



**COMMISSION RELATING TO
BROADSHEET LLC. (ISLE OF MAN) AND OTHER
MATTERS REFERRED TO IN THE NOTIFICATION**

**PROCEEDINGS OF THE
COMMISSION**

Appendix II

Agreement

ORDER

Confidential/Secret
By Special Messenger

GOVERNMENT OF PAKISTAN
COMMISSION OF INQUIRY ON BROADSHEET AND OTHER
INTERNATIONAL CASES
ISLAMABAD

Islamabad, 9 February 2021

THE COMMISSION'S PROCEEDINGS ON 9 FEBRUARY 2021

In pursuance of the Notification dated 29 January 2021 issued by the Cabinet Division, Cabinet Secretariat, the required administrative and logistical support has been made available today; resultantly the Commission commenced its proceedings.

2. At the very outset, the Commission took cognizance of the matters referred in the Terms of Reference as incorporated in the Cabinet Division's aforementioned Notification. In this regard, the Commission ordered for immediate summoning of **certified copies** (certified by the custodian of the record) of the below described relevant records/files (including noting and correspondence portions, intergovernmental correspondences) with an inventory of the same from the National Accountability Bureau, the Ministry of Law and Justice, the Ministry of Finance, and the Office of the Attorney General for Pakistan:

(a) The record pertaining to the process of selection and appointment of Trouvons LLC, Broadsheet LLC, and International Asset Recovery Limited ("IAR"), and execution of agreements in the year 2000 along with copies of the executed agreements.

(b) The record relating to the decisions for cancellation of agreements with Broadsheet LLC and IAR in 2003 along with copies of notice of such cancellations/terminations.

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(c) The record relating to the decisions for settlement and payment on behalf of GoP to Broadsheet in 2008, and consequent payment of USD1.5million along with copies of the settlement agreements.

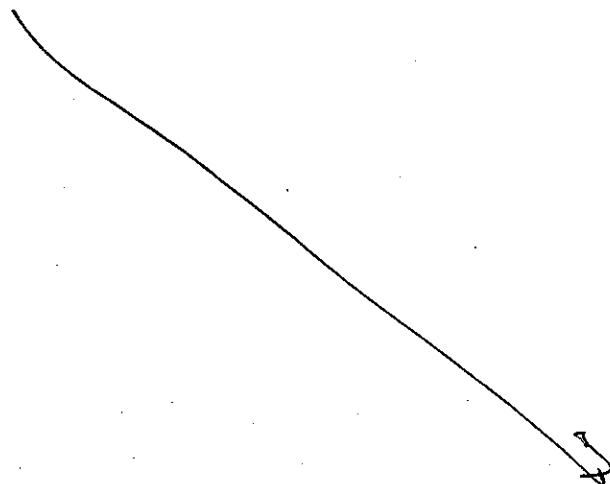
(d) The record relating to the arbitration proceedings including evidence recorded before the Chartered Institute of Arbitrators and subsequent appeal before the High Court of Justice in London regarding Broadsheet LLC along with copies of the Awards/Judgments.

(e) The record relating to recovery efforts and legal proceedings pursued by the GoP since the year 1990 in foreign jurisdictions for recovery of unlawfully removed money or illegally acquired assets but were closed, abandoned or withdrawn.

(f) Any other related or ancillary record related to the above.

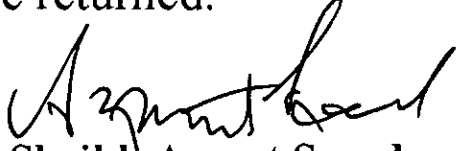
3. Accordingly, the Registrar of the Commission shall hereby issue appropriate notices in relation to the summoning of the above said records.


Sheikh Azmat Saeed
Justice (Retd)



Proceedings of the Commission

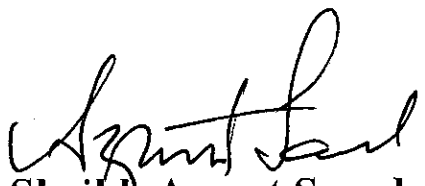
Date	Proceedings
12.02.2021 at 1530 hours	Syed Shahid Raza Zaidi, Deputy Secretary (External Finance), Finance Division, "AW 1" produced record containing 4 office files related to foreign exchange releases to NAB during FY 2015-16 to FY 2019-2020 by Finance Division. The certified copies (noting and correspondence portions) have been compared with the original record. Certified copies were taken on record as Exhibits FD-1 to 4 and original files were returned.


Sheikh Azmat Saeed
Justice (Retd.)

Date**Proceedings**

15.02.2021
at 1600 hours

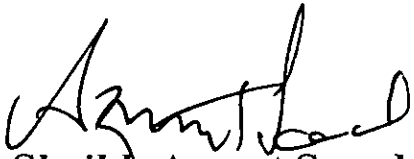
Mr. Umer Draz Randhawa, Additional Director (Operations), National Accountability Bureau (NAB) HQs, "AW 2" appeared before the Commission and produced 25 folders containing 165 files (correspondence and note portions) of NAB pertaining to the years 1999 to 2008. Certified copies have been compared with the original record. Certified copies were taken on record as Exhibits NAB-1 to 25 and original files were returned.


Sheikh Azmat Saeed
Justice (Retd.)

Date**Proceedings**

16.02.2021
at 1530 hours

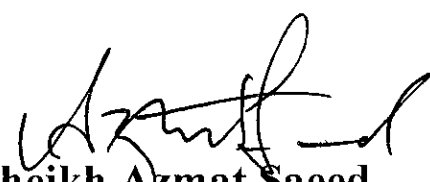
Mr. Zahir Shah, Director General (Operations) NAB, "AW 3" recorded his statement before the Commission. Certified copies of 22 e-mails pertaining to the period from 1st April 2007 till 28th February, 2008 (comprising of pages 1 to 85) forwarded to him by Mr. Tariq Fawad Malik and others were compared with the emails record brought by the witness. Certified copies of emails were taken on record as Exhibit "AW 3-1" and record brought by the witness was returned.

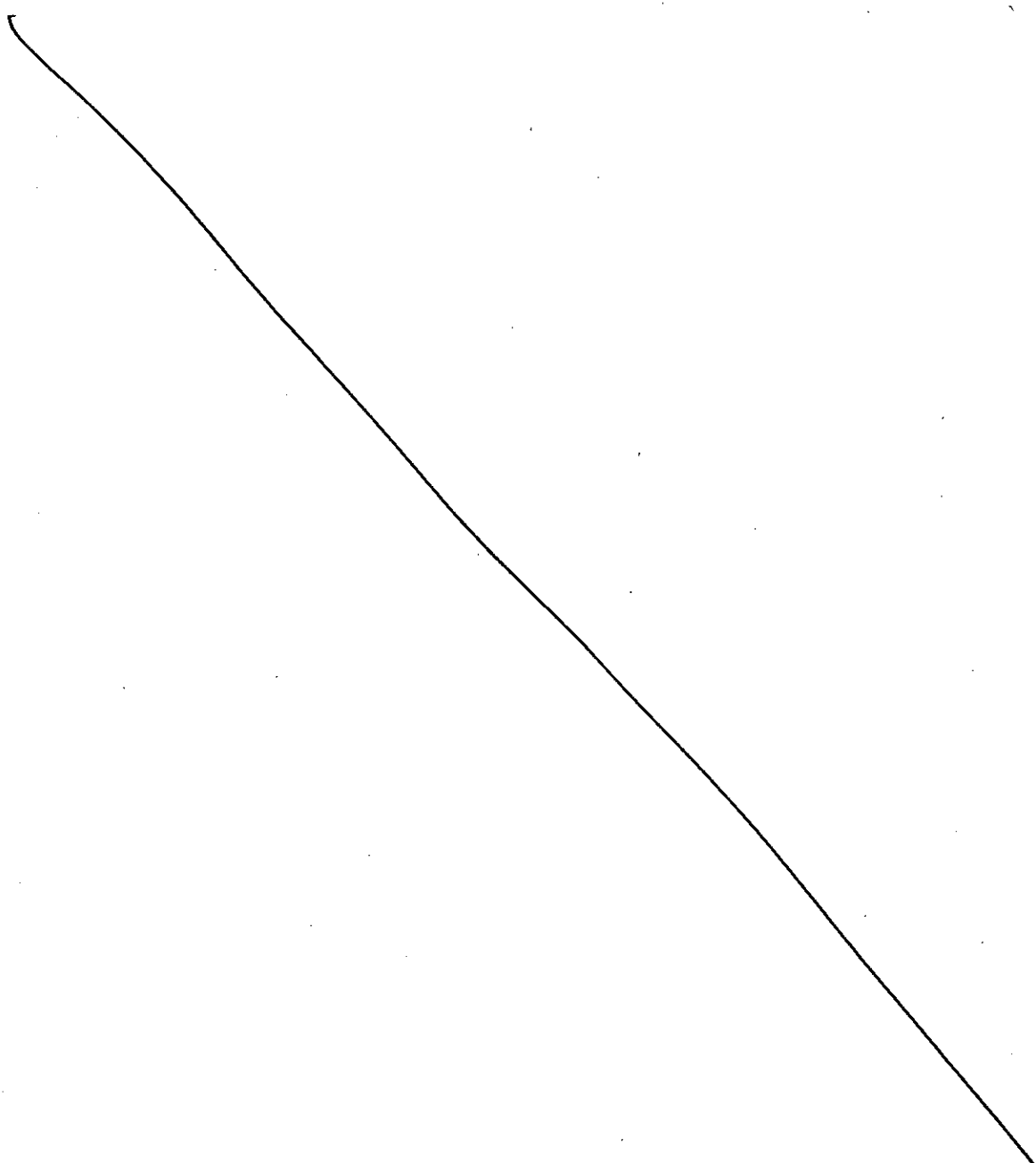

Sheikh Azmat Saeed
Justice (Retd.)

Date**Proceedings**

- 17.02.2021
at 1100 hours
- Mr. Khalid Khan Niazi, Secretary to the Attorney General for Pakistan "AW 4" appeared before the Commission and recorded his statement.
- 17.02.2021
at 1200 hours
- Mr. Umer Draz Randhawa, Additional Director (Operations), NAB HQs, "AW 2" appeared before the Commission and produced miscellaneous record pertaining to the Broadsheet LLC's Particulars of Claims, Defence, claimants and respondents statements. Certified copies have been compared with the original record. Certified copies were taken on record as Exhibits NAB-26 to 48 and original files were returned.
- 17.02.2021
at 1500 hours
- Raja Naeem Akbar, Secretary, Ministry of Law & Justice "AW-5" appeared before the Commission and recorded his statement.
- 17.02.2021
at 1700 hours
- Mr Umer Draz Randhawa, Additional Director (Operations), NAB HQs, "AW 2" once again appeared before the Commission and produced miscellaneous record pertaining to the Broadsheet Arbitration. Certified copies have been compared with the original record. Certified copies were taken on record as

Exhibits NAB-49 to 75 and original record
was returned.



Sheikh Azmat Saeed
Justice (Retd.)



Date**Proceedings**

18.02.2021 at 1100 hours Mr. Kamran Ali Afzal, Finance Secretary, "AW 6" appeared before the Commission and recorded his statement.

18.02.2021 at 1500 hours Mr. Hassan Saqib, Chief (HRM Customs) FBR, former Deputy Director (Overseas Wing) NAB HQs, "AW-7" appeared before the Commission and recorded his statement.

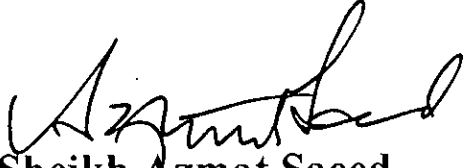

Sheikh Azmat Saeed
Justice (Retd.)

Date

Proceedings

19.02.2021
at 1100 hours

Mr. Ahmer Bilal Soofi, Advocate Supreme Court, former Legal Consultant NAB "AW-8" appeared before the Commission and recorded his statement.


Sheikh Azmat Saeed
Justice (Retd.)

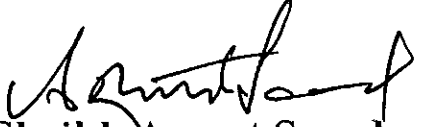
Date**Proceedings**

20.02.2021
at 1130 hours

Mr. Muhammad Kaleem Khan, Judge Special Anti-Terrorism Court, Sahiwal Division "AW-9" appeared before the Commission and recorded his statement.

20.02.2021
at 1500 hours

Lt. Gen. (Retd) Munir Hafiez, former Chairman NAB "AW-10", appeared before the Commission and recorded his statement.


Sheikh Azmat Saeed
Justice (Retd.)


Date**Proceedings**

21.02.2021
at 1100 hours

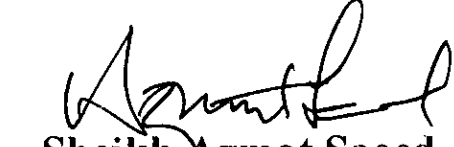
Lt. Gen (Retd) Khalid Maqbool, former Chairman NAB "AW-11" appeared before the Commission and recorded his statement.

21.02.2021
at 1600 hours

Lt. Gen (Retd) Syed Muhammad Amjad, former Chairman NAB "AW-12" appeared before the Commission and recorded his statement.


Sheikh Azmat Saeed
Justice (Retd.)

Date	Proceedings
22.02.2021 at 1100 hours	Mr. Abdul Basit, former Deputy High Commissioner, Pakistan's High Commission in London "AW-13" appeared before the Commission and recorded his statement.
22.02.2021 at 1600 hours	Mr. Umer Zafar Sheikh, Director (Finance) NAB, Headquarters appeared before the Commission. However, his statement could not be recorded because he did not bring the relevant record.


Sheikh Azmat Saeed
Justice (Retd.)


Date**Proceedings**

23.02.2021
at 1100 hours

Mr. Nawid Ahsan, former Chairman NAB, "AW-14" appeared before the Commission and recorded his statement.

23.02.2021
at 1530 hours

Mr. Ghulam Rasool, former Joint Secretary, M/o Law and Justice / Deputy Legal Advisor M/o Foreign Affairs "AW-15" appeared before the Commission and recorded his statement.


Sheikh Azmat Saeed
Justice (Retd.)

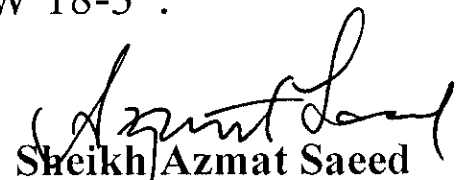
Date	Proceedings
24.02.2021 at 1100 hours	Mr. Khalid Khan Niazi, Secretary to the Attorney General for Pakistan "AW-4" appeared before the Commission and recorded his supplementary statement.
24.02.2021 at 1130 hours	Mr. Faizan Zafar, Assistant Private Secretary to the Attorney General's Office "AW-16" appeared before the Commission and produced relevant record comprising of five volumes containing correspondence relating to Broadsheet, one volume each containing correspondence relating to Submission made to the tribunal and judgments/orders and one volume of correspondence relating to late Ms. Benazir Bhutto Jewelry case. Certified copies have been compared with the original record. Certified copies were taken on record as Exhibits OAGP-1 to 8 and original files were returned.
24.02.2021 at 1500 hours	Raja Naeem Akbar, Secretary, Ministry of Law and Justice "AW -5" appeared before the Commission and recorded his supplementary statement.

24.02.2021
at 1600 hours

Mr. Asghar Ali, Section Officer, Ministry of Law & Justice "AW-17" appeared before the Commission and produced original record pertaining to SGS/COTECNA cases. Certified copies have been compared with the original record. Certified copies were taken on record as Exhibit AW 17-1 and original files were returned.


24.02.2021
at 1700 hours

Mr. Muhammad Nasim, Deputy Director, Examiner of Questioned Documents, NAB Forensic Science Laboratory, NAB HQs "AW-18" produced in sealed cover forensic analysis report, in pursuance of Commission's letter dated 23rd February, 2021, Exhibit "AW 18-1". The sealed cover Exhibit "AW 18-2" was opened by the witness before the Commission. The said forensic analysis report was taken on record as Exhibit "AW 18-3".


Sheikh Azmat Saeed
Justice (Retd.)

Date**Proceedings**

- 25.02.2021
At 1100 hours
- Mr. Kamran Ali Afzal, Secretary Finance could not appear and requested through a letter for rescheduling his appearance before the Commission as he had been summoned to appear personally before the Peshawar High Court, Peshawar on the same day.
- 25.02.2021
at 1500 hours
- Mr. Ahmer Bilal Soofi, Advocate Supreme Court, former Legal Consultant, NAB "AW-8" appeared before the Commission and recorded his supplementary statement.


Sheikh Azmat Saeed
Justice (Retd.)

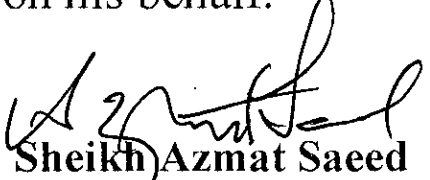
Date**Proceedings**

01.03.2021
at 1500 hours

Col. Shahzad Anwar Bhatti (Retd), former Director (Finance) and Director General (Operations), NAB HQs, "AW-19" appeared before the Commission and recorded his statement.

01.03.2021
at 1200 hours

Mr. Umer Zafar Sheikh, Director (Finance) NAB, Headquarters, Islamabad could not appear before the Commission and informed through telephone that he has been diagnosed with COVID-19 and requested to reschedule the hearing or alternatively his Deputy Director (Finance) could be summoned by the Commission for recording the Statement of the Finance Wing, NAB, on his behalf.


Sheikh Azmat Saeed
Justice (Retd.)

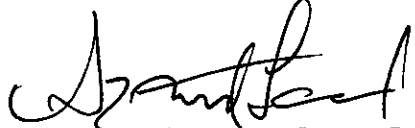
Date**Proceedings**

03.03.2021
at 1500 hours

Mr. Arif Azim, former Federal Secretary and Acting Chairman NAB, "AW-20" appeared before the Commission and recorded his statement.

03.03.2021
at 1700 hours

Mr Umer Draz Randhawa, Additional Director (Operations), NAB HQs, "AW 2" once again appeared before the Commission and produced miscellaneous record pertaining to Broadsheet & Arbitration. Certified copies have been compared with the original record. The certified copies were taken on record as Exhibits NAB-76 to 101 and original record was returned.



Sheikh Azmat Saeed
Justice (Retd.)

Date**Proceedings**

04.03.2021
at 1500 hours

Mr. Shahid Ali Baig, former Director (Audit & Accounts) Pakistan's High Commission, London, UK, "AW-21" recorded his statement to the Commission through Video Conference arranged by NTC. The witness was summoned at Pakistan's High Commission, London for recording his statement through video conference.

Note: Mr. Hasan Ali Zaigham, Head of Chancery, Pakistan's High Commission in London during the video conference stated that the noting portion of the file record is missing.


Sheikh Azmat Saeed
Justice (Retd.)


Date**Proceedings**

05.03.2021
at 1100 hours

Ms. Madina M. Khan, former Director Overseas Wing NAB HQs, Islamabad did not attend the hearing as the summon addressed to her through Special Diary messenger was returned back by her relative to Diary Messenger stating that she is out of Country.

05.03.2021
at 1500 hours

The personal appearance of Mr. Hassan Saqib, Chief (HRM Customs) FBR, former Deputy Director (Overseas Wing), NAB HQs, Islamabad for recording his second witness statement was re-scheduled due to sudden ill-health of the Chairman of the Commission.


Sheikh Azmat Saeed
Justice (Retd.)

Date**Proceedings**

08.03.2021 at 1100 hours Mr. Kamran Ali Afzal, Finance Secretary, "AW 6" appeared before the Commission and recorded his supplementary witness statement.

08.03.2021 at 1430 hours Mr. Khadim Hussain, Deputy Director (Finance & Coordination), NAB HQs, Islamabad requested to reschedule the hearing for 09.03.2021 in order to have time to trace the relevant record.

08.03.2021 at 1500 hours Mr. Hassan Saqib, Chief (HRM Customs) FBR, former Deputy Director Oversees Wing, NAB HQs "AW-7" appeared before the Commission and recorded his supplementary witness statement.

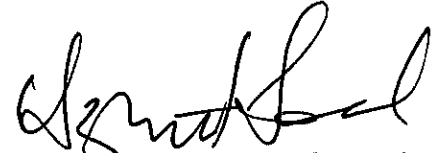
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08.03.2021
at 1630 hours

Mr. Zahir Shah, Director General (Operations) NAB HQs, "AW 3" appeared before the Commission and produced certified copies of inventory of record of cases related to Mr. Asif Ali Zardari in Switzerland and handing over & taking over of record of aforementioned record by NAB from Pakistan's High Commission in London. In his witness statement, DG(Ops) NAB informed that the cited record is contained in 12 sealed boxes, which were moved from Geneva to London and stored at Pakistan's High Commission, London. The 12 sealed boxes reportedly containing 87 folders were received by the former Prosecutor General NAB from Pakistan's High Commission in London. The certified copies of the inventory in French and its English translation were compared with the original record and certified copies have been taken on record as Exhibits "AW 3-2" and "AW 3-2 A". The certified copy of handing over & taking over of record by NAB from Pakistan's High Commission London has been compared with the original record and the Certified copy was taken on record as Exhibit "AW 3-2 B" and the original was returned.

Note: The Commission along-with Mr. Zahir Shah, DG (Ops) NAB visited the record room

of NAB HQs on 8th March, 2021 and inspected the 12 boxes which were sealed in canvas diplomatic bags and took photographs of the same.




Sheikh Azmat Saeed
Justice (Retd.)

Date	Proceedings
09.03.2.21 at 1100 hours	Mr. Muhammad Jamil, Assistant Director (Audit), NAB HQs, Islamabad "AW-22" appeared before the Commission and produced record pertaining to transmission of USD 27.227 million by NAB to NAB account operated by Pakistan's High Commission, London. Certified copies have been compared with the original record. Certified copies of the documents were placed on record as Exhibit "AW 22-1" and original record was returned.
09.03.2.21 at 1130 hours	Mr. Khadim Hussain, Deputy Director (Finance and Coordination), NAB HQs, Islamabad "AW-23" appeared before the Commission and recorded his statement.
09.03.2021 at 1200 hours	Mr. Muhammad Nadeem Khan, Deputy Director (Coord), International Cooperation (IC) Wing, NAB HQs "AW-24" appeared before the Commission and produced Diary/Section register of the IC/formerly Overseas Wing, NAB for the months of May 2008 and September, 2008. Certified copies have been compared with the original record. Certified copies were taken on record as

Exhibit "AW 24-1" and original record was returned.

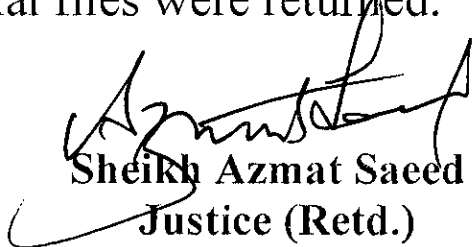
09.03.2021
at 1500 hours

Col. Shahzad Anwar Bhatti (Retd), former Director (Finance) and Director General (Operations), NAB HQs, "AW 19" appeared before the Commission and recorded his supplementary statement.


Sheikh Azmat Saeed
Justice (Retd.)

Date**Proceedings**

- 10.03.2021
at 1015 hours
- Mr. Ahmed Irfan Aslam, Head, International Disputes Unit, Office of the Attorney General for Pakistan "AW 25" appeared before the Commission and recorded his statement.
- 10.03.2021
at 1630 hours
- Mr. Shakeel Anjum Nagra, Additional Director (Coord/Ops), NAB HQs, "AW 26" appeared before the Commission and produced relevant record comprising of 14 cases. Certified copies have been compared with the original record. Certified copies were taken on record as Exhibits AW 26-2-A to AW 26-2-N and original files were returned.



Sheikh Azmat Saeed
Justice (Retd.)
