

**DILIGENCE**  
GLOBAL BUSINESS INTELLIGENCE



**INTEGRITY DUE DILIGENCE  
REVIEW:**

**BIOFUEL AS, BIOFUEL AFRICA AS  
AND BIOFUEL AFRICA LTD**

**17 DECEMBER 2008**

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# INTRODUCTION

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## INTRODUCTION

Diligence International LLC (Diligence) has been commissioned by StatoilHydro ASA's Business Integrity Unit (the Client) to conduct an Integrity Due Diligence Review (Review) of Biofuel AS (BA), Biofuel Africa AS (BAS) and Biofuel Africa Ltd in Ghana (BAG) (jointly the Companies). As part of this Review Diligence has focussed on:

- 01** Profiling the ownership, corporate structure and business reputation of BA, BAS and BAG;
- 02** The Companies' key management and reputation;
- 03** BA and BAS' business practices and BAG's activities in Ghana and its relationship with the local regulatory authorities;
- 04** A reputation risk assessment of the Companies.

# EXECUTIVE SUMMARY

## EXECUTIVE SUMMARY

Diligence's Review has established that Biofuel AS (BA) is an independent Norwegian biofuel company and a parent entity of the Biofuel Group, the umbrella term for a group of companies focused on Jatropha-based biofuel development. The Biofuel Group of companies principally operates in Norway and Ghana. BA has been confirmed as the 100% owner of Biofuel Africa AS (BAS) and Biofuel Africa (Ghana) Ltd (BAG).

Diligence's corporate research identified that BA is owned by Perennial Bioenergy AS (Perennial Bioenergy), its management, and a number of private investors. Perennial Bioenergy is the largest single shareholder with 35.6%. Diligence found that the Board of Directors of Perennial Bioenergy consists of several well-connected individuals such as Trygve Refvem (Refvem) and Torhild Widvey (Widvey) who possess strong commercial ties to Ghana. Reportedly, BA has a propensity to use such close ties for promoting its interests in Ghana (see Section 1.2.1 pp.8-9). Refvem-linked Mwana Africa Plc is considered to be BA's most important local contact along with Fassine Fofana (Fofana).

In addition to Perennial Bioenergy, Finn Byberg (Byberg) is also an influential shareholder in BA through Discovery Channel Invest. A Norwegian national, Byberg co-founded BA in July 2007 and is currently a member of its Board of Directors. Byberg has good contacts to Ghana's political and business establishments, including a good relationship with the son of Kwabena Frimpong-Boateng, a founding member and patron of the ruling New Patriotic Party (NPP), as well as positive relations with the Chairman of NPP and recent Presidential candidate of the Convention People's Party (see Section 1.4 pp.15-16). Diligence has been made aware that Byberg's associates are willing to help him, and the company, with any legal difficulties they may face in Ghana.

Norwegian corporate records list Johan Fredrik Dahle (Dahle) as the CEO of BA. With the exception of Dahle and Byberg, the other members of BA's executive management are not the subjects of negative reporting. Dahle and Byberg were mentioned extensively in press in relation to the issues surrounding BA's land-lease in Northern Ghana.

BA itself has a mixed public profile. Previously media exclusively mentioned the company in relation to its commercial activities in the biofuel sector. However, recently BA's public profile has been tainted

# EXECUTIVE SUMMARY

by the high profile controversies involving its subsidiaries BAS and BAG in Northern Ghana (see Section 1.5.1 pp.21-23). Although BAS and BAG were directly involved in the reported illegal land-seizure, media focused most of its attention on BA. The Biofuel Group through the use of a government-linked lobbyist, identified as Terje Surdal, who is BAS' Ghana Country Manager, and the deception of the local chief allegedly obtained a thumb-printed contract for the land-lease of 38 000 hectares in the Kusawgu region. The local company then went on to deforest 2 600 hectares which it wanted to use for its plantations but local authorities and NGOs managed to partly suspend BA's operations in the region based on the illegality of the contract. Currently BA's local subsidiary does not have a valid licence or the land-lease contract for biofuel development in Ghana though the company intends to obtain them and continues negotiations with local authorities.

BA has a controversial reputation, partly because of the above mentioned scandal and partly because of the company's other questionable tactics in securing its overall interests in Ghana (see Section 1.5.2 pp.23-24). There are strong indications that BA not only actively uses its political and commercial connections in the region to secure its operations – which can be viewed as normal within the local context - but also that it uses the services of Fofana to make legally-questionable payments to the local authorities.

Although Ghanaian litigation records are not publicly available and there are no indications that BA has been involved in any litigation activity, Diligence determined that the Ghanaian regulatory authorities consider BA's operations in the country to be illegal and are considering taking action against the company (see Section 1.6 pp.24-25). As the Ghanaian government currently deregulates the licensing system for the energy sector however, local regulatory authorities currently cannot proceed with action against BA and its local subsidiaries.

BAS is a holding and investment company for BA's biofuel assets in Ghana which the company manages through BAG, BA's local subsidiary. BAS' management consists of Dahle, Arne Helvig (Helvig) and Steinar Kolnes (Kolnes). Terje Surdal, reportedly a government linked lobbyist is BA's Ghana Country Manager. BAS, through BAG, manages a team of 160 people, including 16 Norwegian large scale farmers, in Ghana. BAS and BAG have the same public profiles and reputation as BA mainly because it is widely understood that they are BA's fully owned local subsidiaries. As a result, any litigation or regulatory action targeted at BA will likely be targeted at BAS and BAG as well.

# BIOFUEL AS

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## 1.0 BIOFUEL AS

### 1.1 COMPANY PROFILE

Biofuel AS (BA)<sup>1</sup> is an independent Norwegian biofuel company. The company was founded on 2<sup>nd</sup> July 2007 and officially registered on 31<sup>st</sup> July 2007 at Verven 12 C, 4014 Stavanger, Norway.

BA is a parent company in the wider Biofuel Group. The Group specialises in sustainable biofuel production based on Jatropha feedstock cultivated in Ghana. BA currently manages through its local subsidiary the project sites in Ghana of approximately 8,500 acres located in Ghana's Volta region. BA was aiming to expand its operations to 800 000 hectares and its production level to 16 000 – 25 000 barrels per day by 2015 but recently revised the plans downwards.

### 1.2 OWNERSHIP

Diligence's corporate research identified that BA is owned by Perennial Bioenergy AS (formerly NorFuel AS) (Perennial Bioenergy), the company's management, and a number of private investors, which, altogether, amount to 52 shareholders according to Norwegian corporate records.

Perennial Bioenergy is the largest single shareholder with 35.6% shares in the company. There are 3 shareholders with approximately 10% each and 48 shareholders each owning less than 5% in BA.

Diligence's corporate record research shows that the 3 shareholders with approximately 10% are:

- Discovery Channel Invest – 12.3%;
- Kolcon – 10.8%;
- Helcon Ltd – 9.6%.

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<sup>1</sup> Company number: 991 537 201.

# BIOFUEL AS

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Diligence contacted a source with good knowledge of the company who confirms this shareholding structure.

## 1.2.1 PERENNIAL BIOENERGY AS

Perennial Bioenergy AS (Perennial Bioenergy)<sup>2</sup> is a private Norwegian biofuel energy company. It was founded on 9<sup>th</sup> May 2007 and officially registered on 21<sup>st</sup> June 2007 at Professor Olav Hanssensvei 7 A, 4021 Stavanger, Norway.

### SHAREHOLDER STRUCTURE

Diligence's human intelligence source reports that Perennial Bioenergy is owned by:

- SakorninVest II AS – 29.6%;
- Maharashtra Growth AS – 28.6%;
- Hafslund Venture AS – 21.8%;
- Radiance AS – 14.5%;
- Employees – 3%;
- Management – 2.5%.

### BOARD OF DIRECTORS

According to Norwegian corporate records, Perennial Bioenergy's senior management consist of:

- Odd-Even Bustnes (Bustnes): CEO;
- John Peter Hernes (Hernes): Chairman of the Board of Directors;
- Rolf Atle Seloter (Seloter): member of the Board of Directors;
- Trygve Refvem (Refvem): member of the Board of Directors;

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<sup>2</sup> Company number: 991 363 173.



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- Lars Arne Takla (Takla): member of the Board of Directors;
- Torhild Widvey (Widvey): member of the Board of Directors;
- Kristian Tangen (Tangen): member of the Board of Directors;
- Joachim Cock (Cock): member of the Board of Directors.

Corporate record research shows that Perennial Bioenergy's Board of Directors represents the interests of the company's shareholders. Hernes has been Managing Director at SakorninVest Management AS which manages SakorninVest II AS. Cock is a senior investment manager at Hafslund Venture AS. Seloter has been the CEO at Rogaland Vekst, shareholder of NorFuel AS, and Maharashtra Growth AS.

The company's Board of Directors also consists of relatively high profile individuals such as Widvey, former Norwegian Under Secretary of State in the Department of Foreign Affairs and Minister of Oil and Energy, Takla, a former head of Conoco Phillips, and Refvem, former Vice President of Norsk Hydro's agricultural division.

## PUBLIC PROFILE

Perennial Bioenergy was founded by NorFuel AS. The company has a neutral public profile; press reports that the company engages in the production of sustainable and low cost biofuels for the industry. In January 2008, Perennial Bioenergy stated that it aims to expand its biofuel operations to Asia and South America. Perennial Bioenergy is in the process of building a greater physical presence in Norway. In October 2008, Perennial Bioenergy signed a mutual cooperation agreement with Australian-based Jatoil Ltd with the aim of coordinating their activities in the biofuel sector.

Press research has not identified any negative or derogatory information targeted at Perennial Bioenergy. Neither have Diligence's human intelligence contacts familiar with the entity heard of any negative or derogatory information targeted directly at Perennial Bioenergy.

## POLITICAL INFLUENCE IN GHANA

A Diligence source characterises Perennial Bioenergy as an influential shareholder in BA. Its Board of Directors consists of a number of individuals with strong commercial ties to Ghana. The source points out that Refvem, a member of the Board of Directors at Perennial Bioenergy, also sits on the Board of Energy Equity Resources Ltd (EER), an oil and gas company. Another member of the Board of EER is





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Fassine Fofana (Fofana), formerly Guinea's Energy and Natural Resources minister. Diligence's human source intelligence indicates that Fofana is a controversial individual who has a reputation of facilitating bribery for foreign companies in both Guinea and Ghana and described as a close associate of Guido Santullo, also a controversial individual and close friend of Guinea's President Lansana Conte. A number of sources indicate that Fofana represents BA's interests in Ghana (see below).

Recently EER entered into an alliance with London-listed Mwana Africa Plc, a gold mining company, which develops Konongo, Kurofa, Banka and Ahanta concessions in Ghana. Mwana Africa Plc's Chairman is Oliver Baring, a former managing director of UBS Corporate Finance Division's Africa and Mining units, and considered to be very a well-connected individual in Ghana. The CEO of Mwana Africa Plc is Kalaa Katema Mpinga, the son of former Democratic Republic of Congo (DRC) Prime Minister Kasenda Mpinga, who also has close relationships with the business circles in Ghana. Diligence's Ghanaian human intelligence sources believe that Mwana Africa Plc constitutes BA's most important local contact which promotes its interests in Ghana.

Widvey, another member of the Board of Directors of Perennial Bioenergy, equally has business interests in Ghana. She is a director of Aker Drilling ASA (Aker Drilling), a Norwegian service company, which works with Ghana National Petroleum Corporation (GNPC) and several Ghanaian governmental authorities. Aker was recently selected by the Ghanaian authorities as an operator of South Deepwater Tano, an offshore exploration area.

In Diligence's analysis, Perennial Bioenergy's Board of Directors' ties to Ghanaian business and political circles do not represent a cause for concern in itself but rather could be considered as an indication of a well-chosen Board of Directors in line with African business culture based on holding a network of useful contacts. Nevertheless, BA's reported tendency to use such contacts to solve its legal and regulatory problems in Ghana must be taken into account when evaluating the company's integrity and exposure to political risk in the region (see below).



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## 1.2.2 OTHER SHAREHOLDERS

### DISCOVERY CHANNEL INVEST

Discovery Channel Invest<sup>3</sup> is registered at Roaldsøyveien 58, 4085 Hundvåg. Corporate documents list the Seychelles based Discovery Channel Invest Inc as the 100% owner of Discovery Channel Invest. Finn Byberg is the CEO of the company and Byberg is also openly considered to be, and referenced as the company's owner.

Discovery Channel Invest has a limited public profile. Research has not identified any negative or derogatory information about the company.

### KOLCON

Kolcon<sup>4</sup> is registered at Sørkolnesveien 78, 4050 Sola. Steinar Kolnes is the CEO. While United Corp. Comp. AS in the Seychelles is the 100% registered owner of the company, research indicates that Kolnes is perceived to be the ultimate beneficial owner of the company (for a more comprehensive profile of Kolnes see Section 2.2).

Kolcon has a very limited public profile. Research has not identified any negative or derogatory information about the company.

### HELCON LTD

Helcon Ltd<sup>5</sup> is registered at Kisteneset 27, 4085 Hundvåg. Arne Helvig is the CEO and is openly referenced as the company's owner while corporate documentation lists Seychelles based Helcon Ltd as the 100% owner of the entity.

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<sup>3</sup> Company number: 988510270.

<sup>4</sup> Company number: 986179399.

<sup>5</sup> Company number: 988707937.



# BIOFUEL AS

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Similar to Discovery Channel and Kolcon, Helcon Ltd has a limited public profile and research has not identified any negative or derogatory information about the company.

Diligence carried out a review of approximately 300 records comprising official anti-money laundering lists, international sanctions, debarment lists, and prohibitive lists. Neither Perennial Bioenergy, Discovery Channel Invest, Kolcon, Helcon Ltd nor any of the management individuals listed above featured on any of the latter-mentioned lists.

## 1.3 HISTORY & CORPORATE STRUCTURE

BA was founded by Byberg, Helvig and Kolnes (see section 1.2) on 2<sup>nd</sup> July 2007 with the aim of developing biofuels in Ghana. Corporate record research shows that BA is the parent entity of the Biofuel Group (see chart below). BA owns 100% of Biofuel Africa AS and Biofuel Africa Limited (Ghana).

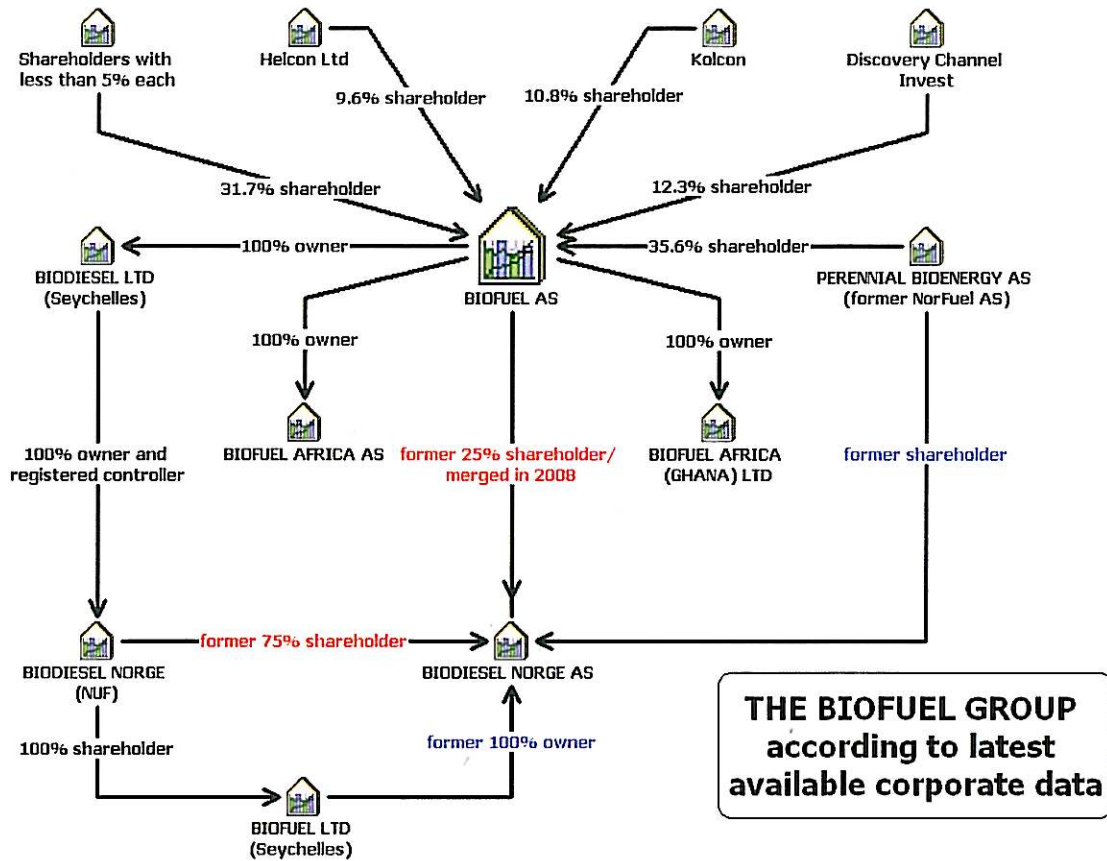
The Biofuel Group is the overarching name applied to a group of companies working for the production of environmental friendly biofuel from the Jatropha plant. The older entities in the group date back to 2005 and 2006. The Biofuel Group entities consist of a variety of on and offshore vehicles which hold cross shareholdings in each other in a relatively complex fashion.

Diligence's corporate research indicates that BA continues to restructure and optimise the corporate structure of the Biofuel Group. This is principally the case because 2007 was a start up year for BA during which it primarily focused on its operations and as a consequence it had not optimised internal controls nor established internal routines. As a result, BA filed its 30/06/08 accounts late.

According to BA's accounts, during the first half of 2008 BA decided to improve the internal corporate structure and invite more experienced individuals to the Board of Directors. The company's Board of Directors set a re-organisation plan for the company according to which the restructuring of the group entities took place. BA will require funding until revenue starts coming in from African based projects and according to its 2007 reports was mainly funded through a loan from Perennial Bioenergy.



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## BIODIESEL NORGE

The oldest entity in the Biofuel Group is Biodiesel Norge. The company was registered as a Norwegian registered foreign entity ('norskregistrert utenlandsk foretak' or NUF) on 26<sup>th</sup> April 2005 at Verven 12 C in Stavanger, Norway. Biodiesel Norge is listed as a company involved in the purchase, sale and refining of plant oil for use in the biofuel sector. The CEO of Biodiesel Norge is Kolnes (see above) while the entity has no registered employees.

Biodiesel Norge's 2007 Annual accounts, dated September 2008, show that it is 100% owned by Biodiesel Ltd of the Seychelles and that Biodiesel Norge has shareholdings in Biodiesel Norge AS (75%) and Biofuel Ltd of the Seychelles (Biofuel Ltd) (25%).

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## BIODIESEL NORGE AS

Biodiesel Norge AS was founded in May 2006 and officially registered on 12<sup>th</sup> June 2006 at Verven 12, Ingang Sjøsiden 1etg, Norway. The company is involved in the production, purchase and sale of biofuel. Its CEO is Kolnes and the Board of the Directors of the company comprises of Byberg, Bustnes, Stian Vemmestad and Helvig.

According to the company's 2007 report, shareholders of the company were listed as Biodiesel Ltd (75%) through its 100% ownership of Biodiesel Norge and Biofuel AS (25%). Biodiesel Ltd is in turn owned 100% by Biofuel AS. While at the start of 2007 Biodiesel Norge AS was 100% owned by Biofuel Ltd its ownership structure changed during the year. Norfuel AS, which has subsequently become Perennial Bioenergy, became a shareholder during 2007. As part of establishing the Biofuel Group, Biofuel AS was established as parent entity of the group during 2007. For this purpose the shareholders of Perennial Bioenergy AS swapped their shareholdings in Biodiesel Norge AS for shares in Biofuel AS as did the shareholders of Biofuel Ltd. During 2008 Biodiesel Norge AS was merged into Biofuel AS.

## 1.4 MANAGEMENT

International and Norwegian corporate records list the following individuals as BA's senior managers:

- Chairman of the Board of Directors: Jan Reinas;
- Member of the Board of Directors: Finn Byberg;
- Member of the Board of Directors: Arne Helvig;
- Member of the Board of Directors: Stian Vemmestad;
- Member of the Board of Directors: Odd-Even Bustnes;
- The CEO: Johan Fredrik Dahle.

BA's management have a generally neutral public profile. Diligence's research shows that, with the exception of Johan Fredrik Dahle (Dahle) and Byberg who were mentioned in relation to the land-seizure controversy in Northern Ghana (see below), media mentions BA's managers predominantly in relation to their commercial activities at BA and their other companies. Apart from Dahle and Byberg,



# BIOFUEL AS

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press research has not identified any negative or derogatory information targeted at BA's management.

## JAN REINAS

Jan Reinas (Reinas) was born on 29<sup>th</sup> July 1944. Reinas is a Norwegian citizen. According to international and UK corporate records, Reinas' registered address is Skogsvingen 3, 1324 Lysaker, Oslo, Norway.

Diligence's corporate research indicates that Reinas is the Chairman of the Board of Directors at BA. International, UK and Swiss corporate records and Norwegian public databases list Reinas as a director or former director in the following companies:

- Chairman of the Board of Directors of Bio Energy AS;
- Chairman of the Board of Directors of Ilma Eiendom AS;
- Owner and Managing Director of Jan Reinas Consulting;
- Owner and director of Reinaas Holding AS;
- Deputy Chief Executive Office of Xenex Norge AS;
- Chairman of Norsk Hydro ASA;
- Chairman and CEO of Hydro Agri Venezuela CA;
- CEO of Norsk Skog;
- CEO of Norsk Skog (UK) Limited;
- Member of the Board of Directors of Swiss International Airlines;
- Member of the Board of Directors of Schibsted ASA;
- President and CEO of Scandinavian Airlines.

Reinas has a relatively well-known and neutral public profile as to be expected due to some of the high profile positions he has held (see list above). International press refers extensively to Reinas in relation to his commercial activities at the above mentioned companies. In August 2006, Reinas, as the Chairman of Norsk Hydro ASA, met Norway's Crown Prince Haakon at the Offshore Northern Seas conference and exhibition in Stavanger where he reported on the progress being made on the Ormen Lange field development project. In 2007, Reinas together with Jannik Lindbaek, Chairman of Statoil, worked on the merger of the Norsk Hydro ASA and Statoil into StatoilHydro. Open source research reveals that Reinas was voted the Executive of the Year in Norway in 2001.



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Diligence's press research has not identified any negative or derogatory information targeted at Reinas. Diligence's human intelligence sources have not heard of any negative or critical information about him.

Diligence's human intelligence sources characterise Reinas as an independent and resolute individual who is also known as a harsh critic. Reinas reportedly resigned from Norsk Hydro ASA (Norsk Hydro) because of a dispute with the Norwegian government over the executive pay which the government wanted to limit for the senior management in the company. According to Norwegian press, Reinas also criticised Karl Eirik Schjøtt-Pedersen, Norway's Finance Minister, over the government's excessive involvement in Norsk Hydro and failure to focus the country's research and development programmes to the needs of the sector.

## FINN BYBERG

Finn Byberg was born on 15<sup>th</sup> February 1961 and is a Norwegian national. According to international and UK corporate records, Byberg is registered at Roaldsoyveien 58 4085 Stavanger, Norway.

Byberg is a member of the Board of Directors of BA. According to international and UK corporate records and Norwegian public databases, Byberg also holds or held directorships in the following companies:

- Chairman of the Board of Directors at Biodiesel Norge AS;
- CEO at Discovery Channel Invest;
- Director at Biodiesel Holding Ltd;
- Director at Iptel;
- Director at Powercom AS Norsk Avdeling

According to Norwegian press, Byberg has a close and historical business relationship with Kolnes outside the biofuels sector as both of these individuals have experience working in the telecommunications sector. Byberg worked as a technician at Televerket and later joined Kolnes at Iptel, a communications company with operations in Brazil and Indonesia. Press reports that Iptel created a call centre for Ghana-based Anglo Gold Ashanti, a gold mining company, which has also cooperated in the cultivation of Jatropha feedstock for biofuel production with BA.



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Media sites that Byberg and Kolnes have significant experience in assisting Norwegian individuals and companies to set up firms in the Seychelles, an offshore centre in the Indian Ocean. This in turn partly explains why BA's structure involves the Seychelles-based companies. International press highlights that Byberg has been one of the central figures in the land-seizure issues involving BA in Ghana (see below).

Diligence's human intelligence contacts indicate that Byberg has good connections in Ghana. Among his contacts is Jojo Frimpong-Boateng who is believed to be the son of Kwabena Frimpong-Boateng, a founding member and patron of the New Patriotic Party (NPP), the incumbent ruling party. Byberg is also believed to be connected to Paa Kwesi Nduom, a candidate for the Convention People's Party in the current Ghanaian elections. Diligence's local sources indicate that Byberg, through his association with Jojo Frimpong-Boateng, has been trying to build relationships with the various political interests in Ghana in order to promote BA's interests in the country and mitigate any potential political risks for the company associated with the recently held elections in Ghana (see Appendix 2).

A Diligence contact with access to the Chairman of NPP stated that the latter explained that: "*Finn Byberg has a lot of good friends in our party. We believe that Ghana should say 'welcome' to the Norwegian investments because he [has] already shown us that he's a good friend of our people.*" The NPP source posited that "*I know that there are rumours about bribes that he paid to some politician, but this is not true. Finn Byberg is officially (supporting) the NPP – also financially – but not (a) single person.*" *We have an election to win in the next weeks and it's going to be important also for Norway: Despite disputing claims of bribery, the NPP source did say that "actually Biofuel acts in a more or less illegal situation. If Mr. Byberg would help us to win this election we will show him how much gratitude we can have. Always respecting the law, of course".*

Taking into account Byberg's close connections to a number of influential figures in Ghanaian political and economic circles, Diligence recommends the Client to consider the potential political and reputational risks associated with Byberg and implications for BA's operations in the country. This is particularly pertinent given the potential for a change in government in the near future.



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## ARNE HELVIG

Arne Helvig was born 13<sup>th</sup> March 1973 and is a Norwegian citizen. According to international and UK corporate records and Norwegian public databases, Helvig is registered at Kisteneset 27, Hundvaag, 4085, Norway.

Helvig is a member of the Board of Directors of BA. According to international and UK corporate records together with Norwegian public databases, Helvig also holds or held directorships in the following companies:

- Member of the Board of Directors of Biodiesel Norge AS;
- Member of the Board of Directors of BAS;
- Member of the Board of Directors of Biodiesel Holding Ltd;
- The CEO of Helcon Ltd.

Helvig has an overall neutral public profile. Research shows that the media characterises him as one of the co-founders of Biodiesel Norge and BA. Norwegian press briefly reports that Helvig is a close associate of Byberg and Kolnes with whom he helped incorporate Seychelles-based companies for Norwegian citizens. Despite Helvig's directorships in BA and BAS, press only briefly mentions his positions in these companies during the land-lease controversy (see below).

Press research has not identified any substantial negative information targeted at Helvig. Diligence's local human intelligence sources have not encountered negative information in relation to him.

## STIAN VEMMESTAD

Stian Vemmestad (Vemmestad) was born in 1971 and is also Norwegian. According to international and Norwegian corporate records, Vemmestad is registered at Hottavikhagen 12, 4048 Hafrsfjord, Norway.

Corporate research reveals that Vemmestad is a member of the Board of Directors of BA. Diligence's human intelligence, international corporate record research and Norwegian public databases list Vemmestad as a director or former director in the following companies:



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- Member of the Board of Directors of BAG;
- Managing Director of SakorninVest II AS;
- President of Aker Stord AS;
- Chief Financial Officer of Saga Oil ASA;
- Finance Director of Allianse ASA;
- Director of Stian Vemmestad Consulting.

Vemmestad has a limited public profile. Media mentions Vemmestad predominantly in relation to his commercial activity at the above mentioned companies. Press research has not identified any negative or derogatory information targeted at Vemmestad. Diligence's Ghanaian sources have not heard any negative or critical information relating to Vemmestad.

## ODD-EVEN BUSTNES

Odd-Even Bustnes was born on 17<sup>th</sup> November 1969 and also holds Norwegian nationality. According to Norwegian public databases, Bustnes is registered at Jåttåvågveien 7 4020 Stavanger, Norway.

Bustnes is a member of the Board of Directors of BA. International corporate records and Norwegian public databases indicate that Bustnes holds or held the following positions:

- CEO of Perennial Bioenergy;
- Director of Biodiesel Norge;
- Director of SakorninVest Management AS;
- Chairman of the Board of Directors of Gallesio Partners AS;
- Chairman of the Board: Yerupaja Invest AS;
- Director of Fitzroy Invest AS;
- Consultant with Resource Advisors LLC;
- Consultant with Rocky Mountain Institute;
- Associate Consultant with McKinsey & Company;
- Financial analyst with Union Bank of Norway;
- Programme Analyst with United Nations Children's Fund.



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Research shows that Bustnes graduated with a BA in Engineering from Dartmouth College in 1994, Master of Public Administration, Economics from Princeton University, Woodrow Wilson School in 1999 and M.Sc. in Chemical Engineering from Oxford University in 2002. Between 1989 and 1990, Bustnes served as a special operations paratrooper in the Norwegian Armed Forces.

Bustnes has a neutral public profile. International open source and press mentions Bustnes mainly in relation to his commercial activities in the above mentioned companies although open source also highlights that Bustnes competed in the 1996 Olympic Games as a member of the Norwegian rowing team.

Open source research reveals that Bustnes was involved as author and co-author in a number of publications such as *Winning the Oil Endgame: Innovation for Profits, Jobs, and Security*, 2004. Bustnes regularly donates to the Dartmouth College Fund Hanover.

Press research has not identified any negative or derogatory information targeted at Bustnes. None of the sources contacted by Diligence during the course of this Review have heard of negative or disparaging information targeted against him.

## JOHAN FREDRIK DAHLE

Johan Fredrik Dahle was born in 1964 and is a Norwegian national. According to Norwegian public databases, Dahle is registered at Stokkabrautene 101 E, 4023 Stavanger, Norway.

Corporate research shows that Dahle is the CEO of BA. International corporate records and Norwegian public databases list Dahle as a director or former director at the following companies:

- Chairman of the Board of Directors and the CEO of BAS;
- Chief Operational Officer and Chief Financial Officer of Perennial Bioenergy;
- CEO of Icefresh AS;
- CEO of Maritech Group;
- Chairman of the Board of Directors and CEO at Limestone AS;
- Chairman of the Board of Directors at Kari Halvorsen AS;
- Director of Norwegian Lobster Farm AS;
- Director of Umoe Alu Services AS;

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- Director of Stavanger Tennisklubb;
- CEO and Chief Financial Officer of EWOS AS;
- Director of Norsk Hydro, Agri-business unit.

Research shows that Dahle graduated with a M.Sc. in Economics from the Norwegian School of Economics and Business Administration. He also served as a Sergeant in the Military Police of the Norwegian Armed Forces.

Dahle has a mixed public profile. International open source previously mentioned Dahle primarily in relation to his commercial activities at the above mentioned companies. However, Dahle's profile was recently substantially undermined by press referring to him as one of the central figures in the land-seizure controversies involving BA in Ghana (see below). Press research has not identified any further negative or derogatory information targeted at Dahle. Diligence's human intelligence sources confirmed Dahle's involvement in the land-lease scandal but have not identified any additional negative information about him.

## 1.5 PUBLIC PROFILE & REPUTATION

BA has a mixed public profile. Media characterises the company as an independent small-medium size biofuel specialist with operations in Ghana. Press mentions BA mainly in relation to its commercial activity in the biofuel sector although the company's public profile was also recently shaped by the high profile controversies regarding the involvement of its local subsidiaries in the disputed land seizure in Northern Ghana (see below).

International press reports that BA focuses on sustainable biofuel production of *Jatropha curcas* crude oil in low cost tropical areas of Ghana. *Jatropha* feedstock is native to the country and represents a financially viable material for biofuel (see Appendix 1). The company was amongst the first 'pioneers' to specialise in upstream biofuel production in Ghana. A source at Ghana's

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Environmental Protection Agency describes BA as currently one of the major foreign biofuel developers in Ghana.

Press highlights that BA has a cooperation agreement with the Ghana Chamber of Mines<sup>6</sup>, a voluntary private sector association of mining companies in Ghana. This cooperation was already established by Biodiesel Norge AS before the establishment of BA through the former's extensive contacts with the Chamber to whom it presented its plans for biofuel development in the country in January 2006. This led to a subsequent agreement between Biodiesel Norge AS and the Ghana Chamber of Mines to develop a common biofuel policy for the region in February 2006.

In October 2007, BA with the assistance of First Securities (Norway) conducted a private placement of equity to raise NOK 22.7 million (USD 4.2 million) which the company planned to invest into the acquisition and cultivation of 20 000 hectares of arable land for its biofuel projects in Ghana. According to industry press, BA also secured a letter of intent for 288 000 hectares to develop *Jatropha* feedstock plantations.

International open source research shows that BA featured in The Global Exchange for social Investment (Gexsi)'s *Global Market Study Project Inventory: Africa* report in 8<sup>th</sup> May 2008 and World Bioenergy Association's *World Bioenergy 2008* report.

## 1.5.1 THE LAND-SEIZURE CONTROVERSY

BA's public profile has been substantially shaped by its involvement in a legally-questionable land seizure in Kusawgu, in the Northern Region of Ghana. Although it actually directly involved BA's subsidiaries, BAS and BAG, they were only briefly mentioned by both international and local press which instead focused most of their attention on BA.

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<sup>6</sup> The Ghana Chamber of Mines represents the interests of approximately 90% of the mining companies in the country. Its members include AngloGold Ashanti, Newmont Ghana, GoldField's Ghana, Ghana Bauxite and Ghana Manganese.

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Media began highlighting this issue after Bakari Nyari (Nyari), Vice Chairman of the Regional Advisory and Information Network Systems (RAINS) and member of the Ghana and Africa Biodiversity Network Steering Committee, published *Biofuels Land Grabbing – Ghana*, a highly critical report of BA's attempts to secure 38 000 hectares of local land for its biofuel plantations in January 2008. BA allegedly, through the use of the government-linked lobbyist, Terje Surdal (see below) and the alleged deception of Kusawgu Wura Sulemana Jakpa Tuntumba I, a local community chief, gained access to the community's land where it deforested 2600 hectares intended for its biofuel plantations.

One of the main contentious issues in the controversy was the land-lease contract between BA and the local community leaders. BA and its senior managers, Dahle and Byberg, were accused of using an illegitimate contract which was not signed but rather thumb-printed by Kusawgu Wura Sulemana Jakpa Tuntumba I as a result of his illiteracy. Furthermore, Dahle and Byberg discussed this contract with individuals affiliated with the local chief rather than the chief himself, which further undermined the legitimacy of the agreement. According to multiple sources in the Ghanaian political and regulatory authorities, this contract is considered as being inadequate and most importantly illegal regarding BA's operations in the region.

Norwegian publications report that Nyari, despite publishing the critical report, had not dismissed the idea of biofuel plantation in the region altogether. His main opposition to BA's biofuel development in Kusawgu was based on the illegitimacy of the existing land-lease contract and the terms of this land-lease arrangement. Instead of the 38 000 hectares rented for USD 2.4 per hectare per year by the company, Nyari has proposed to lease BA only 2 600 hectares for 30 years at USD 4.8 per hectare per year, rationalising this by the strategic location of the land and the needs of the local community. BA has indicated that it will consider the new terms but has not yet accepted this proposal. Despite this, political party sources told Diligence that BA's reputation is now one of a company that considers employing illegal measures to operate in the country.

RAINS, in corroboration with the Central Gonja District Assembly and Ghana's Environmental Protection Agency, managed to partly suspend BA's operations in Kusawgu. While BA acknowledged that it failed to take into account the interests of the local community and the complex land ownership system in the region and thus may have broken the law, the company intends to renegotiate the contract and continue its biofuel development projects in Ghana. A Diligence source in the National Petroleum Authority (NPA), a regulatory authority for the petroleum downstream sector, highlighted



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that BA currently does not have permission or the license to operate in the region and it is in a difficult legal position and a possible target for regulatory authorities (see below).

The Chief of the Legal Division at the NPA expressed the opinion that BA is trying to continue its operations while waiting for energy sector deregulations which will allow the company to reach arrangement with NPA's leaders. He states that "*Their strategy is to try to let us lose time in boring negotiations and wait for the day in which they can buy a real license*".

## 1.5.2 BRIBERY ALLEGATIONS AND USE OF POLITICAL CONNECTIONS

Research identified that BA has a controversial reputation in Ghana. Although the scandal around BA's land acquisition in Kusawgu could have been partly the result of failed negotiations and the company's ignorance of local land ownership, multiple local sources also point to BA's questionable tactics in not only securing the above mentioned contract but also its overall interests in the region.

Source intelligence indicates that BA has a propensity to utilise the above mentioned Perennial Bioenergy and Byberg's connections in the country to secure its operations there. Reportedly, Perennial Bioenergy-linked Mwana Africa Plc (see above) actively promotes BA's interests in Ghana. According to the Chairman of the NPP, the party will also consider assisting BA in solving its legal problems due to Byberg's support of the party.

Moreover, a source close to the company reports that BA uses Fofana (see above) in order to maintain confidential contacts to local government and, more importantly, allegedly bribe officials. According to this source, BA was not sure whether it could start a project in the area and invited Fofana to assist them in obtaining the relevant permission. Fofana brought BA's representatives to the government official who was responsible for deregulation of licenses in the area. The official assured BA's representatives that for a certain sum, the company would gain the license. BA's representatives allegedly agreed and paid the sum, in an envelope, 10% of which was given to Fofana. A source at the National Petroleum Authority confirmed this rumour and that Fofana represented BA.

Diligence discreetly obtained intelligence from the Chief Executive of the NPA who stated the company managed to continue its operations despite the lack of the proper land-lease arrangements and license because it bribed several members of the local authorities in the area of operations. He points

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out that BA *"uses the security guards to intimidate some of our managers in that region"* while also using representatives like Fofana who *"always brings beautiful gifts and most of all cash to the politicians he meets"*.

Ghanaian political officials acknowledge that there are rumours of BA making illegal payments to solve their legal and regulatory problems. In Diligence's view, this poses a reputational risk for companies associated with BA's activities in the country.

## 1.6 LITIGATION, REGULATORY & LAW ENFORCEMENT INTEREST

Diligence's human source intelligence indicates that BA has a difficult legal position in Ghana. Sources assert that BA does not have a valid license for biofuel development in the country nor a legal land-lease contract for biofuel plantations in Northern Ghana (see Section 1.5.1).

The Chief Executive of the NPA states that BA *"usurps a large territory"* without a proper contract. He goes on to say that *"The State of Ghana never gave any contract or exploration license to Biofuel. Never. The problem is that Biofuel bribed several members of local authorities around the concession and they let them live and work despite of the fact that they are illegal there"*. He indicated that *"In summer we started a (procedure) to obligate them to leave the country"* and *"Biofuel is completely illegal here and sooner or later they will be obligated to go"*.

The Chief of the Legal Division at NPA confirmed this information. According to him, BA acts against the law and claims that *"Normally we should go there with the Army and kick them all out of the country"*.

Diligence's human intelligence contacts indicate that while current deregulation reforms might mitigate any potential regulatory action against BA and its subsidiaries in Ghana in the short-term, there is still a risk that unless the company manages to obtain the valid license and the land-lease arrangements for its biofuel development operations, it could be forced out of the country. In one contact's opinion, BA might have to pay a large fine in order to continue its operations in Ghana.



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Ghanaian litigation records could not provide any information regarding BA's litigation activity in Ghana as they are not publicly available. A contact in Ghana's Environmental Protection Agency states that BA does not have environmental issues with the body.

Diligence carried out a review of approximately 300 records comprising official anti-money laundering lists, international sanctions, debarment lists, and prohibitive lists. Neither BA nor any of its management featured on any of the latter-mentioned lists.



# BIOFUEL AFRICA AS & BIOFUEL AFRICA LTD

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## 2.0 BIOFUEL AFRICA AS & BIOFUEL AFRICA LTD

### 2.1 COMPANIES PROFILE

#### BIOFUEL AFRICA AS

Biofuel Africa AS (BAS)<sup>7</sup> is a 100% subsidiary of BA. BAS was founded on 21<sup>st</sup> April 2008 and registered at Verven 12 C, 4014 Stavanger, Norway. Norwegian corporate records list BAS as a holding and investment company for biofuel development assets. Research shows that BA established BAS as a special purpose vehicle with a focus on biofuel development operations in Ghana. The company operates in Ghana through BAG, BA's local subsidiary which is legally required to operate in Ghana.

#### BIOFUEL AFRICA LTD GHANA

Diligence's local human intelligence contacts obtained Ghanaian corporate records which show that Biofuel Africa Ltd (BAG) is registered at 3<sup>rd</sup> Fl. Teachers' Hall Complex, 4 Barnes Close, Education Loop, Adabraka, Accra, Ghana. According to corporate records, BAG is 100% owned by BA. The company leases land and manages BA operations in Ghana. Dahle is listed as BAG's director.

### 2.2 MANAGEMENT

A source in the Ghanaian Environmental Protection Agency describes BAG management as a mixture of Norwegian and Ghanaian managers although senior positions are occupied by Norwegian citizens. According to BA's company information, BAS has a team of 160 people, including 16 Norwegian, large-scale farmers, working in Ghana-based BAG.

Norwegian corporate records show that BAS' senior management consists of:

- The Chairman of the Board of Directors and the CEO: Dahle (see Section 1.4);
  - Member of the Board of Directors: Helvig (see Section 1.4);
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<sup>7</sup> Company number: 992 636 351.



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- Member of the Board of Directors: Kolnes.

BAS' management has an overall neutral profile. International and local press mentions the management predominantly in relation to BAS' commercial activities in the biofuel sector although their profile was also recently undermined by the above mentioned land-lease scandal.

## STEINAR KOLNES

Steinar Kolnes was born on 16<sup>th</sup> February 1965 and is a Norwegian citizen. According to international corporate records and Norwegian public databases, Kolnes is registered at Soerkolnesvien 78, Sola, 4050, Norway.

Apart from Kolnes' positions as member of the Board of BAS, international, UK and Ghanaian corporate records list Kolnes as a director in the following companies:

- The CEO of Biodiesel Norge;
- Director of Comuniq AS;
- Director of Biodiesel Holding Ltd;
- Director of Iptel;
- The CEO of Kolcon.

Kolnes has a generally neutral public profile. International media characterises Kolnes as a co-founder of Biodiesel Norge and BA. Press mentions Kolnes mainly in relation to his commercial activities at BAS and the above mentioned companies.

According to press, Kolnes has experience in the biofuel sector, having worked as the CEO at Biodiesel Norge. In 2006, Kolnes represented Biodiesel Norge at the negotiations with the Ghanaian Chamber of Mines, which led to the mutual cooperation agreement between them. In July 2007, Kolnes proposed an environmental certification system for biofuels which would help to inform consumers of which biofuels are produced in the most sustainable way.

Apart from Kolnes' commercial activities at Biodiesel Norge and BAS, press also highlights that Kolnes has experience in the telecommunications sector. As was previously mentioned in respect to Byberg (see above), Kolnes founded Iptel, a communications company with ties to Ghana-based Anglo



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Gold Ashanti. Prior to the establishment of Iptel, Kolnes was also engaged with 1888 Nummeropplysning AS which collapsed in 2003 following a conflict relating to the purchase of database information from Telenor.

Press describes Kolnes as a close associate of Byberg with whom he was involved in assisting Norwegian individuals and businesses in setting up companies in the Seychelles. Apart from a few articles referencing Kolnes in relation to the 1888 insolvency, press research has not identified any negative or derogatory information targeted at Kolnes. None of the sources contacted by Diligence during the course of this Review had heard of any negative information about Kolnes.

## TERJE SURDAL

Further research shows that Terje Surdal (Surdal) works as Ghana Country Manager for the Biofuel Group. According to BA's corporate information, Surdal has the following background:

- Planning, Logistics and Supply Chain manager at Peterson AS;
- UN Peace Keeping (two tours) responsible for logistics in former Yugoslavia and second in command in Bosnia & Herzegovina;
- Project leader for Norsk Folkehjelp;
- Norwegian Army Military Academy.

Surdal has a limited public profile. Press research has not identified any negative or derogatory information targeted at Surdal.

However, Diligence's local intelligence sources consider Surdal to be the government-linked lobbyist, mentioned in the land-lease scandal involving BA in Northern Ghana (see above).

## 2.3 PUBLIC PROFILE & REPUTATION

BAS/BAG has a mixed public profile. Previously international media exclusively concentrated on BAS/BAG's commercial operations in the biofuel sector in Ghana. However, recently media has focused predominantly on BAG/BAS' role in the above mentioned illegal land acquisition in Northern Ghana.



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Diligence's human intelligence reports that BAS and BAG's reputation is linked to that of BA because locally they are known to be BA's wholly owned subsidiaries.

## **2.4 LITIGATION, REGULATORY & LAW ENFORCEMENT INTEREST**

Source intelligence shows that BAS and BAG have the same legal problems as BA. Taking into account that these entities are wholly-owned subsidiaries of BA, any legal or regulatory actions targeted at BA will be also likely affect these subsidiaries.

Diligence's contact in Ghana's Protection Environmental Agency points out that neither BAS nor BAG have been the target of environmental concerns.

Diligence carried out a review of approximately 300 records comprising official anti-money laundering lists, international sanctions, debarment lists, and prohibitive lists. Neither BAS, BAG or any of their management individuals featured on any of the latter-mentioned lists.

# CONCLUSION & RECOMMENDATIONS

## CONCLUSION & RECOMMENDATIONS

While the Biofuel Group's corporate structure is relatively complex due to cross-shareholdings and the presence of offshore entities, there are no indications that this structure is intended to hide assets, as exemplified by the Group's current consolidation around onshore entities and the relatively transparent ownership of BA.

Norwegian individuals associated with the Biofuel Group's senior management render the Group well connected within Ghana's political and business circles. It should be noted that BA's links are primarily with the NPP whose candidate is currently campaigning in the country's Presidential election the results of which have the potential to shift the balance of power against Byberg and his company. However, the company's alleged use of Fofana's services to make legally-questionable payments to local government officials in order to obtain the relevant permission for its operations in the country constitutes a more significant political and reputational risk to the Client.

The other major source of concern is BA's lack of a valid license and the land-lease contract for biofuel development in Ghana along with the possible consequences of regulatory action. Diligence's sources assert that BA may be obligated to pay a large fine to solve these problems.

Diligence recommends the Client to take into account the above mentioned risks associated with BA and its local subsidiaries' operations in Ghana. Diligence would also recommend the Client to inquire with the company's management about the nature of BA's relationship with Fofana and the situation regarding their regulatory problems in Ghana. In order to mitigate the above mentioned risks Diligence recommends that the Client considers the following actions;

- Request documentary clarification from BA regarding the current status of the land-lease contracts
- Engage an objective transparency monitoring NGO to assess the status of the contract
- Request clarification from BA regarding its use of local facilitators and introducers so as to clarify future parameters for the usage thereof within a legally acceptable framework



# APPENDICES

## APPENDICES

### APPENDIX 1: ASSESSMENT OF BA'S LOCAL FACILITATORS

Diligence identified that BA uses the services of Fassine Fofana (Fofana) and Terje Surdal (Surdal) to promote its overall interests in Ghana.

Surdal, BA's Ghana Country Manager, was mentioned in Nayari's report regarding BA's involvement in the land-lease scandal. Although sources consider Surdal to be the person who best fits the description of a lobbyist for BA during the land-lease scandal, there are no further indications that he has a reputation of facilitator. Press research also has not identified any information suggesting that Surdal normally engages in lobbying activity.

In contrast, Diligence's sources characterize Fofana as a controversial individual with a reputation of facilitating the interests of foreign companies in the Western Africa. A former minister of Guinea's Energy and Natural Resources and described as a disliked individual, Fofana has good contacts in Guinea and Ghana. Fofana was responsible for the establishment and promotion of London-based African Energy Equity Resources Ltd (AEER), a company owned by Equatorial-Guinea President Mbasogo and the Obi of Onitsha group. Sources comment that Fofana maintains close contacts to Guido Santullo, a close friend of Guinea's President Lansana Conte and Andres Maximino Santullo who was accused of associations with controversial offshore companies and links to organized crime. Fofana and Guido Santullo represented a number of major multinational companies in Guinea. Fofana was also known to represent an international diamond company in Sierra Leone.

### APPENDIX 2: GHANA BIOFUEL SECTOR

Diligence's research indicates that Ghana constitutes one of the main regions for biofuel production in Western Africa. According to biofuel-focused open source and press, the country has a favourable climate for *Jatropha*, a raw material for biofuel, which naturally grows in the region – that is, without being cultivated. GEXSI's *Global Market Study Project Inventory: Africa*, May 2008, indicates that Ghana's southern areas and its coast has especially favourable conditions for biofuel plantations but more space is available for *Jatropha* cultivation in the northern semi-arid regions of the country.



# APPENDICES

According to Ghanaian biofuel sector studies, the government favours biofuel development and currently proposes biofuel legislation which would make mandatory the blending of traditional diesel with biodiesel for vehicles. In order to further promote the biofuel sector, the government encourages foreign investment into the sector through tax incentives. In 1997, the government set up the Energy Commission and the Energy Foundation to regulate, manage and develop energy resources and assist the country's biofuel sector. In March 2007, Ghana hosted a United Nations Conference on Trade and Development (UNCTAD)-led international workshop on the development of biofuels industry in Western Africa with the Ghanaian government providing USD 1.6 million fund to support *Jatropha* plantations in the country.

However, despite these substantial developments in Ghana's biofuel sector, Diligence's contact in the Executive Director Office of Ghanaian Environmental Protection Agency states that the country remains a developing biofuel market with few active companies. Apart from the provision of economic incentives, the government lacks a comprehensive policy framework to support the biofuel sector.

Diligence's human intelligence contacts report that the Ghanaian government is currently engaged in license deregulation in the energy sector with the aim of making the system more efficient. A number of sources in local regulatory authorities indicated that this deregulation could also make it easier for foreign companies to obtain relevant licenses through questionable payments.

## APPENDIX 3: GHANAIAN POLITICAL CONTEXT

Ghana is a presidential representative democratic republic with a multi-party system. On 6<sup>th</sup> December 2008, the country held its 5<sup>th</sup> consecutive elections since the multi-party system was introduced in 1992.

The two main contestants in this election were Nana Akufo-Addo (Akufo-Addo)'s NPP, an incumbent ruling party, and John Atta Mills (Mills)'s National Democratic Congress (NDC). John Agyekum of NPP, the current President of the country, cannot run again as he has already served two terms. According to international press, Akufo-Addo who enjoys the support of NPP's traditional heartland of Ashanti and the Eastern regions ran together with Mahamudu Bawumia (Bawumia), a former deputy governor





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at the Bank of Ghana, who enjoys Muslim support in Northern Ghana. Both of them are advocates of current policies with a strong emphasis on the development of the private sector.

NPP's main opponent is Mill's NDC. Mills (also known as the King of Peace) is running for the presidency for the third time. He is a former vice-president and law professor at the University of Legon. Mill's running mate is John Mahama, the former Communications Minister. NDC traditionally enjoys the support of the Western regions of the country.

This Review was written when results of ongoing elections had not been decided. According to latest press, Ghana's presidential elections will be decided on the 28<sup>th</sup> December run-off between Akufo-Addo and Mills. Press reports that so far with votes counted from all but one of Ghana's 230 constituencies, Akufo-Addo had obtained 49.13% and Mills 47.92% with an overall turnout of 69.52%.

Diligence's research shows that the current Ghanaian elections can potentially influence BA's position in the country although such influence should not be critical within a broader context of the Company's political and commercial ties in Ghana.

As was previously mentioned in the Review, source intelligence reports that Byberg has good contacts in Ghana's political and business establishments and with members of both the New Patriotic Party (NPP), the ruling party, and the Convention People's Party (CPP).

Source intelligence notes that Byberg has lesser ties to John Atta Mills' National Democratic Congress (NDC), a rival political party. Should NDC win the ongoing elections, Byberg might lose some of his influence as he would have fewer ties with the new governing party. However, as was mentioned in the Review, Byberg attempted to mitigate this risk and sources report that he recently made a good progress in establishing further ties within the wider Ghanaian political and business circles. These ties should allow Byberg to maintain some degree of influence and continue to promote BA's interests even if NDC wins the elections. Perennial Bioenergy's Board of Directors' good political and economic connections in Ghana should also further mitigate any political risk for BA associated with the ongoing Ghanaian elections.

# APPENDICES

## APPENDIX 4: SOURCES

During the course of this Review, Diligence accessed the following sources:

- Senior members of the National Petroleum Authority of Ghana;
- The Chairman of Ghana's New Patriotic Party;
- A source in the Executive Director's Office of Ghana's Environmental Protection Agency;
- A contact in the Ghana Chamber of Mines;
- A contact at the Regional Advisory Information and Network Systems (RAINS);
- Diligence's privileged human intelligence network in the region.



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