to operate a mine at a particular concession area and is told no, it would be illegal for that operator to nevertheless do it and operate that concession, right? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 an opportunity to negotiate licences for these three", and you're saying it's told NRD, "But operate all five"? A. Yes, "As we are concluding the negotiations, continue operating the five". Q. And you'll agree that's entirely inconsistent with Rwandan law: if they've already been told no, if that's what the minister believes, they've been told, "No, we will not consider you for a licence for three facilities", the minister then can't say, "But operate them"? A. I totally disagree with your suggestion. Can I explain? Q. If you need to, to answer the question. A. The minister THE PRESIDENT: I would welcome an explanation, please, because I'm puzzled about this. A. This company was given five concessions in 2006. That was in the context of privatisation. The government was attracting investors. But in 2010 the government noticed that the ability of this company is not sufficient to operate five concessions. This was notified to NRD. But in that

14:39 1	one selected and discussed among the parties will be	14:43 1	the contract expired and the ministry concluded that the
14.39 1	given to NRD.	2	work done by NRD was not satisfactory. But the ministry
3	Unfortunately, this process that started by my	3	said, "We are giving you a chance, and we don't want to
4	predecessor was not concluded until I was in charge.	4	lose you. Please, let's discuss on contracts for two.
			-
5	And I tried to push it, and we failed, until the 2014	5	But in the meantime, because you were working on the
6	law came on and I said, "People please, NRD, now	6	five, keep working on the five as we finalise this
7	there's a new law, let's try to put things properly".	7	process".
8	We asked them to apply basing on the new requirements of	8	Q. Sir, as of September 2012, when your predecessor issued
9	the 2014 law. Unfortunately, they failed. And we told	9	this letter, is it your position that the ministry's
10	them in 2015 we cannot continue.	10	message to NRD was that the work that was to be
11	So this is the summary of what I remember and this	11	concluded on contracts included work on potential
12	is the summary of the truth, if my mission is to give	12	contracts for all five concessions; or no, it only
13	the truth to this Tribunal.	13	included work for contracts on two concessions?
14	MR COWLEY: Well, I don't intend or desire to argue with you	14	A. My position is: if NRD had made proper work in the five
15	for no purpose, sir. You started your answer and then	15	concessions, and even here with this letter of
16	said you wanted to explain. But your answer was: no,	16	September I think is it September 2012? they
17	I was wrong; and what I heard as an explanation agreed	17	are still allowed to continue working on the five
18	with my question as I understood it. So I want to try	18	concessions. If they had successfully implemented
19	to get clarity on the record here.	19	proper work on these five concessions and they came back
20	It's your position that your predecessor minister	20	to the minister and said, "Look, by the way, in 2010 we
21	informed NRD, and it's your position NRD understood, it	21	didn't do a lot, but with this extension, this is what
22	would never be given excuse me, that's too strong	22	we did", the ministry would have considered that new
23	a statement. Let me rephrase that question.	23	work.
24	It's your position that your predecessor minister	24	But nothing new apart from the information that
25	informed NRD that it would not be granted contracts to	25	was given in 2010, nothing tangible new came from 2010
	Page 69		Page 71
14:41 1	licence three concessions as a result of the	14:45 1	on the three other concessions.
2	November 2010 application, and that the parties, you	2	Q. You'll agree with me, sir, that the minister knew what
2 3	November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and	2 3	Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open
2 3 4	November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the	2 3 4	Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new
2 3 4 5	November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister	2 3 4 5	Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right?
2 3 4 5 6	November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's	2 3 4 5 6	Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right?A. Excuse me. How can I be in the minister's mind at that
2 3 4 5 6 7	November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right?	2 3 4 5 6 7	Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right?A. Excuse me. How can I be in the minister's mind at that time?
2 3 4 5 6 7 8	November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret	2 3 4 5 6 7 8	Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right?A. Excuse me. How can I be in the minister's mind at that time?Q. Well, sir, I don't agree that that's a line that you've
2 3 4 5 6 7 8 9	November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right?A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what	2 3 4 5 6 7 8 9	Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right?A. Excuse me. How can I be in the minister's mind at that time?Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm
2 3 4 5 6 7 8 9 10	November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right?A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do.	2 3 4 5 6 7 8 9 10	Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right?A. Excuse me. How can I be in the minister's mind at that time?Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going
2 3 4 5 6 7 8 9	November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right?A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do.Q. And did my question accurately report back your	2 3 4 5 6 7 8 9 10 11	Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right?A. Excuse me. How can I be in the minister's mind at that time?Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and
2 3 4 5 6 7 8 9 10	November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right?A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do.Q. And did my question accurately report back your explanation?	2 3 4 5 6 7 8 9 10 11 12	Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right?A. Excuse me. How can I be in the minister's mind at that time?Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you
2 3 4 5 6 7 8 9 10 11	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. 	2 3 4 5 6 7 8 9 10 11	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up.
2 3 4 5 6 7 8 9 10 11 12	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. 	2 3 4 5 6 7 8 9 10 11 12	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up.
2 3 4 5 6 7 8 9 10 11 12 13	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. 	2 3 4 5 6 7 8 9 10 11 12 13	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up.
2 3 4 5 6 7 8 9 10 11 12 13 14	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. 	2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. As of September 2012, you stated, based on the prior 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of September 13th 2012, the ministry at least knew what
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. As of September 2012, you stated, based on the prior communications, that we have to keep in mind the meaning 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of September 13th 2012, the ministry at least knew what additional information, if any, NRD gave about the other
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. As of September 2012, you stated, based on the prior communications, that we have to keep in mind the meaning both of the minister and what NRD must have 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of September 13th 2012, the ministry at least knew what additional information, if any, NRD gave about the other three concessions beyond Rutsiro and Nemba?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. As of September 2012, you stated, based on the prior communications, that we have to keep in mind the meaning both of the minister and what NRD must have understood the meaning to be, you say, was that the 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of September 13th 2012, the ministry at least knew what additional information, if any, NRD gave about the other three concessions beyond Rutsiro and Nemba? A. Sorry, I will keep repeating myself.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. As of September 2012, you stated, based on the prior communications, that we have to keep in mind the meaning both of the minister and what NRD must have understood the meaning to be, you say, was that the reference to completing the ongoing work for new 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of September 13th 2012, the ministry at least knew what additional information, if any, NRD gave about the other three concessions beyond Rutsiro and Nemba? A. Sorry, I will keep repeating myself. The ministry got a report, assessed it, gave its
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. As of September 2012, you stated, based on the prior communications, that we have to keep in mind the meaning both of the minister and what NRD must have understood the meaning to be, you say, was that the reference to completing the ongoing work for new contracts referred to only Rutsiro and Nemba 	$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array} $	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of September 13th 2012, the ministry at least knew what additional information, if any, NRD gave about the other three concessions beyond Rutsiro and Nemba? A. Sorry, I will keep repeating myself. The ministry got a report, assessed it, gave its finding to NRD. And between 2010 up to 2012, nothing
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. As of September 2012, you stated, based on the prior communications, that we have to keep in mind the meaning both of the minister and what NRD must have understood the meaning to be, you say, was that the reference to completing the ongoing work for new contracts referred to only Rutsiro and Nemba concessions, and that there was no ongoing work to be 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of September 13th 2012, the ministry at least knew what additional information, if any, NRD gave about the other three concessions beyond Rutsiro and Nemba? A. Sorry, I will keep repeating myself. The ministry got a report, assessed it, gave its finding to NRD. And between 2010 up to 2012, nothing tangible came to describe that there's much work that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. As of September 2012, you stated, based on the prior communications, that we have to keep in mind the meaning both of the minister and what NRD must have understood the meaning to be, you say, was that the reference to completing the ongoing work for new contracts referred to only Rutsiro and Nemba concessions, and that there was no ongoing work to be completed for licences to the three other concessions; 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of September 13th 2012, the ministry at least knew what additional information, if any, NRD gave about the other three concessions beyond Rutsiro and Nemba? A. Sorry, I will keep repeating myself. The ministry got a report, assessed it, gave its finding to NRD. And between 2010 up to 2012, nothing tangible came to describe that there's much work that has been done on the three other concessions, rather
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. As of September 2012, you stated, based on the prior communications, that we have to keep in mind the meaning both of the minister and what NRD must have understood the meaning to be, you say, was that the reference to completing the ongoing work for new contracts referred to only Rutsiro and Nemba concessions, and that there was no ongoing work to be completed for licences to the three other concessions; correct? 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of September 13th 2012, the ministry at least knew what additional information, if any, NRD gave about the other three concessions beyond Rutsiro and Nemba? A. Sorry, I will keep repeating myself. The ministry got a report, assessed it, gave its finding to NRD. And between 2010 up to 2012, nothing tangible came to describe that there's much work that has been done on the three other concessions, rather than Nemba and Rutsiro.
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. As of September 2012, you stated, based on the prior communications, that we have to keep in mind the meaning both of the minister and what NRD must have understood the meaning to be, you say, was that the reference to completing the ongoing work for new contracts referred to only Rutsiro and Nemba concessions, and that there was no ongoing work to be completed for licences to the three other concessions; correct? A. These letters were sent after the expiry of the initial 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of September 13th 2012, the ministry at least knew what additional information, if any, NRD gave about the other three concessions beyond Rutsiro and Nemba? A. Sorry, I will keep repeating myself. The ministry got a report, assessed it, gave its finding to NRD. And between 2010 up to 2012, nothing tangible came to describe that there's much work that has been done on the three other concessions, rather than Nemba and Rutsiro. Q. Please pause there. As of September 13th 2012, your
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 November 2010 application, and that the parties, you say, understood NRD was not qualified to get them and would not get them. Nevertheless, while discussing the terms of a contract for two concessions, the minister informed NRD, "Operate the three others too". That's what your testimony is, right? A. My testimony is I don't want to speculate and interpret clear letters. I just try to explain to you what I know, and that is what I will try to do. Q. And did my question accurately report back your explanation? A. No. Q. Okay. Let's break it down. As of September 2012, you stated, based on the prior communications, that we have to keep in mind the meaning both of the minister and what NRD must have understood the meaning to be, you say, was that the reference to completing the ongoing work for new contracts referred to only Rutsiro and Nemba concessions, and that there was no ongoing work to be completed for licences to the three other concessions; correct? A. These letters were sent after the expiry of the initial 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 Q. You'll agree with me, sir, that the minister knew what came in prior to September 13th 2012; it wasn't an open question in the minister's mind at that time whether new work came in as of that time, right? A. Excuse me. How can I be in the minister's mind at that time? Q. Well, sir, I don't agree that that's a line that you've been drawing in your answers to the questions, but I'm asking as a matter of pure logic. Or, if you're going to expand on logic, you know the minister's practice and you know how the NRD file was maintained because you picked it up. Is there any reason you can't say that as of September 13th 2012, the ministry at least knew what additional information, if any, NRD gave about the other three concessions beyond Rutsiro and Nemba? A. Sorry, I will keep repeating myself. The ministry got a report, assessed it, gave its finding to NRD. And between 2010 up to 2012, nothing tangible came to describe that there's much work that has been done on the three other concessions, rather than Nemba and Rutsiro. Q. Please pause there. As of September 13th 2012, your

			
		14.50 1	
14:47 1	A. Can you ask the question, please, again?	14:50 1	The position of the ministry was to offer
2	Q. What you've just said occurred, as of	2	negotiation for contracts for two concessions at that
3	September 13th 2012, your predecessor minister knew that	3	time. But I would guess that if NRD had come with more
4	too, right?	4	information on the proper work made on the five
5	A. You're asking if he knew what I'm telling you?	5	concessions
6	Q. Yes. You just described what happened between	6	Q. Please don't add a hypothetical and change my question
7	November 2010 and September 2012: you characterised what	7	before you answer my question.
8	happened.	8	MR HILL: That's an entirely unfair interruption of the
9	A. Yes.	9	witness. He's giving you an answer to the question. If
10	Q. My question is simple: the minister at the time knew the	10	he could answer the question, because it was exactly on
11	same thing, right?	11	the question asked.
12	A. I didn't get your that question. "Same vein"? What	12	MR COWLEY: He says: if something different had happened.
13	is the meaning of "same vein"?	13	I've asked him to stick only with what actually happened
14	Q. I'm sorry, I mispronounced the word. Sometimes I talk	14	as of the date that the
15	too fast, and I know that, but I have a hard time	15	MR HILL: No, that again is unfair. He's explaining what
16	slowing myself down.	16	the ministry point of view would have been at the point,
17	What you just described as occurring between the	17	which is exactly what he's been asked to speculate.
18	application in November 2010 and the state of affairs in	18	MR COWLEY: Mr President, I'm going to have to ask: I do not
19	September 2012, your predecessor minister knew the same	19	think it is fair, after all these efforts, to get
20	thing, right?	20	an answer to the question that the answer becomes
21	A. Yes.	21	a changed question.
22	Q. Okay. So just sticking with that, when he sent the	22	THE PRESIDENT: I'm sorry, my view is that he was answering
23	letter out on September 13th 2012, knowing what you've	23	the question perfectly clearly and it wasn't a question
24	characterised as happening up until that date, is it	24	that he felt could be answered yes or no.
25	your position that when he referred to "new contracts	25	MR COWLEY: My apologies.
	Page 73		Page 75
14.40 1	the twill be not sticked " online formula you have from	14.52 1	THE DECIDENT: He was avalable why it couldn't be
14:49 1	that will be negotiated" going forward, you know, from	14:52 1	THE PRESIDENT: He was explaining why it couldn't be
2	that date forward to be negotiated, he was referring in	2	answered yes or no, and what he thought the ministers
2 3	that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or	2 3	answered yes or no, and what he thought the ministers meant by this offer.
2 3 4	that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts	2 3 4	answered yes or no, and what he thought the ministers meant by this offer.A. Thank you, sir, for the clarification.
2 3 4 5	that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which?	2 3 4 5	answered yes or no, and what he thought the ministers meant by this offer.A. Thank you, sir, for the clarification.And what I'm trying to explain: these are things
2 3 4 5 6	that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which?A. Sorry, the question was too long and I got lost,	2 3 4 5 6	answered yes or no, and what he thought the ministers meant by this offer.A. Thank you, sir, for the clarification.And what I'm trying to explain: these are things that happened some years ago. You are showing me
2 3 4 5 6 7	that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which?A. Sorry, the question was too long and I got lost, unfortunately.	2 3 4 5 6 7	answered yes or no, and what he thought the ministers meant by this offer.A. Thank you, sir, for the clarification.And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're
2 3 4 5 6 7 8	that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which?A. Sorry, the question was too long and I got lost, unfortunately.Q. I can be criticised for lots of things, and I'll take	2 3 4 5 6 7 8	answered yes or no, and what he thought the ministers meant by this offer.A. Thank you, sir, for the clarification.And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in
2 3 4 5 6 7 8 9	that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which?A. Sorry, the question was too long and I got lost, unfortunately.Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try	2 3 4 5 6 7 8 9	answered yes or no, and what he thought the ministers meant by this offer.A. Thank you, sir, for the clarification.And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context.
2 3 4 5 6 7 8 9 10	that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which?A. Sorry, the question was too long and I got lost, unfortunately.Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour	2 3 4 5 6 7 8 9 10	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating
2 3 4 5 6 7 8 9 10 11	that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which?A. Sorry, the question was too long and I got lost, unfortunately.Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but	2 3 4 5 6 7 8 9 10 11	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the
2 3 4 5 6 7 8 9 10 11 12	that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which?A. Sorry, the question was too long and I got lost, unfortunately.Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job.	2 3 4 5 6 7 8 9 10 11 12	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here.
2 3 4 5 6 7 8 9 10 11 12 13	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of 	2 3 4 5 6 7 8 9 10 11 12 13	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five
2 3 4 5 6 7 8 9 10 11 12 13 14	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of what happened between November 2010's application and 	2 3 4 5 6 7 8 9 10 11 12 13 14	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five concessions, the government would have been very happy
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of what happened between November 2010's application and September 2012's letter, the prior minister was 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five concessions, the government would have been very happy to give them all the five concessions. But in the view
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of what happened between November 2010's application and September 2012's letter, the prior minister was aware of. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five concessions, the government would have been very happy to give them all the five concessions. But in the view of the government at this time, we were saying, "Let's
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of what happened between November 2010's application and September 2012's letter, the prior minister was aware of. A. Yes. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five concessions, the government would have been very happy to give them all the five concessions. But in the view of the government at this time, we were saying, "Let's proceed with one or two". That is what I was trying to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of what happened between November 2010's application and September 2012's letter, the prior minister was aware of. A. Yes. Q. With that as an agreed fact 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five concessions, the government would have been very happy to give them all the five concessions. But in the view of the government at this time, we were saying, "Let's proceed with one or two". That is what I was trying to answer.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of what happened between November 2010's application and September 2012's letter, the prior minister was aware of. A. Yes. Q. With that as an agreed fact A. Yes. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five concessions, the government would have been very happy to give them all the five concessions. But in the view of the government at this time, we were saying, "Let's proceed with one or two". That is what I was trying to answer. MR COWLEY: I'm going to preface this question by saying
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array} $	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of what happened between November 2010's application and September 2012's letter, the prior minister was aware of. A. Yes. Q. With that as an agreed fact A. Yes. Q when your predecessor sent the September 13th 2012 	$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array} $	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five concessions, the government would have been very happy to give them all the five concessions. But in the view of the government at this time, we were saying, "Let's proceed with one or two". That is what I was trying to answer. MR COWLEY: I'm going to preface this question by saying I'm not asking you to talk about NRD specifically. I'm
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array} $	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of what happened between November 2010's application and September 2012's letter, the prior minister was aware of. A. Yes. Q. With that as an agreed fact A. Yes. Q when your predecessor sent the September 13th 2012 letter and referred to "new contracts that will be 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five concessions, the government would have been very happy to give them all the five concessions. But in the view of the government at this time, we were saying, "Let's proceed with one or two". That is what I was trying to answer. MR COWLEY: I'm going to preface this question by saying I'm not asking you to talk about NRD specifically. I'm asking you a question of how the ministry applies its
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of what happened between November 2010's application and September 2012's letter, the prior minister was aware of. A. Yes. Q. With that as an agreed fact A. Yes. Q when your predecessor sent the September 13th 2012 letter and referred to "new contracts that will be negotiated", was he referring to new contracts for the 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five concessions, the government would have been very happy to give them all the five concessions. But in the view of the government at this time, we were saying, "Let's proceed with one or two". That is what I was trying to answer. MR COWLEY: I'm going to preface this question by saying I'm not asking you to talk about NRD specifically. I'm asking you a question of how the ministry applies its authority under Rwandan law.
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of what happened between November 2010's application and September 2012's letter, the prior minister was aware of. A. Yes. Q. With that as an agreed fact A. Yes. Q when your predecessor sent the September 13th 2012 letter and referred to "new contracts that will be negotiated", was he referring to new contracts for the Rutsiro and Nemba concessions only, or all five 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five concessions, the government would have been very happy to give them all the five concessions. But in the view of the government at this time, we were saying, "Let's proceed with one or two". That is what I was trying to answer. MR COWLEY: I'm going to preface this question by saying I'm not asking you to talk about NRD specifically. I'm asking you a question of how the ministry applies its authority under Rwandan law. If a concession is held out for applications,
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 that date forward to be negotiated, he was referring in NRD's case to only contracts for Rutsiro and Nemba, or he was also referring to the possibility of contracts for the other three concessions too? Which? A. Sorry, the question was too long and I got lost, unfortunately. Q. I can be criticised for lots of things, and I'll take it. Many things I do can be criticised. I'll try again. And I'm apologising: I'm not trying to belabour this for you, I'm trying to make it simple, but I'm doing a poor job. We've already agreed that your characterisation of what happened between November 2010's application and September 2012's letter, the prior minister was aware of. A. Yes. Q. With that as an agreed fact A. Yes. Q when your predecessor sent the September 13th 2012 letter and referred to "new contracts that will be negotiated", was he referring to new contracts for the 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 answered yes or no, and what he thought the ministers meant by this offer. A. Thank you, sir, for the clarification. And what I'm trying to explain: these are things that happened some years ago. You are showing me a letter which was signed by my predecessor and you're asking me to interpret it. I cannot interpret it in just "yes" or "no"; I'm trying to give you the context. And unfortunately my answers will seem repeating themselves, because what I'm telling you, those are the facts, and we have the letters here. So if NRD had produced proper work in all the five concessions, the government would have been very happy to give them all the five concessions. But in the view of the government at this time, we were saying, "Let's proceed with one or two". That is what I was trying to answer. MR COWLEY: I'm going to preface this question by saying I'm not asking you to talk about NRD specifically. I'm asking you a question of how the ministry applies its authority under Rwandan law.

14:54 1	not qualify, you will not be given a licence. Do you	14:57 1	minister to extend it for only two more weeks at that
2	agree with me, sir, that it would be inappropriate under	2	time?
3	Rwandan law to say, "But for the time being, operate the	3	A. My understanding is that the minister was again giving
4	concession anyway"?	4	chance to the negotiation process. That is my
5	A. I do not agree with your interpretation of the facts.	5	understanding. It is to give a chance to see if
6	Q. I specifically said I'm not talking about NRD. So	6	an agreement can be reached.
7	please don't talk about NRD in the answer. I'm asking	7	Q. If contracts for licences of one or more mining
8	a hypothetical question about how it works, how the	8	concessions could be reached, right?
9	ministry's authority is applied and what they can and	9	A. That's my understanding.
10	can't do. So please don't answer about what it did with	10	Q. And there wasn't an expectation of the minister to do
11	NRD; answer only what I'm asking.	11	something more than that in the next two weeks; correct?
12	If somebody applies, makes an application under	12	A. I would don't I would not like to speculate.
13	a tender which has nothing to do with our case for	13	Q. Can I ask that C-160 be brought up.
14	a mining concession, and the ministry says, "No, you do	14	I am remembering to say this time, sir: tell me when
15	not qualify, you will not be given a licence", do you	15	you're ready to answer a question.
16	agree with me that it would be inappropriate under	16	A. Yes. (Pause) Yes, I have finished.
17	Rwandan law for the ministry to say, "Despite that	17	Q. C-160 is a January 21st 2013 letter from then
18	decision, operate that mine for a while"?	18	Minister Kamanzi to the Rwanda Development Board;
19	A. I do not agree with your interpretation of the facts.	19	correct?
20	If I'm given a minute, I can explain.	20	A. Correct.
21	You want to understand the context in which the	21	Q. And in the letter he asks the RDB:
22	ministry operated. The first thing is to get a licence.	22	" to initiate negotiations with the above
23	When you get a licence, you operate. When you submit	23	company."
24	an application file, the application file is processed.	24	Which is NRD.
25	This can take some months; it can even take some years.	25	"Its initial license for four years expired some
	Page 77		Page 79
1455 1		15.00 1	
14:55 1	And as long as no final decision has been made on your	15:00 1	time back. The company has been operating on short term
2	case, you are allowed to continue to operate. This is	2	extensions as we wait for the conclusion of the new type
2 3	case, you are allowed to continue to operate. This is how we operated.	2 3	extensions as we wait for the conclusion of the new type of agreement with them, if any."
2 3 4	case, you are allowed to continue to operate. This is how we operated.Q. Sir, looking back at C-045, do you see that the date of	2 3 4	extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that?
2 3 4 5	case, you are allowed to continue to operate. This is how we operated.Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to	2 3 4 5	extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that.
2 3 4 5 6	case, you are allowed to continue to operate. This is how we operated.Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the	2 3 4 5 6	extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that?A. I see that.Q. Now, the reason Minister Kamanzi asks the RDB to
2 3 4 5 6 7	case, you are allowed to continue to operate. This is how we operated.Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012?	2 3 4 5 6 7	extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that?A. I see that.Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in
2 3 4 5 6 7 8	case, you are allowed to continue to operate. This is how we operated.Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012?A. Yes.	2 3 4 5 6 7 8	extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that?A. I see that.Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he
2 3 4 5 6 7 8 9	case, you are allowed to continue to operate. This is how we operated.Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012?A. Yes.Q. Two more weeks left in the month; correct?	2 3 4 5 6 7 8 9	extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that?A. I see that.Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this
2 3 4 5 6 7 8 9 10	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. 	2 3 4 5 6 7 8 9 10	extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that?A. I see that.Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB
2 3 4 5 6 7 8 9 10 11	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD 	2 3 4 5 6 7 8 9 10 11	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations;
2 3 4 5 6 7 8 9 10 11 12	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister 	2 3 4 5 6 7 8 9 10 11 12	extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that?A. I see that.Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right?
2 3 4 5 6 7 8 9 10 11 12 13	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever 	2 3 4 5 6 7 8 9 10 11 12 13	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right.
2 3 4 5 6 7 8 9 10 11 12 13 14	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? 	2 3 4 5 6 7 8 9 10 11 12 13 14	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? A. I do not agree with your interpretation. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi identifies the five concessions and says:
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? A. I do not agree with your interpretation. Q. Based on your understanding of events, your review of 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi identifies the five concessions and says: " [those] were too many for one license. The way
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? A. I do not agree with your interpretation. Q. Based on your understanding of events, your review of the file, did the minister have any reason to extend 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi identifies the five concessions and says: " [those] were too many for one license. The way forward should be to negotiate a license for each
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? A. I do not agree with your interpretation. Q. Based on your understanding of events, your review of the file, did the minister have any reason to extend further, for the remaining two weeks in September, the 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi identifies the five concessions and says: " [those] were too many for one license. The way forward should be to negotiate a license for each concession so that [they may] be evaluated separately."
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? A. I do not agree with your interpretation. Q. Based on your understanding of events, your review of the file, did the minister have any reason to extend further, for the remaining two weeks in September, the licences under which NRD had been operating the 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi identifies the five concessions and says: " [those] were too many for one license. The way forward should be to negotiate a license for each concession so that [they may] be evaluated separately." Then he reports that activities have temporarily
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? A. I do not agree with your interpretation. Q. Based on your understanding of events, your review of the file, did the minister have any reason to extend further, for the remaining two weeks in September, the licences under which NRD had been operating the concessions for only two weeks, because something else 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi identifies the five concessions and says: " [those] were too many for one license. The way forward should be to negotiate a license for each concession so that [they may] be evaluated separately." Then he reports that activities have temporarily been stopped in two of the concessions because of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? A. I do not agree with your interpretation. Q. Based on your understanding of events, your review of the file, did the minister have any reason to extend further, for the remaining two weeks in September, the licences under which NRD had been operating the concessions for only two weeks, because something else was planned for the weeks following? 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi identifies the five concessions and says: " [those] were too many for one license. The way forward should be to negotiate a license for each concession so that [they may] be evaluated separately." Then he reports that activities have temporarily been stopped in two of the concessions because of environmental degradation. Do you see that?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? A. I do not agree with your interpretation. Q. Based on your understanding of events, your review of the file, did the minister have any reason to extend further, for the remaining two weeks in September, the licences under which NRD had been operating the concessions for only two weeks, because something else was planned for the weeks following? A. I'm sure the minister had very good reasons. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi identifies the five concessions and says: " [those] were too many for one license. The way forward should be to negotiate a license for each concession so that [they may] be evaluated separately." Then he reports that activities have temporarily been stopped in two of the concessions because of environmental degradation. Do you see that?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? A. I do not agree with your interpretation. Q. Based on your understanding of events, your review of the file, did the minister have any reason to extend further, for the remaining two weeks in September, the licences under which NRD had been operating the concessions for only two weeks, because something else was planned for the weeks following? A. I'm sure the minister had very good reasons. Q. I'm asking you, based on your review, because he's not 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi identifies the five concessions and says: " [those] were too many for one license. The way forward should be to negotiate a license for each concession so that [they may] be evaluated separately." Then he reports that activities have temporarily been stopped in two of the concessions because of environmental degradation. Do you see that? A. I see that. Q. He says, however:
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? A. I do not agree with your interpretation. Q. Based on your understanding of events, your review of the file, did the minister have any reason to extend further, for the remaining two weeks in September, the licences under which NRD had been operating the concessions for only two weeks, because something else was planned for the weeks following? A. I'm sure the minister had very good reasons. Q. I'm asking you, based on your review, because he's not here. You reviewed the file, you looked at the facts. 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi identifies the five concessions and says: " [those] were too many for one license. The way forward should be to negotiate a license for each concession so that [they may] be evaluated separately." Then he reports that activities have temporarily been stopped in two of the concessions because of environmental degradation. Do you see that? A. I see that. Q. He says, however: " negotiations [should] begin with concessions
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 case, you are allowed to continue to operate. This is how we operated. Q. Sir, looking back at C-045, do you see that the date of the letter extending the licence period for NRD to operate the mining concessions is from the September 13th date when it goes out to October 2012? A. Yes. Q. Two more weeks left in the month; correct? A. Yes. Q. You'll agree that the only reasonable understanding NRD would have after receiving this letter is the minister believes they are so close they can complete whatever contracts he's referring to in the next two weeks? A. I do not agree with your interpretation. Q. Based on your understanding of events, your review of the file, did the minister have any reason to extend further, for the remaining two weeks in September, the licences under which NRD had been operating the concessions for only two weeks, because something else was planned for the weeks following? A. I'm sure the minister had very good reasons. Q. I'm asking you, based on your review, because he's not 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 extensions as we wait for the conclusion of the new type of agreement with them, if any." Do you see that? A. I see that. Q. Now, the reason Minister Kamanzi asks the RDB to initiate those negotiations is because at some point in the intervening period between the letters in which he said to NRD, "We will negotiate the contract in this letter", a policy decision had been made that the RDB would handle the primary role in such negotiations; right? A. You are right. Q. In the middle paragraph, then Minister Kamanzi identifies the five concessions and says: " [those] were too many for one license. The way forward should be to negotiate a license for each concession so that [they may] be evaluated separately." Then he reports that activities have temporarily been stopped in two of the concessions because of environmental degradation. Do you see that? A. I see that. Q. He says, however:

5	6	_	,
15:01 1	Correct?	15:06 1	Q. You say "no final application": did you mean "no final
2		2	decision"?
3	Q. Is it your understanding that Minister Kamanzi was	3	A. No final decision. Excuse me. Excuse me. No final
4		4	decision.
5	0 0	5	Q. Right, but I was asking about something very different.
6		6	I was asking about the representation in this letter
7		7	that the company has been operating on short-term
8	A. I don't agree with the way you are summarising the	8	extensions.
9		9	We looked at the references to extensions in
10	6	10	
11		11	the end of September 2012 to October 2012. So as of
12		12	,
13	separately". And I think immediately after this letter,	13	any licences that we've looked at so far.
14	RDB invited NRD to come and negotiate, starting with	14	А. І
15	Nemba.	15	Q. Do you agree that there were no written further
16	So this is in the same context: it's the	16	extensions of the licences at all?
17	continuation of a process.	17	A. Exactly. It confirms what I was trying to explain. As
18	Q. And again, I have to apologise: I don't understand the	18	long as the ministry has not made a final decision on
19	disagreement with my [question]. It seems to me your	19	your application, you are allowed to continue operating.
20	explanation was, "Yes, your question was correct", but	20	And actually here the minister is recognising that NRD
21	you started by saying: no, I wasn't correct.	21	has been operating.
22	You understood, just as I asked, that	22	Q. I do not understand the answer, so please explain. As
23	Minister Kamanzi was informing RDB that there were no	23	of January 22nd 2013, is it your understanding that NRD
24	serious issues for stopping negotiation of licence	24	was at that time currently operating on a short-term
25	contracts regarding all the concessions other than	25	extension of its licences for all five concessions?
	Dece 01		Dec. 02
	Page 81		Page 83
15:03 1	Rutsiro and Sebeya in this letter, right?	15:07 1	A. Yes, that is my understanding.
2	A. You are right.	2	Q. And what extended the licence for the concessions to NRD
3	Q. Now, prior to January 22nd 2013, if not that day itself,	3	from October 1st to January 22nd 2013?
4	when was the policy change implemented such that the	4	A. What extended it is the fact that no letter was sent to
5	ministry was to hand off the primary role in negotiating	5	NRD telling them, "Please close your bags and relinquish
6	with applicants to RDB? When did that policy change	6	the concession".
7	that led to this letter?	7	Q. So as you understood it, there was no need to inform NRD
8	A. I don't remember the exact date right at the moment.	8	that its licences were extended for a period; you
9	I don't remember the exact date, but it was around that	9	understood that its licences were automatically extended
10	time.	10	under Rwandan law until it was told the opposite, "You
11	Q. Now, the first paragraph which we started with and if	11	now must stop operating"?
12	I could ask you to look back at that that included	12	A. You are right.
13	the statement that:	13	Q. So then why did the minister send any of the prior
14	"The company has been operating on short term	14	letters saying that it was willing to extend for
15	extensions as we wait for the conclusion of the new type	15	a specific period of time?
16	of agreement with them, if any."	16	A. The minister was showing NRD that the application has
17	A. Yes, I see that.	17	been received, some observations had been made on the
18	Q. But you know that as of January 22nd 2013, there had not	18	application, some negotiations had started, and the
19	been a short-term extension of the licences for any of	19	minister said, "Now let me hand over to RDB so that RDB
20	the five concessions since October 2012, right?	20	can lead the negotiation process".
21	A Lat ma avalain it again. Loaid that in Dwanda at that	21	So I think again, that's why I'm not willing to
21	A. Let me explain it again. I said that in Rwanda at that		
21	time, when you have a licence, you continue operating it	22	speculate that the fact that no further extension
		22 23	
22	time, when you have a licence, you continue operating it until a final decision has been made on your		speculate that the fact that no further extension
22 23	time, when you have a licence, you continue operating it until a final decision has been made on your application. So no final application had been made	23	speculate that the fact that no further extension letter was sent is because the minister was waiting for

15:09 1	Q. Wasn't the minister always waiting for the conclusion of	15:14 1	when they meet with you and talk about contracts going
2	negotiations of a contract, every time he sent a letter	2	forward; that's why this document was sent, correct?
3	saying, "We will extend for a short period of time your	3	A. Excuse me. Can you show me where the representatives
4	licences"?	4	the ministry asked NRD to do so?
5	A. Here NRD had been given an opportunity to negotiate for	5	Q. It's not in writing, so no, I'm not prepared to show it
6	two concessions, but on several occasions they were not	6	to you. But I'm asking you: you're aware in any event,
7	willing to take that opportunity. So the minister said,	7	you're aware that this was requested of NRD to put in
8	"Let me hand that file or process to RDB to lead it".	8	the file that was being sent to RDB for negotiations, so
9	So that's what the letter is telling us.	9	that there was a document that said "long-term
	-		_
10	Q. Are you aware of any communication from the Ministry of	10	license"; right?
11	Mines to RDB, whether before or after the exhibit we're	11	A. No, I do not know who requested NRD to do so. That's
12	looking at on January 22nd 2013, in which RDB was	12	why I was asking you to please show me the letter of
13	informed that there were only two concessions for which	13	instruction that was given to NRD.
14	contracts would be considered, and therefore should only	14	Q. Well, you will agree that in communicating to the RDB in
15	be negotiated?	15	January 2013, the minister said, "Please commence now
16	A. I wouldn't like to speculate on that.	16	negotiations"; he did not say, "Don't commence now
17	Q. I'm just asking you simply: in your review of the file	17	negotiations, because a new application has to come in
18	and your preparations when you took it over, and again	18	first", right?
19	in your preparations for this witness statement that you	19	A. Yes, the minister instructed RDB to lead the negotiation
20	provided in this case, have you become aware of any	20	process. But my question was thus: where is the proof?
21	communication in which the ministry, anybody on behalf	21	Q. Sir, please just focus on my questions.
22	of the ministry, informed RDB, when going forward with	22	When he sent the letter saying, "Commence
23	negotiations as asked with NRD, "There's only two	23	negotiations now", he knew that this hadn't been
24	concessions in which negotiations should occur because	24	received; correct?
25	there's only two concessions for which contracts will be	25	A. I don't want to confirm things while no document had
		20	
	Page 85		Page 87
15:11 1	issued"? If	15:16 1	been shown to me.
2	A. I wouldn't like to speculate.	2	Q. Sir, you've seen the documents. You saw and I'll
3	Q. So it would be speculation as to whether you've seen it	3	pull them up again. You saw the January 13th 2013
4	or not? Do you recall	4	letter to RDB from Minister Kamanzi, right?
5	A. It would be speculation if I tell you things for which	5	A. Sorry, maybe it's me who got it not right, but you
6	I don't have facts.	6	started your question saying that the ministry requested
7	Q. Okay. So can you at least agree with me, based on your	7	this document. So I was just asking: where is the
8	review of the file, you haven't seen anything, so you	8	letter requesting?
9	can't say that it didn't happen, but you know that you	9	Q. I'm asking a different question now. Please focus on
10	haven't seen it happening?	10	the question I'm asking. I understand the point you
11	A. I do not agree with you.	11	made about a prior question, but we've now progressed.
12	Q. If we could bring up C-054.	12	Please leave that question and listen to the next
13	C-054 is a transmittal letter referring to	13	question.
14	an amended application for the long-term licence, or	14	A. Good.
15	long-term licences; correct?	15	Q. When the minister wrote to RDB saying, "Commence
16	A. Excuse me, can I be given a minute to read it?	16	negotiations", you know this letter hadn't come in yet,
17	Q. Of course. Like I said, I do not mean to imply by	13	right?
18	asking you a question that you can't read what you're	18	A. Can you ask your question again, please?
10	being shown. I try to remember to tell you [that] you	10	Q. Can we put up side by side C-160 along with this lette
20	can read. But please, just take the time to read.	20	Mr Imena, you understand that when then
20	(Pause)	20	
2 I	(1 ause)		Minister Kamanzi wrote on January 22nd to RDB that i
	A Vac I read it		
22	A. Yes, I read it.	22	should commence negotiations, a January 30th letter
22 23	Q. Now, the representatives of the ministry asked NRD to	23	wasn't yet in the file; you know that, right?
22 23 24	Q. Now, the representatives of the ministry asked NRD to send a new document referencing a long-term licence so	23 24	wasn't yet in the file; you know that, right? A. What I see is that there's a letter that was given on
22 23	Q. Now, the representatives of the ministry asked NRD to	23	wasn't yet in the file; you know that, right?
22 23 24	Q. Now, the representatives of the ministry asked NRD to send a new document referencing a long-term licence so	23 24	wasn't yet in the file; you know that, right? A. What I see is that there's a letter that was given on

15:17 1	negotiations one concession by one concession, and I'm	15:21 1	Q. Okay. If I could ask FTI to bring up C-060.
2	-	2	Sorry, I'm trying to bring it up myself.
3		3	This is your first communication with NRD; correct?
4		4	A. Correct.
4		5	Q. You invited NRD's Mr Marshall to a discussion with the
6		6	ministry on October 29th 2013; correct?
7	complete the questioning?	7	A. Correct.
8		8	Q. Now, between and I'll bring it up again if we need to
9		9	for the dates, if we can't just agree we remember the
10		10	dates. Between January 22nd 2013, when your
11		11	predecessor, Mr Kamanzi, instructed the RDB that they
12		12	should commence negotiations with NRD about contracts,
13		12	and this letter, did anybody contact NRD, either anybody
14		13	from NRD or anybody from the ministry, to negotiate?
15	-	15	A. NRD was invited to negotiate by the CEO of RDB. NRD
10	-	16	came, there was a meeting, they discussed about
17		17	negotiating for Nemba concession. RDB was clear that
18		18	government is proposing a five year licence. NRD was
19		10	not happy with that proposal. And then the process of
20		20	negotiating did not yield tangible results.
20		20	Q. Well, before I get back to the last part, excuse me, can
22	-	21	you tell me when that meeting occurred, as you
23		22	understood it?
24	-	23	A. I don't remember the exact date, but it was after
25		24	Minister Kamanzi wrote to the CEO of RDB, the letter you
2.	next two weeks negotiations of a contract, it was not	25	Winister Kamanzi wrote to the CEO of KDD, the fetter you
	Page 89		Page 91
15:19 1	a contract based on an amended application, because he	15:24 1	were showing me. After that letter, the CEO of RDB
15:19 1	didn't have one, right?	15:24 1 2	invited NRD to come and discuss.
	didn't have one, right? A. I do not agree. Can I explain?		invited NRD to come and discuss. So there was a meeting, but unfortunately that
2	didn't have one, right?A. I do not agree. Can I explain?Q. If it's actually necessary to answer the question,	2	invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome.
2	didn't have one, right?A. I do not agree. Can I explain?Q. If it's actually necessary to answer the question, explain, sir. Just answer the question.	2 3 4 5	invited NRD to come and discuss.So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome.Q. Okay. I can bring up the document in one moment I'm
2 3 4 5 6	didn't have one, right?A. I do not agree. Can I explain?Q. If it's actually necessary to answer the question, explain, sir. Just answer the question.A. I think it's necessary, because between 2010 until 2013	2 3 4 5 6	invited NRD to come and discuss.So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome.Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll
2 3 4 5	didn't have one, right?A. I do not agree. Can I explain?Q. If it's actually necessary to answer the question, explain, sir. Just answer the question.A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry	2 3 4 5 6 7	invited NRD to come and discuss.So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome.Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose
2 3 4 5 6 7 8	didn't have one, right?A. I do not agree. Can I explain?Q. If it's actually necessary to answer the question, explain, sir. Just answer the question.A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that	2 3 4 5 6 7 8	invited NRD to come and discuss.So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome.Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important
2 3 4 5 6 7 7 8 9	didn't have one, right?A. I do not agree. Can I explain?Q. If it's actually necessary to answer the question, explain, sir. Just answer the question.A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add.	2 3 4 5 6 7 8 9	invited NRD to come and discuss.So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome.Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question.
2 3 4 5 7 8 9 10	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you 	2 3 4 5 6 7 8 9 10	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've
2 3 4 5 6 7 8 9 10 11	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? 	2 3 4 5 6 7 8 9 10	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the
2 3 4 5 6 7 8 8 9 10 11 11	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the 	2 3 4 5 6 7 8 9 10 11 12	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding
2 3 4 5 6 7 7 8 9 10 11 11 12 13	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and 	2 3 4 5 6 7 8 9 10 11 12 13	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential
2 3 4 5 6 7 7 8 9 10 11 12 13 14	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. 	2 3 4 5 6 7 8 9 10 11 12 13 14	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying:
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. Q. Right. Again, I'm perplexed as to how this explanation 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying: as a result of what you described as occurring at the
2 3 4 5 6 7 8 9 9 10 11 11 12 13 14 15 16	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. Q. Right. Again, I'm perplexed as to how this explanation relates to my question. I simply said the minister made 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying: as a result of what you described as occurring at the meetings, the negotiations were unsuccessful, and that's
2 3 4 5 6 7 8 9 10 11 11 12 13 14 15 10 17	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. Q. Right. Again, I'm perplexed as to how this explanation relates to my question. I simply said the minister made his statements about, first, the ministry being prepared 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying: as a result of what you described as occurring at the meetings, the negotiations were unsuccessful, and that's all that happened?
2 3 4 5 6 7 7 8 9 10 11 12 13 14 15 16 17 18	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. Q. Right. Again, I'm perplexed as to how this explanation relates to my question. I simply said the minister made his statements about, first, the ministry being prepared to conclude the negotiations of a contract directly with 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying: as a result of what you described as occurring at the meetings, the negotiations were unsuccessful, and that's all that happened? A. I was aware that the negotiations were not progressing.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 14 15 16 17 18 19	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. Q. Right. Again, I'm perplexed as to how this explanation relates to my question. I simply said the minister made his statements about, first, the ministry being prepared to conclude the negotiations of a contract directly with NRD, and then saying, "RDB, we're prepared to have you 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying: as a result of what you described as occurring at the meetings, the negotiations were unsuccessful, and that's all that happened? A. I was aware that the negotiations were not progressing. And since I had become the new Minister in Charge of
2 3 4 5 6 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. Q. Right. Again, I'm perplexed as to how this explanation relates to my question. I simply said the minister made his statements about, first, the ministry being prepared to conclude the negotiations of a contract directly with NRD, and then saying, "RDB, we're prepared to have you negotiate these contracts with NRD", he made those three 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying: as a result of what you described as occurring at the meetings, the negotiations were unsuccessful, and that's all that happened? A. I was aware that the negotiations were not progressing. And since I had become the new Minister in Charge of Mining, minister of state, I invited NRD to come and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 20 21	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. Q. Right. Again, I'm perplexed as to how this explanation relates to my question. I simply said the minister made his statements about, first, the ministry being prepared to conclude the negotiations of a contract directly with NRD, and then saying, "RDB, we're prepared to have you negotiate these contracts with NRD", he made those three statements knowing he didn't have an amended 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying: as a result of what you described as occurring at the meetings, the negotiations were unsuccessful, and that's all that happened? A. I was aware that the negotiations were not progressing. And since I had become the new Minister in Charge of Mining, minister of state, I invited NRD to come and discuss. And as you will see, RDB is informed about
22 33 44 55 66 77 88 99 10 11 12 13 14 15 16 17 18 19 20 21 22	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. Q. Right. Again, I'm perplexed as to how this explanation relates to my question. I simply said the minister made his statements about, first, the ministry being prepared to conclude the negotiations of a contract directly with NRD, and then saying, "RDB, we're prepared to have you negotiate these contracts with NRD", he made those three statements knowing he didn't have an amended application; he was only holding an original 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying: as a result of what you described as occurring at the meetings, the negotiations were unsuccessful, and that's all that happened? A. I was aware that the negotiations were not progressing. And since I had become the new Minister in Charge of Mining, minister of state, I invited NRD to come and discuss. And as you will see, RDB is informed about this meeting. So we were informed already by RDB that
$ \begin{array}{c} 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 10 \\ 11 \\ 12 \\ 13 \\ 14 \\ 15 \\ 10 \\ 17 \\ 18 \\ 19 \\ 20 \\ 21 \\ 22 \\ 22 \\ 23 \\ 22 \\ 23 \\ 23 \\ 23 \\ 23$	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. Q. Right. Again, I'm perplexed as to how this explanation relates to my question. I simply said the minister made his statements about, first, the ministry being prepared to conclude the negotiations of a contract directly with NRD, and then saying, "RDB, we're prepared to have you negotiate these contracts with NRD", he made those three statements knowing he didn't have an amended application; he was only holding an original November 2010 application. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying: as a result of what you described as occurring at the meetings, the negotiations were unsuccessful, and that's all that happened? A. I was aware that the negotiations were not progressing. And since I had become the new Minister in Charge of Mining, minister of state, I invited NRD to come and discuss. And as you will see, RDB is informed about this meeting. So we were informed already by RDB that the project is not progressing.
$ \begin{array}{c} 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 10 \\ 11 \\ 12 \\ 14 \\ 14 \\ 15 \\ 16 \\ 17 \\ 18 \\ 19 \\ 20 \\ 21 \\ 22 \\ 22 \\ 24 \\ 24 \\ 24 \\ 24 \\ 24 \\ 24$	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. Q. Right. Again, I'm perplexed as to how this explanation relates to my question. I simply said the minister made his statements about, first, the ministry being prepared to conclude the negotiations of a contract directly with NRD, and then saying, "RDB, we're prepared to have you negotiate these contracts with NRD", he made those three statements knowing he didn't have an amended application; he was only holding an original November 2010 application. A. Excuse me, I wouldn't like to speculate. I think 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying: as a result of what you described as occurring at the meetings, the negotiations were unsuccessful, and that's all that happened? A. I was aware that the negotiations were not progressing. And since I had become the new Minister in Charge of Mining, minister of state, I invited NRD to come and discuss. And as you will see, RDB is informed about this meeting. So we were informed already by RDB that the project is not progressing. Q. I'd just like to stop you, because I don't want to get
$ \begin{array}{c} 2 \\ 3 \\ 4 \\ 5 \\ 6 \\ 7 \\ 8 \\ 9 \\ 10 \\ 11 \\ 12 \\ 13 \\ 14 \\ 15 \\ 10 \\ 17 \\ 18 \\ 19 \\ 20 \\ 21 \\ 22 \\ 22 \\ 23 \\ 22 \\ 23 \\ 23 \\ 23 \\ 23$	 didn't have one, right? A. I do not agree. Can I explain? Q. If it's actually necessary to answer the question, explain, sir. Just answer the question. A. I think it's necessary, because between 2010 until 2013 there have been discussions between RNRA, the ministry and NRD. So there had been progress made in that process. So that is my explanation I wanted to add. Q. What discussions about a new amended application are you referring to? A. Excuse me. I just said that between 2010 and 2013, the ministry had been already meeting with NRD and discussing on the application made in 2010. Q. Right. Again, I'm perplexed as to how this explanation relates to my question. I simply said the minister made his statements about, first, the ministry being prepared to conclude the negotiations of a contract directly with NRD, and then saying, "RDB, we're prepared to have you negotiate these contracts with NRD", he made those three statements knowing he didn't have an amended application; he was only holding an original November 2010 application. A. Excuse me, I wouldn't like to speculate. I think 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 invited NRD to come and discuss. So there was a meeting, but unfortunately that meeting didn't produce any tangible outcome. Q. Okay. I can bring up the document in one moment I'm looking for the number to place it in time. So I'll just return to it in a second. But just for the purpose of my questions, the date it occurred is not important to the next question. Following this meeting that you again, you've stated what you believe you understand happened at the meeting. Are you saying that it's your understanding that RDB continued negotiations with NRD about potential contracts that were not successful? Or are you saying: as a result of what you described as occurring at the meetings, the negotiations were unsuccessful, and that's all that happened? A. I was aware that the negotiations were not progressing. And since I had become the new Minister in Charge of Mining, minister of state, I invited NRD to come and discuss. And as you will see, RDB is informed about this meeting. So we were informed already by RDB that the project is not progressing.

15:26 1	what you were saying occurred before your discussions.	15:31 1	to this Tribunal.
2	Let me place it in time; it will be easier.	2	Q. Please, sir, I'm not asking you the contents or what you
3	I apologise for not having this handier. Bring up	3	think are the contents of any communications; I'm just
4	C-159, please.	4	asking you if you're suggesting there were more
5	Could you just enlarge the well, let the witness	5	communications than the meeting. I'll follow up with
6	read the first page. And let me know, sir, if you need	6	questions if I have them.
7	to read more to know what this document is, if there is	7	A. So what I was trying to say: there was a meeting, and we
8	more. (Pause)	8	have the minutes of that meeting. There might have been
9	A. Yes, you can proceed. Next page, if there's any.	9	other communications that I don't know, and I don't want
10	(Pause)	10	to speculate on that. But at least there has been
11	Q. Sir, if it helps in your review of the letter, my only	10	a meeting.
12	question to you is regarding the placement in time of	12	Q. Thank you.
13	discussions. I do not intend to ask you anything about	13	Now, between the time when RDB convened a meeting
13	the actual contents of the document; that's why I wasn't	13	with NRD and your letter inviting RDB to meet with you
15	prepared to bring it up originally. But you said you	15	on October 16th, did you have discussions with RDB about
16	didn't know the date. I'm just trying to orient you.	15	who would lead negotiations going forward?
17	So by all means read what you need to, to feel	13	A. The policy of the government remained the same: RDB was
18	comfortable in answering, but I'm prefacing my questions	18	to lead negotiations.
19	only about the date.	10	Q. Was there any written communications about your
20	A. So excuse me, this event happened some time back, so	20	extending an invitation despite that policy, and
20	that's why I was taking some time to read. And it	20	explaining why?
22	was	22	A. Sorry, the line got cut off for a second. I didn't hear
22	Q. Understood. But I'm not asking you about what was said	23	the entire question.
23	at a meeting. The Claimant has already testified that	24	Q. Yes. Was there a written communication between you and
25	he disputes characterisations of what happened at the	25	RDB about your going forward to set up a meeting despite
20	ne disputes enducterisations of what happened at the	25	RDD about your going for ward to set up a meeting adspree
	Page 93		Page 95
15:29 1	meeting. We're not asking you to get into it. You	15:32 1	that policy staying in effect?
2	weren't there.	2	A. I don't think there's a written communication.
2 3	weren't there. I'm just suggesting to you that a document was	2 3	A. I don't think there's a written communication.Q. You understood at this time RDB I'm sorry, I said the
2 3 4	weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of	2 3 4	A. I don't think there's a written communication.Q. You understood at this time RDB I'm sorry, I said the wrong term.
2 3 4 5	weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that	2 3 4 5	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still
2 3 4 5 6	weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting.	2 3 4 5 6	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct?
2 3 4 5 6 7	weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that	2 3 4 5 6 7	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding.
2 3 4 5 6 7 8	weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that	2 3 4 5 6 7 8	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any
2 3 4 5 6 7 8 9	weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct?	2 3 4 5 6 7 8 9	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting,
2 3 4 5 6 7 8 9 10	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. 	2 3 4 5 6 7 8 9 10	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right?
2 3 4 5 6 7 8 9 10 11	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony 	2 3 4 5 6 7 8 9 10	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right.
2 3 4 5 6 7 8 9 10 11 12	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're 	2 3 4 5 6 7 8 9 10 11 12	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up.
2 3 4 5 6 7 8 9 10 11 12 13	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, 	2 3 4 5 6 7 8 9 10 11 12 13	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer
2 3 4 5 6 7 8 9 10 11 12 13 14	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, or what I'm trying to confirm is: are you just saying 	2 3 4 5 6 7 8 9 10 11 12 13 14	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer a question about this document, sir. (Pause)
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, or what I'm trying to confirm is: are you just saying that there was a meeting, the meeting was unsuccessful? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer a question about this document, sir. (Pause) A. Yes, I read it.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, or what I'm trying to confirm is: are you just saying that there was a meeting, the meeting was unsuccessful? A. You are right: that's what I was trying to say. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer a question about this document, sir. (Pause) A. Yes, I read it. Q. C-064 is an August 14th 2014 letter from you to NRD
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, or what I'm trying to confirm is: are you just saying that there was a meeting, the meeting was unsuccessful? A. You are right: that's what I was trying to say. Q. The latter? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer a question about this document, sir. (Pause) A. Yes, I read it. Q. C-064 is an August 14th 2014 letter from you to NRD explaining that NRD needed to submit a new application
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, or what I'm trying to confirm is: are you just saying that there was a meeting, the meeting was unsuccessful? A. You are right: that's what I was trying to say. Q. The latter? A. There was a can I explain? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer a question about this document, sir. (Pause) A. Yes, I read it. Q. C-064 is an August 14th 2014 letter from you to NRD explaining that NRD needed to submit a new application for concessions; correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, or what I'm trying to confirm is: are you just saying that there was a meeting, the meeting was unsuccessful? A. You are right: that's what I was trying to say. Q. The latter? Q. Yes, I'm just trying to move on quickly, I apologise. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer a question about this document, sir. (Pause) A. Yes, I read it. Q. C-064 is an August 14th 2014 letter from you to NRD explaining that NRD needed to submit a new application for concessions; correct?
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array} $	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, or what I'm trying to confirm is: are you just saying that there was a meeting, the meeting was unsuccessful? A. You are right: that's what I was trying to say. Q. The latter? A. There was a can I explain? Q. Yes, I'm just trying to move on quickly, I apologise. I'm trying to move faster. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer a question about this document, sir. (Pause) A. Yes, I read it. Q. C-064 is an August 14th 2014 letter from you to NRD explaining that NRD needed to submit a new application for concessions; correct? A. Correct. Q. Now, prior to this letter, NRD had only been informed
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array} $	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, or what I'm trying to confirm is: are you just saying that there was a meeting, the meeting was unsuccessful? A. You are right: that's what I was trying to say. Q. The latter? A. There was a can I explain? Q. Yes, I'm just trying to move on quickly, I apologise. I'm trying to move faster. It's the latter: there was one meeting, the meeting 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer a question about this document, sir. (Pause) A. Yes, I read it. Q. C-064 is an August 14th 2014 letter from you to NRD explaining that NRD needed to submit a new application for concessions; correct? A. Correct. Q. Now, prior to this letter, NRD had only been informed that negotiations for a contract, or one or more
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, or what I'm trying to confirm is: are you just saying that there was a meeting, the meeting was unsuccessful? A. You are right: that's what I was trying to say. Q. The latter? A. There was a can I explain? Q. Yes, I'm just trying to move on quickly, I apologise. I'm trying to move faster. It's the latter: there was one meeting, the meeting was unsuccessful; that's all you were trying to say, 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer a question about this document, sir. (Pause) A. Yes, I read it. Q. C-064 is an August 14th 2014 letter from you to NRD explaining that NRD needed to submit a new application for concessions; correct? A. Correct. Q. Now, prior to this letter, NRD had only been informed that negotiations for a contract, or one or more contracts, were to occur, and the context being, at the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, or what I'm trying to confirm is: are you just saying that there was a meeting, the meeting was unsuccessful? A. You are right: that's what I was trying to say. Q. The latter? Q. Yes, I'm just trying to move on quickly, I apologise. I'm trying to move faster. It's the latter: there was one meeting, the meeting was unsuccessful; that's all you were trying to say, correct? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer a question about this document, sir. (Pause) A. Yes, I read it. Q. C-064 is an August 14th 2014 letter from you to NRD explaining that NRD needed to submit a new application for concessions; correct? A. Correct. Q. Now, prior to this letter, NRD had only been informed that negotiations for a contract, or one or more contracts, were to occur, and the context being, at the times of those letters and communications, that the only
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 weren't there. I'm just suggesting to you that a document was pointed out to me that you couldn't say the date of a meeting with RDB. I wanted you to see a document that put a date on a meeting. Now, do you recall, when you testified already that you know RDB's CEO invited NRD to a meeting, that occurred in May; correct? A. Yes, that's what I see. Q. Okay. Now, after the May meeting, is it your testimony that you're aware of other communications that you're characterising as "negotiations" between RDB and NRD, or what I'm trying to confirm is: are you just saying that there was a meeting, the meeting was unsuccessful? A. You are right: that's what I was trying to say. Q. The latter? A. There was a can I explain? Q. Yes, I'm just trying to move on quickly, I apologise. I'm trying to move faster. It's the latter: there was one meeting, the meeting was unsuccessful; that's all you were trying to say, 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 A. I don't think there's a written communication. Q. You understood at this time RDB I'm sorry, I said the wrong term. You understood at this time that NRD was still operating all five concessions; correct? A. That's my understanding. Q. And you did not instruct them to stop operating any concessions prior to this invitation for a meeting, right? A. You are right. Q. If I could ask that C-064 be brought up. Let me know when you're prepared to answer a question about this document, sir. (Pause) A. Yes, I read it. Q. C-064 is an August 14th 2014 letter from you to NRD explaining that NRD needed to submit a new application for concessions; correct? A. Correct. Q. Now, prior to this letter, NRD had only been informed that negotiations for a contract, or one or more contracts, were to occur, and the context being, at the times of those letters and communications, that the only application pending was the November 2010 application;

		1	
5:35 1	A. Not correct, because prior to my letter there had been	15:38 1	I met personally with NRD and I again explained to them
2	that 2010 application and another application that was	2	that the government is open for negotiations; however,
3	sent in 2013 by NRD.	3	that there are conditions that needs to be fulfilled,
4	Q. Okay, so let me break the question down.	4	but we are ready to move forward with the negotiations.
5	Some of the communications NRD received, that we've	5	At that time, if I recall it properly, Mr Marshall
6	already gone over, said that there were to be	6	said that for them the only interesting thing is
7	negotiations of one or more contracts for licences, at	7	a long-term licence for the five concessions. I think
8	a time when the only application was the November 2010	8	I told him that anything that will be agreed upon will
9	application, right?	9	need to be fulfilling the requirements of the law.
10	A. You are right.	10	So there have been communications between the
11	Q. Then in 2013 NRD was informed that it was invited to	11	ministry, RDB and NRD between January 2013 and NRI
12	come and negotiate about a contract, again for one or	12	and this letter.
13	more licences, but to negotiate a contract with RDB,	13	Q. In order for me to understand your explanation, I do
14	when there were two documents on the table, the	14	return to the question: can you put dates on these? You
15	November 10th 2010 application and the January 30th 2013	15	met with Mr Marshall when?
16	amendment, right?	16	A. So if I had been allowed to come in with my witness
17	A. You are right.	17	statement, I would have read it and give you a date.
18	Q. Now, do you agree with me that based on your	18	But I was told it's not allowed, so I can't give you
19	understanding of these communications that preceded	19	an exact date.
20	you you're summarising communications that preceded	20	Q. Was it before the May 2013 meeting that RDB held wit
20	you even in C-064 you are not aware of any	20	NRD?
21	communication to NRD that said, "Now that we have this	21	A. It was after the RDB meeting.
23	January 30th 2013 amendment document, we're no longer	22	Q. Was it one meeting or more than one meeting that you'r
23	prepared to negotiate one or more contracts with you	23	referring to with Mr Marshall?
24	because we don't consider you as qualifying for even one	24	A. At least what I remember properly is that I invited
25	because we don't consider you as quantying to even one	25	A. At least what i temember property is that i invited
	Page 97		
	Tuge 77		Page 99
	licence"; correct?	15:41 1	them, and you showed me my invitation letter. So they
2	licence"; correct? A. I do not agree with you. Can I explain?	2	them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date,
2 3	licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature	2 3	them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation.
2 3 4	licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up	2 3 4	them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation.Q. I'm a little bit confused, because I thought this line
2 3 4 5	licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation.	2 3 4 5	them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation.Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started
2 3 4 5 6	licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the	2 3 4 5 6	them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation.Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of something.
2 3 4 5 6 7	licence"; correct?A. I do not agree with you. Can I explain?Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation.MR HILL: He should be allowed to explain his answer to the question.	2 3 4 5 6 7	them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation.Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this
2 3 4 5 6 7 8	licence"; correct?A. I do not agree with you. Can I explain?Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation.MR HILL: He should be allowed to explain his answer to the question.MR COWLEY: The answer to the question was: he didn't agree	2 3 4 5 6 7 8	them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation.Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethi between the dates of prior communications and this invitation letter. So I understand that a meeting
2 3 4 5 6 7 8 9	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking 	2 3 4 5 6 7 8 9	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to
2 3 4 5 6 7 8 9 10	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the 	2 3 4 5 6 7 8 9 10	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think
2 3 4 5 6 7 8 9 10 11	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it 	2 3 4 5 6 7 8 9 10 11	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if
2 3 4 5 6 7 8 9 10 11 12	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's 	2 3 4 5 6 7 8 9 10 11 12	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original
2 3 4 5 6 7 8 9 10 11 12 13	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we 	2 3 4 5 6 7 8 9 10 11 12 13	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point.
2 3 4 5 6 7 8 9 10 11 12 13 14	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we could look at, Mr Cowley. Could the witness please give 	2 3 4 5 6 7 8 9 10 11 12 13 14	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point. Prior to your invitation for NRD to come in and
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we could look at, Mr Cowley. Could the witness please give the explanation to his answer, and then that may lead on 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point. Prior to your invitation that went out in August 2014, are
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we could look at, Mr Cowley. Could the witness please give the explanation to his answer, and then that may lead on to a further question. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point. Prior to your invitation for NRD to come in and meet, your invitation that went out in August 2014, are you aware of any communication by either RDB or anyone
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we could look at, Mr Cowley. Could the witness please give the explanation to his answer, and then that may lead on to a further question. MR COWLEY: Certainly, if that's how the Tribunal wishes to 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point. Prior to your invitation for NRD to come in and meet, your invitation that went out in August 2014, are you aware of any communication by either RDB or anyone at MINIRENA to NRD saying, "We are no longer prepared
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we could look at, Mr Cowley. Could the witness please give the explanation to his answer, and then that may lead on to a further question. MR COWLEY: Certainly, if that's how the Tribunal wishes to proceed. Certainly. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point. Prior to your invitation for NRD to come in and meet, your invitation that went out in August 2014, are you aware of any communication by either RDB or anyone at MINIRENA to NRD saying, "We are no longer prepared negotiate a contract for a licence with you because
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we could look at, Mr Cowley. Could the witness please give the explanation to his answer, and then that may lead on to a further question. MR COWLEY: Certainly, if that's how the Tribunal wishes to proceed. Certainly. A. So after January 2013, when NRD submitted its updated 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point. Prior to your invitation for NRD to come in and meet, your invitation that went out in August 2014, are you aware of any communication by either RDB or anyone at MINIRENA to NRD saying, "We are no longer prepared negotiate a contract for a licence with you because we've received this January 30th amendment"?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we could look at, Mr Cowley. Could the witness please give the explanation to his answer, and then that may lead on to a further question. MR COWLEY: Certainly, if that's how the Tribunal wishes to proceed. Certainly. A. So after January 2013, when NRD submitted its updated application file, I met with them. But there were other 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point. Prior to your invitation for NRD to come in and meet, your invitation that went out in August 2014, are you aware of any communication by either RDB or anyone at MINIRENA to NRD saying, "We are no longer prepared negotiate a contract for a licence with you because we've received this January 30th amendment"?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we could look at, Mr Cowley. Could the witness please give the explanation to his answer, and then that may lead on to a further question. MR COWLEY: Certainly, if that's how the Tribunal wishes to proceed. Certainly. A. So after January 2013, when NRD submitted its updated application file, I met with them. But there were other meetings between RDB, for example the May 2013 meeting 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point. Prior to your invitation for NRD to come in and meet, your invitation that went out in August 2014, are you aware of any communication by either RDB or anyone at MINIRENA to NRD saying, "We are no longer prepared negotiate a contract for a licence with you because we've received this January 30th amendment"? A. Excuse me, I got confused in your question. You mentioned my invitation of August 2014. Which
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we could look at, Mr Cowley. Could the witness please give the explanation to his answer, and then that may lead on to a further question. MR COWLEY: Certainly, if that's how the Tribunal wishes to proceed. Certainly. A. So after January 2013, when NRD submitted its updated application file, I met with them. But there were other meetings between RDB, for example the May 2013 meeting between RDB, and people from the ministry were present. 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethic between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point. Prior to your invitation for NRD to come in and meet, your invitation that went out in August 2014, are you aware of any communication by either RDB or anyone at MINIRENA to NRD saying, "We are no longer prepared negotiate a contract for a licence with you because we've received this January 30th amendment"? A. Excuse me, I got confused in your question. You mentioned my invitation of August 2014, my invitation.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we could look at, Mr Cowley. Could the witness please give the explanation to his answer, and then that may lead on to a further question. MR COWLEY: Certainly, if that's how the Tribunal wishes to proceed. Certainly. A. So after January 2013, when NRD submitted its updated application file, I met with them. But there were other meetings between RDB, for example the May 2013 meeting between RDB, and people from the ministry were present. But again, there was a meeting I had with them; 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethis between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point. Prior to your invitation for NRD to come in and meet, your invitation that went out in August 2014, are you aware of any communication by either RDB or anyone at MINIRENA to NRD saying, "We are no longer prepared negotiate a contract for a licence with you because we've received this January 30th amendment"? A. Excuse me, I got confused in your question. You mentioned my invitation of August 2014. Which invitation is that? August 2014, my invitation. Q. I believe it's I have a hard time I'm sorry,
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 licence"; correct? A. I do not agree with you. Can I explain? Q. Well, first please just tell me the date or the nature of the communication, and then I'll try to bring it up so we could follow your explanation. MR HILL: He should be allowed to explain his answer to the question. MR COWLEY: The answer to the question was: he didn't agree with me that there was no communication. I'm asking him: before he goes off with an explanation, tell me the date of the communication, so we can all look at it before he explains. That's THE PRESIDENT: It doesn't follow that there's anything we could look at, Mr Cowley. Could the witness please give the explanation to his answer, and then that may lead on to a further question. MR COWLEY: Certainly, if that's how the Tribunal wishes to proceed. Certainly. A. So after January 2013, when NRD submitted its updated application file, I met with them. But there were other meetings between RDB, for example the May 2013 meeting between RDB, and people from the ministry were present. 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 them, and you showed me my invitation letter. So they replied to that invitation and we met. So the date, I don't remember that, but it's after my invitation. Q. I'm a little bit confused, because I thought this line of questions had to do with what I thought I started by asking you whether NRD had been informed of somethin between the dates of prior communications and this invitation letter. So I understand that a meeting occurred after your invitation, but I intended to maybe my confusion is caused by the fact that I think I said something that I didn't, and I apologise if that's the case. But I'd like to return to my original point. Prior to your invitation for NRD to come in and meet, your invitation that went out in August 2014, are you aware of any communication by either RDB or anyone at MINIRENA to NRD saying, "We are no longer prepared negotiate a contract for a licence with you because we've received this January 30th amendment"? A. Excuse me, I got confused in your question. You mentioned my invitation of August 2014, my invitation.

15:42 1 I could check it in another version that I have up	15:47 1 Q. That's not what I asked.
2 that's got much bigger writing for me.	2 THE PRESIDENT: Please allow the witness to continue.
3 A. So if I can help, this is not my invitation letter to	3 A. Did I inform them that we were not able to grant the
 4 NRD. It was this letter was informing them on the 	4 30 years because they were now applying for 30 years.
 5 changes of the law and requesting them to submit 	5 Did I inform them that we are not ready to grant the
6 a re-application.	6 30 years licence? Yes. That's what I can answer.
7 Q. Fair enough. I misspoke, and perhaps that was the	7 MR COWLEY: But my question goes further than that.
 original cause of the confusion. 	
 9 Between the times starting in 2012, including in 	
	,
10 2013 the invitation to meet with RDB, between the times	10 you weren't prepared to negotiate a contract for
11 that NRD was informed that RDB, or before it the	11 a licence, whatever its terms may turn out to be, for
12 ministry, was prepared to negotiate the conclusion of	12 one or more concessions because of the January 2013
13 a contract for a licence of one or more concessions and	13 amendment?
14 this August 2014 letter from you, are you aware of any	14 A. Yes, I informed NRD that we are ready to negotiate with
15 communication to NRD that informed them MINIRENA was not	15 them.
16 willing to negotiate at that time a contract for	16 Q. Just to be clear, because I think your answer was and
17 a licence for one or more concessions because it	17 I don't want the record to be confusing. I thank you
18 received a January 30th 2013 amendment?	18 for your answer, but I think you said "Yes" when I
19 A. So, sorry, actually that is what I explained. Before	19 A. Yes. Yes.
20 this letter of 2014 and after the January 2013	20 Q. You did inform even after January 2013's amendment,
21 application, if I got it properly, you are asking if	21 you informed NRD you were willing to negotiate
there has been communication to NRD. And I said: yes,	22 a contract
23 I personally	23 A. Yes, I informed
24 Q. A specific message, sir. I'm not asking you to repeat	24 Q for one or more concessions?
any and all communications in the time period. I said	25 A. Yes, I informed NRD that we were willing to negotiate
Page 101	Page 103
- 450 101	1 450 100
15:45 1 specifically: was NRD informed that the ministry was no	15:48 1 with them.
15:451specifically: was NRD informed that the ministry was no2longer willing to negotiate a contract for a licence to	15:48 1 with them.2 Q. For a contract for a licence, is the question.
2 longer willing to negotiate a contract for a licence to	2 Q. For a contract for a licence, is the question.
 2 longer willing to negotiate a contract for a licence to 3 one or more concessions because of the January 2013 	2 Q. For a contract for a licence, is the question.3 A. A contract for?
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? 	 2 Q. For a contract for a licence, is the question. 3 A. A contract for? 4 Q. A licence to one or more concessions. I didn't specify
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. 	 2 Q. For a contract for a licence, is the question. 3 A. A contract for? 4 Q. A licence to one or more concessions. I didn't specify 5 any particular terms; just a licence. Were you willing
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence?
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right.
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you.
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. 9 Now, prior to this letter from you that's been
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. 9 Now, prior to this letter from you that's been 10 marked C-064, was there any discussion that you're aware
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. 9 Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. You specified your understanding that that only 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new application had to be submitted?
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. You specified your understanding that that only referred to two concessions. Had anybody, before your 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new application had to be submitted? A. So let me explain it, giving the context.
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. You specified your understanding that that only referred to two concessions. Had anybody, before your August 2014 letter, said to NRD, "We're no longer in 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new application had to be submitted? A. So let me explain it, giving the context. I met with NRD, I told them that we are willing to
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. You specified your understanding that that only referred to two concessions. Had anybody, before your August 2014 letter, said to NRD, "We're no longer in a position of negotiating a licence for any concession 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new application had to be submitted? A. So let me explain it, giving the context. I met with NRD, I told them that we are willing to negotiate with them a licence, or a contract. They told
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. You specified your understanding that that only referred to two concessions. Had anybody, before your August 2014 letter, said to NRD, "We're no longer in a position of negotiating a licence for any concession because of the January 2013 amendment"? That's a very 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new application had to be submitted? A. So let me explain it, giving the context. I met with NRD, I told them that we are willing to negotiate with them a licence, or a contract. They told me that they want five concessions. I told them if
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. You specified your understanding that that only referred to two concessions. Had anybody, before your August 2014 letter, said to NRD, "We're no longer in a position of negotiating a licence for any concession because of the January 2013 amendment"? That's a very 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new application had to be submitted? A. So let me explain it, giving the context. I met with NRD, I told them that we are willing to negotiate with them a licence, or a contract. They told me that they want five concessions. I told them if there were to be any concession, it should be negotiated
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. You specified your understanding that that only referred to two concessions. Had anybody, before your August 2014 letter, said to NRD, "We're no longer in a position of negotiating a licence for any concession because of the January 2013 amendment"? That's a very specific question. A. It's a specific and complex question. If I got it, you 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. 9 Now, prior to this letter from you that's been 10 marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new a plication had to be submitted? A. So let me explain it, giving the context. I met with NRD, I told them that we are willing to negotiate with them a licence, or a contract. They told me that they want five concessions. I told them if there were to be any concession, it should be negotiated separately. We put together a team at the ministry that
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. You specified your understanding that that only referred to two concessions. Had anybody, before your August 2014 letter, said to NRD, "We're no longer in a position of negotiating a licence for any concession because of the January 2013 amendment"? That's a very specific question. A. It's a specific and complex question. If I got it, you are okay, I met them. But then your question is 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new application had to be submitted? A. So let me explain it, giving the context. I met with NRD, I told them that we are willing to negotiate with them a licence, or a contract. They told me that they want five concessions. I told them if there were to be any concession, it should be negotiated separately. We put together a team at the ministry that will help in that process. Unfortunately, NRD didn't
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. You specified your understanding that that only referred to two concessions. Had anybody, before your August 2014 letter, said to NRD, "We're no longer in a position of negotiating a licence for any concession because of the January 2013 amendment"? That's a very specific question. A. It's a specific and complex question. If I got it, you are okay, I met them. But then your question is confusing me. Did I inform them that the ministry received their 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new application had to be submitted? A. So let me explain it, giving the context. I met with NRD, I told them that we are willing to negotiate with them a licence, or a contract. They told me that they want five concessions. I told them if there were to be any concession, it should be negotiated separately. We put together a team at the ministry that will help in that process. Unfortunately, NRD didn't come on board to continue the process until we reached 2014.
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. You specified your understanding that that only referred to two concessions. Had anybody, before your August 2014 letter, said to NRD, "We're no longer in a position of negotiating a licence for any concession because of the January 2013 amendment"? That's a very specific question. A. It's a specific and complex question. If I got it, you are okay, I met them. But then your question is confusing me. Did I inform them that the ministry received their 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new application had to be submitted? A. So let me explain it, giving the context. I met with NRD, I told them that we are willing to negotiate with them a licence, or a contract. They told me that they want five concessions. I told them if there were to be any concession, it should be negotiated separately. We put together a team at the ministry that will help in that process. Unfortunately, NRD didn't come on board to continue the process until we reached 2014.
 longer willing to negotiate a contract for a licence to one or more concessions because of the January 2013 amendment? A. I will not you are phrasing it as something short. But the ministry informed NRD that it is not prepared to grant the 30 years licence after the application for 30 years. Q. That's a term of a contract, sir. I've asked a very different question. I've tried to focus and lead my question at the same level of the communications that went to NRD that we've spoken about numerous times, negotiating or concluding a contract or a licence. You specified your understanding that that only referred to two concessions. Had anybody, before your August 2014 letter, said to NRD, "We're no longer in a position of negotiating a licence for any concession because of the January 2013 amendment"? That's a very specific question. A. It's a specific and complex question. If I got it, you are okay, I met them. But then your question is confusing me. Did I inform them that the ministry received their long-term application? Yes. Did I inform them that we 	 Q. For a contract for a licence, is the question. A. A contract for? Q. A licence to one or more concessions. I didn't specify any particular terms; just a licence. Were you willing to negotiate a contract for a licence? A. You are right. Q. Thank you. Now, prior to this letter from you that's been marked C-064, was there any discussion that you're aware of, any communication that you're aware of to NRD informing them that before any further discussions about a contract for a licence could go forward, a whole new application had to be submitted? A. So let me explain it, giving the context. I met with NRD, I told them that we are willing to negotiate with them a licence, or a contract. They told me that they want five concessions. I told them if there were to be any concession, it should be negotiated separately. We put together a team at the ministry that will help in that process. Unfortunately, NRD didn't come on board to continue the process until we reached 2014. Q. The discussion that you just said you had at a meeting

15:50 1	looking at?	15:54 1	explain.
2	A. It is before this letter.	2	In this meeting I told them that, first, they no
3	Q. And you say the date is in your witness statement?	3	longer have licences. Although we know they're
4	A. I believe so.	4	operating, they don't have licences, and the priority to
5	Q. Well, I'll take a look at the break and I'll try to come	5	us was to help them get licences.
6	back, just so we can try to put clarity on the record.	6	Two, I told them that the ministry was willing to
7	I don't have that reference to hand.	7	continue the process started by my predecessor and
8	MR HILL: It's paragraph 25.	8	negotiate one or two concessions. Unfortunately,
9	MR COWLEY: Thank you. So the supplemental witness	9	Mr Marshall was not willing to accept our offer.
10	statement, paragraph 25, if that could be brought up,	10	
10	please.	11	a time, applying one at a time comes in 2014, after this
12	MR HILL: No, the first witness statement.	12	
13	MR COWLEY: Well, then we found it twice. So could I have	13	Q. Okay. Sir, when you told Mr Marshall in this meeting in
14	the supplemental witness statement brought up at	14	
15	paragraph 27. Second supplemental or actually the	15	
16	supplemental. Actually I don't see the title: is this	16	-
17	the supplemental?	17	
18	MR HILL: This is the one I was guiding you to, but	18	
19	obviously you must take your own course. It's the first	19	
20	witness statement.	20	-
21	MR COWLEY: I can't see it, that's the only problem. I was	21	MR COWLEY: Sir, I'm
22	trying to bring up the one that I could see.	22	THE PRESIDENT: It's time for a break, isn't it? 30-minute
23	If the date helps you, sir I actually am trying	23	break.
24	to speed things up. Despite failing miserably at that	24	
25	and slowing it down, I'm trying to speed things up. So	25	I look at the original timetable. You will have to
			-
	Page 105		Page 107
15.52 1	please if we're in the document that it's paragraph 25	15:56 1	think about that
15:52 1	please, if we're in the document that it's paragraph 25,	15:56 1 2	think about that.
2	bring up paragraph 25 for him and let him look at it.	2	MR COWLEY: I'll work during the break to make sure I narrow
2 3	bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be	2 3	MR COWLEY: I'll work during the break to make sure I narrow as much as possible.
2 3 4	bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause)	2 3 4	MR COWLEY: I'll work during the break to make sure I narrow as much as possible.THE PRESIDENT: Alright, 30 minutes.
2 3 4 5	bring up paragraph 25 for him and let him look at it.I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause)A. Yes, I read it.	2 3	MR COWLEY: I'll work during the break to make sure I narrow as much as possible.THE PRESIDENT: Alright, 30 minutes.(3.56 pm)
2 3 4 5 6	bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause)A. Yes, I read it.Q. So is the reference to the meeting in that paragraph the	2 3 4 5 6	MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm)
2 3 4 5 6 7	bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause)A. Yes, I read it.Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about?	2 3 4 5 6 7	MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm)
2 3 4 5 6 7 8	bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause)A. Yes, I read it.Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about?A. Exactly.	2 3 4 5 6 7 8	MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my
2 3 4 5 6 7 8 9	bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause)A. Yes, I read it.Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about?A. Exactly.Q. And the meeting occurred October 30th 2017?	2 3 4 5 6 7 8 9	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby.
2 3 4 5 6 7 8	bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause)A. Yes, I read it.Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about?A. Exactly.Q. And the meeting occurred October 30th 2017?A. Exactly.	2 3 4 5 6 7 8	MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my
2 3 4 5 6 7 8 9 10	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? 	2 3 4 5 6 7 8 9 10	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go,
2 3 4 5 6 7 8 9 10 11 12	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. 	2 3 4 5 6 7 8 9 10 11 12	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting
2 3 4 5 6 7 8 9 10 11	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? 	2 3 4 5 6 7 8 9 10	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day.
2 3 4 5 6 7 8 9 10 11 12 13 14	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. 	2 3 4 5 6 7 8 9 10 11 12 13	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. Q. I'm sorry, it's before, because this is 2014. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day. MR COWLEY: So Mr Gatare I think could be asked to leave. Even if we're short and I have lower estimates of
2 3 4 5 6 7 8 9 10 11 12 13 14	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. Q. I'm sorry, it's before, because this is 2014. I apologise. 	2 3 4 5 6 7 8 9 10 11 12 13 14	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day. MR COWLEY: So Mr Gatare I think could be asked to leave.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. Q. I'm sorry, it's before, because this is 2014. I apologise. So prior to this letter, in C-064 you had informed 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day. MR COWLEY: So Mr Gatare I think could be asked to leave. Even if we're short and I have lower estimates of time with Dr Michael than originally: I do believe it
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. Q. I'm sorry, it's before, because this is 2014. I apologise. So prior to this letter, in C-064 you had informed NRD in October 2013 that, as you testified, they needed 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day. MR COWLEY: So Mr Gatare I think could be asked to leave. Even if we're short and I have lower estimates of time with Dr Michael than originally: I do believe it will be faster than originally anticipated. But
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. Q. I'm sorry, it's before, because this is 2014. I apologise. So prior to this letter, in C-064 you had informed NRD in October 2013 that, as you testified, they needed to apply one at a time; correct? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day. MR COWLEY: So Mr Gatare I think could be asked to leave. Even if we're short and I have lower estimates of time with Dr Michael than originally: I do believe it will be faster than originally anticipated. But nevertheless, even if we weren't originally intending to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. Q. I'm sorry, it's before, because this is 2014. I apologise. So prior to this letter, in C-064 you had informed NRD in October 2013 that, as you testified, they needed 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day. MR COWLEY: So Mr Gatare I think could be asked to leave. Even if we're short and I have lower estimates of time with Dr Michael than originally: I do believe it will be faster than originally anticipated. But nevertheless, even if we weren't originally intending to go into tomorrow with Dr Gatare, I do believe I can
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\end{array} $	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. Q. I'm sorry, it's before, because this is 2014. I apologise. So prior to this letter, in C-064 you had informed NRD in October 2013 that, as you testified, they needed to apply one at a time; correct? A. I can repeat again what is written. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day. MR COWLEY: So Mr Gatare I think could be asked to leave. Even if we're short and I have lower estimates of time with Dr Michael than originally: I do believe it will be faster than originally anticipated. But nevertheless, even if we weren't originally intending to go into tomorrow with Dr Gatare, I do believe I can reduce that as well, and reduce the expert witness's
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. Q. I'm sorry, it's before, because this is 2014. I apologise. So prior to this letter, in C-064 you had informed NRD in October 2013 that, as you testified, they needed to apply one at a time; correct? A. I can repeat again what is written. Q. Just focus on one term at a time, please. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day. MR COWLEY: So Mr Gatare I think could be asked to leave. Even if we're short and I have lower estimates of time with Dr Michael than originally: I do believe it will be faster than originally anticipated. But nevertheless, even if we weren't originally intending to go into tomorrow with Dr Gatare, I do believe I can reduce that as well, and reduce the expert witness's time compared to what was originally anticipated.
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. Q. I'm sorry, it's before, because this is 2014. I apologise. So prior to this letter, in C-064 you had informed NRD in October 2013 that, as you testified, they needed to apply one at a time; correct? A. I can repeat again what is written. Q. Just focus on one term at a time, please. You've testified about a meeting at which you 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day. MR COWLEY: So Mr Gatare I think could be asked to leave. Even if we're short and I have lower estimates of time with Dr Michael than originally: I do believe it will be faster than originally anticipated. But nevertheless, even if we weren't originally intending to go into tomorrow with Dr Gatare, I do believe I can reduce that as well, and reduce the expert witness's time compared to what was originally anticipated. So I am not anticipating a timing problem as we
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. Q. I'm sorry, it's before, because this is 2014. I apologise. So prior to this letter, in C-064 you had informed NRD in October 2013 that, as you testified, they needed to apply one at a time; correct? A. I can repeat again what is written. Q. Just focus on one term at a time, please. You've testified about a meeting at which you instructed Mr Marshall your position was it needed to be 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day. MR COWLEY: So Mr Gatare I think could be asked to leave. Even if we're short and I have lower estimates of time with Dr Michael than originally: I do believe it will be faster than originally anticipated. But nevertheless, even if we weren't originally intending to go into tomorrow with Dr Gatare, I do believe I can reduce that as well, and reduce the expert witness's time compared to what was originally anticipated. So I am not anticipating a timing problem as we currently stand. That will continue through the day
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 bring up paragraph 25 for him and let him look at it. I'm sorry, supplemental is up. 27. It will be enlarged, sir. (Pause) A. Yes, I read it. Q. So is the reference to the meeting in that paragraph the meeting that you were just testifying about? A. Exactly. Q. And the meeting occurred October 30th 2017? A. Exactly. Q. And that's after the letter that we were looking at? A. No, before. Q. It's before? A. It's before. Q. I'm sorry, it's before, because this is 2014. I apologise. So prior to this letter, in C-064 you had informed NRD in October 2013 that, as you testified, they needed to apply one at a time; correct? A. I can repeat again what is written. Q. Just focus on one term at a time, please. You've testified about a meeting at which you instructed Mr Marshall your position was it needed to be one concession at a time; correct? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	 MR COWLEY: I'll work during the break to make sure I narrow as much as possible. THE PRESIDENT: Alright, 30 minutes. (3.56 pm) (Adjourned until 4.26 pm) (4.27 pm) MR HILL: Could I just raise one point which relates to my two next witnesses. I've got both of them on standby. If Mr Cowley is not going to get on to one or both of them, could they be told now so they could go, because I'm sure they've got commutes and it's getting late in the Rwandan day. MR COWLEY: So Mr Gatare I think could be asked to leave. Even if we're short and I have lower estimates of time with Dr Michael than originally: I do believe it will be faster than originally anticipated. But nevertheless, even if we weren't originally intending to go into tomorrow with Dr Gatare, I do believe I can reduce that as well, and reduce the expert witness's time compared to what was originally anticipated. So I am not anticipating a timing problem as we currently stand. That will continue through the day tomorrow, at least on my side.

		1	
16:28 1	he can go home. Is he a Dr?	16:32 1	may have in your office, that you may have in your
2	MR HILL: He's a Mr, I think.	2	computer and that you would need to collect from other
3	THE PRESIDENT: Mr Gatare.	3	government offices.
4	MR HILL: Thank you, Mr President.	4	Q. And it was your assumption that they had access to all
5	MR WATKINS: Would you like the witness now?	5	of those things, is that your testimony, when you sent
6	THE PRESIDENT: Yes, please.	6	this letter out?
7	MR WATKINS: Bringing him in.	7	A. Yes, when I sent it, I thought they had access to all
8	MR COWLEY: Mr Imena, on August 14th 2014 and if it could	8	the necessary information.
9	be brought back up, just so he has it available if	9	Q. When did you learn that they didn't?
10	necessary, C-064 when you sent your letter to NRD	10	A. Can you please repeat?
11	that we were looking at before the break, you knew the	11	Q. When did you learn that they did not?
12	circumstances NRD was actually facing on the ground with	12	A. When Marshall wrote to me and informed me that they
13	regard to access to its offices and the concessions;	13	don't have access to their office.
14	correct?	14	Q. And when he wrote to you and told you that, did you then
15	A. No.	15	respond, "Well, then you don't need to worry about
16	Q. And you were informed that Mr Benzinge was claiming to	16	trying to prepare and submit a new application until
17	have ownership rights in NRD and he was taking action to	17	that's corrected"?
18	prevent Mr Marshall from operating the company; correct?	18	A. I gave him another chance to collect and submit all the
19	A. Not correct. I knew Mr Benzinge was having claims	19	information.
20	regarding the ownership of NRD. I didn't know at that	20	Q. What do you mean, "another chance"?
20	time that NRD had issues in accessing its office.	20	A. He was given a letter by myself, by the ministry,
21	Q. Well, we'll get to it in a moment in terms of your	21	extending the period of time he had been given.
22	witness statements, but if you need to read it before	22	Q. Is that because you recognised that the first period of
23	you can answer any questions, just tell me that and I'll		
		24	time went by and it really wasn't a chance to respond to
25	wait for any questions about it.	25	the request by filing a new application, since access to
	Page 109		Page 111
16:30 1	But you do recall Mr Benzinge approaching you to	16:34 1	the offices, the computer, the information in the files,
16:30 1 2	But you do recall Mr Benzinge approaching you to explain his position and what he wanted to see done, and	16:34 1 2	the offices, the computer, the information in the files, wasn't available?
2	explain his position and what he wanted to see done, and	2	wasn't available?
2 3	explain his position and what he wanted to see done, and that factored into your decision about whether or not to	2 3	wasn't available? A. No. Can I explain?
2 3 4	explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct?	2 3 4	wasn't available? A. No. Can I explain? Q. Please.
2 3 4 5	explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct?A. Not correct.	2 3 4 5	wasn't available?A. No. Can I explain?Q. Please.A. Mr Marshall was given this letter we are seeing on the
2 3 4 5 6	explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct?A. Not correct.Q. Okay. We'll get there. Let me focus just on the	2 3 4 5 6	wasn't available?A. No. Can I explain?Q. Please.A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was
2 3 4 5 6 7	explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct?A. Not correct.Q. Okay. We'll get there. Let me focus just on the August 14th time period.	2 3 4 5 6 7	wasn't available?A. No. Can I explain?Q. Please.A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found
2 3 4 5 6 7 8	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea 	2 3 4 5 6 7 8	wasn't available?A. No. Can I explain?Q. Please.A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the
2 3 4 5 6 7 8 9	explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct?A. Not correct.Q. Okay. We'll get there. Let me focus just on the August 14th time period.So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea	2 3 4 5 6 7 8 9	wasn't available?A. No. Can I explain?Q. Please.A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements.
2 3 4 5 6 7 8 9 10	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your 	2 3 4 5 6 7 8 9 10	wasn't available?A. No. Can I explain?Q. Please.A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements.Mr Marshall claimed that he had no access to some of
2 3 4 5 6 7 8 9 10 11	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your 	2 3 4 5 6 7 8 9 10 11	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even
2 3 4 5 6 7 8 9 10 11 12	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. 	2 3 4 5 6 7 8 9 10 11 12	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some
2 3 4 5 6 7 8 9 10 11 12 13 14	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was 	2 3 4 5 6 7 8 9 10 11 12 13	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was an assumption on your part that in order to prepare and 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to provide that. And that is never found in an office; it
2 3 4 5 6 7 8 9 10 11 12 13 14	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was an assumption on your part that in order to prepare and complete a new application that would be consistent with 	2 3 4 5 6 7 8 9 10 11 12 13 14	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to provide that. And that is never found in an office; it is requested from the Rwanda Revenue Authority.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was an assumption on your part that in order to prepare and complete a new application that would be consistent with the 2014 law, whoever was in charge of preparing it 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to provide that. And that is never found in an office; it is requested from the Rwanda Revenue Authority. Again, another document was the Environment
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was an assumption on your part that in order to prepare and complete a new application that would be consistent with the 2014 law, whoever was in charge of preparing it would need access to all the corporation information 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to provide that. And that is never found in an office; it is requested from the Rwanda Revenue Authority. Again, another document was the Environment Management Authority certificate, which is also we
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was an assumption on your part that in order to prepare and complete a new application that would be consistent with the 2014 law, whoever was in charge of preparing it would need access to all the corporation information about activities over the years since at least 2010, 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to provide that. And that is never found in an office; it is requested from the Rwanda Revenue Authority. Again, another document was the Environment Management Authority certificate, which is also we called it a recommendation which was to be provided
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array} $	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was an assumption on your part that in order to prepare and complete a new application that would be consistent with the 2014 law, whoever was in charge of preparing it would need access to all the corporation information about activities over the years since at least 2010, right? 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\end{array} $	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to provide that. And that is never found in an office; it is requested from the Rwanda Revenue Authority. Again, another document was the Environment Management Authority certificate, which is also we called it a recommendation which was to be provided by the office in charge of environment management. That
$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was an assumption on your part that in order to prepare and complete a new application that would be consistent with the 2014 law, whoever was in charge of preparing it would need access to all the corporation information about activities over the years since at least 2010, right? A. No, let me explain it.	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\end{array} $	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to provide that. And that is never found in an office; it is requested from the Rwanda Revenue Authority. Again, another document was the Environment Management Authority certificate, which is also we called it a recommendation which was to be provided by the office in charge of environment management. That was not in his office.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was an assumption on your part that in order to prepare and complete a new application that would be consistent with the 2014 law, whoever was in charge of preparing it would need access to all the corporation information about activities over the years since at least 2010, right? A. No, let me explain it. What I knew is that we sent this letter to NRD when 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to provide that. And that is never found in an office; it is requested from the Rwanda Revenue Authority. Again, another document was the Environment Management Authority certificate, which is also we called it a recommendation which was to be provided by the office in charge of environment management. That was not in his office.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was an assumption on your part that in order to prepare and complete a new application that would be consistent with the 2014 law, whoever was in charge of preparing it would need access to all the corporation information about activities over the years since at least 2010, right? A. No, let me explain it. What I knew is that we sent this letter to NRD when I was not informed that they don't have access to their 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to provide that. And that is never found in an office; it is requested from the Rwanda Revenue Authority. Again, another document was the Environment Management Authority certificate, which is also we called it a recommendation which was to be provided by the office in charge of environment management. That was not in his office.
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was an assumption on your part that in order to prepare and complete a new application that would be consistent with the 2014 law, whoever was in charge of preparing it would need access to all the corporation information about activities over the years since at least 2010, right? A. No, let me explain it. What I knew is that we sent this letter to NRD when I was not informed that they don't have access to their office. Then the second thing I know is that to prepare 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to provide that. And that is never found in an office; it is requested from the Rwanda Revenue Authority. Again, another document was the Environment Management Authority certificate, which is also we called it a recommendation which was to be provided by the office in charge of environment management. That was not in his office. So we thought this was a trick to continue delaying the process of this licensing scheme that we had entered in with him.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 explain his position and what he wanted to see done, and that factored into your decision about whether or not to permit NRD tags to be provided to the company; correct? A. Not correct. Q. Okay. We'll get there. Let me focus just on the August 14th time period. So it's your testimony that when you sent the letter that's up on the screen, C-064, that you had no idea Mr Marshall and Ms Zuzana were put out of access to the corporate offices and the Nemba offices; that's your testimony? A. Yes. Q. You knew, even though you didn't know that fact, it was an assumption on your part that in order to prepare and complete a new application that would be consistent with the 2014 law, whoever was in charge of preparing it would need access to all the corporation information about activities over the years since at least 2010, right? A. No, let me explain it. What I knew is that we sent this letter to NRD when I was not informed that they don't have access to their office. Then the second thing I know is that to prepare 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 wasn't available? A. No. Can I explain? Q. Please. A. Mr Marshall was given this letter we are seeing on the computer to submit an application. That application was received by the ministry, it was assessed. We found that it was not satisfactory according to the requirements. Mr Marshall claimed that he had no access to some of his documents, but the assessment was showing that some of the critical things he failed to provide are not even documents that should be found in his office. For instance, a tax clearance certificate, he failed to provide that. And that is never found in an office; it is requested from the Rwanda Revenue Authority. Again, another document was the Environment Management Authority certificate, which is also we called it a recommendation which was to be provided by the office in charge of environment management. That was not in his office.

16:36 1	you called it, right? Those are all reasons to reject	16:39 1	Q. Can you identify even one?
2	an argument that the first chance wasn't a good chance,	2	A. I don't remember the number. But I can give you a case:
3	and say, "No, we're done", right?	3	Gatumba Mining Concession was asked to do the same, to
4	A. Not as how we are putting it. He was given here	4	comply with the new 2014 law. Gatumba Mining
5	30 days. If I remember properly, beyond the 30 days, he	5	Concessions.
6	was again given 15 days.	6	Q. Can you identify any other?
7	Q. And you just told me the reasons why you think he didn't	7	A. I gave you just one. I don't remember the other.
8	deserve it, right?	8	Q. That was my question: can you remember any other? You
	-		said you can't remember the other.
9	A. And by the way, we had no legal obligations to give him	9	-
10	an extension. But because we wanted to help him and	10	A. Unfortunately, I remember right now Gatumba Mining
11	have him as an investor, we extended to him that	11	Concessions.
12	opportunity.	12	Q. As of August 2014, how many applicants for licences to
13	Q. And that's the reason you extended it: because you	13	operate mining concessions beyond the initial
14	wanted to have Mr Marshall be an investor in one or more	14	exploratory licence phase existed?
15	of these concessions?	15	A. Can you repeat, please? Because if I'm allowed to
16	A. You are right.	16	answer, I also remember Trans Africa and Rogi Mining
17	Q. Now, at that time [that] the first request in writing	17	Trans Africa and Rogi Mining, if I remember well as
18	for the submission of a new application went out to NRD,	18	cases to ask to fulfil the requirements with the 2014
19	how many other applicants for licences beyond an initial	19	law.
20	exploratory licence phase were given similar requests to	20	Q. Again, just to be clear, I'm not asking whether you told
21	resubmit their application?	21	people to fulfil the requirements of the 2014 law. I'm
22	A. Several companies were required requested to abide by	22	asking a very specific question. I'm asking you to tell
23	the 2014 law.	23	us who you actually recall telling, as a pending
24	Q. That's not my question though, because the 2014 law may	24	applicant, to submit a new application under the law.
25	cover a lot of things. I want to make sure we're	25	So with that clarification, please let me know what your
	Page 113		Page 115
16.27 1	focused on the come thing	16.42 1	anounce where to that quantize
16:37 1	focused on the same thing.	16:42 1	answers were to that question.
2	I'm asking you: within the pool of applicants for	2	A. Those are the examples I gave you.
2 3	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such	2 3	A. Those are the examples I gave you.Q. Now, how many applicants for a licence to operate
2 3 4	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new	2 3 4	A. Those are the examples I gave you.Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory
2 3 4 5	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of	2 3 4 5	A. Those are the examples I gave you.Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014?
2 3 4 5 6	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"?	2 3 4	A. Those are the examples I gave you.Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014?A. Companies that had licences before 2014, and that
2 3 4 5 6 7	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started	2 3 4 5 6 7	A. Those are the examples I gave you.Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014?A. Companies that had licences before 2014, and that continued beyond 2014?
2 3 4 5 6 7 8	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"?A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them	2 3 4 5 6 7 8	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already
2 3 4 5 6 7 8 9	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"?A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in	2 3 4 5 6 7 8 9	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your
2 3 4 5 6 7 8 9 10	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"?A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and	2 3 4 5 6 7 8 9 10	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and
2 3 4 5 6 7 8 9 10 11	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"?A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to	2 3 4 5 6 7 8 9 10	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were
2 3 4 5 6 7 8 9 10 11 12	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"?A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law.	2 3 4 5 6 7 8 9 10 11 12	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending.
2 3 4 5 6 7 8 9 10 11	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"?A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write	2 3 4 5 6 7 8 9 10 11 12 13	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate
2 3 4 5 6 7 8 9 10 11 12	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"?A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write	2 3 4 5 6 7 8 9 10 11 12	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that
2 3 4 5 6 7 8 9 10 11 12 13	 I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to 	2 3 4 5 6 7 8 9 10 11 12 13	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that was originally submitted before 2014, how many of them
2 3 4 5 6 7 8 9 10 11 12 13 14	 I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to 	2 3 4 5 6 7 8 9 10 11 12 13 14	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that
2 3 4 5 6 7 8 9 10 11 12 13 14 15	I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to fulfill the new requirements. We had no obligations to	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that was originally submitted before 2014, how many of them
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to fulfil the new requirements. We had no obligations to do so. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that was originally submitted before 2014, how many of them were told in August 2014, or by August 2014, "Submit
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to fulfil the new requirements. We had no obligations to do so. Q. Sir, I'm going to ask you again. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that was originally submitted before 2014, how many of them were told in August 2014, or by August 2014, "Submit a new application"? A. There are many, but I don't remember the number.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to fulfil the new requirements. We had no obligations to do so. Q. Sir, I'm going to ask you again. A. Yes, please. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that was originally submitted before 2014, how many of them were told in August 2014, or by August 2014, "Submit a new application"? A. There are many, but I don't remember the number. Q. Can you remember whether it's more than 25?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to fulfil the new requirements. We had no obligations to do so. Q. Sir, I'm going to ask you again. A. Yes, please. Q. Of the applicants seeking a licence to operate a mining 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that was originally submitted before 2014, how many of them were told in August 2014, or by August 2014, "Submit a new application"? A. There are many, but I don't remember the number. Q. Can you remember whether it's more than 25? A. I wouldn't like to speculate on a number.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to fulfil the new requirements. We had no obligations to do so. Q. Sir, I'm going to ask you again. A. Yes, please. Q. Of the applicants seeking a licence to operate a mining concession beyond the initial exploratory licence period 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that was originally submitted before 2014, how many of them were told in August 2014, or by August 2014, "Submit a new application"? A. There are many, but I don't remember the number. Q. Can you remember whether it's more than 25? A. I wouldn't like to speculate on a number. Q. If I could ask that C-119 be brought up.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to fulfil the new requirements. We had no obligations to do so. Q. Sir, I'm going to ask you again. A. Yes, please. Q. Of the applicants seeking a licence to operate a mining concession beyond the initial exploratory licence period that existed as of August 2014, how many of such 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that was originally submitted before 2014, how many of them were told in August 2014, or by August 2014, "Submit a new application"? A. There are many, but I don't remember the number. Q. Can you remember whether it's more than 25? A. I wouldn't like to speculate on a number. Q. If I could ask that C-119 be brought up. Please let me know when you're ready to answer
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to fulfil the new requirements. We had no obligations to do so. Q. Sir, I'm going to ask you again. A. Yes, please. Q. Of the applicants seeking a licence to operate a mining concession beyond the initial exploratory licence period that existed as of August 2014, how many of such applicants were informed that they had to submit a new 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that was originally submitted before 2014, how many of them were told in August 2014, or by August 2014, "Submit a new application"? A. There are many, but I don't remember the number. Q. Can you remember whether it's more than 25? A. I wouldn't like to speculate on a number. Q. If I could ask that C-119 be brought up. Please let me know when you're ready to answer a question. (Pause)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	 I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to fulfil the new requirements. We had no obligations to do so. Q. Sir, I'm going to ask you again. A. Yes, please. Q. Of the applicants seeking a licence to operate a mining concession beyond the initial exploratory licence period that existed as of August 2014, how many of such applicants were informed that they had to submit a new application? 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that was originally submitted before 2014, how many of them were told in August 2014, or by August 2014, "Submit a new application"? A. There are many, but I don't remember the number. Q. Can you remember whether it's more than 25? A. I wouldn't like to speculate on a number. Q. If I could ask that C-119 be brought up. Please let me know when you're ready to answer a question. (Pause) A. Yes, I read it.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 I'm asking you: within the pool of applicants for licences to operate mining concessions, how many such applicants in August 2014 were told, "Submit a new application and we'll go forward with the process of considering it"? A. So if I can explain it properly, NRD's case had started in 2010, continued to stall, and in 2014 we asked them to comply with the new law. All the other companies in the country were informed that we have a new law, and anyone who wants to apply for a licence will need to apply, fulfilling the obligations of the new law. But again, we had no legal obligation even to write this letter to NRD. But because of out of good faith, we said: let's extend to him this new chance to fulfil the new requirements. We had no obligations to do so. Q. Sir, I'm going to ask you again. A. Yes, please. Q. Of the applicants seeking a licence to operate a mining concession beyond the initial exploratory licence period that existed as of August 2014, how many of such applicants were informed that they had to submit a new application? 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 A. Those are the examples I gave you. Q. Now, how many applicants for a licence to operate a mining concession beyond the initial exploratory licence phase existed as of August 2014? A. Companies that had licences before 2014, and that continued beyond 2014? Q. No, I'm asking a different question, not who had already been issued licences. We talked about yesterday your memory, as best you could recall, how many applied and how many were awarded. I'm asking how many were pending. So of the applicants for licences to operate a mining concession that had a pending application that was originally submitted before 2014, how many of them were told in August 2014, or by August 2014, "Submit a new application"? A. There are many, but I don't remember the number. Q. Can you remember whether it's more than 25? A. I wouldn't like to speculate on a number. Q. If I could ask that C-119 be brought up. Please let me know when you're ready to answer a question. (Pause)

32 (Pages 113 to 116)

16:45 1	which you informed NRD that its re-application was	16:49	(Q. Turning over the concessions didn't require any sort of
2	denied and it needed to turn back over all the	2	2	physical action by NRD to put something that constituted
3	concessions; correct?	3	3	the concessions back in your office, right?
4	A. Correct.	4		A. No.
5	Q. And you had some details about or you reference	-	5 (Q. It meant: step out of the way so the government could
6	a "closure process".	(take over control of the operations; correct?
7	That position changed after this letter; correct?		7 A	A. No, not as you are putting it. It meant fulfilling the
8	A. We gave him seven days to lodge an appeal. So he	8	3	requirements of the law we mentioned to him in our
9	appealed that decision: that's why we had to take into	9)	letters. So the 2014 law was clear on what happens if
10	consideration his appeal.	1)	an application is rejected. So he had to implement what
11	Q. And who was considering the appeal?	1	1	was in the law.
12	A. There was a committee at the ministry.	11	2 (Q. Who would take over operations? Since NRD was denied
13	Q. Okay. And when did they decide that appeal?	1.	3	the ability to continue operations, who was going to
14	A. I don't remember the exact date, but it is after this	14	1	operate the mines?
15	October letter.	1:	5 A	A. No one.
16	Q. Can you bring up C-087. It's more than one page, so if	1	5 (Q. Can we talk a minute about what was happening at the
17	you can open it up to two pages for the witness.	1		mines, as far as you knew, in this time period, 2014
18	(Pause)	1	3	into 2015? One of your major complaints against the
19	A. Exactly. I read it.	1		application submitted by NRD is that mostly artisanal
20	Q. So after the prior letter that we just read, this letter	20		mining was occurring at the sites of the mining
21	informed NRD that it had another opportunity to submit	2		concessions; correct?
22	more information; correct?	2		A. I don't remember what was going on specifically at that
22	A. You are right.	2		period of time.
23	Q. Had the appeal been decided in between?	2		Q. You are familiar with the phrase "artisanal mining", are
24	A. I remember Mr Marshall claimed that his application was	2		you not?
23	A. Tremember wir warshan elanned that his application was	2.)	you not:
	Page 117			Page 119
16:47 1	fulfilling all the requirements. Then we gave him this	16:51	1	A. I'm familiar with that phrase.
16:47 1 2	fulfilling all the requirements. Then we gave him this opportunity to go ahead and prove it again, and we again			A. I'm familiar with that phrase.Q. And you are familiar with the fact that the ministry
				—
2	opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit.		2 (Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received
2 3	opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we		2 (3	Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring
2 3 4	opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit.Q. My question is: in between the last two letters that we looked at, was the appeal decided?		2 (3 4 5	Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct?
2 3 4 5	opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit.Q. My question is: in between the last two letters that we looked at, was the appeal decided?A. Exactly.		2 (3 4 5 5	Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct?A. Can you show me that document, where we raised that?
2 3 4 5 6 7	opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit.Q. My question is: in between the last two letters that we looked at, was the appeal decided?A. Exactly.Q. So the committee issued a decision internally?		2 (3 4 5 5 7	Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct?A. Can you show me that document, where we raised that?Q. If the answer is you actually don't remember that being
2 3 4 5 6 7 8	opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit.Q. My question is: in between the last two letters that we looked at, was the appeal decided?A. Exactly.Q. So the committee issued a decision internally?A. Yes.		2 (3 4 5 5 7 8	Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct?A. Can you show me that document, where we raised that?Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept
2 3 4 5 6 7 8 9	opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit.Q. My question is: in between the last two letters that we looked at, was the appeal decided?A. Exactly.Q. So the committee issued a decision internally?A. Yes.Q. Is it in writing?		2 (3 4 5 5 4 7 6 8 9	Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct?A. Can you show me that document, where we raised that?Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer.
2 3 4 5 6 7 8 9 10	opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit.Q. My question is: in between the last two letters that we looked at, was the appeal decided?A. Exactly.Q. So the committee issued a decision internally?A. Yes.Q. Is it in writing?A. I don't remember.		2 (3 4 5 1 5 1 7 (8 9 0 1	Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct?A. Can you show me that document, where we raised that?Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer.A. Can you ask me again the question, please?
2 3 4 5 6 7 8 9 10 11	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; 	1	2 0 3 4 5 4 7 0 8 9 4 1 0	Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct?A. Can you show me that document, where we raised that?Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer.A. Can you ask me again the question, please?Q. Yes. Are you aware whether or not the ministry raised
2 3 4 5 6 7 8 9 10 11 12	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? 		2 (33 55 55 77 6 8 8 99 0 22	Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct?A. Can you show me that document, where we raised that?Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer.A. Can you ask me again the question, please?Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that
2 3 4 5 6 7 8 9 10 11 12 13	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That 		2 (33 4 5 5 5 5 7 7 6 8 8 9 9 0 2 2 3	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the
2 3 4 5 6 7 8 9 10 11 12 13 14	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That information was again reassessed, and unfortunately it 		2 (33 4 5 5 5 7 7 (8 8 9 9 0 2 2 3 4	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the concession sites?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That information was again reassessed, and unfortunately it was deemed unsatisfactory. 		2 (33 5 5 5 7 7 (3 3 4 5 7	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the concession sites? A. There are several areas, including that one you are
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That information was again reassessed, and unfortunately it was deemed unsatisfactory. Q. Do you recall when you informed NRD of that position? 		22 (33 44 55 55 57 6 22 33 44 55 44 55 44 55 44 55 44 55 44 55 56 57 66 57 57 57 57 57 57 57 57 57 57	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the concession sites? A. There are several areas, including that one you are mentioning, that show that NRD was not fulfilling the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That information was again reassessed, and unfortunately it was deemed unsatisfactory. Q. Do you recall when you informed NRD of that position? A. Yes. There's a letter after definitely after this 		2 (3 3 4 5 5 6 7 (9 0 2 3 4 5 7 6 7	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the concession sites? A. There are several areas, including that one you are mentioning, that show that NRD was not fulfilling the requirements.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That information was again reassessed, and unfortunately it was deemed unsatisfactory. Q. Do you recall when you informed NRD of that position? A. Yes. There's a letter after definitely after this November 2014 letter. 		22 (33 4 5 5 6 7 6 7 8 9 1 9 1 9 1 9 1 9 1 9 1 9 1 9 1 9 1 9 1 9 1 1 1 1 1 1 1 1 1 1 1 1 1	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the concession sites? A. There are several areas, including that one you are mentioning, that show that NRD was not fulfilling the requirements. Q. I'm asking specifically: do you remember the issue of
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That information was again reassessed, and unfortunately it was deemed unsatisfactory. Q. Do you recall when you informed NRD of that position? A. Yes. There's a letter after definitely after this November 2014 letter. Q. It's in 2015; correct? 		2 (3 3 4 5 5 6 7 6 7 8 9 11 12 12 13 14 15 14 15 14 15 14 15 14 15 14 15 14 15 14 15 14 15 14 15 15 14 15 15 14 15 15 16 16 16 16 16 16 16 16 16 16	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the concession sites? A. There are several areas, including that one you are mentioning, that show that NRD was not fulfilling the requirements. Q. I'm asking specifically: do you remember the issue of primarily artisanal mining occurring at the sites being
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That information was again reassessed, and unfortunately it was deemed unsatisfactory. Q. Do you recall when you informed NRD of that position? A. Yes. There's a letter after definitely after this November 2014 letter. Q. It's in 2015; correct? A. I think so. 		2 (3 3 4 5 5 6 7 6 7 8 9 0 1 9 0 1 1 1 1 1 1 1 1 1 1 1 1 1	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the concession sites? A. There are several areas, including that one you are mentioning, that show that NRD was not fulfilling the requirements. Q. I'm asking specifically: do you remember the issue of primarily artisanal mining occurring at the sites being raised by Rwanda? Or if you don't recall, that's your
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That information was again reassessed, and unfortunately it was deemed unsatisfactory. Q. Do you recall when you informed NRD of that position? A. Yes. There's a letter after definitely after this November 2014 letter. Q. It's in 2015; correct? A. I think so. Q. And that letter informing NRD of that decision of 2015 	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 2 2	2 0 3 4 5 5 6 7 7 0 1 0 2 3 4 5 5 7 6 7 8 9 0 1	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the concession sites? A. There are several areas, including that one you are mentioning, that show that NRD was not fulfilling the requirements. Q. I'm asking specifically: do you remember the issue of primarily artisanal mining occurring at the sites being raised by Rwanda? Or if you don't recall, that's your answer, and then I have an answer.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That information was again reassessed, and unfortunately it was deemed unsatisfactory. Q. Do you recall when you informed NRD of that position? A. Yes. There's a letter after definitely after this November 2014 letter. Q. It's in 2015; correct? A. I think so. Q. And that letter informing NRD of that decision of 2015 ended the same way as the prior letter we looked at: 	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 2 2 2 2	2 0 3 3 4 5 5 5 6 7 7 9 0 1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 8 9 1 1 1 1 1 1 1 1 1 1 1 1 1	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the concession sites? A. There are several areas, including that one you are mentioning, that show that NRD was not fulfilling the requirements. Q. I'm asking specifically: do you remember the issue of primarily artisanal mining occurring at the sites being raised by Rwanda? Or if you don't recall, that's your answer, and then I have an answer.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That information was again reassessed, and unfortunately it was deemed unsatisfactory. Q. Do you recall when you informed NRD of that position? A. Yes. There's a letter after definitely after this November 2014 letter. Q. It's in 2015; correct? A. I think so. Q. And that letter informing NRD of that decision of 2015 ended the same way as the prior letter we looked at: that the concessions had to be turned back over; 	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	2 (3 3 4 5 5 5 6 7 7 9 11 6 7 8 9 0 12 2 3 4 5 6 7 8 9 0 12 2 3 4 5 6 7 8 9 14 15 14 15 14 15 14 15 14 15 14 15 14 15 14 15 14 15 15 14 15 15 14 15 15 14 15 15 15 15 15 15 15 15 15 15	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the concession sites? A. There are several areas, including that one you are mentioning, that show that NRD was not fulfilling the requirements. Q. I'm asking specifically: do you remember the issue of primarily artisanal mining occurring at the sites being raised by Rwanda? Or if you don't recall, that's your answer, and then I have an answer. A. I don't recall. Q. Okay. So again now I am not asking then about NRD
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 opportunity to go ahead and prove it again, and we again gave him a list of the documents he needs to submit. Q. My question is: in between the last two letters that we looked at, was the appeal decided? A. Exactly. Q. So the committee issued a decision internally? A. Yes. Q. Is it in writing? A. I don't remember. Q. After this letter, NRD did submit some more information; correct? A. They submitted some additional information. That information was again reassessed, and unfortunately it was deemed unsatisfactory. Q. Do you recall when you informed NRD of that position? A. Yes. There's a letter after definitely after this November 2014 letter. Q. It's in 2015; correct? A. I think so. Q. And that letter informing NRD of that decision of 2015 ended the same way as the prior letter we looked at: 	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 2 2 2 2	2 (3 3 4 5 5 6 7 7 9 1 1 2 3 4 5 6 7 8 9 0 1 2 3 4 5 6 7 9 0 1 9 0 1 1 1 1 1 1 1 1 1 1 1 1 1	 Q. And you are familiar with the fact that the ministry raised as a complaint against the applications received from NRD that primarily artisanal mining was occurring at the sites; correct? A. Can you show me that document, where we raised that? Q. If the answer is you actually don't remember that being an issue, I'd rather you just tell me and I'll accept that as an answer. A. Can you ask me again the question, please? Q. Yes. Are you aware whether or not the ministry raised as a criticism of the application submitted by NRD that primarily artisanal mining was occurring at the concession sites? A. There are several areas, including that one you are mentioning, that show that NRD was not fulfilling the requirements. Q. I'm asking specifically: do you remember the issue of primarily artisanal mining occurring at the sites being raised by Rwanda? Or if you don't recall, that's your answer, and then I have an answer.

16:52 1	Artisanal mining, as you understand that concept,	16:55 1	are given to cooperatives or to companies.
10.52 1		10.55 1	Q. I really didn't anticipate this was going to be
3		3	an argument. I'm not trying to argue with you, sir.
4		4	The miners, let's use that term I'm switching
5	A. I didn't get your question. I'm sorry.	5	terms. I'm not talking about the licences afforded
6		6	them. The miners who conduct the mining operations of
7		0 7	an operator who is given an artisanal licence, the
8		8	miners are people that are doing it by hand at the
9	A. That's not my definition.	9	concession; correct?
10	-	10	
11		10	Q. And the people who do that sort of work live around the
12		11	
13		12	
14		13	
15		15	A. Correct, most of them live close to their mines.
16		16	
17		17	legally under an artisanal licence, they're people who
18		18	
19		19	
20		20	
21	-	21	their family can live; correct?
22		22	-
23		23	
24		24	
25		25	try to do, don't they?
	•		
	Page 121		Page 123
1			
16:54 1	A. Yes.	16:57 1	A. Can you repeat, please?
2	Q. Okay. So you understand that around some of the mining	2	Q. Yes. The people who are getting up and going out every
2 3	Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do	2 3	Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping
2 3 4	Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice,	2 3 4	Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on
2 3 4 5	Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to	2 3 4 5	Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct?
2 3 4 5 6	Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right?	2 3 4 5 6	Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct?A. You are right: mining is about money.
2 3 4 5 6 7	Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right?A. You are right.	2 3 4 5 6 7	Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct?A. You are right: mining is about money.Q. Yes. So if you say that the mining concession is not
2 3 4 5 6 7 8	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily 	2 3 4 5 6 7 8	Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct?A. You are right: mining is about money.Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people
2 3 4 5 6 7 8 9	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually 	2 3 4 5 6 7 8 9	Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct?A. You are right: mining is about money.Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and
2 3 4 5 6 7 8 9 10	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then 	2 3 4 5 6 7 8 9 10	Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct?A. You are right: mining is about money.Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up
2 3 4 5 6 7 8 9 10	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at 	2 3 4 5 6 7 8 9 10 11	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're
2 3 4 5 6 7 8 9 10 11 12	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? 	2 3 4 5 6 7 8 9 10 11 12	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the
2 3 4 5 6 7 8 9 10 11 12 13	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain 	2 3 4 5 6 7 8 9 10 11 12 13	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right?
2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain quickly. 	2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right? A. The government puts in place measures to quickly issue
2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain quickly. In our country we have several miners, and according 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right? A. The government puts in place measures to quickly issue licences to capable companies to manage mines, or areas
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain quickly. In our country we have several miners, and according to the 2014 law we had three types of mining licences: 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right? A. The government puts in place measures to quickly issue licences to capable companies to manage mines, or areas where minerals have been discovered.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain quickly. In our country we have several miners, and according to the 2014 law we had three types of mining licences: artisanal mining, small-scale mining and large-scale 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right? A. The government puts in place measures to quickly issue licences to capable companies to manage mines, or areas where minerals have been discovered. Q. And that would be the operator of the mine, right?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain quickly. In our country we have several miners, and according to the 2014 law we had three types of mining licences: artisanal mining, small-scale mining and large-scale mining. So being an artisanal miner is totally 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right? A. The government puts in place measures to quickly issue licences to capable companies to manage mines, or areas where minerals have been discovered. Q. And that would be the operator of the mine, right?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain quickly. In our country we have several miners, and according to the 2014 law we had three types of mining licences: artisanal mining, small-scale mining and large-scale mining. So being an artisanal miner is totally different from being an illegal miner. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right? A. The government puts in place measures to quickly issue licences to capable companies to manage mines, or areas where minerals have been discovered. Q. And that would be the operator of the mine, right? A. Yes, new operators will be invited to come in. Q. Right. So I'm going to get back to that a moment ago,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain quickly. In our country we have several miners, and according to the 2014 law we had three types of mining licences: artisanal mining, small-scale mining and large-scale mining. So being an artisanal miner is totally different from being an illegal miner. Q. I recognise that. That's why I didn't mix the two in my 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right? A. The government puts in place measures to quickly issue licences to capable companies to manage mines, or areas where minerals have been discovered. Q. And that would be the operator of the mine, right? A. Yes, new operators will be invited to come in. Q. Right. So I'm going to get back to that a moment ago, because you said no one was going to operate this and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain quickly. In our country we have several miners, and according to the 2014 law we had three types of mining licences: artisanal mining, small-scale mining and large-scale mining. So being an artisanal miner. Q. I recognise that. That's why I didn't mix the two in my questions. I asked about the artisanal miners when 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right? A. The government puts in place measures to quickly issue licences to capable companies to manage mines, or areas where minerals have been discovered. Q. And that would be the operator of the mine, right? A. Yes, new operators will be invited to come in. Q. Right. So I'm going to get back to that a moment ago, because you said no one was going to operate this and that's what caused this question.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain quickly. In our country we have several miners, and according to the 2014 law we had three types of mining licences: artisanal mining, small-scale mining and large-scale mining. So being an artisanal miner is totally different from being an illegal miner. Q. I recognise that. That's why I didn't mix the two in my questions. I asked about the artisanal miners when they're conducting at concessions. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right? A. The government puts in place measures to quickly issue licences to capable companies to manage mines, or areas where minerals have been discovered. Q. And that would be the operator of the mine, right? A. Yes, new operators will be invited to come in. Q. Right. So I'm going to get back to that a moment ago, because you said no one was going to operate this and that's what caused this question.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain quickly. In our country we have several miners, and according to the 2014 law we had three types of mining licences: artisanal mining, small-scale mining and large-scale mining. So being an artisanal miner is totally different from being an illegal miner. Q. I recognise that. That's why I didn't mix the two in my questions. I asked about the artisanal miners when they're conducting at concessions. 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right? A. The government puts in place measures to quickly issue licences to capable companies to manage mines, or areas where minerals have been discovered. Q. And that would be the operator of the mine, right? A. Yes, new operators will be invited to come in. Q. Right. So I'm going to get back to that a moment ago, because you said no one was going to operate this and that's what caused this question.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 Q. Okay. So you understand that around some of the mining concessions in Rwanda, there are individuals who do that let's stick with illegal mining practice, because they need to do it in order to make money to live, them and their families, right? A. You are right. Q. Now, artisanal mining is also a primarily labour-intensive individual with limited tools manually obtaining minerals that the mining operator then collects and sells, if that's how the mining is done at their concession, right? A. No, it's not as you are suggesting. If I can explain quickly. In our country we have several miners, and according to the 2014 law we had three types of mining licences: artisanal mining, small-scale mining and large-scale mining. So being an artisanal miner is totally different from being an illegal miner. Q. I recognise that. That's why I didn't mix the two in my questions. I asked about the artisanal miners when they're conducting at concessions. These are individuals that are conducting mining at the concessions primarily by hand; correct? 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 Q. Yes. The people who are getting up and going out every day conducting these mining activities, they're hoping to turn the minerals into payment: illegal miners on their own, artisanal miners from the operator; correct? A. You are right: mining is about money. Q. Yes. So if you say that the mining concession is not going to be operated, you actually know that the people who need the money for their families to live, and they're all around that concession, and they've got up every day and they've mined minerals by hand, they're still going to keep doing it because they still need the money, right? A. The government puts in place measures to quickly issue licences to capable companies to manage mines, or areas where minerals have been discovered. Q. And that would be the operator of the mine, right? A. Yes, new operators will be invited to come in. Q. Right. So I'm going to get back to that a moment ago, because you said no one was going to operate this and that's what caused this question. With regard to the miners themselves who were doing work every day, you know when you told NRD, "You're no

16:58 1	mine minerals and get paid for it, because their	17:02 1	new law, some of the blocks some of the former areas
2	families needed the money, right?	2	were divided into blocks, and those blocks were put out
3	A. Yes, that would be illegal mining.	3	for tender. And that's the document we discussed
4	Q. Okay. So the day before, they may have been artisanal	4	earlier today.
5	miners; the day after, they might be illegal miners.		Q. So it sent geological teams to assess the area and
		5	
6	But they're still going to do it, right? You knew that?	6	decide what concessions could profitably be put out as
7	A. Illegal people are exist everywhere, and they even	7	available for applicants to bid on?
8	exist here.	8	A. Yes, not only geological teams, but environmentalists,
9	Q. So when you say that no one was intended to operate the	9	economists. So a group of professionals.
10	mining concessions right away when you asked NRD to turn	10	Q. But it didn't send out teams of security to keep illegal
11	them over, you knew miners were going to mine the next	11	miners off the concessions, or any teams out to provide
12	day, regardless of who you said was operating them,	12	safety for anybody who might be conducting mining or
13	right?	13	other activities there; correct?
14	A. Those are illegal miners.	14	A. If people engaged in illegal mining, then appropriate
15	Q. And I'm asking whether you knew as a practical reality	15	institutions of the country dealt with that.
16	it was going to happen, right?	16	Q. Just answer my question though, please. You didn't send
17	A. No.	17	out security teams or other safety teams to take care to
18	Q. Sir, when you asked NRD to turn over the concessions,	18	prevent illegal activities or take care of the people
19	you didn't think any and all mining by any and all	19	who were there acting as miners before; correct?
20	miners was immediately going to stop because NRD was no	20	A. Excuse me. I was not leading the police; I was leading
21	longer permitted to call itself operator, did you?	21	the Ministry of State in Charge of Mining. So I sent
22	A. That was not the wish of the government.	22	geologists and other engineers.
23	Q. You also knew that for the government to say, "Here's	23	Q. Did you send the police to all the concessions and ask
24	a mine where I know people are getting up every day and	23	them to secure and prevent any illegal mining and
24	mining minerals to get paid for it, but I authorise no	24	protect the safety of the former miners who lived around
23	mining minerals to get paid for it, but I autorise no	23	protect the safety of the former nimers who need around
	Page 125		Page 127
			8
	-		6
17:00 1	operator to oversee that", that's contrary to the law,	17:03 1	there?
17:00 1 2	operator to oversee that", that's contrary to the law, don't you?	17:03 1	there?
	don't you?	2	there? A. The local authorities and all the people in charge were
2	don't you? A. Can you repeat, please?	2 3	there?A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So
2 3 4	don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with	2 3 4	there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented
2 3 4 5	don't you?A. Can you repeat, please?Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the	2 3 4 5	there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures.
2 3 4 5 6	don't you?A. Can you repeat, please?Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law?	2 3 4 5 6	there?A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures.Q. You're familiar with the fact that NRD's head of
2 3 4 5 6 7	don't you?A. Can you repeat, please?Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law?A. Illegal mining is not allowed. In Rwanda it is	2 3 4 5 6 7	there?A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures.Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing
2 3 4 5 6 7 8	don't you?A. Can you repeat, please?Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law?A. Illegal mining is not allowed. In Rwanda it is punishable by the law.	2 3 4 5 6 7 8	there?A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures.Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as
2 3 4 5 6 7 8 9	don't you?A. Can you repeat, please?Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law?A. Illegal mining is not allowed. In Rwanda it is punishable by the law.Q. So if you don't permit an operator to run a mining	2 3 4 5 6 7 8 9	there?A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures.Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was
2 3 4 5 6 7 8 9 10	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the 	2 3 4 5 6 7 8 9 10	there?A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures.Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you?
2 3 4 5 6 7 8 9 10	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and 	2 3 4 5 6 7 8 9 10	there?A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures.Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you?A. After I sent my letter to NRD informing them that the
2 3 4 5 6 7 8 9 10 11 12	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? 	2 3 4 5 6 7 8 9 10 11 12	there?A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures.Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you?A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer
2 3 4 5 6 7 8 9 10 11 12 13	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government 	2 3 4 5 6 7 8 9 10 11 12 13	there?A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures.Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you?A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case.
2 3 4 5 6 7 8 9 10 11 12 13 14	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. 	2 3 4 5 6 7 8 9 10 11 12 13 14	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. Q. And you had no real question that mining had to continue 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after informing them that their applications for licences were
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. Q. And you had no real question that mining had to continue every day, because the people needed to live, right? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after informing them that their applications for licences were denied in 2015: you did not go back and follow up and
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. Q. And you had no real question that mining had to continue every day, because the people needed to live, right? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after informing them that their applications for licences were denied in 2015: you did not go back and follow up and tell them you were going to complain about the fact that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. Q. And you had no real question that mining had to continue every day, because the people needed to live, right? A. Not right. Q. Sir, what did the government do to take possession of 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after informing them that their applications for licences were denied in 2015: you did not go back and follow up and tell them you were going to complain about the fact that they did not do any number of things that were required
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. Q. And you had no real question that mining had to continue every day, because the people needed to live, right? A. Not right. Q. Sir, what did the government do to take possession of the concessions after telling NRD in 2015 it must stop 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after informing them that their applications for licences were denied in 2015: you did not go back and follow up and tell them you were going to complain about the fact that they did not do any number of things that were required to turn over a concession; correct? You just stopped
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. Q. And you had no real question that mining had to continue every day, because the people needed to live, right? A. Not right. Q. Sir, what did the government do to take possession of the concessions after telling NRD in 2015 it must stop operating the concessions and turn over those 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\end{array} $	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after informing them that their applications for licences were denied in 2015: you did not go back and follow up and tell them you were going to complain about the fact that they did not do any number of things that were required to turn over a concession; correct? You just stopped communicating with them and let it be, right?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. Q. And you had no real question that mining had to continue every day, because the people needed to live, right? A. Not right. Q. Sir, what did the government do to take possession of the concessions after telling NRD in 2015 it must stop operating the concessions and turn over those concessions to the government? 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after informing them that their applications for licences were denied in 2015: you did not go back and follow up and tell them you were going to complain about the fact that they did not do any number of things that were required to turn over a concession; correct? You just stopped communicating with them and let it be, right? A. Not right. After my final decision was made, I sent to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. Q. And you had no real question that mining had to continue every day, because the people needed to live, right? A. Not right. Q. Sir, what did the government do to take possession of the concessions after telling NRD in 2015 it must stop operating the concessions and turn over those 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\end{array} $	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after informing them that their applications for licences were denied in 2015: you did not go back and follow up and tell them you were going to complain about the fact that they did not do any number of things that were required to turn over a concession; correct? You just stopped communicating with them and let it be, right? A. Not right. After my final decision was made, I sent to NRD a letter informing them [of] a process that would
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. Q. And you had no real question that mining had to continue every day, because the people needed to live, right? A. Not right. Q. Sir, what did the government do to take possession of the concessions after telling NRD in 2015 it must stop operating the concessions and turn over those concessions to the government? A. You asked me: what did the government do? Q. Yes. 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after informing them that their applications for licences were denied in 2015: you did not go back and follow up and tell them you were going to complain about the fact that they did not do any number of things that were required to turn over a concession; correct? You just stopped communicating with them and let it be, right? A. Not right. After my final decision was made, I sent to NRD a letter informing them [of] a process that would lead to the final winding-up or winding-down,
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. Q. And you had no real question that mining had to continue every day, because the people needed to live, right? A. Not right. Q. Sir, what did the government do to take possession of the concessions after telling NRD in 2015 it must stop operating the concessions and turn over those concessions to the government? A. You asked me: what did the government do? 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\\24\end{array} $	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after informing them that their applications for licences were denied in 2015: you did not go back and follow up and tell them you were going to complain about the fact that they did not do any number of things that were required to turn over a concession; correct? You just stopped communicating with them and let it be, right? A. Not right. After my final decision was made, I sent to NRD a letter informing them [of] a process that would lead to the final winding-up or winding-down, actually of their activities. They refused to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 don't you? A. Can you repeat, please? Q. For the government to allow mining at a concession with no licensed or permitted operator is contrary to the law? A. Illegal mining is not allowed. In Rwanda it is punishable by the law. Q. So if you don't permit an operator to run a mining concession in order to comply with the law, the government would need to actually send out security and prevent illegal mining on its own every day, right? A. If someone is doing illegal activities, the government deals with that person who is doing illegal activities. Q. And you had no real question that mining had to continue every day, because the people needed to live, right? A. Not right. Q. Sir, what did the government do to take possession of the concessions after telling NRD in 2015 it must stop operating the concessions and turn over those concessions to the government? A. You asked me: what did the government do? Q. Yes. 	$ \begin{array}{c} 2\\3\\4\\5\\6\\7\\8\\9\\10\\11\\12\\13\\14\\15\\16\\17\\18\\19\\20\\21\\22\\23\end{array} $	 there? A. The local authorities and all the people in charge were informed that NRD is no longer operating the mines. So all the institutions were informed, and they implemented appropriate measures. Q. You're familiar with the fact that NRD's head of security and other operations stayed on site providing that security, continuing to protect the concessions as best as possible in 2015 and after NRD was told it was not permitted to operate the mines, don't you? A. After I sent my letter to NRD informing them that the discussions and the negotiations are over, I no longer went back and dealt with that case. Q. And you did not follow up with anyone from NRD after informing them that their applications for licences were denied in 2015: you did not go back and follow up and tell them you were going to complain about the fact that they did not do any number of things that were required to turn over a concession; correct? You just stopped communicating with them and let it be, right? A. Not right. After my final decision was made, I sent to NRD a letter informing them [of] a process that would lead to the final winding-up or winding-down,

17.05 1	O Wall based on your letter in 2015 they wouldn't have	17.00 1	
17:05 1	Q. Well, based on your letter in 2015, they wouldn't have	17:09 1	Q. They were getting tags, right?
2	been there, would they?	2	A. Yes.
3	A. Can you repeat, please?	3	Q. They had no active licence issued by the ministry at
4	Q. Sending a letter to the former concessions of NRD wasn't	4	that time; correct?
5	going to reach NRD after you told them they're not	5	A. Yes.
6	allowed on the concessions anymore, right?	6	Q. You didn't bar Pact from providing tags to those other
7	A. NRD was a registered company in Rwanda. So without	7	applicants, did you?
8	a licence, it doesn't mean that the company is no longer	8	A. They didn't have issues similar to the problem NRD was
9	existing.	9	having.
10	Q. Right. But sending mail to the company concessions and	10	Q. Can paragraph 53 be brought up, please.
11	offices wasn't going to reach them when they were told	11	Did you have an opportunity to read it, sir?
12	they weren't allowed to operate the concessions, right?	12	(Pause)
13	A. I can repeat it. NRD was a company: it had an address,	13	A. Yes, I read it.
14	it had an office, it had people in charge of that	14	Q. You call it a "secondary" issue, but one of the reasons
15	company. So they were informed about that process.	15	you say you decided to bar Pact from issuing tags to NRD
16	Q. If I could ask that the first witness statement be	16	is Mr Benzinge informed you of his claim that he was the
17	brought up and paragraphs 49 and 50 focused on. (Pause)	17	rightful person to be in charge of NRD, and that he in
18	A. Yes, please. I read it.	18	fact threatened to sue should NRD be issued tags, unless
19	Q. When you refer here to Pact, you are referring to the	19	he was treated as the person in charge of NRD, right?
20	agency that at that time was responsible for	20	A. If I can explain it. The first reason to bar NRD from
21	administering the tagging system and working with the	21	accessing tags was the fact that they had no licence, no
22	mining concession operators to do so; correct?	22	valid licence. And
23	A. You are right.	23	Q. I've moved on, sir. Can we focus on the secondary
24	Q. When you say in the summer of 2014 you barred them from	24	issue? I've moved forward.
25	providing the tags under the iTSCi system to NRD, were	25	A. And the second
	Page 129		Page 131
17:08 1	you referring to before or after the letter in August in	17:12 1	Q. Thank you.
2	which you instructed NRD to submit a re-application?	2	A was the fact that Mr Benzinge showed me a ruling by
2 3	which you instructed NRD to submit a re-application? A. Can you repeat your question, please?	2 3	A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner
2 3 4	which you instructed NRD to submit a re-application?A. Can you repeat your question, please?Q. Alright, I can make it more simple. I'm sorry.	2 3 4	A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with
2 3 4 5	which you instructed NRD to submit a re-application?A. Can you repeat your question, please?Q. Alright, I can make it more simple. I'm sorry.Do you see the beginning of paragraph 49:	2 3 4 5	A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring
2 3 4 5 6	which you instructed NRD to submit a re-application?A. Can you repeat your question, please?Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact"	2 3 4 5 6	A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working
2 3 4 5 6 7	which you instructed NRD to submit a re-application?A. Can you repeat your question, please?Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on.	2 3 4 5 6 7	A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from
2 3 4 5 6 7 8	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before 	2 3 4 5 6	A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court.
2 3 4 5 6 7	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you 	2 3 4 5 6 7 8 9	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in
2 3 4 5 6 7 8 9 10	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? 	2 3 4 5 6 7 8 9 10	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him
2 3 4 5 6 7 8 9 10 11	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it 	2 3 4 5 6 7 8 9 10 11	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be
2 3 4 5 6 7 8 9 10	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. 	2 3 4 5 6 7 8 9 10 11 12	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever
2 3 4 5 6 7 8 9 10 11	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with 	2 3 4 5 6 7 8 9 10 11 12 13	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence
2 3 4 5 6 7 8 9 10 11 12 13 14	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba 	2 3 4 5 6 7 8 9 10 11 12	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba facility office? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence is regularised. Q. Okay. When Mr Benzinge brought you a ruling from the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba facility office? 	2 3 4 5 6 7 8 9 10 11 12 13 14	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence is regularised.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba facility office? A. I don't remember when their offices were seized, the exact date. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence is regularised. Q. Okay. When Mr Benzinge brought you a ruling from the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba facility office? A. I don't remember when their offices were seized, the exact date. Q. In the summer of 2014 there were although you've 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence is regularised. Q. Okay. When Mr Benzinge brought you a ruling from the Supreme Court, did you read the decision, or did you
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba facility office? A. I don't remember when their offices were seized, the exact date. Q. In the summer of 2014 there were although you've 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence is regularised. Q. Okay. When Mr Benzinge brought you a ruling from the Supreme Court, did you read the decision, or did you just listen to Mr Benzinge as to what he said the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba facility office? A. I don't remember when their offices were seized, the exact date. Q. In the summer of 2014 there were although you've already told me I asked this question about 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence is regularised. Q. Okay. When Mr Benzinge brought you a ruling from the Supreme Court, did you read the decision, or did you just listen to Mr Benzinge as to what he said the decision meant?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba facility office? A. I don't remember when their offices were seized, the exact date. Q. In the summer of 2014 there were although you've already told me I asked this question about 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence is regularised. Q. Okay. When Mr Benzinge brought you a ruling from the Supreme Court, did you read the decision, or did you just listen to Mr Benzinge as to what he said the decision meant? A. I think I read it. If I remember properly, I think
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array} $	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba facility office? A. I don't remember when their offices were seized, the exact date. Q. In the summer of 2014 there were although you've already told me I asked this question about identifying a number. You said you didn't remember the number. But can we agree that there were applicants for licences beyond the exploratory licence phase for mining 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence is regularised. Q. Okay. When Mr Benzinge brought you a ruling from the Supreme Court, did you read the decision, or did you just listen to Mr Benzinge as to what he said the decision meant? A. I think I read it. If I remember properly, I think I read it.
$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array} $	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba facility office? A. I don't remember when their offices were seized, the exact date. Q. In the summer of 2014 there were although you've already told me I asked this question about identifying a number. You said you didn't remember the number. But can we agree that there were applicants for licences beyond the exploratory licence phase for mining 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence is regularised. Q. Okay. When Mr Benzinge brought you a ruling from the Supreme Court, did you read the decision, or did you just listen to Mr Benzinge as to what he said the decision meant? A. I think I read it. If I remember properly, I think I read it. Q. Well, you would agree it wouldn't have been reasonable
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba facility office? A. I don't remember when their offices were seized, the exact date. Q. In the summer of 2014 there were although you've already told me I asked this question about identifying a number. You said you didn't remember the number. But can we agree that there were applicants for licences beyond the exploratory licence phase for mining concessions that had not yet been granted long-term 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence is regularised. Q. Okay. When Mr Benzinge brought you a ruling from the Supreme Court, did you read the decision, or did you just listen to Mr Benzinge as to what he said the decision meant? A. I think I read it. If I remember properly, I think I read it. Q. Well, you would agree it wouldn't have been reasonable for you to just rely on what Mr Benzinge said the Supreme Court ruled, without looking at it, if it was going to form any part of a decision whether to allow
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 which you instructed NRD to submit a re-application? A. Can you repeat your question, please? Q. Alright, I can make it more simple. I'm sorry. Do you see the beginning of paragraph 49: "In around the summer of 2014, I barred Pact" And you went on. The time period you're referring to, is that before or after the letter in August 2014 in which you instructed NRD to file a re-application? A. I don't remember the exact date I informed Pact, but it was in 2014. Q. Wasn't it much earlier, when the bailiff worked with Mr Benzinge to seize the offices and then the Nemba facility office? A. I don't remember when their offices were seized, the exact date. Q. In the summer of 2014 there were although you've already told me I asked this question about identifying a number. You said you didn't remember the number. But can we agree that there were applicants for licences beyond the exploratory licence phase for mining concessions that had not yet been granted long-term licences for those concessions? 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 A was the fact that Mr Benzinge showed me a ruling by the Supreme Court of Rwanda saying that he's the owner of NRD, and telling me that if we continue engaging with Mr Marshall as the representative of NRD, he will bring the case to court. So as a minister, someone working for the government, I take very seriously rulings from the Supreme Court. Then I told him that I'm not going to be involved in his problems with NRD. But I'm not going to give him tags, because he came to see me thinking that he will be the one given tags. I told him no. But I said: whoever owns NRD will receive tags after their issue of licence is regularised. Q. Okay. When Mr Benzinge brought you a ruling from the Supreme Court, did you read the decision, or did you just listen to Mr Benzinge as to what he said the decision meant? A. I think I read it. If I remember properly, I think I read it. Q. Well, you would agree it wouldn't have been reasonable for you to just rely on what Mr Benzinge said the Supreme Court ruled, without looking at it, if it was

17.12 1	A I think not only make a namen reading it my advisors	17.17 1	A. The Ministry of Justice has been advising the
17:13 1 2	A. I think not only me as a person reading it, my advisors took a look at it and informed me that this is something	17:17 1	Minister of Mining throughout this process.
23	that can be serious against the ministry.	3	Q. I'm sorry if I asked a poor question, but I'm just
	Q. Having read it and talked to your advisors about it, you	4	trying to refer to it specifically.
4 5	knew that the order from the Supreme Court said that	5	Did you ask the Ministry of Justice to address the
	Mr Benzinge was a 15% shareholder, a minority	6	question that Benzinge raised about the Supreme Court
6 7	shareholder in NRD; correct?	7	decision, so that they would answer his question?
	A. I don't remember the whole details of the ruling from	8	A. Let me try to be specific. I didn't engage in this
8 9	the Supreme Court. But what I remember: the ruling was	8 9	issue between Benzinge and Rod Marshall. I just told
10	saying that Benzinge is the one representing NRD.	10	them, "The rightful owner of NRD should come and prove
10	Q. The ruling actually said it wasn't going to change the	10	it". And Marshall ended up proving that he's the one
11	underlying arbitration decision that itself said it	11	recognised by RDB, and that was the end of it. We
12	wasn't going to change Mr Marshall's designation as	12	continued, we proceeded with Marshall.
13	representative, even though Mr Benzinge insisted that he	13	Q. That took months, right?
14	be identified as managing director. Isn't that what the	15	A. That took months, right:
15	ruling said?	15	Q. That took quite some time; correct?
10	A. I don't remember going into details of the ruling. But	10	A. It depended on their side, because they were the ones
18	I remember having been shown that ruling, which was	18	requested to prove that.
10	saying that Benzinge would be considered at that time,	10	Q. Well, you say that, and you say that you told them you
20	specific time, as the representative of NRD.	20	weren't going to get involved. But in fact your witness
20	Q. You say you read that in the order?	20	statement admits it was a secondary reason that you gave
22	A. Yes.	22	them for not permitting the company to have tags that
23	Q. Did you ask for any clarification from the	23	were required in order for the company to keep earning
24	administration within Rwanda's government responsible	24	revenue?
25	for determining rightful ownership status of	25	A. It's not only that reason. I even had verbal advice
	Page 133		Page 135
17:15 1	corporations?	17:18 1	from Dr Michael, who told me that they made also
2	A. I asked clarification to Benzinge and to Marshall.	2	an assessment internally and they also gave me
2 3	A. I asked clarification to Benzinge and to Marshall.I said, "The ministry will only deal with the rightful	2 3	an assessment internally and they also gave me an advice. So I considered several advices.
2 3 4	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And 	2 3 4	an assessment internally and they also gave mean advice. So I considered several advices.Q. I'm focusing on this Benzinge issue and your witness
2 3 4 5	A. I asked clarification to Benzinge and to Marshall.I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the	2 3 4 5	an assessment internally and they also gave mean advice. So I considered several advices.Q. I'm focusing on this Benzinge issue and your witnessstatement's characterisation of it as a "secondary"
2 3 4 5 6	A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's	2 3 4 5 6	an assessment internally and they also gave me an advice. So I considered several advices.Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue.
2 3 4 5 6 7	A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him.	2 3 4 5 6 7	an assessment internally and they also gave me an advice. So I considered several advices.Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue.You said you're not getting involved, but you chose
2 3 4 5 6 7 8	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? 	2 3 4 5 6 7 8	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not
2 3 4 5 6 7 8 9	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the 	2 3 4 5 6 7 8 9	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick
2 3 4 5 6 7 8 9 10	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were 	2 3 4 5 6 7 8 9 10	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the
2 3 4 5 6 7 8 9 10 11	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. 	2 3 4 5 6 7 8 9 10 11	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very
2 3 4 5 6 7 8 9 10 11 12	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the 	2 3 4 5 6 7 8 9 10 11 12	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct?
2 3 4 5 6 7 8 9 10 11 12 13	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the registrar was the ultimate authority on disputing 	2 3 4 5 6 7 8 9 10 11 12 13	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct? A. My mission was not to resolve the problem between
2 3 4 5 6 7 8 9 10 11 12 13 14	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the registrar was the ultimate authority on disputing parties' claims of ownership: the registrar would say 	2 3 4 5 6 7 8 9 10 11 12 13 14	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct? A. My mission was not to resolve the problem between Benzinge and Rod Marshall. My mission was to see if NRD
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the registrar was the ultimate authority on disputing parties' claims of ownership: the registrar would say who is right and who is wrong; correct? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct? A. My mission was not to resolve the problem between Benzinge and Rod Marshall. My mission was to see if NRD has a licence and is operating through the law.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the registrar was the ultimate authority on disputing parties' claims of ownership: the registrar would say who is right and who is wrong; correct? A. Yes. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct? A. My mission was not to resolve the problem between Benzinge and Rod Marshall. My mission was to see if NRD has a licence and is operating through the law. Q. You understood that the refusal to allow Pact to issue
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the registrar was the ultimate authority on disputing parties' claims of ownership: the registrar would say who is right and who is wrong; correct? A. Yes. Q. And you're saying that as Minister of Mines, you decided 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct? A. My mission was not to resolve the problem between Benzinge and Rod Marshall. My mission was to see if NRD has a licence and is operating through the law. Q. You understood that the refusal to allow Pact to issue tags meant that Mr Marshall, or whoever was going to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the registrar was the ultimate authority on disputing parties' claims of ownership: the registrar would say who is right and who is wrong; correct? A. Yes. Q. And you're saying that as Minister of Mines, you decided to ask the two disputing parties, and not the 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct? A. My mission was not to resolve the problem between Benzinge and Rod Marshall. My mission was to see if NRD has a licence and is operating through the law. Q. You understood that the refusal to allow Pact to issue tags meant that Mr Marshall, or whoever was going to prevail in the dispute about controlling NRD, would
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the registrar was the ultimate authority on disputing parties' claims of ownership: the registrar would say who is right and who is wrong; correct? A. Yes. Q. And you're saying that as Minister of Mines, you decided to ask the two disputing parties, and not the administrative body that's in charge of resolving their 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct? A. My mission was not to resolve the problem between Benzinge and Rod Marshall. My mission was to see if NRD has a licence and is operating through the law. Q. You understood that the refusal to allow Pact to issue tags meant that Mr Marshall, or whoever was going to prevail in the dispute about controlling NRD, would essentially be financially strangled from continuing
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the registrar was the ultimate authority on disputing parties' claims of ownership: the registrar would say who is right and who is wrong; correct? A. Yes. Q. And you're saying that as Minister of Mines, you decided to ask the two disputing parties, and not the administrative body that's in charge of resolving their disputes? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct? A. My mission was not to resolve the problem between Benzinge and Rod Marshall. My mission was to see if NRD has a licence and is operating through the law. Q. You understood that the refusal to allow Pact to issue tags meant that Mr Marshall, or whoever was going to prevail in the dispute about controlling NRD, would essentially be financially strangled from continuing with those concessions, because without tags, there's no
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the registrar was the ultimate authority on disputing parties' claims of ownership: the registrar would say who is right and who is wrong; correct? A. Yes. Q. And you're saying that as Minister of Mines, you decided to ask the two disputing parties, and not the administrative body that's in charge of resolving their disputes? A. I had no obligation to ask him. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct? A. My mission was not to resolve the problem between Benzinge and Rod Marshall. My mission was to see if NRD has a licence and is operating through the law. Q. You understood that the refusal to allow Pact to issue tags meant that Mr Marshall, or whoever was going to prevail in the dispute about controlling NRD, would essentially be financially strangled from continuing
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the registrar was the ultimate authority on disputing parties' claims of ownership: the registrar would say who is right and who is wrong; correct? A. Yes. Q. And you're saying that as Minister of Mines, you decided to ask the two disputing parties, and not the administrative body that's in charge of resolving their disputes? A. I had no obligation to ask him. Q. Did you ask the Ministry of Justice since this was 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct? A. My mission was not to resolve the problem between Benzinge and Rod Marshall. My mission was to see if NRD has a licence and is operating through the law. Q. You understood that the refusal to allow Pact to issue tags meant that Mr Marshall, or whoever was going to prevail in the dispute about controlling NRD, would essentially be financially strangled from continuing with those concessions, because without tags, there's no legal revenue to be earned from the minerals mined at
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 A. I asked clarification to Benzinge and to Marshall. I said, "The ministry will only deal with the rightful owner of NRD as it is indicated by RDB". And Mr Marshall was the one to come and show me that in the register of RDB, he is the rightful owner, and that's why we continued proceeding with him. Q. Why didn't you ask the registrar yourself? A. I had the choice to either ask Marshall, Benzinge or the registrar. I chose to ask those two people who were claiming to be the rightful owners. Q. Right. But you were familiar with the fact that the registrar was the ultimate authority on disputing parties' claims of ownership: the registrar would say who is right and who is wrong; correct? A. Yes. Q. And you're saying that as Minister of Mines, you decided to ask the two disputing parties, and not the administrative body that's in charge of resolving their disputes? A. I had no obligation to ask him. 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 an assessment internally and they also gave me an advice. So I considered several advices. Q. I'm focusing on this Benzinge issue and your witness statement's characterisation of it as a "secondary" issue. You said you're not getting involved, but you chose a path to say it was one of the grounds for not issuing tags. You chose a path that didn't get quick resolution by one of the other representatives of the government capable of issuing a final determination very quickly; correct? A. My mission was not to resolve the problem between Benzinge and Rod Marshall. My mission was to see if NRD has a licence and is operating through the law. Q. You understood that the refusal to allow Pact to issue tags meant that Mr Marshall, or whoever was going to prevail in the dispute about controlling NRD, would essentially be financially strangled from continuing with those concessions, because without tags, there's no legal revenue to be earned from the minerals mined at the concessions?

17:20	And stopping NRD to get the tags actually yielded	17:24 1	Q. And your testimony here today was in October, I believe,
	2 positive results to the ministry, because NRD had been	2	or at some point and I'll pull up the notes if it's
	refusing to take note of all the advice given since some	3	important but at some point in 2013 you met with
	4 years back, NRD had been refusing to understand what the	4	Mr Marshall and told him at that time you as minister
	5 ministry was telling that company; and when we touched	5	considered NRD no longer to be a licensee at the
	6 the tags, they started submitting documents that we were	6	concessions; correct?
	7 requiring. So stopping them accessing the tags was very	7	A. Can you repeat, please?
	8 positive.	8	Q. Your testimony here today is that in 2013 you met with
	9 Q. Can you please explain how it is that you felt	9	Mr Marshall, and at the time of that meeting you told
1	0 comfortable as minister to say that the entity that you	10	him the ministry no longer considered NRD to be the
1	1 continued to recognise as the operator of mining	11	licensed operator of the mining concessions?
1	2 concessions where mining was being conducted, minerals	12	A. I don't want to get confused and to confuse this
1	3 were being extracted, somebody wanted to sell them for	13	Tribunal. What I know: I met Mr Marshall several times,
1	4 cash, all was taking place, you were comfortable leaving	14	in 2013, 2014 and even in 2015.
1	5 in place as operator a company that, on the other hand,	15	Now, in 2014 there was this re-application
1	6 you were saying was not qualified to receive tags to	16	Q. My question asked you about 2013. Please just direct
1	7 sell those minerals?	17	your answer to 2013.
1	8 A. You put it very well. The entity I was leading was	18	Isn't it your testimony here today that at a meeting
1	9 recognising NRD, but at that time NRD had stopped to	19	in 2013 you told Mr Marshall you did not consider NRD to
2	0 recognise the entity I was leading. And the only tool	20	be a licensee of the concessions anymore?
	1 that helped them understand that the priority of things	21	A. In 2013, during a meeting I had with them in October,
	2 is to have a licence was touching on the tag thing.	22	I informed them that they have no licence, but the
	3 Q. Well, you know that's not true. Even under the period	23	ministry is engaged to discuss with them one or two
	4 where they were operating on the initial licence,	24	licences. That is what I said in 2013.
	5 there's always the ability for the ministry to say,	24	Q. Okay. So from that October meeting when you told that
-	5 there's always the ability for the ministry to say,	25	Q. Okay. So nom that October meeting when you told that
	Page 137		Page 139
17:23	1 since it's a contract, "There's a breach of contract;	17:26 1	to Mr Marshall until the summer of 2014, it was your
	2 it's terminated". You knew that, right?	2	position that NRD was no longer a licensee of the
	3 A. Not at all. I do not agree.	3	concessions, but you continued to recognise NRD as
	4 NRD was happy continuing receiving tags because NRD	4	permitted to receive tags to sell minerals mined at
	5 was not investing. They were just buying minerals from	5	those concessions; isn't that correct?
	6 the mine workers, selling them in Kigali and making	6	A. Yes, they were still recognised as the people operating
	7 small profits. We were telling them, "Please comply	7	the mines.
	8 with the laws". They were happy to continue operating	8	Q. Well, how is that? Under Rwandan law, how could they be
	9 without a licence. And we just tell them, "Enough is	9	recognised by the Ministry of Mines as both not
1	0 enough. Please come and comply".	10	a licensee at all, but operating the mines and lawfully
	1 Q. You were familiar that you had a tool of claiming breach	11	selling minerals mined there?
1	2 of contract if you believed there was a breach of	12	A. I explained earlier that as long as for a formal
1	3 contract; you knew that, correct?	13	licensee who applied for a new licence, as long as no
	4 A. Can you repeat, please?	14	final decision has been taken, we considered that former
	5 Q. Yes. I'm trying to follow up on your testimony where	15	licensee as the operator of the mine.
	6 you said you only had one tool available to you.	16	Q. So the permission from the initial licence to NRD, your
	7 You knew, since the licences were contracts, you	17	testimony is you recognised as continuing all the way to
	 always had available a tool to claim breach of contract 	18	the time where you told NRD it had to leave the mining
	 and avaluate a tool to claim breach of contact and terminate the licence of NRD; you knew that at every 	10	concessions?
	0 phase, right?	20	A. You are right.
	1 0	20	Q. And that's in 2015; correct?
		21	
	 them. O Okay And it's the tool you chose in the summer of 		A. That was the final decision, 2015.
	3 Q. Okay. And it's the tool you chose in the summer of	23	MR COWLEY: Thank you. No further questions.
	4 2014, compact?	24	MD LIII L. I have no re-exemination
	4 2014; correct?	24	MR HILL: I have no re-examination.
	4 2014; correct? 5 A. Correct.	24 25	MR HILL: I have no re-examination. (5.28 pm)

17:28	1	Questions from THE TRIBUNAL	17:31 1	payment for them.
17.20	2	THE PRESIDENT: I wonder if you can just give me a little	2	
	3	bit further explanation about the artisanal miners.	3	
	4	Perhaps if we look at paragraph 49 of your first	4	
	5	statement, that would be a convenient way of doing this.	5	
	6	Could that be put up.	6	
	7	The second half of this paragraph reads:	7	
	8	"By June 2014 NRD had not had a mining licence for	8	
		any of its concessions since October 2012. However,	9	
	9	-		
	10	with our indulgence it was continuing to operate its mines"	10	
	11		11	с с с
	12	You've just been telling us about that. This was	12	
	13	an indulgence that the ministry gave to a company that	13	
	14	meant it was not acting unlawfully in continuing to	14	
	15	mine, notwithstanding it had no licence; is that right?	15	· · ·
	16	A. You are right, sir.	16	
	17	THE PRESIDENT: And that was, what, under a general	17	, I
	18	administrative power that the ministry could do that?	18	•
	19	A. You are right, sir.	19	
	20	THE PRESIDENT: I see. And you say:	20	
	21	" it was continuing to operate its mines, through	21	
	22	the artisanal miners, and was able to buy minerals from	22	
	23	the artisanal miners on its sites and have them tagged	23	
	24	following which it was able to sell them to traders in	24	as it were, sold minerals to NRD, for NRD then to sell
	25	Kigali."	25	it on to metal traders in Kigali.
		Page 141		Page 143
		1 age 141		1 age 145
17:29	1	Was the tagging being done on site or in Kigali?	17:33 1	I don't know whether that is something you can
17.29	2	Because there's conflicting evidence about that.	2	answer, because you are, of course, the minister in
	3	A. Tagging was being done on site.	3	Kigali and not on the site. But maybe you can throw
	4	THE PRESIDENT: On site. And these miners, were they miners	4	light on that.
	5	who had individual "licence" may be the wrong word,	5	A. Thank you very much.
	6	but concession, as an artisanal miner, to mine?	6	How the little information I have about it is
	7	A. These miners were operating under the authority of the	0 7	that NRD had few employees permanent employees that
	8	NRD. So we are calling them "artisanal miners" because	8	are paid, I think, on a monthly basis, and those
	8 9	they were just using artisanal tools: small, hand-held	9	employees would be mostly in charge of accounting,
			10	drivers, maybe security people who will be controlling
	10 11	equipment. THE PRESIDENT: Yes. Well, this is what interests me. NRD	10	a few of the equipment that the company had brought, and
		is given a concession or a licence to mine. There are	11	other people doing the day-to-day work, and those would
	12	0	12	
	13	a lot of miners living around the mine, and NRD uses		maybe constitute 5 or about 5% of the whole
	14	them to exercise its licence. Now, I could understand	14	workforce. But the main number of the workforce is made
	15	if NRD employed them and paid them as labourers, but	15	by those miners who are paid from their production.
	16	this suggests that they would own the ore that they	16	•
	17	mined and sell it to NRD. And that's what I have	17	fact that the ministry was, as you said, indulgent, and
	18	a little difficulty understanding.	18	constantly gave short extensions and, as we have said
	19	How were they able lawfully to extract minerals	19	indulgences to NRD, that if NRD were still in charge,
	20	which they owned and could sell to NRD?	20	then those artisanal miners would not become illegal
	21	A. Yes, thank you for the question.	21	miners?
	22	NRD was given concessions and was supposed to create	22	A. The indulgence was really connected to the fact that
	23	industrial mines in those concessions. And for	23	initially the ministry was looking for investors. And
/	24	industrial mines to be developed, you need to employ	24	when we heard that this company was coming from abroad,
/				

17:35 1	they would become a very good investor. So the	17:53 1	(5.53 pm)
2	indulgence continued with that prior perception we had,	2	DR MICHAEL BIRYABAREMA (called)
3	thinking that: let them be given more time, maybe they	3	THE PRESIDENT: Good evening. Previous witnesses have
4	can improve.	4	referred to you as "Dr Michael"; are you happy with
5	MS DOHMANN: Thank you very much.	5	that?
6	MR IMENA: You are welcome.	6	DR BIRYABAREMA: Hello?
7	THE PRESIDENT: Yes, thank you for your assistance. You are	7	THE PRESIDENT: Can you hear me?
8	now free to go.	8	DR BIRYABAREMA: I can hear you, yes.
9	MR IMENA: Thank you, sir. Thank you.	9	THE PRESIDENT: Yes. Well, if I may call you "Dr Michael".
10	(The witness withdrew)	10	Would you like to look, please, at the screen, where
11 12	THE PRESIDENT: It might make sense to take the last 15-minute break now.	11 12	you will see a witness declaration. And if you're happy with that, why don't you read it aloud to us, please.
12	(5.36 pm)	12	DR BIRYABAREMA: I solemnly declare upon my honour and
13	(A short break)	13	conscience that I shall speak the truth, the whole truth
14	(5.51 pm)	15	and nothing but the truth.
16	MR WATKINS: Okay, Mr President, the next witness is	16	THE PRESIDENT: Thank you very much.
17	waiting. I will go off camera and wait to hear you	17	(5.54 pm)
18	request him being brought in.	18	Direct examination by MR HILL
19	MR HILL: If I could raise one point of housekeeping just	19	Q. Dr Michael, could you be shown your first witness
20	before we do. It's just in relation to the timetable,	20	statement, and I'm going to ask for FTI to pull up
21	Mr President.	21	paragraph 7. Thank you.
22	By the end of the day, Mr Cowley will have had	22	I understand there's a correction to a date you want
23	approximately 19 and a half hours and I will have had	23	to make in that paragraph?
24	approximately 18 and a quarter. The procedural order in	24	A. Yes, the correction is that I actually worked for the
25	fact allocated 24 hours per side, which notionally means	25	Rwanda Geology and Mines Authority. After that,
	Page 145		Page 147
17:52 1	there's over 10 hours between us, and obviously we've	17:55 1	I went I worked for the Rwanda Natural Resources
2	only got a 6-hour day tomorrow.	2	Authority for five years. That was up to 2016, not
3	I was going to propose the 6-hour day gets split so	3	2018.
4	that first we catch up on the time that the Claimants	4	So I guess the correction there is: instead of
5	have had longer, so that's about an hour and a quarter,	5	"7 years", it should be "5 years"; and instead of
6	and thereafter there's equality of time, so by the end	6	"2018", it should be "2016".
7	of the day, each side will have had the same amount of	7	MR HILL: Thank you. Now, if you wait there, Mr Cowley, who
8	time. Now, obviously the precise number could be	8	represents the Claimants in this arbitration, is going
9 10	debated and agreed between the parties, but that would	9 10	to ask you some questions.
10	be the principle I would propose. THE PRESIDENT: Mr Cowley, does that sound satisfactory to	10	(5.55 pm) Cross-examination by MR COWLEY
11	you?	11	Q. Good afternoon, Dr Michael.
12	MR COWLEY: I would simply like the opportunity to discuss	12	A. Good evening.
13	that with Respondent's counsel after today and see if we	14	Q. Good evening.
15	could present a joint agreed-upon allocation tomorrow	15	Please bring up C-032.
16	morning first thing at housekeeping, or have the	16	Dr Michael, please take a look at this document, let
17	Tribunal resolve it if we don't. I would just like the	17	me know when you're able to answer a question about it.
18	opportunity to focus on it, instead of my outline, while	18	A. Yes, I can.
19	it was being presented.	19	Q. This is a letter that you wrote on July 20th 2009 to the
20	MR HILL: No, I'm absolutely fine with that. As long as	20	director of the National Land Center in support of NRD's
21	it's not going to be suggested there should be anything	21	request for the necessary permit to construct the plant
22	other than equality, then I'm completely happy to agree	22	at one of the concessions; correct?
23		22	
	to that.	23	A. That's correct.
24	THE PRESIDENT: Very good. Right, then let us proceed.	24	Q. If I could focus you on the second sentence of your
24 25			

17:56	l describing the relationship of	NRD to the Rutsiro mining	18:00 1	Q. I apologise, but I did not quite catch what you said.
	2 exploration permit area, you s		2	I did hear you say, "We used it"
	3 "This is a four year permit	-	3	A. It was used. It was used to progress with NRD's
	4 $24/11/06$. Such permits are ex		4	application for these short-term licences.
	5 into long term concessions of	-	5	Q. Okay. Prior to your preparing this assessment, had
	5 success in defining economic	-	6	anybody else on behalf of MINIRENA undertaken any review
	7 That's what you wrote at th	_	7	or analysis of that application?
	8 A. Yes, I wrote it.	,	8	A. I can't recall. I don't remember.
	9 Q. And you wrote that at that ti	me to the National Land	9	Q. When you did your assessment, were you working with
	0 Center because you believed i		10	anyone?
	1 A. I believe what was true?	,	11	A. Well, I generated it generally largely myself, but
	2 Q. You said you wrote that, and	d you believed it was true	12	we were an institution: we could always benefit from
	3 when you wrote it; correct?	5	13	each other's professional input. But I wrote again,
	4 A. You mean what I wrote? Ye	es.	14	I wrote it.
	5 Q. If I could ask that R-111 be		15	Q. Did you write it for someone else to review and take
	6 a three-page document, so per		16	action on, as far as you knew?
	7 opening the second page as w		17	A. Well, because I was in charge of assessing such
	see what is in front of him.	,	18	a report, of course, yes, the minister would refer to it
		you recognise the document	19	and So it was a document that could be used by
	0 and are able to answer question		20	whoever was responsible for dealing with this licence
	1 me.		21	application.
	2 A. Yes, I recognise it.		22	Q. And who did you understand that to be in April 2011?
	3 Q. You wrote this document; is	that correct?	23	A. Sorry?
	4 A. Yes, I did.		24	Q. In April 2011, who did you think was responsible for
	5 Q. And you wrote it when?		25	dealing with the NRD licence application?
	Q. This you wrote it when:			county that are the money approximit
	Page 149			Page 151
15 50			10.02 1	
17:58	A. 20 should be, like, April 20	-	18:03 1	A. I don't understand your question.
17:58	2 months of April/May 2011. I c	-	2	Q. Okay. In answer to a previous question, you said you
17:58	2 months of April/May 2011. I c 8 exact date, but it was 2011.	don't remember exactly the	2 3	Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with
17:58	 2 months of April/May 2011. I dependent of a contract date, but it was 2011. 4 Q. What was the purpose of this 	don't remember exactly the document when you wrote it?	2 3 4	Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right?
	 months of April/May 2011. I dependence of the exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the exact date. 	don't remember exactly the document when you wrote it? he report NRD had	2 3 4 5	Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right?A. I mean, that means assessing and also taking decisions,
	 months of April/May 2011. I dependent of a control of a contr	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences	2 3 4 5 6	Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right?A. I mean, that means assessing and also taking decisions, yes.
	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to appear and the extension of exploration 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence.	2 3 4 5 6 7	Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right?A. I mean, that means assessing and also taking decisions, yes.Q. And who, at that time, did you think was going to use
	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to appear and the extension of exploration Q. And that's the November 2010. 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence.	2 3 4 5 6 7 8	Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right?A. I mean, that means assessing and also taking decisions, yes.Q. And who, at that time, did you think was going to use this document as part of that responsibility?
	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to appear and the extension of exploration Q. And that's the November 2010 submitted? 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence.	2 3 4 5 6 7 8 9	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise
	 months of April/May 2011. I dexact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to appear and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD	2 3 4 5 6 7 8 9 10	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application.
]	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to approximate and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I j 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my	2 3 4 5 6 7 8 9 10 11	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be
]	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to approximate and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I n 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my need to use that to see,	2 3 4 5 6 7 8 9 10 11 12	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part
1	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to appear and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I ni because I have a hard time seed 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my need to use that to see, ing the documents on the	2 3 4 5 6 7 8 9 10 11 12 13	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote:
	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to apper and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I ni because I have a hard time seei screen. So bear with me for home. 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my need to use that to see, ing the documents on the	2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was"
	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to apper and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I ni because I have a hard time seei screen. So bear with me for hor a minute. 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my need to use that to see, ing the documents on the opefully no more than	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was" And just to be specific, I'm going to pause there.
	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to approximate and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I ni because I have a hard time seei screen. So bear with me for how a minute. A. Can you zoom in the document of the presented as a document to approximate and the extension of exploration. 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my need to use that to see, ing the documents on the opefully no more than	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was" And just to be specific, I'm going to pause there. The "agreement" that's referred to in this sentence
	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to apper and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I n because I have a hard time seei screen. So bear with me for how a minute. A. Can you zoom in the document very small? 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my need to use that to see, ing the documents on the opefully no more than nt, so the letters are not	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was" And just to be specific, I'm going to pause there. The "agreement" that's referred to in this sentence in your report is the initial exploratory licence
	 months of April/May 2011. I deexact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to apper and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I n because I have a hard time seed screen. So bear with me for he a minute. A. Can you zoom in the document very small? Q. Yes, I'm going to ask question 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my need to use that to see, ing the documents on the opefully no more than nt, so the letters are not ns about specific sections,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was" And just to be specific, I'm going to pause there. The "agreement" that's referred to in this sentence in your report is the initial exploratory licence agreement with NRD; correct?
	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to apper and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I ni because I have a hard time seei screen. So bear with me for how a minute. A. Can you zoom in the document very small? Q. Yes, I'm going to ask question and I will have it zoomed in for the second of the s	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my need to use that to see, ing the documents on the opefully no more than nt, so the letters are not ns about specific sections, or you when I do.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was" And just to be specific, I'm going to pause there. The "agreement" that's referred to in this sentence in your report is the initial exploratory licence agreement with NRD; correct?
	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to apper and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I ni because I have a hard time seei screen. So bear with me for how a minute. A. Can you zoom in the document very small? Q. Yes, I'm going to ask question and I will have it zoomed in for Sticking with the creation of the second of the sticking with the creation of the second of the sticking with the creation of the sticking with the creation of the second of the second of the sticking with the creation of the second of the sec	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my need to use that to see, ing the documents on the opefully no more than nt, so the letters are not ns about specific sections, or you when I do. f the document	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was" And just to be specific, I'm going to pause there. The "agreement" that's referred to in this sentence in your report is the initial exploratory licence agreement with NRD; correct? A. Yes, this was the 2006 contract and the agreement it accompanied.
	 months of April/May 2011. I dexact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to apper and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I n because I have a hard time seed screen. So bear with me for how a minute. A. Can you zoom in the document very small? Q. Yes, I'm going to ask question and I will have it zoomed in for Sticking with the creation of generally, you wrote this document. 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my teed to use that to see, ing the documents on the opefully no more than nt, so the letters are not ns about specific sections, or you when I do. f the document ment about the NRD	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was" And just to be specific, I'm going to pause there. The "agreement" that's referred to in this sentence in your report is the initial exploratory licence agreement with NRD; correct? A. Yes, this was the 2006 contract and the agreement it accompanied. Q. So the nature of that agreement, you said, was:
	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to apprand the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I n because I have a hard time seed screen. So bear with me for how a minute. A. Can you zoom in the document very small? Q. Yes, I'm going to ask question and I will have it zoomed in for Sticking with the creation of generally, you wrote this document. 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my need to use that to see, ing the documents on the opefully no more than nt, so the letters are not ns about specific sections, or you when I do. f the document ment about the NRD What did you do with this	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was" And just to be specific, I'm going to pause there. The "agreement" that's referred to in this sentence in your report is the initial exploratory licence agreement with NRD; correct? A. Yes, this was the 2006 contract and the agreement it accompanied. Q. So the nature of that agreement, you said, was: " (i) Provide a progress report on the
	 months of April/May 2011. I device the exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to apper and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I ni because I have a hard time seed screen. So bear with me for how a minute. A. Can you zoom in the document very small? Q. Yes, I'm going to ask question and I will have it zoomed in for Sticking with the creation of generally, you wrote this document once it was created? 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my used to use that to see, ing the documents on the opefully no more than nt, so the letters are not ns about specific sections, or you when I do. f the document ment about the NRD What did you do with this	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was" And just to be specific, I'm going to pause there. The "agreement" that's referred to in this sentence in your report is the initial exploratory licence agreement with NRD; correct? A. Yes, this was the 2006 contract and the agreement it accompanied. Q. So the nature of that agreement, you said, was: " (i) Provide a progress report on the exploration program activities after two years and (ii)
	 months of April/May 2011. I de exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to apper and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I ni because I have a hard time seeid screen. So bear with me for how a minute. A. Can you zoom in the document very small? Q. Yes, I'm going to ask question and I will have it zoomed in for Sticking with the creation of generally, you wrote this document once it was created? A. We went we used it actually 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my used to use that to see, ing the documents on the opefully no more than nt, so the letters are not ns about specific sections, or you when I do. f the document ment about the NRD What did you do with this	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\end{array}$	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was" And just to be specific, I'm going to pause there. The "agreement" that's referred to in this sentence in your report is the initial exploratory licence agreement with NRD; correct? A. Yes, this was the 2006 contract and the agreement it accompanied. Q. So the nature of that agreement, you said, was: " (i) Provide a progress report on the exploration program activities after two years and (ii) Provide resource evaluation reports and the feasibility
	 months of April/May 2011. I device the exact date, but it was 2011. Q. What was the purpose of this A. It was to assess the value of the presented as a document to apper and the extension of exploration Q. And that's the November 2010 submitted? A. Yes. Q. I apologise for one second, I ji computer. It's frozen. And I ni because I have a hard time seed screen. So bear with me for how a minute. A. Can you zoom in the document very small? Q. Yes, I'm going to ask question and I will have it zoomed in for Sticking with the creation of generally, you wrote this document once it was created? 	don't remember exactly the document when you wrote it? he report NRD had ply for short-term licences on licence. 0 application that NRD just need to fix my used to use that to see, ing the documents on the opefully no more than nt, so the letters are not ns about specific sections, or you when I do. f the document ment about the NRD What did you do with this	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\end{array}$	 Q. Okay. In answer to a previous question, you said you wrote it for whoever was responsible for dealing with NRD's application; do I have that right? A. I mean, that means assessing and also taking decisions, yes. Q. And who, at that time, did you think was going to use this document as part of that responsibility? A. No, I believe also a minister was using it to finalise on the way forward with this application. Q. On the first page, second paragraph, if that could be zoomed in so that Dr Michael could review it. As part of the introduction to your assessment, you wrote: "The nature of the agreement was" And just to be specific, I'm going to pause there. The "agreement" that's referred to in this sentence in your report is the initial exploratory licence agreement with NRD; correct? A. Yes, this was the 2006 contract and the agreement it accompanied. Q. So the nature of that agreement, you said, was: " (i) Provide a progress report on the exploration program activities after two years and (ii)

18:05 1	license would be negotiated."	18:09 1	A. You mean today? Do you mean today?
2	You wrote that; correct?	2	Q. If it changes your answer, you can explain that mining
3	A. Yes, I wrote it.	3	concessions were more productive back then, but not now.
4	Q. And when you wrote that, you believed that was true;	4	Tell me as you understand it. I don't want to suggest
5	correct?	5	I have an ability to specify the most important time.
6	A. Yes, it was true that if the NRD provided both the	6	You know how you need to break it down for the answer.
7	report and the feasibility study, there would be	7	I'm just trying to get a sense of who the comparable
8	a negotiation for a long-term licence. But this would	8	concessions are, that's all I'm trying to do.
9	depend on whether we got satisfactory reports from NRD.	9	A. Well, if I remember, in 2010, 2011, 2012, Rutongo was
10	Q. If I could ask that, on page 3, the top paragraph be	10	the was producing more than most of the other
11	zoomed in.	11	concessions.
12	Have you been able to review that, sir?	12	Q. Any others that you can recall as the largest producers?
13	A. Yes, I can see it.	13	A. Well, I really can't speculate. Especially, you know,
14	Q. I want to focus on the second sentence, that the	14	now I am retired, it's quite several years when
15	"preliminary exploration work" referred to in the prior	15	Q. Yes, thank you for
16	sentence you said was:	16	A I was looking at the documents and so on.
17	" crucial in the light of the large area given to	17	Q. Thank you for trying. I appreciate it.
18	the company because of its expressed financial and	18	If I could ask that the supplemental witness
19	technical capability."	19	statement be brought up, paragraph 9.1. It's focused
20	The "large area", that you characterise or reference	20	on and that's going to be a spillover: it starts on
21	that way, referred to the five mining concessions	21	page 3 and goes onto page 4. So as best you can, if you
22	subject to the initial 2006 licence; correct?	22	could highlight that.
23	A. Yes, correct.	23	Do you see in your supplemental witness statement
24	Q. In addition to those five mining concessions, what are	24	given in this case, you say that NRD's 2010 application
25	the largest mines in Rwanda?	25	was for five-year licences, but NRD made no application
	Page 153		Page 155
18:07 1	A. Well, I can't recall now. But certainly NRD had the	18:11 1	for long-term licences until 2013?
2	biggest chunk, because it had a total area of about	2	A. Sorry? I think it's not the one which is put up there.
3	32,000 hectares.	3	Q. I'm having a difficult time hearing you, and perhaps I'm
4	Q. But in terms of mining concessions, instead of trying to	4	talking too fast. I think it best if I just repeat the
5	recall who owns them and which ones are jointly owned,	5	question.
6	other than any of the five that NRD was licensed to		
7		6	A. What you've told me is not what is on the screen.
	operate for a period, what are the largest mining	6 7	A. What you've told me is not what is on the screen.Q. I apologise. Let me Then it's my reading skills
8	operate for a period, what are the largest mining concessions that you can identify in Rwanda?	6 7 8	-
8 9	· · · · ·	7	Q. I apologise. Let me Then it's my reading skills
	concessions that you can identify in Rwanda?	7 8	Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do
9	concessions that you can identify in Rwanda?A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either	7 8 9	Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir.
9 10	concessions that you can identify in Rwanda?A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest.	7 8 9 10	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for
9 10 11	concessions that you can identify in Rwanda?A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest.	7 8 9 10 11	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for
9 10 11 12	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they 	7 8 9 10 11 12	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term
9 10 11 12 13	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they 	7 8 9 10 11 12 13	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013?
9 10 11 12 13 14	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they have been modified. Q. How about the most productive mining concessions? 	7 8 9 10 11 12 13 14	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term
9 10 11 12 13 14 15	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they have been modified. Q. How about the most productive mining concessions? 	7 8 9 10 11 12 13 14 15	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term licence application until 2013, I guess January 2013.
9 10 11 12 13 14 15 16	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they have been modified. Q. How about the most productive mining concessions? Instead of trying to remember the specific area, what are the most productive mining concessions in Rwanda? 	7 8 9 10 11 12 13 14 15 16	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term licence application until 2013, I guess January 2013. Q. Thank you.
9 10 11 12 13 14 15 16 17	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they have been modified. Q. How about the most productive mining concessions? Instead of trying to remember the specific area, what are the most productive mining concessions in Rwanda? 	7 8 9 10 11 12 13 14 15 16 17	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term licence application until 2013, I guess January 2013. Q. Thank you. Could I ask that the document R-017 be brought up.
9 10 11 12 13 14 15 16 17 18	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they have been modified. Q. How about the most productive mining concessions? Instead of trying to remember the specific area, what are the most productive mining concessions in Rwanda? Not referring, again, to the five NRD concessions. 	7 8 9 10 11 12 13 14 15 16 17 18	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term licence application until 2013, I guess January 2013. Q. Thank you. Could I ask that the document R-017 be brought up. A. Sorry?
9 10 11 12 13 14 15 16 17 18 19	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they have been modified. Q. How about the most productive mining concessions? Instead of trying to remember the specific area, what are the most productive mining concessions. A. Sorry, come again? I didn't understand your question. 	7 8 9 10 11 12 13 14 15 16 17 18 19	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term licence application until 2013, I guess January 2013. Q. Thank you. Could I ask that the document R-017 be brought up. A. Sorry? Q. We're bringing up a different document for you. It will
9 10 11 12 13 14 15 16 17 18 19 20	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they have been modified. Q. How about the most productive mining concessions? Instead of trying to remember the specific area, what are the most productive mining concessions in Rwanda? Not referring, again, to the five NRD concessions. A. Sorry, come again? I didn't understand your question. 	7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term licence application until 2013, I guess January 2013. Q. Thank you. Could I ask that the document R-017 be brought up. A. Sorry? Q. We're bringing up a different document for you. It will take a second.
9 10 11 12 13 14 15 16 17 18 19 20 21	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they have been modified. Q. How about the most productive mining concessions? Instead of trying to remember the specific area, what are the most productive mining concessions in Rwanda? Not referring, again, to the five NRD concessions. A. Sorry, come again? I didn't understand your question. Q. Yes, okay. So there were five concessions originally subject to 	$\begin{array}{c} 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term licence application until 2013, I guess January 2013. Q. Thank you. Could I ask that the document R-017 be brought up. A. Sorry? Q. We're bringing up a different document for you. It will take a second. Let me bring it up on my own computer for one
9 10 11 12 13 14 15 16 17 18 19 20 21 22	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they have been modified. Q. How about the most productive mining concessions? Instead of trying to remember the specific area, what are the most productive mining concessions. A. Sorry, come again? I didn't understand your question. Q. Yes, okay. So there were five concessions originally subject to the NRD exploratory licence. You've characterised them here. I'm asking about the rest of the mining 	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term licence application until 2013, I guess January 2013. Q. Thank you. Could I ask that the document R-017 be brought up. A. Sorry? Q. We're bringing up a different document for you. It will take a second. Let me bring it up on my own computer for one second, if you would bear with me, so that I can read
9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they have been modified. Q. How about the most productive mining concessions? Instead of trying to remember the specific area, what are the most productive mining concessions. A. Sorry, come again? I didn't understand your question. Q. Yes, okay. So there were five concessions originally subject to the NRD exploratory licence. You've characterised them here. I'm asking about the rest of the mining 	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term licence application until 2013, I guess January 2013. Q. Thank you. Could I ask that the document R-017 be brought up. A. Sorry? Q. We're bringing up a different document for you. It will take a second. Let me bring it up on my own computer for one second, if you would bear with me, so that I can read it.
9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	 concessions that you can identify in Rwanda? A. Well, I the largest I don't remember very well the acreage of each one of them, but definitely either Rutsiro or Gatumba were definitely among the biggest. But I can't remember exactly how the variation of the areas of these concessions is was then, because they have been modified. Q. How about the most productive mining concessions? Instead of trying to remember the specific area, what are the most productive mining concessions. A. Sorry, come again? I didn't understand your question. Q. Yes, okay. So there were five concessions originally subject to the NRD exploratory licence. You've characterised them here. I'm asking about the rest of the mining concessions in Rwanda. What are the most productive 	$\begin{array}{c} 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\\ 23\\ 24\\ \end{array}$	 Q. I apologise. Let me Then it's my reading skills that are at issue, I believe. So I'll try to do a better job this time, sir. Do you see in your witness statement that you say in reference to NRD's 2010 application, it was for five-year licences, but that NRD made no application for long-term licences until 2013? A. Sure. That's true. They didn't make any long-term licence application until 2013, I guess January 2013. Q. Thank you. Could I ask that the document R-017 be brought up. A. Sorry? Q. We're bringing up a different document for you. It will take a second. Let me bring it up on my own computer for one second, if you would bear with me, so that I can read it. So this is an eleven-page document. They're

18:13 1	That's large enough, hopefully, for you to read.	18:18 1	a five-year mining licence and an exploration licence.
2	Do you recognise what the document is from reading	2	Q. I think I understood your answer but I just wanted to be
3	that? Or we can scroll through the pages.	3	clear, because the question that I was trying to ask you
4	A. Yes, can you scroll through the pages so I can see	4	was: you wrote this document yourself, this isn't just
5	Q. FTI, please do that for the witness. And then you let	5	a document that was prepared by someone on your staff;
6	us know if you recognise this document.	6	correct?
7	A. At least those first two pages, yes.	7	A. Yes, I wrote it, yes.
8	Q. Keep going. Do you recognise what that document is?	8	Q. I'm done with this document.
9	A. Yes, I do.	9	Dr Michael, are you able to identify all the other
10	Q. This is a document you prepared and you talk about in	10	short-term exploratory licence holders that applied for
11	your second witness statement; is that correct?	11	extensions
12	A. Yes.	12	A. Sorry? Sorry?
13	Q. If you could just hold on one second, I'll direct you to	13	Q. I apologise. I'm speaking slowly and perhaps I'm making
14	a specific page.	14	it more confusing. I'm trying to avoid speaking
15	When do you say you prepared this document?	15	quickly. So I will try again.
16	A. Well, it should be March 2015.	16	Are you able to identify the other short-term
17	Q. Okay.	17	exploratory licence holders who submitted applications
18	A. I don't remember the date, but it should be March 2015.	18	for additional licence periods, long or short, following
19 20	Q. Thank you. If you could take him to page 7.In section 4 of the document that you created in	19 20	the expiration of their normal exploratory term? Do you know who those are?
20 21	March 2015, you describe as the "Application for	20	A. Well, it's some time back. But Rutongo certainly did
21	[a] Long Term License" the November 29th 2010	21	apply for the extension or the renewal of the licence.
22	application and extensions after expiration of the	22	I can't remember the others.
23 24	original short-term licence through October 2012; do you	23	Q. Okay. I'm not going to try and make this a memory test,
24	see that?	24	ticking off every name. Can I ask: do you recall
25	see that:	25	ticking on every name. Can't ask, do you recan
	Page 157		Page 159
	-		r uge rey
	-		
10.16 1		10.21 1	
18:16 1	A. Sorry, which one is that? Paragraph what?	18:21 1	approximately the number of short-term exploratory
2	Q. Okay. Do you see section 4 of this document is	2	approximately the number of short-term exploratory licence holders that, following the expiration of that
2 3	Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If	2 3	approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for
2 3 4	Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in	2 3 4	approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession?
2 3 4 5	Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow.	2 3 4 5	approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again?
2 3 4 5 6	Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow.Have you read that, sir?	2 3 4	approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession?A. Come again?Q. Do you recall approximately how many there were, sir?
2 3 4 5 6 7	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. 	2 3 4 5 6 7	approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession?A. Come again?Q. Do you recall approximately how many there were, sir?A. No, I can't speculate now.
2 3 4 5 6 7 8	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 	2 3 4 5 6 7 8	approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession?A. Come again?Q. Do you recall approximately how many there were, sir?A. No, I can't speculate now.Q. Can you recall whether there were any other short-term
2 3 4 5 6 7 8 9	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the 	2 3 4 5 6 7 8 9	approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession?A. Come again?Q. Do you recall approximately how many there were, sir?A. No, I can't speculate now.Q. Can you recall whether there were any other short-term exploratory licence holders from this initial
2 3 4 5 6 7 8 9 10	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term 	2 3 4 5 6 7 8	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to
2 3 4 5 6 7 8 9	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as 	2 3 4 5 6 7 8 9 10	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they
2 3 4 5 6 7 8 9 10 11	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term 	2 3 4 5 6 7 8 9 10 11	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014
2 3 4 5 6 7 8 9 10 11 12	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as "Application for Long Term License". 	2 3 4 5 6 7 8 9 10 11 12	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014 a decision still hadn't been made? Were there others?
2 3 4 5 6 7 8 9 10 11 12 13	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as "Application for Long Term License". If I could ask that the heading be highlighted in 	2 3 4 5 6 7 8 9 10 11 12 13	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014 a decision still hadn't been made? Were there others? A. No, I can't remember when. I can't speculate.
2 3 4 5 6 7 8 9 10 11 12 13 14	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as "Application for Long Term License". If I could ask that the heading be highlighted in yellow, so he understands what that means. 	2 3 4 5 6 7 8 9 10 11 12 13 14	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014 a decision still hadn't been made? Were there others? A. No, I can't remember when. I can't speculate. Q. In 2014, did you become familiar with the dispute that
2 3 4 5 6 7 8 9 10 11 12 13 14 15	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as "Application for Long Term License". If I could ask that the heading be highlighted in yellow, so he understands what that means. Do you see that that's how you characterised it? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014 a decision still hadn't been made? Were there others? A. No, I can't remember when. I can't speculate. Q. In 2014, did you become familiar with the dispute that arose when Ben Benzinge claimed that he had a right to
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as "Application for Long Term License". If I could ask that the heading be highlighted in yellow, so he understands what that means. Do you see that that's how you characterised it? A. Well, I think that was certainly it was not 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014 a decision still hadn't been made? Were there others? A. No, I can't remember when. I can't speculate. Q. In 2014, did you become familiar with the dispute that arose when Ben Benzinge claimed that he had a right to exercise control of the operations of NRD?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as "Application for Long Term License". If I could ask that the heading be highlighted in yellow, so he understands what that means. Do you see that that's how you characterised it? A. Well, I think that was certainly it was not a long-term licence, but that was an oversight. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014 a decision still hadn't been made? Were there others? A. No, I can't remember when. I can't speculate. Q. In 2014, did you become familiar with the dispute that arose when Ben Benzinge claimed that he had a right to exercise control of the operations of NRD? A. Well, I recall it, but I didn't follow it up closely.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as "Application for Long Term License". If I could ask that the heading be highlighted in yellow, so he understands what that means. Do you see that that's how you characterised it? A. Well, I think that was certainly it was not a long-term licence, but that was an oversight. Q. I just wanted to direct your attention to it because my 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014 a decision still hadn't been made? Were there others? A. No, I can't remember when. I can't speculate. Q. In 2014, did you become familiar with the dispute that arose when Ben Benzinge claimed that he had a right to exercise control of the operations of NRD? A. Well, I recall it, but I didn't follow it up closely. Q. Just to be clear, what do you mean, you "didn't follow
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as "Application for Long Term License". If I could ask that the heading be highlighted in yellow, so he understands what that means. Do you see that that's how you characterised it? A. Well, I think that was certainly it was not a long-term licence, but that was an oversight. Q. I just wanted to direct your attention to it because my question to you, sir, is: you wrote that language; 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014 a decision still hadn't been made? Were there others? A. No, I can't remember when. I can't speculate. Q. In 2014, did you become familiar with the dispute that arose when Ben Benzinge claimed that he had a right to exercise control of the operations of NRD? A. Well, I recall it, but I didn't follow it up closely. Q. Just to be clear, what do you mean, you "didn't follow
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as "Application for Long Term License". If I could ask that the heading be highlighted in yellow, so he understands what that means. Do you see that that's how you characterised it? A. Well, I think that was certainly it was not a long-term licence, but that was an oversight. Q. I just wanted to direct your attention to it because my question to you, sir, is: you wrote that language; that's not something somebody else wrote for you and you 	$ \begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ \end{array} $	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014 a decision still hadn't been made? Were there others? A. No, I can't remember when. I can't speculate. Q. In 2014, did you become familiar with the dispute that arose when Ben Benzinge claimed that he had a right to exercise control of the operations of NRD? A. Well, I recall it, but I didn't follow it up closely. Q. Just to be clear, what do you mean, you "didn't follow it up"? Was something brought to your attention for action?
$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as "Application for Long Term License". If I could ask that the heading be highlighted in yellow, so he understands what that means. Do you see that that's how you characterised it? A. Well, I think that was certainly it was not a long-term licence, but that was an oversight. Q. I just wanted to direct your attention to it because my question to you, sir, is: you wrote that language; that's not something somebody else wrote for you and you signed off on. But you wrote this memo; correct? 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ \end{array}$	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014 a decision still hadn't been made? Were there others? A. No, I can't remember when. I can't speculate. Q. In 2014, did you become familiar with the dispute that arose when Ben Benzinge claimed that he had a right to exercise control of the operations of NRD? A. Well, I recall it, but I didn't follow it up closely. Q. Just to be clear, what do you mean, you "didn't follow it up"? Was something brought to your attention for action?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 Q. Okay. Do you see section 4 of this document is highlighted? It's brought up in larger text. If I could ask that the first paragraph be highlighted in yellow. Have you read that, sir? A. Yes. Q. You'll agree that the description of the 2010 application and the reference to the extension of the licence from the original four-year exploratory term through October 2012, you describe in the heading as "Application for Long Term License". If I could ask that the heading be highlighted in yellow, so he understands what that means. Do you see that that's how you characterised it? A. Well, I think that was certainly it was not a long-term licence, but that was an oversight. Q. I just wanted to direct your attention to it because my question to you, sir, is: you wrote that language; that's not something somebody else wrote for you and you signed off on. But you wrote this memo; correct? 	$\begin{array}{c} 2\\ 3\\ 4\\ 5\\ 6\\ 7\\ 8\\ 9\\ 10\\ 11\\ 12\\ 13\\ 14\\ 15\\ 16\\ 17\\ 18\\ 19\\ 20\\ 21\\ 22\end{array}$	 approximately the number of short-term exploratory licence holders that, following the expiration of that initial four- or five-year term, they applied for additional licences to operate the concession? A. Come again? Q. Do you recall approximately how many there were, sir? A. No, I can't speculate now. Q. Can you recall whether there were any other short-term exploratory licence holders from this initial privatisation time period in the mid-[2000s], similar to NRD, who, when their short-term licence expired, they applied for an additional licence, and that as of 2014 a decision still hadn't been made? Were there others? A. No, I can't remember when. I can't speculate. Q. In 2014, did you become familiar with the dispute that arose when Ben Benzinge claimed that he had a right to exercise control of the operations of NRD? A. Well, I recall it, but I didn't follow it up closely. Q. Just to be clear, what do you mean, you "didn't follow it up"? Was something brought to your attention for action? A. No.

18:23	1	A. No, I recall the dispute, but I don't certainly	18:27 1	now do; is that right?
	2	I'm not didn't follow the details of the dispute.	2	MR COWLEY: Correct, your Honour.
	3	Q. Okay. If you could bear with me for a couple more	3	THE PRESIDENT: Right.
	4	questions: I want to just see if there's any aspect of	4	Yes, well, perhaps counsel can use the unexpected
	5	it that you might recall.	5	piece of spare time to discuss what, if any, further
	6	Do you recall that as part of the dispute between	6	procedural orders should be made on close of this
	7	Mr Benzinge and at least Mr Marshall, Mr Benzinge was	7	hearing tomorrow. I have particularly in mind the
	8	given the keys and control of the offices of NRD by	8	question of whether there should be post-hearing briefs
	9	Bailiff Bosco?	9	and, if so, the nature of those briefs. Is that
	10	A. Well, I can't I am not certain about the truth of	10	something that has been discussed to date?
	11	that. But definitely in some of the documents that	11	MR COWLEY: Between counsel, there have been no discussions.
	12	Marshall was asked to produce, he indicated that	12	THE PRESIDENT: Sorry?
	13	Mr Benzinge had taken the keys of the office. But it	13	MR COWLEY: Between counsel, there have been no discussions
	14	was not in my remit to follow. I guess it was being	14	on that issue. We can discuss it this afternoon.
	15	considered within courts, and	15	Regarding the timing for tomorrow, we typically get
	16	Q. Do you have	16	a report of the current time shortly after the close of
	17	A. But this	17	the day from Mr Kaplan. Once that comes out, we can
	18	Q. I'm sorry, I didn't mean to speak over you.	18	discuss both issues.
	19	Do you have a recollection that Mr Benzinge, for	19	THE PRESIDENT: Very well.
	20	some period of time, was the person operating/in charge	20	Mr Hill, there's nothing else we can do this
	21	of the NRD concessions?	21	evening, is there?
	22	A. Well, yes, partly. You know, he had it's reported in	22	MR HILL: No, not from my point of view.
	23	the record that he had 15% of NRD ownership. So	23	Mr President, you're right: before tomorrow, the
	24	definitely he had access to NRD concessions. But the	24	parties should liaise on whether there should be
	25	extent of how he was involved and the depth of it, no.	25	post-hearing briefs and the length.
		Page 161		Page 163
		1.60.101		1460-100
18:25	1	Q. Is it accurate to say that MINIRENA as a department is	18:29 1	THE PRESIDENT: Yes.
18:25	1 2	Q. Is it accurate to say that MINIRENA as a department is responsible for knowing what individuals are operating	18:29 1 2	THE PRESIDENT: Yes. MR HILL: Because where we got to before, I think both
18:25				
18:25	2	responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted?	2	MR HILL: Because where we got to before, I think both
18:25	2 3	responsible for knowing what individuals are operating and owning the companies to whom mining concession	2 3	MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs,
18:25	2 3 4	responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted?A. Sorry, come again? I didn't understand you.Q. Was the Ministry of Mines responsible for knowing and	2 3 4	MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be
18:25	2 3 4 5	responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you.	2 3 4 5	MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate.
18:25	2 3 4 5 6	responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted?A. Sorry, come again? I didn't understand you.Q. Was the Ministry of Mines responsible for knowing and	2 3 4 5 6	MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock.
18:25	2 3 4 5 6 7	responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted?A. Sorry, come again? I didn't understand you.Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued?	2 3 4 5 6 7 8 9	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have
18:25	2 3 4 5 6 7 8	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always 	2 3 4 5 6 7 8 9 10	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow.
18:25	2 3 4 5 6 7 8 9 10	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always	2 3 4 5 6 7 8 9 10 11	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs:
18:25	2 3 4 5 6 7 8 9 10 11 12	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. 	2 3 4 5 6 7 8 9 10 11 12	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus
18:25	2 3 4 5 6 7 8 9 10 11 12 13	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that 	2 3 4 5 6 7 8 9 10 11 12 13	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into
18:25	2 3 4 5 6 7 8 9 10 11 12 13 14	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among 	2 3 4 5 6 7 8 9 10 11 12 13 14	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want
18:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among the miners breaking out, and Mr Benzinge at that time 	2 3 4 5 6 7 8 9 10 11 12 13 14	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want is a complete rehash or repetition of pleadings. We
18:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among the miners breaking out, and Mr Benzinge at that time was operating the concession? 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want is a complete rehash or repetition of pleadings. We would like to focus on the effect of the evidence we've
18:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among the miners breaking out, and Mr Benzinge at that time was operating the concession? A. No, I really I can't speculate. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want is a complete rehash or repetition of pleadings. We would like to focus on the effect of the evidence we've heard.
18:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among the miners breaking out, and Mr Benzinge at that time was operating the concession? A. No, I really I can't speculate. MR COWLEY: I have no further questions. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want is a complete rehash or repetition of pleadings. We would like to focus on the effect of the evidence we've heard. Right, we will adjourn until midday tomorrow.
18:25	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among the miners breaking out, and Mr Benzinge at that time was operating the concession? A. No, I really I can't speculate. MR COWLEY: I have no further questions. MR HILL: I have no re-examination. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want is a complete rehash or repetition of pleadings. We would like to focus on the effect of the evidence we've heard. Right, we will adjourn until midday tomorrow.
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among the miners breaking out, and Mr Benzinge at that time was operating the concession? A. No, I really I can't speculate. MR COWLEY: I have no further questions. MR HILL: I have no re-examination. THE PRESIDENT: We have no questions. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want is a complete rehash or repetition of pleadings. We would like to focus on the effect of the evidence we've heard. Right, we will adjourn until midday tomorrow. (6.30 pm)
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among the miners breaking out, and Mr Benzinge at that time was operating the concession? A. No, I really I can't speculate. MR COWLEY: I have no further questions. MR HILL: I have no re-examination. THE PRESIDENT: We have no questions. Thank you very much, Dr Michael, for your 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want is a complete rehash or repetition of pleadings. We would like to focus on the effect of the evidence we've heard. Right, we will adjourn until midday tomorrow.
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among the miners breaking out, and Mr Benzinge at that time was operating the concession? A. No, I really I can't speculate. MR COWLEY: I have no further questions. MR HILL: I have no re-examination. THE PRESIDENT: We have no questions. Thank you very much, Dr Michael, for your assistance. You are now free to go. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want is a complete rehash or repetition of pleadings. We would like to focus on the effect of the evidence we've heard. Right, we will adjourn until midday tomorrow. (6.30 pm)
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among the miners breaking out, and Mr Benzinge at that time was operating the concession? A. No, I really I can't speculate. MR COWLEY: I have no further questions. MR HILL: I have no re-examination. THE PRESIDENT: We have no questions. Thank you very much, Dr Michael, for your assistance. You are now free to go. DR BIRYABAREMA: Thank you. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want is a complete rehash or repetition of pleadings. We would like to focus on the effect of the evidence we've heard. Right, we will adjourn until midday tomorrow. (6.30 pm)
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among the miners breaking out, and Mr Benzinge at that time was operating the concession? A. No, I really I can't speculate. MR COWLEY: I have no further questions. MR HILL: I have no re-examination. THE PRESIDENT: We have no questions. Thank you very much, Dr Michael, for your assistance. You are now free to go. DR BIRYABAREMA: Thank you. (The witness withdrew) 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want is a complete rehash or repetition of pleadings. We would like to focus on the effect of the evidence we've heard. Right, we will adjourn until midday tomorrow. (6.30 pm)
	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 responsible for knowing what individuals are operating and owning the companies to whom mining concession licences are granted? A. Sorry, come again? I didn't understand you. Q. Was the Ministry of Mines responsible for knowing and keeping informed of what individuals owned and operated companies to whom mining concession licences had been issued? A. Yes, but with NRD the change of ownership was always initially not very clear, not even clear at the ministry. Q. Did there come a period of time where you learned that at the NRD licence concessions, there was violence among the miners breaking out, and Mr Benzinge at that time was operating the concession? A. No, I really I can't speculate. MR COWLEY: I have no further questions. MR HILL: I have no re-examination. THE PRESIDENT: We have no questions. Thank you very much, Dr Michael, for your assistance. You are now free to go. DR BIRYABAREMA: Thank you. 	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	 MR HILL: Because where we got to before, I think both parties were agreed there should be post-hearing briefs, but there was a debate about the length, and that's still a live debate. And then there's also I hope it won't be contentious it's just the allocation of tomorrow's hours. And that's against the clock. THE PRESIDENT: Yes, I don't anticipate we are going to have any problem with timing tomorrow. Could I just say this about the post-hearing briefs: the Tribunal would be very grateful if these would focus on the evidence that we've had and how that fits into the respective cases of the parties. What we don't want is a complete rehash or repetition of pleadings. We would like to focus on the effect of the evidence we've heard. Right, we will adjourn until midday tomorrow. (6.30 pm)

Tuesday, 29 June 2021

A	add 6:3 75:6 90:9	120:10,23 151:13	146:7	81:18 93:3 94:19	argument 34:5 36:15
Aaronson 2:7,7,8,8	addition 21:1 153:24	154:18,19 158:22	analysed 10:21	100:11 106:16	113:2 123:3
abandoning 41:14	additional 24:5 72:16	159:15 160:5 162:5	analyses 10:18 11:10	150:11 151:1 156:7	arose 160:16
abbreviated 17:7,24	118:13 159:18	against 119:18 120:3	12:23 17:13,20	159:13	around 15:17 82:9
abide 38:17 113:22	160:4,12	133:3 164:8	analysing 15:10,16	apologising 74:10	121:3,11 122:2
ability 15:18 27:21	Additionally 17:4	agency 129:20	analysis 5:15 9:25	apparent 50:15	123:11 124:10
49:16 68:20 119:13	address 28:24 30:11	ago 76:6 124:19	10:1,3,5,9,12 14:13	appeal 117:8,10,11,13	127:25 130:6
137:25 155:5	37:22 46:24 47:25	agreed 46:23 69:17	14:14 17:17 32:24	117:24 118:5	142:13
able 25:2 46:17 48:20	129:13 135:5	74:13,18 99:8 146:9	151:7	appealed 117:9	arrange 142:25
63:6 103:3 141:22	addressed 24:7,9,14	164:3	ANNA 2:23	APPEARANCES 2:1	Article 3:17
141:24 142:19	28:3	agreed-upon 146:15	Anne-Marie 1:23	applicable 33:13	artisan 66:5
148:17 149:20	addresses 26:17	agreeing 34:2 65:2	another 9:14 16:3	applicant 15:21 24:25	artisanal 119:19,24
153:12 159:9,16	addressing 1:18 27:9	agreement 36:11 41:8 42:14 43:9.18 44:6	40:5,9 42:16 89:2	25:5 33:3,13 35:18	120:4,13,19 121:1,6 121:18 122:8,17,18
above 41:7 79:22	adequate 59:8 adjourn 164:18	47:19,22 54:17	97:2 101:1 111:18 111:20 112:17,25	39:12,20 46:20,25 47:6 55:12,16 76:24	121:18 122:8,17,18
abroad 144:24	adjourned 108:6	56:25 57:6 58:15	117:21	115:24	122.21 125.7,17 124:5 125:4 141:3
absolute 41:8 43:17	164:21	68:24 79:6 80:3	answer 20:12 25:2	applicants 32:21 34:3	141:22,23 142:6,8,9
absolutely 49:9 50:3	administering 129:21	82:16 89:6 121:20	31:22 36:14 37:6	34:21,25 35:6,24	143:13,23 144:20
61:7 146:20	administration 133:24	152:14,16,18,19,21	46:18 48:3 49:5	36:3 82:6 113:19	aside 53:15 61:15
accept 33:1 107:9	administrative 134:19	agreements 57:19	61:20 65:20 68:13	114:2,4,20,23	asked 5:1 14:21 22:5
120:8	141:18	agrees 43:25	69:15,16 75:7,9,10	115:12 116:3,13	22:21 49:20,20
acceptable 28:13 40:9	admit 37:2	ahead 64:1 67:7 92:25	75:20,20 76:18 77:7	127:7 130:21 131:7	64:18 69:8 75:11,13
access 21:22 109:13	admits 135:21	118:2	77:10,11 79:15	applications 38:14,18	75:17 81:22 85:23
110:10,18,23 111:4 111:7,13,25 112:10	advanced 15:9,12	ALASTAIR 2:6	83:22 90:4,5 96:13	76:23 120:3 128:15	86:23 87:4 102:9
161:24	advice 135:25 136:3	ALEX 1:22	98:6,8,15 103:6,16	159:17	103:1 108:14 114:8
accessing 109:21	137:3	allocated 145:25	103:18 109:24	applied 34:4 36:9 38:5	115:3 122:21
131:21 137:7	advices 136:3	allocation 146:15	115:16 116:22	47:14 77:9 116:10	125:10,18 126:22
accompanied 152:20	advise 134:25	164:7	120:7,9,21,21	140:13 158:25	130:19 134:2 135:3
according 30:16 48:25	advised 59:10	allow 12:17 28:14	127:16 135:7	159:10 160:3,12	139:16 158:23
112:8 122:15	advising 135:1	43:5 48:2 53:24	139:17 144:2	applies 76:21,24 77:12	161:12
144:25	advisors 133:1,4	55:21 103:2 126:4	148:17 149:20	apply 32:24 67:19	asking 12:8 14:11
accounting 144:9	affairs 73:18	132:24 136:16	152:2 155:2,6 159:2	69:8 106:19 114:11	20:20 21:20 22:13
accredited 29:6	afforded 123:5	149:17	answered 45:9 75:24	114:12 150:6	22:15,19,20 24:10
accurate 162:1	afraid 46:7	allowed 29:4 52:6	76:2	159:22	24:15 27:18 28:8
accurately 70:11	Africa 115:16,17	66:23 68:24 71:17	answering 51:15	applying 14:18 33:16	29:23 30:8 37:13
achieve 45:1	after 2:14 3:7 4:11	78:2 83:19 98:6	61:19 75:22 93:18	41:14 89:2 103:4	46:6,15 48:6 49:2
achieving 44:25	24:8 29:15 30:24	99:16,18 107:19	answers 37:10 49:24	107:10,11	51:20 72:10 73:5
acknowledging 42:6	40:19 48:3 49:11	115:15 126:7 129:6	57:9 65:13,21 72:9	appreciate 46:17	76:8,20,21 77:7,11
acquisition 15:17	70:24 75:19 78:12	129:12	76:10 89:16 116:1	155:17	78:23 83:5,6 85:17
acreage 154:10	81:13 85:11 91:24	allowing 47:21	anticipate 123:2 164:9	approaching 110:1	86:18 87:6,12 88:7
acting 127:19 141:14	92:1 94:11 98:19,24 99:22 100:3,9	along 88:19 aloud 147:12	anticipated 23:18 29:14 108:17,21	appropriate 7:10 32:19 46:14 48:15	88:9,10 93:23 94:1 95:2,4 98:9 100:6
action 109:17 119:2	101:20 102:7	already 17:1 29:17	anticipating 108:22	58:3 63:1 127:14	101:21,24 114:2
151:16 160:21	101:20 102:7	31:16 36:10,22 40:3	anybody 11:9 24:10	128:5	115:20,22,22 116:8
active 131:3	106:11 107:11	45:5 47:12 54:7	85:21 91:13,13,14	approval 66:19	116:11 120:18,23
activities 5:20 80:19	117:7,14,20 118:11	59:21 63:17 64:18	102:15 127:12	approve 65:24	125:15 154:23
110:19 121:11	118:17,17 121:25	68:7 74:13 90:13	151:6	approved 52:2 53:17	asks 23:14 24:12
124:3 126:13,14	125:5 126:19 128:9	92:22 93:24 94:7	anybody's 15:18	63:19 65:25 66:6,11	66:19 79:21 80:6
127:13,18 128:24	128:11,14,21 129:5	97:6 116:8 130:19	anymore 56:13 129:6	66:12	aspect 28:23 35:7
152:23	130:1,9 132:13	already-existing 36:20	139:20	approximately 19:23	161:4
Activity 18:5	146:14 147:25	Alright 108:4 130:4	anyone 2:19 23:25	145:23,24 160:1,6	aspects 17:14 36:21
actual 3:18,20 9:18	152:23,25 157:23	although 54:6 60:19	29:24 33:21 34:10	April 42:9 150:1	assertion 7:3
93:14 143:21 actually 2:15 5:15	163:16	107:3 130:18	34:12 100:16 103:8	151:22,24	assess 22:14 127:5
actually 2.13 3:13	afternoon 148:12	altogether 40:1	103:9 114:11	April/May 150:2	150:5,24
			128:14 151:10	arbitration 1:1,1	assessed 72:19 112:7
7:22 8:19 9:3 10:4	163:14	always 64:16 85:1		122 12 149 0	
7:22 8:19 9:3 10:4 13:9 14:18 17:21	163:14 again 13:16 28:6	always 64:16 85:1 137:25 138:18	anything 14:12 22:4	133:12 148:8	assessing 151:17
7:22 8:19 9:3 10:4 13:9 14:18 17:21 18:23 19:13 24:11			anything 14:12 22:4 22:19 37:21 45:7	ARB/18/21 1:4	152:5
7:22 8:19 9:3 10:4 13:9 14:18 17:21 18:23 19:13 24:11 25:5,6 29:4,17 39:9	again 13:16 28:6	137:25 138:18			0
7:22 8:19 9:3 10:4 13:9 14:18 17:21 18:23 19:13 24:11 25:5,6 29:4,17 39:9 44:25 52:6,22 60:11	again 13:16 28:6 30:10 39:10 41:3 45:10 49:2 60:23 65:10 67:12 73:1	137:25 138:18 151:12 162:10 ambiguous 54:17 56:7 amended 86:14 89:12	22:19 37:21 45:7 49:10 56:3 57:25 58:7 59:4,19 86:8	ARB/18/21 1:4 area 2:3 3:5 6:17,20 6:22 7:16 23:16	152:5
7:22 8:19 9:3 10:4 13:9 14:18 17:21 18:23 19:13 24:11 25:5,6 29:4,17 39:9 44:25 52:6,22 60:11 75:13 83:20 90:4	again 13:16 28:6 30:10 39:10 41:3 45:10 49:2 60:23	137:25 138:18 151:12 162:10 ambiguous 54:17 56:7 amended 86:14 89:12 89:20 90:1,10,21	22:19 37:21 45:7 49:10 56:3 57:25	ARB/18/21 1:4 area 2:3 3:5 6:17,20 6:22 7:16 23:16 66:20 127:5 149:2	152:5 assessment 17:5,23,25
7:22 8:19 9:3 10:4 13:9 14:18 17:21 18:23 19:13 24:11 25:5,6 29:4,17 39:9 44:25 52:6,22 60:11 75:13 83:20 90:4 101:19 105:15,16	again 13:16 28:6 30:10 39:10 41:3 45:10 49:2 60:23 65:10 67:12 73:1 74:10 75:15 79:3 81:18 82:21 84:21	137:25 138:18 151:12 162:10 ambiguous 54:17 56:7 amended 86:14 89:12 89:20 90:1,10,21 amendment 97:16,23	22:19 37:21 45:7 49:10 56:3 57:25 58:7 59:4,19 86:8 93:13 98:13 99:8 146:21	ARB/18/21 1:4 area 2:3 3:5 6:17,20 6:22 7:16 23:16 66:20 127:5 149:2 153:17,20 154:2,16	152:5 assessment 17:5,23,25 18:1 19:3,5,9,12,15 19:22 20:5,9,15,22 21:2,4,18 22:1,10
7:22 8:19 9:3 10:4 13:9 14:18 17:21 18:23 19:13 24:11 25:5,6 29:4,17 39:9 44:25 52:6,22 60:11 75:13 83:20 90:4 101:19 105:15,16 105:23 109:12	again 13:16 28:6 30:10 39:10 41:3 45:10 49:2 60:23 65:10 67:12 73:1 74:10 75:15 79:3 81:18 82:21 84:21 84:25 85:18 88:3,18	137:25 138:18 151:12 162:10 ambiguous 54:17 56:7 amended 86:14 89:12 89:20 90:1,10,21 amendment 97:16,23 100:19 101:18	22:19 37:21 45:7 49:10 56:3 57:25 58:7 59:4,19 86:8 93:13 98:13 99:8 146:21 anyway 67:7 77:4	ARB/18/21 1:4 area 2:3 3:5 6:17,20 6:22 7:16 23:16 66:20 127:5 149:2 153:17,20 154:2,16 areas 17:11 56:16	152:5 assessment 17:5,23,25 18:1 19:3,5,9,12,15 19:22 20:5,9,15,22 21:2,4,18 22:1,10 22:24 23:1,1 26:13
7:22 8:19 9:3 10:4 13:9 14:18 17:21 18:23 19:13 24:11 25:5,6 29:4,17 39:9 44:25 52:6,22 60:11 75:13 83:20 90:4 101:19 105:15,16 105:23 109:12 115:23 120:7 124:8	again 13:16 28:6 30:10 39:10 41:3 45:10 49:2 60:23 65:10 67:12 73:1 74:10 75:15 79:3 81:18 82:21 84:21 84:25 85:18 88:3,18 90:15 91:8 92:10	137:25 138:18 151:12 162:10 ambiguous 54:17 56:7 amended 86:14 89:12 89:20 90:1,10,21 amendment 97:16,23 100:19 101:18 102:4,18 103:13,20	22:19 37:21 45:7 49:10 56:3 57:25 58:7 59:4,19 86:8 93:13 98:13 99:8 146:21 anyway 67:7 77:4 anywhere 2:19 13:25	ARB/18/21 1:4 area 2:3 3:5 6:17,20 6:22 7:16 23:16 66:20 127:5 149:2 153:17,20 154:2,16 areas 17:11 56:16 68:25 120:15 121:3	152:5 assessment 17:5,23,25 18:1 19:3,5,9,12,15 19:22 20:5,9,15,22 21:2,4,18 22:1,10 22:24 23:1,1 26:13 26:18,21,24 27:4,11
7:22 8:19 9:3 10:4 13:9 14:18 17:21 18:23 19:13 24:11 25:5,6 29:4,17 39:9 44:25 52:6,22 60:11 75:13 83:20 90:4 101:19 105:15,16 105:23 109:12 115:23 120:7 124:8 126:11 128:24	again 13:16 28:6 30:10 39:10 41:3 45:10 49:2 60:23 65:10 67:12 73:1 74:10 75:15 79:3 81:18 82:21 84:21 84:25 85:18 88:3,18 90:15 91:8 92:10 97:12 98:23 99:1	137:25 138:18 151:12 162:10 ambiguous 54:17 56:7 amended 86:14 89:12 89:20 90:1,10,21 amendment 97:16,23 100:19 101:18 102:4,18 103:13,20 among 25:24 69:1	22:19 37:21 45:7 49:10 56:3 57:25 58:7 59:4,19 86:8 93:13 98:13 99:8 146:21 anyway 67:7 77:4 anywhere 2:19 13:25 35:23 38:2 56:23	ARB/18/21 1:4 area 2:3 3:5 6:17,20 6:22 7:16 23:16 66:20 127:5 149:2 153:17,20 154:2,16 areas 17:11 56:16 68:25 120:15 121:3 124:15 127:1	152:5 assessment 17:5,23,25 18:1 19:3,5,9,12,15 19:22 20:5,9,15,22 21:2,4,18 22:1,10 22:24 23:1,1 26:13 26:18,21,24 27:4,11 27:20,24 28:17,20
7:22 8:19 9:3 10:4 13:9 14:18 17:21 18:23 19:13 24:11 25:5,6 29:4,17 39:9 44:25 52:6,22 60:11 75:13 83:20 90:4 101:19 105:15,16 105:23 109:12 115:23 120:7 124:8	again 13:16 28:6 30:10 39:10 41:3 45:10 49:2 60:23 65:10 67:12 73:1 74:10 75:15 79:3 81:18 82:21 84:21 84:25 85:18 88:3,18 90:15 91:8 92:10 97:12 98:23 99:1 106:20 112:17	137:25 138:18 151:12 162:10 ambiguous 54:17 56:7 amended 86:14 89:12 89:20 90:1,10,21 amendment 97:16,23 100:19 101:18 102:4,18 103:13,20 among 25:24 69:1 138:21 154:11	22:19 37:21 45:7 49:10 56:3 57:25 58:7 59:4,19 86:8 93:13 98:13 99:8 146:21 anyway 67:7 77:4 anywhere 2:19 13:25 35:23 38:2 56:23 apart 71:24	ARB/18/21 1:4 area 2:3 3:5 6:17,20 6:22 7:16 23:16 66:20 127:5 149:2 153:17,20 154:2,16 areas 17:11 56:16 68:25 120:15 121:3 124:15 127:1 154:13	152:5 assessment 17:5,23,25 18:1 19:3,5,9,12,15 19:22 20:5,9,15,22 21:2,4,18 22:1,10 22:24 23:1,1 26:13 26:18,21,24 27:4,11 27:20,24 28:17,20 28:25 29:5,13,19,21
7:22 8:19 9:3 10:4 13:9 14:18 17:21 18:23 19:13 24:11 25:5,6 29:4,17 39:9 44:25 52:6,22 60:11 75:13 83:20 90:4 101:19 105:15,16 105:23 109:12 115:23 120:7 124:8 126:11 128:24 133:11 137:1	again 13:16 28:6 30:10 39:10 41:3 45:10 49:2 60:23 65:10 67:12 73:1 74:10 75:15 79:3 81:18 82:21 84:21 84:25 85:18 88:3,18 90:15 91:8 92:10 97:12 98:23 99:1	137:25 138:18 151:12 162:10 ambiguous 54:17 56:7 amended 86:14 89:12 89:20 90:1,10,21 amendment 97:16,23 100:19 101:18 102:4,18 103:13,20 among 25:24 69:1	22:19 37:21 45:7 49:10 56:3 57:25 58:7 59:4,19 86:8 93:13 98:13 99:8 146:21 anyway 67:7 77:4 anywhere 2:19 13:25 35:23 38:2 56:23	ARB/18/21 1:4 area 2:3 3:5 6:17,20 6:22 7:16 23:16 66:20 127:5 149:2 153:17,20 154:2,16 areas 17:11 56:16 68:25 120:15 121:3 124:15 127:1	152:5 assessment 17:5,23,25 18:1 19:3,5,9,12,15 19:22 20:5,9,15,22 21:2,4,18 22:1,10 22:24 23:1,1 26:13 26:18,21,24 27:4,11 27:20,24 28:17,20

Anne-Marie Stallard for Trevor McGowan Page 1

Tuesday, 29 June 2021

	1		1		
32:2,7 33:1 112:11	backing 121:21	35:19,21 138:12	164:3,11	cases 115:18 164:14	115:25 133:23
136:2 151:5,9	bags 9:11,13,13 84:5	149:10,12 153:4	bring 1:15 3:15 5:7	cash 137:14	134:2
152:13	bailiff 130:13 143:18	believes 35:9 68:8	9:13 20:25 31:8	catch 146:4 151:1	clarified 6:9
assessments 58:22	161:9	78:13	40:14 51:11,18	CATHERINE 2:14	clarify 13:2 53:22
59:8	balanced 40:6	below-grade 15:10	61:17 86:12 91:1,2	cause 101:8	clarity 69:19 105:6
assessor 29:12	bar 131:6,15,20	Ben 160:16	91:8 92:5 93:3,15	caused 100:10 124:21	CLAUDE 2:19
assistance 38:22 145:7	BARBARA 1:12	benefit 151:12	98:4 105:22 106:2	Center 148:20,25	clear 13:8 14:3 17:21
162:22	barred 129:24 130:6	Benzinge 109:16,19	117:16 132:5	149:10	33:6,6,8,8 34:2 39:3
assistant 2:23	base 48:15	110:1 130:14	143:11 148:15	Centre 1:2	45:22,24 52:10,18
assumption 110:15	based 3:3 44:1 48:11	131:16 132:2,15,17	156:21	CEO 91:15,25 92:1	53:11 56:1 57:16
111:4 attach 16:20 31:3,5,7	49:14 70:15 78:16 78:23 86:7 90:1	132:22 133:6,10,14 133:19 134:2,9	bringing 1:11 40:13 109:7 146:25	94:8 certain 161:10	60:7,16 63:2,25
attached 16:10 31:7	97:18 129:1 152:25	135:6,9 136:4,14	156:19	certainly 40:11 98:17	64:2,4,17 65:22 70:9 89:13 91:17
31:10,23 32:9,15	basic 33:21	160:16,23 161:7,7	British 1:2	98:18 150:1 154:1	92:25 103:16
attempt 22:6	basing 69:8	161:13,19 162:15	BRODSKY 2:22	158:16 159:21	115:20 119:9
attempts 21:9	basis 144:8	best 3:3 116:10 128:9	brought 11:14 12:1	161:1	143:20 159:3
attention 1:21 158:18	battle 61:16	155:21 156:4	21:8,16 26:5 34:13	certificate 112:14,18	160:19 162:11,11
160:20	Bay 1:15 2:4	better 8:10,13 25:22	41:2 60:22 79:13	CHABINSKA 2:24	clearance 112:14
attracting 68:19	Bazivamo 2:24	25:25 28:7,21 47:16	96:12 105:10,14	chance 60:18 71:3	clearly 14:17 75:23
audit 28:15,17,18,19	bear 40:12 150:14	156:9	109:9 116:21	79:4,5 111:18,20,24	clock 164:8
29:18,18 31:20,21	156:22 161:3	between 36:11 41:12	129:17 131:10	112:25 113:2,2	close 78:13 84:5
August 40:15 42:5,10	become 85:20 92:19	46:1,10 50:16 51:25	132:15 144:11	114:15	123:13,15 143:3
42:11,20 43:1 96:16	144:20 145:1	52:4 63:23 72:20	145:18 149:15	change 39:25 75:6	163:6,16
100:15,21,22	160:15	73:6,17 74:14 80:8	155:19 156:17	82:4,6 133:11,13	closely 160:18
101:14 102:16	becomes 75:20	90:6,7,12 91:8,10	158:3 160:20	162:10	closure 117:6
109:8 110:7 114:4	before 1:10 1:4 3:12	94:13 95:13,24	BRYAN 2:3	changed 75:21 117:7	coaching 49:25
114:22 115:12	7:11,18 30:19 31:24	98:21,22 99:10,11	budget 39:15	changes 101:5 155:2	COFFEE 2:15
116:5,16,16 130:1,9	33:21 35:22,24 40:5	100:7 101:9,10	budgets 39:5,13	changing 41:13 56:5	collect 4:19 66:1 111:2
authorisation 121:16	44:14,16 45:13,18	117:24 118:4 135:9	Bugarama 16:5	CHAPIN 2:16	111:18 121:14
123:22	47:1 48:18 49:4,24	136:13 144:16	Buildings 2:6,6	character 64:14 characterisation	collected 2:2 7:5 16:3
authorise 125:25 authorities 128:2	51:4,13,15 58:2 61:19 75:7 85:11	146:1,9 161:6 163:11,13	built 7:15,16 8:21,23 bullet 11:20	64:21 74:13 136:5	collecting 3:4 collects 122:11
authority 29:7 63:24	89:5,6,8 91:21 93:1	beyond 45:21 72:17	bunch 4:17	characterisations	COLLEEN 2:23
76:22 77:9 112:16	98:10,12,25 99:20	113:5,19 114:21	BURNHAM 2:18	93:25	come 6:7 16:4,7 22:14
112:18 134:13	101:11,19 102:15	115:13 116:4,7	business 36:24 143:14	characterise 153:20	22:15 50:22 56:11
142:7 147:25 148:2	104:12,25 105:2	130:22	162:25	characterised 73:7,24	63:5 75:3 81:14
automatically 84:9	106:12,13,14,15	bid 127:7	buy 141:22 143:6	154:22 158:15	87:17 88:16 92:2,20
available 10:25 16:15	109:11,23 116:6,15	BIDWELL 1:11	buying 138:5	characterising 94:13	97:12 99:16 100:14
16:16 34:10,12 36:2	125:4 127:19 130:1	bigger 101:2		charge 66:6,17 69:4	104:22 105:5
37:17 109:9 112:2	130:8 145:20	biggest 154:2,11	C	92:19 110:17	124:18 134:5
127:7 138:16,18	163:23 164:2	BIRYABAREMA 3:6	calculations 4:18	112:20 127:21	135:10 138:10
avoid 159:14	begin 80:24	147:2,6,8,13 162:23	call 125:21 131:14	128:2 129:14	154:19 160:5 162:5
award 54:8 60:11	beginning 1:23 12:6	bit 51:4 100:4 141:3	142:25 147:9	131:17,19 134:19	162:13
awarded 116:11	31:13,16 32:4 34:18	block 60:11	called 3:6 23:8 112:19	144:9,19 151:17	comes 107:11 163:17
aware 5:11 11:9 23:25	35:5 130:5	blocks 127:1,2,2	113:1 121:17,18	161:20	comfortable 93:18
24:10 74:16 85:10	begins 1:21 19:8	blow 6:13	147:2	check 101:1	137:10,14
85:20 87:6,7 92:18	behalf 1:24 50:7 85:21 103:9 151:6	board 2:9 26:22 29:8 79:18 104:22	calling 142:8	choice 134:9 chose 9:21 46:7	coming 2:14 143:4 144:24
94:12 97:21 100:16 101:14 103:8	behind 53:12	79:18 104:22 body 134:19	came 24:3 30:16,18	134:10 136:7,9	commence 87:15,16
101:14 105:8	being 33:11 43:23,25	Bosco 161:9	53:18 69:6 71:19,25	138:23	87:22 88:15,22
away 6:7 100:24	46:17 49:8 53:4	both 47:20,21 67:17	72:3,5,21 91:16	chosen 53:10,18	89:19 91:12
125:10	62:21 67:12 77:3	70:17 108:9,10	132:11 143:2	Christophe 2:24	committee 117:12
	86:19 87:8 90:17	123:16 140:9 153:6	camera 145:17 cancel 62:6	chunk 154:2	118:7
В	96:22 120:7,19	163:18 164:2	cancel 62:6 candidate 36:10	circumstances 109:12	communicating 87:14
B 1:22	122:18,19 137:12	bottom 3:15,17 10:19	candidates 36:8,12	claim 131:16 138:18	128:20
back 1:10 12:5 13:14	137:13 142:1,3	17:3 18:5 20:8	capability 153:19	Claimant 64:24 93:24	communication 2:19
17:1 18:4,9 23:3,5	145:18 146:19	breach 138:1,11,12,18	capable 124:15 136:11	Claimants 1:17 2:2	14:1 85:10,21 91:3
28:11 30:16,18	161:14	break 39:25 40:5,6,7,8	capacity 45:23 143:15	1:6 53:12 64:9,19	95:24 96:2 97:22
46:11,13 50:22	belabour 74:10	40:8 50:8,19,22,24	care 127:17,18	146:4 148:8	98:4,9,11 100:16
51:10,18,19 67:8	belief 6:7	51:2,13 70:14 97:4	careful 46:2	claimed 112:10	101:15,22 104:11
70:11 71:19 78:4	believe 15:12 20:2	105:5 107:22,23	carefully 46:8	117:25 160:16	communications
80:1 82:12 91:21	39:24 43:10 46:4	108:2 109:11	carries 17:9	claiming 109:16	48:12,25 70:16
93:20 105:6 109:9	92:11 100:23,25	145:12,14 155:6	case 1:4 64:9 67:10	134:11 138:11	94:12 95:3,5,9,19
117:2 118:23 119:3	105:4 108:16,19 139:1 149:11 152:9	breaking 162:15 brief 26:22	74:3 77:13 78:2	claims 2:11,12,14 59:11 109:19	96:23 97:5,19,20 99:10 100:7 101:25
121:21 124:19,24	156:8	briefly 18:20 36:14	85:20 100:12 114:7	134:14	99:10 100:7 101:25 102:11
128:13,16 137:4	believed 27:3,10 28:24	briefs 163:8,9,25	115:2 128:13 132:6	clarification 76:4	commutes 108:12
155:3 159:21	5 Seliciveu 27.5,10 20.24	511015 103.0,7,23	155:24	ciarintation /0.4	commutes 100.12

Anne-Marie Stallard for Trevor McGowan As a

Page 2

Tuesday, 29 June 2021

$\begin{array}{c} \mbox{comply} 40:21 114:9 \\ \mbox{comply} 40:21 114:9 \\ \mbox{comply} 40:21 14:9 \\ \mbox{comply} 40:21 14:2 \\ \mbox{comply} 40:2 \\ $						
	companies 113:22	58:9,14 59:11 62:14	contend 107:15	138:17 143:22	criticising 27:19,21	debate 164:4,5
124:15 90:18 concentions 10:47 15:20 26:14 27:10 23:4 37:10 120:12 0ecminute 53:16 15:15:20 25:10 71:1,11 95:2.3 contraints 23:217 Consecutioning 11:9:2.4 64:1.19 270:21 28:18 concluse 21:10 sci 87:69:77:21 contraints 23:216:10:17 33:41:414:48:11 17:16 37:10:18:10 conclusions 81:29:24 sci 87:69:77:21 contraints 23:10:16:16:00:17 contraints 23:10:16:10:17 13:14:14:48:11 13:14:12 125:22:21:17:51 sci 10:10:12 controling 13:10:16:96:22 controling 13:10:16:96:22 controling 14:15:52 13:14:12 controling 14:12:52 14:13:14:13:10 13:42:12:12:12:12:12:12:12:12:12:12:12:12:12						debated 146:9
			contentious 164:7			December 53:16
262.02.128.18 concludes 21:19 concludes 21	company 1:16 9:11	concluded 54:25 69:4	contents 12:9 93:14	47:3 60:17	criticisms 1:19 2:4	64:11,19
62.11 (63.17.21) concluding 47.19 566 53.3 (2.8 633 646) concluins 115.21 crucial 15.81 crucial 15.81 crucial 15.81 38.7 (19):81 10.41 56.33 68.3 102:13 68.38 769 77.21 16.38 currently 50.25 83.24 18.5 131.15 14.13 14.31.01 6.51 60.52.23 15.75 65.16 05.221 continue 14.19 21.14 currently 50.25 83.24 curently 50.25 83.24 currently 50.25	15:15,20 25:10	71:1,11	95:2,3	contradiction 22:17	Cross-examination	decide 47:2,7 117:13
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	26:20,21 28:18	concludes 21:19	context 49:21 52:8	contrary 8:24 126:1,5	3:4,8 1:14 148:11	127:6
837 109:18 110-4 1297.8,10.13.15 Osito 82 22:15 85:1 101:12 81:10.16 90:22 0010000 82:42 Output 161:15 Currently 80:25 82:24 0010000 82:15 13:17 02:23 127:15 14:13 14:31 condutions 81:24 000000 84:24 continue 14:15 0000000 84:24 convenced 95:13 000000000000000000000000000000000000	62:11 68:17,21	concluding 47:19 56:6	53:3 62:8 63:3 64:6	control 119:6 160:17	crucial 153:17	decided 9:16 117:24
$ 1297.81.013.15 \\ 1532.22 3175.15 \\ 141:13 143:10 \\ conducts 375 993 \\ conducts 375 993 \\ conduct 32,4 413,14 \\ conduct 33,4 112 \\ conduct 33,4 112 \\ conduct 33,4 112 \\ conduct 43,4 413,14 \\ conduct 41,4 413,12 \\ conduct 43,4 413,14 \\ conduct 41,4 413,12 \\ conduct 41,4 42,2 \\ conduct $	79:23 80:1 82:14		68:18 76:9 77:21			
$\begin{array}{c c c c c c c c c c c c c c c c c c c $						
141:13143:10conducts 3756value6value5value <t< td=""><td></td><td></td><td></td><td></td><td></td><td></td></t<>						
	· · · · ·					
$ \begin{array}{c} \mbox{comparable} 1557 \\ \mbox{complete} 1557 \\ comple$						
$ \begin{array}{c} \mbox{compartitle} 513 \\ \mbox{compartitle} 123:1 \\ compartit$						
	-					
	-	, , , ,	,	-		· ·
$ \begin{array}{c} \mbox{complaint} 1203 \\ \mbox{complaint} 1203 \\ \mbox{complaint} 12018 \\ complaint$	-			-		-
	-			-		
$ \begin{array}{c} \mbox{complete} 26:33 32:24 \\ 24:13 51:23 18:13 \\ 24:13 51:23 18:13 \\ 25:270:22 \\ \mbox{complete} 19:53 1:21 \\ \mbox{complete} 19:52 1:23 \\ \mbox{complete} 19:52 1:23 \\ \mbox{complete} 19:52 \\ \$	-			-		
$\begin{array}{c} 42:13 1:23 7:81:3 \\ 97.7 110:16 164:15 \\ 30.7 110:16 164:15 \\ 32.2 70:22 \\ conducting 29:19 \\ 33.2 70:22 \\ conducting 29:19 $	-					
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	-				-	
			-		2	
$\begin{array}{c} 322: 70:22 \\ completely 46:4 50:1 \\ 22:22:23: 21:22 \\ completing 31:21 \\ conternate 21:3:21 \\ solid 21:35:21 \\ solid 21:35:21 \\ solid 21:35:21 \\ solid 21:35:21 \\ solid 31:35:21 \\ soli$						
$ \begin{array}{c} \mbox{completely} 464 \ \mbox{50:1} \\ \mbox{63:16} 14622 \\ \mbox{complex} 94:24 \ 102:22 \\ \mbox{complex} 94:24 \ 102:20 \\ \mbox{confirm} 20:20 \ 22:4 \\ \mbox{comfirm} 20:20 \ 22:4 \\ \mbox{complex} 94:24 \ 102:20 \\ \mbox{confirm} 20:20 \ 22:4 \\ \mbox{complex} 94:24 \ 102:20 \\ \mbox{comfirm} 20:20 \ 22:4 \\ \mbox{complex} 94:24 \ 102:20 \\ \mbox{comfirm} 20:20 \ 22:4 \\ \mbox{complex} 94:24 \ 102:20 \\ \mbox{comfirm} 20:20 \ 22:4 \\ \mbox{complex} 94:24 \ 102:20 \\ \mbox{comfirm} 20:20 \ 22:4 \\ \mbox{complex} 14:21 \ 14:4 \\ \mbox{complex} 14:21 \ 14:4 \\ \mbox{complex} 14:21 \ 22:15 \ 127:15 \\ \mbox{complex} 66:17 \ 105:19 \\ \mbox{commlex} 66:17 \ 105:19 \\ \mbox{commlex} 13:23 \ 23:83:17 \\ \mbox{commlex} 13:25 \ 23:14:123 \ 23:14:124 \\ \mbox{commlex} 13:25 \ 23:16:132 \ 24:14 \ 24:27:14 \\ \mbox{commlex} 13:25 \ 23:16:132 \ 24:14 \ 24:17 \ 22:16 \ 24:24 \ 42:24 \ 24:15 \ 23:16:132 \ 24:14 \ 24:17 \ 22:16 \ 24:24 \ 42:24 \ 24:15 \ 23:16:132 \ 24:14 \ 24:17 \ 24:14:17 \ 24:14:17 \ 24:14:17 \ 24:14:17 \ 24:14:17 \ 24:14:17 \ 24:14:17 \ 24:14:17 \ 24:14:17 \ 24:14:17 \ 24:14:17 \ 24:14:17 \ 24:14:17 \ 24:14:14:17 \ 24:14:14:17 \ 24:14:14:14:14:14:14:14:14:14:14:14:14:14$	-					
				* * * * *		
$ \begin{array}{c} \mbox{completing 31:21} \\ 60:17.21 70:19 \\ 60:17.21 70:19 \\ confirm 20:20 22:4 \\ complex 94:24 102:20 \\ confirm 20:20 22:4 \\ 24:15 28.8, 33 17:25 94:14 \\ 141:21 \\ 153:10 \\ confirm 12:22 \\ 24:15 28.8, 33 17:25 94:14 \\ 141:21 \\ 141:21 \\ 141:21 \\ 121:15 17:15 \\ 138:10 \\ confirm 12:22 \\ 33:31 71 42:23 12.22 \\ 33:21 112:16 \\ 32:21 112:16 \\ 33:22 31:20 \\ 33:21 112:12:16 \\ 33:22 31:20 \\ 33:21 112:12 \\ 150:12 156:21 \\ confirms 20:20 22:4 \\ 33:21 112:16 \\ 33:21 112:16 \\ 150:12 156:21 \\ confirms 20:20 22:4 \\ 33:21 112:16 \\ 150:12 156:21 \\ confirms 20:20 22:4 \\ 33:21 112:16 \\ 150:12 156:21 \\ confirms 20:20 22:4 \\ 33:31 136:11 374 \\ concernt 12:33:68, 16:23 \\ confirms 20:20 22:4 \\ 33:41 136:11 374 \\ concernt 12:33:68, 16:23 \\ concernt 29:3, 0.16 \\ 30:4.8 136:23.25 \\ concernd 29:24 30:3 \\ 103:17 159:14 \\ concernt 132:34 4:25 \\ concernt 19:22 \\ consider 50:68:9 \\ 77:12, 22:34:16:57 \\ r1:10:24 12:3 \\ r1:10:16 11:3 \\ r1:10:16 \\ r1:10:16 \\ r1:10:16 \\ r1:10:16 \\ r1:10:24 \\ r1:11:10:16 \\ r1:10:16 \\ r1:10:22 \\ r1:10:24 \\ r1:10:16 \\$	1 0	,				
$\begin{array}{c} 601.721\ 70.19 \\ complex 44.102.20 \\ co$						8
$ \begin{array}{c} \mbox{complex} 94:24 102.0 \\ \mbox{complex} 43:22 102.15 \\ \mbox{complex} 43:72 \\ \mbox{complex} 33:725 94:14 \\ \mbox{comfrmug} 7:22 \\ \mbox{comfrmug} 8:20 31:20 \\ \mbox{comfrmug} 7:22 \\ \mbox{comfrmug} 7:22 \\ \mbox{comfrmug} 8:20 31:20 \\ \mbox{comfrmug} 8:20 31:20 \\ \mbox{commlex} 13:14 \\ \mbox{commet} 3:20 2.225 \\ \mbox{commet} 3:20 2.225 \\ \mbox{commet} 13:21 \\ \mbox{commet} 12:11 \\ \mbox{commet} 12:11 \\ \mbox{commet} 12:12 \\ \mbox{commet} 12:12 \\ \mbox{commet} 12:12 \\ \mbox{commet} 12:12 \\ \mbox{commet} 13:22 \\ \mbox{commet} 4:16:14 \\ \mbox{commet} 13:17 \\ \mbox{commet} 13:14 \\ \mbox{commet} 13:17 \\ \mbox{commet} 13:12 \\ \mbox{commet} 14:16 \\ \mbox{commet} 17:11 \\ \mbox{sol} 10:22 \\ \mbox{commet} 14:12 \\ \mbox{commet} 17:11 \\ \mbox{sol} 10:22 \\ \mbox{commet} 14:12 \\ \mbox{commet} 17:11 \\ \mbox{sol} 10:22 \\ \mbox{commet} 14:16 \\ \mbox{commet} 14:16 \\ \mbox{commet} 14:16 \\ \mbox{commet} 14:16 \\ \mbox{commet} 11:11 \\ \mbox{commet} 11:11 \\ \mbox{commet} 14:16 \\ \mbox{commet} 11:11 \\ \mbox{commet} 14:16 \\ \mbox{commet} 11:11 \\ \mbox{commet} 14:16 \\ \mbox{commet} 11:12 \\ comm$	1 0					v
$ \begin{array}{c} \mbox{comply} 40:21 114:9 \\ \mbox{comply} 40:21 114:9 \\ \mbox{comply} 40:21 114:9 \\ \mbox{comply} 38:3 87:25 94:14 \\ \mbox{comfirmed} 33:14 \\ \mbox{comfirmed} 33:14 \\ \mbox{comfirmed} 33:14 \\ \mbox{comfirmed} 33:14 \\ \mbox{comfirmed} 33:13,18,24 4:25 \\ \mbox{comfirmed} 33:20,22.25 \\ \mbox{comfirmed} 33:20,22 \\ \mbox{comfirmed} 33:20 \\ \mbox{comfirmed} 33:20 \\ \mbox{comfirmed} 33:20 \\ \mbox{comfirmed} 33:21 \\ comf$	complex 94:24 102:20					
$ \begin{array}{c} \mbox{compty} 40:21\ 114:9\\ 115:41\ 126:10\ 138:7\\ \mbox{confirmed}\ 53:14\\ 138:10\\ \mbox{confirming}\ 7:22\\ \mbox{confirming}\ 7:12\\ \mbo$						
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	comply 40:21 114:9			-		
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	115:4 126:10 138:7	confirmed 53:14	contract 2:1,9,21 3:8		C-160 79:13,17 88:19	delaying 112:22
$\begin{array}{c c c c c c c c c c c c c c c c c c c $		0				2
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	computer 33:20,22,25				D	
			-	,	DALEY 2:12	5
$ \begin{array}{c} \mbox{concentrate} 10:20 \\ \mbox{concent} 121:1 \\ \mbox{concent} 29:3,10,16 \\ \mbox{39:4},89 \ 136:23,25 \\ \mbox{concent} 29:3,23 \ 43:10 \ 43:21 \ 43:22 \\ \mbox{concent} 29:3,23 \ 43:10 \ 43:21 \ 43:22 \\ \mbox{concent} 29:2,30 \ 43:10 \ 43:21 \ 43:22 \\ \mbox{concent} 29:2,43 \ 43:10 \ 43:21 \ 43:22 \\ \mbox{concent} 29:2,43 \ 43:10 \ 100:10 \\ \mbox{concent} 29:2,43 \ 43:10 \ 100:10 \\ \mbox{concent} 29:2,43 \ 43:10 \ 100:10 \\ \mbox{concent} 100:10 \\ \mbox{concent} 100:10 \\ \mbox{concent} 29:2,33 \ 44:14 \\ \mbox{concent} 100:10 \\ \mbox{concent} 100:10 \\ \mbox{concent} 100:10 \\ \mbox{concent} 102:20 \\ \mbox{concent} 100:10 \\ \mbox{concent} 104:16 \\ \mbox{concent} 104:16 \\ \mbox{concent} 117:10 \\ \mbox{conset} 66 \ 56.9 \\ \mbox{sol} 95:2 \\ \mbox{consider} 66 \ 56.9 \\ \mbox{sol} 97:12,13 \ 100:18 \\ \mbox{det} 45:25 \ 46:14 \ 49:5 \\ \mbox{consider} 100:11 \\ \mbox{consider} 101:12 \\ \mbox{consider} 106 \ 66.9 \\ \mbox{sol} 97:12,13 \ 100:18 \\ \mbox{det} 45:25 \ 46:14 \ 49:5 \\ \mbox{consider} 10:12 \\ \mbox{consider} 11:12 \\$						
$ \begin{array}{c} \mbox{concern} 29:3,10,16 \\ \mbox{concern} 29:3,10,16 \\ \mbox{concern} 29:2,30,25 \\ \mbox{concern} 29:2,24 30; 136:23,25 \\ \mbox{concern} 29:2,24 30; 136:23,25 \\ \mbox{concern} 29:2,24 30; 103:17 159:14 \\ \mbox{concern} 41:16 50:17 \\ \mbox{concern} 29:2,24 30; 100:10 \\ \mbox{52:23} 54:9 55:17 \\ \mbox{concern} 29:2,33,48 1:6 \\ \mbox{concern} 29:2,24 30; 100:10 \\ \mbox{52:23} 54:9 55:17 \\ \mbox{concern} 19:2,2 \\ \mbox{concern} 19:2,2 \\ \mbox{concern} 144:16 \\ \mbox{concern} 144:16 \\ \mbox{concern} 144:16 \\ \mbox{concern} 144:16 \\ \mbox{consection} 117:10 \\ \mbox{consection} 116:15 \\ \mbox{consection} 117:10 \\ \mbox{consection} 116:15 \\ \mbox{consection} 117:10 \\ \mbox{consection} 116:15 \\ \mbox{consection} 116:15 \\ \mbox{consection} 116:15 \\ \mbox{consection} 116:15 \\ \mbox{consection} 114:16 \\ \mbox{consection} 116:15 \\ \mbox{consection} 114:16 \\ \mbox{consection} 114:16 \\ \mbox{consection} 144:16 \\ \mbox{consection} 114:16 \\ \mbox{consection} 1$			-		DANIEL 2:7	
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	-					
$\begin{array}{c ccccccccccccccccccccccccccccccccccc$						
$\begin{array}{c c c c c c c c c c c c c c c c c c c $			-			
$\begin{array}{c} \mbox{concerving} 34:14 \\ \mbox{concession} 6:3,17,20 \\ \mbox{concession} 6:3,17,20 \\ \mbox{concession} 6:3,17,20 \\ \mbox{concecton} 144:16 \\ \mbox{concession} 6:3,17,20 \\ \mbox{concecton} 144:16 \\ \mbox{concession} 144:16 \\ \mbox{concession} 144:16 \\ \mbox{concecton} 144:16 \\ \mbox{concession} 144:16 \\ \mbox{concecton} 144:16 \\ \mbox{concecton} 25:50:1,1896:21 \\ \mbox{concession} 25:50:1,1896:21 \\ \mbox{concession} 25:50:1,1896:21 \\ \mbox{concession} 25:50:1,1896:21 \\ \mbox{concession} 25:50:1,1999:2,2440:11 \\ \mbox{consider} 30:10,1994:4 \\ \mbox{gent} 161:25 \\ \mbox{depth} 161:25 \\ \mbox{describe} 9:2172:21 \\ \mbox{consider} 41:22 \\ \mbox{consider} 41:22 \\ \mbox{consider} 41:22 \\ \mbox{consider} 41:22 \\ \mbox{consider} 50:668:9 \\ \mbox{97:12,13}100:18 \\ \mbox{describe} 45:2546:4,1349:5 \\ \mbox{150:1}157:18 \\ \mbox{consider} 41:22 \\ \mbox{consider} 41:21 \\ \mbox{consider} 41:21 \\ \mbox{consider} 41:22 \\ \mbox{consider} 41:21 \\ \mbox{consider} 41:21 \\ \mbox{consider} 41:21 \\ \mbox{consider} 41:21 \\ \mbox{consider} 50:11 \\ \mbox{consider} 41:41 \\ \mbox{consider} $						
$\begin{array}{c} \textbf{concession } 6:3,17,20 \\ 17:10,24\ 19:17 \\ 23:16\ 24:24\ 25:6,22 \\ conscience\ 147:14 \\ 23:16\ 24:24\ 25:6,22 \\ conscience\ 147:14 \\ 23:16\ 24:24\ 25:6,22 \\ consider\ 50:6\ 68:9 \\ 97:12,13\ 100:18 \\ 45:25\ 46:4,13\ 49:5 \\ 150:3\ 157:18 \\ 155:21\ 153:11 \\ 155:21\ 153:11 \\ 155:21\ 153:11 \\ 155:21\ 153:11 \\ 155:21\ 153:11 \\ 155:21\ 153:11 \\ 155:21\ 153:11 \\ 155:22\ 105:13,17 \\ 152:19 \\ 98:14,17\ 103:7 \\ 108:23\ 123:18 \\ 125:43\ 123:18 \\ 108:23\ 123:18 \\ 125:43\ 133:13 \\ 108:13\ 133:13 \\ 108:14\ 133:13 \\ 108:14\ 133:13 \\ 108:14\ 133:13 \\ 108:14\ 133:13 \\ 108:14\ 133:13 \\ 108:14\ 133:13 \\ 108:14\ 133:13 \\ 108:14\ 133:13 \\ 108:14\ 133:155,56\ 117:18 \\ 108:14\ 133:13 \\ 108:14\ 133:13$					-	
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	5		· · · ·			
$\begin{array}{cccccccccccccccccccccccccccccccccccc$			-			
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	· · · · · · · · · · · · · · · · · · ·			· · · ·	· · · · · · · · · · · · · · · · · · ·	
$\begin{array}{c c c c c c c c c c c c c c c c c c c $			-			
$\begin{array}{c c c c c c c c c c c c c c c c c c c $	-		-			
$\begin{array}{c c c c c c c c c c c c c c c c c c c $						
57:15 58:14 133:19 138:1,1,12,13,18 75:18,25 76:19 98:8 100:7<			-			-
59:5 66:20,22 76:23 139:5,10 140:14 152:19 98:14,17 103:7 16VID 2:22 description 37:24 76:25 77:4,14 80:18 143:10 161:15 considering 114:6 105:9,13,21 107:21 108:2,10,14 109:8 108:23 123:18 108:23 123:18 64:10 158:8 91:17 102:17 117:11 consistent 50:11 48:12,22,25 53:5,19 146:11,13 148:7,11 108:23 123:18 124:3,11,23,25 125:4,5,12,24 designed 8:7 114:21 115:3 116:4 110:16 53:20 54:8,20,22,24 162:18 163:2,11,13 126:12,16 145:22 designed 8:7 122:12 123:9,12,18 constitute 144:13 58:9 59:24 60:12 create 142:22 create 150:23 157:20 164:21 designed 8:7 142:6,12 160:4 constructed 18:24 71:4,11,12,13 73:25 create 150:23 157:20 create 136:3 37:2 38:13 dealing 151:20,25 13:3,21 162:38,16 Consulting 2:22,22 78:14 79:7 81:6,25 criteria 36:3 37:2 38:13 dealing 151:20,25 13:3,21 162:38,16 Consulting 2:22,22 78:14 79:7 81:6,25 criteria 36:9 152:3 deals 126:14 44:7 117:5 133:8,17 162:24 42:7,14 43:9,17 contact 91:13 go:20 91:12 92:14 criticise 17:17 2	-				· · · · · · · · · · · · · · · · · · ·	
76:25 77:4,14 80:18 143:10 161:15 contracted 26:20 105:9,13,21 107:21 day 37:7 82:3 108:13 64:10 158:8 81:12 84:6 89:1,1 117:11 considering 114:6 108:2,10,14 109:8 108:2,10,14 109:8 108:2,3 123:18 128:3,11,23,25 128:4,3,11,23,25 125:4,5,5,12,24 125:4,5,5,12,24 126:12,16 145:22 126:12,16 145:22 126:12,16 145:22 105:24 105:24 105:24 105:24 105:24 105:24 105:24 105:24 105:24 105:24 105:24 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>						
81:12 84:6 89:1,1 considering 114:6 contracting 14:14 108:2,10,14 109:8 108:23 123:18 deserve 113:8 91:17 102:17 117:11 consistent 50:11 117:11 contracts 44:2 47:25 140:23 145:22 124:3,11,23,25 designation 133:13 104:19 106:24 consistent 50:11 110:16 53:20 54:8,20,22,24 146:11,13 148:7,11 125:4,5,12,24 designation 133:13 116:14 120:14 constantly 144:18 55:22 56:11 57:19 164:19 126:12,16 145:22 designed 8:7 122:12 123:9,12,18 constitute 144:13 58:9 59:24 60:12 created 150:23 157:20 164:21 105:24 designed 8:7 128:19 129:22 constructed 18:24 71:4,11,12,13 73:25 created 150:23 157:20 designed 14:6 34:24 43:16 162:3,8,16 Construction 39:21 74:3,4,21,22 75:2 38:13 dealing 151:20,25 dealing 151:20,25 13:3,21 162:3,8,16 Consulting 2:22,22 78:14 79:7 81:6,25 criteria 36:9 152:3 deals 126:14 44:7 117:5 133:8,17 42:7,14 43:9,17 contact 91:13 85:14,25 87:1 89:10 critical 112:12 deals 126:14 deals 126:14 44:7 117:5 133:8,17 161:2 <t< td=""><td></td><td></td><td></td><td></td><td></td><td>-</td></t<>						-
91:17 102:17 117:11 contracts 44:2 47:25 140:23 145:22 124:3,11,23,25 designation 133:13 104:19 106:24 consistent 50:11 110:16 48:12,22,25 53:5,19 146:11,13 148:7,11 125:4,5,12,24 designation 133:13 114:21 115:3 116:4 110:16 53:20 54:8,20,22,24 162:18 163:2,11,13 126:12,16 145:22 146:21,10 126:12,16 145:22 designation 133:13 122:12 123:9,12,18 constitute 144:13 58:9 59:24 60:12 created 150:23 157:20 146:21 164:19 164:21 105:24 designet 8:7 designet 8:7 128:19 129:22 construct 148:21 67:25 69:25 70:20 created 150:23 157:20 creation 150:20 deal 1:4 134:3 detail 4:6 34:24 43:16 162:3,8,16 Construction 39:21 74:3,4,21,22 75:2 38:13 deal 1:4 134:3 deal 1:4 134:3 deal 1:4 134:3 deals 32:12 43:14,14 42:7,14 43:9,17 contact 91:13 85:14,25 87:1 89:10 criticsa 17:17 25:21 deals 126:14 det31:127:15 128:13 161:2 42:2,64 7:22 5:22 contain 45:21 90:20 91:12 92:14 criticsa 17:17 25:21 deals 126:14 deal 1:27:15 128:13 161:2						
104:19 106:24 consistent 50:11 48:12,22,25 53:5,19 146:11,13 148:7,11 125:4,5,12,24 designed 8:7 114:21 115:3 116:4 110:16 53:20 54:8,20,22,24 162:18 163:2,11,13 125:4,5,12,24 designed 8:7 114:21 115:3 116:4 110:16 53:20 54:8,20,22,24 162:18 163:2,11,13 125:4,5,12,24 designed 8:7 122:12 123:9,12,18 constitute 144:13 58:9 59:24 60:12 create 142:22 146:2,1 146:2,3,7 163:17 105:24 128:19 129:22 construct 48:21 67:25 69:25 70:20 creation 150:20 creation 150:20 deail 1:4 134:3 deail 4:6 32:11:10 162:3,8,16 Construction 39:21 74:3,4,21,22 75:2 38:13 deals 1:26:14 deails 125:12.0,25 13:3,21 162:7,14 43:9,17 contact 91:13 85:14,25 87:189:10 critical 112:12 deals 1:26:14 44:7 117:5 133:8,17 42:27,14 43:9,17 contain 45:21 90:20 91:12 92:14 critical 112:12 deals 1:26:14 44:7 117:5 133:8,17 161:2 fo1:2 fo1:2 fo1:2 fo1:2 fo1:2 fo1:2		0	0			
$\begin{array}{c c c c c c c c c c c c c c c c c c c $						
$\begin{array}{c c c c c c c c c c c c c c c c c c c $						8
122:12 123:9,12,18 constitute 144:13 58:9 59:24 60:12 create 142:22 164:21 105:24 124:7,10 126:4,10 constituted 119:2 62:3 63:10,12 64:2 create 142:22 164:21 105:24 128:19 129:22 construct 148:21 67:25 69:25 70:20 create 142:22 105:24 detail 4:6 34:24 43:16 142:6,12 160:4 constructed 18:24 71:4,11,12,13 73:25 create 136:3 37:2 dealing 151:20,25 13:3,21 162:3,8,16 Construction 39:21 74:3,4,21,22 75:2 38:13 criteria 36:9 152:3 details 32:12 43:14,14 42:7,14 43:9,17 contact 91:13 85:14,25 87:1 89:10 critical 112:12 deals 126:14 44:7 117:5 133:8,17 42:2,6 47:22 52:22 contait 45:21 90:20 91:12 92:14 critical 17:17 25:21 deal 1127:15 128:13 161:2					,	despite 77:17 95:20,25
124:7,10 126:4,10 constituted 119:2 62:3 63:10,12 64:2 created 150:23 157:20 days 113:5,5,6 117:8 detail 4:6 34:24 43:16 128:19 129:22 construct 148:21 67:25 69:25 70:20 created 150:23 157:20 created 150:23 157:20 created 150:23 157:20 created 130:20 created 150:23 157:20 created 150:23 157:20 created 130:20 create		e e				-
128:19 129:22 construct 148:21 67:25 69:25 70:20 creation 150:20 day-to-day 144:12 43:19 142:6,12 160:4 constructed 18:24 71:4,11,12,13 73:25 38:13 day-to-day 144:12		constituted 119:2				detail 4:6 34:24 43:16
142:6,12 160:4 constructed 18:24 71:4,11,12,13 73:25 criteria 36:3 37:2 deal 1:4 134:3 detailed 10:25 11:10 162:3,8,16 Construction 39:21 74:3,4,21,22 75:2 38:13 dealing 151:20,25 152:3 detailed 10:25 11:10 conclude 41:6,8,20,24 Consulting 2:22,22 78:14 79:7 81:6,25 criterias 36:9 152:3 deals 126:14 details 32:12 43:14,14 42:7,14 43:9,17 contact 91:13 85:14,25 87:1 89:10 critical 112:12 deals 126:14 deal 1:4 17:15 133:8,17 42:2,6 47:22 52:22 contain 45:21 90:20 91:12 92:14 critical 17:17 25:21 deal t1:27:15 128:13 de1:2	128:19 129:22	construct 148:21	67:25 69:25 70:20	creation 150:20		43:19
162:3,8,16 Construction 39:21 74:3,4,21,22 75:2 38:13 dealing 151:20,25 13:3,21 conclude 41:6,8,20,24 Consulting 2:22,22 78:14 79:7 81:6,25 criterias 36:9 152:3 dealing 151:20,25 13:3,21 42:7,14 43:9,17 contact 91:13 s5:14,25 87:1 89:10 critical 112:12 critical 112:12 deals 126:14 dealing 151:20,25 13:3,21 44:2,6 47:22 52:22 contain 45:21 90:20 91:12 92:14 criticise 17:17 25:21 deals 126:14 dealt 127:15 128:13 161:2 52 923 54 20 56 11 contain 45:21 90:20 91:12 92:14 criticise 17:17 25:21 dealt 127:15 128:13 161:2	142:6,12 160:4	constructed 18:24	71:4,11,12,13 73:25	criteria 36:3 37:2		detailed 10:25 11:10
conclude 41:6,8,20,24 Consulting 2:22,22 78:14 79:7 81:6,25 criterias 36:9 152:3 details 32:12 43:14,14 42:7,14 43:9,17 contact 91:13 85:14,25 87:1 89:10 critical 112:12 deals 126:14 44:7 117:5 133:8,17 44:2,6 47:22 52:22 contain 45:21 90:20 91:12 92:14 criticise 17:17 25:21 deals 126:14 44:7 117:5 133:8,17 161:2 criticise 17:17 25:21 criticise 17:17 25:21 criticise 17:17 25:21 161:2	162:3,8,16	Construction 39:21	74:3,4,21,22 75:2			13:3,21
42:7,14 43:9,17 contact 91:13 85:14,25 87:1 89:10 critical 112:12 deals 126:14 44:7 117:5 133:8,17 44:2,6 47:22 52:22 contain 45:21 90:20 91:12 92:14 criticise 17:17 25:21 deals 126:14 44:7 117:5 133:8,17 161:2 161:2 161:2 161:2 161:2 161:2		0	-		0	details 32:12 43:14,14
44:2,6 47:22 52:22 contain 45:21 90:20 91:12 92:14 criticise 17:17 25:21 dealt 127:15 128:13 161:2			-			44:7 117:5 133:8,17
	52:23 54:20 56:11	contains 5:24	96:22 97:7,24	criticised 74:8,9		determination 136:11

Anne-Marie Stallard for Trevor McGowan Page 3

Tuesday, 29 June 2021

determine 43:5	112:17 120:6 127:3	earning 135:23	26:18 27:4,11,20	evolution 36:24	131:20 137:9 155:2
determining 133:25	148:16 149:16,19	easier 93:2	28:16,20,24 29:12	exact 59:7 82:8,9	explained 38:21 58:2
developed 142:24	149:23 150:4,6,16	easiest 29:20	29:13,25 30:18 31:2	91:24 98:24 99:19	99:1 101:19 140:12
development 23:17	150:20,21,23	economic 149:6	31:9,12,18,22 32:6	117:14 130:11,17	explaining 2:24 36:2
26:22 29:7 79:18	151:19 152:8	economists 127:9	32:25 58:21 59:8	150:3	75:15 76:1 95:21
different 15:5 30:10	156:17,19,24,25	effect 96:1 164:16	80:21	exactly 7:3 34:5 35:19	96:17
30:11 32:22 33:3	157:2,6,8,10,15,20	effort 12:11 38:12	environmentalists	75:10,17 83:17	explains 98:12
36:13,16 47:15	158:2 159:4,5,8	efforts 21:23 24:5	127:8	106:8,10 117:19	explanation 38:13
49:13,14 53:4 56:3	documentation 34:14	75:19	equality 146:6,22	118:6 150:2 154:12	50:15 68:15 69:17
75:12 83:5 88:9	36:2	EIA 17:7	equipment 142:10	examination 3:7	70:12 81:20 90:9,15
102:10 116:8	documents 34:23,24	either 28:16 64:4	144:11	147:18	98:5,10,15 99:13
122:19 156:19	38:5 88:2 97:14	91:13 100:16	equipments 143:5	example 16:2,4 25:24	141:3
difficult 28:19 29:18	112:11,13 118:3	123:19 134:9	Especially 155:13	33:18,25 66:4 98:21	exploration 1:22 2:21
64:13 156:3	137:6 150:13	154:10 element 26:13 28:5	essence 47:9	examples 16:11,21	3:4 14:19 25:14 149:2 150:7 152:23
difficulty 142:18 direct 3:7 6:14 139:16	155:16 161:11 DOHMANN 1:12	35:10	essential 16:24 essentially 12:11	116:2 excuse 2:6 25:5 33:10	153:15 159:1
147:18 157:13	143:17 144:16	elements 32:23 35:16	136:19	51:23 58:2 61:4	exploratory 15:22
158:18	145:5	36:4,20 37:18,25	establishing 3:19 4:5	63:22 69:22 72:6	27:5,12 31:14,25
directly 90:18	doing 17:18 23:25	eleven-page 156:24,25	estimate 5:16,18,24	83:3,3 84:25 86:16	32:4,8,23 113:20
director 133:15	49:9 74:12 123:8,12	ELIZA 2:18	6:8 13:19	87:3 90:12,24 91:21	114:21 115:14
148:20	123:16 124:12,22	email 33:19,22 35:22	estimated 16:9	93:20 94:24 100:20	116:4 130:22
disagree 33:4,9 37:12	126:13,14 141:5	employ 142:24	estimates 11:21,23	127:20	152:17 154:22
37:20 46:13,14	143:14 144:12	employed 142:15	12:23 15:23 57:15	executed 40:25	158:10 159:10,17
49:25 60:15 68:12	done 12:22 13:1 16:23	employees 143:20	108:15	exercise 142:14	159:19 160:1,9
disagreement 53:15	22:14,16 27:11	144:7,7,9	estimation 5:22 13:9	160:17	explore 24:4
81:19	29:14 35:10 44:20	employment 143:22	13:10 14:24 15:2	exhibit 23:6 51:11	expressed 153:18
disappointed 8:18	61:21 71:2 72:22	encompasses 5:6	16:6 33:24	85:11	expression 56:17
46:8	110:2 113:3 122:11	end 3:13 8:17 20:1	Estimations 11:18	exhibits 30:17	extend 78:17 79:1
disappointment 8:15	134:23 142:1,3	21:20 23:14 29:10	evaluate 10:5 36:21	exist 34:7 35:23 36:22	84:14 85:3 114:15
discovered 124:16	159:8	29:25 31:14 32:8	38:14,18	38:1 125:7,8	extended 25:13 62:1
discuss 21:10 42:24	DONNA 2:16	47:19 83:11 94:25	evaluated 35:7 36:4	existed 114:22 115:14	67:12 84:2,4,8,9
46:16,25 47:6,18	doubt 44:10	135:12 145:22	37:18,25 53:23 80:18	116:5 existing 129:9	113:11,13
52:15 58:12 71:4 92:2,21 139:23	down 3:15 11:14 12:1 44:1,16 45:12 46:20	146:6 ended 23:20,22	evaluation 4:10,13 5:4	expand 72:11	extending 41:4,10 43:3 52:16 60:25
146:13 163:5,14,18	47:11 48:9,21 70:14	118:22 135:11	10:16 13:3 14:4,7	expect 5:12	43.3 52.10 00.23 61:11 62:2,4 67:20
discussed 18:18 44:14	73:16 97:4 105:25	143:14	14:18 67:9 152:24	expectation 2:20 3:25	78:5 95:20 111:22
64:12 69:1 91:16	155:6	enforced 143:19	evaluations 126:25	79:10	112:25
127:3 163:10	Dr 3:6 29:9 108:16,19	engage 135:8	even 6:4 15:4 17:24	expectations 2:13 8:25	extension 41:7 71:21
discusses 26:12	108:25 109:1 136:1	engaged 127:14	19:16 37:4 39:17	9:3,18 13:17 14:1	82:19 83:12,25
discussing 21:21	147:2,4,6,8,9,13,19	139:23	44:12 48:19 71:15	15:23 16:10,17,19	84:22 107:18
64:13 70:4 81:10	148:12,16 149:17	engaging 132:4	77:25 97:21,25	25:23	113:10 150:7 158:9
90:14	149:19 152:12	engineer 22:15	103:20 108:15,18	expected 2:2 3:2 6:11	159:22
discussion 3:9 10:18	159:9 162:21,23	engineers 127:22	110:14 112:12	13:19 14:10 49:13	extensions 67:10 80:2
43:13 53:13 91:5	drawing 72:9	enlarge 93:5	114:13 115:1 125:7	58:11 149:4	82:15 83:8,9,16
104:10,24	drawn 49:15	enlarged 106:4	133:14 135:25	expecting 13:2 44:25	144:18 157:23
discussions 17:19	dressing 17:6 20:10	enough 9:12 11:12	137:23 139:14	68:23	159:11
54:21 62:22 64:7	dried 10:21	45:24 55:21 101:7	162:11	experience 54:2	extensive 3:3 4:14
67:13,15 90:7,10 92:25 93:1,13 95:15	drilling 4:15	138:9,10 157:1	evening 147:3 148:13	expert 13:20 14:9,13	6:12
92:25 93:1,13 95:15 104:12 128:12	drivers 144:10 Duane 2:3,3	ensure 136:24 entered 2:9 3:8 13:17	148:14 163:21 event 87:6 93:20	14:23 22:13,15 108:20	extent 161:25 extract 64:6 123:19
163:11,13	DUFFIELD 2:8	14:2 112:23	events 78:16	experts 15:16,25	142:19
dispute 2:13,14 15:18	dummy 7:25	entire 6:25 95:23	ever 23:25 52:2	21:22 23:14,15,17	extracted 137:13
64:10,11,19 136:18	DUNCAN 2:7	entirely 41:21 68:6	every 33:13 35:7	23:21,22 24:3	eye 51:2
160:15 161:1,2,6	during 50:8 108:2	75:8	36:24 57:15 58:22	expiration 31:25	
disputes 1:2 2:12	139:21	entitled 59:19	59:7,9 61:18 85:2	157:23 159:19	F
93:25 134:20	DUSHIMIMANA 2:9	entity 137:10,18,20	123:18 124:2,11,23	160:2	Fabien 29:9
disputing 134:13,18	duty 29:8	environment 18:1	125:24 126:12,16	expired 71:1 79:25	facilities 68:1,10
disqualified 57:13	dwell 60:9	19:3,5 23:1 26:21	138:19 159:25	160:11	facility 21:23 130:15
district 22:13 24:9,14		26:23 27:24 28:15	everybody 34:4 49:13	expiry 70:24	facing 109:12
divided 127:2	E	28:17 29:5,6,19,21	63:12	explain 7:14 36:6 58:5	fact 2:14 3:18 4:21 7:7
document 21:6 36:6	each 13:22 80:17	31:5,20 112:17,20	everyone 33:15	68:12 69:16 70:9	7:7 9:9 13:7 15:15
36:19 38:1 40:13	81:12 146:7 151:13	environmental 17:5	everything 32:25	74:25 76:5 77:20	15:19 17:6 18:17
50:2,20 61:17,19	154:10	17:13,14,17,19,23	43:24 66:7	81:9 82:21 83:17,22	27:23 36:17 38:17
86:24 87:2,9,25	earlier 20:3 42:5	18:6,18 19:9,12,15	everywhere 125:7	90:3,5,25 94:18	39:20 57:4 58:6
88:7 92:5 93:7,14 94:3,5 96:14 97:23	127:4 130:13	19:22 20:5,9,14,22 21:1,3,11,18 22:1	evidence 142:2 164:13 164:16	98:2,6 104:15 107:1 110:2,21 112:3	60:5 62:16,23 64:6
94:3,5 96:14 97:23 100:25 106:1	140:12	21:1,3,11,18 22:1 22:10,23,25 26:13	EVODE 3:3 1:13	110:2,21 112:3	74:18 84:4,22
100.25 100.1	earned 136:21	22.10,23,23 20.13	ETODE 3.3 1.13	117./ 122.13	100:10 110:14
L	1	1	l	L	

Anne-Marie Stallard for Trevor McGowan Page 4

Tuesday, 29 June 2021

		r		r	r
120:2 128:6,17	51:17 52:15 79:16	forth 38:1,13	83:12,15 84:22	153:17 155:24	granted 67:11 69:25
131:18,21 132:2	first 1:15 2:9 11:20,22	forward 21:21 24:3	98:16 103:7 104:12	161:8	122:25 130:23
134:12 135:20	24:20 29:11 34:6	28:9,10 40:23 42:25	140:23 141:3	gives 3:25 52:10	162:4
144:17,22 145:25	39:13,15 40:8,18	46:25 47:6 52:12,14	162:18,25 163:5	giving 15:19 27:23	granting 53:17
factored 110:3	41:23 44:19 45:2	54:10,11 55:1,6,12	future 43:5,8	42:16 58:14 62:12	grateful 164:12
facts 15:19 27:23 48:3	46:21,24 47:3 50:18	56:13,14,18,20		71:3 75:9 79:3	GROSH 2:11
48:5,15 58:5,25	52:9 53:9,11 58:10	59:24 60:14 63:20	G	94:25 104:15	ground 109:12
76:12 77:5,19 78:24	77:22 82:11 87:18	74:1,2 80:17 85:22	gap 37:1	go 1:16,24 2:4 4:4 5:4	grounds 136:8
86:6 158:24	89:4 90:17 91:3	87:2 95:16,25 99:4	Gatare 108:14,19,25	5:10 12:5,20 13:14	group 1:15 2:4 127:9
failed 7:9,10,24 13:13	93:6 98:3 105:12,19	104:13 114:5	109:3	17:1 18:4,9 20:1,21	guess 75:3 148:4
14:17 15:3,13,20	107:2,15 111:23	131:24 150:24	Gatumba 115:3,4,10	23:3.5 24:18 25:1	156:15 161:14
29:20 57:14,17	113:2,17 121:20	152:10	154:11	26:9 40:4,9 46:24	guideline 34:10,12
58:21 59:5,6,7,20	129:16 131:20	forwarded 22:22	gave 13:12 57:18	47:6 48:18 49:6	guidelines 33:12 34:3
69:5,9 112:12,14	141:4 146:4,16	found 2:18 28:12	60:18 72:16,19	66:10 67:7 104:13	35:9
failing 105:24	147:19 152:11	105:13 112:7,13,15	111:18 115:7 116:2	108:11,19 109:1	guiding 105:18
failings 60:10	156:25 157:7 158:4	four 13:12 30:24	117:8 118:1,3	114:5 118:2 121:13	5 5
fair 39:21 42:20 46:9	fit 14:15	37:24 39:25 79:25	135:21 136:2	121:16,23 123:18	Н
49:5 75:19 101:7	fits 164:13	149:3 152:25 160:3	141:13 143:4	128:16 143:5 145:8	Hage 2:7,7,8,8
faith 114:15	five 5:21 7:1 17:22	four-year 158:10	144:18	145:17 162:22	half 40:5,10 50:22
familiar 15:4 119:24	18:2,7,19 27:25	free 66:5 145:8 162:22	general 18:20 33:12	goes 12:12 18:12	141:7 145:23
120:1,2 128:6	39:6,13,16 42:21	French-English 2:18	46:15 63:9 141:17	20:13,15 78:7 98:10	hand 16:23 82:5 84:19
134:12 138:11	43:24 44:4 52:1,2	2:18,19	generally 35:6 150:21	103:7 155:21	85:8 89:11 105:7
160:15	53:23 55:19,23,25	from 3:5 1:8 2:19 7:1	151:11	going 6:14 9:5,16 12:9	122:24 123:8,13,18
families 122:6 124:9	62:12,22 64:5 68:3	9:4 10:20 11:20	generated 151:11	18:10 37:7 40:23	124:11 137:15
125:2	68:5,17,21,25 70:25	12:2 21:17 22:13	generous 55:21,24	42:6,25 44:1,18,22	handier 93:3
family 123:21	71:6,6,12,14,17,19	23:15 27:1 31:16,24	59:15	44:22,23 45:9,12,16	handle 80:11
far 46:9 83:13 119:17	74:23 75:4 76:13,15	32:7 40:15 41:3	geochemical 4:14	46:24 47:6,13,13,25	hand-held 142:9
151:16	80:15 82:20 83:25	42:18 43:1,2 48:25	geographical 3:21	48:12 49:15,21,22	happen 86:9 125:16
fast 73:15 156:4	91:18 96:6 99:7	52:17 56:5 57:13	geography 15:6	52:2 53:6 54:10	happened 24:8 65:11
faster 94:20 108:17	104:18 148:2	60:14,24 61:10 64:6	geological 4:14 127:5	55:1,6,11,16 56:12	73:6,8 74:14 75:12
favour 143:19	153:21,24 154:6,18	64:7,16 65:21 66:24	127:8	56:14,18,19 59:24	75:13 76:6 92:11,17
feasibility 4:11,18	154:21	71:24,25 74:1 78:6	geologist 5:4 14:6	60:14 63:20 65:20	93:20,25
14:5 15:3 41:1	five-year 155:25	79:17 81:9 84:3	geologists 127:22	67:5 72:10 74:1	happening 73:24
152:24 153:7	156:12 159:1 160:3	85:10 88:4 89:8	Geology 147:25	75:18 76:19 85:22	86:10 119:16
February 43:10,11	fix 150:11	91:14,14 96:16	geophysical 4:14	87:1 89:24 95:16,25	happens 119:9
44:9,12 47:23 48:4	flexibility 47:21	98:22 100:24	Georgina 1:24	108:10 114:18	happy 52:13 54:11
48:7,8,16,20 49:1	focus 10:7 29:23 34:6 36:17 37:13 54:16	101:14 104:9 109:18 111:2	geotechnical 4:16	119:13,22 120:25	55:25 58:12 76:14
51:20 52:14,21 55:4 55:10 56:10 57:24	57:4 65:3 87:21	112:16 120:4	Germany 10:21	121:19 123:2,13 124:2,8,12,19,20	91:19 138:4,8
58:18 59:9,23	88:9 89:17 102:10	122:19 124:5	gets 136:24 146:3	125:6,11,16,20	146:22 147:4,11
feed 7:20 8:11 9:21	106:21 110:6	128:14 129:24	getting 30:19 57:13	128:17 129:5,11	hard 73:15 100:23
feel 8:15 61:15 93:17	120:25 121:22	131:6,15,20 132:7	67:16 107:24	132:9,10,24 133:11	150:13
149:19	131:23 146:18	132:15 133:5,8,23	108:12 124:2	133:13,17 135:20	HARRISON 2:3
felt 75:24 137:9	148:24 153:14	136:1,19,21 138:5	125:24 131:1 136:7	136:17 146:3,21	having 14:22 17:18
FERGUSON 2:23	164:12,16	139:25 140:16	GIBSON 2:14 Giciye 18:21,25	147:20 148:8	93:3 109:19 131:9 133:4,18 156:3
few 3:5 4:19 7:5 144:7	focused 16:24 114:1	141:1,22 143:4,18	give 16:22 33:2,18	150:18 152:7,15	head 128:6
144:11	129:17 155:19	144:15,24 151:12	38:10 43:9,23 46:9	155:20 157:8	heading 158:11,13
file 2:19 14:1 48:19	focusing 1:21 12:24	153:9 157:2 158:10	55:17,23 61:6,18	159:24 164:9	headquarters 10:22
64:8 72:12 77:24,24	28:23 34:18 56:4	160:9 163:17,22	65:4 67:21,24 68:1	gone 7:9 46:11 97:6	hear 5:14 23:5 95:22
78:17,24 85:8,17	136:4	front 149:18	69:12 76:9,15 79:5	good 6:10 8:17 15:13	145:17 147:7,8
86:8,25 87:8 88:23	follow 45:7 95:5 98:5	frozen 150:12	98:14 99:17,18	32:1 36:8 50:9,21	151:2 158:23
98:20 130:10	98:13 128:14,16	FTI 2:22,22 12:5	113:9 115:2 132:10	78:22 88:14 113:2	heard 69:17 143:18
files 16:23 112:1	138:15 160:18,19	20:21,25 34:17	141:2	114:14 145:1	144:24 160:25
filing 111:25	161:2,14	51:11 91:1 147:20	given 2:3 5:21 16:22	146:24 147:3	164:17
final 42:16 66:25 78:1	followed 16:17,19	157:5	17:22 22:3 25:1	148:12,13,14	hearing 1:8 156:3
82:23,24 83:1,1,3,3	48:16	fulfil 57:17 114:16	26:21 37:4 39:21	government 1:18 2:9	163:7 164:21
83:18 128:21,23	following 15:21 34:23	115:18,21	42:13 43:14,23 44:5	7:12 13:12 25:11	heavily 25:20
136:11 140:14,22	78:21 92:10 126:25	fulfilled 99:3	46:5 50:5 52:18	33:23 36:7,12 60:18	hectares 3:6 154:3
finalise 71:6 152:9	141:24 159:18	fulfilling 37:4 45:4	62:21 67:5,10,19	60:20 63:4 68:18,20	held 46:10,13 76:23
financial 4:16 153:18	160:2 164:21	99:9 114:12 118:1	68:17 69:2,22 70:25	68:23,24 76:14,16	99:20
financially 136:19	forget 61:20	119:7 120:16	71:25 77:1,15,20	91:18 95:17 99:2	Hello 147:6
find 13:25 20:2 29:3	form 14:24 132:24	full 15:15 41:15 48:19	85:5 86:16 87:13	111:3 119:5 124:14	help 101:3 104:21
29:10,15	formal 140:12	fully 16:7 40:25	88:24 107:18	125:22,23 126:4,11	107:5 113:10
finding 72:20	formed 33:11	further 2:4 21:22	111:21,22 112:5	126:13,18,21,22,24	helped 137:21
fine 146:20	former 126:24 127:1	23:18 41:4,10 45:23	113:4,6,20 123:1,7	132:7 133:24	helps 93:11 105:23
finish 3:24 finished 22:8 25:3	127:25 129:4 140:14	58:3 59:22 60:24 61:11 63:2,6 78:18	132:12 137:3	136:11 143:9 grant 102:7 103:3,5	hidden 56:23
misicu 22.0 23.3	140.14	01.11 05.2,0 /0.18	142:12,22 145:3	grant 102.7 103.3,3	highlight 3:17 13:15

Anne-Marie Stallard for Trevor McGowan Page 5

Tuesday, 29 June 2021

1183 119.8 132.9 27.4,11,20,24 28:17 103.23,25 106:17 2:19,20 74:12 156:9 74:14 14:15 74:12 156:9 74:						uesuay, 29 Julie 202
bipblighted 188.3.4 123:16 1244 125.3 1422 3 1422 3 1623:8 163:8 163:8 139:24 3:17 123:16 1244 125.1 126:13,14 127.10 1004/142.23.24 1004/142.23.24 1004/142.23.24 1004/142.23.24 1004/142.23.24 1004/142.14 55:16 1004/142.14	155.22	121.17 122.4 19	indulgence 1/11.10.13	54.21 100.9 125.9	81.24 109.21 131.8	know 5:12 7:14 20
ISSI 13 Iz557,14 1267,12 Indugences 144:10 Internetion 499 50:3 Issuing 131:15 150 332:4 36:24 34:07 IBID 26 57 18 123 127:14,18,24 127:14,18,24 144:17 Internetion 82:4 18:20 Ibin *20:6 99:8 55:00 85:6 01:18 13:16 99:16 00:10 61:8; 12:14 20:37 97 144:20 Industry 33 10:22:41 00:23 Internetion 82:41:820 Ibin *20:6 99:16 00:10 61:8; 01:12:22:22 01:12:22:22 01:12:22:22 01:12:22:22 01:12:22:22 01:12:22:22 01:12:22:22 01:12:22:22 01:12:22:22 01:12:22:22 01:12:22:24 01:12:12:22:24 01:12:12:22:24 01:12:12:22:12 01:12:22:11 01:12:22:11 01:12:22:11 01:12:22:11 01:12:22:11 01:12:22:11 01:12:22:11 01:12:22:11 01:12:22:14:23:32 01:12:13:13:14:13:14:14:14:14:12:14:11:12:11:12:12:11:12:12:11:12:12:11:12:12		-				
bigblighting 16:2:5 126:13.14 127:10 indugent 99:15 61:18 143:16 136:11 42:24 46:17 47:10 112:63.71 38:12 127:14 18:24 indugent 99:15 61:18 14:26 interesting 99:06 172.18 12:06 49:19 50:12 52:0 61:26 46:12 4:12:02 interesting 99:06 172.18 12:06 49:19 50:12 52:0 61:26 46:12 4:12:02 61:22 6:12:02 61:22 6:12:02 61:22 6:12:02 61:22 6:12:02 61:22 6:12:02 61:22 6:12:02 61:22 6:12:02 61:22 6:12:02 61:22 6:12:02 61:22 6:12:02 61:22 6:12:02 61:22 6:12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02 71:11 12:02:02 71:11 12:02:02 71:11 12:02:02 71:11 12:02 71:11 12:02:02 71:11 12:02:02:02 71:11 12:02:02:02 71:11 12:02:02:02:02 71:11 12:02:02:02:02 71:11 12:02:02:02:02:02:02:02 71:11 12:02:02:02:02:02:02:02:02:02:02:02:02:02				0		
Hill 25, 37 (18, 12.3) 12714 (18, 2.4) 144.17 Internations 82.4 (82.0) ip) 72.06 94.98, 55.20, 58.5.6 452.5 40.47, 49.2) Images 13.4 (15.6) Images 13.4 (15.6) Intervation 99.6 Intervation 99.6 Intervation 99.6 Intervation 99.6 Intervation 99.6 Intervation 99.6 Intervation 46.5 Intervation 99.6 Intervation 99.6 Intervation 46.5			8		0	
12:14 20:3 37:9 144:20 industrial 14:22:3:24 interested 67:2 interested 67						
442.946.94.79/2 images 134-15.5 industry 33 interesting 99.6 ISCI 129.25 612.264.71,118.2 1051.21.8 1082.24 1082.94.15 102.23.4108.3.5 interesting 99.6 Interesting 99.6 112.264.71,118.2 62.26.52.71,118.2 1051.21.8 1082.24 1082.94.16.20 1082.94.16.20 1082.94.16.20 1082.94.16.20 1082.94.16.20 1082.94.16.20 111.11.22					-	-
494:0 51:12 52:4 imagine 49:11 inform 27:10 84.7 interests 142:11 IZABELA 2:24 64:25 62 67.15 103:2,1 100:2,1 18 108.8 51:19 57.11 88:20 102:2,3 100:52 interests 142:11 J J 73:15 78:16 78:06 J J 73:15 78:16 78:06 J <td< td=""><td></td><td></td><td>,</td><td></td><td></td><td></td></td<>			,			
1758.1598.6 1052.1 1002.324 1003.5 1002.324 1003.5 1002.324 1003.5 1002.324 1003.5 1002.324 1003.4 1052.12 1052.01 60.23 1052.01 60.23 1052.01 60.23 1052.01 60.23 1052.01 60.25 11111 11111 1111 1111 <t< td=""><td></td><td></td><td></td><td>8</td><td></td><td></td></t<>				8		
105.12,18 108.8 382.4 40:15 51:13 103.20 160.23 interjection 46:5 J J 73.13 52.13 145.19 146.20 109.8 143:17 23.3 24.16 25.18 internal 63.17 JAMES 22.02 JIII JAMES 22.02 96.13 107.3 109.22 96.13 107.12 139.21 146.22 96.13 107.22 139.13 144.12 139.11 144.1 139.11 144.1 139.11 144.1 139.11 144.1 139.11 144.1 139.11 144.1 139.11 144.1 139.11 144.1 139.11 144.1 139.11 144.1 139.11 144.1 139.11 144.1 139.11 144.1 139.		0			IZABELA 2:24	
1092,41402,4 51:19 57:11 88:20 information 12:22 interms 2:24 J1:11 MMES 2:22 93:67:16 36:12 110:14 12:16 12						-
145:19 146:20 109:81 132:17 23:42:41:6 25:18 interant 63:17 7.147:18 146:41 15:22:10 96:33 07:33 09:23 96:33 07:33 09:23 96:33 07:33 09:23 96:33 07:33 09:23 106:22 106:22 106:22 106:22 106:23 107:33 09:23 106:23 107:33 106:23 107:33						
$\begin{array}{c c c c c c c c c c c c c c c c c c c $						
$ \begin{array}{c} 162:19 \mbox{ [164:2]} \\ 164:2 \\ bim 1:11 12:89 38:0 \\ 49:323 64:12.13 \\ 75:13 98:10 99:8 \\ 1062:109:7 \\ 19:35.91.12:2 \\ 1062:109:7 \\ 19:35.91.12:2 \\ 1062:109:7 \\ 19:35.91.12:2 \\ 1062:109:7 \\ 19:35.91.12:2 \\ 1062:109:7 \\ 19:35.91.12:2 \\ 1062:109:7 \\ 19:35.91.12:2 \\ 1062:109:7 \\ 19:35.91.12:2 \\ 1062:109:7 \\ 19:35.91.12:2 \\ 1062:109:7 \\ 113:94.101.14 \\ 21:18 21:19:2 \\ 114:15 1178 118:1 \\ 23:1 26:13.18:1.13 \\ 13:94.101.14 \\ 23:18 22:10,23 \\ 118:11.13.112:2 \\ 113:94.101.14 \\ 23:18 22:10,23 \\ 118:11.13.12:2 \\ 113:94.101.14 \\ 23:12.25.91.21.22 \\ 118:30.112:2 \\ 113:94.101.14 \\ 23:12.25.91.21.22 \\ 118:30.112:2 \\ 113:94.101.14 \\ 23:12.25.91.21.22 \\ 118:30.112:2 \\ 113:94.101.14 \\ 23:12.25.91.21.22 \\ 118:30.112:2 \\ 119:20 \\ 110:21 \\ 1110:1 \\ 110:21 \\ 1$						
$\begin{array}{c c c c c c c c c c c c c c c c c c c $		-				
him 111 128,9 382.0 49,42,461.208.113 1122.11 125.24 132.24 132.23 125.24 132.24 132.23 125.24 132.24 132.23 132.23 132.24 132.23 132.24 132					· · ·	-
$\begin{array}{c c c c c c c c c c c c c c c c c c c $		·		-		-
75:13 98:10 99:8 impact 175:23 18:1 informed 69:21.25 interpretation 45:23 90:11 100:10' 148:17 155:61.3 1113:91:11.11 21:12 22:11.23 92:22 96:20 97:11 775:19 78:15 101:12:01 15:12.10 101:12:01 15:12.10 113:91:11.11 21:12 22:11.23 92:22 96:20 97:11 177:51 97:12 101:12:01 15:15.16 101:12:01 15:15.16 113:91:11.12 21:12 22:11.23 100:21:11.12 111:		-			88:3,21,22,25 91:10	
$\begin{array}{c c c c c c c c c c c c c c c c c c c $					97:15,23 98:19	
11138 112.24 20.9.14.22 21:1.3 92.22 96.20 97:11 775.19 78:15 102.12.00 156:15 161:22 1138.0 11.1.1 1118 221:148 221:1.02 1006 101:11.15 111111 111111 111111 111111 111111 11111 111111 11111 11111 111111 111111 111111 111111 111111 111111 111111 111111 111111 111111 111111 1111111 111111 111111 1111111 11111111 1111111 11111111 11111111 111111111 11111111 11111111 111111111 11111111111 111111111111111111111 111111111111111111111111111111111111		-				-
$\begin{array}{c c c c c c c c c c c c c c c c c c c $					101:18,20 102:3,18	
114:15 117.8 118:1 231 2613.18,21,23 102:1,6 103:9,14,21 interpreter 2:18,18,19 jb 10:11.15,15.16 89:11'00:21 1622,31 133:10:12 134:7,21 28:20,24 29:5,13,19 107:15 109:16 INTERPRETERS j01:11.5,15.16 Moves 33:21 45:25 139:4,10:14:15:18 31:2,5,9,12,19,22 114:10.23 117:12.1 intervent 46:11 jntervent 64:11 jntervent 64:12 jntervent 64:11					103:12,20 156:15	
118.3 119.8 132-9 27.4,11,20.24 28.17 103.23,25 106.17 2:19,20 74:12 156.9 Knows 33:21 4525 132.01,21 347.21 22:02,25 30:18,22 110:23 117:12 intervnet 40:11 jint 2:56.91,01;5 27.3 jint 2:38,221 jint 3:38,221 jint 3:38,				1	JEAN 2:19	
$\begin{array}{c c c c c c c c c c c c c c c c c c c $					job 10:11,15,15,16	89:11 90:21 162:2,6
$\begin{array}{c c c c c c c c c c c c c c c c c c c $					74:12 156:9	
					JOHN 2:12	46:15 57:1 67:14
149:18 157:19 31:2:5,91,2(9):22 114:10,23 117:1.21 interrupted 12:19 32:7 146:15 L birt 4:23 29:6.8 59:8 118:16 128:3.4 intervento 75:8 joseph 2:7.7,8,8 july 154:5 jaseph 2:7.7,8,8 july 154:5 bird 28:25 29:8,11.24 implement 15:20 131:16 133:2 intervento 50:1.6 july 148:19 july 149:115:11 july 149:11						
hint 44:9 52:2.6 33:1 58:21 118:16 128:3.4 interruption 75:8 jointry 154:5 jointry 154:5 jointry 154:5 hired 28:25 29:8,11,24 implement 15:20 139:12 139:21 intervention 50:1.6 Jore 46:11 Joure 17:11 Joure 17:11 Joure 17:11 Juck 20:29:14:02 holders 159:10,17 implementig 60:17 implements 12:14:23 intorming 51:21 18:12 invested 8:4,10 Juck 22:12 Juck 22:13:11,14 Juck 22:29:12:10 loding 89:19 90:22 implements 12:14:23 implements 12:14:23 invested 8:4,10 Jusc 2: 15:16:13:42:2 Jusc 2: 15:16:13:42:2<	149:18 157:19	31:2,5,9,12,19,22	114:10,23 117:1,21	interrupted 12:19		L
bire 14:23:29:6.8 59:8 129:15 130:11 intervene 46:11 intervenions 80:13	hint 44:9	32:2,6 33:1 58:21	118:16 128:3,4	interruption 75:8		labourers 142:15
bired 28:25 29:8.11,24 implement 15:20 131:16 133:2 intervening 80:8 IR P_111 122:9 bitting 9:18 implemented 71:18 informing 51:21 81:23 introduction 152:13 intervening 80:8 Intervening	hire 14:23 29:6,8			intervene 46:11		
143:21 119:10 139:22 162:7 intervention 50:1.6 jpdgments 143:19 lack 32:21 hold 157:13 82:4 128:4 101:4 104:12 intervention 50:1.6 jpdgments 143:19 lack 32:21 language 32:0 12:10 hold 157:13 implements 121:14,23 118:21 128:11,15 59:6 S9:6 Jurisdiction 1:8	hired 28:25 29:8,11,24	implement 15:20	131:16 133:2	intervening 80:8	1	
hitting 9:18 implemented 71:18 informing 51:21 81:23 inforduction 152:13 Juty 148:19 Land 148:025 149:0 bold 157:13 82:4 128:4 101:41 104:12 invested 8:4,10 Jurisdiction 1:8 Jurisdictio	143:21	119:10	139:22 162:7	intervention 50:1,6		
hold 157:13 82:4 128:4 101:4 104:12 invest 9:12 156 55:6 June 1:7 1:1 141:8 Ianguage 3:20 12:10 holders 159:10,17 implementing 60:17 implements 121:14,23 informs 35:5 investing 138:5 June 1:7 1:1 141:8 June 1:7 1:1 141	hitting 9:18	implemented 71:18	informing 51:21 81:23	introduction 152:13		
bolders 159:10,17 implementing 60:17 118:21 128:11,15 59:6 Jurisdiction 1:8 52:21 53:1,14 holding 89:19 90:22 implements 12:14,23 implements 12:14,23 informs 35:5	hold 157:13	82:4 128:4	101:4 104:12	invest 9:12 15:16 55:6		-
160:2.9 implements 121:14.23 128:22 invested 84.10 Justice 2:15.16 134:22 158:19 holding 89:19 90:22 implied 37.9 informs 35:5 initial 15:22 27:12 134:25 135:1.5 134:25 135:1.5 134:25 135:1.5 135:5 1argel 43:11 153:17 HON 1:11 impore 42:4 115:13 116:4 145:1,142:1 1argel 43:11 153:17 155:5 1argel 43:11 153:17 hoped 8:13 impore 45:4 152:17 153:22 163:3, 9 68:19 144:23 80:6,14 81:3,23 183:9:15:12 184:42:3 100:1,2,3,8,9,14:15 100:1,2,3,8,9,14:15 100:1,2,3,8,9,14:15 100:1,2,3,8,9,14:15 100:1,2,3,8,9,14:15 100:1,2,3,8,9,14:15 163:27 100:1,2,3,8,9,14:15 122:17 123:17 28:14 43:3 83:10 122:17 123:17 122:17 123:17 122:17 123:17 122:17 123:12 121:107:17 118: 122:17 123:12 121:107:17 118: 145:11 122:17 123:12 121:107:17 118: 145:11 122:17 123:12 121:107:17 118: 145:11 145:12 144:13 38:11 145:12 121:107:17 118: 145:11 121:107:17	holders 159:10,17	implementing 60:17	118:21 128:11,15	59:6		0 0
bolding 89:19 90:22 implied 37:9 informs 35:5 investing 138:5 134:25 135:1,5 large 143:11 153:17 HON 1:11 important 92:8 139:3 155:5 113:19 114:21 2:13,14 investing 149:32:9 153:20 157:1 153:20 157:1 hope 164:6 improve 145:4 155:17 153:22 investing 145:13 160:3,9 68:19 144:23 60:24 61:11 79:18 larges 153:22 154:7, 153:22 hope 164:6 improve 145:4 152:17 153:22 investing 45:8 57:20 80:6,14 81:3,23 larges cale 30:14 hope 124:3 50:1 63:16 65:17 initial 19:22 280:7 100:1,2,3,8,9,14,153:17 122:15 76:2:8 91:21 107:17 118:5 164:8 include 25:18 34:23 insiste 51:14 52:5 insiste 51:14 52:5 127:10 135:23 145:19 146:16 20:6 44:8 71:11,13 insiste 11:14 91:5,15 92:2 157:8 late 108:13 late 198:13 housekeeping 1:4 10:9 10:01:2 15:22 59:14 install 7:2,16 install 7:2,16 install 7:3,11 install 7:3,12 14:14 91:5,15 92:2 157:8 late 108:13 late 108:13 10:2 123:24 include 25:18 34:23 install 7:2,14 <td< td=""><td>160:2,9</td><td>implements 121:14,23</td><td>128:22</td><td>invested 8:4,10</td><td></td><td></td></td<>	160:2,9	implements 121:14,23	128:22	invested 8:4,10		
home 109: 123:13 imply 57:9 86:17 initial 15:22 27:12 Investment 12: 2:12 State 15:14 State 16:16:16:16 State 16:16:16:16:16:17 State 16:16:16:16:16:16:17 State 16:16:16:16:16:17 State 16:16:16:16:16:16:17 State 16:16:16:16:16:17 State 16:16:16:16:16:16:16:16:16:16:16:16:16:1	holding 89:19 90:22	implied 37:9	informs 35:5	investing 138:5	-	
$ \begin{array}{ c c c c c c c c c c c c c c c c c c c$	home 109:1 123:13	imply 57:9 86:17	initial 15:22 27:12	Investment 1:2 2:12	154.25 155.1,5	
honour 1:6 147:13 163:2 155:5 impose 4:24 113:19 114:21 15:13 116:4 investor 41:9 43:19 45:52,51 13:11,14 KABIBI 2:9 KABIBI 2:9 KABIBI 2:9 Kamanzi 40:16 41:3 60:24 61:11 79:18 142:11 445:1 hope 164:6 impression 46:9 impose 4:24 115:13 116:4 15:21 715:322 143:11 145:1 investor 45:8 57:20 68:19 144:23 60:24 61:11 79:18 60:24 61:11 79:18 75:12 107:18 88:4,21 91:11.25 107:18 81:4 91:5,15 92:25 107:18 81:4 91:5,15 92:2 107:18 81:4 91:5,15 92:2 107:18 81:4 91:5,15 92:2 107:18 81:4 91:5,15 92:2 127:10 135:23 114:14 12 113:14 118:4,15 15:22 127:10 135:23 114:14 11:14 11:14 81:14 91:5,15 92:2 127:10 135:23 114:14 11:14 11:14 81:14 91:5,15 92:2 127:10 135:23 114:14 11:15,15 92:2 127:10 135:23 114:14 91:14 22 157:8 113:13 11 44:13 11:42 114:14 11:14 22 14:14 13:14,22 14:14 13:14,22 14:14 13:14,22 14:14 13:14,22 14:14 13:14,22 14:14 13:14,22 14:14 13:14,22 14:14 13:14,22 14:14 13:14,22 14:14 13:14,24 14:14 13		1.			K	
163:2 impose 4:24 115:13 1164 45:2,5 113:11,14 KAB161 2.9 angrest 15:2,5 154:7, 6xmanzi 40:16 41:3 hope 164:6 improse 145:4 152:17 1153:22 133:14 143:11 145:11 153:25 154:7, 100:21,22,22 101:3 angrest 15:25 154:7, 100:12,3,8,9,14,15 hopefully 150:14 inadequate 17:7,13 160:3,9 initiate 79:22 80:7 100:12,3,8,9,14,15 88:4,21 91:11,25 107:18 88:4,21 91:11,25 107:18 28:14 43:3 83:10 hours 145:23,25 146:11 include 50:12 insisted 51:14 52:5 insisted 51:14 52:5 100:12,3,89,14,15 Kapter 12:2 163:17 keep 51:2 56:5,17 62:8 144:33 83:10 91:11 07:17 118: hours 145:23,25 146:11 include 16:9 19:13 insisted 51:14 52:5 insite 114 91:5,15 92:2 177:18 Kapter 12:14 Kapter 12:14 <td></td> <td>-</td> <td></td> <td>-</td> <td></td> <td>0.</td>		-		-		0.
hope 164:6 impression 46:9 137:24 140:16 143:11 145:1 Kiminit 40/16 41:3 Instruction 57:20 hopefully 150:14 inadequate 17:7.13 160:3.9 68:19 14:23 60:24 61:11 79:18 80:6,14 81:3,23 180:6,14 81:3,23 180:6,14 81:3,23 180:6,14 81:3,23 122:17 122:17 132:14 100:1,2,3,8,9,14,15 107:18 Kaplan 1:22 163:17 kast 9:16 20:16,21 122:17 183:14 101:10 63:8 70:16 71:6 135:11 183:14 43:3 83:10 101:10 63:8 70:16 71:6 135:11 113:15 101:10 135:12 110:11 184:9:15 13:5:11 113:15 3:2 144:3:11 45:1 101:10 135:12 135:11 145:11		impose 4:24				
hoped 8:13 hoped 8:13 hopefully 150:14 157:1 improve 145:4 inadequate 17:7,13 inappropriate 46:5 50:1 63:16 65:17 152:17 153:22 160:3,9 initially 144:23,25 initially 144:23,25 invitation 95:20 96:9 100:12,23,8,9,14,15 input 151:13 100:12,23,22 101:3 invitation 95:20 96:9 100:12,23,22 101:3 input 151:13 164:8 100:1,2,3,8,9,14,15 input 151:13 input 151:13 include 16:9 19:13 insists 51:12 145:19 146:16 20:6 44:8 71:11,13 install 7:21 145:29 146:16 20:6 44:8 71:11,13 include 16:9 19:13 include 16:9 19:13 include 16:9 19:13 install 7:21 100:21,22,22 101:3 insists 51:12 145:19 146:16 20:6 44:8 71:11,13 install 7:21 145:19 146:16 20:6 44:8 71:11,13 install 7:21 127:10 135:23 including 26:2 101:9 installing 7:11 install 7:218 127:10 135:23 install 7:218 14:25 installing 7:11 install 7:218 127:10 135:24 inviting 54:18,19 10:12 15:25 29:12 install 43:3 83:10 invite 51:10 53:5 invite 51:10 53:5 invite 51:10 53:5 invite 51:10 53:5 invite 51:10 53:5 invite 51:10 53:5 including 26:2 101:9 install 7:214 10:9 135:10 135:23 install 7:218 127:10 135:23 inviteg 54:18,19 135:20 136:7 independent 10:1,3,10 install 7:215 install 7:218 127:10 135:23 install 7:218 127:10 135:23 inviteg 54:18,19 135:20 136:7 independent 10:1,3,10 10:12 15:25 29:12 install 43:3 131:14:25 146:18 135:20 136:7 independent 10:1,3,10 10:12 15:25 29:12 instruct 96:8 instruct 96:8 in		-				5
hopefully 150:14 157:1 inadequate 17:7,13 inappropriate 46:5 160:3.9 initially 144:23,25 68:19 144:23 invitation 95:20 96:9 100:1.2,23,29 14;15 300:,14 a1:3,25 80:2,14 143;25 Integr subscription 100:1.2,23,29 14;15 hour 40:5,7,10 50:22 51:4 146:5 50:16 65:17 inaudible 23:4 input 151:13 input 151:13 100:10 invite 19:13 100:12,22,22 101:3 invite 19 184:23 (21 91:11,25) 100:21,22,22 101:3 184:9 (21 91:12) 100:21,22,22 101:3 184:9 (21 91:12) 101:17 118: 101:10 135:20 184:9 (21 91:12) 101:17 118: 115:10 135:20 184:9 (21 91:12) 101:17 113: 115:10 135:20 184:9 (21 91:12) 115:10 135:20 184:9 (21 91:12) 101:17 113: 115:10 135:21 184:9 (21 91:12) 110:17 113: 115:21 184:9 (21 91:12) 110:17 113: 115:21 184:9 (21 10:17) 110:17 113: 115:21 184:9 (21 91:12) 110:17 113: 121:10 121:12: 122:12 122:12:12:12: 122:12 122:12:12:12:12:12:12:12:12:12:12:12:12:	-	-				
157:1 inappropriate 46:5 initially 144:23.25 invitation 95:20 96:9 163:1,4 191:1,1,25 1ast 9:16 20:16,21 hour 40:5,7,10 50:22 50:1 63:16 65:17 77:2,16 initiate 79:22 80:7 100:1,2,3,8,9,14,15 100:1,2,3,8,9,14,15 1ast 9:16 20:16,21 28:14 43:3 83:10 hours 145:23,25 146:11 include 25:18 34:23 include 45:9 19:13 103:14 100:10 63:8 70:16 71:6 91:21 107:17 118: 145:19 146:16 include 16:9 19:13 install 7:8,13 92:20 94:8 97:11 1ast 9:16 20:7 1ast 9:16 20:16,21 145:19 146:16 20:6 44:8 71:11,13 install 7:8,13 92:20 94:8 97:11 1ate 91:51:5 92:2 157:8 1ate 73:15 33:2 1ater 94:17,21 1ater 94:17,21 10:21 5: including 26:2 101:9 installing 7:11 installed 7:24,25 16:6 99:25 124:18 185:20 136:7 148:13.6: 141:25 66:9,23 68:7 69:6; 69:97 6:622 77:3,17 1ate 99:101:5 69:97 6:622 77:3,17 144:31 143:7,25 100:17 113:23,24 16:99:26 277:3,17 144:31 143:7,25 16:97 6:62; 77:3,17 101:17 113:23,24 16:92 77:3,17 144:31 143:7,25 16:97 6:62; 77:3,17 144:11 14:14:14:14:14:14:14:14:14:14:14:14:14:1		-				
hoping 124:3 hour 40:5,7,10 50:22 51:4 146:5 hours 145:23,25 146:1 164:8 hours 145:23,25 146:1 164:8 hours 145:23,25 146:1 164:8 hours 145:23,25 146:1 164:8 hours 145:23,25 146:1 164:8 hours 145:23,25 146:1 162:11 102:1,2,3,8,9,14,15 100:1,2,3,8,9,14,15 100:1,2,3,8,9,14,15 100:1,2,3,8,9,14,15 100:1,2,3,8,9,14,15 100:1,2,3,2,22 101:3 101:10 100:1,2,3,8,9,14,15 100:2,2,2,2,2 101:3 101:10 Instantiate 73:28:13 102:10 Instantiate 73:28:13 102:10 20:64:37:11:13:15 102:12 20:64:37:11:13:15 103:12 20:64:87:11:11:13 101:10 20:164:13:145:12 102:15 20:164:13:15:12 101:10 20:164:13:15:12 101:10 20:164:13:15:12 101:10 20:164:13:15:12 101:10 20:164:12:14 101:12 100:1,2,3,8,9,14,15 100:12,2,22,22:10:13 101:10 Instantiate 73:12:12 101:10 Instantiate 73:12:12 101:10 100:1,2,3,8,9,14,15 100:12,2,22:20:12 Instantiate 73:12:12 101:10 Instantiate 73:12:12 101:11 Instantiate 73:12:12 Instantiate 73:12 Instantiate 73:12 <thi< td=""><td>1 0</td><td>-</td><td></td><td></td><td></td><td></td></thi<>	1 0	-				
hour 40:5,7,10 50:22 77:2,16 initiate 79:22 80:7 100:21,22,22 101:3 Kapian 1:22 163:17 20:14 20:3 83:10 bit 4 146:5 inaudible 23:4 input 151:13 input 151:13 101:10 63:8 70:16 71:6 91:22 10:317 145:11 103:13 hours 145:23,25 146:1 include 16:9 19:13 insisted 51:14 52:5 invite 55:10 53:5 101:10 63:8 70:16 71:6 91:21 107:17 118:2 144:19 146:16 20:6 44:8 71:11,13 insists 51:12 insists 51:12 invite 55:10 53:5 127:10 135:23 latter 94:17,21 145:19 146:16 20:6 44:8 71:11,13 install 7:24,25 16:6 99:25 124:18 invite 55:12 5:12 istalling 7:11 invite 55:12 5:12 istalling 7:11 istalling 7:12 istalling 7:11 istalling 7:12 istalling 7:12 istalling 7:12 istalling 7:12 istalling 7:12 istalling 7:13 38:11,18 65:18,24 10:9 120:15 inconsistent 9:10:15 istall 9:19 32:16 istall 9:12 3:13 138:6 141:25 69:9 76:22 77:3,17 idea 43:8 44:9 50:9,21 68:6 148:4,5 15:44:16 161:25 issue 24:1 28:9 44						
51:4 146:5 inaudible 23:4 input 151:13 101:10 63:8 70:16 71:6 145:10111 108 hours 145:23,25 146:1 include 25:18 34:23 133:14 101:10 63:8 70:16 71:6 145:11 145:11 housekeeping 1:4 145:19 146:16 20:6 44:8 71:11,13 insists 51:12 81:14 91:5,15 92:2 92:20 94:8 97:11 127:10 135:23 1ater 94:17,21 1ater 94:17,21 hypothetical 35:20 82:12 install 67:24,25 16:6 99:25 124:18 199:25 124:18 180:14 95:15 127:10 135:23 1ater 94:17,21 inconsistency 50:16 inconsistent 41:21 instad 9:19 32:16 instead 9:19 32:16 135:20 136:7 142:1 143:7,25 69:9 76:22 77:3,17 identified 55:13 56:15 incorrectly 2:7 institution 151:12 institution 151:12 issue 24:1 28:9 44:21 144:3 144:3 144:9,10,12 115:4 133:15 10:12 15:25 29:12 128:4 132:13 134:23 135:9 136:4,6,16 132:13 134:23 109:91 112:017 113:23,24 identifies 80:15 indicated 40:3 134:4 instruct 96:8 132:13 134:23 136:14 130:14:25 196:11 100:11 10:14 149:11 12:16 ifs:14 151:2 instruction 87:13 instruction 87:13						
hours 145:23,25 146:1 164:8 inclined 50:12 include 25:18 34:23 include 16:9 19:13 145:19 146:16 insiste 51:14 52:5 133:14 invite 1:9 invite 51:10 53:5 81:14 91:5,15 92:2 92:20 94:8 97:11 invite 1:9 72:18 124:12 inter 108:13 later 31:15 33:2 later 31:15 33:2 housekeeping 1:4 145:19 146:16 20:6 44:8 71:11,13 82:12 insiste 51:12 10:15 11 insiste 51:12 10:15 11 81:14 91:5,15 92:2 10:15 11 72:18 124:12 110:9 later 31:15 33:2 127:10 135:23 later 94:17,21 later 94:17,21 ICSID 2:23,24 idea 43:8 44:9 50:9,21 10:9 inconsistent 41:21 10:9 instead 9:19 32:16 10:12 15:25 29:12 institution 151:12 188:11 43:25 146:18 instruct 96:8 132:13 134:23 161:12 128:4 instruct 96:8 132:13 134:23 instruct 96:8 132:13 134:23 131:3,18 162:9 136:15 140:8 15:24 17:18 23:21 15:24 17:18 23:21 15:24 17:18 23:21 15:24 17:18 23:21 individual 22:9 142:1 131:3,18 162:9 133:15 131:3,18 162:9 133:15 131:3,18 162:9 121:12 122:3,23.25 131:3,18 162:9 133:5 138:2,13,17		-				
164:8 include 25:18 34:23 133:14 invited 51:10 53:5 72:18 124:12 Iater 31:15 33:2 housekeeping 1:4 145:19 146:16 20:6 44:8 71:11,13 insists 51:12 insists 51:12 127:10 135:23 Iater 31:15 33:2 hypothetical 35:20 75:6 77:8 20:6 44:8 71:11,13 install 7:8,13 92:20 94:8 97:11 99:25 124:18 iater 94:17,21 Iaw 33:6,6,8,10 34:9 120:15 install 7:21,32 92:12 14 install 7:8,13 99:25 124:18 Keeping 162:7 Iater 31:15 33:2 120:15 inconsistency 50:16 install 7:21,4 95:14 99:25 124:18 SKG 1:11 SKG 1:11 SKG 1:11 SKG 1:11 SK 14:32,7,25 66:9,2 66:2,0 67:22 77:3,17 130:9 68:6 148:4,5 154:4,16 institution 151:12 issue 24:1 28:9 44:21 Kingarwandan-Eng 110:17 113:23,24 130:15 10:12 15:25 29:12 128:4 128:4 124:14 131:14,24 Kingarwandan-Eng 110:17 113:23,24 145:19,10:12 instruct 96:8 instruct 96:8 132:13 134:23 60:20 72:2,15,25 110:17 113:23,24 15:14 161:12 91:11 106:23 130:2 156:8 163:14 129:17 116 126:16,8,10						
housekeeping 1:4 145:19 146:16 hypothetical 35:20 75:6 77:8included 16:9 19:13 20:6 44:8 71:11,13 82:12insists 51:12 insists 51:1281:14 91:5,15 92:2 92:20 94:8 97:11 99:25 124:18 inviting 54:18,19 95:141127:10 135:23 157:8Intel 94:17,21 law 33:6,6,8,10 34:9Iincluding 26:2 101:9 120:15installing 7:11 instance 112:14 inconsistent 41:21installing 7:11 instance 112:14 instance 112:14 instance 112:1481:14 91:5,15 92:2 92:20 94:8 97:11 99:25 124:18 inviting 54:18,19 95:141127:10 135:23 157:8Intel 94:17,21 law 33:6,6,8,10 34:9 34:11 38:4,4,6,7,7 istitution 51:12 instance 112:14II<	· · · · · · · · · · · · · · · · · · ·					
145:19 146:16 hypothetical 35:20 75:6 77:820:6 44:8 71:11,13 82:12 including 26:2 101:9 120:15install 7:8,13 install 7:24,25 16:6 installing 7:11 instance 112:14 95:1492:20 94:8 97:11 99:25 124:18 inviting 54:18,19 95:14157:8Intel 9.17,12 law 33:6,6,8,10 34:9ICSID 2:23,24 idea 43:8 44:9 50:9,21 10:9inconsistency 50:16 incorrectly 2:7 independent 10:1,3,10 133:15install 7:8,13 instatled 7:24,25 16:6 instead 9:19 32:16 38:11 43:25 146:1892:20 94:8 97:11 99:25 124:18 inviting 54:18,19 95:14law 33:6,6,8,10 34:9 seeping 162:7 keys 161:8,1310:9 133:1568:6 incorrectly 2:7 independent 10:1,3,10 10:12 15:25 29:12institution 151:12 institutions 127:15issue 24:1 28:9 44:21 81:5 94:24 120:8,18 135:9 136:4,6,16Kingar wandan-Eng 2:19,20110:17 113:23,2415:24 17:18 23:21 15:1,6 154:8 159:9Individual 122:9 142:5instruct 06'8:19 instruction 87:13135:9 136:4,6,16 15:24 17:18 33:11 instruction 87:13131:3,18 162:9 131:3,18 162:989:18,22 107:17 125:6,11,15,23laws 38:18 138:8 layers 15:516entifying 130:20 it 152:23121:2 122:3,23,25 intend 69:14 93:13issuef 39:9,17 71:8 131:3,18 162:986:1 116:9 118:7 131:3,18 162:9133:5 138:2,13,17laws 38:18 138:8 layers 15:5						
hypothetical 35:20 75:6 77:882:12 including 26:2 101:9 120:15installed 7:24,25 16:6 installing 7:11 instance 112:1499:25 124:18 inviting 54:18,19 95:14keeping 162:7 keys 161:8,13 KG 1:11in 3:31,38:4,4,6,7,7 38:11 38:4,4,6,7,7 38:11 38:4,4,6,7,7 38:11 38:4,4,6,7,7 38:11 38:4,4,6,7,7 38:11 38:4,16 161:25ICSID 2:23,24 idea 43:8 44:9 50:9,21 110:9incorrectly 2:7 independent 10:1,3,10 10:12 15:25 29:12institution 151:12 institution 151:12institution 151:12 institution 151:12issue 24:1 28:9 44:21 81:5 94:24 120:8,18 128:4Kingar wandan-Eng 2:19,20int:110:07 113:23,24identifies 80:15 identify 11:13 15:21 15:16INDEX 3:1 individual 122:9instruct 96:8 130:10instruct 96:8 130:11instruct 96:8 130:12instruct 96:8 130:11instruct 96:8 130:12instruct 96:8 130:11instruct 96:8 130:11instruct 96:8 130:11instruct 96:8 130:11instruct 96:8 130:11instruct 96:8 130:11instruct 96:8 130:11instruct 96:8 130:11instruct				,		-
75:6 77:8 including 26:2 101:9 installing 7:11 inviting 54:18,19 keys 161:8,13 34:11 30:4,7,7,7,7,7,7,7,7,7,7,7,7,7,7,7,7,7,7,7		-				
I120:15instance 112:1495:14KG 1.11ICSID 2:23,24inconsistency 50:16instance 112:1495:14KG 1.11idea 43:8 44:9 50:9,21inconsistent 41:2138:11 43:25 146:18instance 112:1495:14110:968:6148:4,5 154:4,16135:20 136:7142:1 143:7,25142:1 143:7,25identified 55:13 56:15incorrectly 2:7institution 151:12issue 24:1 28:9 44:21kingarwandan-Eng2:19,20identifies 80:1510:12 15:25 29:12128:4128:4132:13 134:23110:17 113:23,24identify 11:13 15:21indicated 40:3 134:4instruct 96:8135:9 136:4,6,16135:9 136:4,6,1615:24 17:18 23:21161:1291:11 106:23 130:2156:8 163:1489:18,22 107:17159:16individual 122:9130:10issue 39:9,17 71:889:18,22 107:17142:19142:5instruction 87:13insufficient 33:1131:3,18 162:9121:2 122:3,23,25intend 69:14 93:13identifying 130:20121:2 122:3,23,25intend 69:14 93:1359:20 67:2 59:2133:5 138:2,13,17identifying 130:20121:2 122:3,23,25intend 69:14 93:1359:20 67:2 59:2133:5 138:2,13,17identifying 130:20121:2 122:3,23,25intend 69:14 93:13issues 54:19 57:2 59:2133:5 138:2,13,17identifying 130:20121:2 122:3,23,25intend 69:14 93:13issues 54:19 57:2 59:2133:5 138:2,13,17identifying 130:20121:2 122:3,23,25intend 69:14 93:13issues 54:19 57:2 59:2133:5 138:2,13,17	~ 1		-		keys 161:8,13	
Iinconsistency 50:16 inconsistent 41:21instead 9:19 32:16 38:11 43:25 146:18 148:4,5 154:4,16involved 23:16 132:9 135:20 136:7Kigan 138:6 141:25 142:1 143:7,2560:9,7,6:22 773:3,17 69:9 76:22 773:3,17idea 43:8 44:9 50:9,21 110:968:6 incorrectly 2:7 independent 10:1,3,10 10:12 15:25 29:12institution 151:12 institutions 127:15institution 151:12 issue 24:1 28:9 44:21 81:5 94:24 120:8,18 128:4independent 10:1,3,10 10:12 15:25 29:12institutions 127:15 128:4issue 24:1 28:9 44:21 81:5 94:24 120:8,18 128:4king 42:22 51:3 king 42:22 51:3king 42:22 51:3 king 42:22 51:3king 42:22 51:3 king 42:22 51:3into:17 113:23,24 115:19,21,24 119:3identifies 80:15 identify 11:13 15:21 15:24 17:18 23:21 159:16IDEX 3:1 individual 122:9instructed 87:19 130:10issue 39:9,17 71:8 130:10issue 39:9,17 71:8 131:3,18 162:9Regan 138:6 141:25 142:1 143:7,25issue 39:9,17 71:8 144:3identifying 130:20 ii 152:23individuals 23:11 individuals 23:11 iintend 69:14 93:13instruction 87:13 instruction 87:13 iintend 69:14 93:13issues 54:19 57:2 59:2 131:3,18 162:9issues 34:19 57:2 59:2 133:5 138:2,13,17iagves 15:5 lead 4:17 84:20 85:8	13.011.0		8			
ICSID 2:23,24inconsistent 41:2138:11 43:25 146:18135:20 136:7142:1 143:7,2538:10 02:9 113:17idea 43:8 44:9 50:9,2168:6148:4,5 154:4,16145:20 136:7144:3144:3144:3110:9incorrectly 2:7institutions 127:15161:25issue 24:1 28:9 44:2181:5 94:24 120:8,18144:3144:3133:1510:12 15:25 29:12128:4128:4135:9 136:4,6,16151:12115:1,9,21,24 119:3144:3indicated 40:3 134:4instructed 87:19135:9 136:4,6,16135:9 136:4,6,16126:1,6,8,10 127:115:24 17:18 23:21161:1291:11 106:23 130:2156:8 163:1489:18,22 107:17136:15 140:8159:16individual 122:9130:10issued 39:9,17 71:889:18,22 107:17136:15 140:8142:5individuals 23:11instruction 87:1386:1 116:9 118:7110:22 119:17148:8 138:8125:23121:2 122:3,23,25intend 69:14 93:13issues 54:19 57:2 59:2135:5 138:2,13,17144:3					Kigali 138:6 141:25	
68:6 148:4,5 154:4,16 161:25 144:5 161:25 idea 43:8 44:9 50:9,21 68:6 148:4,5 154:4,16 161:25 144:5 161:25 identified 55:13 56:15 independent 10:1,3,10 institutions 127:15 128:4 161:25 issue 24:1 28:9 44:21 kind 42:22 51:3 110:17 113:23,24 identifies 80:15 10:12 15:25 29:12 128:4 128:4 132:13 134:23 161:25 119:9,11 122:16 identify 11:13 15:21 indicated 40:3 134:4 instruct 96:8 135:9 136:4,6,16 135:9 136:4,6,16 135:9 136:4,6,16 136:15 140:8 144:19 109:11,19 110:10 136:15 140:8 136:15 140:8 136:15 140:8 136:15 140:8 136:15 140:8 136:15 140:8 136:15 140:8 136:15 140:8 136:15 140:8 136:15 140:8 136:15 140:8 136:15 140:8 136:15 140:8 136:15 140:8		·			142:1 143:7,25	69:9 76:22 77:3,17
110:9 incorrectly 2:7 institution 151:12 issue 24:1 28:9 44:21 Kind 42:22 51:3 110:17 17:22:54 identified 55:13 56:15 independent 10:1,3,10 institutions 127:15 128:4 124:14 131:14,24 Kind 42:22 51:3 110:17 17:22:14 identifies 80:15 10:12 15:25 29:12 128:4 128:4 132:13 134:23 60:20 72:2,15,25 129:0 119:9,11 122:16 identify 11:13 15:21 indicated 40:3 134:4 instruct 96:8 instruct 87:19 135:9 136:4,6,16 60:20 72:2,15,25 126:1,6,8,10 127:1 15:24 17:18 23:21 161:12 91:11 106:23 130:2 156:8 163:14 89:18,22 107:17 136:15 140:8 159:16 142:5 instruction 87:13 86:1 116:9 118:7 109:11,19 110:14 142:19 161:12 121:2 122:3,23,25 intend 69:14 93:13 131:3,18 162:9 125:6,11,15,23 1ayers 15:5 ii 152:23 121:2 122:3,23,25 intend 69:14 93:13 issues 54:19 57:2 59:2 133:5 138:2,13,17 lawf:10 44:17 84:20 85:8	-				144:3	
110:9 incorrectly 2:/ institution 151:12 issue 24:1 28:9 44:21 Kinyarwandan-Eng 114:9,10,12 115:4 identified 55:13 56:15 independent 10:1,3,10 institution 151:12 issue 24:1 28:9 44:21 81:5 94:24 120:8,18 2:19,20 115:19,21,24 119:3 identifies 80:15 INDEX 3:1 instruct 96:8 132:13 134:23 135:9 136:4,6,16 132:13 134:23 60:20 72:2,15,25 126:16,8,810 127:11 identify 11:13 15:21 individual 122:9 130:10 issue 39:9,17 71:8 89:18,22 107:17 136:15 140:8 identifying 130:20 individuals 23:11 instruction 87:13 86:1 116:9 118:7 110:22 119:17 14wy 38:18 138:8 ii 152:23 121:2 122:3,23,25 intend 69:14 93:13 issues 54:19 57:259:2 133:5 138:2,13,17 laws 117 84:20 85:8			, ,		kind 42:22 51:3	
13:15 10:12 15:25 29:12 128:4 124:14 131:14,24 124:14 131:14,24 13:15 10:12 15:25 29:12 128:4 124:14 131:14,24 18:0,13 59:20 119:9,11 122:16 identify 11:13 15:21 indicated 40:3 134:4 instruct 96:8 135:9 136:4,6,16 135:9 136:4,6,16 135:9 136:4,6,16 136:15 140:8 15:24 17:18 23:21 161:12 91:11 106:23 130:2 136:16 14 199:11,9 110:14 136:15 140:8 15:24 17:18 23:21 142:5 130:10 15sued 39:9,17 71:8 89:18,22 107:17 136:15 140:8 15:24 17:18 23:20 142:5 instruction 87:13 131:3,18 162:9 130:21 133:5 138:2,13,17 142:19 16trifying 130:20 121:2 122:3,23,25 intend 69:14 93:13 131:3,18 162:9 138:5 138:2,13,17 144:17 84:20 85:8		e e			Kinyarwandan-Eng	, ,
identifies 80:15 INDEX 3:1 instruct 96:8 132:13 134:23 knew 8:10,13 59:20 110:5,11 12:12 identify 11:13 15:21 indicated 40:3 134:4 instruct 96:8 132:13 134:23 60:20 72:2,15,25 126:1,6,8,10 12:17 15:24 17:18 23:21 161:12 91:11 106:23 130:2 135:9 136:4,6,16 73:3,5,10,19 87:23 136:15 140:8 15:24 17:18 23:21 individual 122:9 130:10 issued 39:9,17 71:8 89:18,22 107:17 109:11,19 110:14 142:19 159:16 individuals 23:11 instruction 87:13 issued 59:9,17 71:8 109:11,19 110:14 142:19 ii 152:23 121:2 122:3,23,25 intend 69:14 93:13 issues 54:19 57:2 59:2 133:5 138:2,13,17 lawfully 140:10 55:2		•			2:19,20	115:19,21,24 119:8
identifies 80:15 INDEX 3:1 instruct 96:8 132:13 134:23 60:20 72:2,15,25 126:1,6,8,10 127:1 identify 11:13 15:21 indicated 40:3 134:4 instruct 96:8 135:9 136:4,6,16 73:3,5,10,19 87:23 136:15 140:8 15:24 17:18 23:21 161:12 91:11 106:23 130:2 156:8 163:14 89:18,22 107:17 136:15 140:8 159:16 142:5 instruction 87:13 86:1 116:9 118:7 109:11,19 110:14 142:19 identifying 130:20 121:2 122:3,23,25 intend 69:14 93:13 131:3,18 162:9 125:6,11,15,23 1ayers 15:5 issues 54:19 57:2 59:2 126:1,0 24:10					knew 8:10,13 59:20	-
identify 11:13 15:21 indicated 40:3 134:4 instructed 87:19 135:9 136:4,6,16 73:3,5,10,19 87:23 136:15 140:8 15:24 17:18 23:21 161:12 91:11 106:23 130:2 156:8 163:14 89:18,22 107:17 136:15 140:8 15:1,6 154:8 159:9 individual 122:9 130:10 issued 39:9,17 71:8 86:1 116:9 118:7 109:11,19 110:14 142:19 identifying 130:20 individuals 23:11 insufficient 33:1 131:3,18 162:9 121:2 122:3,23,25 intend 69:14 93:13 issues 54:19 57:2 59:2 133:5 138:2,13,17 lawfully 140:10 if 152:23 121:2 122:3,23,25 intend 69:14 93:13 issues 54:19 57:2 59:2 133:5 138:2,13,17 lawf 41:7 84:20 85:8	identifies 80:15				60:20 72:2,15,25	126:1,6,8,10 127:1
15:24 17:18 23:21 115:1,6 154:8 159:9 159:16 161:12 individual 122:9 142:5 91:11 106:23 130:2 130:10 156:8 165:14 issued 39:9,17 71:8 86:1 116:9 118:7 131:3,18 162:9 89:18,22 107:17 109:11,19 110:14 Iawfully 140:10 142:19 identifying 130:20 individuals 23:11 issufficient 33:1 instruction 87:13 insufficient 33:1 86:1 116:9 118:7 131:3,18 162:9 109:11,19 110:14 110:22 119:17 Iawfully 140:10 142:19 issues 54:19 57:2 59:2 issues 54:19 57:2 59:2 121:2 122:3,23,25 intend 69:14 93:13 intend 69:14 93:13 issues 54:19 57:2 59:2 issues 54:19 57:2 59:2 133:5 138:2,13,17 Iawfully 140:10 142:19						136:15 140:8
115:1,6 154:8 159:9 individual 122:9 130:10 issued 39:9,17/1:8 109:11,19 110:14 142:19 159:16 142:5 instruction 87:13 86:1 116:9 118:7 109:21 19:17 laws 38:18 138:8 identifying 130:20 individuals 23:11 insufficient 33:1 131:3,18 162:9 125:6,11,15,23 layers 15:5 ii 152:23 121:2 122:3,23,25 intend 69:14 93:13 issues 54:19 57:2 59:2 133:5 138:2,13,17 laws 138:20	15:24 17:18 23:21					lawfully 140:10
159:16 142:5 instruction 87:13 86:1 116:9 118:7 110:22 119:17 laws 38:18 138:8 identifying 130:20 individuals 23:11 insufficient 33:1 131:3,18 162:9 120:22 10:17 laws 38:18 138:8 layers 15:5 ii 152:23 121:2 122:3,23,25 intend 69:14 93:13 issues 54:19 57:2 59:2 133:5 138:2,13,17 laws 38:18 138:8 ii 152:23 121:2 122:3,23,25 intend 69:14 93:13 issues 54:19 57:2 59:2 133:5 138:2,13,17 laws 38:18 138:8	115:1,6 154:8 159:9					142:19
identifying 130:20 individuals 23:11 insufficient 33:1 131:3,18 162:9 125:6,11,15,23 layers 15:5 ii 152:23 121:2 122:3,23,25 intend 69:14 93:13 issues 54:19 57:2 59:2 133:5 138:2,13,17 layers 15:5 layers 15:5 ii 152:23 162:27 intend 69:14 11 10:1 59:22 60:8 13 80:25 133:5 138:2,13,17 layers 15:5					-	laws 38:18 138:8
ii 152:23 121:2 122:3,23,25 intend 69:14 93:13 issues 54:19 57:2 59:2 133:5 138:2,13,17 lead 4:17 84:20 85:8	identifying 130:20					layers 15:5
						lead 4:17 84:20 85:8
	illegal 66:1,9,21	162:2,7	intended 8:11,11 19:1	59:22 60:8,13 80:25		87:19 95:16,18
	-					

Anne-Marie Stallard for Trevor McGowan Page 6

Tuesday, 29 June 2021

98:15 102:10	114:3 115:12 116:6	124:24 125:21	138:6 159:13	35:10 87:1 95:14	miner 5:3 122:18,19
128:23	116:9,13 122:16,25	128:3,12 129:8	manage 124:15	100:15 101:10	142:6
leading 127:20,20	123:5 124:15	139:5,10 140:2	management 29:7	meeting 15:23 41:24	mineral 13:21 143:7
137:18,20	128:15 130:22,24	146:5	112:18,20	47:23 60:2 63:23	minerals 11:23 45:17
leads 5:16	138:17 139:24	long-term 9:3 30:12	managing 133:15	64:11,20 65:11	66:1,10 121:14,24
		86:14,15,24 87:9	manually 122:9	-	
learn 111:9,11	150:6 151:4 155:25	· · ·		90:13 91:16,22 92:3	122:10 123:19
learned 162:13	156:1,12,13 160:4	89:2 99:7 102:24	many 12:15 16:16	92:4,10,12,22 93:24	124:4,11,16 125:1
least 30:16 38:12,16	162:4,8	130:23 153:8 156:1	25:24 74:9 80:16	94:1,5,6,8,11,15,15	125:25 136:21
54:3 55:14,21 59:12	license 60:25 61:12	156:13,14 158:17	113:19 114:3,22	94:21,21 95:5,7,8	137:12,17 138:5
59:23 60:12,19	79:25 80:16,17	look 3:14 4:8 34:4	115:12 116:3,10,11	95:11,13,25 96:9	140:4,11 141:22
72:15 86:7 95:10	87:10 153:1 157:22	35:24 36:7 39:5	116:11,15,18 160:6	98:21,23,25 99:20	142:19 143:24
99:25 108:24	158:12	45:2 49:16 50:2,19	Mara 18:22,25	99:22,23,23 100:8	miners 66:5,9,14
110:19 157:7 161:7	licensed 126:5 139:11	52:6 71:20 82:12	March 47:24 48:9	104:24 106:6,7,9,22	121:6,17,18 122:15
leave 50:3 63:20 65:18	154:6	98:11,14 100:24	157:16,18,21	107:2,12,13 139:9	122:21 123:4,6,8,10
88:12 108:14	licensee 139:5,20	105:5 106:2 107:25	marked 104:10	139:18,21,25	123:16,16 124:4,5
140:18	140:2,10,13,15	133:2 141:4 147:10	Marshall 2:4 64:12	meetings 92:16 98:21	124:22,25 125:5,5
leaving 137:14	licensing 112:23	148:16	91:5 99:5,15,24	memo 158:21	125:11,14,20
led 7:8 82:7	light 144:4 153:17	looked 78:24 83:9,13	106:23 107:9,13	memory 42:4 116:10	127:11,19,25 141:3
left 14:13,23 66:16	like 31:17 37:12 40:4	118:5,22	109:18 110:10	159:24	141:22,23 142:4,4,7
78:9	43:9 50:5,8 51:2,5	looking 20:3 23:7	111:12 112:5,10	mention 14:22 41:23	142:8,13 143:23
legal 113:9 114:13	61:16 62:6 64:17	26:16 32:17 78:4	113:14 117:25	42:5 46:12 58:7	144:15,20,21
134:23 136:21	65:12 79:12 85:16	85:12 92:6 105:1	132:5 134:2,5,9	64:17	162:15
legally 123:17	86:2,17 89:22 90:24	106:11 109:11	135:9,11,13 136:14	mentioned 18:20 54:1	mines 85:11 119:14,17
length 56:19 57:7 60:9	92:24 100:12 109:5	132:23 143:10	136:17 139:4,9,13	100:21 119:8	123:15 124:15
163:25 164:4	116:20 143:10	144:23 155:16	139:19 140:1 161:7	mentioning 18:2	128:3,10 134:17
less 5:23 52:2	146:13,17 147:10	LORD 1:11	161:12	22:25 30:21 43:12	140:7,9,10 141:11
let 3:24 20:2 48:2,3	150:1 164:16	lose 71:4	Marshall's 53:12	107:10 120:16	141:21 142:23,24
61:7,21,22 65:5	limited 122:9	lost 74:6	133:13	Merits 1:8	143:3 147:25
69:23 74:25 82:21	line 9:10 43:4 49:14	lot 71:21 113:25	material 8:8,8 49:3	message 43:22 44:3	153:25 162:6
84:19 85:8 93:2,5,6	72:8 95:22 100:4	142:13	materials 64:8	45:21 52:17 62:15	MINIJUST 2:9
96:13 97:4 104:15	lines 17:3	lots 74:8	matter 1:1 16:14	62:20 64:16 71:10	mining 2:9 14:5 15:14
106:2 110:6,21	lining 65:12	LOUTFI 2:23	72:10	101:24	15:16 36:3 41:1
115:25 116:22	link 33:25	lower 108:15	matters 3:9 16:25	messages 41:18	46:21 53:5,20 55:1
128:20 135:8 145:3	linking 50:14	lucky 37:3	may 1:15 5:20 13:2	met 25:23 26:17 27:3	56:12 60:12 62:11
146:24 148:16	links 50:13	LUCY 2:8	20:10 21:16 39:2	38:14 57:25 59:25	62:22 68:1,25 77:14
156:7,21 157:5	LISA 2:11	lunch 40:8	48:2 50:15,19 56:7	64:12 98:20 99:1,15	78:6 79:7 81:6 89:2
158:22	list 118:3		80:18 81:9 94:9,11	100:2 102:21	92:20 114:3,20
letters 41:12,18 42:4	listed 4:25	M	94:25 98:15,21	104:16 139:3,8,13	115:3,4,10,13,16,17
42:19 45:20,21,24	listen 88:12 132:17	machinery 143:12	99:20 103:11 111:1	metal 143:25	116:4,14 119:20,20
45:25 46:1,10 47:9	lists 34:24		111:1 113:24 125:4	MC 1 10 15 0 C	
48:4,16,18 49:3		made 13:4.7.7 20:10	111.1 115.24 125.4	Michael 2:15 3:6	119:24 120:4,13,19
10.1,10,10 19.5	little 100:4 141:2	made 13:4,7,7 20:10 39:3 42:11 54:7	142:5 147:9	108:16 136:1 147:2	119:24 120:4,13,19 121:1,4,8,10 122:2
50:11,14 55:15		39:3 42:11 54:7			
	little 100:4 141:2		142:5 147:9	108:16 136:1 147:2	121:1,4,8,10 122:2
50:11,14 55:15	little 100:4 141:2 142:18 144:6	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14	142:5 147:9 maybe 27:17 28:7	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7
50:11,14 55:15 56:22,23 57:8,22	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 midday 164:18	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 midday 164:18	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12 139:11 140:18
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 midday 164:18 middle 80:14	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 midday 164:18 middle 80:14 mid-2012 30:23	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12 139:11 140:18
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1 155:1 160:19 161:18	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 middy 164:18 middle 80:14 mid-2012 30:23 might 95:8 125:5 127:12 145:11 161:5	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,79,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12 139:11 140:18 141:8 143:22 149:1
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 locations 11:24	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1 155:1 160:19	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 midday 164:18 middle 80:14 mid-2012 30:23 might 95:8 125:5 127:12 145:11	$\begin{array}{c} 121:1,4,8,10 \ 122:2\\ 122:4,8,10,11,16,17\\ 122:17,18,23 \ 123:6\\ 123:14 \ 124:3,6,7\\ 125:3,10,19,25\\ 126:4,7,9,12,15\\ 127:12,14,21,24\\ 129:22 \ 130:22\\ 135:2 \ 137:11,12\\ 139:11 \ 140:18\\ 141:8 \ 143:22 \ 149:1\\ 152:25 \ 153:21,24\\ 154:4,7,15,17,23,25\\ 155:2 \ 159:1 \ 162:3,8\\ \end{array}$
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21 102:11	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 locations 11:24 lodge 17:12 117:8	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10 main 144:14 maintained 72:12	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1 155:1 160:19 161:18	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 middy 164:18 middle 80:14 mid-2012 30:23 might 95:8 125:5 127:12 145:11 161:5	$\begin{array}{c} 121:1,4,8,10 \ 122:2 \\ 122:4,8,10,11,16,17 \\ 122:17,18,23 \ 123:6 \\ 123:14 \ 124:3,6,7 \\ 125:3,10,19,25 \\ 126:4,7,9,12,15 \\ 127:12,14,21,24 \\ 129:22 \ 130:22 \\ 135:2 \ 137:11,12 \\ 139:11 \ 140:18 \\ 141:8 \ 143:22 \ 149:1 \\ 152:25 \ 153:21,24 \\ 154:4,7,15,17,23,25 \end{array}$
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 locations 11:24 lodge 17:12 117:8 logic 72:10,11	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10 main 144:14 maintained 72:12 maintenance 22:16	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1 155:1 160:19 161:18 meaning 30:22 70:16	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 middy 164:18 middle 80:14 mid-2012 30:23 might 95:8 125:5 127:12 145:11 161:5 million 55:7 59:6	$\begin{array}{c} 121:1,4,8,10 \ 122:2 \\ 122:4,8,10,11,16,17 \\ 122:17,18,23 \ 123:6 \\ 123:14 \ 124:3,6,7 \\ 125:3,10,19,25 \\ 126:4,7,9,12,15 \\ 127:12,14,21,24 \\ 129:22 \ 130:22 \\ 135:2 \ 137:11,12 \\ 139:11 \ 140:18 \\ 141:8 \ 143:22 \ 149:1 \\ 152:25 \ 153:21,24 \\ 154:4,7,15,17,23,25 \\ 155:2 \ 159:1 \ 162:3,8 \end{array}$
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21 102:11	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 locations 11:24 lodge 17:12 117:8	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10 main 144:14 maintained 72:12 maintenance 22:16 major 119:18	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1 155:1 160:19 161:18 meaning 30:22 70:16 70:18 73:13	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 midday 164:18 middle 80:14 mid-2012 30:23 might 95:8 125:5 127:12 145:11 161:5 million 55:7 59:6 mind 64:3 70:16 72:4	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12 139:11 140:18 141:8 143:22 149:1 152:25 153:21,24 154:4,7,15,17,23,25 155:2 159:1 162:3,8 MINIRENA 2:6,8,20
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21 102:11 liaise 163:24	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 locations 11:24 lodge 17:12 117:8 logic 72:10,11	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 main 129:10 main 144:14 maintained 72:12 maintenance 22:16 major 119:18 majority 25:15	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1 155:1 160:19 161:18 meaning 30:22 70:16 70:18 73:13 means 5:19 14:7 30:24 47:12 51:15 54:14 93:17 145:25 152:5	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 midday 164:18 middle 80:14 mid-2012 30:23 might 95:8 125:5 127:12 145:11 161:5 million 55:7 59:6 mind 64:3 70:16 72:4 72:6 163:7	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12 139:11 140:18 141:8 143:22 149:1 152:25 153:21,24 154:4,7,15,17,23,25 155:2 159:1 162:3,8 MINIRENA 2:6,8,20 4:24 7:21 11:9,12
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21 102:11 liaise 163:24 licences 25:14 30:23	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 locations 11:24 lodge 17:12 117:8 logic 72:10,11 long 12:12,15 19:13	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10 main 144:14 maintained 72:12 maintenance 22:16 majority 25:15 make 3:21 22:21	$\begin{array}{c} 142:5\ 147:9\\ \textbf{maybe}\ 27:17\ 28:7\\ 42:2\ 88:5\ 100:10\\ 144:3,10,13\ 145:3\\ \textbf{mayor}\ 22:13\ 24:7,9,14\\ \textbf{McCARTHY}\ 2:7\\ \textbf{McGowan}\ 1:24\\ \textbf{mean}\ 49:17,18\ 56:19\\ 57:1,9\ 83:1\ 86:17\\ 111:20\ 129:8\\ 149:14\ 152:5\ 155:1\\ 155:1\ 160:19\\ 161:18\\ \textbf{meaning}\ 30:22\ 70:16\\ 70:18\ 73:13\\ \textbf{mean}\ 5:19\ 14:7\ 30:24\\ 47:12\ 51:15\ 54:14\\ \end{array}$	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 midday 164:18 middle 80:14 mid-2012 30:23 might 95:8 125:5 127:12 145:11 161:5 million 55:7 59:6 mind 64:3 70:16 72:4 72:6 163:7 mine 9:12 16:5,5	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12 139:11 140:18 141:8 143:22 149:1 152:25 153:21,24 154:4,7,15,17,23,25 155:2 159:1 162:3,8 MINIRENA 2:6,8,20 4:24 7:21 11:9,12 13:18 21:3,10 42:6
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21 102:11 liaise 163:24 licences 25:14 30:23 32:23 40:23 41:13	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 location 8:11:24 lodge 17:12 117:8 logic 72:10,11 long 12:12,15 19:13 39:8,11 44:21 45:17	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10 main 144:14 maintained 72:12 maintenance 22:16 major 119:18 majority 25:15 make 3:21 22:21 45:10,23 47:5,12	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1 155:1 160:19 161:18 meaning 30:22 70:16 70:18 73:13 means 5:19 14:7 30:24 47:12 51:15 54:14 93:17 145:25 152:5	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 midday 164:18 middle 80:14 mid-2012 30:23 might 95:8 125:5 127:12 145:11 161:5 million 55:7 59:6 mind 64:3 70:16 72:4 72:6 163:7 mine 9:12 16:5,5 30:14 44:23 65:25	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12 139:11 140:18 141:8 143:22 149:1 152:25 153:21,24 154:4,7,15,17,23,25 155:2 159:1 162:3,8 MINIRENA 2:68,20 4:24 7:21 11:9,12 13:18 21:3,10 42:6 49:1 100:17 101:15
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21 102:11 liaise 163:24 licences 25:14 30:23 32:23 40:23 41:13 42:7,21,24 43:12,24	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 locations 11:24 lodge 17:12 117:8 logic 72:10,11 long 12:12,15 19:13 39:8,11 44:21 45:17 74:6 78:1 83:18	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 main 129:10 main 144:14 maintained 72:12 maintenance 22:16 major 119:18 majority 25:15 make 3:21 22:21 45:10,23 47:5,12 58:3,4,24 63:1,6	$\begin{array}{c} 142:5\ 147:9\\ \textbf{maybe}\ 27:17\ 28:7\\ 42:2\ 88:5\ 100:10\\ 144:3,10,13\ 145:3\\ \textbf{mayor}\ 22:13\ 24:7,9,14\\ \textbf{McCARTHY}\ 2:7\\ \textbf{McGowan}\ 1:24\\ \textbf{mean}\ 49:17,18\ 56:19\\ 57:1,9\ 83:1\ 86:17\\ 111:20\ 129:8\\ 149:14\ 152:5\ 155:1\\ 155:1\ 160:19\\ 161:18\\ \textbf{meaning}\ 30:22\ 70:16\\ 70:18\ 73:13\\ \textbf{means}\ 5:19\ 14:7\ 30:24\\ 47:12\ 51:15\ 54:14\\ 93:17\ 145:25\ 152:5\\ 158:14\\ \end{array}$	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 midday 164:18 middle 80:14 mid-2012 30:23 might 95:8 125:5 127:12 145:11 161:5 million 55:7 59:6 mind 64:3 70:16 72:4 72:6 163:7 mine 9:12 16:5,5 30:14 44:23 65:25 66:1,4,10,11,15,17	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12 139:11 140:18 141:8 143:22 149:1 152:25 153:21,24 154:4,7,15,17,23,25 155:2 159:1 162:3,8 MINIRENA 2:68,20 4:24 7:21 11:9,12 13:18 21:3,10 42:6 49:1 100:17 101:15 103:9 151:6 162:1
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21 102:11 liaise 163:24 licences 25:14 30:23 32:23 40:23 41:13 42:7,21,24 43:12,24 47:14 50:18 53:20	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:5,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 locations 11:24 lodge 17:12 117:8 logic 72:10,11 long 12:12,15 19:13 39:8,11 44:21 45:17 74:6 78:1 83:18 140:12,13 146:20	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10 main 144:14 maintained 72:12 maintenance 22:16 major 119:18 majority 25:15 make 3:21 22:21 45:10,23 47:5,12 58:3,4,24 63:1,6 74:11 108:2 113:25	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1 155:1 160:19 161:18 meaning 30:22 70:16 70:18 73:13 means 5:19 14:7 30:24 47:12 51:15 54:14 93:17 145:25 152:5 158:14 meant 20:7 35:20	108:16 136:1 147:2 147:4,9,19 148:12 148:16 149:17,19 152:12 159:9 162:21 MICHELLE 2:7 mid 160:10 midday 164:18 middle 80:14 mid-2012 30:23 might 95:8 125:5 127:12 145:11 161:5 million 55:7 59:6 mind 64:3 70:16 72:4 72:6 163:7 mine 9:12 16:5,5 30:14 44:23 65:25 66:1,4,10,11,15,17 66:20,23 67:6 77:18	$\begin{array}{l} 121:1,4,8,10\ 122:2\\ 122:4,8,10,11,16,17\\ 122:17,18,23\ 123:6\\ 123:14\ 124:3,6,7\\ 125:3,10,19,25\\ 126:4,7,9,12,15\\ 127:12,14,21,24\\ 129:22\ 130:22\\ 135:2\ 137:11,12\\ 139:11\ 140:18\\ 141:8\ 143:22\ 149:1\\ 152:25\ 153:21,24\\ 154:4,7,15,17,23,25\\ 155:2\ 159:1\ 162:3,8\\ \textbf{MINIRENA}\ 2:6,8,20\\ \textbf{4}:24\ 7:21\ 11:9,12\\ 13:18\ 21:3,10\ 42:6\\ 49:1\ 100:17\ 101:15\\ 103:9\ 151:6\ 162:1\\ \textbf{MINIRENA's}\ 41:19\\ \end{array}$
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21 102:11 liaise 163:24 licences 25:14 30:23 32:23 40:23 41:13 42:7,21,24 43:12,24 47:14 50:18 53:20 54:9 56:11 59:12	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 locations 11:24 lodge 17:12 117:8 logic 72:10,11 long 12:12,15 19:13 39:8,11 44:21 45:17 74:6 78:1 83:18 140:12,13 146:20 149:5 152:25	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10 main 144:14 maintained 72:12 maintenance 22:16 major 119:18 majority 25:15 make 3:21 22:21 45:10,23 47:5,12 58:3,4,24 63:1,6 74:11 108:2 113:25 122:5 123:20 130:4	$\begin{array}{c} 142:5\ 147:9\\ \textbf{maybe}\ 27:17\ 28:7\\ 42:2\ 88:5\ 100:10\\ 144:3,10,13\ 145:3\\ \textbf{mayor}\ 22:13\ 24:7,9,14\\ \textbf{McCARTHY}\ 2:7\\ \textbf{McGowan}\ 1:24\\ \textbf{mean}\ 49:17,18\ 56:19\\ 57:1,9\ 83:1\ 86:17\\ 111:20\ 129:8\\ 149:14\ 152:5\ 155:1\\ 155:1\ 160:19\\ 161:18\\ \textbf{meaning}\ 30:22\ 70:16\\ 70:18\ 73:13\\ \textbf{means}\ 5:19\ 14:7\ 30:24\\ 47:12\ 51:15\ 54:14\\ 93:17\ 145:25\ 152:5\\ 158:14\\ \textbf{meant}\ 20:7\ 35:20\\ 62:24\ 76:3\ 119:5,7\\ \end{array}$	$\begin{array}{c} 108:16 \ 136:1 \ 147:2 \\ 147:4,9,19 \ 148:12 \\ 148:16 \ 149:17,19 \\ 152:12 \ 159:9 \\ 162:21 \\ \textbf{MICHELLE } 2:7 \\ \textbf{mid 160:10} \\ \textbf{midday } 164:18 \\ \textbf{mid-2012 } 30:23 \\ \textbf{might } 95:8 \ 125:5 \\ 127:12 \ 145:11 \\ 161:5 \\ \textbf{million } 55:7 \ 59:6 \\ \textbf{mind } 64:3 \ 70:16 \ 72:4 \\ 72:6 \ 163:7 \\ \textbf{mine } 9:12 \ 16:5,5 \\ 30:14 \ 44:23 \ 65:25 \\ 66:1,4,10,11,15,17 \\ 66:20,23 \ 67:6 \ 77:18 \\ 121:16 \ 123:10,12 \\ \end{array}$	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12 139:11 140:18 141:8 143:22 149:1 152:25 153:21,24 154:4,7,15,17,23,25 155:2 159:1 162:3,8 MINIRENA 2:68,20 4:24 7:21 11:9,12 13:18 21:3,10 42:6 49:1 100:17 101:15 103:9 151:6 162:1 MINIRENA's 41:19 minister 2:24 3:11
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21 102:11 liaise 163:24 licences 25:14 30:23 32:23 40:23 41:13 42:7,21,24 43:12,24 47:14 50:18 53:20 54:9 56:11 59:12 61:25 62:4 63:13,13	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 locations 11:24 lodge 17:12 117:8 logic 72:10,11 long 12:12,15 19:13 39:8,11 44:21 45:17 74:6 78:1 83:18 140:12,13 146:20 149:5 152:25 157:22 158:12	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10 main 144:14 maintained 72:12 maintenance 22:16 major 119:18 majority 25:15 make 3:21 22:21 45:10,23 47:5,12 58:3,4,24 63:1,6 74:11 108:2 113:25 122:5 123:20 130:4 145:11 147:23	$\begin{array}{c} 142:5\ 147:9\\ \textbf{maybe}\ 27:17\ 28:7\\ 42:2\ 88:5\ 100:10\\ 144:3,10,13\ 145:3\\ \textbf{mayor}\ 22:13\ 24:7,9,14\\ \textbf{McCARTHY}\ 2:7\\ \textbf{McGowan}\ 1:24\\ \textbf{mean}\ 49:17,18\ 56:19\\ 57:1,9\ 83:1\ 86:17\\ 111:20\ 129:8\\ 149:14\ 152:5\ 155:1\\ 155:1\ 160:19\\ 161:18\\ \textbf{meaning}\ 30:22\ 70:16\\ 70:18\ 73:13\\ \textbf{means}\ 5:19\ 14:7\ 30:24\\ 47:12\ 51:15\ 54:14\\ 93:17\ 145:25\ 152:5\\ 158:14\\ \textbf{meant}\ 20:7\ 35:20\\ 62:24\ 76:3\ 119:5,7\\ 132:18\ 136:17\\ \end{array}$	$\begin{array}{c} 108:16 \ 136:1 \ 147:2\\ 147:4,9,19 \ 148:12\\ 148:16 \ 149:17,19\\ 152:12 \ 159:9\\ 162:21\\ \textbf{MICHELLE } 2:7\\ \textbf{mid 160:10}\\ \textbf{middy } 164:18\\ \textbf{middle } 80:14\\ \textbf{mid-2012 } 30:23\\ \textbf{might } 95:8 \ 125:5\\ 127:12 \ 145:11\\ 161:5\\ \textbf{million } 55:7 \ 59:6\\ \textbf{mind } 64:3 \ 70:16 \ 72:4\\ 72:6 \ 163:7\\ \textbf{mine } 9:12 \ 16:5,5\\ 30:14 \ 44:23 \ 65:25\\ 66:1,4,10,11,15,17\\ 66:20,23 \ 67:6 \ 77:18\\ 121:16 \ 123:10,12\\ 124:17 \ 125:1,11,24\\ \end{array}$	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12 139:11 140:18 141:8 143:22 149:1 152:25 153:21,24 154:4,7,15,17,23,25 155:2 159:1 162:3,8 MINIRENA 2:6,8,20 4:24 7:21 11:9,12 13:18 21:3,10 42:6 49:1 100:17 101:15 103:9 151:6 162:1 MINIRENA's 41:19 minister 2:24 3:11 42:16 43:12 44:4,5
50:11,14 55:15 56:22,23 57:8,22 60:16 62:7,8 63:3 63:13 70:9,24 76:12 80:8 83:10 84:14 96:23 118:4 119:9 150:16 let's 4:4 28:9 47:2 48:15 62:8 64:6 67:23 69:7 70:14 71:4 76:16 114:15 122:4 123:4 level 3:19 4:5 13:21 102:11 liaise 163:24 licences 25:14 30:23 32:23 40:23 41:13 42:7,21,24 43:12,24 47:14 50:18 53:20 54:9 56:11 59:12 61:25 62:4 63:13,13 67:16 68:2 70:22	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 locations 11:24 lodge 17:12 117:8 logic 72:10,11 long 12:12,15 19:13 39:8,11 44:21 45:17 74:6 78:1 83:18 140:12,13 146:20 149:5 152:25 157:22 158:12 159:18	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10 main 144:14 maintained 72:12 maintenance 22:16 major 119:18 majority 25:15 make 3:21 22:21 45:10,23 47:5,12 58:3,4,24 63:1,6 74:11 108:2 113:25 122:5 123:20 130:4 145:11 147:23 156:14 159:24	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1 155:1 160:19 161:18 meaning 30:22 70:16 70:18 73:13 means 5:19 14:7 30:24 47:12 51:15 54:14 93:17 145:25 152:5 158:14 meant 20:7 35:20 62:24 76:3 119:5,7 132:18 136:17 141:14	$\begin{array}{c} 108:16 \ 136:1 \ 147:2\\ 147:4,9,19 \ 148:12\\ 148:16 \ 149:17,19\\ 152:12 \ 159:9\\ 162:21\\ \textbf{MICHELLE} \ 2:7\\ \textbf{mid} \ 160:10\\ \textbf{midday} \ 164:18\\ \textbf{middle} \ 80:14\\ \textbf{mid-2012} \ 30:23\\ \textbf{might} \ 95:8 \ 125:5\\ 127:12 \ 145:11\\ 161:5\\ \textbf{million} \ 55:7 \ 59:6\\ \textbf{mind} \ 64:3 \ 70:16 \ 72:4\\ 72:6 \ 163:7\\ \textbf{mine} \ 9:12 \ 16:5,5\\ 30:14 \ 44:23 \ 65:25\\ 66:1,4,10,11,15,17\\ 66:20,23 \ 67:6 \ 77:18\\ 121:16 \ 123:10,12\\ 124:17 \ 125:1,11,24\\ 138:6 \ 140:15\\ \end{array}$	121:1,4,8,10 122:2 122:4,8,10,11,16,17 122:17,18,23 123:6 123:14 124:3,6,7 125:3,10,19,25 126:4,7,9,12,15 127:12,14,21,24 129:22 130:22 135:2 137:11,12 139:11 140:18 141:8 143:22 149:1 152:25 153:21,24 154:4,7,15,17,23,25 155:2 159:1 162:3,8 MINIRENA 2:6,8,20 4:24 7:21 11:9,12 13:18 21:3,10 42:6 49:1 100:17 101:15 103:9 151:6 162:1 MINIRENA's 41:19 minister 2:24 3:11 42:16 43:12 44:4,5 45:4 48:5 56:24
$\begin{array}{c} 50:11,14\ 55:15\\ 56:22,23\ 57:8,22\\ 60:16\ 62:7,8\ 63:3\\ 63:13\ 70:9,24\ 76:12\\ 80:8\ 83:10\ 84:14\\ 96:23\ 118:4\ 119:9\\ 150:16\\ \textbf{let's } 4:4\ 28:9\ 47:2\\ 48:15\ 62:8\ 64:6\\ 67:23\ 69:7\ 70:14\\ 71:4\ 76:16\ 114:15\\ 122:4\ 123:4\\ \textbf{level } 3:19\ 4:5\ 13:21\\ 102:11\\ \textbf{liaise } 163:24\\ \textbf{licences } 25:14\ 30:23\\ 32:23\ 40:23\ 41:13\\ 42:7,21,24\ 43:12,24\\ 47:14\ 50:18\ 53:20\\ 54:9\ 56:11\ 59:12\\ 61:25\ 62:4\ 63:13,13\\ 67:16\ 68:2\ 70:22\\ 78:19\ 79:7\ 82:19\\ \end{array}$	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 locations 11:24 lodge 17:12 117:8 logic 72:10,11 long 12:12,15 19:13 39:8,11 44:21 45:17 74:6 78:1 83:18 140:12,13 146:20 149:5 152:25 157:22 158:12 159:18 longer 39:18 43:23	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10 main 144:14 maintained 72:12 maintenance 22:16 major 119:18 majority 25:15 make 3:21 22:21 45:10,23 47:5,12 58:3,4,24 63:1,6 74:11 108:2 113:25 122:5 123:20 130:4 145:11 147:23 156:14 159:24 makes 77:12	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1 155:1 160:19 161:18 meaning 30:22 70:16 70:18 73:13 means 5:19 14:7 30:24 47:12 51:15 54:14 93:17 145:25 152:5 158:14 meant 20:7 35:20 62:24 76:3 119:5,7 132:18 136:17 141:14 measures 124:14	$\begin{array}{c} 108:16 \ 136:1 \ 147:2\\ 147:4,9,19 \ 148:12\\ 148:16 \ 149:17,19\\ 152:12 \ 159:9\\ 162:21\\ \textbf{MICHELLE} \ 2:7\\ \textbf{mid} \ 160:10\\ \textbf{midday} \ 164:18\\ \textbf{midle} \ 80:14\\ \textbf{mid-2012} \ 30:23\\ \textbf{might} \ 95:8 \ 125:5\\ 127:12 \ 145:11\\ 161:5\\ \textbf{million} \ 55:7 \ 59:6\\ \textbf{mind} \ 64:3 \ 70:16 \ 72:4\\ 72:6 \ 163:7\\ \textbf{mine} \ 9:12 \ 16:5,5\\ 30:14 \ 44:23 \ 65:25\\ 66:1,4,10,11,15,17\\ 66:20,23 \ 67:6 \ 77:18\\ 121:16 \ 123:10,12\\ 124:17 \ 125:1,11,24\\ 138:6 \ 140:15\\ 141:15 \ 142:6,12,13\\ \end{array}$	$\begin{array}{c} 121:1,4,8,10 \ 122:2\\ 122:4,8,10,11,16,17\\ 122:17,18,23 \ 123:6\\ 123:14 \ 124:3,6,7\\ 125:3,10,19,25\\ 126:4,7,9,12,15\\ 127:12,14,21,24\\ 129:22 \ 130:22\\ 135:2 \ 137:11,12\\ 139:11 \ 140:18\\ 141:8 \ 143:22 \ 149:1\\ 152:25 \ 153:21,24\\ 154:4,7,15,17,23,25\\ 155:2 \ 159:1 \ 162:3,8\\ \textbf{MINIRENA 2:}6,8,20\\ 4:24 \ 7:21 \ 11:9,12\\ 13:18 \ 21:3,10 \ 42:6\\ 49:1 \ 100:17 \ 101:15\\ 103:9 \ 151:6 \ 162:1\\ \textbf{MINIRENA's 41:19}\\ \textbf{minister 2:}24 \ 3:11\\ 42:16 \ 43:12 \ 44:4,5\\ 45:4 \ 48:5 \ 56:24\\ 58:8,10,19 \ 59:10,21\\ \end{array}$
$\begin{array}{c} 50:11,14\ 55:15\\ 56:22,23\ 57:8,22\\ 60:16\ 62:7,8\ 63:3\\ 63:13\ 70:9,24\ 76:12\\ 80:8\ 83:10\ 84:14\\ 96:23\ 118:4\ 119:9\\ 150:16\\ \textbf{let's}\ 4:4\ 28:9\ 47:2\\ 48:15\ 62:8\ 64:6\\ 67:23\ 69:7\ 70:14\\ 71:4\ 76:16\ 114:15\\ 122:4\ 123:4\\ \textbf{level}\ 3:19\ 4:5\ 13:21\\ 102:11\\ \textbf{liaise}\ 163:24\\ \textbf{licences}\ 25:14\ 30:23\\ 32:23\ 40:23\ 41:13\\ 42:7,21,24\ 43:12,24\\ 47:14\ 50:18\ 53:20\\ 54:9\ 56:11\ 59:12\\ 61:25\ 62:4\ 63:13,13\\ 67:16\ 68:2\ 70:22\\ 78:19\ 79:7\ 82:19\\ 83:13,16,25\ 84:8,9\\ \end{array}$	little 100:4 141:2 142:18 144:6 live 121:3,6 122:6 123:11,15,21 124:9 126:16 164:5 lived 127:25 living 142:13 143:3 LLC 1:15,16 2:4 LLP 2:3,3,7,7,8,8 local 123:12 128:2 locales 23:15 locate 40:12 location 8:5 16:1 location 8:5 16:1 location 8:11:24 lodge 17:12 117:8 logic 72:10,11 long 12:12,15 19:13 39:8,11 44:21 45:17 74:6 78:1 83:18 140:12,13 146:20 149:5 152:25 157:22 158:12 159:18 longer 39:18 43:23 55:5,10 57:5 67:2	39:3 42:11 54:7 57:16 62:17 63:17 63:25 64:4 71:14 75:4 78:1 80:10 82:23,24 83:18 84:17 88:11 89:8 90:8,14,16,20 126:25 128:21 136:1 144:14 155:25 156:12 160:13 163:6 mail 129:10 main 144:14 maintained 72:12 maintenance 22:16 major 119:18 majority 25:15 make 3:21 22:21 45:10,23 47:5,12 58:3,4,24 63:1,6 74:11 108:2 113:25 122:5 123:20 130:4 145:11 147:23 156:14 159:24	142:5 147:9 maybe 27:17 28:7 42:2 88:5 100:10 144:3,10,13 145:3 mayor 22:13 24:7,9,14 McCARTHY 2:7 McGowan 1:24 mean 49:17,18 56:19 57:1,9 83:1 86:17 111:20 129:8 149:14 152:5 155:1 155:1 160:19 161:18 meaning 30:22 70:16 70:18 73:13 means 5:19 14:7 30:24 47:12 51:15 54:14 93:17 145:25 152:5 158:14 meant 20:7 35:20 62:24 76:3 119:5,7 132:18 136:17 141:14 measures 124:14 128:5	$\begin{array}{c} 108:16 \ 136:1 \ 147:2\\ 147:4,9,19 \ 148:12\\ 148:16 \ 149:17,19\\ 152:12 \ 159:9\\ 162:21\\ \textbf{MICHELLE } 2:7\\ \textbf{mid } 160:10\\ \textbf{midday } 164:18\\ \textbf{middle } 80:14\\ \textbf{mid-2012 } 30:23\\ \textbf{might } 95:8 \ 125:5\\ 127:12 \ 145:11\\ 161:5\\ \textbf{million } 55:7 \ 59:6\\ \textbf{mind } 64:3 \ 70:16 \ 72:4\\ 72:6 \ 163:7\\ \textbf{mine } 9:12 \ 16:5,5\\ 30:14 \ 44:23 \ 65:25\\ 66:1,4,10,11,15,17\\ 66:20,23 \ 67:6 \ 77:18\\ 121:16 \ 123:10,12\\ 124:17 \ 125:1,11,24\\ 138:6 \ 140:15\\ 141:15 \ 142:6,12,13\\ 142:25 \ 143:5\\ \end{array}$	$\begin{array}{c} 121:1,4,8,10 \ 122:2\\ 122:4,8,10,11,16,17\\ 122:17,18,23 \ 123:6\\ 123:14 \ 124:3,6,7\\ 125:3,10,19,25\\ 126:4,7,9,12,15\\ 127:12,14,21,24\\ 129:22 \ 130:22\\ 135:2 \ 137:11,12\\ 139:11 \ 140:18\\ 141:8 \ 143:22 \ 149:1\\ 152:25 \ 153:21,24\\ 154:4,7,15,17,23,25\\ 155:2 \ 159:1 \ 162:3,8\\ \textbf{MINIRENA } 2:6,8,20\\ 4:24 \ 7:21 \ 11:9,12\\ 13:18 \ 21:3,10 \ 42:6\\ 49:1 \ 100:17 \ 101:15\\ 103:9 \ 151:6 \ 162:1\\ \textbf{MINIRENA's} \ 41:19\\ \textbf{minister } 2:24 \ 3:11\\ 42:16 \ 43:12 \ 44:4,5\\ 45:5 \ 48:5 \ 56:24\\ 58:8,10,19 \ 59:10,21\\ 61:11 \ 62:10,24\\ \end{array}$

Anne-Marie Stallard for Trevor McGowan Page 7

Tuesday, 29 June 2021

70:5,17 71:20 72:2	moment 40:12 82:8	121:7	74:23 81:15 91:17	144:14 146:8 160:1	138:23 139:25
72:25 73:3,10,19	92:5 109:22 123:24	necessary 34:6 45:20	110:11 130:14	numerous 102:12	145:16 146:25
74:15 78:12,17,22	124:19	90:4,6 109:10 111:8	never 2:18 6:7 7:9,23	Nyatubindi 17:8	151:5 152:2 154:20
	money 8:4 122:5	148:21	-		
79:1,3,10,18 80:6			8:23 9:5 10:12	18:19,25 21:4,12,18	157:17 158:2
80:14 81:3,11,23	123:20 124:6,9,13	necessity 41:8 43:17	13:10 17:6 19:2	22:1,10,14,24	159:24 161:3
83:20 84:13,16,19	125:2	need 2:7 15:2 28:10	29:24 30:16,18		old 5:20 32:16
84:23 85:1,7 87:15	month 78:9	33:22 39:15 42:21	62:15,23 69:22	0	once 150:23 163:17
87:19 88:4,15,21	monthly 144:8	44:23 46:11,24	112:15	obligation 4:2 26:18	one 3:23 4:3 5:18,22
89:14 90:16 91:25	months 29:14 30:2,22	61:19 68:13 84:7	nevertheless 63:20	27:4,10,22 114:13	6:3,6,6,17,19 9:16
92:19,20 107:18	31:15 42:13,15,17	91:8 93:6,17 99:9	66:17,22 67:6 70:4	134:21	12:24 16:3 17:23,24
132:6 134:17 135:2	43:3 61:13 62:5	109:23 110:18,25	108:18	obligations 3:16 4:3	17:25 18:10 19:15
136:23 137:10	77:25 135:14 150:2	111:2,15 114:11	new 16:5 62:2 69:7,8	15:20 26:14 44:19	23:8 31:7,16 32:16
139:4 144:2 151:18	more 3:5 29:18 35:12	122:5 124:9,12	70:19 71:22,24,25	45:4,15 47:3 57:17	35:21 40:12 41:17
152:9	37:2 38:10 40:6	126:11 142:24	72:4 73:25 74:21,22	'	41:20 42:5 45:6
ministers 76:2	52:16,20 54:3 56:18	150:11,12 155:6	80:2 82:15 86:24,25	60:18,21 113:9	46:21 52:10 59:12
minister's 56:10 57:12	58:14 59:12,24	needed 7:18 28:24	87:17 89:11 90:10	114:12,16	59:23 60:4,12,19
	· · · · · ·			observations 84:17	
72:4,6,11 89:9,13	60:12 61:13 63:13	35:9 42:24 45:15	92:19 96:17 104:13	OBSERVERS 2:10	61:25 63:13,13 69:1
ministry 2:25 10:17	63:14 75:3 78:9	46:21 51:14 96:17	110:16 111:16,25	obtain 121:25	76:17 79:7 80:16
40:18 42:14 43:2,16	79:1,7,11 93:7,8	106:18,23 117:2	113:18 114:4,9,10	obtained 17:5 31:13	83:10 89:1,1,23
43:25 47:20 49:17	95:4 96:21 97:7,13	124:25 125:2	114:12,15,16,23	149:3	90:2 92:5 94:21
52:11,17 53:17,23	97:24 99:23 101:13	126:16	115:4,24 116:17	obtaining 122:10	96:21 97:7,12,24,25
54:7,11,21 55:10,15	101:17 102:3	needing 41:23	124:18 127:1	obviously 105:19	99:23,23 101:13,17
55:19,24 57:16,18	103:12,24 104:4	NEEDLE 2:8	140:13	146:1.8	102:3 103:12,24
57:20 59:14 62:16	113:14 116:19	needs 46:2,23 49:23	next 4:4 18:6,19 19:23	occasions 85:6	104:4 105:18,22
63:17,25 64:1,3,16	117:16,22 118:11	99:3 118:3	21:21 35:1 43:7	occur 53:14 85:24	106:19,21,24 107:8
65:15,24,25 66:4,12	130:4 145:3 150:14	negotiate 44:17 45:13	78:14 79:11 88:12	96:22 121:2	107:10,11 108:8,10
66:14,15,19,24 67:4	155:3,10 159:14	45:14,18 46:16,20	89:25 92:9 93:9		113:14 115:1,7
67:14,20 71:1,2,22	161:3	47:2,8,11,13 48:9	108:9 124:25	occurred 34:15 73:2	117:16 119:15,18
72:15,19 75:1,16	morning 146:16	48:22 51:22 52:19	125:11 145:16	91:22 92:8 93:1	120:15 124:20
76:21,25 77:14,17	Morris 2:3,3	53:5,19,24 54:8	NICOLE 2:13	94:9 100:9 106:9	125:9 131:14
	most 15:9,12 123:15	55:21 56:7 57:18	Nobody 24:3	occurring 73:17 92:15	
77:22 82:5 83:18	· · · · · · · · · · · · · · · · · · ·		v	119:20 120:4,13,19	132:12 133:10
85:10,21,22 86:23	154:15,17,24 155:5	59:23 60:1,4,19	none 30:5	October 78:7 82:20	134:5 135:11 136:8
87:4 88:6 90:7,13	155:10	63:5,8 67:25 68:2	non-exhaustive 7:8	83:11,12 84:3 91:6	136:10 138:16
90:17 91:6,14 98:22	mostly 119:19 144:9	80:9,17 81:12,14	noon 164:21	95:15 106:9,18	139:23 145:19
99:11 101:12 102:1	move 28:9,10 52:11,13	85:5 89:10 90:20	normal 29:9 159:19	107:14 116:25	148:22 150:11
102:6,23 104:20	54:11 64:1 89:6	91:14,15 97:12,13	note 137:3	117:15 139:1,21,25	154:10 156:2,21
107:6 111:21 112:7	94:19,20 99:4	97:24 100:18	Noted 61:23	141:9 157:24	157:13 158:1
117:12 120:2,11	moved 131:23,24	101:12,16 102:2	notes 139:2	158:11	ones 135:17 154:5
127:21 131:3 133:3	much 25:25 28:19,21	103:10,14,21,25	nothing 1:8 55:23	off 7:18 22:6 50:10	ongoing 63:4 70:19,21
134:3,22,24 135:1,5	29:18 57:21 64:10	104:6,17 107:8	56:14 64:5 71:24,25	57:3 82:5 95:22	only 3:4 5:21,22 6:16
137:2,5,25 139:10	72:21 74:25 101:2	negotiated 2:15 74:1,2	72:20 77:13 147:15		6:19,25 7:4 11:21
139:23 140:9	108:3 130:13 144:5	74:22 85:15 104:19	163:20	98:10 127:11 145:17 158:21	12:14 17:14,19,22
141:13,18 144:17	145:5 147:16	153:1	notice 56:5 66:25		29:10 35:16 39:12
144:23 162:6,12	162:21	negotiating 44:25	noticed 68:20	159:25	40:6 49:18 52:3
ministry's 71:9 77:9	MUGENZI 2:19	63:10 81:5 82:5	notified 68:22	offer 75:1 76:3 107:9	53:6 55:25 58:5
				offered 11:11	
minority 133:6	MUKARUTABANA	91:17,20 102:13,17	notionally 145:25	office 2:11,12,13,14	59:25 61:25 64:20
minute 25:1 61:6	2:20	negotiation 54:19	notwithstanding	109:21 110:24	66:23 70:20 71:12
77:20 86:16 119:16	must 23:8 49:13 65:24	67:10 75:2 79:4	141:15	111:1,13 112:13,15	74:3,23 75:13 77:11
150:15	70:17 84:11 105:19	81:24 84:20 87:19	November 1:18 21:10	112:20,21 119:3	78:11,20 79:1 85:13
minutes 39:25 95:8	126:19	153:8	40:19 41:14,19	129:14 130:15	85:14,23,25 90:22
108:4	mute 5:12	negotiations 47:16	63:18 70:2 73:7,18	161:13	93:11,19 96:20,23
miserably 105:24	myself 6:14 20:2 24:7	52:12,15,22 54:11	74:14 90:23 96:24	offices 109:13 110:11	97:8 99:6 102:14
mispronounced 73:14	50:12 72:18 73:16	54:13,18 59:12	97:8,15 118:18	110:11 111:3 112:1	105:21 127:8 133:1
misrepresentation	91:2 111:21 151:11	62:14 68:4 79:22	150:8,22 157:22	129:11 130:14,16	134:3 135:25
158:24		80:7,11,24 81:12	nowhere 44:4	161:8	137:20 138:16
missed 7:15	N	84:18,24 85:2,23,24	NRD's 9:18 10:4,15	okay 1:11 2:18 6:2	146:2
mission 10:3,4,5 21:13	name 159:25	87:8,16,17,23 88:16	11:17 16:24 19:8	11:20 12:1 15:15	onto 1:24 35:1 155:21
69:12 136:13,14	named 54:6	88:22 89:1,19,25	25:25 27:19 48:6	26:5 27:7 28:9 43:7	open 72:3 99:2 117:17
misspoke 101:7		90:18 91:12 92:13	74:3 91:5 114:7		opening 149:17
mistake 9:6	names 53:25	92:16,18 94:13	128:6 148:20	45:6 47:21 52:11	operate 53:20 54:9,25
mitigation 18:6,18	NARCISSE 2:9	95:16,18 96:21 97:7	150:25 151:3 152:4	53:9,24 58:17 61:22	56:12 63:19 66:1,15
0	narrow 108:2	-		65:3 66:9 70:14	-
21:11	National 148:20,25	99:2,4 128:12	155:24 156:11	73:22 86:7 91:1	66:20,22 67:5,6,16
	149:9	negotiators 86:25	number 4:8 9:10 14:3	92:5 94:11 97:4	68:3,10,21 70:6
mix 122:20		noignnoiiring 1/3·/	19:25 21:19 23:9	102:21 107:13	77:3,18,23 78:2,6
model 143:9	Natural 63:24 148:1	neighbouring 143:4		102.21 107.13	
model 143:9 modelling 15:5	Natural 63:24 148:1 nature 46:5 98:3	Nemba 18:18,24 54:5	45:6 92:6 114:25	110:6 117:13	81:6 107:19 114:3
model 143:9 modelling 15:5 modern 143:13		Nemba 18:18,24 54:5 54:14,22 55:15	45:6 92:6 114:25 115:2 116:18,20		81:6 107:19 114:3 114:20 115:13
model 143:9 modelling 15:5	nature 46:5 98:3	Nemba 18:18,24 54:5	45:6 92:6 114:25	110:6 117:13	81:6 107:19 114:3

Anne-Marie Stallard for Trevor McGowan Page 8

Tuesday, 29 June 2021

124:20,24 125:9	115:7,8,9 127:13,17	pages 5:10 12:2,3,4,7	123:8,11,17 124:2,8	19:10,16 20:10	108:3 128:9
128:10 129:12	127:22 128:7 131:6	12:11,15,20,25 13:4	125:7,24 126:16	148:21	post-hearing 163:8,25
141:10,21 154:7	136:10 137:15	18:11,13,15,16	127:14,18 128:2	planted 18:24	164:3,11
160:4	144:12 146:22	19:13,23,25 34:17	129:14 134:10	plants 7:13 16:6,7	potential 36:8 71:11
operated 17:7 40:23	154:6 155:10 159:9	35:4,12 37:24	140:6 142:25 143:3	143:12	92:13
66:5 77:22 78:3	159:16 160:8	117:17 157:3,4,7	143:3 144:10,12	play 42:25	power 141:18
124:8 162:7	others 21:20 70:6	paid 125:1,25 142:15	per 145:25	pleadings 164:15	practical 125:15
operating 53:5 63:20	155:12 159:23	143:20 144:8,15	perception 145:2	please 1:9,16 5:7 9:1	practice 72:11 122:4
. 0	160:13	-		-	-
65:18 66:17 68:5		paper 61:5	perfectly 55:3,9 65:13	10:7 12:5 17:16	preceded 97:19,20
78:19 80:1 82:14,22	otherwise 41:14	paragraph 1:16,17,24	75:23	18:14 19:21 22:5	precise 56:18 146:8
83:7,19,21,24 84:11	other's 151:13	4:1,6 9:9 10:20	perform 3:14 11:13	26:15 37:6,6,22	predecessor 40:16
96:6,8 107:4 109:18	ourselves 62:13	13:15,15 17:2 20:9	55:20 58:11	42:1 48:24 51:10,11	51:21 59:21,25
125:12 126:20	out 4:1,25 5:13 6:16	24:18,20 25:2,19	perhaps 51:4 101:7	51:15,18 52:14	60:24 61:11 62:1
128:3 136:15	13:20 14:13 36:18	28:14 30:20 80:14	141:4 149:16 156:3	54:16 60:1,3 61:2,9	69:4,20,24 71:8
137:24 138:8 140:6	39:5 50:3 73:23	82:11 105:8,10,15	159:13 163:4	61:21 65:8 68:15	72:25 73:3,19 74:20
140:10 142:7 162:2	76:23 78:7 94:4	106:1,2,6 130:5	perimeters 3:22	69:6 71:4 72:24	76:7 91:11 107:7
162:16	100:15 103:11	131:10 141:4,7	period 31:14 33:10	73:1 75:6 77:7,10	predominate 59:2
operating/in 161:20	110:10 111:6	147:21,23 152:11	39:11 41:4,10 56:19	81:11 83:22 84:5	preface 76:19
operational 7:9,10	113:18 114:14	153:10 155:19	68:23 78:5 80:8	86:20 87:12,15,21	prefacing 93:18
16:7 33:22	119:5 121:13,23	158:1,4	84:8,15 85:3 101:25	88:9,12,18 89:16	preliminary 6:10,11
operations 119:6,12	124:2 126:11 127:2	paragraphs 11:23	110:7 111:22,23	93:4 95:2 98:3,14	9:8,15 44:13 47:12
119:13 123:6 128:7	127:6,10,11,17	129:17	114:21 119:17,23	103:2 105:11 106:1	153:15
160:17	162:15 163:17	paralegal 2:23	130:8 137:23 154:7	106:21 109:6	preparations 85:18,19
operator 65:25 66:6	outcome 92:4	parameters 41:24	160:10 161:20	111:10 112:4	prepare 110:15,24
66:11,16,19,21	outline 146:18	44:20	162:13	114:19 115:15,25	111:16
122:10 123:7,20	outside 14:23	part 21:9 34:7 46:23	periods 18:21 159:18	116:22 120:10,25	prepared 36:7 40:2
122:10 125:7,20	over 7:20 8:1 12:18	76:24 91:21 107:10	permanent 144:7	121:22 124:1 126:3	59:17 65:14 87:5
126:1,5,9 137:11,15	18:6,16,19 38:21	110:15 132:24	permission 67:6	127:16 129:3,18	89:10 90:17,19
120.1,5,9 137.11,15	84:19 85:18 97:6	152:8,12 158:25	140:16	130:3 131:10 137:9	93:15 96:13 97:24
	110:19 117:2	-			
operators 124:18		161:6	permit 66:24 110:4 126:9 148:21 149:2	138:7,10,14 139:7	100:17 101:12
129:22	118:23 119:1,6,12	participate 34:21		139:16 147:10,12	102:6 103:10
opinions 49:12	124:25 125:11,18	128:25 132:25	149:3	148:15,16 149:20	157:10,15 159:5
opportunity 16:22	126:20 128:12,19	particular 66:20	permits 149:4	157:5	preparing 110:17
50:5 57:18 62:12,21	146:1 161:18	104:5 121:3	permitted 32:23	pleased 16:4	151:5
67:19,21,25 68:2	oversee 126:1	particularly 163:7	125:21 126:5	pm 1:3,12 50:23,25	present 29:20 98:22
85:5,7 113:12	oversight 158:17	parties 2:9 3:16,18	128:10 140:4	108:5,6,7 140:25	146:15
117:21 118:2	Overspeaking 32:13	21:19 22:23 44:19	permitting 135:22	145:13,15 147:1,17	presentation 40:25
131:11 146:13,18	overwhelming 25:15	45:12 47:18 48:12	perplexed 90:15	148:10 164:20	presented 146:19
131:11 146:13,18 opposite 8:1 84:10	overwhelming 25:15 own 24:4 66:15 67:2	45:12 47:18 48:12 51:21 52:1,4 60:14	perplexed 90:15 person 12:5 126:14	148:10 164:20 point 4:3,8 5:13 14:3	presented 146:19 150:6
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18	perplexed 90:15 person 12:5 126:14 131:17,19 133:1	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7	presented 146:19 150:6 President 1:4,7,9
131:11 146:13,18 opposite 8:1 84:10	overwhelming 25:15 own 24:4 66:15 67:2	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3	perplexed 90:15 person 12:5 126:14	148:10 164:20 point 4:3,8 5:13 14:3	presented 146:19 150:6
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18	perplexed 90:15 person 12:5 126:14 131:17,19 133:1	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7	presented 146:19 150:6 President 1:4,7,9
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 108:25
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 108:25
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 pass 28:19 passed 28:18 29:17	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 pass 28:19 passed 28:18 29:17 46:10 49:4	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 pass 28:19 passed 28:18 29:17 46:10 49:4 passes 49:23	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 141:2,17,20 142:4 145:21 145:21 146:11,24 147:3,7,9,16
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 pass 28:19 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 pick 51:19	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:11 145:7,11,16 145:21 145:21 146:11,24 147:3,79,16 162:25 163:3,12,19 162:20
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 pick 51:19 picked 20:12 72:13	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3	$\begin{array}{c} \textbf{presented} \ 146:19\\ 150:6\\ \textbf{President} \ 1:4,7,9\\ 38:19 \ 39:1,24 \ 40:2\\ 49:8 \ 50:9,21 \ 51:1,3\\ 51:7,9 \ 56:17 \ 68:15\\ 75:18,22 \ 76:1 \ 98:13\\ 103:2 \ 107:22 \ 108:4\\ 108:25 \ 109:3,4,6\\ 141:2,17,20 \ 142:4\\ 142:11 \ 145:7,11,16\\ 145:21 \ 146:11,24\\ 147:3,7,9,16 \ 162:20\\ 162:25 \ 163:3,12,19\\ 163:23 \ 164:1,9\\ \end{array}$
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 pick 51:19 picked 20:12 72:13 piece 163:5	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24 147:3,7,9,16 162:20 163:23 164:1,9 pressure 43:23 163:23 164:1,9
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 pick 51:19 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24 147:3,7,9,16 162:25 163:3,12,19 163:23 164:1,9 presure 43:23 prevail 136:18
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5 o'clock 51:4	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 pick 51:19 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2 121:8 124:14	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24 147:3,7,9,16 162:20 163:23 164:1,9 pressure 43:23 pervait 136:18 prevent 109:18 126:12
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owning 132:13 154:5 o'clock 51:4 <u>P</u>	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16 86:21 93:8,10 96:14	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2 121:8 124:14 137:14,15	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:19 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24 147:3,7,9,16 162:20 162:25 163:3,12,19 163:23 164:1,9 pressure 43:23 prevent 109:18 126:12 127:18,24
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15 108:16,17,18,21	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5 o'clock 51:4 <u>P</u> Pact 129:19 130:6,11	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16 86:21 93:8,10 96:14 106:4 116:23	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 pick 51:19 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2 121:8 124:14 137:14,15 placement 93:12	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14 73:25 75:1 89:9,13	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:11 145:7,11,16 145:21 145:21 146:11,24 147:3,7,9,16 162:25 163:3,12,19 163:23 163:23 164:1,9 pressure 123:164:1,9 presure 43:23 prevent 109:18 126:12 127:18,24 prevented 60:13
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15 108:16,17,18,21 116:15 154:21	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5 o'clock 51:4 <u>P</u> Pact 129:19 130:6,11 131:6,15 136:16	$\begin{array}{c} 45:12 \ 47:18 \ 48:12\\ 51:21 \ 52:1,4 \ 60:14\\ 69:1 \ 70:2 \ 134:14,18\\ 146:9 \ 163:24 \ 164:3\\ 164:14\\ \textbf{partly} \ 161:22\\ \textbf{partner} \ 25:7,9 \ 27:3\\ 32:7\\ \textbf{party} \ 2:10 \ 2:15 \ 14:14\\ \textbf{pass} \ 28:19\\ \textbf{passed} \ 28:18 \ 29:17\\ 46:10 \ 49:4\\ \textbf{passed} \ 28:18 \ 29:17\\ 46:10 \ 49:4\\ \textbf{passed} \ 20:2 \ 22:7 \ 25:3\\ \textbf{36:15} \ 40:14 \ 51:16\\ 61:8 \ 72:24 \ 79:16\\ 86:21 \ 93:8,10 \ 96:14\\ 106:4 \ 116:23\\ 117:18 \ 129:17\\ \end{array}$	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 pick 51:19 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2 121:8 124:14 137:14,15 placement 93:12 plainly 12:15	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14 73:25 75:1 89:9,13 102:17 106:23	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:21 145:7,11,16 145:21 145:21 146:11,24 147:3,7,9,16 162:25 163:3,12,19 163:23 163:23 164:1,9 pressure 91 91:36:18 prevent 109:18 126:12 127:18,24 127:18,24 prevented 60:13 91 previous 49:6 60:25
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15 108:16,17,18,21 116:15 154:21 other 4:3 11:23,24	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5 o'clock 51:4 <u>P</u> Pact 129:19 130:6,11 131:6,15 136:16 page 3:2 4:4 6:13 7:4	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16 86:21 93:8,10 96:14 106:4 116:23 117:18 129:17 131:12 152:15	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 pick 51:19 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2 121:8 124:14 137:14,15 placement 93:12 plainly 12:15 plan 13:8 18:6 31:19	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14 73:25 75:1 89:9,13 102:17 106:23 110:2 117:7 118:16	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 141:2,17,20 142:4 142:11 145:21 146:11,24 147:3,7,9,16 162:25 163:3,12,19 163:23 163:23 164:1,9 pressure 9revail 136:18 prevent 9revent 109:18 126:12 127:18,24 previous 49:6 91:12,25 62:6 63:3
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15 108:16,17,18,21 116:15 154:21 other 4:3 11:23,24 15:21 17:10 18:21	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5 o'clock 51:4 P Pact 129:19 130:6,11 131:6,15 136:16 page 3:2 4:4 6:13 7:4 11:15,16 18:4,11,12	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passed 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16 86:21 93:8,10 96:14 106:4 116:23 117:18 129:17 131:12 152:15 payment 124:4 143:1	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 picke 51:19 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2 121:8 124:14 137:14,15 placement 93:12 planly 12:15 plan 13:8 18:6 31:19 31:20 39:15	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14 73:25 75:1 89:9,13 102:17 106:23 110:2 117:7 118:16 140:2 160:23	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:11 145:7,11,16 145:21 145:21 146:11,24 147:3,79,16 162:25 163:3,12,19 163:23 163:23 164:1,9 pressure 91:03:23 164:1,9 prevent 109:18 126:12 127:18,24 127:18,24 prevented 60:13 91:00:14 49:6 60:25 61:12,25 62:6 63:3 147:3 152:2 147:3
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15 108:16,17,18,21 116:15 154:21 other 4:3 11:23,24 15:21 17:10 18:21 37:14 48:4,18 54:3	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5 o'clock 51:4 <u>P</u> Pact 129:19 130:6,11 131:6,15 136:16 page 3:2 4:4 6:13 7:4	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16 86:21 93:8,10 96:14 106:4 116:23 117:18 129:17 131:12 152:15 payment 124:4 143:1 PC 1:11	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 picked 20:12 72:13 picked 20:12 72	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14 73:25 75:1 89:9,13 102:17 106:23 110:2 117:7 118:16 140:2 160:23 positive 137:2,8	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24 145:21 146:11,24 147:3,79,16 162:20 163:23 164:1,9 pressure 43:23 prevail 136:18 prevent 109:18 126:12 127:18,24 prevented 60:25 61:12,25 62:6 63:3 147:3 152:2 previous 49:6 60:25 61:12,25 62:6 63:3 147:3 152:2 previously 81:11 147:3 152:2
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15 108:16,17,18,21 116:15 154:21 other 4:3 11:23,24 15:21 17:10 18:21 37:14 48:4,18 54:3 57:2 65:14 70:22	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5 o'clock 51:4 P Pact 129:19 130:6,11 131:6,15 136:16 page 3:2 4:4 6:13 7:4 11:15,16 18:4,11,12	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16 86:21 93:8,10 96:14 106:4 116:23 117:18 129:17 131:12 152:15 payment 124:4 143:1 PC 1:11 pending 96:24 115:23	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 pick 51:19 picked 20:12 72:13 pice 48:6 92:6 93:2 121:8 124:14 137:14,15 placement 93:12 planly 12:15 plan 13:8 18:6 31:19 31:20 39:15 planning 13:11 30:21	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14 73:25 75:1 89:9,13 10:2 117:7 118:16 140:2 160:23 positive 137:2,8 possession 126:18	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24 147:3,7,9,16 162:20 163:23 164:1,9 presure 43:23 prevail 136:18 prevent 109:18 126:12 127:18,24 previous 49:6 60:25 61:12,25 62:6 63:3 147:3 152:2 previously 81:11 price 143:6
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15 108:16,17,18,21 116:15 154:21 other 4:3 11:23,24 15:21 17:10 18:21 37:14 48:4,18 54:3 57:2 65:14 70:22 72:1,16,22 74:5	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5 o'clock 51:4 P Pact 129:19 130:6,11 131:6,15 136:16 page 3:2 4:4 6:13 7:4 11:15,16 18:4,11,12 19:7,8 20:13,16,19	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16 86:21 93:8,10 96:14 106:4 116:23 117:18 129:17 131:12 152:15 payment 124:4 143:1 PC 1:11 pending 96:24 115:23 116:12,14	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 pick 51:19 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2 121:8 124:14 137:14,15 placement 93:12 planly 12:15 plan 13:8 18:6 31:19 31:20 39:15 planning 13:11 30:21 plans 18:18 39:5,13	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14 73:25 75:1 89:9,13 102:177 118:16 140:2 160:23 possession 126:18 possibility 67:16 74:4	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24 147:3,7,9,16 162:20 162:25 163:3,12,19 163:23 164:1,9 pressure 43:23 prevent 109:18 126:12 127:18,24 prevent 00:18 126:12 127:18,24 prevented 60:13 previous 49:6 60:25 61:12,25 62:6 63:3 147:3 152:2 previously 81:11 price 143:6 primarily 120:4,13,19
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15 108:16,17,18,21 116:15 154:21 other 4:3 11:23,24 15:21 17:10 18:21 37:14 48:4,18 54:3 57:2 65:14 70:22 72:1,16,22 74:5 81:4,6,25 89:24	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5 o'clock 51:4 P Pact 129:19 130:6,11 131:6,15 136:16 page 3:2 4:4 6:13 7:4 11:15,16 18:4,11,12 19:7,8 20:13,16,19 20:21,21,23 21:20	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16 86:21 93:8,10 96:14 106:4 116:23 117:18 129:17 131:12 152:15 payment 124:4 143:1 PC 1:11 pending 96:24 115:23 116:12,14 people 8:9 13:7 37:3	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2 121:8 124:14 137:14,15 placement 93:12 plainly 12:15 plan 13:8 18:6 31:19 31:20 39:15 planned 78:21 plann 13:11 30:21 plans 18:18 39:5,13 plant 7:8,9,11,16,16	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14 73:25 75:1 89:9,13 102:17 106:23 100:2 117:7 118:16 140:2 160:23 possibility 67:16 74:4 possible 41:6,9 43:18	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24 147:3,7,9,16 162:20 162:25 163:3,12,19 163:23 164:1,9 presure 43:23 prevent 109:18 126:12 127:18,24 prevent 00:18 126:12 127:18,24 previous 49:6 60:25 61:12,25 62:6 63:3 147:3 152:2 previously 81:11 price 143:6 primarily 120:4,13,19 122:8,24
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15 108:16,17,18,21 116:15 154:21 other 4:3 11:23,24 15:21 17:10 18:21 37:14 48:4,18 54:3 57:2 65:14 70:22 72:1,16,22 74:5 81:4,6,25 89:24 92:25 94:12 95:9	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5 o'clock 51:4 P Pact 129:19 130:6,11 131:6,15 136:16 page 3:2 4:4 6:13 7:4 11:15,16 18:4,11,12 19:7,8 20:13,16,19 20:21,21,23 21:20 26:9 35:1,5 39:2	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16 86:21 93:8,10 96:14 106:4 116:23 117:18 129:17 131:12 152:15 payment 124:4 143:1 PC 1:11 pending 96:24 115:23 116:12,14 people 8:9 13:7 37:3 49:22 63:23,24 69:6	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2 121:8 124:14 137:14,15 placement 93:12 plainly 12:15 plan 13:8 18:6 31:19 31:20 39:15 planned 78:21 planning 13:11 30:21 plant 7:8,9,11,16,16 7:20,24,25 8:3,4,7	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14 73:25 75:1 89:9,13 102:17 106:23 110:2 117:7 118:16 140:2 160:23 possibility 67:16 74:4 possibility 67:16 74:4 possibility 67:16 74:4	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24 147:3,7,9,16 162:20 162:25 163:3,12,19 163:23 164:1,9 pressure 43:23 prevent 109:18 126:12 127:18,24 prevented 60:13 previous 49:6 60:25 61:12,25 62:6 63:3 147:3 152:2 previously 81:11 price 143:6 primarily 120:4,13,19 122:8,24 primary 6:4 7:19 8:2
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15 108:16,17,18,21 116:15 154:21 other 4:3 11:23,24 15:21 17:10 18:21 37:14 48:4,18 54:3 57:2 65:14 70:22 72:1,16,22 74:5 81:4,6,25 89:24 92:25 94:12 95:9 98:20 107:10 111:2	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owning 162:3 owning 132:13 154:5 o'clock 51:4 <u>P</u> Pact 129:19 130:6,11 131:6,15 136:16 page 3:2 4:4 6:13 7:4 11:15,16 18:4,11,12 19:7,8 20:13,16,19 20:21,21,23 21:20 26:9 35:1,5 39:2 93:6,9 117:16	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16 86:21 93:8,10 96:14 106:4 116:23 117:18 129:17 131:12 152:15 payment 124:4 143:1 PC 1:11 pending 96:24 115:23 116:12,14 people 8:9 13:7 37:3 49:22 63:23,24 69:6 98:22 115:21 121:6	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 pick 51:19 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2 121:8 124:14 137:14,15 placement 93:12 plainly 12:15 plan 13:8 18:6 31:19 31:20 39:15 planned 78:21 planning 13:11 30:21 plans 18:18 39:5,13 plant 7:8,9,11,16,16 7:20,24,25 8:3,4,7 8:10,11,14,21,22	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14 73:25 75:1 89:9,13 102:17 106:23 110:2 117:7 118:16 140:2 160:23 positive 137:2,8 possession 126:18 possibility 67:16 74:4 possible 41:6,9 43:18 44:2,6 45:13 47:11 48:9 51:22 53:19	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24 147:3,7,9,16 162:20 162:25 163:3,12,19 163:23 164:1,9 pressure 43:23 prevent 109:18 126:12 127:18,24 prevented 60:13 previous 49:6 60:25 61:12,25 62:6 63:3 147:3 152:2 previously 81:11 price 143:6 primarily 120:4,13,19 122:8,24 primary 6:4 7:19 8:2 8:8,21 9:4,18 80:11
131:11 146:13,18 opposite 8:1 84:10 order 2:1,21 32:22 35:17 43:3,4,18 46:19 47:5 99:13 110:15 122:5 126:10 133:5,21 135:23 143:22 145:24 orders 163:6 ore 17:6 20:10 142:16 organisation 143:12 organised 143:2 orient 93:16 original 27:5 28:5 90:22 100:12 101:8 107:25 157:24 158:10 originally 93:15 108:16,17,18,21 116:15 154:21 other 4:3 11:23,24 15:21 17:10 18:21 37:14 48:4,18 54:3 57:2 65:14 70:22 72:1,16,22 74:5 81:4,6,25 89:24 92:25 94:12 95:9	overwhelming 25:15 own 24:4 66:15 67:2 105:19 121:13,13 121:15,23 123:20 124:5 126:12 142:16 156:21 owned 142:20 154:5 162:7 owner 25:15 132:3 134:4,6 135:10 owners 134:11 ownership 109:17,20 133:25 134:14 161:23 162:10 owning 162:3 owns 132:13 154:5 o'clock 51:4 P Pact 129:19 130:6,11 131:6,15 136:16 page 3:2 4:4 6:13 7:4 11:15,16 18:4,11,12 19:7,8 20:13,16,19 20:21,21,23 21:20 26:9 35:1,5 39:2 93:6,9 117:16 149:17 152:11	45:12 47:18 48:12 51:21 52:1,4 60:14 69:1 70:2 134:14,18 146:9 163:24 164:3 164:14 partly 161:22 partner 25:7,9 27:3 32:7 party 2:10 2:15 14:14 passed 28:18 29:17 46:10 49:4 passes 49:23 past 25:14 path 136:8,9 pause 20:2 22:7 25:3 36:15 40:14 51:16 61:8 72:24 79:16 86:21 93:8,10 96:14 106:4 116:23 117:18 129:17 131:12 152:15 payment 124:4 143:1 PC 1:11 pending 96:24 115:23 116:12,14 people 8:9 13:7 37:3 49:22 63:23,24 69:6	perplexed 90:15 person 12:5 126:14 131:17,19 133:1 161:20 personally 99:1 101:23 121:10 phase 15:22 113:20 115:14 116:5 130:22 138:20 PHILLIPS 1:11 phrase 119:24 120:1 phrasing 102:5 physical 119:2 picked 20:12 72:13 piece 163:5 place 48:6 92:6 93:2 121:8 124:14 137:14,15 placement 93:12 plainly 12:15 plan 13:8 18:6 31:19 31:20 39:15 planned 78:21 planning 13:11 30:21 plant 7:8,9,11,16,16 7:20,24,25 8:3,4,7	148:10 164:20 point 4:3,8 5:13 14:3 22:20 25:21 35:7,7 36:1 67:12 75:16,16 80:7 88:10 100:13 108:8 139:2,3 145:19 163:22 pointed 6:16 14:12 16:11 94:4 points 11:21 police 127:20,23 policy 80:10 82:4,6 95:17,20 96:1 pool 114:2 poor 74:12 135:3 portion 6:19 position 2:5 48:6 52:11 58:19,23 69:20,21,24 71:9,14 73:25 75:1 89:9,13 102:17 106:23 110:2 117:7 118:16 140:2 160:23 possibility 67:16 74:4 possibility 67:16 74:4 possibility 67:16 74:4	presented 146:19 150:6 President 1:4,7,9 38:19 39:1,24 40:2 49:8 50:9,21 51:1,3 51:7,9 56:17 68:15 75:18,22 76:1 98:13 103:2 107:22 108:4 108:25 109:3,4,6 141:2,17,20 142:4 142:11 145:7,11,16 145:21 146:11,24 147:3,7,9,16 162:20 163:23 164:1,9 pressure 43:23 prevent 109:18 126:12 127:18,24 prevented 60:13 previous 49:6 60:25 61:12,25 62:6 63:3 147:3 152:2 previously 81:11 price 143:6 primarily 120:4,13,19 122:8,24 primary 6:4 7:19 8:2

Anne-Marie Stallard for Trevor McGowan

Page 9

Tuesday, 29 June 2021

priori [317:02] 99:5.23 [01:21] 65:1.31 [47:22:987:21] 133:1 [567:157:22] 1005:1056:11.75 remint [61:14] 29:25 36:1 37:16 proposel 91:19 1005:109:24.25 ready [2:6] [8:13 30:1] 153:20 [56:1] reserved 14:19 9:65.20 77:11 proposel 18:5 141:1 [48:9] [49:20] 60:3 64:1 79:15 reference 83:9 receved 15:25 75:21 97:20 207:32 42:1 106:17 117:20 protect 17:25: 15:85 proved 18:21 35:0.18 16:21 8:0.24 16:22 38:22 49:0.25 37:23 23:21 receved 15:25 55:21 6:12:17 20:20 73:22 37:23 23:21 118:15:15 118:15:16 replict 10:0:7 118:15:16 replict 10:0:1:16:16 replict 10:0:1:16:16<	
29:23 36:1 37:16 70:15 72:3 74:15 82:23 36:1 37:16 96:20 97:11007 propose 14:63:0 12:221 140:23 96:20 97:11007 reace 14:91 97:015 72:32 96:20 97:11007 reace 14:91 97:015 72:32 97:221 41:24 15:01:81 14:89 149:20 90:3 64:1 79:15 97:221 41:24 116:22 reace 14:92 97:221 41:24 116:22 reace 14:92 97:221 41:24 116:22 reace 14:92 97:221 41:24 116:22 reace 14:92 97:221 41:24:14 116:22 reace 14:92 97:221 41:24:14 12:51:15 reace 14:92 97:221 41:24:12 12:51:15 reace 14:92 97:221 41:24:12 12:21:15:15:11 reace 14:92 97:221 41:24:12 12:21:15:15:11 reace 14:92 97:221 41:24:12 12:21:15:121 reace 14:92 97:221 41:24:12 12:21:15:121 reace 14:92 97:21:15:12 reace 14:97:41 97:21:15:12 reace 14:97:41 97:21:15:21:15:15:17 97:21:15:17<	11
70:15 72:3 74:15 propose 146:3.0 12:221 140:23 30:22 51:7 52:19 referencing 86:24 9:69:20 97:1 100:7 proposing 91:18 150:18 161:4 89:18 99:4 103:5,14 repress 83:9 100:14 104:9 proposing 91:18 150:18 161:4 89:18 99:4 103:5,14 repress 82:9 repress 82:1	
82:3 84:13 88:11 Proposed 18:5 141:1 148:9 149:20 60:3 64:1 79:15 referred 37:37:14 recorganising 9:18 9:69:20:97:10:07 proposition 52:13 100:11 10:4 16:14 89:18 99:4 103:5,14 36:18 99:4 103:5,14 36:12 70:20 75:25 56:20 10:15 118:22 145:2 151:5 provie 118:2 155:10.18 quick 33:18 136:9 real 12:61:5 74:42 10:21:5 147:4 100:20 11:22:50 57:23 42:10 105:15:15 12 priority 107:4 137:21 18:12 3:16 28:16 13:15:15:14 16:02:10 07:32:23:91:13 13:61:12 70:20 77:12 100:18 15:15:15:14 100:24 16:21:7 100:18 15:44:13 100:10 74:42:27:81:44:61:13 18:13:13:14 reparting 7:3:3 reparting 7:3:4 r	
82:3 84:13 88:11 Proposed 18:5 14:11 148:9 149:20 60:3 64:1 79:15 referred 37:37:14 regeranisming 86:24 recorganisming 96:20 77:23 42:14 100:14 104:9 proposition 52:13 100:13:8.0 16:14 88:18 99:40:03.5.14 36:18 99:40:03.5.14 36:12 70:20 73:22.5 65:20 10:15 118:22 145:2 151:5 provide 41:0 14:14 42:7 44:2 41:24 really 15:13 20:10 74:42.27 8:14 46:13 18:13:15:12 110:21:10:15:147:4 100:20:11 115:15:12 provide 17:4 61:4 39:15 50:15 57:14 quite 40:78 13:5:14 120:21:10:18:11:79:15:14 120:20:13:8:14:139 100:10 74:42.27 8:14:46:13 18:14:139 repeating 72:3 13:8:14:139 repeating 72:3 13:8:14:139 repeating 72:3 13:8:14:139 13:12:11 13:13:13:12 13:13:13:12 13:13:13:13:13:13 13:13:13:13:13:13:13:13:13 13:13:13:13:13:13:13:13:13:13:13:13:13:1	22
99:02:09:71:1007 proposing 91:18 150:18:16:16:14 89:18:99:41:03:14 refer 31:37:19 regred 91:17:37:34:21 100:11:104:19 propositins 52:13 guickly 33:18:136:9 real 126:15 61:12:17:02:07:32:55 73:23:42:1 118:22:15:25:15: provide 4:10:14:14 42:14:24 real 126:15 61:12:17:02:07:32:55 74:21:10:21:14:14 74:10:15:15:12 74:21:10:21:14:14 74:10:15:15:12 74:21:10:21:13:15:12 11:15:15:14 11:12:12:12:12:17:11 11:15:15:14 11:12:12:32:2 74:42:12:15:15 11:15:15:14 16:02:14:14:14:14 real 12:15:15 11:15:15:14 16:02:14:14:14:14 74:14:22:15:15:17 13:01:18:15:14 16:02:14:16:17 15:01:16:16:16 reproteing 72:10:16:16:16 reproteing 72:10:16:16:16:17 15:01:16:16:16 reproteing 72:10:16:16:16:17 15:01:16:16:16:16:16:17:16:16:16:16:16:16:16:16:16:16:16:16:16:	62:13
100:14:104-9 proposition 52:13 162:18,20 116:22 38:2499.00:25 57:23.42:1 106:17:17:20 protect 127:25:128; quick 38:13:69 quick 38:13:69 quick 38:13:69 quick 38:13:69 quick 38:13:69 quick 38:13:69 file:12:0:07:07:25 66:12:07:07:32:5 10:02:10:15:17:1 10:02:10:15:17:1 10:02:10:15:17:1 10:02:10:17:16:16:17:19 reason 28:33:15:22 74:42:27:41:86:13 reportion 13:16:18:11:12:15:12.1 report 85:0:13:6:18:7:12:14 report 85:0:13:6:18:17:39:4 report 85:0:13:6:18:7:12:14 report 85:0:13:6:18:7:12:14 report 85:0:13:6:18:7:12:14 report 85:0:13:6:18:7:12:14 report 85:0:13:6:18:7:12:14:17:14 report 85:0:13:6:18:7:14:14:12:14:12:15:14 report 85:0:13:6:18:7:14:14:12:14:12:14:14:14:14 report 85:0:13:6:18:7:14:14:14:14:14:14:14:14:14:14:14:14:14:	
106:17 17:20 project 127:25 128.8 quick 33:18 136-9 real 126:15 foi 12:70:2073:25 65:20 100:20111 135:315 provide 4:10 14:14 quick 32:16 24:124 quick 32:16 24:124 125:11 55:16 74:21 10:2073:25 65:20 100:20111 priority 107:41 37:21 30:17 32:22 39:13 30:17 32:22 39:13 136:12 159:15 111:24 123:21 90:11 90:241 129:19 138:14 139:19 problem 17:4 61:4 58:21 59:83 11:21:22 quitk 47:81 35:16 quitk 47:81 35:16 14:22 153:12 16:16:16 refuring 6:16:16 repleting 72: 169:21 108:22 12:215 12:71 10:82 113:33:14 miss 40:11 108:8 13:33:14 refuel 40:16:17 regard 10:91:31 24:22 repleting 72:	
118:22 145:2 145:2 157:14 prove 118:2 13:5:0.18 quickly 16:2 41:24 reality 60:11 65:6 7:4:21 10:21:5 147.4 10:0:00:10:5:1 privatiastion 68:18 30:17 32:22 39:13 12:14 12:14 12:14 12:14 12:15:13 7:4:21 12:14 8:6:13 7:4:21 12:14 8:6:13 problem 17:4 61:4 58:21 59:8 11:21:2 15:1:15:14 11:24 12:32 7:4:4:27 4:14 8:6:13 7:4:4:27 4:14 8:6:13 problem 17:4 61:4 provide 16:5 17:16 11:12:15:12 11:24 12:32 7:4:4:27 4:14 8:6:13 repering 6:16:19'7:42:12 7:4:18:13:16:16 reperent 8:5:9:1 proceding 13:15 provides 40:7 7:7:17 10:14:12:19:15:14 13:13:12:0 regarding 7:24:42:0 10:6:11:13:2:1 7:21:14:13:13:12:0 regarding 7:24:42:0 10:6:11:13:2:1 7:21:14:11:13:12:1 regarding 7:24:42:0 10:6:11:13:2:1 7:21:14:11:13:12:1 regarding 7:24:14:0:11:13:12:1 regarding 7:24:14:0:11:13:12:1 reperent 8:5:9:1	,
153:15 provide 4:10 14:14 122;7 442 29:419 125:15 15:16 15:31:52 15:17 15:31:52 15:11 15:31:16 10:11:16:10 15:17 15:11 15:11 15:31:16 10:11:16:10 15:17 15:11 15:11 15:31:16 10:11:16:10 15:17 15:11 15:11 15:31:16:10 15:17 15:11 15:11 15:31:16:10 15:17 15:11 15:11 15:31:16:11 15:11 15:31:16:11 15:11 15:31:16:11:10 15:11 15:31:16:11 15:11 1	
priority 1074 137:21 18:1 23:16 28:16 122:14 124:14 really 15:13 20:19 referring 6:16,19 74:2 12:13 13:13 problem 174 614 39:15 50:15 57:14 13:81 13:51:6 111:24 122:12 74:422:15:13 138:14 139 138:14 149 138:14 149 138:14 149 138:14 149 138:14 149 138:14 149 138:14 149 138:14 149 138:14 149 138:12 139 138:12 139 138:12 139 </td <td></td>	
privatisation 68:18 30:17 32:23:9:13 136:12 159:15 11:124 123:2 74:42 78:14 86:13 138:14 139 problem 17:4 61:4 58:21 59:8 11:2:12 11:12:15 15:14 11:124 123:2 74:42 78:14 86:13 138:14 139 problem 17:4 61:4 58:21 59:8 11:2:12 11:12:15 15:14 11:124 123:2 74:42 78:14 86:13 138:14 139 problem 12:4 13:16:13 15:2:2,2,24 quitting 67:3 138:13 13:120 regarding 17:3,44 reposed 128:2:14 reposed 128:2:14 reposed 128:2:14 reposed 128:2:12 reposed 128:2:12 reposed 128:2:12 reposed 128:13 reposed 128:2:12 reposed 128:13 reposed 128:2:12 reposed 128:12 reposes 128:12 reposed 128:12 <	
166:10 39:15 50:15 57:14 quite 467.8 135:16 144:22 155:13 90:11 99:24 129:19 repetting 72: 131:8 136:13 112:15 127:11 115:14 155:14 160:24 162:17 130:18 136:13 131:12 152:22,24 131:15 15:14 160:24 162:17 relixed 128:24 repettion 160:12 repixed 128:24	
problem 17:4 13:12:12 15:11 15:14 16:02:4 16:0	
10:5:21 (08:22 112:15 127:11 158:23 resum 28:3 35:15.24 resum 28:3 35:15.25 resum 38:30 resum 38:30 <td></td>	
13:8: 136:13 152:22,24 quitting 67:3 Gails 37:24 72:14 refuend 128:24 repliel 100:2 procedural 39: 145:24 34:23 55:17 39:4 raise 40:11 108:8 135:21,25 regard 109:13 124:22 10:61 11:2 proceed 118: 146:24 provides 40:7 120:20 135:6 raise 40:11 108:8 135:21,25 regard 109:13 124:22 10:61 11:2 proceeding 134:7 provides 40:7 120:20 135:6 raises 50:13 resons 59:3,18 78:22 registered 128:7 22:10,12,2 proceeding 134:7 provide 36:62 raise 30:10 raise 30:10 regates raise 39:3,11 7: 13:14 registered 128:7 30:22,24 32 139: 98:18 87:20 89:15 proving 155:11 raise 37:22 12:08 ressessed 118:14 regates raise 39:3,11 7: regates raise 39:3,11 7: 30:22,24 32 22:10,12,2 22:10,12,2 78:25 113:1,7 regates raise 39:3,11 7: 78:11 13:11 regates raise 39:3,11 7: 78:11 78:14 regates raise 39:3,11 7: 78:11 78:14 78:12 78:12 78:25 113:1,7 78:14 13:14:14 78:17 80:40 78:14:14 78:17 80:40 78:14:14 78:17 80:40 78:12 78:11 78:11 78:14	
164:10 provide l65 17:19 Provide l65 17:19 Provide l65 17:19 Provide l65 17:19 Provide l65 17:10 Provide l7:10	
problems 32:10 30:18 31:13 33:14 Item procedural 3:9 145:24 34:25 35:17 39:4 raise 40:11 108:8 13:13 13:12.02 regarding 72:08:125 13:7,13 14 163:6 93:9 98:18 146:24 proceeding 13:47 110:4 112:19 13:56 raises 50:13 reasonable 55:3,9 93:12 109:20 13:22.11,13 proceeding 13:47 provides 40:7 raises 50:13 raises 50:13 reasons 59:3,18 78:22 125:12 22:10,12.2 22:10,12.2 22:10,12.2 22:10,12.2 22:10,12.2 22:10,12.2 22:10,12.2 22:10,12.2 22:10,12.2 22:10,12.2 22:10,12.2 22:10,12.2 22:10,12.2 22:10,12.2 13:11 4 register 13:46 27:23 29:12 22:10,12.2 22:10,12.2 13:11 4 76:37:13 14:1 12:32:11:31 12:32:10:17 13:12 4:12 12:11:13:14 76:37:13 14:1 12:32:10:17 13:12 4:12 12:31:13:13:13:12 12:31:13:13:13:12 12:31:13:13:13:12 12:31:13:13:13:12 12:31:13:13:13:12 13:12:13:13:13:12 12:31:13:13:13:12 12:31:13:13:13:12 12:31:13:13:13:12 12:31:13:13:13:13:12 12:31:13:13:13:12 12:31:13:13:13:13:12	
proceedural 3:9:145:24 34:23:35:17:39:4 raise 40:11 108:8 145:19 135:21.25 regarding 27:20:81:25 137:13:14 proceeding 13:67:017 providing 10:93:86:23 providing 10:93:86:37:12 providing 10:93:86:37:12 proving 13:51:14 providing 10:93:86:37:12 providing 10:93:82:12:22 providing 10:93:82:12:22 providing 10:93:82:12:12 providing 10:93:82:12:12:12:12:12:12:12:12:12:12:12:12:12	
163:6 45:9 45:9 145:19 reasonable 55:3.9 56:9 57:11 58:12 109:20 15:8:11 13:22 12:22 13:22 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 12:21 <td></td>	
proceed 51: 7 76:17 110:4 112:19 153:6 raised 28:3 120:3,6,11 56:9 57:11 88:17 13:4:23 163:15 19:12,22 2 proceed 135:13 provides 40:7 raised 28:3 120:3,6,11 78:11 13:221 regardless 59:8,11 125:12 22:10,1,22 proceed 135:13 providing 10:9 38:23 raised 28:3 120:3,6,11 78:11 13:221 regardless 59:8,11 125:12 22:10,1,22 q.717.18 63:4 65:21 public 35:16 66:20 public 35:16 66:20 raised 28:3 72:22 120:8 reassessed 118:14 registered 129:7 73:24 83:10:22 33:124 332: 67:9,18 69:3 71:7 public 35:16 66:20 public 35:16 66:20 raiter 8:19 9:22 180:6,10 100:115:23 regularise 107:20 150:5151 39:0 9 91:19 104:21 pumisbable 126:8 mur 72:10 87:14,19 88:4,152 154:17,22 14 152:17,17,22 1 110:22 107:7 pur 72:10 pur 72:10 87:14,19 88:4,152 1 159:25 106:6,18 reject 62:22 6:16:13.5; reject 62:22 6:16:13.5; report 72:0 150:15 13:19 purposet 12:13,14 purposet 12:13,14 91:11,15,17,25 92:1 10:11:13:2:13 relation 145:20 relation 145:20 relation 145:20	
93:9 98:18 146:24 proceeding 134:7 process 87: 21:9 22:16 29:9 42:15 44:20 47:17,18 63:4 65:21 provision 32:51 12:27 47:17,18 63:4 65:21 publicly 35:16 35:16 35:10 79:48 81:17 84:20 90:9 91:10 40:21 publicly 36:23 71:7 publicly 36:23 72:10 publicly 36:23 71:7 purposel 21:3,14 purposel 31:34:4.6 purposel 31:34:4.6 purpos	
proceeded 135:13 providing 10-9 38:23 rates 50:13 reasons 99:3.18 78:22 125:12 22:10,12,22 29:94 2:15 44:20 proving 135:11 proving 135:11 proving 135:11 register 134:6 27:23 29:12 47:17,18 63:4 65:21 public 35:16 36:20 public 35:16 36:20 public 35:16 36:20 rates 81:19 9:2 12:4 reassessed 118:14 register 134:6 27:23 29:12 38:3 71:27 public 35:16 36:20 public 35:16 36:20 public 35:16 36:20 public 35:16 36:20 rates 81:9 9:2 12:4 reassessed 114:8:14 register 134:6 13:24 33:2.14 38:3 72:22 10:2 BDB 79:21 80:6.10 90:25 94:7 99:5 regularise 107:20 reported 7:20 150:5 15:1 38:3 72:22 10:2:2 purported 15 3:13 purported 15 30:7 87:14,19 88:4,15:21 154:15,22 155:12 reported 7:20 150:5 16:17 reported 7:20 19:19 16:22 produce 12:3 76:13 purposet 21:3,14 99:13,14,15,17,25 99:13,14,15,17,25 13:12 relation 145:20 reported 7:24 19:19 16:22 reported 7:24 19:10 152:27 reported 7:24 19:10 152:27 19:10 16:22 19:10 12:20 reported 7	
proceeding 134:7 128:7 129:25 131:6 raw 83:10 78:25 113:1.7 register 134:6 77:23 29:12 47:17.18 63:4 65:21 provision 3:25 12:22 publicy 35:12 12:22 rapid 22:25 131:14 register 134:6 30:22,24 13 47:91.18 63:4 65:21 publicy 35:12 12:22 publicy 35:12 12:22 resister 134:6 134:14 register 134:6 30:22,24 13 67:91.18 69:3 71:7 publicy 35:12 12:22 publicy 35:12 12:22 resister 134:6 134:14 132:12 132:14 152:17,22 10:15 132:14 152:17,22 1 150:5 151:1 90:9 91:19 104:22 purp 104:12 purp 72:10 87:12,23 86:25 87:8 116:10 118:16 rejeat 32:25 62:17 reported 7:20 150:5 151:1 128:22,25 129:15 purp ortedly 53:13 88:12,22 86:25 87:8 87:14,19,88:415,21 154:15,25 155:12 160:25 161:13:1 rejeat 32:25 62:17 reported 7:20 produce 92:4 161:12 purposet 12:13,14 91:11,15,17,25 92:1 154:15,26 50:12 relato 80:16 108:8 rejeat 32:25 62:17 reports/main reports/main relato 80:16 113:1 reports/main reports/main reports/main repo	
process 87 21:9 28:16 proving 135:11 rapid 22:25 13:14 registered 129:7 30:22,24 31:24 32:24 33:27 72:18 36:8 77:21 78:8 77:21 78:8 77:21 78:14:11,14,23 72:21 80:37:22 76:21 76:31:8 65:16:13:1 79:19:16:12 76:16:16:16:17:1 79:16:12:25 76:16:16:16:17:1 79:16:12:25 76:16:16:16:17:1 79:16:12:25 76:16:16:16:11:11 79:19:16:12:2 76:16:16:16:11:11 79:19:16:12:2 76:16:16:16:11:11 79:19:16:12:2 76:16:16:16:11:11 79:19:16:12:2 76:16:16:16:11:11 79:19:16:12:2 76:16:16:16:11:11 76:16:16:16:11:11 76:16:16:16:11:11 76:16:16:16:11:11 76:16:16:16:11:11 76:16:16:16:11:11 76:16:16:16:11:11 76:16:16:16:11:11:11 76:16:16:16:11:1	
29:9 42:15 44:20 47:17,18 63:371:7 publicly 36:23 7:17 publicly 36:21 6:14 35:12 protesed 7:24 purposet 2:13,14 producef 1:23 76:13 producef 1:	
47:17,18 63:4 65:21 public 35:16 36:20 public 36:16 36:13:1 public 36:16 36:13:1 public 36:16 36:16 reports 4:10,1 128:22,22 12:37 public 135:16 36:15 92:7 public 35:16 36:15 92:7 public 36:16 7:13	
67:9:18 69:3 71:7 publicly 36:2 37:17 publicly 36:2 17:17 publicly 36:16 113:1 publicly 36:17 publicl	72:19
79:4 81:17 84:20 pul 6:14 88:3 139:2 81:4,11,14,23 82:6 110:1 115:23 regularised 132:14 152:17,22 85:8 87:20 89:15 147:20 84:19,19,25 85:8,11 116:10 118:16 rehash 164:15 163:16 90:9 91:19 104:22 purportedly 53:13 purportedly 53:13 85:25 89:8,14 90:19 152:17,22 63:18 65:16 113:1 91:9 16:22 128:22,25 129:15 56:21 69:15 92:7 92:13,21,22 94:5,13 receive 31:1 132:13 relates 90:16 108:8 80:19 152:2 produced 1:23 76:13 pursoely 59:20 96:3 97:13 98:21,22 30:14 42:12 48:7 relation 145:20 reports/analy producers 155:12 push 21:21 69:5 push 21:21 69:5 91:10.01 100:19 10:18 84:5 reporesentation production 143:6 49:19,20 55:18 103:12 100:14 10:19 11:8 rely 48:3 132:22 132:51 33:1 productive 8:3 154:15 56:21 10:10 103:8 134:4,6 100:19 10:18 84:5 reporesentativ professional 13:20 106:25 110:10 106:25 110:10 103:8 134:4,6 102:21 12:7: 120:3 rely 48:3 132:22 133:10 representativ professional 13:20 106:25 110:10 106:25 110:10 103:8 1	18
85:8 87:20 89:15 147:20 84:19,19,25 85:8,11 116:10 118:16 rehash 164:15 163:16 90:9 91:19 104:21 punishable 126:8 84:19,19,25 85:8,11 116:10 118:16 reject 32:25 62:17 reported 7:20 112:23 114:5 117:6 purportedly 53:13 gur 72:10 87:14,19 88:4;15,21 154:15,21 159:25 160:6,8,18 reject 32:25 62:7 reported 7:20 128:22,25 129:15 purpose 12:13,14 91:11,15,17,25 92:1 160:25 161:1,5,6 119:10 169:132:1 produce 92:4 161:12 purposet 12:13,94 95:13,14,15,17,25 recive 31:1 132:13 relation 145:20 reports/analy producers 155:12 push 21:21 69:5 98:12 99:11, 20,22 30:14 42:12 48:7 relationship 149:1 representation producting 155:10 put 91:11 18:11,15 42:2 100:16 101:10,11 84:17 87:24 97:5 reliquish 56:1 67:1 representation professional 13:20 106:25 10:10 169:137:18 81:13 119:2 12:21 127:2 137:11 20:2 redy 8:3 132:22 132:13 professional 13:20 106:25 10:10 57:6 65:16 79:6.8 104:22 137:11,20 remaining 3:12 78:18 <	153:7
90:9 91:9 104 104:21 punishable 126:8 85:12,22 86:25 87:8 120:20,22,24 151:8 reject 32:25 62:17 reported 7:20 104:22 107:7 purp or 72:10 purp or 72:10 87:14,19 88:4,15,21 154:15,225 155:12 63:18 65:16 113:1 91:9 161:22 122:23 114:5 117:6 purpose 12:13,14 91:11,15,17,25 92:1 160:25 161:15.6 119:10 16:9(3),15, 135:2 56:21 69:15 92:7 92:13,21,22 94:5,13 receive 31:1 132:13 relates 90:16 108:8 80:19 152:2 produce 1:23 76:13 purpset 2:13,14 91:11,15,17,25 92:1 107:16 40:4 relates 90:16 108:8 80:19 152:2 produce 1:23 76:13 purpset 7:13 08:25 99:11,20,22 30:14 42:12 48:7 relevant 50:4,14 reports/analy producing 155:10 pursue 47:13 62:25 ps8:13 94:6 100:19 101:18 84:17 87:24 97:5 relavant 50:4,14 representativ productine 143:6 49:19,20 55:18 135:12 RDB's 94:8 reciping 78:12 138:4 reciping 24:17 reach 6:7 7:18 8:1,3 resport 4:17.22 representativ professional 13:20 106:25 110:10 106:25 110:10 165:16 79:6,8 137:11.20	
104:22 107:7 pure 72:10 87:14,19 88:4,15,21 154:1,5,25 155:12 63:18 65:16 113:1 9:19 161:22 112:23 114:5 117:6 purposel 12:13,14 91:11,15,17,25 92:1 159:25 160:68,18 rejected 62:24 66:16 reports 4:10,1 128:22,25 129:15 56:21 69:15 92:7 92:13,21,22 94:5,13 receive 31:1 132:13 relates 90:16 108:8 80:19 152:2 produce 92:4 161:12 purposel 59:20 96:3 97:13 98:21,22 receive 31:1 132:13 relation 145:20 reports 4:30:14 producers 155:12 purp 9:1 118:11,15 42:2 96:3 97:13 98:21,22 30:14 42:12 48:7 relevant 50:4,14 representation producting 155:10 put 9:11 18:11,15 42:2 100:16 101:10,11 84:17 87:24 97:5 relinquish 56:16 7:1 representation producting 155:10 put 9:11 18:11,15 42:2 100:25 110:10 103:8 134:4,6 100:19 101:18 84:5 relinquish 56:16 7:1 representation professional 13:20 10:62:5 110:10 10:62:5 110:10 10:62:5 110:10 13:7:14 81:15 13:17 145:2 13:16 140:3 reequist 0:25 recipient 24:17 remained 95:17 representation professionals) 8:22 9:5
112:23 114:5 117:6 purportedly 53:13 88:25 89:8,14 90:19 159:25 160:6,8,18 rejected 62:24 66:16 reports 4:10,1 128:22,25 129:15 purpose 12:13,14 91:11,15,17,25 92:1 160:25 161:1,5,6 119:10 16:9,13,15, produces 22:4 161:12 purposely 59:20 92:13,21,22 94:5,13 receive 31:1 132:13 relates 90:16 108:8 80:19 152:2 produces 155:10 purposely 59:20 96:3 97:13 98:21,22 30:14 42:12 48:7 relation 145:20 reposentation produces 155:10 put 9:11 18:11,15 42:2 98:25 99:11,20,22 30:14 42:12 48:7 relation 145:20 representation productin 143:6 49:19,20 55:18 56:21 67:23 69:7 RDB's 94:8 received 78:12 138:4 relying 38:11 representativ professional 13:20 106:25 110:10 reached 6:7 7:18 8:1,3 22:21 23:7 12:20 remaining 3:12 78:18 representativ professional 13:20 106:25 10:10 reached 6:7 7:18 8:1,3 22:21 23:7 12:20 remaining 3:12 78:18 request 0:25 professional 13:20 106:25 10:10 reactions 41:20 14:19 recognise 11:20:14:9 remaining 3:12 78:18 request 0:25 133:10 professional 13:20 106	2
128:22,25 129:15 purpose 12:13,14 91:11,15,17,25 92:1 160:25 161:1,5,6 119:10 169:913,15,2 135:2 56:21 69:15 92:7 92:13,21,22 94:5,12 94:11 132:13 receive 31:1 132:13 relates 90:16 108:8 80:19 152:2 produce 1:23 76:13 purposel 59:20 96:3 97:13 98:21,22 98:25 99:11,20,22 30:14 42:12 48:7 relation 145:20 representation producers 155:12 push 21:21 69:5 push 21:21 69:5 100:16 101:10,11 84:17 87:24 97:5 rely as 3132:22 132:22 132:5 133:1 producting 155:10 put 9:11 18:11,15 42:2 100:25 110:10 103:8 134:4,6 100:23 112:7 120:3 rely as 3132:22 132:5 133:1 144:15 56:21 67:23 69:7 RDB's 94:8 receiving 78:12 138:4 rely as 313:12 rely as 31:11 representativ profit s13:12 106:25 110:10 16:21 129:5,11 reached 6:7 7:18 8:1,3 22:21 23:7 122:0 remaining 3:12 78:18 representing profit s13:8: 7 putting 38:20 53:15 56:20 113:4 119:7 reaction 40:21 41:19 receiving 78:12 140:6,9,17 32:20 58:25 67:18 request 02:55 133:10 profit s13:8:17 putting 38:20 53:15 56:20 113:4 119:7 <t< td=""><td>13 6:9</td></t<>	13 6:9
135:2 56:21 69:15 92:7 92:13,21,22 94:5,13 receive 31:1 132:13 relates 90:16 108:8 80:19 152:2 produce 92:4 161:12 purposely 59:20 96:3 97:13 98:21,22 96:3 97:13 98:21,22 relation 145:20 relation 145:20 produce 1:23 76:13 purposely 59:20 96:3 97:13 98:21,22 30:14 42:12 48:7 relation 145:20 representation produce 1:23 76:13 put 9:11 18:11,15 42:2 98:25 99:11,20,22 30:14 42:12 48:7 relation 145:20 representation production 143:6 49:19,20 55:18 put 9:11 18:11,15 42:2 100:16 101:10,11 84:17 87:24 97:5 relinquish 56:1 67:1 representation production 143:6 49:19,20 55:18 135:12 100:203 112:7 120:3 relying 38:11 representation professional 13:20 99:14 104:20 105:6 reached 6:7 7:18 8:1,3 22:21 23:7 122:20 remaining 3:12 78:18 representation professional 13:20 119:2 12:21 127:2 57:6 65:16 79:6,8 137:11/20 140:3 rediation 21:22 request 10:25 profita 143:8 ptit1 24:14 putting 38:20 53:15 57:6 65:16 79:6,8 137:11/20 140:3 recognised 13:20 14:9 23:18,21 24:5 11:6,8 111: profita 138:7	,16,17,20
processed 77:24 150:4 95:13,14,15,17,25 137:16 140:4 relation 145:20 reports/analy produce 92:4 161:12 purposely 59:20 96:3 97:13 98:21,22 98:25 99:11,20,22 30:14 42:12 48:7 relation 145:20 reports/analy produce 1:23 76:13 purposely 59:20 push 21:21 69:5 99:13,10,120:22 30:14 42:12 48:7 relation 145:20 reports/analy produce 1:23 76:13 push 21:21 69:5 push 21:22 69:7 98:25 99:11,20,22 30:14 42:12 48:7 relation 145:20 representation productive 1:33 76:13 push 21:21 69:5 post 21:27:69:7 84:17 87:24 97:5 relation 145:20 representation professional 13:20 post 11:18:11,15 42:2 103:8 134:4,6 100:19 101:18 84:5 representative professional 13:20 106:25 110:10 reach 8:21 129:5,11 receiving 78:12 138:4 receipient 24:17 remaining 3:12 78:18 representative profita 143:8 156:2 post 12:12:1 127:2 57:6 65:16 79:6,8 137:11,20 140:3 remarkable 50:6 representative profits 138:7 putting 38:20 53:15 56:20 113:4 119:7 reaction	24 153:9
produce 92:4 161:12 produced 1:23 76:13 producers 155:12 producing 155:10 production 143:6 purposely 59:20 pursue 47:13 62:25 push 21:21 69:5 96:3 97:13 98:21,22 98:25 99:11,20,22 received 26:25 30:12 30:14 42:12 48:7 relationship 149:1 relevant 50:4,14 relevant 50:4,14 producers 155:12 production 143:6 49:19,20 55:18 144:15 56:21 67:23 69:7 84:17 87:24 97:5 relationship 149:1 representation representation production 143:6 49:19,20 55:18 144:15 56:21 67:23 69:7 RDB's 94:8 receiving 78:12 138:4 relationship 149:1 representation representation professional 13:20 106:25 110:10 119:2 121:21 127:2 reache 6:7 7:18 8:1,3 receiving 78:12 138:4 relationship 149:1 representative representative professionals 127:9 127:6 137:18 141:6 156:2 reache 6:7 7:18 8:1,3 recoinse 1:17 22:9,12 remaining 5:19 6:5 representative profit 143:8 156:2 putting 38:20 53:15 56:20 113:4 119:7 reache 6:15 8:22:3,6 remediation 21:22 requeset 02:25 7:1 progress 36:25 38:22 putting 38:20 53:15 56:20 113:4 119:7 recoins 41:20 recoins 83:10 requeset 87: progress 68:8111 QC 1:12 2:6 Q	/ses/su
produced 1:23 76:13 producers pursue 47:13 62:25 push 98:25 99:11,20,22 100:16 101:10,11 30:14 42:12 48:7 84:17 87:24 97:5 relevant 50:14,14 relinquish representation representation representation production 143:6 49:19,20 55:18 144:15 56:21 67:23 69:7 56:21 67:23 69:7 154:17,24 155:3 87:7 88:19 94:6 99:14 104:20 105:6 78:18 94:8 recipient relevant 50:14 42:12 48:7 84:5 relying 88:11 representation professional 13:20 106:25 110:10 106:25 110:10 RDB's 94:8 reached receiving 78:12 138:4 recipient remaining 51:9 6:5 remaining representation professional 127:6 137:11 20:11 119:2 121:21 127:2 127:6 137:18 141:6 56:20 113:4 119:7 read 66:15:8 22:3,6 26:20 28:14 41:17 recognised 135:12 140:6,9,17 32:20 58:25 67:18 remember 2:23 7:4 113:17 145 113:17 145 progressed 88:11 progressed puting 38:20 53:15 56:20 113:4 119:7 puzzled 55:3,9 56:10 57:12 58:18 61:6,19,22 137:19 recognising 83:20 137:19 67:22 69:11 82:8,9 88:6 112:16 88:6 112:16 progressed 88:11 progressing QC 1:12 2:6 qualified 99:17 106:5 109:23 112:19 99:17 106:5 109:23 112:19	
producers 155:12 producting 155:10 production 143:6 push 21:21 69:5 put 9:11 18:11,15 42:2 49:19,20 55:18 144:15 100:16 101:10,11 103:8 134:4,6 84:17 87:24 97:5 100:19 101:18 relinquish 56:1 67:1 84:5 representation representative 102:23 112:7 120:3 production 143:6 49:19,20 55:18 56:21 67:23 69:7 100:16 101:10,11 135:12 100:19 101:18 102:23 112:7 120:3 84:5 relying 38:11 representative 132:5 133:1 professional 13:20 106:25 110:10 106:25 110:10 reach 8:21 129:5,11 receipient 24:17 remaining 3:12 78:18 representative regisent 3:17:12 20:0 professionals 127:9 127:6 137:18 141:6 104:22 recognise 1:17 22:9,12 remediation 21:22 request 10:25 profit 143:8 156:2 putting 38:20 53:15 56:20 113:4 119:7 read 6:6 15:8 22:3,6 137:11 23 remediation 21:22 11:6,8 111 progress 36:25 38:22 Q Q 26:20 28:14 41:17 135:12 140:6,9,17 32:20 58:25 67:18 request 87: 67:22 69:11 82:8,9 88:6112:16 progressed 88:11 QC 1:12 2:6 gualified 70:3 137:16 98:61,0 57:12 137:19 86:16,9,22 161:19 114:25 115:2,7,8,9 88:6112:16 pro	
production 143:6 49:19,20 55:18 103:512 102:23 112:7 120:3 rely 48:3 132:22 132:5 133:1 144:15 56:21 67:23 69:7 RDB's 94:8 receiving 78:12 138:4 relying 38:11 representative productive 8:3 154:15 87:7 88:19 94:6 99:14 104:20 100:6 reach 8:21 129:5,11 receiving 78:12 138:4 relying 38:11 representative professional 13:20 106:25 110:10 106:25 110:10 reached 6:7 7:18 8:1,3 22:21 23:7 122:20 remaining 5:19 6:5 ramining 5:19 6:5 133:10 professionals 127:9 127:6 137:18 141:6 106:22 recognise 1:17 22:9,12 remediation 21:22 request 10:25 profits 138:7 putting 38:20 53:15 56:20 113:4 119:7 read 6:6 15:8 22:3,6 43:17 111:23 14:21 19:25 32:12 113:17 145 progress 36:25 38:22 42:15 90:8 151:3 152:22 puzled 68:16 55:3,9 56:10 57:12 137:19 86:19 91:9,24 98:24 88:6 112:16 progressed 88:11 pc 1:12 2:6 qualified 70:3 137:16 93:6,7,17,21 96:15 93:6,7,17,21 96:15 93:6,7,17,21 96:15 93:6,7,17,21 96:15 93:6,7,17,21 96:15 112:19 116:18,19 117:14 request 46:22 progressig 37:1 <	ons 50:7
144:15 56:21 67:23 69:7 RDB's 94:8 receiving 78:12 138:4 relying 38:11 representative productive 8:3 154:15 87:7 88:19 94:6 99:14 104:20 105:6 106:25 110:10 106:25 110:10 119:2 121:21 127:2 reach 8:21 129:5,11 recognise 1:17 22:9,12 remaining 3:12 78:18 representative professional 13:20 106:25 110:10 119:2 121:21 127:2 57:6 65:16 79:6,8 137:11,20 140:3 remaining 5:19 6:5 represents 14 professionals 127:9 127:6 137:18 141:6 106:22 reaction 40:21 41:19 recognised 13:20 14:9 23:18,21 24:5 11:6,8 111: profits 138:7 putting 38:20 53:15 56:20 113:4 119:7 read 6:6 15:8 22:3,6 43:17 111:23 14:21 19:25 32:12 14:82.1 progress 36:25 38:22 puzzled 68:16 26:20 28:14 41:17 33:20 67:22 69:11 82:8,9 88:6 112:16 progressed 88:11 progressig 37:1 gualified 70:3 137:16 86:16,18,20,20,22 161:19 114:25 115:2,7,8,9 88:25 101:5 92:18,23 0 13:6,7,1,7,21 96:15 99:17 106:5 109:23 112:19 116:18,19 117:14 requests 46:22	
productive 8:3 154:15 87:7 88:19 94:6 re3:9 recipient 24:17 remained 95:17 87:3 136:10 professional 13:20 106:25 110:10 106:25 110:10 reach 8:21 129:5,11 reach 6:7 7:18 8:1,3 7:18 141:6 106:25 110:10 19:2 121:21 127:2 137:11,20 140:3 remaining 5:19 6:5 represents 14 professionals 127:9 127:6 137:18 141:6 156:2 reaction 40:21 41:19 reaction 40:21 41:19 14:13 15:25 23:10 remember 2:23 7:4 113:17 145 profits 138:7 putting 38:20 53:15 56:20 113:4 119:7 peat 6:6 15:8 22:3,6 43:17 111:23 14:21 19:25 32:12 148:21 progress 36:25 38:22 Q 55:39 6:10 57:12 58:18 61:6,19,22 58:18 61:6,19,22 137:19 86:19 91:9,24 98:24 135:18 progress 36:25 38:22 Q 11:12 2:6 86:16,18,20,20,22 137:19 86:19 91:9,24 98:24 135:18 progress 37:1 gualified 70:3 137:16 gualified 70:3 137:16 93:6,7,17,21 96:15 93:6,7,17,21 96:15 112:19 114:25 115:2,7,8,9 88:25 101:5 progress 37:1 gualified 70:3 137:16 99:17 106:5 109:23 112:19 116:18,19 117:14 requests 46:22 progressig 37:1	
154:17,24 155:3 99:14 104:20 105:6 rec 3.9 recognise 1:17 22:9,12 remaining 3:12 78:18 representing 0 14:5 143:18 151:13 119:2 121:21 127:2 reached 6:7 7:18 8:1,3 57:6 65:16 79:6,8 137:11,20 140:3 remaining 3:12 78:18 representing 0 professionals 127:9 127:6 137:18 141:6 104:22 reaction 40:21 41:19 recognise 1:17 22:9,12 23:18,21 24:5 11:6,8 111: profitably 127:6 puts 124:14 puts 124:14 reactions 41:20 14:11 19:25 23:10 reversenting 0 14:21 19:25 32:12 14:8:11: program 152:23 56:20 113:4 119:7 puzzled 68:16 26:20 28:14 41:17 135:12 140:6,9,17 32:20 58:25 67:18 request 08:22 42:15 90:8 151:3 152:22 Q 55:3,9 56:10 57:12 58:18 61:6,19,22 68:10 57:12 135:12 140:6,9,17 32:20 58:25 67:18 request 08:12:10 progressed 88:11 progressig 37:1 qualified 70:3 137:16 86:16,18,20,20,22 161:19 114:25 115:2,7,8,9 88:25 101:5 92:18,23 o 93:6,7,17,21 96:15 93:6,7,17,21 96:15 93:6,7,17,21 96:15 112:19 116:18,19 117:14 request 46:22 92:18,23 0 99:17 106:5	
professional 13:20 106:25 110:10 reached 6:7 7:18 8:1,3 22:21 23:7 122:20 remainings 5:19 6:5 133:10 14:5 143:18 151:13 119:2 121:21 127:2 127:6 137:18 141:6 119:2 121:21 127:2 57:6 65:16 79:6,8 137:11,20 140:3 remediation 21:22 23:18,21 24:5 11:6,8 111: profitably 127:6 puts 124:14 puts 124:14 reactions 41:20 read 6:6 15:8 22:3,6 43:17 11:23 14:21 19:25 32:12 148:21 148:21 progress 36:25 38:22 56:20 113:4 119:7 puzzled 68:16 26:20 28:14 41:17 135:12 140:6,9,17 32:20 58:25 67:18 request 12:20 148:21 progress 48:11 pc 1:12 2:6 qualified 70:3 137:16 86:16,18,20,20,22 68:16,18,20,20,22 161:19 114:25 115:2,7,8,9 88:25 101:5 progressing 37:1 qualified 70:3 137:16 qualified 70:3 137:16 99:67,17,21 96:15 99:17 106:5 109:23 112:19 116:18,19 117:14 request 46:22 92:18,23 0 116:18,19 117:14 140:19,10 116:18,19 117:14 request 46:22	
14:5 143:18 151:13 119:2 121:21 127:2 127:6 137:18 141:6 104:16 0:16 79:6,8 137:11,20 140:3 remarkable 50:6 request 10:25 profits 138:7 putting 38:20 53:15 reaction 40:21 41:19 reaction 40:21 41:19 14:13 15:25 23:10 14:21 19:25 32:12 113:17 145 profits 138:7 putting 38:20 53:15 56:20 113:4 119:7 read 6:6 15:8 22:3,6 43:17 111:23 14:21 19:25 32:12 148:21 progress 36:25 38:22 42:15 90:8 151:3 152:22 Q 25:3,9 56:10 57:12 137:19 86:19 91:9,24 98:24 88:6 112:16 progressed 88:11 QC 1:12 2:6 86:16,18,202,022 161:19 114:25 115:2,7,8,9 88:25 101:5 progressing 37:1 qualified 70:3 137:16 93:6,7,17,21 96:15 99:17 106:5 109:23 112:19 116:18,19 117:14 request 46:22	63:25
professionals 127:9 127:6 137:18 141:6 157:0 137:18 141:6 101 195:0,8 149:19,22 157:2,6,8 remediation 21:22 request 10:25 profit 143:8 156:2 puts 124:14 104:21 reactions 41:20 recognised 13:20 14:9 23:18,21 24:5 11:6,8 111: profits 138:7 putting 38:20 53:15 56:20 113:4 119:7 read 6:6 15:8 22:3,6 43:17 111:23 14:21 19:25 32:12 148:21 progress 36:25 38:22 42:15 90:8 151:3 152:22 request 68:16 75:3,9 56:10 57:12 137:19 86:19 91:9,24 98:24 88:6 112:16 progressed 88:11 QC 1:12 2:6 86:16,18,20,20,22 161:19 114:25 115:2,7,8,9 88:25 101:5 progressing 37:1 qualified 70:3 137:16 93:6,7,17,21 96:15 99:17 106:5 109:23 112:19 116:18,19 117:14 request 46:22 92:18,23 ualify 55:12,16 57:24 99:17 106:5 109:23 112:19 116:18,19 117:14 request 46:22	
profit 143:8 156:2 reaction 40:21 41:19 recognised 13:20 14:9 23:18,21 24:5 11:6,8 111: profit 318:7 putting 38:20 53:15 reactions 41:20 read 6:6 15:8 22:3,6 43:17 111:23 14:21 19:25 32:12 14:821 progress 36:25 38:22 56:20 113:4 119:7 read 6:6 15:8 22:3,6 43:17 111:23 14:21 19:25 32:12 148:21 42:15 90:8 151:3 152:22 puzzled 68:16 43:11 47:3 52:5 recognising 83:20 67:22 69:11 82:8,9 88:6 112:16 progressed 88:11 QC 1:12 2:6 86:16,18,20,20,22 161:19 114:25 115:2,7,8,9 88:25 101:5 progressing 37:1 qualified 70:3 137:16 93:6,7,17,21 96:15 recommendation 115:10,16,17 request 46:22 92:18,23 06.20 20.6 99:17 106:5 109:23 112:19 116:18,19 117:14 request 46:22	
profitably 127:6 puts 124:14 reactions 41:20 14:13 15:25 23:10 remember 2:23 7:4 113:17 145 profits 138:7 putting 38:20 53:15 56:20 113:4 119:7 read 6:6 15:8 22:3,6 43:17 111:23 14:21 19:25 32:12 14:21 19:25 32:12 14:21 19:25 32:12 progress 36:25 38:22 puzzled 68:16	
profits 138:7 putting 38:20 53:15 read 6:6 15:8 22:3,6 43:17 111:23 14:21 19:25 32:12 148:21 program 152:23 56:20 113:4 119:7 26:20 28:14 41:17 135:12 140:6,9,17 32:20 58:25 67:18 requested 87: progress 36:25 38:22 42:15 90:8 151:3 55:3,9 56:10 57:12 137:19 86:19 91:9,24 98:24 135:18 progressed 88:11 progressing 37:1 QC 1:12 2:6 86:16,18,20,20,22 161:19 114:25 115:2,7,8,9 88:25 101:5 92:18,23 qualified 70:3 137:16 93:6,7,17,21 96:15 recommendation 115:10,16,17 requeste 46:22 92:18,23 14:26 20 20 6 112:19 112:19 116:18,19 117:14 request 46:22	
program 152:23 56:20 113:4 119:7 126:20 28:14 41:17 135:12 140:6,9,17 32:20 58:25 67:18 requested 87: progress 36:25 38:22 42:15 90:8 151:3	.10
progress 36:25 38:22 42:15 90:8 151:3 152:22 puzzled 68:16 43:11 47:3 52:5 55:3,9 56:10 57:12 recognising 83:20 67:22 69:11 82:8,9 88:6 112:16 progressed 88:11 QC 1:12 2:6 qualified 70:3 137:16 92:18,23 QC 1:12 2:6 qualify 55:12,16 57:24 86:16,18,20,20,22 93:6,7,17,21 96:15 recognising 83:20 67:22 69:11 82:8,9 88:6 112:16 11 47:3 52:5 55:3,9 56:10 57:12 137:19 86:19 91:9,24 98:24 135:18 12 2:6 99:17 106:5 109:23 161:19 114:25 115:2,7,8,9 88:25 101:5 11 47:3 52:5 recommendation 115:10,16,17 requests 46:23 requests 46:24 99:17 106:5 109:23 112:19 116:18,19 117:14 require 119:1	.7 11
42:15 90:8 151:3 152:22	
152:22 Q 35:3:0 ± 05:10 ± 05:12 recollection 38:19 99:25 100:3 ± 13:5 requesting 11 progressed 88:11 QC 1:12 2:6 86:16,18,20,20,22 161:19 114:25 ± 115:2,7,8,9 88:25 ± 101:5 progressing 37:1 qualified 70:3 ± 37:16 93:6,7,17,21 ± 96:15 93:6,7,17,21 ± 96:15 115:10,16,17 requests 46:22 92:18,23 99:17 ± 106:5 ± 109:23 112:19 116:18,19 ± 117:14 request 46:22	0 115:22
progressed 88:11 QC 1:12 2:6 86:16,18,20,20,22 161:19 114:25 115:2,7,8,9 88:25 101:5 progressing 37:1 qualified 70:3 137:16 93:6,7,17,21 96:15 recommendation 115:10,16,17 requests 46:22 92:18,23 99:17 106:5 109:23 112:19 116:18,19 117:14 requests 46:22	1.0 88.8
progressing 37:1 qualified 70:3 137:16 93:6,7,17,21 96:15 recommendation 115:10,16,17 requests 46:22 92:18,23 qualify 55:12,16 57:24 99:17 106:5 109:23 112:19 116:18,19 117:14 require 119:11	
92:18,23 qualify 55:12,16 57:24 99:17 106:5 109:23 112:19 116:18,19 117:14 require 119:1	
quality 55.12,10 57.24 99.17 100.5 109.25	
quanying 56.7 77.25 129.16 151.11,15 102.17 105 c 120.11 16.20 111.202.120	
quantifying 15.25 152.10,17,20 155.4 1(1.02) 120.10 122.0 0.17 125.02	
	2:22
1 10 10 10 10 10 10 10 10 10 10 10 10 10	s 2:1 4:24
71.10 75.4 76.12	
71:19 75:4 70:13 questions 3:5 12:9 23:24 27:17 28:18 151:18 160:14,24 69:8 69:8 99:9 1 properly 24:2 52:7 25:3 37:7,11 46:3,9 42:20 43:22 47:9 reference 6:13 25:4 remembering 79:14 114:16 115:15	
66:18 67:18 69:7 46:18 51:15 19 74:20 45:12 38:5,7,8,8,11 70:19 remind 5:20 118:1 119:8	
40.10 51.15,17 57.7 40.0 51.17 01.21	

Anne-Marie Stallard for Trevor McGowan Page 10

Tuesday, 29 June 2021

requires 2:21	134:3,6,11 135:10	53:3 61:5 62:8,10	20:1 26:11,12,16,16	71:8,16,16 72:3,15	110:19 111:25
requiring 37:2 137:7	rights 3:16 44:18	62:11 63:3 73:11,12	26:25 27:2 28:11	72:24 73:3,7,19,23	119:12 134:22
reserve 6:8 11:17	45:14 109:17	73:13,19 81:10,16	34:18 35:2 39:2	74:15,20 78:7,18	137:3 138:1,17
reserves 1:22 2:22	rise 3:25	95:17 102:11 114:1	157:20 158:2	83:11	141:9
3:19 4:5,10,13,18	RNRA 90:7	115:3 118:22	sections 12:24 150:18	serious 9:11 80:25	sir 2:18 4:4,22 5:8
5:5,17,25 7:17,19	road 21:22 22:16	143:17 146:7	sector 37:3	81:5,24 133:3	7:14,22 8:7 9:11,16
8:2,21,23 9:4,18	23:17 24:5	samples 2:3 3:5 4:19	secure 127:24	seriously 132:7	9:23 10:8,23 11:5
10:1,4,5,10,13,16	ROBERT 2:19	6:14,22 7:1,5 9:10	security 126:11	seriousness 32:5	12:21 13:16,24
12:23 13:6,9,11,19	rock 47:18	10:21 11:11 15:25	127:10,17 128:7,8	serve 8:22	15:19 18:5,7,13
13:21 14:4,7,18,24	Rod 135:9 136:14	16:3	144:10	set 3:25 4:25 37:25	19:18 20:13 21:1,12
15:2,10,16,17,23	RODERICK 2:4	sampling 3:3 4:15	see 1:22 5:8,9 8:14	38:13 47:24 95:25	21:23 24:21 26:25
16:1,6,9 33:24 41:1	Rogi 115:16,17	samplings 10:18	9:10 10:22,23 11:1	setting 13:20 14:13	28:1 29:23 33:10
55:13 56:15 57:15	role 80:11 82:5	SARAH 2:18	11:2,18,19,20 12:12	Settlement 1:2	36:24 38:25 43:10
59:7	ROSE-MARIE 2:20	satisfactory 40:4	13:23,24 16:8 18:5	seven 117:8	45:8 46:19 48:14
resolution 136:10 resolve 136:13 146:17	ROSSI 2:18 RT 1:11	42:12,13 43:2 45:3	18:7 21:13,13,15	several 85:6 113:22 120:15 122:15	50:19 51:6 56:4
resolved 44:13 52:3	ruled 132:23	52:10 60:16,20 71:2 112:8 146:11 153:9	24:21,23 34:4 35:2 35:3 40:24 43:1,19	136:3 138:21	57:23 59:2,17 60:8 60:23 61:15 62:9
resolving 134:19	Rules 1:1	satisfied 2:25 42:23	43:21 45:3 54:16	139:13 155:14	63:1,8 64:7,12 65:8
resource 11:17 152:24	ruling 132:2,15 133:8	saw 14:15 88:2,3	55:22 78:4 79:5	shared 16:14	69:15 71:8 72:2,8
resources 5:22 6:4	133:9,11,16,17,18	saw 14.13 88.2,5 saying 2:14 7:22 8:24	80:4,5,21,22 82:17	shareholder 133:6,7	76:4 77:2 78:4
7:13 13:3 63:24	rulings 132:7	12:4 13:16 18:23,25	88:24 89:3,5,6	shares 25:11	79:14 87:21 88:2
148:1	run 7:18 126:9	23:20 29:22 44:4,5	92:21 94:5,10	sharing 12:12	89:17 90:5 93:6,11
respective 164:14	Rutongo 16:2 24:24	47:21 54:21,24 55:5	105:16,21,22 110:2	short 3:12 33:18 50:24	95:2 96:14 101:24
respond 33:19 111:15	25:4,5,10,16,25	55:11,16,19 56:3	130:5 132:11	80:1 82:14 85:3	102:9 105:23 106:4
111:24	26:7 27:1 28:12,21	57:2 63:8 67:23	136:14 141:20	102:5 108:15	107:13,21 114:18
Respondent 1:19 2:5	29:17 30:12 31:6	68:3 76:16,19 81:21	146:14 147:11	144:18 145:14	123:3 125:18
1:8 51:14	32:2 155:9 159:21	84:14 85:3 87:22	149:18 150:12	159:18	126:18 131:11,23
Respondent's 23:15	Rutongo's 24:21 25:4	88:6,15 90:19 92:12	153:13 155:23	shortly 163:16	141:16,19 145:9
146:14	25:22 26:11	92:14 93:1 94:14	156:10 157:4,25	short-term 42:3 64:3	153:12 156:9 158:6
responding 33:21	Rutsiro 10:10,13,19	100:17 132:3	158:2,15 161:4	82:19 83:7,24 150:6	158:19 160:6
response 24:11 40:18	11:22 17:6 18:19	133:10,19 134:17	seeing 20:18 89:2	151:4 157:24	sit 44:1,16 45:12 46:19
responsibility 152:8	19:9,16,16 54:4,15	137:16 160:25	112:5 143:15	159:10,16 160:1,8	47:11 48:21
responsible 129:20	54:22 55:15 70:20	says 6:22 10:20 19:2	150:13	160:11	site 13:22 59:7,9 66:10
133:24 151:20,24 152:3 162:2,6	72:17,23 74:3,23 81:4 82:1 149:1	26:17 35:9 40:21 43:7 52:14,20,22,22	seeking 38:23 47:1,7 114:20	show 49:23 87:3,5,12 120:6,16 134:5	128:7 142:1,3,4 144:3
rest 154:23	154:11	43.7 52.14,20,22,22 55:24 58:11,12,13	seem 76:10	showed 31:19 100:1	sites 119:20 120:5,14
restate 2:7	Rwanda 1:18 2:9,9	63:9 67:4 75:12	seems 81:19	132:2	120:19 141:23
resubmission 41:13	23:15 25:9,11,14,21	77:14 80:15,23	seen 86:3,8,10 88:2	showing 4:2 9:9 14:16	siting 24:5
resubmit 113:21	26:17,22 27:10 29:4	schedule 40:6	seize 130:14	16:21 21:15 30:20	sitting 48:9 65:2
result 70:1 92:15	29:6,7 31:24 32:8	scheduled 39:24	seized 130:16	30:25 31:18 36:6,8	situation 41:16 107:20
134:23	32:23 34:3,9 35:9	schedules 40:2	selected 36:11,12 69:1	47:20 49:3 61:4	six 42:13,15,17 43:3
results 10:25 91:20	35:17,19 36:19	scheduling 47:10	selecting 36:9	76:6 84:16 92:1	62:5
137:2	38:12,17,21 39:3	scheme 112:23	sell 66:2,10 121:14,25	112:11	skills 156:7
retain 143:8	79:18 82:21 112:16	scree 5:19 6:13 8:8	123:20,22 137:13	shown 22:23 57:7	slip 20:11
rethink 43:24	120:20 121:2 122:3	11:21	137:17 140:4	86:19 88:1 133:18	slowing 73:16 105:25
retired 155:14	126:7 129:7 132:3	screen 110:9 147:10	141:24 142:17,20	147:19	slowly 28:7 159:13
return 92:7 99:14	147:25 148:1	150:14 156:6	143:8,24	shows 6:25 52:9	small 12:24 138:7
100:12	153:25 154:8,17,24	scroll 12:2 157:3,4	selling 138:6 140:11	side 18:11,15,15 23:15	142:9 143:4 150:17
returns 1:5	154:25 Bwandan 62:24 65:18	scrolled 12:3	sells 122:11	24:3 32:18 41:18,18	small-scale 122:17
revenue 112:16 135:24 136:21	Rwandan 63:24 65:18 65:24 66:9 68:7	scrolling 12:10 Sebeya 18:21,25 81:4	send 84:13 86:24 126:11 127:10,16	42:2,2 54:14 84:24 88:19,19 108:24	sold 143:24 solemnly 147:13
review 51:12,14,16	76:22 77:3,17 84:10	82:1	120:11 127:10,16	135:17 145:25	some 1:18 11:23 14:23
64:7,8 78:16,23	108:13 140:8	second 21:19 43:10	sending 129:4,10	146:7	22:3 46:8 61:16
85:17 86:8 93:11	Rwanda's 24:3 64:10	49:4 50:17 58:12	sense 145:11 155:7	sign 9:14 15:13 32:1	76:6 77:25,25 79:25
151:6,15 152:12	133:24	89:5 92:7 95:22	sense 145.11 155.7 sent 47:23 48:4 62:23	59:14	80:7 84:17,18 93:20
153:12	R-017 156:17	105:15 110:24	70:24 73:22 74:20	signed 3:18 45:3 76:7	93:21 97:5 112:10
reviewed 26:25 78:24	R-018 49:23 51:12	131:25 141:7	84:4,23 85:2 87:2,8	158:21	112:11 117:5
reviewing 11:10 28:11	53:14	148:24 149:17	87:22 97:3 109:10	similar 113:20 131:8	118:11,13 121:7
revised 42:22	R-042 26:5,6	150:11 152:11	110:8,22 111:5,7	160:10	122:2 127:1,1
re-application 101:6	R-043 31:7	153:14 156:20,22	126:24 127:5,21	simple 24:13 55:18	135:16 137:3 139:2
117:1 130:2,10	R-111 149:15	157:11,13	128:11,21	73:10 74:11 130:4	139:3 148:9 159:21
139:15		secondary 7:17	sentence 148:24	simply 7:1 9:5,19	161:11,20
re-examination	S	131:14,23 135:21	152:16 153:14,16	14:21 36:17 66:15	somebody 77:12
140:24 162:19	sad 8:14	136:5	separately 80:18	85:17 89:4 90:16	137:13 158:20
rice 9:11,12	safety 127:12,17,25	Secretary 1:22	81:13 104:20	146:13	someone 2:13 5:4
RICHARD 2:6	sake 16:2 53:11	section 6:16 11:16	September 60:23 61:3	since 32:11 82:20	28:25 29:6,8 66:16
rightful 131:17 133:25	same 19:6 27:17 45:11	12:12 18:10,12,17	61:10 62:16 70:15	89:15 92:19 107:17	123:10 126:13
	1				

Anne-Marie Stallard for Trevor McGowan As amended by the Parties

Tuesday, 29 June 2021

132:6 151:15 159:5	spend 64:14	71:17 96:5 107:18	suggests 142:16	157:10	148:7 155:15,17
something 12:16	spillover 155:20	124:12,12,25 125:6	suggests 142.10 suitable 47:19	talked 116:9 133:4	156:16 157:19
24:15 47:15,17 50:3	split 146:3	140:6 144:19	summarise 11:23	talking 1:23 2:12,13	162:21,23 164:19
51:5 52:2,20 62:6	spoken 102:12	160:13 164:5	summarising 81:8	23:10 45:10 46:22	their 3:13 8:4,14 9:14
65:11 75:12 78:20	staff 2:21 143:21		97:20	47:10 48:8 50:17,18	10:21 13:8 14:8
79:11 83:5 100:6,11	159:5	Stone 2:6,6		· · · · ·	
		stop 37:9 84:11 92:24 96:8 125:20 126:19	summary 12:21 69:11	57:5,5 63:12 77:6	21:20 24:4 27:12,21
102:5 119:2 133:2	stage 25:14	stopped 80:20 128:19	69:12 summer 1:2 129:24	100:24 123:5 156:4	30:23,23 32:5,23
144:1 158:20	stall 114:8			talks 58:8	34:22 35:6 38:6
160:20 163:10 Sometimes 73:14	Stallard 1:23	137:19	130:6,18 138:23	tangible 71:25 72:21	57:17 66:15 102:23
	stand 53:12 108:23	stopping 81:24 137:1	140:1 superficial 9:15 13:5	91:20 92:4	110:23 111:13
soon 41:8 43:18 44:6	standard 3:3 33:15	137:7 138:21 strangled 136:19	supplemental 105:9	tax 112:14	113:21 121:13,13
45:12 47:10 48:8	standards 32:21 38:15 standby 108:9	strike 37:14 44:10		team 104:20	121:15,23 122:6,12
51:22 53:19 54:20			105:14,15,16,17	teams 126:24 127:5,8	123:15,20,21 124:5
54:25 89:23 sorry 3:24 4:23 5:14	standing 59:10,22	strong 41:9 43:19	106:3 155:18,23	127:10,11,17,17 technical 5:6 153:19	124:9 125:1 128:15
	Starck 15:15	69:22	supply 9:4 36:5		128:24 130:16
17:1 21:24 23:5,8,9	Starck's 10:22	strongly 37:12 46:13	support 2:21 9:6	technology 15:4,9,13	132:13 134:19
25:1 27:8,14,15	start 11:15 18:4 33:19	46:14 49:25	148:20	tell 48:24 51:1 59:1	135:17 144:15
28:6 30:6,20 43:1	33:20 47:4 81:12	structure 143:12	supportive 57:21	79:14 86:5,19 91:22	159:19 160:11
48:14,23 62:19 65:9	88:25 149:16	studies 4:16,17,17 5:6	supposed 11:4 29:5	98:3,10 109:24	themselves 13:8,10
65:9,9,20 66:8,18 72:18 72:14 74:6	started 2:6 26:23	7:11,12,23,25 41:1	32:22 33:7 35:8	115:22 120:8	14:17 76:11 124:22
72:18 73:14 74:6	37:15 44:11 50:10	study 4:11,18 7:8	67:14 142:22	128:17 138:9	thing 29:20 44:19
75:22 88:5 89:13	65:21 69:3,15 81:21	10:10 13:21 14:5	Supreme 132:3,8,16	149:20 155:4	45:11 73:11,20
91:2 95:22 96:3	82:11 84:18 88:6	15:3 17:14 23:2	132:23 133:5,9	telling 3:13 33:19	77:22 99:6 110:24
100:23 101:19	100:5 107:7 114:7	26:24 152:25 153:7	134:24 135:6	40:24 44:22 57:22	114:1 137:22
106:3,15,25 121:5	137:6	subject 43:13 153:22	sure 20:7 42:2 45:8,10	63:5 64:24 65:1	146:16
130:4 135:3 151:23	starting 13:18 81:14	154:21	78:22 89:16 108:2	73:5 76:11 81:4,11	things 33:21 36:13
154:19 156:2,18	101:9	subjective 32:24	108:12 113:25	84:5 85:9 115:23	45:5 48:2 49:3,14
158:1 159:12,12	starts 11:16 18:11	submission 34:20,22	156:14	126:19 132:4 137:5	69:7 74:8,9 76:5
161:18 162:5 163:12	20:22 155:20 state 7:4 59:20 61:24	35:8 36:22 37:17 39:12 113:18	switch 33:25 switched 52:20	138:7 141:12 tells 5:4 33:23	86:5 87:25 105:24 105:25 111:5
sort 61:16 119:1	73:18 92:20 127:21	submissions 35:6 39:4	switching 33:20 123:4	temporarily 80:19	112:12 113:25
123:11	stated 62:20 70:15	submit 14:24 27:24	system 40:13 129:21	ten 32:11 37:1 38:21	128:18 137:21
sought 42:8 43:24	92:11	77:23 96:17 101:5	129:25 132:25	tender 34:14,22 35:5	think 4:20 20:24 21:7
sound 146:11	statement 1:15 3:2 4:1	111:16,18 112:6	127.23 132.23	35:23 36:1,18 37:16	22:5 25:17 32:18
SPALENA 1:16	4:7 6:6,10 9:2,17	114:4,23 115:24	T	37:20,22,25 39:3	36:16 37:10 40:1,3
spare 163:5	10:14 13:14 15:24	116:16 117:21			
-					
sneak 27.2 28.6			table 57:3 63:5 97:14	76:24 77:13 127:3 term 5:6 29:11 39:21	40:4,20 41:16 45:2
speak 27:2 28:6 147:14 161:18	16:21 17:3,21 18:3	118:3,11 130:2	tag 137:22	term 5:6 29:11 39:21	45:20,22 46:2 47:16
147:14 161:18	16:21 17:3,21 18:3 19:2 20:8 22:18	118:3,11 130:2 submitted 11:12 14:8	tag 137:22 tagged 141:23	term 5:6 29:11 39:21 56:5 63:9 80:1	45:20,22 46:2 47:16 48:14 50:4,9,21
147:14 161:18 speaking 28:4 159:13	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10	tag 137:22 tagged 141:23 tagging 129:21 132:25	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21
147:14 161:18 speaking 28:4 159:13 159:14	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2 terms 9:3 20:8 39:5	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successful 35:18 39:12	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1	$\begin{array}{c} 16:21 \ 17:3,21 \ 18:3\\ 19:2 \ 20:8 \ 22:18\\ 24:19,20 \ 28:21\\ 29:22 \ 30:17 \ 31:3,6\\ 31:10,24 \ 32:10,15\\ 33:2,14 \ 35:16,19\\ 36:20 \ 37:17 \ 59:3,18\\ 60:3,9 \ 69:23 \ 82:13\\ 85:19 \ 99:17 \ 105:3\\ 105:10,12,14,20\\ 129:16 \ 135:21\\ 141:5 \ 147:20\\ 155:19,23 \ 156:10\\ \end{array}$	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successful 35:18 39:12 39:20 92:14	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24	$\begin{array}{c} 16:21 \ 17:3,21 \ 18:3\\ 19:2 \ 20:8 \ 22:18\\ 24:19,20 \ 28:21\\ 29:22 \ 30:17 \ 31:3,6\\ 31:10,24 \ 32:10,15\\ 33:2,14 \ 35:16,19\\ 36:20 \ 37:17 \ 59:3,18\\ 60:3,9 \ 69:23 \ 82:13\\ 85:19 \ 99:17 \ 105:3\\ 105:10,12,14,20\\ 129:16 \ 135:21\\ 141:5 \ 147:20\\ 155:19,23 \ 156:10\\ 157:11\\ \end{array}$	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successful 35:18 39:12 39:20 92:14 successfully 35:21	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminate 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4 158:16 159:2 164:2
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4 158:16 159:2 164:2 thinking 132:11 145:3
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specifics 67:23	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sue 131:18	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test 42:3 159:24	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4 158:16 159:2 164:2 thinking 132:11 145:3 third 2:10 58:13
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specifics 67:23 specified 102:14	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sue 131:18 sufficient 7:18 8:2	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test 42:3 159:24 testified 93:24 94:7	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4 158:16 159:2 164:2 thinking 132:11 145:3 third 2:10 58:13 THORNTON 2:13
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specifics 67:23 specified 102:14 specify 59:6 104:4	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23 statement's 136:5	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successfull 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sue 1 31:18 sufficient 7:18 8:2 33:2 57:14 58:21	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7 137:3 143:7 145:11	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test 42:3 159:24 testified 93:24 94:7 106:18,22	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4 158:16 159:2 164:2 thinking 132:11 145:3 third 2:10 58:13 THORNTON 2:13 though 2:18 110:14
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specifice 67:23 specified 102:14 specify 59:6 104:4 155:5	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23 statement's 136:5 states 2:11,12,13,14	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sue 131:18 sufficient 7:18 8:2 33:2 57:14 58:21 68:21	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7 137:3 143:7 145:11 148:16 151:15	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminate 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test 42:3 159:24 testified 93:24 94:7 106:18,22 testifying 106:7	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4 158:16 159:2 164:2 thinking 132:11 145:3 third 2:10 58:13 THORNTON 2:13 though 2:18 110:14 113:24 127:16
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specifics 67:23 specified 102:14 specify 59:6 104:4 155:5 SPECIOZA 2:9 speculate 24:16 32:19 48:2,15 49:2,7 70:8	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23 statement's 136:5 states 2:11,12,13,14 2:15,16 34:19	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sue 131:18 sufficient 7:18 8:2 33:2 57:14 58:21 68:21 sufficiently 55:13	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7 137:3 143:7 145:11 148:16 151:15 156:20 157:19	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminate 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test 42:3 159:24 testiffue 93:24 94:7 106:18,22 testifying 106:7 testimony 24:22 49:12	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4 158:16 159:2 164:2 thinking 132:11 145:3 third 2:10 58:13 THORNTON 2:13 though 2:18 110:14 113:24 127:16 133:14
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specifics 67:23 specifies 102:14 specify 59:6 104:4 155:5 SPECIOZA 2:9 speculate 24:16 32:19	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23 statement's 136:5 states 2:11,12,13,14 2:15,16 34:19 stating 2:20	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sue 131:18 sufficient 7:18 8:2 33:2 57:14 58:21 68:21 sufficiently 55:13 56:15	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7 137:3 143:7 145:11 148:16 151:15 156:20 157:19 taken 6:23 7:1 46:1	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminated 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test 42:3 159:24 testified 93:24 94:7 106:18,22 testifying 106:7 testimony 24:22 49:12 53:6,13,16,21 70:7	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4 158:16 159:2 164:2 thinking 132:11 145:3 third 2:10 58:13 THORNTON 2:13 though 2:18 110:14 113:24 127:16 133:14 thought 5:13 8:17
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specifics 67:23 specified 102:14 specify 59:6 104:4 155:5 SPECIOZA 2:9 speculate 24:16 32:19 48:2,15 49:2,7 70:8	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23 statement's 136:5 states 2:11,12,13,14 2:15,16 34:19 stating 2:20 status 133:25	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sufficient 7:18 8:2 33:2 57:14 58:21 68:21 sufficiently 55:13 56:15 suggest 44:12 155:4	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7 137:3 143:7 145:11 148:16 151:15 156:20 157:19 taken 6:23 7:1 46:1 140:14 161:13	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminated 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test 42:3 159:24 testified 93:24 94:7 106:18,22 testifying 106:7 testimony 24:22 49:12 53:6,13,16,21 70:7 70:8 94:11 110:8,12	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4 158:16 159:2 164:2 thinking 132:11 145:3 third 2:10 58:13 THORNTON 2:13 though 2:18 110:14 113:24 127:16 133:14 thought 5:13 8:17 28:4 49:22 76:2
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specifies 67:23 specified 102:14 specify 59:6 104:4 155:5 SPECIOZA 2:9 speculate 24:16 32:19 48:2,15 49:2,7 70:8 75:17 79:12 84:22	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23 statement's 136:5 states 2:11,12,13,14 2:15,16 34:19 stating 2:20 status 133:25 stayed 128:7	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sue 131:18 sufficient 7:18 8:2 33:2 57:14 58:21 68:21 sufficiently 55:13 56:15 suggest 44:12 155:4 suggested 52:21	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7 137:3 143:7 145:11 148:16 151:15 156:20 157:19 taken 6:23 7:1 46:1 140:14 161:13 takes 121:8	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test 42:3 159:24 testified 93:24 94:7 106:18,22 testifying 106:7 testifying 106:7 testifying 106:7 testifying 106:7 testifying 106:7 testifying 106:7 testifying 106:7 testifying 106:7 testifying 106:7	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4 152:7 156:2,4 158:16 159:2 164:2 thinking 132:11 145:3 third 2:10 58:13 THORNTON 2:13 though 2:18 110:14 113:24 127:16 133:14 thought 5:13 8:17 28:4 49:22 76:2 100:4,5 111:7
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specifics 67:23 specified 102:14 specify 59:6 104:4 155:5 SPECIOZA 2:9 speculate 24:16 32:19 48:2,15 49:2,7 70:8 75:17 79:12 84:22 84:25 85:16 86:2	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23 statement's 136:5 states 2:11,12,13,14 2:15,16 34:19 stating 2:20 status 133:25 staying 96:1	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successfull 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sue 131:18 sufficient 7:18 8:2 33:2 57:14 58:21 68:21 sufficiently 55:13 56:15 suggest 44:12 155:4 suggested 52:21 146:21	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7 137:3 143:7 145:11 148:16 151:15 156:20 157:19 taken 6:23 7:1 46:1 140:14 161:13 takes 121:8 taking 40:8 58:19	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test 42:3 159:24 testified 93:24 94:7 106:18,22 testifying 106:7 testimony 24:22 49:12 53:6,13,16,21 70:7 70:8 94:11 110:8,12 111:5 138:15 139:1 139:8,18 140:17	45:20,22 46:2 47:16 48:14 50:4,9,21 51:3 53:3 57:21 58:2 61:4 62:5 63:1 63:6 71:16 75:19 81:13 84:21 90:6,24 95:3 96:2 99:7 100:10 103:16,18 108:1,14 109:2 113:7 118:20 125:19 132:19,19 133:1 144:8 151:24 152:7 156:2,4 158:16 159:2 164:2 thinking 132:11 145:3 third 2:10 58:13 THORNTON 2:13 though 2:18 110:14 113:24 127:16 133:14 thought 5:13 8:17 28:4 49:22 76:2 100:4,5 111:7 112:22 143:11
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specified 102:14 specified 59:6 104:4 155:5 SPECIOZA 2:9 speculate 24:16 32:19 48:2,15 49:2,7 70:8 75:17 79:12 84:22 84:25 85:16 86:2 90:24 95:10 116:20 155:13 160:7,14,24 162:17	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23 statement's 136:5 states 2:11,12,13,14 2:15,16 34:19 stating 2:20 status 133:25 stayed 128:7 staying 96:1 step 45:6 119:5 steps 21:21 STEVEN 2:3	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sue 131:18 sufficient 7:18 8:2 33:2 57:14 58:21 68:21 sufficiently 55:13 56:15 suggest 44:12 155:4 suggested 52:21 146:21 suggesting 24:13 49:15 50:10 56:22 57:7,8 94:3 95:4	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7 137:3 143:7 145:11 148:16 151:15 156:20 157:19 taken 6:23 7:1 46:1 140:14 161:13 takes 121:8	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminate 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test 42:3 159:24 testified 93:24 94:7 106:18,22 testifying 106:7 testimony 24:22 49:12 53:6,13,16,21 70:7 70:8 94:11 110:8,12 111:5 138:15 139:1 139:8,18 140:17 text 158:3	$\begin{array}{c} 45:20,22\ 46:2\ 47:16\\ 48:14\ 50:4,9,21\\ 51:3\ 53:3\ 57:21\\ 58:2\ 61:4\ 62:5\ 63:1\\ 63:6\ 71:16\ 75:19\\ 81:13\ 84:21\ 90:6,24\\ 95:3\ 96:2\ 99:7\\ 100:10\ 103:16,18\\ 108:1,14\ 109:2\\ 113:7\ 118:20\\ 125:19\ 132:19,19\\ 133:1\ 144:8\ 151:24\\ 152:7\ 156:2,4\\ 158:16\ 159:2\ 164:2\\ \textbf{thinking\ 132:11\ 145:3}\\ \textbf{though\ 2:18\ 110:14}\\ 113:24\ 127:16\\ 133:14\\ \textbf{though\ 5:13\ 8:17}\\ 28:4\ 49:22\ 76:2\\ 100:4,5\ 111:7\\ 112:22\ 143:11\\ 144:25\\ \textbf{thousands\ 2:2\ 15:24\\ \textbf{threatened\ 131:18}\end{array}$
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specified 102:14 specified 102:14 specifie	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23 statement's 136:5 states 2:11,12,13,14 2:15,16 34:19 stating 2:20 status 133:25 stayed 128:7 staying 96:1 step 45:6 119:5 step 21:21 STEVEN 2:3 stick 37:6 65:12 75:13	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sueficient 7:18 8:2 33:2 57:14 58:21 68:21 sufficiently 55:13 56:15 suggest 44:12 155:4 suggested 52:21 146:21 suggesting 24:13 49:15 50:10 56:22 57:7,8 94:3 95:4 122:13	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7 137:3 143:7 145:11 148:16 151:15 156:20 157:19 taken 6:23 7:1 46:1 140:14 161:13 takes 121:8 taking 40:8 58:19 93:21 109:17	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminate 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test fied 93:24 94:7 106:18,22 testifying 106:7 testimony 24:22 49:12 53:6,13,16,21 70:7 70:8 94:11 110:8,12 111:5 138:15 139:1 139:8,18 140:17 text 158:3 thank 39:1 51:6,9 52:6 52:25 76:4 95:12 103:17 104:8 105:9	$\begin{array}{c} 45:20,22\ 46:2\ 47:16\\ 48:14\ 50:4,9,21\\ 51:3\ 53:3\ 57:21\\ 58:2\ 61:4\ 62:5\ 63:1\\ 63:6\ 71:16\ 75:19\\ 81:13\ 84:21\ 90:6,24\\ 95:3\ 96:2\ 99:7\\ 100:10\ 103:16,18\\ 108:1,14\ 109:2\\ 113:7\ 118:20\\ 125:19\ 132:19,19\\ 133:1\ 144:8\ 151:24\\ 152:7\ 156:2,4\\ 158:16\ 159:2\ 164:2\\ \textbf{thinking\ 132:11\ 145:3}\\ \textbf{though\ 2:18\ 110:14}\\ 113:24\ 127:16\\ 133:14\\ \textbf{though\ 5:13\ 8:17}\\ 28:4\ 49:22\ 76:2\\ 100:4,5\ 111:7\\ 112:22\ 143:11\\ 144:25\\ \textbf{thousands\ 2:2\ 15:24}\\ \textbf{threatened\ 131:18}\\ \textbf{three\ 3:7\ 11:20\ 17:3}\\ \end{array}$
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specifics 67:23 specified 102:14 specify 59:6 104:4 155:5 SPECIOZA 2:9 speculate 24:16 32:19 48:2,15 49:2,7 70:8 75:17 79:12 84:22 84:25 85:16 86:2 90:24 95:10 116:20 155:13 160:7,14,24 162:17 speculating 32:18 speculation 86:3,5	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23 statement's 136:5 states 2:11,12,13,14 2:15,16 34:19 stating 2:20 status 133:25 stayed 128:7 staying 96:1 step 45:6 119:5 steps 21:21 STEVEN 2:3 stick 37:6 65:12 75:13 122:4	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 success 149:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sueficient 7:18 8:2 33:2 57:14 58:21 68:21 sufficient 7:18 8:2 33:2 57:14 58:21 68:21 sufficiently 55:13 56:15 suggest 44:12 155:4 suggested 52:21 146:21 suggesting 24:13 49:15 50:10 56:22 57:7,8 94:3 95:4 122:13 suggestion 9:1 33:4,9	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7 137:3 143:7 145:11 148:16 151:15 156:20 157:19 taken 6:23 7:1 46:1 140:14 161:13 takes 121:8 taking 40:8 58:19 93:21 109:17 137:14 152:5	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminated 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test fied 93:24 94:7 106:18,22 testifying 106:7 testimony 24:22 49:12 53:6,13,16,21 70:7 70:8 94:11 110:8,12 111:5 138:15 139:1 139:8,18 140:17 text 158:3 thank 39:1 51:6,9 52:6 52:25 76:4 95:12 103:17 104:8 105:9 109:4 132:1 140:23	$\begin{array}{c} 45:20,22\ 46:2\ 47:16\\ 48:14\ 50:4,9,21\\ 51:3\ 53:3\ 57:21\\ 58:2\ 61:4\ 62:5\ 63:1\\ 63:6\ 71:16\ 75:19\\ 81:13\ 84:21\ 90:6,24\\ 95:3\ 96:2\ 99:7\\ 100:10\ 103:16,18\\ 108:1,14\ 109:2\\ 113:7\ 118:20\\ 125:19\ 132:19,19\\ 133:1\ 144:8\ 151:24\\ 152:7\ 156:2,4\\ 158:16\ 159:2\ 164:2\\ \textbf{thinking\ 132:11\ 145:3}\\ \textbf{though\ 2:18\ 110:14}\\ 113:24\ 127:16\\ 133:14\\ \textbf{though\ 5:13\ 8:17}\\ 28:4\ 49:22\ 76:2\\ 100:4,5\ 111:7\\ 112:22\ 143:11\\ 144:25\\ \textbf{thousands\ 2:2\ 15:24}\\ \textbf{threatened\ 131:18}\\ \textbf{three\ 3:7\ 11:20\ 17:3}\\ 18:20\ 61:12,25\\ \end{array}$
147:14 161:18 speaking 28:4 159:13 159:14 specific 12:9 16:1 45:14 54:9 55:14 56:8 84:15 101:24 102:19,20 115:22 133:20 135:8 150:18 152:15 154:16 157:14 specifically 15:1 63:9 76:20 77:6 102:1 119:22 120:18,24 135:4 specified 102:14 specified 102:14 specifie	16:21 17:3,21 18:3 19:2 20:8 22:18 24:19,20 28:21 29:22 30:17 31:3,6 31:10,24 32:10,15 33:2,14 35:16,19 36:20 37:17 59:3,18 60:3,9 69:23 82:13 85:19 99:17 105:3 105:10,12,14,20 129:16 135:21 141:5 147:20 155:19,23 156:10 157:11 statements 16:11 33:12 90:17,21 109:23 statement's 136:5 states 2:11,12,13,14 2:15,16 34:19 stating 2:20 status 133:25 stayed 128:7 staying 96:1 step 45:6 119:5 step 21:21 STEVEN 2:3 stick 37:6 65:12 75:13	118:3,11 130:2 submitted 11:12 14:8 15:22 17:15 21:3,10 26:6 32:12 33:7 38:15 64:9 98:19 104:14 116:15 118:13 119:19 120:12 150:9 159:17 submitting 137:6 successful 35:18 39:12 39:20 92:14 successfully 35:21 71:18 sueficient 7:18 8:2 33:2 57:14 58:21 68:21 sufficiently 55:13 56:15 suggest 44:12 155:4 suggested 52:21 146:21 suggesting 24:13 49:15 50:10 56:22 57:7,8 94:3 95:4 122:13	tag 137:22 tagged 141:23 tagging 129:21 132:25 142:1,3 tags 110:4 129:25 131:1,6,15,18,21 132:11,12,13 135:22 136:9,17,20 137:1,6,7,16 138:4 138:21 140:4 tailings 5:22 6:5 take 8:20 50:2,19,21 55:24 61:21 66:10 74:8 77:25,25 85:7 86:20 105:5,19 117:9 119:6,12 121:24 126:18 127:17,18 132:7 137:3 143:7 145:11 148:16 151:15 156:20 157:19 taken 6:23 7:1 46:1 140:14 161:13 takes 121:8 taking 40:8 58:19 93:21 109:17 137:14 152:5 talk 3:19 4:5,6 12:8	term 5:6 29:11 39:21 56:5 63:9 80:1 82:14 96:4 102:9 106:21 123:4 149:5 152:25 157:22 158:10,12 159:19 160:3 terminate 138:19 terminate 138:2 terms 9:3 20:8 39:5 42:22,24 44:17,24 45:13,14,18 51:22 51:23 54:9 57:6,25 70:5 103:11 104:5 109:22 123:5 154:4 test fied 93:24 94:7 106:18,22 testifying 106:7 testimony 24:22 49:12 53:6,13,16,21 70:7 70:8 94:11 110:8,12 111:5 138:15 139:1 139:8,18 140:17 text 158:3 thank 39:1 51:6,9 52:6 52:25 76:4 95:12 103:17 104:8 105:9	$\begin{array}{c} 45:20,22\ 46:2\ 47:16\\ 48:14\ 50:4,9,21\\ 51:3\ 53:3\ 57:21\\ 58:2\ 61:4\ 62:5\ 63:1\\ 63:6\ 71:16\ 75:19\\ 81:13\ 84:21\ 90:6,24\\ 95:3\ 96:2\ 99:7\\ 100:10\ 103:16,18\\ 108:1,14\ 109:2\\ 113:7\ 118:20\\ 125:19\ 132:19,19\\ 133:1\ 144:8\ 151:24\\ 152:7\ 156:2,4\\ 158:16\ 159:2\ 164:2\\ \textbf{thinking\ 132:11\ 145:3}\\ \textbf{though\ 2:18\ 110:14}\\ 113:24\ 127:16\\ 133:14\\ \textbf{though\ 5:13\ 8:17}\\ 28:4\ 49:22\ 76:2\\ 100:4,5\ 111:7\\ 112:22\ 143:11\\ 144:25\\ \textbf{thousands\ 2:2\ 15:24}\\ \textbf{threatened\ 131:18}\\ \textbf{three\ 3:7\ 11:20\ 17:3}\\ \end{array}$

Anne-Marie Stallard for Trevor McGowan Page 12

Tuesday, 29 June 2021

	1	1			
70:1,6,22 72:1,17	traders 141:24 143:7	60:4,19 61:25 64:2	2:15,16	109:25 145:17	102:12 111:24
72:22 74:5 90:20	143:25	67:19 68:1,25 70:5	unlawfully 141:14	148:7	113:18 128:13
122:16	Trans 115:16,17	71:4,13 75:2 76:17	unless 131:18	waiting 84:23 85:1	130:7 148:1 150:24
three-page 149:16	Transcript 1:23 1:2	78:9,14,18,20 79:1	unlike 25:20	145:17	weren't 2:5 30:2 34:6
three-quarters 51:5	transform 143:13	79:11 80:20 85:6,13	unnamed 55:14	want 2:16 15:18 22:4	54:18 94:2 103:10
through 18:12 25:1	transmittal 21:25 22:9	85:23,25 89:25	unsatisfactory 118:15	22:21 23:20 24:16	108:18 129:12
35:1,8,12 37:7 49:1	22:22 86:13	97:14 102:15 107:6	unsuccessful 92:16	31:17 34:6,21 42:3	135:20
83:10 89:14 108:23	transmitting 21:17	107:8 108:9 117:17	94:15,22	44:6 53:22 55:25	we'll 18:9 33:2 50:21
123:19 136:15	22:12 23:11	118:4 122:20	until 12:20 66:25	56:8 57:4 61:8,15	58:1 67:7 109:22
141:21 157:3,4,24	treated 131:19	134:10,18 139:23	67:12 69:4,5 73:24	66:6 69:18 70:8	110:6 114:5
158:11,22	trees 18:24	152:23 157:7	82:23,25 84:10 90:6	71:3 77:21 84:25	we're 12:11 26:16
throughout 135:2	Trevor 1:24	type 7:24 15:4 49:11	104:22 108:6	87:25 92:24 95:9	32:17 39:24 43:22
throw 144:3	Tribunal 1:22 2:23	80:2 82:15 110:25	111:16 140:1 156:1	100:24 103:17	43:25,25 44:24,25
ticking 159:25	3:5 5:11 25:20 57:1	types 122:16	156:13,15 164:18	104:18 113:25	45:10 46:22 55:4
times 1:2 49:14 96:23	65:6 69:13 95:1	typically 163:15	164:21	139:12 147:22	57:4,5 59:21 85:11
101:9,10 102:12	98:17 139:13 141:1	typing 35:22	updated 21:11,17,25	153:14 155:4 161:4	89:10,18,24 90:19
139:13	146:17 164:12		22:9,23 98:19	164:14	94:1 97:23 102:16
timetable 107:25	trick 112:22	U	upside 18:11	wanted 4:24 7:12	104:25 106:1
145:20	tried 54:3 69:5 90:25	ultimate 134:13	use 9:12 38:18 123:4	40:11 57:20 69:16	108:15 113:3,25
timing 8:20 108:22	102:10	unclear 13:4	150:12 152:7 163:4	90:9 92:25 94:5	146:25 156:19
163:15 164:10	trouble 40:13 61:7	under 1:1 65:17,24	used 38:14 150:24	107:19 110:2	we've 57:2 74:13
Tinco 24:24 25:6,21	true 7:2,3,3 59:20	66:9,11,23 76:22	151:2,3,3,19	113:10,14 137:13	83:13 88:11 97:5
26:6,11,12,17 27:1	60:8 137:23 149:10	77:2,12,16 78:19	uses 142:13	158:18 159:2	100:19 102:12
27:2 28:11 29:23	149:11,12 153:4,6	84:10 115:24	using 15:10 16:9	wanting 12:16 32:19	146:1 164:13,16
30:7,12,14 31:12,24	156:14	123:17 129:25	35:20 56:17 142:9	wants 114:11	while 20:3 27:17
32:7	TRUMAN 1:11	137:23 140:8	152:9	wasn't 7:2 12:18 14:9	62:22 67:7 68:23
Tinco's 28:12,23 31:3	truth 65:6 69:12,13	141:17 142:7	utilised 23:18	19:13 41:12 42:23	70:4 77:18 87:25
title 105:16	94:25 147:14,14,15	143:22		72:3 75:23 79:10	100:24 146:18
today 127:4 139:1,8	161:10	underlying 133:12	V	81:21 85:1 88:23	whole 4:17 104:13
139:18 146:14	try 30:11 69:7,18 70:9	understand 5:5 8:9	v 1:17	93:14 111:24 112:2	133:8 144:13
155:1,1	70:10 74:9 86:19	14:6 15:14 21:24	vacate 67:1	113:2 129:4,11	147:14
together 104:20	98:4 105:5,6 121:14	27:6 28:7 30:4	valid 131:22	130:13 133:11,13	wild 49:12
told 8:5 30:1 43:25	123:19,25 135:8	36:14 38:3 41:7	value 150:5	143:20	willing 16:13 59:11
45:5 59:25 60:1	156:8 159:15,24	52:7 62:20 64:18	variation 154:12	WATKINS 2:22 1:11	60:1,3 84:14,21
64:22 66:21 67:24	trying 25:19 26:2 27:2	77:21 78:25 81:18	various 12:25 15:6	109:5,7 145:16	85:7 101:16 102:2
68:3,7,8 69:9 84:10	34:1 36:7,17 38:3	83:22 88:10,20	36:3 44:18	146:25	103:21,25 104:5,16
99:8,18 104:16,17	40:12 42:18 54:16	92:11 99:13 100:8	Vaughn 1:24	way 3:17 19:4 20:15	107:6,9
104:18 107:2,6,13	55:18 56:25 58:25	121:1 122:2 137:4	vein 73:12,13	22:17 30:11 35:1	winding-down 128:23
108:11,25 111:14	64:23 65:3,4,7 74:10 11 76:5 0 17	137:21 142:14	venture 25:6,9,10,15	49:7 71:20 80:16	winding-up 128:23 wish 57:19 125:22
113:7 114:4 115:20 116:16 120:24	74:10,11 76:5,9,17 83:17 91:2 93:16	147:22 151:22	27:3 32:7	81:8 113:9 118:22 119:5 134:25	wishes 98:17
124:23 128:9 129:5		152:1 154:19 155:4	verbal 135:25		withdrew 145:10
129:11 130:19	94:14,16,19,20,22 95:7 105:22,23,25	158:22 162:5	version 101:1	140:17 141:5 143:13,14 150:24	162:24
132:9,12 135:9,19	106:25 111:16	understanding 13:5	very 1:9 8:3,17 9:8	152:10 153:21	witness 1:5,9,15 4:1,7
136:1 139:4,9,19,25	121:19,24 123:3	27:14 45:16 48:11	12:24 13:4,4 14:3,3	weeks 78:9,14,18,20	6:6 9:2,17 10:14
140:18 143:5	135:4 138:15 154:4	48:21 51:25 78:11	27:15,15 32:1 33:6	78:21 79:1,11 89:25	12:4,6 13:14 15:24
140.18 145.5	154:16 155:7,8,17	78:16 79:3,5,9 81:3	33:6,8 37:3,3,8 40:3	weighed 10:21	16:11,20 17:2 20:8
tomorrow 108:19,24	159:3,14	81:9 83:23 84:1	45:22,25 46:2 52:18	welcome 68:15 145:6	24:19,20 30:17 31:3
146:2,15 163:7,15	Tuesday 1:7 1:1	92:12 96:7 97:19	53:4 59:15 63:2,9	well 1:9 2:23 11:13	31:6,10,23 32:10,15
163:23 164:10,18	tunnel 16:3	102:14 142:18	64:9,13 76:14 78:22	12:14 31:7 43:16	33:14 37:13 38:20
tomorrow's 164:7	turn 12:11 18:13 19:7	understands 158:14	83:5 89:13 102:9,18	44:9 45:25 46:17	46:2,15 49:2,7,15
TOMSON 2:6	34:17 35:4,21 39:2	understood 14:8 27:2	107:24 108:25	52:20 53:2 64:8	49:20 50:7 51:9,12
tool 137:20 138:11,16	103:11 117:2 124:4	27:9,19 45:18 49:17	115:22 123:12,13	67:23 69:14 72:8	56:20,21,25 59:3,18
138:18,23	124:24 125:10,18	49:18 57:1,2 69:18 69:21 70:3,18 81:22	132:7 136:11 137:7 137:18 144:5 145:1	87:14 91:21 93:5	60:9 75:9 85:19
tools 121:13,23 122:9	126:20 128:19	84:7,9 91:23 93:23	145:5 146:24	98:3 105:5,13	93:5 98:14 99:16
138:21 142:9	turned 12:4,7 118:23	96:3,5 136:16	145:5 146:24 147:16 150:17	108:20,25 109:22	103:2 105:3,9,12,14
top 153:10	Turning 119:1	143:19 159:2	154:9 162:11,21	111:15 115:17	105:20 109:5,23
topic 44:13 63:8	twice 105:13	undertaken 151:6	163:19 164:12	123:24 129:1	117:17 129:16
topics 39:25	two 12:24 16:6 17:14	unexpected 163:4	via 1:5	132:21 135:19	135:20 136:4
total 154:2	17:19 35:12 36:13	unfair 12:24 49:10	Video 1:5	137:18,23 140:8	145:10,16 146:25
totally 33:4,9 59:15	41:12,17 42:4,18	75:8,15	view 1:15 2:4 75:16,22	142:11 147:9	147:11,19 155:18
60:15 68:12 122:18	45:12 46:1 47:18	unfortunately 8:14	76:15 163:22	149:17 151:11,17	155:23 156:10
touched 137:5	50:11,13,14,16 52:3	69:3,9 74:7 76:10	violence 162:14	154:1,9,9 155:9,13	157:5,11 162:24
touching 137:22	52:12,18 53:7,9,18	92:3 104:21 107:8	visit 16:4	157:16 158:16	witnesses 108:9 147:3
tough 37:8	53:20,25 54:7,10,12	115:10 118:14		159:21 160:18	witness's 108:20
towns 143:4	54:25 55:14,22,24	143:14	W	161:10,22 163:4,19	WOLFENSTEIN
Trade 2:14	56:12 57:19 58:13	United 2:11,12,13,14	wait 65:8 80:2 82:15	went 15:5 100:15	2:19
1			walt 05.0 00:2 02:15		

Anne-Marie Stallard for Trevor McGowan Page 13

Tuesday, 29 June 2021

				-	•
wolframite 5:15,25	155:14	2.38 39:2	116:15,16,16,25	50 129:17	
7:15,17,19 8:8 9:4	yellow 158:5,14	20 61:3 150:1	118:18 119:9,17	53 131:10	
9:19,20 10:19 11:10	yesterday 116:9	20th 148:19	122:16 129:24	58 24:18,20 25:19	
11:21	yield 42:15 91:20	20% 5:23	130:6,9,12,18	20 21110,20 20119	
wonder 12:3 141:2	yielded 137:1	2000s 160:10	138:24 139:14,15	6	
word 73:14 142:5	yielded 157.1	2006 5:1 33:7,10 34:15	140:1 141:8 160:12	6-hour 146:2,3	
words 41:5 46:7	Z	36:10,11,25 37:20	140.1 141.8 100.12)-	
			2015 30:14,24 69:10	6.30 164:20	
work 3:1 4:15 8:15 9:8	zoom 1:5 150:16	37:21,22 38:6,7		6.5 18:5,12,17	
9:13 12:22 13:1	zoomed 150:19 152:12	68:17 152:19	118:19,21 119:18	67 26:9	
22:14 23:17,19,20	153:11	153:22	126:19 128:9,16		
23:22 24:1 42:6	Zuzana 110:10	2008 31:19 32:3 33:6,6	129:1 139:14	7	
43:2 54:3 62:2		33:10 34:9 38:4,7	140:21,22 157:16	7 34:17 147:21 148:5	
70:19,21 71:2,10,11	\$	2009 2:23 3:1,7 148:19	157:18,21	157:19	
71:13,14,19,23 72:5	\$40 55:7 59:6	2010 1:18 5:8 11:17	2016 35:16 36:1,25		
72:21 75:4 76:13		18:17 19:8 38:8	37:16,24 38:9 39:20	8	
108:2 123:11	1	40:19 41:14,19 42:8	148:2,6	8 34:17	
124:23 143:22	1 3:3,4 35:8	60:10 62:17 63:18	2017 13:8 106:9	80 19:13,23 20:19,23	
144:12 153:15	1 5.5,4 55.8 1st 47:24 48:9 84:3	65:21 68:20 70:2	2018 148:3,6	80 19.13,23 20.19,23	
worked 21:20 24:4		71:20,25,25 72:20	2021 1:7 1:1		
130:13 147:24	1.30 50:23 10 26:11 12 16 25 27:2	73:7,18 89:15 90:6	21st 79:17 88:25	9	
148:1	10 26:11,12,16,25 27:2	90:12,14,23 96:24	22nd 47:23 48:7,8,20	9.1 155:19	
workers 138:6 142:25	28:11 146:1	97:2,8,15 110:19	49:1 82:3,18 83:23		
workforce 144:14,14	10th 97:15	114:8 150:8,22	84:3 85:12 88:21		
working 2:8 24:11	100 3:5 4:19 7:5	155:9,24 156:11	91:10		
66:11 71:5,6,17	101 5:10,15 11:15,16	157:22 158:8	223 20:13,16,21		
123:10 129:21	12:2	2010's 74:14	24 145:25		
132:6 143:13 151:9	102 5:10,15 6:13	2011 13:8 21:10 30:21	24/11/06 149:4		
works 6:10,11,12 9:14	11 35:4,5	31:20 32:11,12	25 105:8,10 106:1,2		
77:8	115 7:1 12:2,20	40:15 42:9 43:1	116:19		
world 15:17	12 1:16 35:4	52:9 58:10 150:1,2	27 105:15 106:3		
worry 56:13 111:15	12-18 29:14 30:2	150:3 151:22,24	28th 116:25		
wouldn't 16:12 30:1	31:15	155:9	29th 1:7 1:1 91:6		
65:2 85:16 86:2	12.00 164:21	2012 9:25 32:13 43:11	157:22		
90:24 116:20 129:1	12.01 1:3	44:9 47:23,24 48:4	10,122		
132:21	12.02 1:12	48:16 49:1 51:20	3		
write 29:12 114:13	121 18:4,11	55:10 56:10 57:12			
151:15	123 18:15	57:24 58:18 59:9,23	3 4:4 153:10 155:21		
writing 9:17 34:8 87:5	124 18:12,15	60:23 61:10 62:16	3.56 108:5		
101:2 113:17 118:9	13 1:24 4:1,6 35:12	70:15 71:8,16 72:3	30 102:7,8 103:4,4,6		
written 13:13 20:19	13th 60:23 61:3,10	72:15,20,24 73:3,7	108:4 113:5,5 149:5		
34:3,10,11 47:17	72:3,15,24 73:3,23	73:19,23 74:20 78:7	30th 88:22 97:15,23		
	74:20 78:7 88:3		100:19 101:18		
58:4 60:2 62:10,10	130 6:22	82:20 83:11,11,12	106:9		
83:12,15 95:19,24	14 35:2,8,13	89:22 101:9 141:9	30,000 3:6		
96:2 106:20	14th 96:16 109:8	155:9 157:24	30-minute 107:22		
wrong 13:5 23:8,9	110:7	158:11	32,000 154:3		
69:17 96:4 134:15	141 3:5	2012's 74:15			
142:5	141 5.5 143 19:7,8	2013 79:17 82:3,18,25	4		
wrote 2:24 8:9 9:24	147 3:6,7	83:23 84:3 85:12	4 2:6,6 4:4,11 9:10		
10:13 88:15,21	147 3.0,7 148 3:8	87:15 88:3 90:6,12	51:4 155:21 157:20		
91:25 111:12,14	15 12:25 13:4,15,15	91:6,10 97:3,11,15	158:2		
148:19 149:7,8,9,12	17:2 20:9 113:6	97:23 98:19,21	4,000 16:3		
149:13,14,23,25	15% 133:6 161:23	99:11,20 101:10,18	4.26 108:6		
150:4,21 151:13,14	15% 155:6 161:25 15-minute 145:12	101:20 102:3,18	4.27 108:7		
152:3,13 153:2,3,4	15-minute 145:12 15-year 39:21	103:12 106:18	49 129:17 130:5 141:4		
158:19,20,21 159:4	15-year 39:21 16 39:2	107:14 139:3,8,14			
159:7	16 39:2 16th 95:15	139:16,17,19,21,24	5		
		156:1,13,15,15	5 4:4,8 11:16 14:3		
Y	163 3:9 18 30:22 145:24	2013's 103:20	-		
year 91:18 149:3	18 30:22 145:24	2014 33:8 34:11 38:4,8	144:13 148:5		
years 3:7 4:11 13:12	19 145:23 1071 28:6 7	69:5,9 96:16 100:15	5% 144:13 5 2 6:15 0:0 10:18		
18:7,19 27:12 30:24	1971 38:6,7	100:21,22 101:14	5.2 6:15 9:9 10:18		
32:11 37:1 38:21		101:20 102:16	5.28 140:25		
39:6,13,16 76:6	2	104:23 106:15	5.36 145:13		
77:25 79:25 102:7,8	2 3:17 4:4	107:11 109:8	5.51 145:15		
103:4,4,6 110:19	2nd 40:15	110:17 113:23,24	5.53 147:1		
137:4 148:2,5,5	2.06 50:25	114:4,8,22 115:4,12	5.54 147:17		
149:5 152:23,25	2.11 34:18	115:18,21 116:5,6,7	5.55 148:10		

Anne-Marie Stallard for Trevor McGowan Page 14