

THE SPECIAL COURT FOR SIERRA LEONE

CASE NO. SCSL-2004-15-T
TRIAL CHAMBER I

THE PROSECUTOR
OF THE SPECIAL COURT
v.
ISSA SESAY
MORRIS KALLON
AUGUSTINE GBAO

MONDAY, 11 OCTOBER 2004
9.40 A.M.
TRIAL

Before the Judges:

Benjamin Mutanga Itoe, Presiding
Bankole Thompson
Pierre Boutet

For Chambers:

Ms Candice Welsch
Mr Matteo Crippa

For the Registry:

Ms Maureen Edmonds
Mr Geoff Walker

For the Prosecution:

Mr Peter Harrison
Mr Christopher Santora
Mr Bobby Gboyor (Case Manager)

For the accused Issa Sesay:

Mr Wayne Jordash
Ms Sareta Ashraph

For the accused Morris Kallon:

Mr Shekou Touray
Mr Melron Nicol-Wilson

For the accused Augustine Gbao:

Mr John Cammegh
Mr Ben Holden

1 Monday, 11 October 2004
2 [Open session]
3 [Upon commencing at 9.40 a.m.]
4 [The accused entered court]
5 [The witness entered court]
6 PRESIDING JUDGE: Good morning learned counsel. We are
7 resuming the session and, Mr Jordash, I hope you had a
8 nice rest at the weekend.
9 MR JORDASH: I did, thank you very much, Your Honour.
10 PRESIDING JUDGE: And that, General, you had a nice weekend, I
11 hope.
12 THE WITNESS: Yes, Your Honour.
13 PRESIDING JUDGE: Good. I hope that the artillery fire
14 between both of you will not be as heavy as it has been
15 all along.
16 THE WITNESS: No, sir.
17 PRESIDING JUDGE: And that, Mr Jordash, you would wrap up your
18 cross-examination as fast as you can, please.
19 MR JORDASH: I certainly will.
20 PRESIDING JUDGE: You may now proceed.
21 MR JORDASH: Thank you, Your Honour.
22 WITNESS: JOHN TARNUE [Continued]
23 CROSS-EXAMINED BY MR JORDASH: [Continued]
24 Q. Good morning, General.
25 A. Good morning, sir.
26 Q. On Friday, I think the last thing we were talking about
27 was this corridor that you say Mr Taylor arranged to be
28 open to allow Johnny Paul Koroma to escape to Liberia.
29 You recall that discussion?

- 1 A. Yes, sir. Corridor.
- 2 Q. The idea was, if what you say is right, was that JPK --
- 3 A. I'm not getting you, sir. It's not -- it's not working,
- 4 sir.
- 5 JUDGE BOUTET: We will look into it. Are you okay now,
- 6 General?
- 7 THE WITNESS: Oh yes, sir, I get you loud and clear, sir.
- 8 JUDGE BOUTET: Thank you very much.
- 9 THE WITNESS: Yes, sir.
- 10 MR JORDASH:
- 11 Q. Can you hear me, General?
- 12 A. I can hear you loud and clear, sir.
- 13 Q. The idea of this corridor, if what you say is right, was
- 14 that JPK would be able to escape to Liberia if there was
- 15 some type of intervention in Freetown; is that correct?
- 16 A. Yes, sir. That was the purpose of the corridor in the
- 17 joint military alliance.
- 18 Q. And that was a plan which was put -- which was prepared
- 19 at the beginning of the junta period; is that correct?
- 20 A. Say that again, sir.
- 21 Q. That was a plan which was prepared at the beginning of
- 22 the junta period?
- 23 A. Yes, sir, immediately as soon as they got into the
- 24 military alliance and the corridor everything was in the
- 25 making so --
- 26 Q. Yes.
- 27 A. -- that was part of the whole operational plan, sir.
- 28 Q. And it was an operational plan which existed and
- 29 continued to exist all the way through the junta period;

- 1 is that correct?
- 2 A. That continued, sir. I mean, corridor is where you
3 provide means of escape in case of any strategy,
4 especially with the devastation they had. So they had to
5 find means to be able to get out immediately.
- 6 Q. When did Johnny Paul Koroma come to Liberia, General?
- 7 A. Well, I can't be too specific on months, but that should
8 be probably the ending part of '98 or the beginning --
9 between '98, '99.
- 10 Q. Excuse me a moment, General.
- 11 [Defence counsel confer]
- 12 Q. So could you repeat those dates again, please, General, I
13 missed them.
- 14 A. That should be between the end of '98 or '99, but I was
15 very busy, so I can't be too specific on that.
- 16 Q. You are aware, of course, that the ECOMOG intervened in
17 Freetown in February 1998?
- 18 A. Yeah, definitely. I quite remember ECOMOG intervened in
19 February and they continued to fight, but I was busy,
20 even though I used to go to White Flowers and, knowing
21 that they were still fighting, because the RUF commander
22 used to come for supplies. Yes, sir.
- 23 Q. So why was it then this well laid-out plan?
- 24 A. Come at it again, sir.
- 25 Q. Why was it, given that this well laid-out plan --
- 26 A. Why was it?
- 27 Q. Why was it that JPK did not come immediately to Liberia?
- 28 A. He did not come immediately?
- 29 Q. Well, from what you say, he arrived some time late '98,

1 early 1999.

2 A. I was just presuming. I say I can't be too exact on the
3 time frame, because I was busy with national
4 responsibility. I was then the assistant chief of staff
5 G3, sir.

6 Q. Why was it -- I mean, if you don't know, you don't know,
7 but why was it that there had been this well laid-out
8 plan to get Johnny Paul Koroma to Liberia as soon as
9 possible? Why was it that he did not come to Liberia
10 until later [overlapping microphones]

11 A. That question should be posed to Johnny Paul Koroma. He
12 knows his reason, but all I do know was that Johnny Paul
13 Koroma came to Liberia and I did not go to meet him, but
14 I do know that he was airlifted from the border and they
15 brought him over. And then the DIS director did call me
16 on the handset, and I went to see him where they had a
17 lodge not too far from Alhaji Koroma's residence in
18 between the Nigerian embassy and Koroma's residence. But
19 I do know that he was picked up from the border, sir.

20 Q. So with all your contacts with security around Mr Taylor,
21 with your contact with Mr Taylor, you never learnt why
22 the plan of action had changed?

23 A. Well, you talk about plan of action had changed. I mean,
24 I was not in charge of the command and control of the RUF
25 and AFRC. I have a national responsibilities; I was the
26 assistant chief of staff G3; other people had their own
27 job to do, so that was the reason. But the initial
28 strategy plans, I think I told you, I think they were
29 implementing the plans. But I was not monitoring that,

- 1 because I had my own job responsibilities, sir, that's
2 why.
- 3 Q. Well, could I suggest that the reason that didn't happen,
4 Johnny Paul Koroma did come straight to Liberia, is
5 because there was not a corridor.
- 6 A. Well, if that's your suggestion, sir, then maybe you can
7 suggest that, but that's not my saying. I mean, a
8 corridor was created and the military alliance were put
9 together to provide escape route for Johnny Paul Koroma
10 in case of any eventuality, especially after the
11 [inaudible] with that devastating situation, they had to
12 retreat.
- 13 Q. And in fact Charles Taylor, acting as part of ECOWAS,
14 some time later in 1999, helped to have Johnny Paul
15 Koroma released from detention in Kailahun; are you aware
16 of that?
- 17 A. Well, I do know that RUF had their strong base, their
18 headquarter, in Makeni. I do know that very well because
19 most of the -- in fact, the objective was to be able to
20 get Makeni fortified like Gbarnga. That was the
21 encouragement I was giving them. But things had not
22 materialised because, like I say, there was some
23 uncompromising disasters from ECOWAS, so they were on the
24 run and everything, of course, got dismantled.
- 25 Q. Could I ask you, General, please --
- 26 A. Yes, sir?
- 27 Q. -- to turn to 8188, the April 9th and 10th interview with
28 Dr White?
- 29 JUDGE BOUTET: Which page?

- 1 MR JORDASH: Page 40, Your Honour.
- 2 Q. I am moving to another subject, General.
- 3 A. You are most welcome, sir.
- 4 JUDGE BOUTET: So it should be page 8198 of the record.
- 5 MR JORDASH: Thank you, Your Honour.
- 6 THE WITNESS: Did you say page 40, sir?
- 7 MR JORDASH:
- 8 Q. Yes, I did.
- 9 A. Okay, sir, I'm there.
- 10 Q. If we can just follow through some of what you were
11 saying at that time.
- 12 A. Which line, sir?
- 13 Q. Line 15.
- 14 A. Okay, sir.
- 15 Q. "And then after Johnny Paul Koroma episode started
16 then they had," these are your words, "then they had
17 to provide corridor, because they already had this
18 initial contact. They had to open corridor by
19 talking to Sam Bockarie because Benjamin Yeaten
20 house, like I stated earlier, Benjamin Yeaten had a
21 communication set called Yi-Su." [Phonetic]
- 22 I just want to follow this through, if we can, General.
- 23 A. I am following you very closely, sir.
- 24 Q. Good. Then if we can turn to page 65 of the same
25 interview.
- 26 A. Page 65?
- 27 Q. Yes.
- 28 A. I am following very closely, sir.
- 29 Q. Good, good, good.

- 1 JUDGE BOUTET: 65 is page 8205.
- 2 A. I am there, sir [inaudible]
- 3 MR JORDASH:
- 4 Q. Thank you, General.
- 5 A. It's in the upper left-hand corner.
- 6 Q. And looking at line 2, your answer,
- 7 "That's what I'm saying, the initial understanding,
- 8 the negotiation I was made between defence minister
- 9 by flying over Johnny Paul Koroma, already Charles
- 10 Taylor had the RUF under his control.
- 11 And so he had influence over the commanders so to
- 12 include Foday Sankoh, Foday Sankoh -- so when Johnny
- 13 Paul Koroma had this problem, that's when the
- 14 communication went over to Bockarie to Benjamin
- 15 Yeaten, because they had to inform them. Look,
- 16 there is a problem with, because Taylor is very
- 17 smart, he knew exactly that Johnny Paul Koroma have
- 18 problem. So because of that he decided to have this
- 19 corridor open, that's when Johnny Paul Koroma is
- 20 coming. Apparently RUF will accept him, so that
- 21 they won't think that they are enemies, so they will
- 22 work together."
- 23 Okay?
- 24 A. So what are you trying to get at, sir? What is your
- 25 direct question?
- 26 Q. I am coming, General.
- 27 A. Yes, sir.
- 28 Q. The first question is, what did you mean when you said,
- 29 "So that when Johnny Paul Koroma was coming

1 apparently RUF will accept him so that they won't
2 think they are enemies."

3 A. But he has already been accepted, so whether he came
4 today, tomorrow, after, he was already part of the
5 military alliance, so he was accepted, sir.

6 Q. But you are saying here that the corridor -- is this what
7 you appear to be saying, that the corridor was open, or
8 there was a plan to open the corridor so that the RUF
9 would accept Johnny Paul Koroma as he was coming through
10 the country?

11 Q. Let's just -- let's just. I think if you just leave the
12 word "corridor" and look at the word maybe "escape
13 route", because corridor is created and you have a
14 military alliance. So the both of them will be together.
15 So there will be -- Johnny Paul Koroma will not look like
16 a stranger or enemy. If that military alliance were
17 never to be in existence, Johnny Paul Koroma would never
18 have been brave to come through RUF-controlled territory,
19 though he was going to be apprehended. But because of
20 that, they had to create the military and establish the
21 military alliance. Within the military alliance, you
22 have a corridor and in the corridor you have the escape
23 route. That's the military tactics. There is no way you
24 can -- you can put yourself in here. You don't have --
25 you build a house, you don't have a back door. It's not
26 possible. You have to have a back door in case of
27 fire -- you can get out.

28 Q. Okay. Look at line 14, General.

29 A. Yes, sir.

1 Q. "So because of that he decided to have this corridor
2 open so that when Johnny Paul Koroma is coming
3 apparently RUF will accept him."

4 You appear to be saying there that the purpose of the
5 corridor was to allow him to come safely through the RUF
6 areas.

7 A. Well, sir, you see that's why I say, I mean, probably
8 everybody got their own interpretation. I am a military
9 man, sir, I am not a [inaudible] so the way I speak in my
10 military English, that's how I understood it to be. So
11 quite frankly, I mean, that the corridor was already
12 there and that Johnny Paul Koroma has been provided
13 safety route of escape so that his life can be saved
14 together with his family. That's what I meant, sir.

15 Q. Okay. Thank you.

16 JUDGE THOMPSON:

17 Q. General --

18 A. Yes, sir.

19 Q. -- if I get you rightly, is your evidence that the
20 military alliance was in fact a condition precedent for
21 the creation of the corridor?

22 A. Exactly, sir.

23 Q. In other words, there would not have been the idea of a
24 corridor if there was not --

25 A. There was no military alliance. That's my point.

26 Q. Quite, thank you. Thanks.

27 A. That's clear-cut. Yes, sir.

28 MR JORDASH:

29 Q. If we can then move to page 66, General, please.

- 1 A. Page what, sir?
- 2 Q. Page 66.
- 3 A. Page 66. Yeah, right below there in the left-hand
4 corner. I got that.
- 5 Q. Okay?
- 6 A. Yes, sir.
- 7 Q. Line 8, please. "So the order," and this is your answer
8 again.
- 9 "So the order -- he ordered Sankoh. Yes, Sankoh,
10 through Bockarie to be able to open corridor because
11 the pressure was already on Johnny Paul Koroma.
12 That is the only way he would be saved. So he came
13 through from where he was in Sierra Leone, because
14 he never left Sierra Leone, he was in the jungle and
15 managed to get a link -- he managed to get link-up
16 and maybe sent a team to look militarily to be able
17 to look where he was and then brought him through
18 that control line."
- 19 They are your words and you accept them as the truth?
20 You agree with those words?
- 21 A. What are you -- these words are here, yeah, I agree with
22 these words, but what is your own connotation? What are
23 you trying to say to me now? What do you want me to
24 reply to, sir?
- 25 Q. I am coming.
- 26 A. Okay, sir.
- 27 Q. 367, General, please.
- 28 A. Sir?
- 29 Q. Sorry, I beg your pardon, it's my notes. Page 67.

- 1 A. Okay, right on the upper hand -- upper right-hand corner.
- 2 Q. Yes.
- 3 A. 8205, I got that.
- 4 Q. And question, line 3.
- 5 A. Yes, sir.
- 6 Q. "Okay, when you had mentioned that Charles Taylor
7 had ordered Sankoh to direct Sam Bockarie to bring
8 or allow Johnny Paul Koroma access and escape
9 basically from Freetown.
- 10 A. From Freetown to Liberia.
- 11 Q. How did he order Foday Sankoh, because at the
12 time Foday Sankoh was in jail?
13 How was he communicating with him?
14 When I say Sankoh, all right, because Sankoh is a
15 rebel leader, all right, and Sankoh was a rebel
16 leader, but he had a representative. That was
17 Bockarie. Bockarie apparently because Charles
18 Taylor -- he is a man who is very sensitive maybe
19 where Sankoh was he had means of communications
20 perhaps."
- 21 Can we take from those final words, General --
- 22 A. Yes, sir.
- 23 Q. That you were unaware of whether Sankoh had a means of
24 communication at the time you are referring to?
- 25 A. Well, if you analyse this analytically, I mean, I was
26 presuming.
- 27 Q. Yes.
- 28 A. I mean that's presumption.
- 29 Q. Thank you.

1 A. That's not facts.

2 Q. Now, can we turn now in the same interview at page 88?

3 A. To what?

4 Q. 88.

5 A. 88?

6 A. I'm at 88, sir.

7 JUDGE BOUTET: For the record it's page 8210.

8 MR JORDASH: 8210.

9 THE WITNESS: Yes, sir. 8210 below on the right-hand side.

10 JUDGE BOUTET: Indeed. Thank you.

11 THE WITNESS: I got that, sir.

12 MR JORDASH:

13 Q. And looking at line 20.

14 A. Line 20. Yes, sir.

15 Q. Yes.

16 "Q. There was one incident that occurred involving

17 Sam Bockarie and it was right after when the junta

18 fell in February of 1998."

19 Moving to page 89.

20 "A. Right.

21 Q. Apparently he had to be retreated to Liberia.

22 A. Yes.

23 Q. And had a discussion with President Taylor.

24 A. Yes.

25 Q. Can you comment on what your specific knowledge

26 is about that meeting between Taylor and Bockarie

27 and what the contents of that meeting was?

28 A. You mean the meeting they had with respect to

29 when Bockarie retreated?

1 Q. Correct.

2 A. No, because after he was flushed out, because
3 the ECOMOG was pressuring and when he was flushed
4 out he came over and said, 'Look what we will do is
5 to get portion of the RUF men that he crossed over
6 with and then he will be able to use these 100 -- I
7 mean 1,500 men to be able to be enlisted into the
8 ATU.

9 And then the rest of the RUF members, because they
10 came, all they came approximately 3 to 4,000."

11 Over to page 90.

12 "They came all through Lofa, all spread. They said
13 you have to be over there so that in time of
14 emergency when we had to go here because his
15 operation was to be able to destabilise the entire
16 West African country.

17 Q. This is Charles Taylor?

18 A. Yes, Charles Taylor. So we had these RUF people
19 to be able to keep them because he was anyway
20 commanding the rest of the people. So definitely
21 RUF along with Bockarie -- with B Bockarie they all
22 came and he accepted them. And he had, just for
23 completeness sake, he had, he welcomed them and
24 decided to say, 'Look, Bockarie, give me five --
25 1,500 right now.' 1,500 RUF people are with ATU.
26 They are with the anti-terrorist unit and the rest
27 of them they are the militia unit. They are in Lofa
28 county and other places and he was using them. I
29 guess some of them were used to go to Sierra

1 Leone -- not to Sierra Leone, to Ivory Coast to go
2 and fight. So the meeting they have was that he
3 should be able to maintain the militia unit."
4 Over to page 91.
5 A. I'm there.
6 Q. "And then he even provided them with the old base
7 where they training; Camp Naama."
8 And you appeared to be suggesting here, is this right,
9 General, that when Bockarie had come after the fall of
10 the junta he had brought these 1500 men; is that correct.
11 A. He retreated.
12 Q. And he brought these 1500 men; is that correct?
13 A. Yes, and he retreated, yes, sir, 1500 men plus.
14 Q. Thank you. Now if you turn to page 95 - and we did look
15 at this briefly on Friday.
16 A. Did you say 95?
17 Q. Yes, please, General.
18 A. Yes, sir. I'm there in the upper right-hand corner -- is
19 that 2812?
20 Q. It is, yes.
21 A. I mean, 821 --
22 JUDGE BOUTET: 8212.
23 THE WITNESS: Yes, sir, 8212.
24 MR JORDASH:
25 Q. And you are still on this subject of Bockarie coming over
26 to Liberia.
27 A. Yes, sir.
28 Q. And you can see that at the top of page, line 3, the
29 question continues,

1 "When they had this meeting after they were pushed
2 out of Freetown the RUF and AFRC you mentioned
3 Bockarie had come to Liberia and he had or he had
4 met Taylor two or three times a week.

5 A. To be able to get all these people out.

6 Q. Was this between February and what time?

7 February of 98.

8 And what time frame?

9 Well, that was between -- well, that was the
10 beginning of '98, it ran up to March between that time."
11 Okay. That seems to have been your answer at that time
12 as to what happened when Bockarie came over in February
13 to March 1998 after the junta fell.

14 A. Well, like I say, counsellor, I mean 14 years back,
15 sometimes it's not -- you can't remember everything. So
16 when the exclusive interview was held, I tried to -- you
17 look at the question, he wanted a time frame and I wasn't
18 too exact. All right. So I tried to also just
19 provide --

20 JUDGE THOMPSON:

21 Q. General, General --

22 A. Yes, sir.

23 Q. I have not heard a question from counsel yet.

24 A. Oh, okay. Counsellor, what's the question?

25 MR JORDASH:

26 Q. Well, the first question is this, when was it that you
27 first recalled that the visit by Bockarie at that time
28 included a visit by Issa Sesay?

29 A. The visit by Sam Bockarie.

1 Q. Let me remind you of your evidence that you have given so
2 far. That in February of 1998, Mr Taylor, following the
3 fall of the junta, had Mr Bockarie come over to Liberia.
4 And during that visit, Issa Sesay also attended. And the
5 first time you mentioned that, Mr Sesay being present,
6 was I think in this courtroom last week.

7 MR SANTORA: Objection.

8 MR JORDASH: I beg your pardon. No, it wasn't. It was in a
9 statement --

10 JUDGE THOMPSON: Sustained.

11 MR JORDASH: -- the 29th October. 29th September -- let me
12 just get this correct. It was the 23rd July 2004 in a
13 statement to the Prosecution.

14 A. 23rd July?

15 Q. Yes.

16 A. What happened?

17 Q. Well, let me tell --

18 JUDGE BOUTET: I have [inaudible] to follow you now.

19 MR JORDASH: I beg your pardon.

20 JUDGE BOUTET: I don't know where you are and what you are
21 trying to ask -- the question here. I am totally
22 confused.

23 MR JORDASH: I shall start this again.

24 JUDGE BOUTET: I presume you are going to the witness to find
25 out when and where he first met or testified about
26 meeting or seeing Mr Sesay?

27 MR JORDASH: Yes.

28 JUDGE BOUTET: But you got me lost on this.

29 MR JORDASH: I think I got myself lost on this as well, Your

- 1 Honour.
- 2 Q. Here, in your interview to Mr White in April 2003 --
- 3 A. Yes, sir.
- 4 Q. -- you make no mention of Mr Sesay coming to Liberia in
5 February of 1998. Do you accept that? Well, I did say
6 Bockarie came along with some of the RUF members and
7 Commanders.
- 8 Q. Well, you said he came along with 1500 men who were then
9 divided up, some of whom went into the anti-terrorist --
- 10 A. You're talking -- I'm not talking about February When
11 Bockarie finally retreated. The pressure was on the RUF
12 from February onward throughout '98, '99. The pressure
13 was on them. They finally did lose their stronghold,
14 Makeni, and ECOMOG was moving towards Kono District. So
15 there was no way they could stand. So they had to
16 finally retreat. I remember the last time I saw him was
17 December of '99. And he retreated with those numbers and
18 out of the number he retreated with the -- 1500 and put
19 them into the ATU.
- 20 Q. Okay. Would you have a look at page 181 of the April
21 interview, please, General?
- 22 A. 18 what?
- 23 Q. 181.
- 24 A. 181. Page 181. Yes, sir.
- 25 JUDGE BOUTET: So this is at page 8234?
- 26 THE WITNESS: Yes. 8234 is on the upper left-hand corner. I
27 got that. I'm there, sir.
- 28 MR JORDASH:
- 29 Q. Right. This is the next time. Let me start that again.

1 Let's just go through it, shall we, and see what you have
2 to say then? Line 10 --

3 A. Yes.

4 Q. "Were you present when the instructions to protect
5 Kono were given by Taylor?

6 A. Oh, yeah, the first meeting I had at White
7 Flower I was present and then another meeting was
8 held in Gueckedou, I wasn't there.

9 Q. How about 1998, in February, March 1998, were
10 you present when those instructions were given to
11 Sam Bockarie by Taylor?

12 Oh, yes, Sam Bockarie instructions were given by
13 Taylor. In fact Benjamin Yeaten brought him. Then
14 after the instruction was given, they give his
15 package and he is supposed to take over."

16 Over the page, please.

17 A. Yes, sir.

18 Q. Page 182.

19 "Tell me about those instructions again and how --
20 what they were, and how you became aware of those
21 instructions.

22 A. After ECOMOG attack there was -- they had attack
23 and they was trying to get them out of the place,
24 because the objective was to be able to free the
25 entire Sierra Leone from the hands of the RUF and
26 they said, 'Look I know you are going out because
27 whenever ECOMOG fight they will retreat and then
28 they go out of arms and ammunitions.' And when he
29 came over, after Benjamin Yeaten brought him over,

1 he had enough supplies and told him say, 'Look, this
2 is it, you have to make sure to secure -- to secure
3 the Kono District, because this is where the supply
4 will be coming from. From the diamonds you will get
5 is what we use to be able to get your supplies.'

6 And this is what, Taylor directing Bockarie?

7 Taylor gave instructions to Bockarie that directly."

8 So here you are referring, General, again to a meeting
9 with Sam Bockarie in Liberia with Charles Taylor,
10 February/March 1998; is that correct?

11 A. But initially I repeated that over four or five times
12 here, counsellor. When the pressure was on the RUF and
13 the AFRC -- February 28th the attack on the RUF started,
14 ECOMOG decided to move in vigilantly and so the
15 pressure -- they could not stand it; they started to
16 retreat. That's when the radio call came through and I
17 want to say that again, the radio call came through the
18 operator received a message. He sends it down to the
19 aide-de-camp. The aide-de-camp decided to relay the
20 message to the President when he returns. Immediate he
21 decided to go into the radio room at Benjamin Yeaten's
22 house, I just sent to the White Flowers and decided to
23 enquire what happened --

24 PRESIDING JUDGE:

25 Q. General, General, General.

26 A. Yes, sir.

27 Q. Please, stop there. You haven't answered that question.

28 A. Yes, sir.

29 PRESIDING JUDGE: Counsel, you can move to some other grounds.

- 1 MR JORDASH: Thank you.
- 2 PRESIDING JUDGE: I think this is sufficiently --
- 3 THE WITNESS: I've dealt with it sufficiently, yes, sir.
- 4 Thank you.
- 5 PRESIDING JUDGE: Yes, please, we should gain time and move
- 6 on, please.
- 7 THE WITNESS: Thank you, Your Honour.
- 8 MR JORDASH:
- 9 Q. Listen to the question, General. Here you are -- I just
- 10 want to make sure I understand you were referring to a
- 11 visit by Bockarie to Charles Taylor in February/March of
- 12 1998. That's what you are referring to in this section.
- 13 A. Is that your understanding here?
- 14 Q. That's my understanding --
- 15 A. Visit.
- 16 Q. If that's what you were --
- 17 A. That's not what I'm saying. I mean, I just -- I
- 18 mentioned that. March and February incident --
- 19 Q. Were you referring here to a visit by Bockarie in
- 20 February/March of 1998 to Charles Taylor? Simple
- 21 question, General.
- 22 A. But that's why he came based on the order of Charles
- 23 Taylor, yes, sir.
- 24 Q. Yes.
- 25 A. I say, yes, sir. Please.
- 26 PRESIDING JUDGE:
- 27 Q. General, General.
- 28 A. Yes, sir. I'm sorry.
- 29 Q. General.

- 1 A. Yes, sir.
- 2 Q. Please, follow counsel's question. A yes or no answer
3 will rescue us from these exchanges.
- 4 A. Yes. I can't -- I can't argue with the counsellor,
5 because, I mean, he's --
- 6 Q. You have said --
- 7 A. Well, I'm sorry, counsellor.
- 8 Q. Exchange -- exchange [inaudible] you know, when Bockarie
9 had exited and come -- and was talking to Taylor, isn't
10 it?
- 11 A. Yes, sir.
- 12 Q. [Overlapping microphones]
- 13 A. He began to lay emphasis, chief, and tried to say,
14 "General, I'm talking -- you got -- " You see, I mean --
15 Chief, I have to also make some -- and let him know, but
16 counsellor, I beg you, if you do that, you stretch your
17 eye [overlapping microphones]
- 18 Q. The apprehensive --
- 19 A. I am telling you confidently the question is, yes, sir.
20 The answer is yes, sir.
- 21 MR JORDASH:
- 22 Q. Thank you. Now you make no mention here, throughout the
23 course of this interview, of Mr Sesay coming on a trip to
24 Liberia with Sam Bockarie, February/March of 1998. Do
25 you accept that?
- 26 A. If I accept that?
- 27 Q. You make no mention of Mr Sesay coming to Liberia in
28 February/March of 1998 within the course of this
29 interview. The first time you appear to have mentioned

1 that --

2 PRESIDING JUDGE: No, no, no. Counsel, please --

3 MR JORDASH: I'm sorry.

4 PRESIDING JUDGE:

5 Q. General --

6 A. Yes, sir.

7 Q. In this interview, you mentioned Bockarie coming in.

8 A. Yes, sir, with --

9 Q. Counsel is saying you never mentioned that Issa Sesay
10 came in. You never mentioned -- specifically mentioned
11 Issa Sesay in your statement.

12 A. But he asked, and I told him, sir, Sam Bockarie came with
13 some of the RUF commanders and the protocol. Whenever
14 Sam Bockarie came he would go down to Benjamin Yeaten's
15 house and there would be some senior -- junior officer --

16 Q. So your reply is you never mentioned Issa Sesay, but that
17 he came -- that Sam Bockarie came with a number of RUF
18 Commanders?

19 A. Yes, sir.

20 JUDGE THOMPSON:

21 Q. But then --

22 A. Even though --

23 Q. But then counsel's question was whether in the interview
24 you did mention specifically Issa Sesay. That's a fair
25 question in the interview there. That's why he read that
26 extract to you and invited you to say whether in that
27 extract is there a specific reference to Issa Sesay.
28 That is different from what you may want to explain later
29 on. But he is confining himself to that extract that he

- 1 read to you. Am I right?
- 2 A. Can you go over -- can you go over the question again,
3 sir?
- 4 Q. And I think the question could be answered in the context
5 of the [overlapping microphones].
- 6 A. Let's go over the question more.
- 7 MR JORDASH:
- 8 Q. Well, looking at that extract and also previous extracts
9 we have gone thorough about February/March 1998 and
10 Bockarie attending Liberia, you make no mention of Issa
11 Sesay specifically coming, do you?
- 12 A. You mean in the interview?
- 13 Q. Yes.
- 14 JUDGE THOMPSON:
- 15 Q. Yes, that's the point, in the interview?
- 16 A. In the interview there was no mention made.
- 17 Q. Right. Yes, and that's what I thought we should get
18 through.
- 19 A. There was -- there was no -- I'm sorry, I may be --
- 20 MR JORDASH:
- 21 Q. Between that interview you travelled to Freetown with
22 Mr White, didn't you?
- 23 A. I travelled to Freetown with Mr White?
- 24 Q. To arrive in Freetown in June of 2004.
- 25 A. Did I travel in Freetown with Mr White?
- 26 Q. You have given that evidence earlier in this courtroom
27 last week.
- 28 A. With Mr White?
- 29 Q. With Mr White, the investigator.

- 1 A. In Freetown?
- 2 Q. Okay. Let's break it down.
- 3 JUDGE BOUTET:
- 4 Q. General, please. Please listen carefully to the
5 question. Don't try to jump in too early.
- 6 A. I'm sorry.
- 7 Q. The question has not been asked; that's why you get all
8 confused.
- 9 A. I'm sorry, chief, your Honour, chief. I'm sorry.
- 10 MR JORDASH:
- 11 Q. Let me break it down, General.
- 12 A. Yes, sir.
- 13 Q. When you travelled to Freetown to attend this Court in
14 June of this year, you have told us that you travelled
15 with Mr White on a plane; is that correct?
- 16 A. Oh, you mean 2004?
- 17 Q. This year.
- 18 A. Oh, yes, sir, 2004, June 28th --
- 19 Q. Thank you.
- 20 A. -- I flew over here. Yes, sir.
- 21 Q. With Mr White?
- 22 A. Oh, yes, sir.
- 23 Q. Thank you. Then on the 23rd July 2004, you made a
24 further statement, didn't you?
- 25 A. On the 23rd.
- 26 Q. Yes.
- 27 A. July, I made statement?
- 28 Q. Yes.
- 29 A. Where? Can this witness please be given a copy?

1 MR HARRISON: I was just going to ask if I could do that.
2 MR JORDASH: Thank you. I am very grateful to my learned
3 friend.
4 Q. Have a look at that statement and --
5 A. Well, I have looked at this previously. Yes, sir.
6 Q. That's your statement dated --
7 A. Yes, sir.
8 Q. That's the first time you mentioned Sesay.
9 JUDGE THOMPSON: Shall I have the date of the statement?
10 MR JORDASH: I beg your pardon, Your Honour; 23rd July 2004.
11 JUDGE THOMPSON: Yes. Thank you, counsel. Proceed.
12 MR JORDASH:
13 Q. That's the first time you mentioned Mr Sesay coming to
14 Monrovia in February 1998.
15 A. Yes, sir.
16 Q. What was it that made you suddenly remember that detail?
17 A. When I was -- when I was asked -- I had to make sure to
18 go into details as to commanders that were present. And
19 when I came over here to give my testimony, 2000 -- when
20 the UN abduction was made, they said, "Did you see
21 Sesay?" I also mentioned that I did see him. So these
22 were just expansions of my deliberations, sir.
23 JUDGE THOMPSON:
24 Q. In other words, your answer is that you expanded your
25 statement --
26 A. Yes, sir.
27 Q. -- to include specific reference to Mr Sesay --
28 A. Yes, sir.
29 Q. -- having been with --

- 1 A. Yes, sir.
- 2 Q. -- Bockarie during the visit or during -- when they went
3 to Liberia in February/March?
- 4 A. Exactly.
- 5 Q. Fine. Fine. Fine.
- 6 JUDGE BOUTET:
- 7 Q. But what was the question, if I may ask, that you were
8 asked to give that answer?
- 9 A. No, no. I wasn't -- I wasn't asked, but during my
10 explanation, like here, when I was explaining after you
11 ask me if you ever saw Bockarie. I mean Bockarie -- Issa
12 Sesay. So I started to name the numerous occasions that
13 I interact -- I saw him and I did mention 2000 --
- 14 JUDGE THOMPSON: General, counsel did ask you whether that was
15 the first time in that statement of the 23rd of July 2004
16 that you ever mentioned Issa Sesay as having been part of
17 the group that went to Liberia. Wasn't that the case,
18 learned counsel?
- 19 MR JORDASH: Your Honour, yes.
- 20 JUDGE THOMPSON:
- 21 Q. You did ask that question and your response was in answer
22 to that question, wasn't it?
- 23 A. Was an answer?
- 24 Q. Wasn't your response in answer to the question?
- 25 A. I gave you a response, sir.
- 26 Q. Yes. I got you here that, "That was the first time I
27 mentioned Mr Sesay coming to Liberia in February March
28 2004."
- 29 A. Yes, sir.

1 Q. And then you went on to say that you expanded your
2 statement.

3 A. No, but --

4 Q. You expanded your statement to include reference to
5 Mr Sesay during 2004.

6 JUDGE BOUTET: My dear brother, but I did ask a question
7 subsequent to that and that's in answer to my question
8 that he expanded. So my question was --

9 JUDGE THOMPSON: No, with the greatest respect to my learned
10 brother, that expansion came out.

11 THE WITNESS: The counsellor -- the counsellor wanted -- he
12 wanted -- normally he asked to name people that are
13 present. If the commander is there, the commander should
14 share responsibility. And so --

15 JUDGE THOMPSON:

16 Q. No, no, my concern is that you had given an answer
17 agreeing with counsel --

18 A. Yes, sir.

19 Q. -- that that was the first time on the 23rd July 2004 --

20 A. Yes, sir.

21 Q. -- that you made a specific reference --

22 A. Yes, sir.

23 Mr PRESIDENT:

24 Q. -- to Mr Sesay as having been one of the those persons
25 who came to Liberia with Bockarie during February March
26 1998?

27 A. Yes, sir.

28 Q. And then you were answering about why you included him
29 then. You said you were merely expanding your statement.

- 1 A. No, no, chief. Well, maybe -- maybe the English
2 language, like I say --
- 3 Q. Well, go ahead, you can clarify. Learned counsel.
- 4 A. Probably --
- 5 Q. Just a minute, General.
- 6 MR HARRISON: I am a little bit concerned there may be some
7 misunderstanding developing here, and I think we may be
8 able to nip it in the bud. And one easy way to do it is
9 simply to reflect on the record that that --
- 10 JUDGE THOMPSON: Yes.
- 11 MR HARRISON: But my recollection is the same as that of His
12 Lordship Mr Justice Boutet who did intervene between your
13 first question and the second question Your Lordship was
14 putting to the witness. Mr Justice Boutet did intervene
15 and the witness was trying to respond and my
16 understanding to what the question was as posed by
17 Mr Justice Boutet.
- 18 JUDGE THOMPSON: I think my learned brother intervened to find
19 out whether in fact a question was put by learned counsel
20 for the Defence. And I noted that counsel had in fact
21 put a question, and the question was whether that was a
22 first time and I'd got the answer. But I think we can
23 clear this up by asking counsel to help us here.
- 24 MR JORDASH: I am slightly confused.
- 25 Q. General, what you are saying is that, "I mentioned Issa
26 Sesay in July of 2004; it was an expansion of my previous
27 evidence."
- 28 A. You mean July of 2004?
- 29 Q. When I say July, yes, I mean July.

- 1 A. No, I mean previously that was the same statement I gave
2 that when they went over to White Flower with their
3 commander, Sam Bockarie --
- 4 Q. We know that you are saying that Sam Bockarie came with
5 commanders.
- 6 A. Yes.
- 7 Q. What I am trying to get at, did you say on the 23rd July
8 in the statement which is in front of you --
- 9 JUDGE THOMPSON: [Microphone not activated]
- 10 MR JORDASH:
- 11 Q. Was that the first -- Your Honour -- was that the first
12 time you mentioned Sesay specifically?
- 13 A. The first time I mentioned Sesay specifically?
- 14 Q. Specifically in relation to the [overlapping microphones]
- 15 A. Specifically names had been mentioned over and again;
16 that was not the first time.
- 17 Q. In relation to the February/March visit to Monrovia.
- 18 A. That was the first time.
- 19 Q. Thank you.
- 20 A. But his name had been mentioned in previous statements.
- 21 Q. Well, I will come to that in a short while.
- 22 A. Okay, sir. Go ahead.
- 23 Q. And the reason you are saying now you mentioned it at
24 this stage is because you were expanding on your previous
25 evidence.
- 26 A. No, I just told you, I think that can be null and void
27 because expansion may be, perhaps like I say, the English
28 language. So I was only trying to re-emphasise on the
29 presence of various commanders, especially when they

- 1 wanted me to be specific on names, like you always do.
- 2 Q. And you recall that you gave evidence in that 23rd of
3 July statement and in this Court that Issa Sesay had been
4 part of picking up weapons on that trip?
- 5 A. Not only -- not only that particular time.
- 6 Q. Let's stick with this trip though, General.
- 7 A. But there were several other ones.
- 8 Q. Let's stick with this one though.
- 9 A. That's what I am saying.
- 10 Q. I will come to the rest in a short while.
- 11 A. Okay, go ahead. Go ahead.
- 12 Q. That trip you say involved, you say, Sesay picking up
13 supplies for weapons.
- 14 A. Exactly.
- 15 Q. Exactly.
- 16 A. To go by -- to go back and fight.
- 17 Q. Was that another expansion on the [overlapping
18 microphones]
- 19 A. That's no expansion, it is within the statement that I
20 gave.
- 21 Q. It is in the 23rd of July statement, isn't it?
- 22 A. Say that again.
- 23 Q. It's in the 23rd July statement --
- 24 A. No, the previous statement [inaudible].
- 25 Q. Well, let us have a look at the previous statements,
26 shall we?
- 27 A. Commanders -- he was among the commanders and so he
28 wanted me to specify what are the commanders.
- 29 Q. Well, I am suggesting to you, General, that you did not

1 say in the April and -- 9th April interview with Dr white
2 anything about Bockarie, Sesay or any other RUF commander
3 picking up supplies.

4 A. When?

5 Q. In the April 9th interview with Dr White 2004.

6 A. What did I say? Can you show me the portion?

7 Q. If you turn to page 182.

8 A. Okay.

9 Q. Which is 8234, I think.

10 JUDGE BOUTET: What is the page, 182?

11 MR JORDASH: 182, Your Honour.

12 THE WITNESS: Yeah, 182 I have -- it's 8234, below that. Yes,
13 sir.

14 MR JORDASH:

15 Q. This is what you appeared to say; we have just been
16 through it. Line 4, "After ECOMOG attacked."

17 PRESIDING JUDGE: That's page what? Page what?

18 JUDGE BOUTET: 8234.

19 MR JORDASH: 8234.

20 Q. Line 4,

21 "After ECOMOG attacked, there was -- they had attack
22 and they was trying to get them out of the place
23 because the objective was to be able to free the
24 entire Sierra Leone from the hands of RUF and they
25 said, 'Look, I know you are going out, because
26 whenever ECOMOG fight they will retreat and then
27 they go out of arms and ammunitions.' When he came
28 over after Benjamin Yeaten brought him over, he had
29 enough supplies. And told him say, 'Look, this is

1 it, you have to make sure to secure the Kono
2 District because this is where the supply will be
3 coming from -- from the diamonds you will get is
4 what we use to get your supplies,' and this is
5 what -- this is what Taylor directed Bockarie,
6 Taylor give instructions to Bockarie that's
7 directly."

8 And it would appear that this section does not deal with
9 you saying that they picked up supplies.

10 A. No, no. If you read here and know full well, I talk
11 about "you", I talk about "he". Specifically -- when I
12 talk about "he" as you read down the line, when I mention
13 "he" I am talking about Sam Bockarie or talking about
14 Taylor when I talk about "you", I mean these are all
15 propositions.

16 Q. Do you see anywhere --

17 A. He.

18 Q. Do you see anywhere --

19 A. But if you read it very clearly, you know that.

20 Q. Which bits --

21 A. They were attacked by ECOMOG and definitely they needed
22 to come and get weapons until I told them, look, when
23 ECOMOG attacked because he attacked ECOMOG before, so he
24 was sharing his experience. Taylor was sharing his
25 experience with the RUF commanders. So --

26 Q. We are not talking about --

27 A. Every time you mention about RUF, you mention about
28 Sesay, you mention about Bockarie, you mention about
29 Kallon. Who else was commanding RUF besides those

1 people?

2 JUDGE THOMPSON: General.

3 THE WITNESS: Yes, sir.

4 JUDGE THOMPSON: Please listen again. Counsel, let's get back
5 to the proper way.

6 THE WITNESS: Yes, sir.

7 JUDGE THOMPSON: What are you trying to elicit here?

8 MR JORDASH: Well, I am suggesting that at no stage during
9 this April interview --

10 JUDGE THOMPSON: Yes.

11 MR JORDASH: -- does the General say that the RUF, whether
12 Sesay, Bockarie or any other commanders, picked up any
13 supplies from Liberia.

14 JUDGE THOMPSON: In an extract that you have read to him?

15 MR JORDASH: In this extracts.

16 JUDGE THOMPSON: Yes.

17 MR HARRISON: In fairness to the witness --

18 JUDGE THOMPSON: Sit down, Mr Jordash.

19 MR HARRISON: It would be useful if the witness was directed
20 to the questions which precede the ones put to the
21 witness, and I would ask the Court to consider
22 recommending counsel to start from page 181, line 15 and
23 to continue therefrom, because the context, I think, is
24 somewhat different from that being suggested. It is not
25 discussing arms; it is discussing a package. You had
26 some evidence about what the word "package" means. I am
27 not going to tell you or give you evidence, but you
28 already had evidence about what that means. So that is a
29 proper context for the subsequent questions.

1 JUDGE THOMPSON: Well, I think also that it would be improper
2 for this Court to direct counsel how to proceed as long
3 as there are no rules violated here. The General has the
4 document before him. It is his duty to explain and
5 amplify or detract from what he says, but it would be
6 definitely wrong for the Chamber to tell counsel that if
7 he is trying to establish certain discrepancies according
8 to his instruction, that he should prefer your own method
9 and he, of course, have never allowed him to tell you how
10 to proceed. I think it would be a little improper,
11 unless you can point to some rule that he is violating.
12 If you have an objection to say that he's violating some
13 rule of cross-examination, then that could be
14 accommodated and determined as to its merit.

15 MR HARRISON: My objection is that it is misleading the
16 witness by referring to arms in this context, because the
17 preceding question and answer referred to the term
18 "package" and I think that has a completely different
19 meaning from "arms" and "ammunition".

20 JUDGE THOMPSON: So the objection is on grounds of it is
21 misleading the witness. Learned counsel, what is your
22 response?

23 MR JORDASH: If I understand my learned friend correctly, he
24 is suggesting that this conversation was about
25 diamonds -- is that? Yes.

26 JUDGE THOMPSON: I don't know how to respond to that.

27 MR JORDASH: I would be happy to clear up any [overlapping
28 microphones]

29 JUDGE THOMPSON: I would have thought that the witness would

1 be the best person to respond to that. That's my
2 difficulty, because I think counsel is playing the role
3 here of advocate and witness. I mean, I hope we don't
4 get to that, because this General is able to clarify
5 misconceptions if counsel raises them --

6 MR JORDASH: Yes. Well, Your Honour --

7 JUDGE THOMPSON: -- from both sides. And I think you have a
8 right to put extracts to him and then ask him and then he
9 has a right to clarify and say, "Counsel, you have a
10 misconception there."

11 MR JORDASH: Yes. But I do not want to take a bad point
12 against the General, and I will ask him to --

13 JUDGE THOMPSON: No, I will definitely not sustain that
14 objection.

15 MR JORDASH:

16 Q. Would you turn to page 181, General?

17 A. Page what, sir?

18 Q. 181.

19 A. 181. I'm there already. Is that 8234?

20 Q. Yes.

21 A. The upper left-hand corner?

22 Q. Yes.

23 A. Right, I'm there.

24 Q. And I want you to just go through this question and
25 answer from line 15 to 21 with me and just explain --

26 A. From line 21 --

27 Q. Line 15 to 21.

28 A. Yes, sir.

29 Q. And then explain, if you would, to the Court what it was

1 you were referring to in your answer.

2 "Q. How about 1998 in February, March 1998; were
3 you present when those instructions were given to
4 Sam Bockarie by Taylor?

5 A. Oh, yes, Sam Bockarie's instructions were given
6 by Taylor. In fact, Benjamin Yeaten brought him and
7 then, after the instruction was given, they give his
8 package and he is supposed to take."

9 What is the package you are referring to?

10 A. Again, counsellor, I repeat it over again. I said March,
11 April they came in, based on the instructions and after
12 they did, they made a radio call, then Benjamin Yeaten
13 brought in Sam Bockarie with some commanders.

14 Q. What is the package?

15 A. The package was arms, ammunitions and food to be taken
16 back the following day, because they were attacked and
17 they had to repel the attack according to the
18 instructions from Charles Taylor, because he was part of
19 the higher command. So definite he said, "Look, you have
20 to make sure to regain your positions." There was an
21 order given -- order and directives. I repeated it over
22 and again. The package was ammunitions, arms and food.

23 JUDGE THOMPSON: Proceed, counsel.

24 MR JORDASH:

25 Q. Thank you. I want to move on to the subject of diamonds,
26 General.

27 A. Yes, sir.

28 Q. And I want you, if you would, please, to turn to page
29 8152 and of that interview specifically, please, to page

1 20 of that interview, which is, I think --

2 JUDGE BOUTET: Which in the record would be 8171.

3 MR JORDASH: Thank you.

4 THE WITNESS: Okay. I heard 8152.

5 MR JORDASH:

6 Q. 8171 now, General.

7 A. Okay, I'm there, sir.

8 Q. Thank you. Just so that we have the context correctly,

9 Dr White sent you a list of questions. You were then

10 asked to fill in the answers and you emailed them back to

11 Dr White; is that correct?

12 A. Say that again.

13 Q. Dr white in this question and answer session emailed to

14 you a list of questions asking you to fill in the

15 answers. You filled in the answers and you emailed back

16 the response; is that correct?

17 A. Yes, sir.

18 Q. And that was in February of 2003.

19 A. You are correct.

20 Q. Obviously before Mr White had come to see you to

21 interview you in April 2003.

22 A. Yes, sir.

23 Q. Now, looking at question 16, or I should -- yes, question

24 16, "Tarnue says that after the RUF captured Kono in

25 October 1992 Taylor started to collect diamonds from the

26 RUF." Is that something you had said at that time that

27 the RUF --

28 JUDGE THOMPSON: Which question is that?

29 MR JORDASH: This is question 16.

- 1 JUDGE THOMPSON: 16, yes.
- 2 MR JORDASH:
- 3 Q. "Tarnue says that after the RUF captured Kono in October
4 1992 Taylor started to collect diamonds from the RUF."
5 At that stage you were, is this correct, saying that in
6 October 1992 that was the start of the collection of
7 diamonds; is that correct?
- 8 A. Well, that was the very first time I saw diamonds, so I
9 presumably told him that that was in October. If they
10 were bringing diamonds the previous time, maybe I was at
11 Konola training base. But that was [inaudible] every
12 time I saw and that's why I made reference to that
13 particular month and year.
- 14 Q. Yes. That was the first time you knew that diamonds had
15 come.
- 16 A. Yes, sir.
- 17 Q. Thank you. Now, can we turn back to the April
18 interview --
- 19 PRESIDING JUDGE:
- 20 Q. That was in October 1998?
- 21 A. '92, sir.
- 22 Q. 1992, okay.
- 23 A. Yes, sir, '92.
- 24 MR JORDASH:
- 25 Q. Turn to 8188, the April interview, I apologise for --
- 26 A. 8188?
- 27 Q. Yes.
- 28 A. Okay. What page?
- 29 Q. Page 16, please.

- 1 A. Page 16. Is that the lower right-hand corner, sir, 8192?
- 2 Q. 8192.
- 3 JUDGE BOUTET: Yes, it is 8192.
- 4 THE WITNESS: 8192. I'm there, sir.
- 5 MR JORDASH:
- 6 Q. Line 17.
- 7 A. Yes, sir, 17.
- 8 Q. Sorry, let's go to line 14 so you get the question.
- 9 A. Okay.
- 10 Q. "Correct. With Ibrahim Bah and his involvement with
11 receiving the diamonds and taking them to Burkina
12 Faso. When the war started, I mean that's when the
13 process started, but it became more intense when
14 Charles Taylor became president of the Republic,
15 that between '97 and going into '96 and '98, I mean
16 '97, '98 and going to '99."
- 17 There in that interview you appear to suggest, is this
18 correct, at line 17 that the process had started when the
19 war started, which would have been in March of 1991?
- 20 A. No, the process, the objective of collecting diamonds --
21 the process started 1991 and the first time I ever saw
22 diamonds was '92. So the previous time, whether they
23 came in my absence I didn't know that, because I was busy
24 also; I have my own responsibility to do. So that is
25 what I said.
- 26 [HS111004B 10.40 a.m.]
- 27 Q. So you don't know, do you?
- 28 A. I say I don't know.
- 29 Q. You don't know that the process started when the war

1 started. All you can tell this Court, if you're --
2 [Overlapping microphones]
3 A. When you talk about process --
4 Q. -- if you're right, is that it started in October 1992?
10:35:54 5 A. No. When you talk about process in your own term, what
6 are you trying to say? Let me clarify that first,
7 because I'm telling you I saw -- the first time I saw
8 diamond was '92, October, in Gbarnga at Gboveh Hills,
9 President Taylor's executive mansion.
10:36:10 10 Q. Yes. But -- I don't want to be unfair to you, General --
11 JUDGE THOMPSON: Yeah, so, learned counsel, what's your
12 question? I am not sure myself --
13 MR JORDASH: The question is that --
14 JUDGE THOMPSON: -- what it is.
10:36:22 15 MR JORDASH: The General cannot give evidence that the process
16 started --
17 JUDGE THOMPSON: No, no, that's not --
18 MR JORDASH: -- when the war started.
19 JUDGE THOMPSON: That's not the question. That's a response
10:36:28 20 to -- in other words, what are you asking him now having
21 read that part?
22 MR JORDASH: I'm asking him to confirm that he cannot say --
23 JUDGE THOMPSON: Yes.
24 MR JORDASH: -- that the process started when the war started.
10:36:40 25 He can only say that it started, according to him, in
26 October of 1992.
27 JUDGE THOMPSON: He has a difficulty with the word "process",
28 and I have a difficulty. What are you referring to?
29 MR JORDASH: Well, I was referring to his words in --

1 JUDGE THOMPSON: Did he use "process" there?
2 MR JORDASH: -- line 18, Your Honour, at 8192.
3 JUDGE THOMPSON: Yes.
4 MR JORDASH: Page 16. "When the war started, I mean, that's
10:37:01 5 when the process started."
6 JUDGE THOMPSON: All right.
7 MR JORDASH: [Overlapping microphones] -- General, I think --
8 [Overlapping microphones]
9 JUDGE THOMPSON: Okay. Well, let him clarify.
10:37:06 10 THE WITNESS: The process of trying to accumulate diamonds.
11 JUDGE THOMPSON: Okay, yeah, all right.
12 THE WITNESS: The process is trying to accumulate -- when you
13 start a process, you have an objective, and you carry on
14 the process until you can reach your objective.
10:37:21 15 JUDGE THOMPSON: General, General, don't give more. This is
16 why we get entangled. You've defined "process".
17 THE WITNESS: Yes, sir.
18 JUDGE THOMPSON: You've actually given us what you mean by
19 "process" there.
10:37:29 20 THE WITNESS: Process.
21 JUDGE THOMPSON: So the question is whether you can confirm
22 that the process started -- when?
23 JUDGE BOUTET: But, if I may, counsel, when you read that in
24 context, I have -- I've been reading it now, and it
10:37:45 25 starts -- I'm quoting the quote you have just referred
26 to, which is line 17. "When the war started, I mean,
27 that's when the process started." So the question is,
28 when is it that the war started? Because further on in
29 that question there's also reference to '97, '98, '99,

1 but '98/'97 refers to Taylor becoming president, so there
2 are many issues in this part of the paragraph. I will
3 read the paragraph again, the answer that the witness is
4 giving to that question: "When the war started, I mean,
10:38:22 5 that's when the process started. But it became more
6 intense when Charles Taylor became president of the
7 republic, that between '97 and going up into '96 -- I
8 mean '97, '98 and going to '99. So" -- [Overlapping
9 microphones]

10:38:33 10 THE WITNESS: That's a continuation to the process.

11 JUDGE THOMPSON: My difficulty, of course, with that is that
12 counsel is directing us to the particular aspect that he
13 wants concentrated upon. I'm not sure whether -- if
14 counsel is doing that and putting specific questions, we
10:38:50 15 need to be taken through the entire material if counsel
16 does not intend to --

17 JUDGE BOUTET: No, no, this --

18 JUDGE THOMPSON: -- question on that.

19 JUDGE BOUTET: With due respect, my learned brother, this is
10:39:02 20 the same quote that counsel had quoted. So I was reading
21 the very same part that he has read to the witness. That
22 was from line 17 on.

23 JUDGE THOMPSON: Yes.

24 JUDGE BOUTET: So I was not reading any other part --

10:39:14 25 JUDGE THOMPSON: Oh, I see.

26 JUDGE BOUTET: -- but the part that he had already read, am I
27 right?

28 JUDGE THOMPSON: I do apologise to my -- fine.

29 MR JORDASH: [Overlapping microphones] But my particular

1 focus --

2 PRESIDING JUDGE: Learned counsel, may I limit you to a
3 certain sphere. I think we are bouncing around, you
4 know, a reply you want to a particular issue. You are
10:39:37 5 suggesting to General Tarnue that he has testified that
6 he first saw the diamond transaction in -- he first saw
7 the transaction in, you know, in 1992.

8 MR JORDASH: In October, yes, Your Honour.

9 PRESIDING JUDGE: In October 1992.

10:39:57 10 MR JORDASH: Yes.

11 PRESIDING JUDGE: He is talking of the process, you know,
12 starting when the war started.

13 MR JORDASH: Yes.

14 PRESIDING JUDGE: Would he know --

10:40:08 15 Q. General, would you know if this process started when the
16 war started? You have said that you saw the diamond
17 transaction for the first time in October 1992?

18 A. Yes, sir.

19 Q. Would you be very categorical that this diamond process,
10:40:22 20 you know, started in 1991 when the war started?

21 A. No, I said the war -- the war started in 1991, and the
22 first time I ever saw diamond was October '92.

23 Q. Would you know if diamonds were -- [Overlapping
24 microphones]

10:40:34 25 A. I would never -- I would never --

26 Q. Would you know if diamonds were delivered before October
27 1992?

28 A. I would never have, no -- once I didn't see any diamond
29 in 1991, I would never have seen it. And I can't admit

1 that I did see diamonds in 1991.

2 MR JORDASH:

3 Q. Sorry?

4 A. I cannot admit here that I did see diamonds.

10:40:51 5 Q. Well, can I ask -- thank you very much, General.

6 A. Yes, sir.

7 JUDGE THOMPSON:

8 Q. So what is the answer then, that you do not know whether

9 the process started in 1991; is that the answer?

10:41:03 10 A. Yes, sir.

11 Q. The process of collecting diamonds --

12 A. The process of collecting diamonds.

13 Q. -- whether it started in nineteen-ninety -- you do not

14 know or you cannot say?

10:41:10 15 A. Well, I mean, I can't say, but --

16 Q. Yeah.

17 A. -- I do know that the war started in 1991.

18 Q. I mean, that's not in issue.

19 A. Oh, okay.

10:41:18 20 Q. It's the process of collecting diamonds.

21 A. I mean, I cannot -- I cannot say that, sir

22 Q. Yeah. So you cannot say.

23 A. I cannot say that.

24 Q. Yeah, whether --

10:41:23 25 A. I cannot say that.

26 Q. I just want to get the evidence right from you, that's

27 all.

28 A. No, chief, I'm just telling you that, sir.

29 Q. No, no, I --

1 A. I'm sorry

2 Q. It's all right, General, you're fine.

3 MR JORDASH:

4 Q. Page 21 of the same interview. This is why I wanted to
10:41:36 5 clear this up, General.

6 A. Yes, I'm there.

7 Q. 21 question, line 3, Dr White is saying, "In essence" --

8 A. Did you say page 21?

9 Q. Yes.

10:41:48 10 JUDGE BOUTET: This is page 8194.

11 MR JORDASH: 8194, thank you.

12 THE WITNESS: Yeah, 8194 is 21, right up on the upper
13 left-hand corner.

14 MR JORDASH:

10:41:57 15 Q. Yes.

16 A. Yeah, I see, but you say Dr White, so I can't --

17 MR JORDASH:

18 Q. Question: "In essence, from '91" --

19 A. Okay. Now, I got it.

10:42:05 20 Q. "In essence, from '91 through, let's say, 1995 it would
21 have been Sam Bockarie and Ibrahim Bah that would have
22 gone from Liberia into Sierra Leone." And from what
23 you've just told us - I can be quite swift with this,
24 General - it wasn't from '91 that you could say Sam
10:42:20 25 Bockarie and Ibrahim Bah had gone from Liberia into
26 Sierra Leone. It's only in October 1992, as you've told
27 us.

28 A. But -- but -- but -- but, counsellor, could you just read
29 this again? Say "it would have been" -- "it would have

1 been". This is an assumption.

2 Q. Right, fine. I'm --

3 A. I'm not definite.

4 JUDGE THOMPSON: Quite right.

10:42:43 5 MR JORDASH:

6 Q. We are on the same --

7 A. I said "it would have been", sir.

8 Q. Right, good. Thanks.

9 A. Yes, sir.

10:42:59 10 Q. That's enough. And you've given evidence about -- I
11 think previously about what it is you cannot or can say
12 about October -- from October '92 through to 1997, so
13 I'll leave that area alone. Could I also suggest to you,
14 General, that at no stage during the course of your
10:43:34 15 interviews or your handwritten notes, which we've got in
16 the bundle, do you mention Foday Sankoh coming to Liberia
17 with diamonds in October 1992. The first time you
18 mentioned that was in this court room last week; is that
19 correct?

10:43:56 20 A. Yes, sir, the first time I saw --

21 Q. No, no, no, first time you mentioned.

22 A. The first time I mentioned Foday Sankoh?

23 Q. Coming to Liberia --

24 A. Yeah, that was -- that was the first -- that was the only
10:44:07 25 time I saw him.

26 Q. The first time you -- [Overlapping microphones]

27 PRESIDING JUDGE: No, General, listen to the question.

28 THE WITNESS: Yes, sir.

29 PRESIDING JUDGE: Listen to the question.

1 THE WITNESS: Okay.

2 MR JORDASH:

3 Q. The first --

4 PRESIDING JUDGE: Listen to the question.

10:44:14 5 MR JORDASH:

6 Q. The first time you mentioned it was in this court room

7 last week?

8 PRESIDING JUDGE: You mentioned what?

9 JUDGE THOMPSON: Yeah, ditto.

10:44:21 10 MR JORDASH:

11 Q. Foday Sankoh coming with a mayonnaise jar of diamonds

12 to --

13 JUDGE THOMPSON: Liberia.

14 MR JORDASH:

10:44:26 15 Q. -- White Flower in October of 1992; is that correct?

16 A. You said it was the first time I mentioned?

17 Q. I do.

18 A. I did mention diamond coming '92, and I had to repeat

19 what I said. That's why I'm here, to be able to clarify

10:44:48 20 some points that probably the Court or the Prosecution

21 would not understand so --

22 Q. We've seen --

23 JUDGE BOUTET:

24 Q. But the question, General, was very specific. It was not

10:44:58 25 whether you mentioned diamonds; it was whether or not you

26 did mention Sankoh with diamonds in 1992. Sankoh; not --

27 A. Yeah.

28 Q. Sankoh and diamonds?

29 A. Yes, sir.

1 JUDGE THOMPSON: Counsel --

2 JUDGE BOUTET: Did you mention that prior to your evidence
3 being given in Court --

4 JUDGE THOMPSON: Quite right.

10:45:17 5 JUDGE BOUTET:

6 Q. -- at this time. That's the question. Have you ever,
7 before giving evidence here, ever mentioned the name of
8 Sankoh with diamonds in Liberia --

9 A. Oh, yes, sir.

10:45:28 10 Q. -- in 1992?

11 A. Yes, sir, I did, I did, I did. Not only here in the
12 Court, I did.

13 JUDGE THOMPSON: And --

14 THE WITNESS: Yes, sir, I did.

10:45:37 15 JUDGE THOMPSON: -- counsel is saying that in those interviews
16 there is no such mention of Sankoh taking diamonds to
17 Liberia in October 1992. That's what counsel is saying.

18 MR JORDASH: Your Honour, yes.

19 JUDGE THOMPSON: In those prior interviews.

10:45:54 20 THE WITNESS: Well, maybe --

21 JUDGE THOMPSON: Your out-of-court statements.

22 THE WITNESS: Well, maybe Al did not ask me specifically.
23 Maybe he did not ask me specifically.

24 JUDGE THOMPSON: So the answer is - and I'm waiting for the
10:46:06 25 answer - that you were not asked specifically in those
26 interviews.

27 THE WITNESS: I was not asked specifically about 1992.

28 MR JORDASH: But you would --

29 JUDGE THOMPSON: Just a minute, counsel.

1 [Overlapping microphones]
2 THE WITNESS: I wasn't asked specifically. I answer questions
3 they ask me.
4 JUDGE THOMPSON: That's all right, General.
10:46:18 5 THE WITNESS: Yes, sir.
6 JUDGE THOMPSON: I'm trying to write your answer.
7 THE WITNESS: Yes, sir. I was not answer -- I was not
8 asked --
9 JUDGE THOMPSON: Specifically --
10:46:23 10 THE WITNESS: That specific questions.
11 JUDGE THOMPSON: -- in those interviews.
12 THE WITNESS: Yes, sir, during the interview.
13 JUDGE THOMPSON: I'm just trying to make sense of what you
14 say.
10:46:35 15 THE WITNESS: Oh, yes, sir, chief, you're right.
16 JUDGE THOMPSON: Proceed, learned counsel.
17 MR JORDASH: Thank you.
18 Q. Well, let's have a look if that's correct, General. Turn
19 to page 22 of the 8th and 9th -- sorry, 9th and 10th of
10:47:08 20 April interview, page 22.
21 A. You say 8 -- 8194?
22 Q. I think it would be 819 -- it would be around there.
23 Page 22 of the interview. Can you see the number 22?
24 A. Of the interview?
10:47:21 25 Q. Yes, it is -- [Overlapping microphones]
26 A. Yeah, 8194.
27 Q. Thank you to my learned friend.
28 A. Yeah, I got that. What line?
29 Q. Line 5.

1 A. 22 -- yeah 21, 22. Okay, I got that.

2 Q. Line 5.

3 A. Yes

4 Q. Question --

10:47:35 5 A. Yes, sir.

6 Q. -- "Let me make sure that we have the timeframe correct.

7 So from '91, '92, '93, '94 and '95, this is your

8 understanding how it worked again: Sam Bockarie, Ibrahim

9 Bah would go to Sierra Leone, pick up the diamonds, bring

10:47:49 10 them to Benjamin Yeaten.

11 Yes."

12 No mention there, General: Well, actually, in '92 Foday

13 Sankoh came. Why not?

14 A. I said '91, '2, '3, all the way to '95.

10:48:02 15 Q. Simple question, General.

16 A. Yes, sir.

17 Q. Why not?

18 A. What was the question?

19 Q. Well, a moment ago you've testified to this Court that

10:48:09 20 you were never asked about '92 diamonds coming in to

21 Liberia. You are being specifically -- [Overlapping

22 microphones]

23 JUDGE THOMPSON: No, he didn't say that. With the greatest

24 respect to learned counsel, that is a misrepresentation.

10:48:20 25 PRESIDING JUDGE: [Overlapping microphones] -- Foday Sankoh.

26 JUDGE BOUTET: Sankoh.

27 JUDGE THOMPSON: And also in October. I mean here, with the

28 greatest respect, you're committing the fallacy of

29 misrepresentation. It is Foday Sankoh and in October

1 1992 he said that he was not asked specifically --
2 THE WITNESS: No, sir, he didn't asked me specifically.
3 JUDGE THOMPSON: -- during those interviews about Foday Sankoh
4 taking diamonds to Liberia in October 1992.
10:48:50 5 THE WITNESS: Exactly, Your Honour.
6 JUDGE THOMPSON: Your question was more of a generalisation,
7 which he did not address.
8 MR JORDASH: Fine, yes. Okay, I do apologise if that was a
9 misrepresentation.
10:49:01 10 Q. But is your evidence, General --
11 JUDGE THOMPSON: And of course I didn't mean it was
12 deliberate.
13 MR JORDASH: No, thank you.
14 Q. I'm happy to move in on a second, General, on this
10:49:13 15 subject. But is your evidence to this Court in all
16 seriousness --
17 PRESIDING JUDGE: Whilst moving on, learned counsel, may we
18 have some assurance as to when you're likely to wrap up
19 this process? Because we shan't be here for eternity.
10:49:24 20 We want to be very, very liberal to the Defence
21 presenting its case, but we are not going to abuse the
22 process --
23 MR JORDASH: No, I can --
24 PRESIDING JUDGE: -- in making sure that we respect the rights
10:49:34 25 of the Defence.
26 MR JORDASH: I think I can finish in an hour, if that's
27 acceptable. I can move --
28 JUDGE BOUTET: An hour cross-examination, or on this issue?
29 MR JORDASH: No, in total.

1 JUDGE BOUTET: Thank you.

2 MR JORDASH: I can move fairly rapidly from now on, I think.

3 Q. Is your answer, General, in all seriousness that "The
4 reason I did not mention Foday Sankoh bringing diamonds
10:50:05 5 in October 1992 was because I did -- I wasn't asked
6 whether Foday Sankoh brought diamonds in 1992 in
7 October"; is that your answer?

8 A. Yes, sir, I wasn't asked.

9 Q. Fine, thank you. Now, I want to ask you, if you would,
10:50:34 10 please, to turn to page 103 of the same interview.

11 A. Yes, sir. Is that 8214 the upper hand -- the upper
12 right-hand corner?

13 Q. Yes, it is, thank you.

14 A. Yes, sir.

10:51:02 15 Q. I just want to ask you about a section starting line 13.
16 "Question: Okay. Who else from Sierra Leone would
17 collect diamonds and bring them to Liberia? You had
18 mentioned earlier today --
19 Answer: Bockarie.

10:51:30 20 Question: That Bockarie and Bah?
21 Yes.
22 And they would bring them back to Benjamin Yeaten?
23 Yes."

24 First question is this General: Had you -- was it your
10:51:51 25 understanding, as Dr White appears to think, that you had
26 been asked the general question who else from
27 Sierra Leone would collect diamonds and bring them back
28 to Liberia? Was that your understanding at this time in
29 the interview?

- 1 A. These are -- these are the names I mention.
- 2 Q. No, no. Listen to the question, General.
- 3 A. What is the question?
- 4 Q. Was it your understanding, as it appears to have been
10:52:13 5 Dr White's, that you had been asked who else from
6 Sierra Leone would collect diamonds and bring them back
7 to Liberia? Was it your understanding that that had been
8 asked as a general question?
- 9 A. Yeah, that was -- that was my understanding.
- 10:52:27 10 Q. Thank you.
- 11 A. About that particular portion, sir.
- 12 Q. Now, bring -- over the page if you would to page 104?
- 13 A. Okay, sir.
- 14 Q. "Now, '97, '98, '99, were there any other people other
10:52:43 15 than Bockarie and Bah that would bring diamonds back?
16 That's where Talal -- when Bockarie and Bah along with
17 Benjamin Yeaten comes. Then they would meet Talal. So
18 lately, before Kariatu Darrius, became -- to get closer
19 along with Jungle James, but Jungle James tricked Taylor
10:53:01 20 before, but later on as he became president he too
21 decided to bring him closer again."
- 22 A. Right.
- 23 Q. "So he was staying -- continuing the same diamond dealing
24 process going to Antwerp and other places before I left
10:53:13 25 in April."
- 26 A. Right, sir.
- 27 Q. "But let me just -- I want to stay on Sierra Leone for a
28 minute."
- 29 A. Yeah.

1 Q. "You had mentioned Bockarie and Bah would come and
2 collect the stones from Sierra Leone.
3 Yeah.
4 Was that during '97, '98 and '99.
10:53:27 5 Yeah, because after the election all the diamonds that
6 were collected apparently Benjamin Yeaten was deployed
7 over there. That was from the time Taylor became
8 president Benjamin Yeaten was SS director."
9 Over the page to 105.
10:53:39 10 A. Yes.
11 Q. "But he told him to leave from SS director -- leave his
12 deputy Joe Montgomery and go to the place and be able to
13 receive all of the diamond collection."
14 A. Right, sir.
10:53:54 15 Q. "Because initially that was his assignment. So all the
16 other commanders are with Sam Bockarie. When Sam
17 Bockarie left, we talk about Issa." That's the bit I'm
18 particularly interested in. "When Sam Bockarie left, we
19 talk about Issa." What did you mean there?
10:54:14 20 A. Well, he wanted to know after Sam Bockarie left --
21 because I just wanted you to know that in 1997 Foday
22 Sankoh was incarcerated, so there was no way he would
23 have come in with any diamonds to Charles Taylor. That
24 was practically impossible. He was in Nigeria. Then
10:54:36 25 '97, '98, '99, of course when Sam Bockarie left, in
26 keeping with the chain of command, Issa Sesay, Kallon,
27 and the rest of the other junior commanders were directly
28 in charge of the RUF. That's what I meant.
29 Q. What -- so you meant that Issa Sesay came with diamonds

1 after Sam Bockarie left, which would have been --

2 A. That's not -- that's not what I'm saying.

3 JUDGE THOMPSON: Yeah, he didn't say that.

4 THE WITNESS: Counsellor, Your Honour, I didn't say that.

10:55:06 5 [Overlapping microphones]

6 MR JORDASH: My misunderstanding.

7 THE WITNESS: I'm right here. You can ask me for verification

8 or clarification.

9 JUDGE THOMPSON: Yeah, didn't say that.

10:55:13 10 MR JORDASH: Could you repeat --

11 JUDGE THOMPSON: Let him repeat his answer.

12 MR JORDASH: Please.

13 JUDGE THOMPSON: [Microphone not activated]

14 THE WITNESS: You want to repeat that question, sir?

10:55:19 15 MR JORDASH:

16 Q. If you -- what did you mean when you said "When Sam

17 Bockarie left, we talk about Issa"?

18 A. When I'm talking about Sam Bockarie leaving, I'm talking

19 about when Sam Bockarie left the chain of command was

10:55:29 20 left with Issa, Kallon, and the rest of the RUF

21 commander, because Issa Sesay and Kallon, and the rest of

22 the commander were dealing directly with Charles Taylor.

23 Q. Well, what I --

24 A. Because there was no way to get in touch with Foday

10:55:44 25 Sankoh; he was already in Nigeria under house arrest '97

26 onward to '98 until the Lome Peace Accord, '99.

27 Q. Well, I'm suggesting that what you are actually saying

28 there is that it was only after Sam Bockarie left that

29 Issa Sesay came with diamonds. That's what I'm putting

1 to you as a true proposition.

2 A. No, sir, that's not -- that's -- that's not my
3 understanding.

4 JUDGE THOMPSON: You --

10:56:16 5 THE WITNESS: No, sir, Your Honour.

6 JUDGE THOMPSON: -- disagree with that? You disagree?

7 THE WITNESS: I disagree. Seriously, I disagree.

8 JUDGE THOMPSON: Continue, Mr Jordash.

9 MR JORDASH: Thank you, Your Honour.

10:56:53 10 Q. And, in fact, you don't, until after this interview, give
11 evidence about Issa Sesay specifically coming before Sam
12 Bockarie left. It's only after this interview that you
13 give that evidence; is that correct?

14 A. After this interview?

10:57:32 15 Q. Let me start that again so I don't confuse you. What I'm
16 suggesting is that, in fact, you were telling the truth
17 at page 105 when you say that Issa Sesay came bringing
18 diamonds only after Sam Bockarie left.

19 A. No, no -- [Overlapping microphones]

10:57:48 20 PRESIDING JUDGE: He has denied -- he has denied that, so rule
21 that out.

22 MR JORDASH: I know, I know, I'm just leading up to the
23 question. [Overlapping microphones]

24 PRESIDING JUDGE: He has denied that; don't go back to that,
10:57:55 25 please.

26 MR JORDASH: Yes, Your Honour.

27 JUDGE THOMPSON: [Overlapping microphones] -- said that.

28 MR JORDASH:

29 Q. And that's why, I would suggest, you don't make mention

1 in this interview, or previous interviews, about Sesay
2 coming in '92 or coming in '97.

3 A. I'm kind of confused.

4 Q. Well, I'm suggesting you don't mention Sesay coming to
10:58:13 5 Monrovia in '92 or '97 to bring diamonds -- [Overlapping
6 microphones]

7 A. But '92 Charles Taylor was not in Monrovia; he was in --

8 JUDGE THOMPSON: Wait -- wait -- wait. General --

9 THE WITNESS: He was in Gbarnga.

10:58:22 10 JUDGE THOMPSON: General -- [Microphone not activated] --
11 complete the question.

12 THE WITNESS: He was in Gbarnga.

13 MR JORDASH: Right. Well, you don't --

14 JUDGE THOMPSON: General, let him complete the question.

10:58:27 15 THE WITNESS: Sir?

16 JUDGE THOMPSON: Let him complete the question.

17 THE WITNESS: Oh, okay, sir.

18 JUDGE THOMPSON: Counsel can proceed.

19 MR JORDASH: Thank you.

10:58:36 20 JUDGE THOMPSON: Yeah.

21 THE WITNESS: I'm sorry.

22 MR JORDASH:

23 Q. What I'm suggesting is that the only evidence you gave
24 against Sesay, in relation to him bringing diamonds to
10:58:44 25 Charles Taylor, was what we find at page 105: "When Sam
26 Bockarie left, we talk about Sesay." That's what I'm
27 putting to you. It's only when you have finished this
28 interview, made your way to Freetown, that you then
29 decide you're going to suggest he came at other times.

1 You understand the question?

2 A. No, sir.

3 Q. Well, I'm suggesting --

4 JUDGE THOMPSON: What if I help here by saying that the
10:59:10 5 statement, or the evidence that Sesay came with diamonds,
6 was an afterthought on your part.

7 MR JORDASH: Yes.

8 JUDGE THOMPSON: It was an afterthought on your part?

9 THE WITNESS: Was what?

10:59:32 10 JUDGE THOMPSON: An afterthought on your part, that all along
11 you never --

12 THE WITNESS: I -- it -- it was maybe after, but I never
13 saw --

14 JUDGE THOMPSON: That it was an afterthought. In other words,
10:59:47 15 this was not included in any earlier statement. Do I get
16 you rightly?

17 MR JORDASH: Yes, Your Honour, that's exactly what I'm
18 suggesting.

19 THE WITNESS: But, chief, I want to get the question straight,
11:00:01 20 because, I mean, I'm kind of confused.

21 PRESIDING JUDGE: When we talk of an afterthought --

22 JUDGE BOUTET: I'm confused.

23 [Overlapping microphones]

24 THE WITNESS: I want it to be because some of these English
11:00:08 25 words they are quite funny, and they tangle you up. So
26 if I don't know the proper definition, I just say yes or
27 no. I'm afraid that I might be tied down.

28 JUDGE THOMPSON: Well, in fact, we wouldn't want to really get
29 you entangled.

1 PRESIDING JUDGE: [Overlapping microphones]
2 THE WITNESS: Definitely. So please be as simple as you can
3 be, because some of these words can be very, very
4 confusing.
11:00:26 5 JUDGE THOMPSON: Well, repeat it, counsel, and see if you can
6 simplify the question.
7 THE WITNESS: Yes, sir.
8 MR JORDASH: I will.
9 JUDGE THOMPSON: I may have --
11:00:32 10 THE WITNESS: Please.
11 JUDGE THOMPSON: -- tried with the word "afterthought" --
12 THE WITNESS: Please.
13 JUDGE THOMPSON: -- but that appears not to be as simple as I
14 thought.
11:00:38 15 THE WITNESS: Definitely.
16 JUDGE BOUTET: General -- Mr Jordash, before you ask the
17 question, so again in your question to me there is some
18 confusion, in that you have asked the witness earlier
19 this morning if he has ever mentioned the name of Sesay
11:00:53 20 at any time -- specifically Sesay, in all of these
21 dealings prior to -- in the statements, and the answer's
22 been no.
23 MR JORDASH: I was asking earlier today in relation to the
24 supply of weapons.
11:01:13 25 JUDGE BOUTET: And Sesay by name.
26 MR JORDASH: Yes, and Sesay by name. What I'm suggesting to
27 him now is that the same applies in relation to diamonds,
28 except what he did say was Sesay came after Bockarie
29 left, which we agreed. We accept that.

1 JUDGE THOMPSON: Okay. I thought that was the distinction I
2 perceived.

3 MR JORDASH: Yes.

4 JUDGE BOUTET: As you can see, it was a distinction I had not
11:01:35 5 perceived. That's why I'm asking you the question.

6 MR JORDASH: I think I'm just a bit befuddled from the
7 weekend.

8 JUDGE BOUTET: Thank you.

9 MR JORDASH:

11:01:43 10 Q. Did you understand that exchange, General? Were you
11 following that exchange a moment ago?

12 A. Oh, yeah, I follow that. After -- after Sam Bockarie
13 left.

14 Q. Yes. What I'm suggesting is that, if it was true that
11:01:52 15 Sesay came before Sam Bockarie left, you would have said
16 so in all of these interviews, and you didn't, did you?

17 A. I would have said that in all of interview?

18 Q. You'd have said so. You'd have said Issa -- [Overlapping
19 microphones]

11:02:06 20 A. But I wasn't asked in the interview; I wasn't asked.
21 Q. Well, you were asked --

22 A. If -- if Dr White was interested in knowing specifically
23 which commander came after '95, '96, '97, '99, up to
24 2000, I was going to be very specific about answering
11:02:28 25 that particular questions.

26 Q. So is your answer, or part of your answer, 'I didn't say
27 Sesay came in 1997 because I wasn't asked if Sesay came
28 in 1997'? Is that your answer -- part of your answer?

29 A. But if I went in an examination room and they give me a

1 test, and that I have to answer specific questions, and
2 that if they didn't ask me to give names -- they only ask
3 me, "How many persons did you see in the hall?" I say
4 "Ten," and I say, "Okay, I saw ten persons, but I saw
11:03:00 5 John Brown, I saw Peter," I'm going against the -- I
6 mean, I'm going against the examination rules. If I'm
7 asked a specific question, I should be able to direct
8 myself to answering the specific question, sir.

9 Q. When you went into this April interview, what did you
11:03:16 10 think you were going to be asked to do?

11 A. I didn't know, I didn't know.

12 Q. You didn't know at all?

13 A. I didn't know what I was going to be asked to be -- no
14 way, I didn't know. I didn't know.

11:03:25 15 Q. Okay. You knew when you were asked about -- when you
16 mentioned at this -- at page 105 "Issa", you knew that
17 after Bockarie left Issa had become a commander in Kono?
18 You knew that, didn't you?

19 A. After Bockarie left he became -- he became the overall
11:03:56 20 boss along with the rest of the RUF commander that were
21 directly next to Sam Bockarie.

22 Q. You knew that after Bockarie left, Mr Sesay - not
23 immediately, but soon thereafter - was a commander in the
24 Kono District; is that correct?

11:04:15 25 A. Well, I -- whether sooner or later. I mean --

26 Q. Pardon?

27 A. Whether sooner or later --

28 Q. Yes.

29 A. Of course, he was in charge of the RUF.

1 Q. And you knew at that -- at the point of this interview
2 that when he was a commander in Kono there came a time
3 when he refused to obey Foday Sankoh's instructions?
4 A. He was taking -- he was taking instruction directly from
11:04:44 5 Charles Taylor so -- there was -- there was some
6 confusion in the place that where Benjamin Yeaten and
7 other people were complaining somehow, that he wasn't
8 taking instruction from -- because after the Lome Peace
9 Accord and they had this joint elections and other
11:05:03 10 thing --
11 MR JORDASH: [Overlapping microphones] Sorry to stop you,
12 General. My headphones are flickering in and out of
13 sound.
14 THE WITNESS: He was taking all instruction from Charles
11:05:12 15 Taylor; all instructions.
16 MR JORDASH:
17 Q. What instructions did Charles Taylor give him?
18 A. Military instructions. I mean, as a commander I wasn't
19 there to be able to know exactly what, but he's sitting
11:05:32 20 right there; probably he could tell you. But I -- I
21 can't specifically -- specifically tell you exactly which
22 instructions Charles Taylor was giving him, because I
23 wasn't there all the time.
24 JUDGE BOUTET: Are you okay now with your earphones?
11:05:50 25 MR JORDASH: Much better, yes.
26 JUDGE BOUTET: Is it working okay? Fine. The witness
27 answered in part to the question that you asked about
28 whether or not Sesay refused to take directions from
29 Sankoh, or words to that effect. The witness responded

1 to that that Sesay was taking orders directly from
2 Charles Taylor, and then added something about confusion
3 and Yeaten and whatever it is. What was that, because --
4 MR JORDASH: I missed that, too, Your Honour.

11:06:20 5 JUDGE BOUTET: And you didn't have your earphones at that
6 time.
7 Q. General, can you repeat that part -- you know what I'm
8 talking about?
9 A. What is that, sir?

11:06:30 10 Q. You had testified that when you were asked a question
11 that Sesay was taking direct orders from Charles Taylor,
12 the question that you had been asked is --
13 A. Then he said --
14 Q. -- whether or not Sesay was taking orders from Sankoh.

11:06:41 15 Your answer was he, Sesay, was taking orders from --
16 A. Charles Taylor.
17 Q. -- Charles Taylor. Then you added that there were
18 discussions something along these lines --
19 A. Well, that was -- that was -- like, Benjamin, because he

11:06:52 20 was the personal representative, and, according to
21 Benjamin Yeaten, there was some little confusion where
22 maybe Sesay was a little bit cantankerous or stubborn or
23 whatever and all instruction was coming directly from
24 Charles Taylor. And his -- his modus operandum [sic],
11:07:13 25 the way Charles Taylor operates, he makes you the boss
26 and then feeds the subordinates with all the information
27 and finances so that the subordinate would disrespect
28 you. And so that's -- that's -- that how he operates,
29 and that's what the whole confusion was about, because

1 Sesay was dealing directly with Taylor and it wasn't
2 going down too well. But, again, these were just little
3 confusions that sometime when I come in I just hear; I
4 was busy with my work. And I don't deal -- 2000 when
11:07:44 5 Taylor communicated directly to him, and they have to
6 come over when the abduction of the UN came over. That's
7 why.

8 MR JORDASH:

9 Q. Let me ask you --

11:07:51 10 JUDGE THOMPSON: But I also heard you say, in direct answer to
11 learned counsel, that Taylor gave him military
12 instructions.

13 THE WITNESS: Yes, sir.

14 JUDGE THOMPSON: 'But I do not know specifically what
11:08:05 15 instructions he was being given.'

16 THE WITNESS: Exactly.

17 JUDGE THOMPSON: And that was your question, wasn't it?

18 MR JORDASH: Yes, thank you.

19 Q. Now, dealing with the UN peacekeepers -- the abduction in
11:08:18 20 2000, I think what you've told this Court is that Charles
21 Taylor --

22 PRESIDING JUDGE: Learned counsel, the Court will rise for a
23 few minutes and we will resume with the cross-examination
24 on the UN issue when we do resume the session. The Court
11:08:59 25 will rise, please.

26 [Break taken at 11.12 a.m.]

27 [On resuming at 11 .43 a.m.]

28 PRESIDING JUDGE: Yes, we are resuming the session, learned
29 counsel. Mr Jordash?

1 MR JORDASH: Your Honour, I think I've got about 30 minutes
2 left.
3 PRESIDING JUDGE: Pardon me?
4 MR JORDASH: I think I've got about 30 minutes left and that's
11:39:39 5 it.
6 PRESIDING JUDGE: Well, go ahead.
7 MR JORDASH: Thank you.
8 JUDGE BOUTET: We shall see.
9 PRESIDING JUDGE: The task has not been easy.
11:39:46 10 MR JORDASH: No.
11 PRESIDING JUDGE: But I hope that we shall get through within
12 that timeframe.
13 MR JORDASH: Certainly.
14 PRESIDING JUDGE: Please proceed.
11:39:54 15 MR JORDASH:
16 Q. You gave evidence last week, General, when talking about
17 the abduction of the UN peacekeepers, that information
18 came to Charles Taylor to say that the UN peacekeepers
19 had been abducted; is that correct?
11:40:13 20 A. Yes, sir.
21 Q. Who did that information come from to Charles Taylor?
22 A. I don't know.
23 Q. Okay. But it was news to Mr Taylor, wasn't it -- it was
24 news to him?
11:40:33 25 A. It was new?
26 Q. News?
27 A. Oh, he knew about it.
28 Q. When the information --
29 A. It was new or it was known to him?

- 1 Q. Well, the information came and that's how Mr Taylor
2 learnt about the abduction; is that correct?
- 3 A. Well, I don't know. I don't know how he got his
4 information.
- 11:40:52 5 Q. Okay. And you spoke of a Ghanian, Abu?
- 6 A. Yeah, Abu. His radio code called Alpha Bravo.
- 7 Q. And --
- 8 A. Alpha Bravo, Abu.
- 9 Q. And was it that the news came from him to Charles Taylor?
- 11:41:14 10 A. Well, you -- you want me to clarify that part?
- 11 Q. If you would.
- 12 A. Okay, sir. I remember I vividly told you that when the
13 meeting was held at the Roberts International Airport in
14 Liberia, and everybody left and went about their normal
11:41:33 15 businesses, it was when Abu told me that he had been
16 designated by Charles Taylor to make sure to go at the
17 Springfield airfield. From the conclusion reached, that
18 he has volunteered to provide helicopter to airlift those
19 people, the abductees, to be able to bring them to
11:41:58 20 Liberia along with all their equipment, so he has to take
21 a complete statistics of those personnel that were coming
22 and the equipment. So I went there in my capacity as
23 commanding general to see. And thereafter, sir, I told
24 you I went back to my command area that was in Camp
11:42:18 25 Shelving, going towards Roberts International Highway --
26 I mean, Roberts Field International Highway. That's what
27 I remember telling you, sir.
- 28 Q. Thank you. So Charles Taylor was, at this stage, working
29 in his role as a member of ECOWAS; is that correct?

1 A. Well, I can't say, because as far as I know he's -- he's
2 now -- he was controlling the RUF, and in his capacity as
3 president of the Republic of Liberia, you know. The OAU
4 chairman was there; the ECOWAS chairman was there, which
11:42:54 5 I mentioned; and then Olusegun Obasanjo, who was
6 presently the host of Charles Taylor, was also present,
7 et cetera, et cetera, et cetera.

8 Q. So what was arranged through Taylor was a meeting of
9 ECOWAS, the heads of state, with the RUF?

11:43:11 10 A. Well, I was only telling you that it was one of those
11 occasions that I saw Issa Sesay, because he was
12 absolutely in charge of the RUF. But whether they went
13 there to talk to the RUF, but I was only making
14 reference, sir, that it was one of those occasions that I
11:43:32 15 saw Issa Sesay.

16 Q. Is it fair to say, then, that Mr Taylor's role concerning
17 the abducted UN peacekeepers was to arrange their
18 release?

19 A. Are you saying is it fair?

11:44:21 20 Q. Is that a fair -- a fair summary of your evidence?

21 A. No, I didn't say anything of that nature.

22 Q. Well --

23 A. I just -- I just told you that it was one of those
24 occasions that I saw Issa Sesay.

11:44:33 25 Q. Well, let's stick with Mr Taylor for a moment. Is it
26 right that he, through the meeting with ECOWAS and the
27 RUF, assisted to help release the UN peacekeepers?

28 A. Well, I don't know whether it's right, but what I do
29 know, sir, is he happened to be one of the high

1 hierarchies of the RUF beside he being the president of
2 Liberia --

3 PRESIDING JUDGE:

4 Q. General, General?

11:45:08 5 A. Yes, sir.

6 Q. Answer the question.

7 A. Oh.

8 Q. Is it right to say that Charles Taylor arranged the
9 release of the abductees -- the UN abductees?

11:45:33 10 A. It is right?

11 Q. Is it right to say that he did organise that?

12 A. Oh, yes, sir, he -- he -- he convince the people.

13 Q. This is the question.

14 A. That's what -- that's what I know from our own personal
11:45:47 15 understanding, that through his influence he was able to
16 perhaps talk to the people, because he had absolute
17 command and control over Issa Sesay as the overall
18 commander for the RUF at the time -- at the point in
19 time, sir.

11:46:04 20 MR JORDASH:

21 Q. Now, what was your understanding, at the time, of the
22 role Foday Sankoh had played in that?

23 A. Where --

24 Q. Abduction of the peacekeepers?

11:46:19 25 A. Well, I don't have any understanding of Foday Sankoh's
26 role. I didn't -- I didn't care to investigate that,
27 because -- I don't -- I don't have any knowledge on that.

28 Q. Okay. Well, let me ask you, please, if you would, to
29 turn to the -- again to the 9th and 10th April; 8188 is

1 the beginning of that interview.

2 A. I'm sorry. Did you say one what?

3 Q. I said 8188 is the beginning of the interview, and I'm

4 interested --

11:47:05 5 A. Okay, sir.

6 Q. 8188 and I'm interested in page 1 -- page 33.

7 A. Page 33?

8 Q. 33.

9 A. Okay, 33. I'm there, sir.

11:47:19 10 JUDGE BOUTET: So this is page 8197.

11 THE WITNESS: 97.

12 MR JORDASH: 8197, thank you.

13 THE WITNESS: At the upper left-hand corner.

14 JUDGE BOUTET: Yes.

11:47:28 15 THE WITNESS: Yes, sir.

16 MR JORDASH: Thank you.

17 Q. Now, this, you can take from me and if I've got it wrong

18 I'm sure I'll be corrected, but this is the only mention

19 you make of the UN peacekeepers being abducted. And it's

11:47:45 20 on page 33 starting at line 12?

21 A. Well --

22 Q. This is -- this is your answer to a question -- a

23 question which wasn't relevant, but the answer is what

24 I'm concerned with and we'll move from there.

11:48:05 25 A. Yeah.

26 Q. "We were coming" -- this is line 12:

27 "We were coming from -- we were coming from -- you

28 remember when they attacked the UN and then they sent for

29 -- they sent for Issa Hassan -- Issa. Hassan, Issa.

1 Was that Issa Sesay?
2 Answer: Issa Sesay, but his middle name is Hassan.
3 Question: Understood.
4 I mean, Sesay, when they sent for him, because Charles
11:48:29 5 Taylor sent for him, and we brought him in the process.
6 That's why I saying I saw the cheque, I prepared the
7 cheque. So all the UN people that were" - page 34 -
8 "rescued at the time, based on Charles Taylor's order,
9 were like you have to make the people -- once you have
11:48:49 10 that place under your control -- that was Kono, because
11 Issa Sesay was controlling the entire Kono District, but
12 he wasn't taking instruction from Foday Sankoh -- Foday
13 Sankoh."
14 Now, in relation to the UN attack, what instruction was
11:49:12 15 Issa Sesay not taking from Foday Sankoh.
16 A. But if you read further -- you don't want to read these
17 particular portions and confine yourself within these
18 sentences or paragraphs. The interview continues --
19 Q. Oh, well we can --
11:49:26 20 A. -- and there was clarification. Now, let's be very
21 specific, sir. There was clarifications, because the
22 confusing aspect was there were peacekeepers that were
23 attacked 1990. Peacekeeper and RUF were fighting, and
24 there was another one that came in 2000. So definitely
11:49:49 25 at the bottom line we were able to reach to a conclusions
26 that, look, now that we have it clarified I thought it
27 was the 1998 peacekeepers that were attacked, but instead
28 we are talking about the abductions of the 2000
29 peacekeepers; that's the UN peacekeepers. So that aspect

1 if you read continuously, it clarifies the whole thing.

2 Q. Well, let's -- let's read --

3 A. Dr Al White and myself reached that particular point. So
4 he say okay, now I need this straightening up. But I am
11:50:23 5 interested in the February 1998 peacekeepers that were
6 attacked, I mean the ECOMOG, and I clarify that.

7 Q. So did Charles Taylor send for Issa Sesay in the February
8 1998 peacekeepers incident?

9 A. But he came along with Sam Bockarie.

11:50:46 10 Q. Oh.

11 A. If they sent for -- if they sent for Sam Bockarie and all
12 commanders came, March of -- March, April of 1998,
13 definitely, yes.

14 Q. And they weren't taking instructions from Foday Sankoh in
11:50:59 15 March 1998?

16 A. But they weren't taking instruction Foday Sankoh, because
17 Foday Sankoh was in Nigeria -- [inaudible]

18 Q. Well, you did say in this interview you weren't -- you
19 didn't know.

11:51:10 20 A. What you mean I didn't know? I just told you Foday
21 Sankoh was incarcerated in Nigeria from '98 up to '99,
22 and definitely there was -- it's just theoretically
23 impossible, it's --

24 Q. Well, let me make my case very clear to you.

11:51:29 25 A. And operationally impossible for you to separate Charles
26 Taylor from the strategic management of the -- of the
27 RUF.

28 Q. Yes.

29 A. Honestly, counsellor.

1 Q. So you say, General. Let me just stick with this for a
2 moment. At no stage in this interview do you accuse Issa
3 Sesay of kidnapping the UNAMSIL peacekeepers.

4 A. But I -- I --

11:51:55 5 Q. And yet last week you did. Why's that?

6 A. But wait a minute. Again I come back to -- [Overlapping
7 microphones]

8 Q. [Overlapping microphones] In 2000, General.

9 A. I come back to you sir. Dr Al White did not ask me
11:52:07 10 specifically about abduction of the UN peacekeeper. But
11 when you ask me that when was -- how many times did you
12 see Issa Sesay in Liberia, and that's when I try to tell
13 you: Well, the last time I ever saw Issa Sesay was 2000,
14 when the UN peacekeepers were abducted. Didn't I just
11:52:29 15 say that to you, sir.

16 Q. I don't answer questions, General; that's your job.

17 A. Oh, okay, sir. I said it to you and that was the only
18 thing I had to mention, and I mention that, sir, because
19 you ask me when was the last time I saw Issa, and he
11:52:45 20 knows that I saw him -- he knows that I saw him.

21 Q. Why is it -- is this your answer to this -- is this your
22 answer about the UNAMSIL peacekeepers: That you only
23 mentioned Issa Sesay last week as being involved in
24 kidnapping them because that was the first time you'd
11:53:02 25 been asked the question whether Issa Sesay was involved;
26 is that your answer?

27 A. That's my answer because you ask me here.

28 Q. Because what I suggest is the truth, General, is that
29 your answer on page 33 and 34 is referring to the UNAMSIL

1 troops in 2000, isn't it?

2 A. In 2000?

3 Q. Isn't it? The answer we've just read through -- the
4 questions and answers was referring to the UNAMSIL
11:53:27 5 peacekeeper abduction in 2000?

6 A. But -- but this was my knowledge, yes, sir. That's when
7 -- that's when I try to tell you we were here.

8 Q. And one of your answer -- one of your few answers, I
9 would suggest, which are truthful, at line 4 is, "Because
11:53:39 10 Issa Sesay was controlling the entire Kono District but
11 he wasn't taking instruction from Foday Sankoh."

12 A. Is that not true? He wasn't the commander for the --
13 when --

14 Q. I'm suggesting it is true.

11:53:50 15 A. No, no, you not suggesting. How can you suggest to me
16 and I say yes, I was -- do I have to say yes to your
17 suggestion? No, sir.

18 Q. Well, if you want to say no, it's not -- [Overlapping
19 microphones]

11:53:56 20 A. I say no, sir.

21 Q. So it's not true here that you're referring to UNAMSIL
22 peacekeeping in 2000?

23 A. But then, you see, you got the whole thing entangled.

24 Q. And you know, General -- you know, General, that Mr Sesay
11:54:10 25 wasn't taking instruction from Foday Sankoh and Foday
26 Sankoh had ordered the abduction of the peacekeepers.
27 And you know that, don't you, General?

28 A. I don't know that.

29 Q. And the reason you said -- [Overlapping microphones]

1 A. I don't know whether Foday Sankoh ordered the abductions
2 of the -- of the UN peacekeeper. I didn't tell you that,
3 counsellor.

4 Q. And the reason that you say that here, and then you
11:54:33 5 change it completely, is because you're seeking to
6 implicate Issa Sesay?

7 A. No, no. No, counsellor, again, I don't want you to be
8 antagonistic.

9 Q. Because Issa Sesay in 2000 was controlling the entire
11:54:45 10 Kono District, but he wasn't taking instructions from
11 Foday Sankoh to abduct the peacekeepers; that's correct,
12 isn't it?

13 A. No, sir.

14 Q. Right. Moving on to the last subject --

11:55:07 15 A. What page are you talking about, sir?

16 Q. I wasn't talking about any page.

17 A. Oh, I'm sorry.

18 Q. I'm just about to come to it.

19 A. I'm sorry, sir.

11:55:20 20 Q. We're moving on to arms shipments, and I would like you
21 to turn to page 45 in the same interview, if you would,
22 General.

23 A. Yes, sir. Is that 8200?

24 Q. I think it probably is, yes.

11:55:41 25 A. Okay, sir.

26 Q. Thank you. We're looking at the -- perhaps we should go
27 to page 44, first, the bottom of page 44 line 20: "Was
28 Charles Taylor" -- have you found that General? Page 44.

29 A. Is that the extreme left?

1 JUDGE BOUTET: That's page 8199, yes.

2 THE WITNESS: Right, I have that right here. Yes, sir, I'm
3 seeing it. What number?

4 MR JORDASH:

11:56:12 5 Q. Line 20. Just -- just --

6 A. Nine?

7 Q. Line 20. "Was Charles Taylor providing arms to Johnny
8 Paul Koroma during that timeframe you mentioned earlier
9 about a couple of shipments of arms?

11:56:25 10 Yes.

11 Can you specifically talk about them?

12 Okay. The shipment of arms, it was brought in" -- and we
13 move to page 45 -- "it was brought in. That was between
14 '97, '98 up to '99. In fact, up through the time he
11:56:39 15 became president it was geared towards, like, trying to
16 help the former NPFL fighters at the time he was a rebel
17 leader, but the embargo was on. And apparently George
18 Haddad was using that to be able to get some kind of
19 shipment used to come through Freeport, Monrovia,
11:56:55 20 sometimes it come through Harper, the port of Harper. We
21 have since port -- we have Sinoe Port, we have Buchanan
22 Port, Harper, and then we have the National Port
23 Authority in Monrovia."

24 A. Yes, sir.

11:57:05 25 Q. "So the shipment used to come through the National Port
26 Authority, sometimes go to Harper, and then we will off
27 -- then we will go offload. In the process of trying to
28 get the rice underneath -- underneath the rice, you will
29 find the arms and ammunitions that was brought in by

1 George Haddad, but they offloaded everything -- those
2 things would be done sometimes at night."
3 So you're talking there about shipment of arms which come
4 through Freeport, Monrovia; is that correct?
11:57:34 5 A. Yes, sir.
6 Q. Turn over, please, to 46. Maybe it's not turn over for
7 you, but it's turn over for --
8 A. It's the same; below.
9 Q. "Question: Okay.
11:57:43 10 Answer: And put in the long container and taken to White
11 Flowers, full stop. You know the house is here and then
12 there is a road going down. Then you turn in and they
13 have a big white house, like is built right behind
14 Charles Taylor's White Flower, where they stockpile all
11:57:54 15 the weapons that was brought -- bought."
16 Okay, so we're talking effectively how Charles Taylor
17 gets his weapons or how Charles Taylor got his weapons;
18 is that correct?
19 A. Yes, sir.
11:58:08 20 Q. Thank you. Information you would have known through
21 being involved in his army; is that correct?
22 A. His army?
23 Q. His -- information you would have known through your role
24 in Mr Taylor's military army.
11:58:24 25 A. Are you talking about my role in Mr Taylor's army --
26 Q. No, I'm asking you -- [Overlapping microphones]
27 A. -- or are you talking about the role Issa Sesay played?
28 Because there was -- my role in Mr Taylor's army got
29 nothing to do with what you're trying to prove here.

1 You're defending Issa Sesay to exclude him from whatever
2 allegation that's been made.

3 JUDGE BOUTET: General, General, General, General, please.

4 THE WITNESS: Yes, sir?

11:58:47 5 JUDGE BOUTET: Please, don't argue with counsel. Just answer
6 the questions.

7 THE WITNESS: Okay, go ahead, sir.

8 JUDGE BOUTET: He's not asking you --

9 THE WITNESS: I'm sorry, I'm sorry, okay.

11:58:54 10 JUDGE BOUTET: Please listen to me.

11 THE WITNESS: I'm sorry.

12 JUDGE BOUTET: He is not asking you questions about Mr Sesay
13 now. He's asking you a very specific question about page
14 44 -- 45 --

11:58:58 15 THE WITNESS: Yeah.

16 JUDGE BOUTET: -- about arms shipment. He has made -- no
17 reference has been made now at this stage of Mr Sesay.

18 THE WITNESS: Oh.

19 JUDGE BOUTET: It's about weapons.

11:59:09 20 THE WITNESS: Oh, okay, I say yes, sir. These were all
21 analysis made about how Taylor accumulate his weapons.

22 MR JORDASH: Thank you.

23 THE WITNESS: Collection of weapons. Yes, sir.

24 MR JORDASH: Thank you.

11:59:22 25 THE WITNESS: Yes, sir.

26 MR JORDASH:

27 Q. And then you're asked at line 8:
28 "But during this timeframe, from 1997 -- May of 1997 or
29 June, somewhere around that timeframe through February of

1 1998, did you have first-hand knowledge that Charles
2 Taylor was providing arms directly to Johnny Paul Koroma?
3 Answer: Well, to be honest with you, maybe the arms were
4 used to carry -- arms use to carry to Sam Bockarie
11:59:45 5 through Benjamin Yeaten, and since the line of
6 communication was already there, perhaps they use their
7 help. But to see maybe Johnny Paul Koroma receiving arms
8 directly, that I can't say, because apparently it was
9 like Benjamin Yeaten was the mediator and I was on the
12:00:00 10 fly-in once in a while with those equipments, full stop."
11 You're moving on to talk about your flying in once a
12 while with those equipments, okay.
13 A. Yes, sir.
14 Q. Thank you. Page 47,
12:00:19 15 "Question: Fly in to where? Where did you fly in to?
16 Answer: We fly to the border between Sierra Leone and
17 Liberia.
18 Question: Okay, and then what did you see? What
19 transactions did you see?
12:00:27 20 I saw the delivery of arms and consignments, consignment
21 of arms - AK47 rounds, PRGs" --
22 A. RPGs.
23 Q. "RPGs. You have these light, automatic like Beretta, and
24 you have the UZIs. And there were -- these were some
12:00:45 25 weapons that were being used by Burkinabes sometime from
26 Libya. But they were not using them. I brought them to
27 have them lubricated. You have the Beretta, the old-time
28 -- the old Russian weapons, you have the UZI, and then
29 the French-made type weapons. And most the boxes that

1 came some time were labelled. You have the label -- the
2 Libyan label on the box that the ammunitions --
3 Question: So those weapons would come from Libya; is
4 that correct?
12:01:12 5 Answer: Yeah, Libya, because when they used to come
6 through they came -- they come to Burkina Faso, then
7 Blaise Compaore would provide the plane that would take
8 it from Burkina Faso to Man."
9 I just want to keep following this through, because I
12:01:23 10 want you to be clear, General -- [Overlapping
11 microphones]
12 A. I'm following very closely.
13 Q. Okay. And if we continue reading through that, "From
14 Burkina Faso to Man, Ivory Coast. From Ivory Coast they
12:01:36 15 will hire trailer -- they would hire trailer from Ivory
16 Coast, and then they come through with this. Because
17 their whole operations was like -- they knew about the
18 whole thing." And we can just -- if you read the -- the
19 rest to yourself - unless Your Honours would like me to
12:01:53 20 keep reading it - and I'm reading to page 52. But what
21 the General -- well, perhaps I'll go through it for
22 completeness sake.
23 JUDGE BOUTET: Yeah, or you can ask the witness to read if you
24 think it may -- to read to 50 and 51, and then --
12:02:10 25 THE WITNESS: Where is that?
26 MR JORDASH:
27 Q. Would you read to the rest of -- up to the point what
28 I've been reading, General, you have been describing the
29 supply line --

1 A. You say from Burkina Faso to Man, Ivory Coast. From
2 Ivory Coast --

3 Q. General, General, General, General, can I just stop you a
4 minute. I just want to be clear where we're at. I think
12:02:23 5 we'll just continue in the same way; it's probably
6 simpler. You're talking, as we know, about the supply of
7 weapons to arrive at Charles Taylor's. We haven't got to
8 the distribution of them yet. Okay, fair enough?

9 A. Yes, sir.

12:02:37 10 Q. Thank you.

11 JUDGE BOUTET: It may be preferable if you keep reading, so
12 everybody will understand the same thing.

13 MR JORDASH: I will, yes, Your Honour.

14 JUDGE BOUTET: Please.

12:02:46 15 MR JORDASH:

16 Q. "From Burkina Faso to Man, Ivory Coast. From Ivory Coast
17 they will hire trailer -- they would hire trailer from
18 Ivory Coast. And then they come through with this,
19 because their whole operation was like -- they knew about
12:02:52 20 the whole thing. So they and Blaise Compaore -- because
21 his daughter was married to Blaise Compaore, so they had
22 interaction so that communication link was there. And
23 then he supported Blaise Compaore to overthrow Sinkara.
24 In the process Charles Taylor, when he escape and went
12:03:08 25 over to Burkina Faso, they manage to arrange Blaise
26 Compaore -- arrange with him they have one squad or two.
27 And they manage to overthrow Sinkara. That's how close
28 he and Compaore became. Everything he told Compaore it
29 was positive.

1 Question: So what you're saying is because of their
2 friendship before --
3 Oh, yeah, they had.
4 -- and in earlier days --
12:03:29 5 Yes.
6 -- that's how they developed a relationship, meaning
7 Charles Taylor and Blaise Compaore; is that correct?
8 Answer: When Charles Taylor came from gaol, in fact he
9 is in Ghana, and the ruling -- they granted him asylum,
12:03:41 10 he was there. And then he managed to secure, you know, a
11 meeting with the Burkinabe ambassador that was in
12 residence in Ghana. So the man who invited him, they
13 went to -- he went ahead and made an arrangement with
14 Sankara. Sankara agreed he'd be willing to meet with
12:03:57 15 Taylor. When they went and met with Taylor at that time,
16 Blaise Compaore was then the commander. He was one of
17 the aides Sankara. He and Charles Taylor became friend
18 at the first two meetings. So when they were friends and
19 later on Compaore decide to say well, look he wants to
12:04:11 20 overthrow Sinkara, So Charles Taylor say, 'Well, I'm here
21 with a few other people. So we can help you do it -- to
22 do it, and you'll be able to help to us be able to remove
23 Samuel Doe -- remove Samuel Doe.' The anti-Doe movement
24 started. The former president -- the former president of
12:04:30 25 Liberia Samuel Doe, to remove him from power."
26 and we continue there, General, with some further
27 discussions on Blaise Compaore and Sankara, and then we
28 return to the question of weapons at line 18.
29 A. Yes, sir.

1 Q. "If we take that forward" - is the question:
2 "If we take that forward to the 1997, 1998 timeframe,
3 they were -- there were some -- as a result of that
4 relationship there was some weapons that you were aware
12:04:58 5 of?
6 Yes.
7 Question: That came in to Liberia that ultimately made
8 their way, with Charles Taylor's approval, to Benjamin
9 Yeaten?
12:05:10 10 Yes.
11 Question: And who provided these weapons to your
12 knowledge?
13 Answer: Yes.
14 Question: To Sam Bockarie?
12:05:15 15 Answer: Exactly.
16 Is that correct?
17 Yes, that's what happened.
18 So then those weapons presumably would have made their
19 way down to Johnny Paul Koroma?
12:05:26 20 Answer: Johnny Paul Koroma.
21 Question: Because at the time the AFRC and the RUF were
22 together?
23 Answer: Were together.
24 Question: Running the country?
12:05:36 25 Answer: Because the agreement -- arrangement if ARC
26 [sic] took over, Defence Minister went based on Taylor's
27 mandate to meet Johnny Paul Koroma."
28 This is the bit I'm specifically interested in and the
29 rest was the context I wanted you to understand, General.

1 A. Yes, sir.

2 Q. Question: "But let's talk about specific knowledge about
3 specific shipments that you know about that Benjamin
4 Yeaten, at the direction of President Taylor, authorised
12:06:01 5 weapons, other materials, munitions, et cetera, to Sam
6 Bockarie which made their way to the AFRC and the RUF?
7 There was a couple of shipments that I think we talked
8 about before. For example, I believe there was one in
9 September of 1997."

12:06:12 10 A. Yes, sir.

11 Q. Now, General, there is no mention in this April interview
12 before this point of an arms shipment in September of
13 1997. Do you know where Dr White got that information
14 from?

12:06:26 15 A. What information are you talking about? I asked Dr White
16 -- not me. I know I told him that the shipment -- I
17 think it went through -- all of the shipments that came
18 and how Taylor accumulated his supplies of weapons. And
19 we had to go along, in my capacity as assistant chief of
12:06:50 20 staff G3 at the time -- that was specifically in
21 September.

22 Q. Well, let me just stop you there, General. Dr Alan White
23 recalls -- he says that there has been an arms shipment
24 in September of 1997. Now, the papers I have of all the
12:07:07 25 interviews I've been given of yours do not mention you
26 saying there was an arms shipment in September of 1997.

27 A. But, but --

28 Q. Now, what I'm interested in is where did Mr White get
29 that information from?

- 1 A. I don't know. Ask Mr White, because -- I do know I gave
2 you chronologically 1997, I gave you March, April, and I
3 give you these different dates.
- 4 Q. Well, when had you given -- had you given Mr White any
12:07:37 5 information about a September 1997 shipment before he
6 mentioned it at this stage?
- 7 A. What do you mean "how do you mention"?
- 8 Q. Had -- had you said to Mr White before this time that "I
9 was aware" -- that you were aware of an arms shipment in
12:07:54 10 September 1997?
- 11 A. Because I was there when they offloaded it in the
12 Freeport of Monrovia.
- 13 Q. See, what I'm -- well, okay. Look -- look a bit further
14 down.
- 12:08:06 15 A. Go ahead, read it for me.
- 16 Q. Mr White says, "For example, I believe there was one in
17 September of 1997." The answer is, "Yes."
- 18 A. It means he has talked to me previously and I did tell
19 him that --
- 12:08:17 20 Q. Right.
- 21 A. -- 1997 --
- 22 Q. When?
- 23 A. -- there was one.
- 24 Q. When did you tell him -- [Overlapping microphones]
- 12:08:20 25 A. When he started to do my interview after I -- I went over
26 to -- when I came over to the United States.
- 27 Q. Whereabouts were you -- were you in a -- was he taking
28 notes?
- 29 A. But you know, I don't know whether he was taking notes,

1 because every time he ask me we talk, he talk -- we talk
2 on the phone, and then he emails me, and then finally he
3 decided to have the exclusive interview in April -- in
4 April this year.

12:08:48 5 Q. Because I'm suggesting that it was Mr White who gave you
6 the line "September 1997"?
7 A. No, sir.
8 Q. Can you see line 10, 11 and 12?
9 A. Which one?

12:08:58 10 Q. There's a -- there's a break.
11 A. What page?
12 Q. On the same page. Where, "For example I believe there
13 was" -- [Overlapping microphones]
14 A. Are you saying page 54?

12:09:04 15 Q. 52.
16 "For example, I believe there was one in September 1997.
17 Yes."
18 Whereupon a brief break was taken after which the
19 following was heard:

12:09:15 20 "Question: We're back on the record. Let's go back to
21 September 1997 and the arms shipment, and the specific
22 knowledge that you have surrounding that."
23 If you can recall, General, what was discussed off
24 record, if anything?

12:09:30 25 A. I can't remember that off record. Definitely. Unless
26 you ask Dr White himself. I mean --
27 Q. I hope to.
28 A. -- the interview has been way back and I can't recall.
29 Basically what I wrote is what I can account for. What

1 is off record, it's off record.

2 Q. Well, okay. Let me ask you, while we're on the subject
3 of off-the-record conversations, would you turn, please,
4 to page 189 of this interview?

12:09:57 5 A. Page 189?

6 Q. Yes. 188, actually.

7 A. 186?

8 Q. 188.

9 A. I got -- yes, sir, I'm there. This is 8235?

12:10:11 10 JUDGE BOUTET: Indeed, indeed.

11 THE WITNESS: Yes, sir, I have that; 188, below on the right
12 extreme.

13 MR JORDASH:

14 Q. There are, I think, in total four off-the-record moments
12:10:26 15 in this interview. That's one of them at the end of the
16 interview?

17 A. Where is that?

18 Q. Sorry, looking over the page to 189, there's an
19 off-the-record discussion --

12:10:35 20 A. 189.

21 Q. Page --

22 A. What number?

23 Q. Line 10. "Dr White: Okay, all right. Let's go off the
24 record." And then we even have there in brackets
12:10:45 25 "discussion off the record". "Dr White: We're back on
26 the record and I want to conclude the interview." Can
27 you remember there what was discussed off the record?

28 A. But I just told you it was off the record and definitely
29 you ask Dr White why he say you should get off the record

1 because --

2 Q. Well, you were there. He was talking to you, wasn't he?

3 A. He is not only talking to me; he was talking to other

4 people that were present.

12:11:10 5 [HS111004C 12.15 p.m.]

6 Q. So we've got this one off-the-record at the time you're

7 discussing weapons; one off-the-record at the end of the

8 interview. If you would turn, please, to page 88?

9 A. Is that 188?

12:18:51 10 Q. Yes.

11 A. I'm there, sir -- below --

12 MR HARRISON: Sorry, could you just clarify - is it 188 or 88?

13 MR JORDASH: No, sorry, 88.

14 Q. Sorry, that was me.

12:19:10 15 A. That's okay, sir.

16 JUDGE BOUTET: Page 8210.

17 THE WITNESS: I'm there, sir -- below, at the last right

18 extreme again.

19 MR JORDASH:

12:19:20 20 Q. Page 88, line 11, you're answering a question.

21 "So, in the process that grudge that he had against

22 Charles Taylor apparently -- I mean against Momo when

23 this happen he decided to initially support the RUF

24 until definitely they would be able to get.

12:19:45 25 DR WHITE: Can we go off the record for just a moment.

26 [Discussion off the record]

27 DR WHITE: Let's go back on the record.

28 Right."

29 Can you assist us as to what was discussed off the record

1 there? Have a look -- take your time, General.

2 A. Look, where?

3 Q. Look at what I --

4 A. It say "off the record". I can't see anything that was

12:20:08 5 discussed off the record and I can't vividly remember

6 what was discussed off the record. I can't remember.

7 Q. Finally, let's have a look at page 96.

8 A. There has been one year almost.

9 Q. 96, if you would, General?

12:20:28 10 A. 96, yes, sir.

11 JUDGE BOUTET: Page 8213.

12 THE WITNESS: Yes, sir, I have got that, below on the extreme

13 right again.

14 JUDGE BOUTET: 96 it is 8212 - I said 8213.

12:20:45 15 THE WITNESS: It is 8212.

16 MR JORDASH: Thank you.

17 THE WITNESS: Yes, sir.

18 MR JORDASH:

19 Q. Let's look at the top of the page. You're discussing

12:20:56 20 this man Sam Bockarie coming with 1,500 men for the use

21 for the ATU; do you see that?

22 A. Yes, sir.

23 Q. And then the question at line 7:

24 "Okay. All right. Let's take a look at -- you had

12:21:14 25 mentioned earlier -- let me go off the record for just a

26 minute."

27 Another discussion off the record:

28 "Q. we're back on the record. General, what I wanted to

29 do is I want to talk about the funding of the operations.

1 We all know it's all been about diamonds."
2 So there's an off-the-record discussion before this new
3 subject of diamonds is discussed. What was that about?
4 A. Say that again.
12:21:38 5 Q. There's an off-the-record discussion before moving to the
6 discussion of diamonds. What was that about?
7 A. Well, I told you earlier, I don't know anything about off
8 the record, because if he wanted to get off the record,
9 I was there to be able to answer any question he wanted
12:21:54 10 me to answer. So if he went off the record, so I don't
11 know anything about what was discussed off the record.
12 JUDGE BOUTET: General, I want that to be very clear to you
13 here.
14 A. Yes, sir.
12:22:04 15 Q. Whether you're on or off the record, if you do know what
16 was discussed off the record, you must answer that
17 question. The question to you is: Do you know what was
18 discussed off the record [Overlapping speakers]
19 A. I say no, sir.
12:22:20 20 Q. The question to you is: do you know what was discussed,
21 if anything?
22 A. I say no, sir. Honestly. I mean, I took oath. If
23 I know what was discussed, I would be honest with you,
24 counsellor, to tell you exactly what was discussed, but I
12:22:33 25 don't know.
26 MR JORDASH: Thank you.
27 Q. Did you get the impression from Dr White that his main
28 preoccupation was diamonds and weapons supply?
29 A. His main occupation?

1 Q. His main interest in interviewing you was to talk about
2 diamonds and weapons supplies between the RUF and
3 Mr Taylor?
4 A. There wasn't a specific question of that nature, no, sir.
12:22:56 5 Q. Did you get the impression that was his main interest --
6 A. Did I get the impression?
7 Q. Yes.
8 A. No, sir.
9 Q. Because I suggest it's no coincidence that there was an
12:23:05 10 off-the-record discussion before arms shipments and there
11 was an off-the-record before diamonds; do you understand
12 my point?
13 A. Well, that's your own point of understanding, not me.
14 Q. I suggest that he was giving you information during those
12:23:18 15 off-the-record discussions?
16 A. Dr White did not give me any information. I mean,
17 everything that I've stated here, that's what I'm here to
18 be able to defend my statement and my exclusive
19 interviews.
12:23:29 20 JUDGE BOUTET: Mr Jordash, we're now embarking in a very
21 argumentative area.
22 MR JORDASH: I'm moving on, Your Honour.
23 JUDGE BOUTET: The answer is he doesn't know.
24 MR JORDASH: Certainly.
12:23:39 25 Q. Back to weapons supplies, if we can very briefly, and
26 then I'll be finished.
27 A. Sir?
28 Q. Just so that you're clear, General, I'm suggesting that
29 you have no knowledge, in reality, of weapons supplies

1 from Taylor to the RUF. That's my suggestion to you.

2 A. No, sir.

3 Q. Okay. Let's have a look at page 52 again, shall we? Are
4 you there, General?

12:24:15 5 A. I'm trying to [inaudible] --

6 JUDGE BOUTET: You said 52?

7 MR JORDASH: 52, Your Honour.

8 THE WITNESS: 52.

9 JUDGE BOUTET: 8201, General.

12:24:25 10 MR JORDASH: Thank you.

11 THE WITNESS: Yes, sir.

12 MR JORDASH:

13 Q. Now, as I understand your --

14 A. Is that below in the right extreme --

12:24:35 15 Q. I'll refer you to that in a minute. I just wanted to
16 clarify, so that I understand and so that I don't make
17 any bad points. You are saying that you were aware of --
18 I think what you said last week -- you were aware of
19 three supplies of weapons by helicopter to the RUF -- one

12:24:59 20 in September 1997, one in May --

21 A. And one in 2000.

22 Q. One in May of 1998 and one in 2000?

23 A. 2000, yeah -- that's the last one.

24 MR JORDASH: Have I misquoted the evidence?

12:25:10 25 MR SANTORA: And I just wanted -- because there actually is a
26 subtle difference. The evidence is that he participated
27 and flew in the helicopter on three occasions.

28 THE WITNESS: Yeah.

29 MR SANTORA: That's our recollection of the evidence, not

1 whether he was aware of --

2 MR JORDASH: I beg your pardon, that is right.

3 THE WITNESS: Yeah, participations. Thank you, counsellor.

4 MR JORDASH: [Overlapping speakers] May 1998 and 2000.

12:25:38 5 Q. Let me follow from 52.

6 A. Yes, sir.

7 Q. Line 13:

8 "We're back on the record. Let's go back to September of

9 1997 and the arms shipment and the specific knowledge

12:25:51 10 that you have surrounding that?

11 A. Right

12 Q. Please.

13 A. Well, September '97, what happened is that, like

14 I told you before, when Charles Taylor came into

12:25:59 15 Monrovia, he had contact with George Haddad. And in the

16 process George Haddad promised that, look, I will

17 continue to do shipment for you, I will bring rice but

18 the deal was under cover, covertly, whatever arms and

19 ammunitions that will be coming from maybe Burkina Faso

12:26:19 20 or whatever, I would try to ship it

21 Because not all the time they could bring huge quantity.

22 The helicopter could not really take much. But if it

23 come through shipments, there is going to be sufficient."

24 And you are talking there generally about the arms

12:26:36 25 supplies, aren't you?

26 A. Yes, sir.

27 Q. And we move specifically to specific supplies on page 59.

28 A. Yes, sir. I'm there.

29 Q. You're there?

1 JUDGE BOUTET: This is page 8203.

2 THE WITNESS: Yes, sir.

3 MR JORDASH: Thank you, Your Honour.

4 Q. Line 2 - sorry, 1:

12:27:07 5 "Because the war was still going on. But it continues.

6 But basically what I can remember is the shipment

7 continues from September onward besides the 1990 when

8 I started. But September he became president, I mean,

9 after he became president, September going to '98,

12:27:22 10 apparently those deliveries were constants.

11 But I remember flying on three occasions with Daniel

12 Chea, because Benjamin Yeaten would come and we got the

13 load and go back together.

14 Q. We've got September of 1997 was the first one. When

12:27:41 15 was the next two to the best of your recollection, the

16 next two flights that you can recall where arms were

17 actually transported?

18 A. The next two flights would be -- because like I say,

19 I mean, I don't want to give a date I would not be too

12:27:56 20 accurate.

21 Q. Approximately?

22 A. But the next two would be maybe after September in

23 between the interval would be like for me, I was not

24 frequent. But the interval would be like maybe two

12:28:08 25 weeks, maybe one month. But between September '97 and

26 '98."

27 Aren't you suggesting there, General, that the supplies

28 that you went on were September '97, and then there was

29 an interval of maybe two weeks, maybe one month?

1 A. You see, Dr A White is an investigator.
2 Q. No, aren't you suggesting that?
3 A. But he was asking me. I said maybe two weeks, maybe one
4 month, but I was not specific. If you read -- I told you
12:28:42 5 that, look, I don't want to be very specific on a time
6 frame because I didn't want to put myself on record and
7 lie.
8 Q. But between September '97 and '98 -- so I'm combining the
9 two -- two weeks, maybe one month between --
12:28:57 10 A. I just tell you, between two weeks, one month, or a
11 little more than that, or probably the next one year,
12 just continuations.
13 Q. But now you say, "Well, I know for certain there was one
14 in May of 1998," so has your memory improved since this
12:29:12 15 time -- since the time you said to this?
16 A. That's right, May of 1998 and 2000, but let me just let
17 you know, counsellor, that when I got involved with this
18 whole testifying in Court after -- I was then contacted,
19 and based on my knowledge -- my honest knowledge, I used
12:29:37 20 to take notes, my field notes, and I had a complete
21 diary. So if you look, I have a bunch of calling cards,
22 so I wanted to be very, very credible on the time frame,
23 so I used to make some phone calls so that my special
24 assistant would have given me some of these -- some of
12:29:57 25 these times and dates and what have you, but during the
26 other wars with the LURD rebels, of course they took away
27 the diary. So I'm just letting you know the
28 inconsistency -- you talk about time frame, I didn't want
29 to be too specific, because I wanted to be credible.

1 Q. But you've been more specific last week?
2 A. What do you mean specific last week - after I verify
3 that, yes.
4 Q. With whom -- who did you verify it with?
12:30:26 5 A. I just told you, my special assistant.
6 Q. Who is that?
7 A. Say that again.
8 Q. Who's that?
9 A. Arthur Gabler [phon], my special assistant.
12:30:35 10 Q. So have you seen this special assistant between the time
11 of this interview and appearing in court last week?
12 A. What do you mean have I seen him? I've not seen him, but
13 I've talked to him.
14 Q. Let's stick with this.
12:30:43 15 A. You mean last week?
16 Q. You talked to him --
17 A. You mean last week?
18 Q. No, have you spoken to this special assistant?
19 A. When?
12:30:50 20 Q. Between the time of this interview we're looking at and
21 last week giving evidence?
22 A. For the time of the interview?
23 Q. That's what I said, yes.
24 A. Yes.
12:31:03 25 Q. And how was this special assistant able to assist you to
26 be more specific?
27 A. Because he had my whole diary when I left.
28 Q. So he has your whole diary?
29 A. The entire diary, yes, sir.

1 Q. So we could recover that diary?
2 A. Sir?
3 Q. We could recover that diary?
4 A. How can you recover -- I wish I would have recovered it
12:31:18 5 when I was in Liberia, but there was a war going on.
6 Q. When did you speak to him?
7 A. Say that again, sir.
8 Q. When did you speak to him?
9 A. When I speak to him? I spoke to him after the interview.
12:31:27 10 Q. When after the interview?
11 A. I can't be specific, I can't remember, but I did speak to
12 him after the interview.
13 Q. But if what you say is true, the Prosecution could
14 contact this special assistant and produce your diary?
12:31:39 15 A. Don't you know I have a right to my diary.
16 Q. Is that correct?
17 A. What?
18 Q. Is that correct?
19 A. What?
12:31:43 20 Q. If what you say is true, that your memory has improved on
21 the arms shipments because it's contained in your diary
22 and you spoke to your special assistant, we should be
23 able to get a copy of that diary, shouldn't we?
24 A. I suggested that to Dr White -- if you ask him, he will
12:31:59 25 tell you. I said, "Doc, if you help me. You're going to
26 Sierra Leone." I give him the name of my special
27 assistant. That was before the last war incursion --
28 Q. Just --
29 A. -- on the capital and they even kill one of his

1 bodyguards and they looted my entire house.

2 Q. Let's make that very clear then. You are able to contact
3 your special assistant and have your diary produced and
4 within that diary there will be details of your specific
12:32:23 5 arms shipments to the RUF; is that correct?

6 A. From day 1, the time I started with the NPFL up to the
7 time I left Liberia, the diary is my guidance -- the
8 diary tells me every other story, because I couldn't
9 memorise everything. And being a trained and
12:32:42 10 professional soldier, you always have your field notebook
11 and you take these things just in case of any eventuality
12 like what we're on today. If I didn't take an accurate
13 note, I wouldn't be here to tell you exactly what I'm
14 saying.

12:32:52 15 Q. Why haven't you asked your special assistant to send it
16 to you, because it's important documentary proof that
17 what you say is true, isn't it?

18 A. To send a document?

19 Q. To send the diary to you.

12:33:02 20 A. How can I -- you're talking about diary -- it's bigger
21 than this -- it's in a big grip. When I'm travelling
22 with my documentations, I mean, I have real big diaries.

23 Q. Well --

24 A. A lot of documents, so how could I take them all. I was
12:33:18 25 running away for my life. Don't you know I was going to
26 be executed?

27 Q. Why don't you contact him -- why didn't you contact him
28 from April onwards and ask him to send it DHL? I think
29 they do take rather large loads.

1 A. I wanted to be very much credible, counsellor. Since
2 Dr White, the investigator, was basing it on time frame,
3 I wanted to be very credible and honestly I'm telling
4 you -- this is no hypothetical situation -- I try to be
12:33:45 5 as credible as I can be, based on my own office.

6 Q. Just briefly turn to page 189, General.

7 A. 189?

8 Q. Yes.

9 A. I'm there, sir -- is that 8236?

12:34:03 10 Q. I think it is, yeah.

11 JUDGE BOUTET: Yes, it is.

12 THE WITNESS: In the upper left-hand corner. I'm there, sir.

13 MR JORDASH:

14 Q. Line 5, this is your answer:

12:34:11 15 "There were a lot of companies, but I can't recall --
16 remember that name. Maybe I heard of it. But as I say,
17 some time when the years go by, you don't remember all
18 this."

19 A. Exactly.

12:34:21 20 Q. "But if I had my diary, I think some of these things
21 perhaps would have been there."

22 A. Exactly.

23 Q. So why didn't you get your diary produced?

24 A. But, counsellor, I just told you. I'm escaping for
12:34:32 25 life --

26 Q. Not at this stage you're not.

27 A. But that's the interviewer -- I was telling him -- I
28 said, "Sometimes a year goes by and you can't remember
29 everything in your head, but I have it written down

1 physically in my diary. But if I had my diary,
2 Dr White," I was going to be very, very specific on
3 dates, and because of that I didn't want to entangle
4 myself and appear to be somebody who's not credible --
12:34:56 5 exactly what you would do if I were to give you a
6 specific month, then you're going to tell me, "General,
7 you have lied." I can't - I'm a Christian.
8 Q. Right?
9 A. I can't.
12:35:05 10 Q. No, of course.
11 A. I am a Christian.
12 Q. No, I'm not denying it.
13 A. That's very good.
14 Q. Good. Right. Let's just return to the subject.
12:35:14 15 A. Okay, sir.
16 Q. You told Dr White that you had a diary which would
17 support your account; is that correct?
18 A. Say that again.
19 Q. You are saying to this Court you told Dr White, "I have a
12:35:26 20 diary which will support my account; which will add
21 credibility to my account."
22 A. But it's mentioned here that I had a diary, but
23 I couldn't get hold of it, because it was [inaudible].
24 You know, to take a diary, first thing they would say,
12:35:40 25 "Why you carry all these things?"
26 Q. But since this interview, you have spoken to your --
27 A. Of course I did. I wanted to make sure, and I use over
28 300 hours worth of phone cards just to call.
29 Q. He had --

1 A. Not only this particular time, but to be able to verify
2 all of this information I'm giving you -- an update.
3 This is no story I'm making up, sir; it's not
4 hypothetical. I'm telling you physically what I saw,
12:36:08 5 sir.

6 Q. Okay, fine. Okay, fine, General. So just -- I'm going
7 to move on, the last question on this subject. Your ex
8 assistant, who you spoke to during your 300 hours of
9 phone calls, was able to verify through a diary that in
12:36:25 10 fact the weapons supply had been in May 1998 -- is that
11 fair; is that correct?

12 A. He didn't specifically say me. I mean, he just -- he
13 tells me specific answers I wanted and, among those
14 answers of course, May 1998 came through; 2000 came
12:36:42 15 through; September -- everything -- whatever happened --
16 besides all those other references I wanted to make.

17 Q. So why didn't you ask him to send it to you?

18 A. Do you want me to tell you specifically what my special
19 assistant said to me with respect to 100 question times
12:36:57 20 I asked him?

21 Q. No, I don't; I really don't.

22 A. This is the verification I made here. If you ask me
23 anything here, I'm obliged to be able to answer you
24 directly.

12:37:05 25 Q. Okay. Let's have a further look down page 60, shall we?

26 A. Say that again, sir.

27 Q. Page 60?

28 A. May 60.

29 Q. Page 60?

1 A. 60 or 16?

2 Q. Six zero.

3 A. Okay, sir. Yes, sir, I'm there.

4 Q. And I just want to be clear about what you were saying at
12:37:34 5 this time. We've seen line 1, line 2:
6 "Two weeks, maybe one month. But between September '97
7 and '98. And then but the supply continued to flow in up
8 to '99, January, February onwards.
9 It continues:
12:37:52 10 "Q. Of '99, January and February of 1999?
11 A. It continues up to 2000. It continued but basically
12 my whole concentration after they give me the assignment
13 as G3 assistant chief of staff. After the elections
14 I had a lot of assignment. So I was trying to put
12:38:05 15 together restructuring of the National Army. So once in
16 a while I would go in the field. But the first two,
17 three trips, yes, I went with them. And in fact another
18 time I went on a commercial flight, because every time
19 I went as -- this time I went as a commanding general.
12:38:24 20 When I went, that was around '99 -- '99 to 2000."
21 So the only mention you make of the trip in 1999 to 2000
22 to supply weapons was on a commercial flight, wasn't it?
23 A. I didn't say on a commercial flight. I said some time
24 I would go on a commercial flight -- just like an
12:38:46 25 intelligence operation. I don't have to tell you exactly
26 my own operational activity when I was commanding
27 general. We are making reference on the three different
28 occasions that I participated. That's what I'm talking
29 about here, counsellor, sir.

- 1 Q. "And in fact another time I went on a commercial flight
2 [overlapping speakers]"
- 3 A. Yeah, that was intelligence operations. Other times
4 I went -- I did not say other times I went on a
12:39:11 5 commercial flight in delivering arms.
- 6 Q. But that's the general subject that was being discussed
7 at this point.
- 8 A. Discussed? That's what you're discussing here, or are
9 you trying to verify? I told you the camouflaged
12:39:25 10 helicopter was being used.
- 11 Q. You appear to say here, General -- well, I'm not going to
12 go over it --
- 13 A. I appear -- I'm telling you facts, what I wrote on the
14 paper and that's why I'm defending it. I'm not appearing
12:39:36 15 to say; I've said it already, and that's why I'm
16 defending it, sir.
- 17 Q. What you say on this page, General, is, I suggest, clear.
18 The arms deliveries you went on were --
- 19 A. That I participated in?
- 12:39:47 20 Q. Yes. Was September 1997 --
- 21 A. Yes, sir.
- 22 Q. -- two more within the month?
- 23 A. May 1998.
- 24 Q. And then one on a commercial flight in 1999/2000?
- 12:39:58 25 A. No, you're saying that right now. You're saying that,
26 counsellor. I didn't say that. I'm still living, I'm
27 still alive. I can repeat exactly what I said, or what
28 is written on the paper.
- 29 Q. Finally, just this, General. The reality is that during

1 the whole course of your interviews the two things you
2 really say about Sesay are: one, that he was not obeying
3 Foday Sankoh's instructions in relation to the abduction
4 of the peacekeepers --

12:40:32 5 PRESIDING JUDGE: Learned counsel, put it to him. Let it not
6 look like a submission.

7 MR JORDASH: Sorry, Your Honour.

8 PRESIDING JUDGE: Just take it easy.

9 MR JORDASH: Sorry.

12:40:40 10 PRESIDING JUDGE: And complete the questions and put them to
11 him so that he can give us specific replies to the
12 suggestions you're making to him.

13 MR JORDASH:

14 Q. I'm suggesting that at the time, up until April 2003, the
12:40:58 15 only things you were saying about Mr Sesay were as
16 follows: one, that he was brought to Charles Taylor to
17 help release the peacekeepers, because he wasn't obeying
18 Foday Sankoh's instructions; is that correct?

19 A. That he was brought in Monrovia, I did say that, yes,
12:41:26 20 sir.

21 Q. And, secondly, that he'd delivered diamonds to Taylor
22 after Bockarie had left -- they are the two things
23 I suggest.

24 A. No, you forgot -- let me take you back. Can I take you
12:41:39 25 back to 2002?

26 PRESIDING JUDGE: Are you saying yes or no, before you take us
27 back?

28 THE WITNESS: No, sir.

29 MR JORDASH:

1 Q. And the reason that your evidence has changed
2 dramatically in relation to --
3 A. I say no, sir. I want to take you back --
4 PRESIDING JUDGE: General, please, please.
12:41:54 5 THE WITNESS: Yes, sir.
6 PRESIDING JUDGE: Better wait for counsel to complete his
7 exercise.
8 THE WITNESS: Okay.
9 PRESIDING JUDGE: He's making suggestions to you. Listen
12:42:02 10 carefully, please.
11 THE WITNESS: Yes, sir.
12 PRESIDING JUDGE: Don't get into any argument with him.
13 THE WITNESS: I'm sorry; counsellor, I'm sorry.
14 MR JORDASH:
12:42:10 15 Q. And the reason that 23 July 2004 statement taken in
16 Freetown -- the reason why you've implicated Sesay since
17 that time is because you owe, or you feel you owe, Alan
18 White?
19 A. No, sir.
12:42:28 20 MR JORDASH: I've got nothing further of this witness. Thank
21 you, Your Honours.
22 THE WITNESS: Your Honours, sir --
23 PRESIDING JUDGE: [Microphone not activated] You wanted to
24 say something?
12:43:09 25 THE WITNESS: Okay, I -- it's okay.
26 PRESIDING JUDGE: If you wanted to say something, General --
27 THE WITNESS: Yes, I wanted.
28 PRESIDING JUDGE: Say it.
29 THE WITNESS: I just want to let the young counsellor know --

1 PRESIDING JUDGE: He's not a young counsellor; he's an
2 experienced counsel.

3 THE WITNESS: Yes, sir.

4 PRESIDING JUDGE: Refer to him as learned counsel, please.

12:43:29 5 THE WITNESS: No, I'm just looking at his age and, you know --

6 PRESIDING JUDGE: Can you tell how old he is? Some people --

7 THE WITNESS: Chief, I mean, I honestly --

8 PRESIDING JUDGE: [Overlapping speakers] like Johnny
9 Walker's --

12:43:40 10 THE WITNESS: From what I see of the young counsellor, I'm
11 older than him, chief.

12 MR JORDASH: I'm only 21, Your Honour.

13 PRESIDING JUDGE: Do you believe him when he says he's only
14 21?

12:43:49 15 THE WITNESS: That's what he said. Unless I can look at his
16 birth certificate -- what I'm trying to --

17 PRESIDING JUDGE: Anyway, say "learned counsel", not "young
18 counsellor".

19 THE WITNESS: Okay, counsellor, Your Honour. What I'm trying
12:44:01 20 to say here, Your Honour, is I'm trying to let the
21 counsellor know that I did not come here to implicate
22 anyone. I'm a Christian, and I want to let you know,
23 sir, I only came to clear what I have written concerning
24 the training of the RUF in Liberia. I did not personally
12:44:24 25 tell me to say to put words in my mouth [sic] and I also
26 want to let you know here, sir, that I know that I will
27 be held accountable if I should lie and, besides that,
28 I want to let you know that whatever statement or
29 testimonies I've given, I'm prepared to defend them and

1 I did not come to implicate anyone as alleged, so help me
2 God.

3 PRESIDING JUDGE: Okay, thank you. So help you God, that's
4 all right. That's okay; you can stop there.

12:44:57 5 THE WITNESS: That's it, yes, sir.

6 PRESIDING JUDGE: Thank you. Learned counsel Touray, I think
7 that we would not -- you're for Morris Kallon?

8 MR TOURAY: Indeed, sir, Your Honour.

9 PRESIDING JUDGE: I don't think that it would be proper for us
12:46:22 10 to start the cross-examination by you for Morris Kallon
11 at this point in time. We would be adjourning -- it
12 would be futile, you know, for us to start now. We would
13 be adjourning in order to start the cross-examination,
14 you know, at 2.30.

12:46:51 15 MR TOURAY: As Your Honour pleases.

16 PRESIDING JUDGE: Yes, Mr Santora.

17 MR SANTORA: Your Honours, before we adjourn, I just wanted to
18 bring to the attention of the Chamber a matter I've
19 discussed with my colleagues and to let the Chamber know,
12:47:05 20 as early as possible, the witness after the next witness,
21 whose pseudonym is TF1-355, would like to testify in
22 public, and I wanted to let the Chamber know as soon as
23 possible, with the similar circumstance of having his
24 present location not revealed. But he has expressed a
12:47:28 25 willingness to testify in public. I've spoken with my
26 learned colleagues about this matter, and they agreed and
27 I wanted to bring it to the Chamber's attention as soon
28 as possible. This is the third witness for this session,
29 which will be the witness after the next witness.

1 JUDGE BOUTET: What's the pseudonym of that witness?
2 MR SANTORA: TF1-355.
3 JUDGE BOUTET: And he was which class of witness?
4 MR SANTORA: He was class C, which is the insider class --
12:48:00 5 yes, the C, that's right.
6 PRESIDING JUDGE: We have taken note of that. I think that's
7 a very positive development for insider witnesses to
8 unmask themselves in this process where the public is
9 interested in knowing who is testifying and what they
12:48:22 10 have to say in relation to the allegations which are
11 being made.
12 We will now rise and, General, it's not yet over. You
13 have --
14 THE WITNESS: Sir?
12:48:42 15 PRESIDING JUDGE: I say it's not yet over. You still have to
16 come back here, because counsel for Mr Morris Kallon will
17 be cross-examining you from 2.30.
18 THE WITNESS: Yes, sir, chief; I'm at your disposal.
19 PRESIDING JUDGE: So we'll be coming back here. The Court
12:48:59 20 will rise and we will resume at 2.30.
21 [Luncheon recess taken at 12.45 p.m.]
22 [On resuming at 2.40 p.m.]
23 PRESIDING JUDGE: Learned counsel, we're resuming this session
24 and I think it's the turn of learned counsel Mr Touray to
14:46:03 25 cross-examine this witness for the second accused
26 Mr Morris Kallon. General --
27 THE WITNESS: Yes, sir.
28 PRESIDING JUDGE: -- before Mr Touray starts his
29 cross-examination process, I just wanted to inform you

1 that he is representing one of the accused persons -- I'm
2 saying this, because you say you've not been to court
3 before. You were involved in the cross-examination by
4 counsel for the first accused -- that's Mr Issa Sesay.

14:46:50 5 THE WITNESS: Yes, sir.

6 PRESIDING JUDGE: Now, it would be the cross-examination of
7 you by counsel for the second accused Mr Morris Kallon.

8 THE WITNESS: Yes, sir.

9 PRESIDING JUDGE: So you answer his questions and even if you
14:47:06 10 have given replies to his questions before, you should
11 not tell counsel that you've answered this question over
12 and over and over in this court. He's representing the
13 interests of another accused person.

14 THE WITNESS: Yes, sir.

14:47:18 15 PRESIDING JUDGE: Different accused person, okay?

16 THE WITNESS: Yes, sir, Your Honour.

17 PRESIDING JUDGE: So this said, Mr Touray, you may proceed,
18 please.

19 CROSS-EXAMINED BY MR TOURAY:

14:47:33 20 Q. Good afternoon, sir. Good afternoon, witness.

21 A. Good afternoon, sir.

22 Q. In your testimony you said that you left Liberia --

23 JUDGE THOMPSON: Counsel, hold on.

24 MR HARRISON: It was just that the document was on top of the
14:47:58 25 microphone.

26 JUDGE BOUTET: Technical problem, that's okay.

27 MR TOURAY:

28 Q. You left Liberia for medical treatment?

29 A. Yes, sir.

1 Q. And that was to Accra?

2 A. Yes, sir.

3 Q. Were you given permission by the authorities before you

4 left?

14:48:21 5 A. You mean in --

6 Q. In Liberia?

7 A. Oh, yes, my wife went to the place --

8 Q. [Overlapping speakers] the authorities?

9 A. Yes, sir.

14:48:31 10 Q. I see -- gave you permission to leave for medical

11 treatment?

12 A. That was done, yes, sir.

13 Q. Who did you get permission from?

14 A. It was -- the unit commander.

14:48:44 15 Q. What was his name?

16 A. Say again?

17 Q. What is his name?

18 A. Chuckie.

19 Q. Chuckie Taylor?

14:48:54 20 A. Yes.

21 Q. He was your immediate boss?

22 A. Right, from the ATU?

23 Q. From the ATU?

24 A. Yes.

14:49:02 25 Q. And he gave you permission to go to Accra for treatment.

26 Now, at the time you were leaving, you had no intention

27 of going back?

28 A. No, sir, I had no intention of going back.

29 Q. And you said you left with just a pair of trousers?

1 A. Say again, sir.

2 Q. You left with just a pair of trousers and your papers is
3 what you said in evidence.

4 A. I left Liberia with my paperworks --

14:49:55 5 Q. And your trousers.

6 A. Well, I had my overnight bag -- I had my overnight bags.

7 Q. Yeah, but in answer to questions from learned counsel for
8 the first accused you said you left with a pair of
9 trousers and your papers [overlapping speakers].

14:50:14 10 A. A pair of trousers -- my overnight bags with my --

11 Q. Papers?

12 A. Papers, yes, sir.

13 Q. And you left your family behind in Liberia?

14 A. Yes, sir.

14:50:25 15 Q. Now, you pretended to the authorities that you were going
16 back?

17 A. Yes, sir, I pretended.

18 Q. And you claim to be an honest man?

19 A. I'm not claiming, sir; I am an honest man.

14:51:02 20 Q. You said so in your papers, in your documents -- your
21 statements?

22 A. I am an honest man.

23 Q. But that wasn't honest enough.

24 A. I am an honest man.

14:51:10 25 Q. That was not honest enough.

26 A. I am an honest man.

27 Q. Pretending, by leaving Liberia, you are going for
28 treatment, not even making mention of it to the
29 authorities?

1 A. Under the circumstances I should be --
2 Q. I'm not interested in the circumstances.
3 A. No, but I have to protect my own life.
4 Q. You were pretending.
14:51:25 5 [Several overlapping speakers]
6 THE WITNESS: But I have to protect my own life.
7 JUDGE THOMPSON: [Overlapping speakers] Witness, General.
8 THE WITNESS: Yes, sir.
9 JUDGE THOMPSON: Please, be quiet. Learned counsel for the
14:51:38 10 second accused --
11 MR TOURAY: If Your Honour pleases.
12 JUDGE THOMPSON: Of course, you have a right to suggest to
13 this witness that that was not honest enough, and I think
14 we've got his answer.
14:51:49 15 MR TOURAY: As Your Honour pleases.
16 JUDGE THOMPSON: I don't think anything would be achieved by
17 pursuing such an argumentative line of inquiry.
18 MR TOURAY: I am sorry, Your Honour --
19 JUDGE THOMPSON: He said -- what is your answer, General, you
14:52:04 20 were honest?
21 THE WITNESS: I was very honest.
22 JUDGE THOMPSON: Thanks. Let's proceed, learned counsel.
23 MR TOURAY:
24 Q. Now, have you tendered your resignation since then?
14:52:16 25 A. That's my own --
26 Q. Have you tendered your resignation since then?
27 A. I'm still on sick leave.
28 Q. You're still on sick leave?
29 A. Yeah.

1 PRESIDING JUDGE: That is, you have not yet tendered your
2 resignation.

3 THE WITNESS: I came -- I went for treatment, yes.

4 PRESIDING JUDGE: No, no, no; you have not tendered your
14:52:42 5 resignation?

6 THE WITNESS: No, sir.

7 JUDGE THOMPSON: And you added that you are still on sick
8 leave.

9 THE WITNESS: Sir?

14:52:50 10 JUDGE THOMPSON: You added that you are still on sick leave.

11 THE WITNESS: With the intention of not going back, yes,
12 sir -- with the intention of not going back.

13 MR TOURAY:

14 Q. Now, have you been sending regular medical reports to the
14:53:28 15 authorities, as you are on sick leave?

16 PRESIDING JUDGE: When you say not going back, that is to
17 Liberia?

18 THE WITNESS: I've not sent any medical report to any
19 authority since I left Liberia. I have never sent any
14:53:41 20 medical report to any authority since I left Liberia.

21 MR TOURAY:

22 Q. And you're on sick leave?

23 JUDGE THOMPSON: Learned counsel, would you let us write the
24 answers down? Please avoid these interjections.

14:53:51 25 PRESIDING JUDGE: When you say you have no intention of going
26 back, you mean you have no intention of going back to
27 Liberia?

28 THE WITNESS: I have no intention of going back to Liberia.

29 PRESIDING JUDGE: Learned counsel, what was your question?

1 MR TOURAY: I asked the witness whether he has sent regular
2 medical reports to the authorities. He said no.
3 JUDGE THOMPSON: Did I hear you say, "I have no intention of
4 going back"?

14:54:34 5 THE WITNESS: Yes, sir.
6 JUDGE THOMPSON: To Liberia?
7 THE WITNESS: Yes, sir.
8 JUDGE THOMPSON: Please continue, learned counsel.
9 MR TOURAY:

14:54:52 10 Q. Is your position vacant, or has it been filled?
11 A. I don't know. Since the transfer of me from that of the
12 commanding general position, they sent me over to the
13 anti-terrorist unit, so Taylor is out of the country and
14 every other president disbanded it. And, also, right now
14:55:09 15 we have interim government. As far as I'm concerned,
16 I am no more there, so I don't know what's happening on
17 the ground.
18 JUDGE THOMPSON: What was the question?
19 MR TOURAY: Whether his position has been filled.

14:55:21 20 JUDGE THOMPSON: He doesn't know.
21 THE WITNESS: I don't know.
22 MR TOURAY:

23 Q. Would you say you are the absconding General then?
24 A. Pardon me?
14:55:29 25 Q. The absconding General?
26 A. I'm what?
27 Q. Absconding General?
28 A. Could you break it down for me? I don't know what you
29 mean by "absconding" --

1 Q. Absconding from your position and post in Liberia?
2 A. I don't know about that.
3 JUDGE THOMPSON: Okay, just a minute.
4 THE WITNESS: I don't know about that, sir -- I don't know.
14:55:59 5 JUDGE THOMPSON: I don't know about my being an absconding
6 General; is that correct -- I don't know about my being
7 an absconding General?
8 THE WITNESS: Yes, sir, I don't know about being an absconding
9 General.
14:56:11 10 MR TOURAY:
11 Q. You said you left with your file of papers, did you not?
12 A. Yes, sir.
13 Q. Would you tell us the contents of those papers, or what
14 were they?
14:56:24 15 A. They are my privacy -- my personal documents.
16 Q. Like what?
17 A. I don't have to tell you that, counsellor; they are my
18 personal documents.
19 Q. Did they have anything to do with matters you are
14:56:35 20 testifying to in this Court -- that's my interest?
21 A. Well, my personal document -- it has to do with my own
22 sustainability and substantial document to justify --
23 Q. You say it has nothing to do with matters in this Court?
24 A. Counsellor, I don't know. They're my personal
14:56:51 25 documents -- my personal documents.
26 JUDGE THOMPSON: Yes, learned counsel.
27 MR HARRISON: I just want to interject. If the witness could
28 be reminded about the protection order and if perhaps
29 counsel could be reminded, if they do wish to go into

1 closed session, we would consent to it.

2 JUDGE THOMPSON: Learned counsel, do you intend to pursue
3 anything that may well touch and concern the protective
4 measures that are in force in respect of the witness?

14:57:26 5 MR TOURAY: Not at all, My Lord.

6 JUDGE THOMPSON: And you're not -- in other words, your
7 cross-examination on this particular issue is not likely
8 to be intrusive --

9 MR TOURAY: Indeed not, My Lord.

14:57:44 10 JUDGE THOMPSON: -- to unleash or unveil details that may well
11 infringe the protective measures; you give that
12 assurance?

13 MR TOURAY: I do, Your Honour.

14 JUDGE THOMPSON: Right, let's proceed.

14:57:59 15 JUDGE BOUTET: Before we do, counsel, please allow me.
16 Mr Witness --

17 THE WITNESS: Yes, sir.

18 JUDGE BOUTET: -- General, if you're asked a question, you
19 must answer the question. The question you've been asked
14:58:10 20 is whether or not you had papers in your possession when
21 you left that could have an impact -- I'm not sure of the
22 exact wording, but essentially that may relate to the
23 issues that you're testifying about today. Your answer
24 has been these are personal documents. Well, personal
14:58:27 25 documents or not, if you are asked in this Court --

26 THE WITNESS: I'm --

27 JUDGE BOUTET: Please let me finish.

28 THE WITNESS: I'm sorry, sir.

29 JUDGE BOUTET: If you're asked in this Court to describe these

1 documents, there's no such thing as personal documents
2 and, therefore, you must answer these questions --
3 THE WITNESS: Yes, sir.
4 JUDGE BOUTET: Unless it does reveal things for which you've
14:58:43 5 been given protection -- your address, your relocation
6 and so on. Other than that, you must respond.
7 THE WITNESS: Yes, sir.
8 MR TOURAY:
9 Q. The papers you left with, did you have anything amongst
14:58:56 10 those papers relating to issues you are testifying to in
11 this Court -- that is the question.
12 A. No, sir.
13 Q. No.
14 JUDGE THOMPSON: Continue, learned counsel.
15:00:09 15 MR TOURAY:
16 Q. Now, General, you made several statements; not so?
17 A. Yes, sir.
18 Q. I guess all these statements were responded to off
19 head -- that is, what you recollected off head without
15:00:28 20 reference to anything?
21 A. I did write a statement and I went through an
22 exclusive examination --
23 Q. Off head -- yes. Now, your handwritten notes, and I'm
24 referring to the handwritten notes, I think it's at page
15:01:12 25 8254 --
26 JUDGE THOMPSON: Counsel, you're not speaking into your mike.
27 MR TOURAY: Sorry, at page 8254 -- all those handwritten
28 notes, Your Honour.
29 JUDGE BOUTET: This is the document that is referred to as

1 "Witness statement (1)".

2 MR TOURAY: Yes, 1, 2, 3.

3 JUDGE BOUTET: All of those.

4 MR TOURAY: Yes, all of those.

15:01:43 5 JUDGE BOUTET: It starts indeed at 8255.

6 MR TOURAY: I'm much obliged, Your Honour.

7 Q. When did you prepare those statements?

8 A. Which statements?

9 Q. 8255 onwards -- all those handwritten notes you made.

15:02:27 10 A. This was sent to Melvin Teahjay.

11 Q. When did you prepare them?

12 A. This was in Gbarnga -- not Gbarnga, Ghana.

13 Q. Please don't disclose your new location [overlapping

14 speakers]

15:02:43 15 A. I said Ghana.

16 Q. Okay. Do you remember the time and the date?

17 A. It was some time in November.

18 Q. November what year?

19 A. Of 2002.

15:02:55 20 Q. 2002. They were written off head; not so?

21 A. Definitely.

22 Q. And you sent those ones to Milton Teahjay?

23 A. Yes, sir.

24 JUDGE THOMPSON: I sent them to whom?

15:03:28 25 MR TOURAY: Milton Teahjay, sir.

26 THE WITNESS: Milton Teahjay, T-E-A-H-J-A-Y --

27 JUDGE THOMPSON: Yes, I know the spelling. Thank you.

28 MR TOURAY:

29 Q. Now, this was the very first statement you made --

1 handwritten statement you made in relation to matters
2 relating to this court?

3 A. Well, I don't call that handwritten statement. It was,
4 like, a letter that I wrote -- and a comprehensive letter
15:04:05 5 inclusively, and I sent it over with some attached
6 document that related to my [inaudible] and newspapers
7 and other things. So that was the covering letter and
8 all those things I explained to him that would give him
9 some justification. That is what I wrote in my
15:04:24 10 handwriting in Ghana in November.

11 JUDGE THOMPSON: Your question was these are handwritten
12 statements he made.

13 MR TOURAY: He made, yes.

14 JUDGE THOMPSON: And his answer is that they're not.

15:04:37 15 THE WITNESS: They are not statements --

16 JUDGE THOMPSON: They are letters.

17 THE WITNESS: They are letters that I wrote to --

18 JUDGE THOMPSON: We need to be clear about the
19 characterisation. He's stating they're letters --

15:04:49 20 MR TOURAY: These are not statements, these are letters?

21 THE WITNESS: These are just covering letters that I sent --

22 JUDGE THOMPSON: Slowly, slowly. They are letters, they are
23 not handwritten statements.

24 THE WITNESS: They're letters. I tried to explain to him the
15:05:09 25 circumstances surrounding my departure --

26 JUDGE THOMPSON: Just a minute, General, we're trying to write
27 it down.

28 THE WITNESS: Yes, sir, these are letters --

29 JUDGE THOMPSON: You wrote to whom?

1 THE WITNESS: To honourable Milton Teahjay explaining my
2 circumstances and telling him one or two things
3 inclusively, but it was just letters -- it wasn't an
4 official statement.

15:05:29 5 JUDGE THOMPSON: Thank you.

6 THE WITNESS: Yes, sir.

7 JUDGE THOMPSON: Explaining my circumstances to him.

8 THE WITNESS: They were not official statements, sir.

9 JUDGE THOMPSON: Learned counsel, proceed.

15:05:46 10 MR TOURAY:

11 Q. Now, these letters contain substantial material relating
12 to issues in this trial?

13 A. That was to Milton, yes, sir.

14 Q. And you were being frank and honest to your godfather,
15 Milton Teahjay -- he's your godfather; not so?

15:06:23 16 A. Yes, sir.

17 Q. So you were being frank and honest to him?

18 A. Very honest.

19 Q. And you were prepared to tell him the whole story?

15:06:34 20 JUDGE THOMPSON: Just a minute.

21 THE WITNESS: Yes, sir, he asked me to, and I did.

22 JUDGE THOMPSON: Yes.

23 MR TOURAY:

24 Q. And what you informed him was your frank and honest
15:07:00 25 position on these matters?

26 A. My frank -- on which matter?

27 Q. On issues you mentioned therein?

28 A. What issue?

29 Q. Don't ask me questions. What did it contain?

1 A. What does it contain?
2 Q. You wrote it; I didn't write it?
3 A. Could you just read one or two paragraphs?
4 Q. I'm not prepared to read it.
15:07:22 5 JUDGE THOMPSON: General!
6 MR TOURAY: Don't ask me questions.
7 PRESIDING JUDGE: Counsel is asking you questions. Answer the
8 question.
9 THE WITNESS: What is the question, counsellor?
15:07:30 10 MR TOURAY:
11 Q. What you wrote was the honest and frank position?
12 A. I said yes, sir.
13 JUDGE THOMPSON: All right. Let's write that down.
14 MR TOURAY:
15:08:06 15 Q. And it was your very first attempt to put on paper, in
16 writing, the issues contained in this letter?
17 A. What issue?
18 Q. What they contained?
19 A. What issue, because what I wrote is what I wrote.
15:08:23 20 Q. What you wrote?
21 A. So the issue --
22 Q. So the first time you are putting in writing some of
23 these issues?
24 A. What are some of the issues?
15:08:31 25 JUDGE THOMPSON: General, General --
26 THE WITNESS: Yes, sir.
27 JUDGE THOMPSON: The question is simple.
28 THE WITNESS: Yes, sir.
29 JUDGE THOMPSON: Counsel is asking whether those matters

1 contained in those letters, which you yourself admitted
2 in the letters --
3 THE WITNESS: Yes, sir.
4 JUDGE THOMPSON: And they relate to some of the issues that
15:08:49 5 you may have testified to here about.
6 THE WITNESS: Yes, sir.
7 JUDGE THOMPSON: Whether those matters were written for the
8 first time by you --
9 THE WITNESS: To honourable Milton?
15:08:59 10 JUDGE THOMPSON: Yes.
11 THE WITNESS: Yes, sir.
12 JUDGE THOMPSON: Is that what you --
13 MR TOURAY: It is, sir.
14 THE WITNESS: Once I got the clarity, definitely I'll answer
15:09:07 15 the question.
16 JUDGE THOMPSON: We'll all try.
17 MR TOURAY: I'm trying, too.
18 PRESIDING JUDGE: General --
19 THE WITNESS: Yes, sir.
15:09:16 20 PRESIDING JUDGE: I would like to make a remark.
21 THE WITNESS: Yes, sir.
22 PRESIDING JUDGE: I think counsel is clear enough. Just
23 follow him and you'll see that counsel is clear enough.
24 THE WITNESS: I'm following the counsel, sir.
15:09:29 25 PRESIDING JUDGE: You avoid, you know, any passions?
26 THE WITNESS: No, sir.
27 PRESIDING JUDGE: Follow the questions attentively and I think
28 counsel has been plain enough. So just take your time.
29 THE WITNESS: Yes, sir.

1 PRESIDING JUDGE: And follow his questions?

2 THE WITNESS: I'm following his questions, but he shouldn't be
3 too aggressive -- without forcing. Let him be a little
4 moderate, without forcing. That's what happened
15:09:55 5 yesterday. Counsel, I'm listening to you.

6 JUDGE THOMPSON: [Microphone not activated]

7 JUDGE BOUTET: Judge Thompson, open your mike.

8 JUDGE THOMPSON: I apologise, thanks. I agree that that was
9 the first time I wrote about those issues to honourable
15:10:16 10 Milton Teahjay -- is that the correct rendition of your
11 response?

12 THE WITNESS: Yes, sir.

13 JUDGE THOMPSON: Proceed, Mr Touray.

14 PRESIDING JUDGE: Now, excuse me, you have limited it to
15:10:35 15 Milton Teahjay -- this is the first time you wrote on
16 these issues to Milton Teahjay.

17 THE WITNESS: It was addressed to Milton Teahjay directly.

18 PRESIDING JUDGE: Was that the first time you ever wrote
19 anything concerning the matters in that document -- was
15:10:54 20 that the first time?

21 THE WITNESS: Yes, sir, that was in the first time, but he
22 said in my handwriting, and within that particular month,
23 in November, he was very specific. I say yes, sir, that
24 was the first time I wrote such a letter and posted it to
15:11:09 25 honourable Milton, but that was the first time that
26 I ever wrote something concerning the issue we are
27 discussing here today.

28 PRESIDING JUDGE: All right. Counsel, you may proceed.

29 MR TOURAY:

1 Q. May I ask then when was the first time you wrote
2 something relating to the issues you are testifying to in
3 this Court?
4 A. Yes, sir, November; that was the first time I ever wrote.
15:11:33 5 JUDGE THOMPSON: Which year?
6 MR TOURAY: And that is these are letters to Milton Teahjay?
7 THE WITNESS: Yes, sir, honourable Teahjay.
8 MR TOURAY: This is the first time --
9 JUDGE THOMPSON: You said November 2000.
15:11:59 10 THE WITNESS: Some time in November, that's when I wrote.
11 JUDGE BOUTET: The first time you wrote is what we have here -
12 it's what you wrote while you were in Ghana.
13 THE WITNESS: Yes.
14 JUDGE BOUTET: The question you were asked before was -- and
15:12:14 15 you answered, "No, I had put something on paper before."
16 So I'm confused now. Is it the first time?
17 THE WITNESS: Which one -- when I was in Ghana, I mean --
18 JUDGE BOUTET: Not necessarily in Ghana. The question was not
19 in Ghana. The question was, was it the first time you
15:12:31 20 ever wrote something on paper about these issues?
21 THE WITNESS: No, sir. I thought he was talking about the
22 communication in question, because here you see Havana
23 which is Milton Teahjay's code name, so this is the
24 letter I wrote to honourable Milton. I thought that was
15:12:48 25 what he was making reference.
26 JUDGE BOUTET: I understand but the question, if I'm not
27 mistaken, was: when was that first time you ever wrote
28 something on paper about these issues?
29 THE WITNESS: That was --

1 JUDGE BOUTET: You answered, "I did write something before,"
2 so when was it and what was it? This is essentially the
3 question?
4 THE WITNESS: Concerning this letter here, sir?
15:13:11 5 JUDGE BOUTET: Concerning --
6 THE WITNESS: Because I'm confused.
7 JUDGE BOUTET: Concerning the matters that you are making
8 reference to in that letter, did you ever write anything
9 before that about these issues?
15:13:21 10 THE WITNESS: Oh, yes, sir.
11 JUDGE BOUTET: Well, that's the question -- where and when?
12 JUDGE THOMPSON: What's the answer?
13 THE WITNESS: [Overlapping speakers] to Honourable Milton, and
14 then, when the FBI came in Gbarnga for the interview --
15:13:37 15 not Ghana. I mean Ghana.
16 [HS111004D 3.15 p.m.]
17 THE WITNESS: In Ghana, for the exclusive interview. Besides
18 the hearing writing that I sent to Honourable Teahjay.
19 JUDGE THOMPSON: Perhaps.
15:06:19 20 PRESIDING JUDGE:
21 Q. Before you wrote to Honourable Milton Teahjay, had you
22 put anything other thing in writing, you know, on this
23 issue before you wrote to Honourable Teahjay? Had you
24 written anything before then on these issues?
15:06:40 25 A. Yes, sir, I think I should remember writing something to
26 my records. I should remember writing something.
27 Q. Try to remember and let us clarify -- answer counsel's
28 questions on these issues.
29 A. Yes, sir, counsel, go ahead.

- 1 Q. If you can remember when, when was it -- did you first
2 write to Honourable Milton Teahjay?
- 3 A. That is the time I wrote the UNHCR on behalf of my
4 asylum, those documents that I have, July.
- 15:07:18 5 Q. I see. I see?
- 6 A. When I wrote the UNHCR in Ghana, that was the first time,
7 the second time was Honourable Milton.
- 8 Q. That was the question. That is what we wanted to have
9 from you?
- 15:07:34 10 A. Well, okay, I'm sorry, because July I wrote my asylum,
11 and it was July '90, to be specific. I wrote my asylum
12 telling them the circumstances which led me to leave my
13 country. The second time was Honourable Milton.
- 14 Q. And this was what month, again, the United Nations High
15 Commission for Refugees? What month was this?
- 15:07:53 16 A. That was in July, sir.
- 17 Q. July.
- 18 A. That has to do with my --
- 19 JUDGE THOMPSON:
- 15:08:05 20 Q. Can you give us the year?
- 21 A. It is the same 2002, sir.
- 22 Q. 2002?
- 23 A. Yes, sir, July.
- 24 MR TOURAY:
- 15:08:52 25 Q. Now, around November 2002 were you aware of the setting
26 up of the Special Court?
- 27 A. I said no, sir.
- 28 Q. No. Were you aware of any pending case against Charles
29 Taylor, President Taylor?

1 A. No, sir.

2 Q. You were aware of any pending case against the RUF?

3 A. No, sir.

4 Q. Were you then aware of any investigations going on --

15:10:22 5 ongoing investigations against Charles Taylor?

6 A. No, sir.

7 Q. Were you aware of any ongoing investigations against the

8 RUF?

9 A. No, sir.

15:11:27 10 Q. Are you sure you had no information about any of these

11 things?

12 A. I said, no, sir.

13 Q. Well, General, how then would you be talking about -- let

14 me refer you to written statement 2. I believe it is at

15:12:19 15 page 8264.

16 A. What page is that, sir?

17 Q. I think it is 8264?

18 JUDGE BOUTET: Yes, it starts at 8264. Yes.

19 THE WITNESS: Okay, sir.

15:12:35 20 MR TOURAY: I think it is page 3 of that?

21 JUDGE BOUTET: Which is at page 8267.

22 MR TOURAY: Yes.

23 Q. Where you said, about the middle, "So whatever

24 information" --

15:12:53 25 A. What page is that?

26 JUDGE BOUTET: 8267.

27 THE WITNESS: Okay.

28 MR TOURAY:

29 Q. About the middle where you said, "So whatever information

1 that I'm giving you, sir, are all credible and should be
2 able to help you and the prosecuting officer to speed up
3 the case, especially the training of the RUF rebels, the
4 attack on Sierra Leone in March 1991 and the sale of
15:13:31 5 diamonds by Charles Taylor to purchase arms, ammunitions
6 and other logistical supplies." You were not aware, but
7 you are saying something like this.
8 A. That's right. I wasn't aware. Milton -- when I talked
9 to him on the telephone -- because he was sent --
15:13:46 10 Q. My question, General -- I don't need an explanation. You
11 get it from the prosecution. Simply answer my questions.
12 A. Yeah, but how do I answer the questions. This was sent
13 to Honourable Milton Teahjay.
14 Q. You were not aware, but you said this.
15:14:00 15 A. I wasn't aware.
16 Q. Okay.
17 A. I said it because he needed it. Milton Teahjay is not
18 part of the Court, so if he asked for this information, I
19 should give it to him, sir, with all due respect.
15:14:17 20 Q. What case were you talking about then?
21 A. He asked for --
22 Q. What case?
23 A. I don't know.
24 Q. Oh, you don't know.
15:14:24 25 A. I don't know. I don't think, sir.
26 JUDGE THOMPSON: That answer would seem to be this: "I do not
27 know what case I was referring to in that document."
28 Would that be correct?
29 THE WITNESS: Yes, sir. I don't know what case he was talking

1 about. He asked for this exclusive and I gave him these
2 informations, yes, sir. And it was addressed to
3 Honourable Milton Teahjay directly.
4 JUDGE THOMPSON: Yes, counsel.
15:15:11 5 MR TOURAY: Thank you, Your Honour.
6 Q. Now, you said you only knew -- let me put it this way:
7 When did you know that Morris Kallon would be standing
8 trial here under the RUF?
9 A. I didn't know if Morris Kallon, specifically as an
15:15:39 10 individual, was going to face trial.
11 Q. When did you know?
12 A. I don't know.
13 Q. You never knew?
14 A. No, sir.
15:15:45 15 Q. And up to this moment you don't know?
16 A. Now, that I'm involved, then I refresh my memory.
17 Q. Up to this moment, you don't know, do you?
18 A. No, sir. Up to this moment?
19 Q. Yes.
15:16:06 20 A. Now that I'm involved I do know.
21 Q. When?
22 A. The moment I got relocated and I accepted to get involved
23 and participate, and so then I begin to recollect all of
24 the activities and begin to put my paperwork together.
15:16:24 25 Q. Okay. So it was at the point of relocation that you
26 started putting things together?
27 A. Yes, sir. When I was asked specific questions.
28 JUDGE THOMPSON: Proceed, counsel.
29 MR TOURAY: Yes, My Lord.

1 Q. Now, your recollections were based on a span of about 14
2 years - ten to 14 years; not so, or it depends to accord
3 between 10 to 14 years?
4 A. Yes, between ten -- between 14 to 15 years.
15:17:19 5 Q. Yes. And without your documents, your papers, you rely
6 simply on your memories, or your recollections; not so?
7 A. Counsellor, yes, sir. I went to school and I learned.
8 Q. Indeed so, General.
9 A. I learned, sir.
15:18:01 10 Q. And you relied simply on your recollection of events?
11 A. Very well, sir. Very well.
12 Q. On the years, you memories could have faded,
13 recollections could have been mistaken?
14 A. That is why I had my field notes and my diary that I
15:18:44 15 took.
16 Q. But did you have them with you? You never had --
17 A. I never had them with me, but I did several phone calls.
18 I did several phone calls. [Overlapping microphones]
19 Q. The question is over the years your memory could have
15:18:56 20 faded?
21 A. How do you know that?
22 Q. I'm suggesting.
23 A. No, you can't suggest.
24 JUDGE THOMPSON: No, he can. General, he can suggest.
15:19:06 25 A. Well, he can suggest but --
26 JUDGE THOMPSON: No, no, no, General, understand our rules
27 here. You have your own rules in your own field.
28 THE WITNESS: Yes, sir.
29 JUDGE THOMPSON: Understand the rules here.

1 THE WITNESS: Okay, sir.

2 JUDGE THOMPSON: He can make that suggestion here. You can
3 agree or disagree.

4 THE WITNESS: Okay, sir, I'm sorry. I have not been in your
15:19:25 5 court, so please go ahead. Thank you for your
6 corrections.

7 JUDGE THOMPSON: You can disagree with him as strongly as you
8 want to.

9 MR TOURAY:

15:19:34 10 Q. I'm suggesting, General.

11 A. I disagree. I have a very good recentive [sic] memory.
12 [Overlapping microphones]

13 Q. Very well, thank you.

14 A. I disagree. I have a very good recentive memory.

15:19:41 15 JUDGE THOMPSON:

16 Q. "I have a very good retentive memory," you said?

17 A. Oh, very well, yes, sir.

18 MR TOURAY:

19 Q. But all the same, General --

15:20:12 20 JUDGE THOMPSON: Wait, I didn't call for a comment. Could you
21 just wait.

22 MR TOURAY: Yes, sir.

23 JUDGE THOMPSON: Right, proceed, counsel

24 MR TOURAY:

15:20:28 25 Q. Then you had to refer to your assistants for field
26 notes -- to fill you in on field notes on your diaries;
27 not so?

28 A. Oh, yes, sir, I mean -- [overlapping microphones]

29 Q. Where was that?

1 A. Counsellor, sometime you got to refer to your law books
2 and other thing, so I have my own diary that I took
3 notes. So to be very exact and accurate, I have to make
4 reference to my diary.

15:20:49 5 Q. [Overlapping microphones] for the reference?

6 A. Say that again sir?

7 Q. What was the need for the reference?

8 A. What was the need?

9 Q. For the reference.

15:20:55 10 A. For accuracies and credibility.

11 Q. For accuracies and credibility.

12 [Several Defence counsel laugh]

13 JUDGE THOMPSON: Just a minute, counsel.

14 THE WITNESS: For accuracies and credibility, because any
15:21:03 15 information you give, you have to give justification.
16 And I told you I'm honest; this is where the honesty
17 coming in.

18 Q. We'll see about that. [Microphone not activated] so you
19 had to refer to your special assistant in Liberia to fill
15:21:28 20 you in for accuracy and credibility?

21 A. Yes, sir. I did mention that in my exclusive interview,
22 yes, sir.

23 Q. And your field notes, your diaries you did not submit to
24 the Court -- to the Prosecution?

15:21:46 25 A. There was no way I could have submitted it. I told the
26 chief investigator, on many occasions, if you have the
27 means of sending for them. I have gave the information
28 who is supposed to contact before the last incursion on
29 the capital city.

- 1 Q. Where are your diaries, your diaries?
- 2 A. In Monrovia, Liberia. But they got looted.
- 3 Q. They got looted?
- 4 A. Yes, sir.
- 15:22:12 5 Q. Conveniently. And your field notes also looted?
- 6 A. Well, no militarily we say field notes, but the civilian
7 pronunciation we say diary.
- 8 Q. So it's the same thing?
- 9 A. It's the same version.
- 15:22:34 10 Q. So no one can lay hands on it now?
- 11 A. Well, I don't know, because when the war enters Monrovia,
12 they looted the house of my special assistant. They
13 looted my house when I left, so --
- 14 Q. Let me suggest to you --
- 15:23:04 15 A. Yes, sir.
- 16 Q. -- that the additional supplementary statements you made
17 in 2004 were merely embellishments by you to incriminate
18 my client Morris Kallon?
- 19 A. No, sir. No, sir.
- 15:23:30 20 Q. And this is why you conveniently say that the source of
21 information, which could have been relevant to this
22 Court, is not available, because it has been looted?
- 23 A. No, sir. No, sir.
- 24 PRESIDING JUDGE: He's referred to the source of the
15:24:27 25 information as the diary.
- 26 MR TOURAY: Yes, the diary, My Lord.
- 27 Q. Now, General, you joined the army in 1971?
- 28 A. Yes, sir, January 16, 1971, sir.
- 29 Q. You were a private after a few years?

1 A. Oh, yes, sir. When I joined the army, upon graduation I
2 was private and assigned as assistant instructor.

3 PRESIDING JUDGE: 16th of January -- excuse me. 16th of
4 January, 1971.

15:25:50 5 THE WITNESS: Yeah, January 16, 1971. That's when I joined
6 the army.

7 MR TOURAY:

8 Q. What was your next promotion after that, after being a
9 private?

15:26:04 10 A. My next promotion was an assistant instructor.

11 Q. That's not a rank. I'm asking about ranks.

12 A. Well, you talk about promotion.

13 Q. Private [overlapping microphones]

14 A. No, you didn't talk about rank. You said: "What was
15:26:17 15 your next promotion?"

16 Q. In rank?

17 A. Okay, sir. My next promotion in rank was -- that was
18 from 1971 -- '72 before I went to PWI.

19 Q. What was it, the promotion in rank?

15:26:32 20 A. I became a sergeant.

21 Q. Sergeant?

22 A. Yes.

23 Q. Tactical sergeant?

24 A. Tactical sergeant.

15:26:40 25 Q. Yes, that's what I'm saying.

26 A. Yes, that's it, tactical. You got it right, tactical.

27 Q. Thanks. That was what year?

28 A. Sir?

29 Q. When was that that you became a tactical sergeant?

1 A. That was -- that was between 1974, 1975 when we got a
2 strike on PWI. I was tactical sergeant and assigned
3 instructor at the top military academy.
4 Q. Forget about the position, just tell us your rank. Yes,
15:27:30 5 when was the next promotion in rank?
6 A. That was in 1981 when I became warrant officer 1. WO1.
7 Q. Warrant officer 1?
8 A. Yes.
9 Q. 1980?
15:27:42 10 A. Yes, sir.
11 Q. And the next one was when?
12 A. That was when I returned from the United States. I --
13 Q. What was your rank?
14 A. It was second lieutenant ad hoc and when I returned, I
15:28:12 15 was then commissioned proper, second lieutenant.
16 Q. What year was that?
17 A. I became a tactical officer. That was in 1983, '84.
18 Q. What was the final one before '89, or around '89?
19 A. The final rank?
15:28:23 20 Q. Yes, about '89?
21 A. Was captain.
22 Q. You were captain in 1989?
23 A. Exactly, professors of military assigned science at PWI.
24 Q. Forget about all that. So it is correct to say that it
15:28:42 25 took you 18 years to move from private to a captain, 18
26 years?
27 A. Well, from a your mathematical calculations.
28 Q. And I think I'm right. 18 years to move from private to
29 captain; isn't that right '71 to '89. In 1990 you say

1 you were --

2 JUDGE THOMPSON: What was the answer to that?

3 MR TOURAY: He says according to my -- [overlapping

4 microphones]

15:29:27 5 A. I said, yes, sir, 18 years, I mean if his mathematical

6 calculations -- mathematically that is right from '71 to

7 '89 is 18 years. I said yes, sir.

8 JUDGE THOMPSON: Okay, counsel.

9 MR TOURAY:

15:29:50 10 Q. In 1990 you were with the NPFL?

11 A. I said, yes, sir, when I surrendered June.

12 Q. I have not asked you the circumstances. Simply answer my

13 questions.

14 A. But how did I get with the NPFL? I had to surrender.

15:30:04 15 JUDGE THOMPSON: What is the question, counsel?

16 THE WITNESS: He said you were with the NPFL. I was --

17 [Overlapping microphones]

18 JUDGE THOMPSON: General! Let's have the question again.

19 Q. 1990 you with the NPFL?

15:30:16 20 A. I said, yes, sir.

21 JUDGE THOMPSON: 19910 he was with the --

22 MR TOURAY: NPFL, Charles Taylor.

23 JUDGE THOMPSON: Yes, proceed.

24 MR TOURAY:

15:30:33 25 Q. What rank did you hold there?

26 A. When I joined the National Patriotic Front?

27 Q. Yes.

28 A. I became brigadier general.

29 Q. Indeed. What a rapid promotion, brigadier general of the

1 NPFL?

2 A. Yes, sir. Brigadier general of the National Patriotic
3 Front of Liberia, NPFL.

4 Q. And your boss was Charles Taylor?

15:30:58 5 A. Very well. He was the rebel lead for the NPFL.
6 Definitely he became my boss.

7 Q. That is a very high rank, isn't it, brigadier general?

8 A. Say that again?

9 Q. It's a very high rank?

15:31:31 10 A. Merited. Oh, yes, sir, merited.

11 Q. No, I'm not saying that. Suddenly from captain under
12 normal circumstances to --

13 A. That's not impossible. People can get promoted from
14 grade 6 to 9th grade depending on your academic
15:31:49 15 performances.

16 Q. [Overlapping microphones]

17 A. Have you never seen that before? Oh, yeah, counsellor,
18 they've got some brilliant students.

19 Q. I know.

15:31:52 20 A. Very well.

21 Q. But 18 years from private to captain then --

22 A. Oh, yes. We were the brain behind the armed forces of
23 Liberia, the brain. From NCOs -- we trained officers.
24 Have you never had the capability of being a chief of
15:32:09 25 staff? Yes, sir, I do. Backed by my military training
26 and my educational background, yes, sir.

27 JUDGE BOUTET: Mr Witness, General, please, answer the
28 question. You are not asked to give a lecture on how you
29 get promoted in the military.

1 THE WITNESS: I'm sorry. I became a general, yes, sir.
2 JUDGE BOUTET: You're asked specific questions.
3 JUDGE THOMPSON: And counsel said it was a very high rank.
4 THE WITNESS: Yes, he said, so I tried to --
15:32:34 5 JUDGE THOMPSON: And you agree, it's a high rank?
6 THE WITNESS: What?
7 MR TOURAY:
8 Q. High rank?
9 A. High?
15:32:38 10 Q. Yes.
11 A. Higher rank?
12 Q. Yes.
13 A. Oh, yes. Yes, sir.
14 JUDGE THOMPSON: Well, fine.
15:32:43 15 A. Well, that's not very high, brigadier. You still got
16 some other ranks ahead. Yes, sir, brigadier.
17 JUDGE THOMPSON: Go on, counsel.
18 MR TOURAY: Yes, sir.
19 Q. And you were brigadier general NPFL up to when -- and
15:33:00 20 during that time you were performing --
21 JUDGE THOMPSON: No, one at that time.
22 MR TOURAY: Yes, sorry, My Lord.
23 Q. Whilst you were brigadier general of the NPFL, you were
24 performing liaison duties as representative of the NPFL?
15:33:19 25 A. You got it misconstrue. Did I tell you liaison, no sir.
26 PRESIDING JUDGE: Counsel is asking you.
27 A. I was not liaison.
28 MR TOURAY:
29 Q. Weren't you doing liaison duties?

1 A. Yes. That was when they had the de facto government and
2 the government of inclusion, sixth presidency. I was in
3 liaison between ECOMOG and then the interim governments.
4 Q. Were you a liaison for the NPFL?
15:33:48 5 A. I was -- I a regional commander for the joint ceasefire
6 and disarmament committee, but not liaison.
7 JUDGE THOMPSON: So you were not liaison for the NPFL?
8 A. Liaison, sir.
9 JUDGE THOMPSON: Yes, for the NPFL, that was his question.
15:34:05 10 Were you or were you not?
11 A. Liaising between people.
12 JUDGE THOMPSON: Well, you know this. I mean, you are the man
13 who is knowledgeable in these matters. You know what you
14 were doing there and I think the question was simply:
15:34:19 15 Were you as brigadier general, whilst holding the rank of
16 brigadier general were you a liaison for the NPFL?
17 [Overlapping microphones]
18 THE WITNESS: Yes, I was liaison. Yes, I was. No problem.
19 JUDGE THOMPSON: Yes, all right.
15:34:35 20 THE WITNESS: I was liaison.
21 MR TOURAY:
22 Q. For the NPFL?
23 A. Yes.
24 Q. Yes.
15:34:54 25 JUDGE THOMPSON: Yes, Mr Touray.
26 MR TOURAY:
27 Q. That was up to what year?
28 A. Well, I was part of the training command, a training
29 commandant.

1 Q. No, I've not asked you about training commandant. Up to
2 what year were you brigadier general?
3 A. Up to the time President Taylor -- until Taylor was
4 elected president of the republic.
15:35:22 5 Q. Up to 1997?
6 A. Yes.
7 Q. So from 1990 up to 1997. For seven years you worked for
8 the NPFL?
9 A. Until he became President of the Republic of Liberia.
15:35:38 10 Q. Very senior positions [microphone not activated]
11 JUDGE THOMPSON: Proceed, counsel.
12 MR TOURAY:
13 Q. Now, after the elections how did you fair around?
14 A. After the elections I was then assigned assistant chief
15:36:08 15 of staff G3 and became a colonel, a full colonel.
16 Q. Under whose government?
17 A. Sir?
18 Q. Under whose government?
19 A. Under Charles Taylor government.
15:36:22 20 Q. Your former boss.
21 JUDGE THOMPSON: [Microphone not activated] Chief of Staff --
22 THE WITNESS: Assistant chief of staff in charge of planning,
23 training and operation, G3.
24 MR TOURAY: Under the government Charles Taylor.
15:36:37 25 JUDGE THOMPSON: Did you say G3?
26 THE WITNESS: Yes, sir, G3.
27 MR TOURAY:
28 Q. Was that immediately after the election, after --
29 A. Immediately after the elections I was then appointed the

1 assistant chief of staff G3 and then commissioned to the
2 rank of full colonel.
3 Q. For your outstanding performance?
4 A. Sir?
15:37:04 5 Q. That was for your outstanding performance during the
6 rebel regime?
7 A. That I can't answer yes or no. You get promoted from
8 merits and from outstanding performances.
9 Q. That is what I'm saying.
15:37:22 10 A. A job well done, yes, sir.
11 Q. [Overlapping microphones] regime. Yes, that's what he
12 says, Your Honour.
13 JUDGE THOMPSON: In other words, the commissioning to the rank
14 of colonel was --
15:37:36 15 MR TOURAY: Was as a result of outstanding performance.
16 JUDGE THOMPSON: During the rebel regime?
17 MR TOURAY: Yes.
18 JUDGE THOMPSON: All right, let's proceed.
19 MR TOURAY:
15:44:44 20 Q. So from assistant Chief of Staff you finally became what,
21 brigadier general or --
22 A. Commanding general, yeah, brigadier general. Promoted to
23 rank of brigadier and then assigned commanding general of
24 the arm forces.
15:45:00 25 Q. What year was that?
26 A. Well, I was nominated in '99 and became commissioned
27 2000, January.
28 JUDGE BOUTET: Well, counsel, I am confused. I thought one of
29 your questions was that in 1990, when the general joined

1 the NPFL, he was then promoted to brigadier general.
2 MR TOURAY: Of the NPFL.
3 JUDGE BOUTET: Of the NPFL?
4 MR TOURAY: Yes, Your Honour, not the civilian government of
15:45:34 5 the Charles Taylor.
6 JUDGE BOUTET: Okay. Now he has been promoted to colonel to
7 brigadier general of the army in Liberia.
8 MR TOURAY: Yes.
9 THE WITNESS: Yes, sir that was after the demobilisations.
10 JUDGE BOUTET: Thank you.
11 THE WITNESS: And we had a legitimate government that were
12 elected democratically.
13 MR TOURAY:
14 Q. So, General, it is correct to say, it is not, that within
15:46:08 15 a space of -- within a space of ten years you were a
16 brigadier general from the rank of captain?
17 A. Within the space of ten years I became a brigadier
18 general, yes, sir --
19 Q. From the rank of captain?
15:46:32 20 A. -- after elections. From the rank of captain?
21 Q. Yes.
22 A. Yes, I rose from the rank of captain. You only say from
23 captain NPFL time and I became brigadier general, and
24 then, after the elections I was brought back to colonel,
15:46:48 25 after demobilisations, then, of course, I went to
26 brigadier general. But 1997 before the -- before the
27 revolution, of course, I went for my advanced military
28 training in the United States again, and from all my
29 military training backgrounds, coupled with my

1 qualifications, and that's it, so being a brigadier
2 general, that command was no problem. Absolutely I
3 took --
4 PRESIDING JUDGE: Counsel, can you proceed, please.
15:47:22 5 MR TOURAY: Yes.
6 Q. Now, I'm suggesting to you that your phenomenal rise in
7 the AFL, after the elections, was because of your
8 loyalty, dedication and obedience to Charles Taylor
9 during the rebel period?
15:47:50 10 A. Did you say phenomenal?
11 Q. Yes.
12 A. I don't understand what you mean about phenomenal.
13 Q. You don't understand?
14 A. No, sir.
15:48:00 15 PRESIDING JUDGE: Your sudden rise, your kick, sudden rise.
16 MR TOURAY:
17 Q. Yes, from captain to brigadier general was because of
18 your loyalty to Charles Taylor?
19 A. That's not -- well --
15:48:13 20 Q. Loyalty to Charles Taylor, general?
21 A. Commitment to my job.
22 Q. Commitment to orders given you?
23 A. Orders given me?
24 Q. Yes, by Charles Taylor.
15:48:28 25 A. Of course, yes, he gave orders and I had to execute --
26 Q. [Overlapping microphones] -- and dedication to your job?
27 A. Yes, sir.
28 Q. So loyalty to Charles Taylor, commitment to orders given
29 and dedication to your job?

1 A. Yes, sir.

2 Q. So you were loyal to Charles Taylor?

3 A. I said yes, sir.

4 Q. Good. And you obeyed his orders?

15:49:14 5 A. Well, he is the rebel leader, so he gave orders, you have
6 to accept it, yes, sir.

7 Q. You obeyed his orders?

8 A. Yes, sir. The orders were obeyed.

9 Q. And you carried out your duties under his regime with
15:49:30 10 dedication and commitment?

11 A. I've answered that question already, sir.

12 Q. So answer it again.

13 JUDGE BOUTET: You must comply, general.

14 THE WITNESS: I said yes, sir. I said yes, sir.

15:49:50 15 MR TOURAY: Good.

16 PRESIDING JUDGE: Does he say with dedication and commitment?

17 MR TOURAY: Indeed so, Your Honour.

18 THE WITNESS: With dedication and commitment, yes, sir.

19 JUDGE THOMPSON: [Micro hone not activated]

15:50:23 20 MR TOURAY:

21 Q. Now, you've led this court to believe that you charge of
22 training recruits.

23 JUDGE THOMPSON: Counsel.

24 THE WITNESS: Yes, sir.

15:50:38 25 JUDGE THOMPSON: Counsel, why not "you told this court". You
26 told this court; not so?

27 MR TOURAY: He has given evidence in this court.

28 JUDGE THOMPSON: Yes, yes, quite right.

29 MR TOURAY: That he was in charge of training of the NPFL

1 rebels.

2 THE WITNESS: Yes, sir.

3 Q. You did that with dedication, commitment and full
4 loyalty, as well?

15:50:59 5 A. Yes, sir.

6 Q. But you don't say you are proud of your products? You
7 wouldn't say you are proud of your products?

8 A. I would not say I'm proud of my products?

9 Q. Yes.

15:51:25 10 A. Could you paraphrase that question --

11 Q. The rebels you trained, are you proud of them?

12 A. If I'm proud of them?

13 Q. Yes?

14 A. Well, it should be true --

15:51:33 15 Q. Are you proud of them? That is the question, general.

16 A. I'm proud of my trainees, yes.

17 Q. Yes.

18 A. I'm proud of my trainees.

19 Q. Of your trainee rebels?

15:51:42 20 A. Yes.

21 Q. Yes.

22 JUDGE THOMPSON: What is the answer? Are you proud of your
23 trainees?

24 THE WITNESS: Yes, sir. I'm proud of my trainees.

15:51:57 25 JUDGE THOMPSON: That's all he's said.

26 MR TOURAY:

27 Q. Yes, I'm saying they are rebels and he says yes, he's
28 proud of them.

29 A. I'm proud of my trainees that were trained.

1 Q. Were they not rebels?
2 A. Well, I mean, I'm proud of my trainees that were trained.
3 Q. To be rebels.
4 A. I'm proud of my trainees.
15:52:08 5 Q. You trained them to be rebels, General.
6 A. I'm proud of my trainees.
7 Q. As what, as rebels?
8 A. But that's rebel war we're fighting.
9 Q. Right, so as rebels. What is your answer?
15:52:19 10 A. Yes, sir.
11 Q. Yes.
12 A. I'm proud of my trainees.
13 Q. As rebels, you were fighting a rebel war?
14 A. Right, that's right.
15:52:44 15 JUDGE THOMPSON: I need to have something clear. General,
16 what is your answer, just for my own edification? What
17 is answer to that question?
18 THE WITNESS: I said yes, sir.
19 JUDGE THOMPSON: That -- yes, sir, what? It began "I am proud
15:53:00 20 of".
21 THE WITNESS: My trainees.
22 JUDGE THOMPSON: Is that your complete answer.
23 THE WITNESS: That's my answer: I'm proud of my trainees.
24 MR TOURAY:
15:53:05 25 Q. I said as well as --
26 A. But that's your own additions.
27 Q. Yes, that's what I'm saying.
28 A. I'm proud of my trainees.
29 Q. You were fighting a rebel war?

1 A. Are you putting words in my mouth, counsellor?

2 Q. Not at all.

3 A. I'm proud of my trainees.

4 JUDGE THOMPSON: Learned counsel, there's no need for that
15:53:20 5 engagement. This witness has testified and given an
6 answer.

7 MR TOURAY: Yes, I'm sorry, My Lord.

8 JUDGE THOMPSON: I mean, you can reserve whatever you have to
9 say for comment.

10 MR TOURAY: I will, sir.

11 JUDGE THOMPSON: Continue.

12 MR TOURAY:

13 Q. And these trainees were part of the NPFL, rebels also?

14 A. Yes, sir.

15 JUDGE THOMPSON: Continue, counsel.

16 MR TOURAY:

17 Q. Now, you said in your evidence that - I believe it was in
18 cross-examination - that you were not responsible for
19 training the first wave of fighters in Sierra Leone.

15:54:13 20 A. Did I say? Say that again.

21 Q. That you were not responsible for training the first wave
22 of fighters in Sierra Leone?

23 A. The first wave?

24 Q. Yes?

15:54:30 25 A. I can't remember saying anything like that. Maybe you
26 got to check your notes.

27 MR SANTORA: I'm just going to object on a misstatement of the
28 evidence.

29 JUDGE THOMPSON: Yes. Learned counsel for the second accused,

1 Mr. Touray --

2 MR TOURAY: Yes, Your Honour.

3 JUDGE THOMPSON: -- it has been objected that you probably

4 have misrepresented the evidence.

15:54:50 5 THE WITNESS: I didn't say that.

6 JUDGE THOMPSON: Just a minute, General.

7 THE WITNESS: Yes, sir, chief.

8 JUDGE THOMPSON: Restrain yourself a little.

9 MR TOURAY: I'll just consult my notes.

15:55:14 10 JUDGE BOUTET: Mr. Touray, it is probably in your use of the

11 words, "the first wave of rebels".

12 PRESIDING JUDGE: First batch, use batch.

13 JUDGE THOMPSON: Yes, I don't know why you use the word

14 "wave". I don't remember.

15:55:29 15 PRESIDING JUDGE: Why don't you use the word "batch"?

16 JUDGE THOMPSON: I agree. I never heard wave [overlapping

17 microphones]

18 MR TOURAY: Okay, shall I say batch?

19 JUDGE THOMPSON: Do you concede now? Mr Touray, you concede

15:55:40 20 your colleague's objection?

21 MR TOURAY: Oh, I see.

22 JUDGE THOMPSON: We'll sustain it.

23 MR TOURAY: Well --

24 JUDGE THOMPSON: Because I did not hear "wave", that's not --

15:55:47 25 MR TOURAY: Okay, so I I'll use the word batch.

26 JUDGE THOMPSON: Is the objection still?

27 MR SANTORA: Then the objection -- if I understand it, the

28 objection is the statement that the witness did not

29 testify to training the first batch or wave -- batch or

1 wave of fighters in Sierra Leone.

2 PRESIDING JUDGE: That is what counsel is saying.

3 MR SANTORA: I'm objecting that is a misstatement of the
4 evidence.

15:56:16 5 JUDGE THOMPSON: Well, in what respect -- in what material
6 respect is there, since the objection is not a wave, then
7 in what respect is the misrepresentation.

8 MR SANTORA: That the witness has testified that in his
9 training duties training various groups, that one of
15:56:33 10 these groups was part of the first wave or batch to go
11 into Sierra Leone, and my understanding is that the
12 assertion was that he was not involved in training the
13 first wave or batch.

14 JUDGE THOMPSON: In other words, he did not train.

15:56:50 15 MR SANTORA: He did not train --

16 JUDGE THOMPSON: Train the first batch or wave.

17 MR SANTORA: Of fighters that --

18 JUDGE THOMPSON: That went into Sierra Leone.

19 MR SANTORA: That went into Sierra Leone.

15:56:58 20 JUDGE THOMPSON: So that's your observation? That is your
21 complaint.

22 MR SANTORA: My complaint is that that is a misstatement.

23 JUDGE THOMPSON: In other words, that's a misrepresentation.

24 MR SANTORA: Misrepresentation of the evidence.

15:57:11 25 JUDGE THOMPSON: Learned counsel?

26 MR TOURAY: I think that is an objection of relevance.

27 JUDGE THOMPSON: That, in fact, there was no admission by this
28 witness that he did train the first batch or wave of
29 fighters to come into Sierra Leone. Is that it?

1 MR SANTORA: I'm sorry, because I am not making myself clear,
2 I think. My objection was that counsel -- my learned
3 colleague asserted that he did not train the first wave
4 or batch to enter Sierra Leone.

15:57:41 5 JUDGE THOMPSON: Yes.

6 MR SANTORA: And I said that that was a misstatement of the
7 evidence. And the witness has asserted that in his
8 training duties, he did train the first group, that was
9 among a larger group, to go into Sierra Leone.

15:57:58 10 JUDGE THOMPSON: So it is the other way? It is the converse.

11 MR SANTORA: Exactly.

12 JUDGE THOMPSON: All right. Thank you for that clarification.
13 Mr. Touray.

14 JUDGE BOUTET: Counsel, I'm not sure that I agree with you.

15:58:21 15 This is not my recollection on the training portion, but
16 I thought the evidence was that this witness, as a
17 training officer, did train some recruits - let's use the
18 word "recruits" at this time - and that group eventually
19 ended up as part of the RUF fighters in Sierra Leone.

15:58:45 20 MR SANTORA: As part of the first wave of fighters. That is
21 what I was objecting to.

22 JUDGE THOMPSON: That is his contention.

23 MR SANTORA: It was part.

24 JUDGE THOMPSON: Part, not the first wave.

15:58:54 25 MR SANTORA: Part of the first wave.

26 JUDGE BOUTET: Because my recollection was that in the first
27 wave, there was more than just these people that had been
28 recruited that the witness had trained.

29 MR SANTORA: That's correct, but the assertion was that his --

1 they were not at all part.

2 JUDGE THOMPSON: I think the objection is valid from what we

3 recollect and, perhaps, counsel would want to rephrase

4 that question so as not to elicit the objection that has

15:59:35 5 now been sustained.

6 MR TOURAY:

7 Q. Now, let me put it this way: You said in the third group

8 of fighters you trained, you came to know that they were

9 Sierra Leoneans.

15:59:49 10 A. Yes, sir.

11 Q. You didn't know whether there were Sierra Leoneans in the

12 first group?

13 A. The first group there were no Sierra Leonean. The second

14 group there was no Sierra Leonean, but the last group --

16:00:26 15 JUDGE THOMPSON: Just let him ask the questions. Don't

16 volunteer answers to questions not asked.

17 THE WITNESS: I'm sorry. I'm sorry, Your Honour.

18 JUDGE THOMPSON: The first group there were no Sierra

19 Leoneans.

16:00:39 20 THE WITNESS: There were not Sierra Leonean

21 MR TOURAY:

22 Q. And in the second as well?

23 A. There was no Sierra Leonean.

24 Q. Now, you did say, in the third group you eventually got

16:01:07 25 to know that there were 96 Sierra Leoneans?

26 A. Because there was a situation that developed.

27 PRESIDING JUDGE: Yes, we know.

28 MR TOURAY:

29 Q. Now, you don't even know any one of those Sierra Leoneans

1 that were in that group of 96?

2 A. You say if I don't know any of them?

3 Q. Yes.

4 A. I didn't hardly know them personally.

16:01:56 5 Q. Yes.

6 JUDGE THOMPSON: Yes, counsel.

7 MR TOURAY:

8 Q. Now, were, you aware that there were Special Forces?

9 A. If I was aware?

16:02:03 10 Q. Sierra Leonean Special Forces in Liberia?

11 A. Oh, yes, I'm aware.

12 Q. You were aware. Did you interact with them?

13 A. They were all on the frontline fighting. That's were the

14 Susu came from.

16:02:23 15 Q. Frontline where, in Liberia?

16 A. On the battlefield fighting along side the NPFL Special

17 Forces that came along.

18 Q. [Overlapping microphones] -- with the NPFL?

19 A. Yes, sir, fought along side. So they were on the

16:02:29 20 frontline when I surrendered.

21 JUDGE THOMPSON: So you did not interact with them?

22 THE WITNESS: No, no, sir, I didn't interact with any of them.

23 The Special Forces from Sierra Leone I heard of them, but

24 I didn't --

16:02:44 25 MR TOURAY:

26 Q. You only heard of them. You don't know their number?

27 A. What number? There were two squads, two squads, commando

28 squads.

29 Q. 22?

1 A. Approximately 30 commando squads. I think Foday Sankoh
2 himself made it 31.
3 Q. 31 Special Forces?
4 A. Yeah.
16:03:08 5 Q. You don't know any of their names?
6 A. I said they were on the frontline. Only Sankoh I saw and
7 the very time they were having the rally point in Camp
8 Naama is when they asked that everybody should come over.
9 PRESIDING JUDGE: For purposes of the court record, please,
16:03:31 10 counsel and witness, you know, should not be speaking at
11 the same time. You should try and avoid speaking at the
12 same time or getting involved in an exchange.
13 MR TOURAY: As Your Honour pleases.
14 Q. It is good for one to finish and for the other one to
16:03:44 15 continue. This would make for the clarity of the
16 records.
17 MR TOURAY: Thank you.
18 THE WITNESS: Thank, sir.
19 PRESIDING JUDGE: It is creating some confusion in the level
16:03:57 20 of the records.
21 MR TOURAY:
22 Q. Now, now you still maintain that these 96 Sierra Leoneans
23 were trained at Konola?
24 A. Yes, sir after we saw them out.
16:04:15 25 Q. And that --
26 JUDGE THOMPSON: Trained at where?
27 MR TOURAY:
28 Q. And that --
29 JUDGE THOMPSON: They were trained at where?

1 THE WITNESS: Konola, Konola Academy.
2 JUDGE THOMPSON: Yes, okay.
3 MR TOURAY:
4 Q. Camp Naama was just a rallying point for a few days?
16:04:51 5 A. Camp Naama?
6 Q. Yes.
7 A. Camp Naama was another training base.
8 Q. It was just a rally point for them for a few days before
9 take off?
16:04:57 10 A. Camp Naama?
11 Q. Yes.
12 A. Yes, sir, Camp Naama was a rally point.
13 Q. For how many days?
14 A. Well, Camp Naama was a rally point from the day they came
16:05:06 15 over, that was from around February, and they stayed
16 until deployment, about three, four, five days.
17 Q. General, let me refer you to -- I'm putting it to you --
18 A. Sir.
19 Q. I'm putting it to you that if any Sierra Leoneans were
16:06:01 20 trained in Liberia for the RUF, they were trained at Camp
21 Naama not at Konola.
22 A. No, no, sir. I'm also telling you that there were -- the
23 96 Sierra Leoneans that were sorted out from Konola, we
24 brought them to Camp Naama to be able to make up an
16:06:29 25 aggregate of 292 - the NPFL and, of course, the Special
26 Forces that came along with Sankoh. Now, maybe the -- I
27 guess what you really want to know is when the war
28 started, because where we deployed them -- I mean, where
29 we took them to the agricultural battalions in Camp

1 Naama -- that's where they have houses. In 1991 when the
2 war started, they decided to make that particular place
3 their base, the RUF base, but initially the 92 were
4 brought all to Camp Naama, .o if you want to think about
16:07:02 5 the time they were based over there, that's different a
6 different issue.

7 JUDGE THOMPSON: General, the answer is that you do not agree.

8 THE WITNESS: Yes, sir.

9 JUDGE THOMPSON: That the 96 Sierra Leoneans were trained at
16:07:14 10 Camp Naama, not at Konola Academy, because that's what
11 he's putting to you.

12 THE WITNESS: No, they are trained at Konola.

13 JUDGE THOMPSON: That's correct. That's what I'm saying.

14 He's putting to you you were not at Konola, but at Camp
16:07:32 15 Naama, and you're disagreeing with him.

16 THE WITNESS: No, I said no, sir. No, sir, I disagree with
17 you.

18 JUDGE THOMPSON: Counsel, move on. He says, "No, they were
19 not trained at Camp Naama."

16:07:41 20 MR TOURAY:

21 Q. Let me refer you to the interview notes, I think it is
22 page 8176.

23 A. 8-1-7, what?

24 Q. 7-6.

16:07:55 25 A. Yes, sir.

26 JUDGE BOUTET: So this is described as interview report of
27 John S Tarnue.

28 MR TOURAY: Yes, sir.

29 Q. Paragraph 3 headed: "Tarnue's knowledge of Liberian

1 President Charles Taylor's support to the conflict in
2 Sierra Leone and his relation to the regional diamond
3 trade." I think it is the third caption.
4 JUDGE BOUTET: That is at page 8181. That is the third
16:08:35 5 caption, sorry, page 8184.
6 THE WITNESS: 184, sir?
7 JUDGE BOUTET: 8184, yes.
8 THE WITNESS: Okay, I have that, sir.
9 MR TOURAY:
16:08:50 10 Q. The second paragraph: "Tarnue used Camp Jackson Naama in
11 Bong county as the training base for the RUF Special
12 Forces. The trainees were predominantly Sierra Leoneans,
13 Gambians and Burkinese, but it also included some Libyans
14 and South Africans? Is that correct?
16:09:22 15 A. I did not train Special Forces in Naama. This is my
16 first time seeing this document. There is some
17 correction has to be done here. Even there they talk
18 about I train SBU in Gbarnga, apparently. That is now
19 also -- so this document, that is an exclusive interview
16:09:45 20 that was written, and definitely I didn't see it.
21 Perhaps it needed some little correction, but I didn't
22 see this until when I came to court. So I did not train
23 Special Forces. All Special Forces for NPFL and the RUF
24 were trained from Libya.
16:10:00 25 Q. So you disagree with that?
26 A. I disagree.
27 Q. Let me take to you written statement 1 and that is 8254,
28 Your Honours.
29 A. Page what?

1 Q. 8254.

2 A. Yes, sir.

3 JUDGE BOUTET: It is the one reference "Havana", 8256.

4 THE WITNESS: Yes, I have it right here. Havana.

16:10:51 5 MR TOURAY:

6 Q. That is the very first page.

7 A. Yes, sir.

8 Q. I think it is about the ninth line. "The training of the

9 RUF rebels was done in Liberia at Camp Jackson Naama, the

16:11:10 10 former AFL artillery base located in Bong county in

11 Central Liberia, by the Special Forces from Libya and

12 Burkina Faso." That was in the letters you wrote to

13 Lieutenant Teahjay, your very honest letters?

14 A. Yes, sir.

16:11:29 15 Q. That's what you say there?

16 A. Yes, sir.

17 Q. And that's correct

18 PRESIDING JUDGE: Read that again, counsel.

19 MR TOURAY:

16:11:35 20 Q. "The training of the RUF rebels was done in Liberia at

21 Camp Jackson Naama, the former AFL artillery base located

22 in Bong county, Central Liberia, by the Special Forces

23 from Libya and Burkina Faso."

24 A. We have 15 Special, Forces including myself.

16:11:55 25 Q. The training was done at Camp Naama?

26 A. When you talk about training, as training commandant --

27 we have Camp Jackson Naama, Konola training base, all

28 training commands are under my jurisdiction, so it

29 doesn't matter -- even if the man stays at Camp Jackson

- 1 Naama for one day, they were trained there. If they
2 stayed there three day, even one hour, the fact that they
3 received some instruction. Definitely that's a training
4 ground.
- 16:12:24 5 Q. The point is General, you did not say they were trained
6 at Konola. You said the training took place at Camp
7 Naama.
- 8 A. What I'm saying here is that RUF Sierra Leonean were
9 trained in Liberia and that the Special Forces, together
16:12:38 10 with NPFL fighters combined to invade Sierra Leone.
11 That's what I'm trying make the Court to understand.
- 12 Q. That is what you say here?
- 13 A. What? Sierra Leonean were trained in Liberia,
14 specifically Konola and then the rally point was at Camp
16:12:59 15 Jackson Naama. And that's when the final conclusions was
16 made and the 292 skeleton battalions were breaking [sic]
17 down into squads and platoons for final deployment. They
18 were issued their logistics. That's the TNE. On the
19 28th they were heading up for Lofa border, for the
16:13:23 20 Liberian border in Lofa county. So if they receive one
21 day instruction, two day instruction, it's at the
22 training academy.
- 23 Q. Let us go on to handwritten notes number 2.
- 24 JUDGE BOUTET: This is the one starting at page 8265.
- 16:13:51 25 THE WITNESS: Yes, sir, 8265. Right.
- 26 MR TOURAY:
- 27 Q. That is page number 6 of that?
- 28 A. Page number what?
- 29 Q. Six?

1 A. Okay, I've got it. I'm there too.

2 JUDGE BOUTET: So this should be 8270. You have that,
3 General?

4 THE WITNESS: Sir.

16:14:38 5 JUDGE BOUTET: 8270.

6 THE WITNESS: Yes, I got that, 8270.

7 JUDGE BOUTET: Thank you.

8 [HS111004E 4.11 p.m.]

9 MR TOURAY:

10 Q. "Taylor ordered me to plan and train the
11 Revolutionary United Front in November 1990 for 90
12 days under the leadership of his personal friend,
13 Corporal Foday Sankoh, which I did along with 15
14 special forces from Burkina Faso and Libya as
15 trainers and advisers. At the completion of the 90
16 days training at Camp Jackson Naama training base
17 and Gbatala in Bong County, we were able graduate 96
18 Sierra Leoneans that were recruited by Corporal
19 Foday Sankoh himself from the refugee camps."
20 Camp Jackson Naama, not Konola?

21 A. But -- but -- listen, counsellor --

22 Q. Not Konola?

23 A. I didn't say these people were not trained in Liberia in
24 Konola. In Camp Jackson and Naama Gbatala training --
25 just like -- sub bases, I just casually included them in
26 my writing. Booker Washington Institute, Cuttington
27 University College, these are all training commands that
28 were under the training commands jurisdiction. So it
29 doesn't matter where these Sierra Leoneans were

1 trained -- the fact that they were trained in Liberia,
2 combined with the NPFL forces to invade their own
3 country, Sierra Leone.

4 Q. What I'm saying --

5 A. That's why I'm trying to make you understand here that
6 they were trained in Liberia. They were trained in
7 Liberia, that's what I'm trying to prove here. Sierra
8 Leonean were trained in Liberia, combined with Liberians.
9 I gave you the configuration and the percentage of Sierra
10 Leoneans.

11 PRESIDING JUDGE: But General, there is a question of -- I
12 mean, where they were trained. Were they trained in Camp
13 Jackson Naama or in Camp Konola?

14 THE WITNESS: I said -- Chief, I said Konola, counsellor, I
15 mean, Your Honour, sir. I said Camp Konola, Konola
16 Academy, that's where they were trained.

17 JUDGE THOMPSON:

18 Q. Well, from your military perspective, let's say for the
19 sake of argument --

20 A. Yes, sir.

21 Q. -- that it's irrelevant or immaterial where they were
22 trained. From the perspective of this learned counsel,
23 who is not a military man, who is also a professional --
24 he is a professional in his own field of law, he says
25 that there is some materiality in the context of the
26 difference between being trained in one base and being
27 trained in the other. In other words, your documents
28 reveal that you say they were trained in one place and
29 then your testimony indicates they were trained somewhere

1 else and, of course, there is also an internal conflict
2 among your documents. I think what he is trying to do is
3 to ask you to resolve this conflict.
4 A. That's just what I'm trying to --
5 Q. Because I am not saying that you do not have the right to
6 say from a military perspective this is insignificant.
7 A. Well, chief --
8 Q. But he is saying that it is significant for him and his
9 client. That's how I understand the trend of counsel's
10 cross-examination. Do I reflect it correctly, learned
11 counsel?
12 MR TOURAY: Yes, you do, Your Honour.
13 THE WITNESS: So what is the question directly? Go ahead,
14 counsellor.
15 MR TOURAY:
16 Q. The question is in all your written statements to Milton
17 Teahjay you asserted that Sierra Leoneans were trained at
18 Camp Jackson Naama --
19 A. Did you --
20 Q. -- not at Konola. In your evidence here in court you
21 said they were trained by you at Konola base.
22 Q. Did you look at the other handwritten statement I finally
23 gave?
24 Q. Indeed.
25 A. Typewriting.
26 Q. That's -- handwritten --
27 A. Typewritten. This is handwritten, this was -- this was
28 just casuals and then I was referring to training bases,
29 but where I have to clarify specifically those 96 that

1 were trained in Konola, definitely they had to be sorted
2 out. So it didn't make any different to me whether I was
3 based at the Konola Academy and where the 96 Sierra
4 Leonean completed their basic combat training to be able
5 to transport them to Camp Naama on 24 February. Special
6 forces were already there, they withdrew them from the
7 front line, combined with 150 NPFL fighters, and those
8 are the percentages of the Liberians. 96 Sierra Leonean
9 plus the [inaudible] they had a total of 127 Sierra
10 Leoneans as a percentage and the NPFL has 165 included
11 the Gambian special forces that I mentioned here and the
12 Burkina base and you have an aggregate of 292. They were
13 all at Camp Jackson Naama before final deployment on 28th
14 February, sir.

15 Q. General --

16 A. Yes, sir.

17 Q. Did you carry out any substantive training of Sierra
18 Leoneans for 90 days at Camp Jackson Naama?

19 A. I said no, sir.

20 Q. No. So if I were to say my client, Morris Kallon, was
21 trained at camp Naama, you did not train him?

22 A. If I did not train Morris Kallon?

23 Q. I said if I were to say [overlapping speakers]

24 A. Well that's your [overlapping speakers]

25 Q. [Overlapping speakers]

26 JUDGE THOMPSON: Counsel, General --

27 PRESIDING JUDGE: Wait, wait, wait, I did say that the
28 records --

29 THE WITNESS: Yes, sir.

1 PRESIDING JUDGE: -- of the court would not like to have a
2 confrontation.

3 THE WITNESS: Okay, sir.

4 PRESIDING JUDGE: -- two people speaking at the same time.

5 THE WITNESS: Okay, sir. I'm sorry.

6 PRESIDING JUDGE: Wait for counsel to put his questions to
7 you, General.

8 A. Okay, counsel. I'm sorry. Go ahead, sir.

9 MR TOURAY:

10 Q. If I was to say Morris Kallon was trained at Camp Jackson
11 Naama for 90 days, it follows that you did not train him?

12 A. Well, I can't be too specific on that, because I was not
13 looking at individual names. I was training on the base
14 so --

15 Q. So you don't know?

16 A. No, I can't tell you that, sir.

17 PRESIDING JUDGE:

18 Q. You cannot tell whether Morris Kallon was trained in Camp
19 Jackson Naama?

20 A. Yes, sir, I can't say that.

21 MR TOURAY:

22 Q. Now, as general commandant in charge of training, what
23 was security like at the training base?

24 A. What was what?

25 Q. Security -- the security situation at the training bases.

26 A. Well, security situation was up tight.

27 Q. Very up tight.

28 A. Very up tight. We had perimeter. People were on guard
29 duty. Yeah, we called it stand-to.

- 1 Q. All the training bases?
- 2 A. Sir?
- 3 Q. All the training bases?
- 4 A. Everywhere that there was training bases [overlapping
5 speakers]
- 6 Q. [Overlapping speakers] you mean that [overlapping
7 speakers]
- 8 A. -- we called it stand-to, yes, sir. They have
9 checkpoints leading to the training bases and making sure
10 that trainees were posted with their stake representing
11 arms and what have you so -- They were vigilant. Yes,
12 sir.
- 13 Q. Now you said in your evidence that most of these trainees
14 were forcefully conscripted.
- 15 A. Were what?
- 16 Q. Forcefully conscripted.
- 17 A. I didn't answer that question here, sir. I --
- 18 PRESIDING JUDGE:
- 19 Q. No, no, no, don't -- answer the question, please.
- 20 A. Okay, yeah. They were conscripted, yes, sir. They were
21 conscripted.
- 22 MR TOURAY:
- 23 Q. Forcefully?
- 24 A. Yes, sir, they were forcefully conscripted;
25 involuntarily.
- 26 JUDGE THOMPSON: Yes, I think that was the word he used.
- 27 THE WITNESS: I used involuntarily.
- 28 JUDGE THOMPSON: Involuntarily conscripted.
- 29 THE WITNESS: Involuntarily.

1 MR TOURAY:

2 Q. Were there attempts to escape from the training bases?

3 A. I don't understand that question, sir, your Honour. I
4 mean, I am afraid it is perhaps -- maybe you need to make
5 it more explicit for me.

6 Q. Did trainees make any attempt to escape?

7 A. Of course, you have some trainees that escapes normally
8 from training base when the training becomes tough.
9 That's why I mention about zero week. Zero week is
10 intended to harass the body, making sure that some of
11 them will tell you that they are not sick, they got
12 [inaudible] they have heart problem. So you harass the
13 body and those that can't make it with the training, they
14 will leave the training base.

15 JUDGE THOMPSON:

16 Q. So what is the answer to say whether there were any
17 attempts to escape from the training base?

18 A. Oh, yes, some of them attempted to escape and they did
19 escape.

20 Q. Yes, okay.

21 MR TOURAY:

22 Q. If one is caught escaping, what happens to him?

23 A. If one is caught escaping?

24 Q. Yes.

25 A. You are disciplined and you go dig holes six by six, and
26 sometimes one of the instructors will take their pen and
27 drop it in the hole and you bury the pen and then the
28 instructor tells you, "I want the pen back." You do
29 that. That's what happens.

1 Q. Was there not an attempt to execute an escapee?
2 A. Say that again, sir.
3 Q. Was there an attempt to execute an escapee?
4 A. Not on the training base I was.
5 Q. And where were you?
6 JUDGE BOUTET: [Microphone not activated]
7 MR TOURAY:
8 Q. And where were you?
9 A. All the training bases that I --
10 Q. I said the training base you were.
11 A. Konola.
12 Q. Konola. Not at the training base I was, that was Konola.
13 JUDGE THOMPSON: Mr Touray, continue.
14 PRESIDING JUDGE: Mr Touray, before you continue, we shall
15 rise for a couple of minutes.
16 MR TOURAY: As your Lordship pleases.
17 PRESIDING JUDGE: All right. The Court will rise for a couple
18 of minutes.
19 [Break taken at 4.25 p.m.]
20 [On resuming at 4.50 p.m.]
21 PRESIDING JUDGE: Yes, learned counsel. Mr Touray, you may
22 proceed.
23 MR TOURAY:
24 Q. General, you agree with me that there were special forces
25 appointed by Charles Taylor who were in charge of
26 training.
27 A. I said yes, sir.
28 Q. That's correct?
29 A. I said yes, sir.

- 1 Q. And these special forces came from Libya and Burkina
2 Faso?
- 3 A. From Burkina Faso, Gambia -- they were foreign
4 missionaries.
- 5 Q. Foreign missionaries?
- 6 A. Yes, sir. To include a few of the Liberian special
7 forces.
- 8 JUDGE THOMPSON: Continue counsel.
- 9 MR TOURAY:
- 10 Q. And they directly reported to Charles Taylor?
- 11 A. They directly reported to Charles Taylor, yes, sir,
12 because they were special forces.
- 13 JUDGE THOMPSON: Yes, counsel.
- 14 MR TOURAY:
- 15 Q. And it was up to Charles Taylor to assign them to any
16 training base.
- 17 A. Come at me with that question again, sir.
- 18 Q. It was up to Charles Taylor to assign them to any
19 training base?
- 20 A. Well, I don't know about that.
- 21 Q. You don't know about that?
- 22 A. No, sir.
- 23 PRESIDING JUDGE:
- 24 Q. You didn't know these special forces? You didn't know
25 who had assigned them to --
- 26 A. No, but Charles Taylor was the rebel leader that came
27 along with the special forces, so all assignments come
28 directly from him.
- 29 Q. But that is the answer to the question.

- 1 JUDGE THOMPSON: Yes. He said it was up to him.
- 2 PRESIDING JUDGE: Can you put the question to him again,
3 please?
- 4 MR TOURAY:
- 5 Q. It was up to Charles Taylor to assign them to any
6 training base.
- 7 A. Oh, yes, sir, it was. So you give the question directly
8 then I --
- 9 JUDGE THOMPSON: Yes, okay go ahead.
- 10 THE WITNESS: Because you said up to, so I didn't really get
11 you clear. I'm sorry about that, but it was his
12 responsibility as overall leader for NPFL to assign them
13 by the -- because he was the boss of all. Yes, sir.
- 14 PRESIDING JUDGE:
- 15 Q. Not everybody; special forces?
- 16 A. Special forces.
- 17 Q. To any training base?
- 18 A. Yes, sir, any training base.
- 19 JUDGE THOMPSON: Learned counsel, continue.
- 20 MR TOURAY:
- 21 Q. You are a professional soldier trained in the west.
22 A. Say that again.
- 23 Q. You are a professional soldier trained in the west. You
24 are trained in America.
- 25 A. Yes, sir, I got my training from there.
- 26 Q. Those special forces were trained, they came from Libya
27 and you say from Gambia and those other places. Their
28 training was quite different from yours.
- 29 A. Yes, sir.

1 Q. Yes. And they were training people to pursue a war of
2 revolution - revolutionary war. That is the training
3 forces -- special forces.
4 A. Yes, sir.
5 Q. And not the conventional warfare you are accustomed to.
6 A. Come again.
7 Q. Not the normal conventional warfare you are accustomed
8 to.
9 A. No, sir.
10 Q. Their methodology may be different from yours.
11 A. Well, seemingly.
12 Q. Seemingly.
13 JUDGE BOUTET: Counsel, I just want to make sure I follow you.
14 When you say training methodology, you are talking of
15 training for special forces.
16 MR TOURAY: Their own method of training.
17 JUDGE BOUTET: That's right. Okay. Thank you.
18 MR TOURAY: Yes, Your Honour.
19 JUDGE THOMPSON: Counsel, what was the answer? What did you
20 get? I think I got the --
21 THE WITNESS: I said seemingly.
22 JUDGE THOMPSON: Yeah, the methodology of the special forces
23 was seemingly different from --
24 MR TOURAY: Seemingly different.
25 THE WITNESS: Right, seemingly different.
26 JUDGE THOMPSON: Yeah. Right. Thank you. Proceed.
27 MR TOURAY:
28 Q. Things like the UCMJ and SOP were not familiar to them.
29 A. Well, on the final day of deployment they were, if you

1 look at this.

2 JUDGE THOMPSON: [Overlapping speakers] Counsel, repeat the
3 question. Counsel would you speak into your microphone,
4 repeat the question.

5 MR TOURAY: Yes.

6 Q. What I am saying -- suggesting to you, General, that
7 things like the UCMJ --

8 A. Yes, sir.

9 Q. -- and the SOP were matters not too familiar to those
10 special --

11 A. They were duly informed about the UCMJ.

12 Q. [Overlapping speakers]

13 A. They were duly informed about the UCMJ and the rules and
14 regulations governing the Geneva Convention on Warfare;
15 they were informed.

16 Q. Excuse me, I am talking about the special forces
17 trainers; the trainers, not the trainees.

18 A. What do you mean special forces trainers?

19 Q. The ones that were appointed by Charles Taylor to train
20 the special forces.

21 A. Well, I don't know. One of the -- they taught the UCMJ
22 in Libya, but you talk about -- you distinguish two
23 things, you say you are trained to fight conventional
24 warfare.

25 PRESIDING JUDGE:

26 Q. No, no, no, stop there. Stop.

27 A. Yes, sir.

28 Q. You do not know whether they were taught.

29 A. I don't know.

- 1 Q. Whether the special forces received training in UCMJ and
2 SOP and the rest of it. That's your answer?
- 3 A. Yes, sir. I don't know if they received training in UCMJ
4 in Libya. I don't know.
- 5 JUDGE BOUTET: Counsel, that is where I have my confusion,
6 because I was not sure special forces Gambia -- from
7 Gambia and South Africa or whatever, they got their
8 training, my understanding, in Libya before they came
9 over. So when you are talking of methodology and
10 training you are talking of training that these special
11 forces might have had before they came to Liberia.
- 12 MR TOURAY: Indeed, sir, yes.
- 13 JUDGE BOUTET: Okay, thank you.
- 14 MR TOURAY:
- 15 Q. And these are some of the people assigned by Charles
16 Taylor to retrain recruits?
- 17 A. Yes, sir.
- 18 JUDGE THOMPSON: Yes.
- 19 MR TOURAY:
- 20 Q. Now, you did say in one of your -- in your evidence here
21 that Charles Taylor did say, "A revolution is not about
22 training a professional soldier."
- 23 A. In one of my --
- 24 Q. In your evidence here.
- 25 A. Yes, sir. "A revolution is not about training a
26 professional soldier."
- 27 Q. So although, General, you were more or less the training
28 commandant --
- 29 A. Yes, sir.

1 Q. -- you did not have much influence over what was
2 imparted to the trainees.

3 A. No, sir, I had influence.

4 Q. And the influence was over the special forces that were
5 training.

6 A. Say that again, sir.

7 Q. Was your influence over the special forces that were
8 carrying out the training?

9 A. Well, the special forces -- my influence was not directly
10 over them, because sometimes it was turned down, but I
11 had to say what I had to say on a professional level.

12 Q. So it was turned down.

13 PRESIDING JUDGE:

14 Q. Did you say at times or always?

15 A. Sir?

16 Q. You were turned down always or at times?

17 A. At times, sir, they don't even try to -- they say where
18 are they coming from, Libya and Libya special forces
19 training is -- so take direct orders from Charles Taylor,
20 because they are special forces. But in reality, my
21 arguments always come true. So it came to the point
22 where Charles Taylor begin to build that confidence,
23 especially after the two graduates.

24 JUDGE THOMPSON: Yes, counsel.

25 MR TOURAY:

26 Q. General, I am putting it to you that your assertion in
27 this Court that you taught trainees the use of UCMJ, SOP
28 and the Geneva Warfare Convention cannot be true.

29 A. What, sir, was the question?

1 Q. I said it cannot be true that you told them that, that
2 you taught them that.

3 A. Oh, you are making a statement; you are not asking me a
4 question?

5 PRESIDING JUDGE: He has asked you; he is suggesting to you --

6 MR TOURAY: That it cannot be true.

7 PRESIDING JUDGE: That it cannot be that you taught them, you
8 know --

9 THE WITNESS: It's true, it's true, it is true that I taught
10 them to use the MJ. I taught them the -- I gave them
11 SOPs and the rules governing the Geneva Convention of
12 Warfare. On the contrary, as conventional soldiers,
13 trained and disciplined, on the contrary when the special
14 forces from Libya trained them and told them, "When you
15 go on the war front you loot and bring me televisions."

16 MR TOURAY:

17 Q. So there was a conflict in the training?

18 A. Exactly, because I -- looting was not part of my
19 protocol.

20 Q. Yes, so there was conflict --

21 A. It was not part of my instructions.

22 Q. He says there was conflict.

23 A. That's a reward, "Loot, bring me TV, bring me radio," but
24 no attack the place, secure and defend the place properly
25 and move forward, making sure that you protect all
26 civilians within a captured area. And only attack
27 military types, and soldiers who act disrespectful and go
28 against the chain of command should be interrogated
29 fairly by applying the UCMJ. Those were the conventional

1 rules on the professional level and I told them.

2 Q. But they are not applicable in a war of revolution.

3 A. Well, they are applicable. They are applicable. Once

4 you hand an arm -- as a trained soldier, if you are

5 trained for one week, two weeks, three weeks, of course,

6 then your instructor should be able to tell you the

7 consequences; they should be able to tell you the

8 consequences that if you attack innocent civilians, you

9 attack non-military targets, you are going to be held

10 responsible as the commander and that's why you are given

11 these instructions and followed by the SOPs.

12 Q. I am saying, General, that the special forces that train

13 along with you did not go along with you.

14 A. Special forces that train along with me?

15 Q. Yes.

16 A. When you say train along with me --

17 Q. That were carrying out the training.

18 A. That's what I said, sometimes yes, sometimes they don't

19 cooperate on -- [overlapping speakers]

20 Q. [Overlapping speakers] with you on that.

21 A. Sometimes they don't co-operate because the [inaudible]

22 the special forces from Libya and they have their

23 influence over Charles Taylor and I am surrender POW and

24 let's keep that at the back of our heads, sir, because I

25 am a surrender, I am trying to make sure to seek safety

26 and then I didn't have to continue to persist. I had to

27 just suggest and tell them this is the professional way

28 and if you don't do it rightly, in the long run you will

29 get caught up into it. And that's why I told them. So

1 sometimes they do, but in the final analysis Charles
2 Taylor realised that when you are fighting a war you
3 don't concentrate on looting, because you are not going
4 to succeed. But after the first two months when he saw
5 the unprecedented movements of the fighters, he begin to
6 question himself, well why [inaudible] fighting advance
7 and capturing territories was because of the training
8 they got from Konola and other places under the
9 leadership of General Tarnue. So it was on a
10 professional level.

11 Q. At Konola?

12 A. Yes, sir.

13 Q. Thank you. Not Camp Jackson Naama?

14 Q. Of course Camp Jackson Naama was under my jurisdiction,
15 but Camp Jackson Naama and Cuttington University College,
16 BWI, Konola, but I was based at Konola.

17 JUDGE BOUTET:

18 Please carry on, counsel. Please.

19 [HS1101004F 5.10 p.m.]

17:05:07 20 MR TOURAY:

21 Q. Now, General, from your evidence in this Court your
22 sources of information seems to appear as more or less
23 information gathered from the fence.

24 A. Information from fence?

17:05:32 25 Q. You gathered from the fence.

26 A. Well, you mean fence?

27 Q. Charles Taylor's fence.

28 A. Charles Taylor's fence?

29 Q. Yes.

1 A. No, sir.

2 Q. So you gathered no information in the fence?

3 A. No, sir.

4 Q. Good.

17:05:52 5 PRESIDING JUDGE: General, do you know what "the fence" is?

6 Do you remember what "the fence" is?

7 THE WITNESS: Well, I mean, he got to tell me what the fence

8 is, because he's trying to say all of these information

9 gathering is in the fence. Charles Taylor had a fence,

17:06:05 10 and outside of the fence they had training bases, but

11 then he's talking about training bases. So unless he

12 wants to be very specific about what happened within the

13 fence that Charles Taylor said, or what happened other

14 security said, then that's a specific one, but we are

17:06:21 15 talking about training bases then he -- [Overlapping

16 speakers]

17 PRESIDING JUDGE: Follow the question properly.

18 THE WITNESS: Okay.

19 PRESIDING JUDGE: Counsel, can you put the question to him

17:06:27 20 again, please?

21 MR TOURAY:

22 Q. I said one of your sources of information --

23 A. Oh, yeah, from the fence.

24 Q. -- was gathering information in the fence?

17:06:37 25 A. In the fence -- within the fence, because I was principal

26 military staff officer, yes, sir. From in the fence.

27 JUDGE THOMPSON: So he said one of the sources?

28 MR TOURAY: One of the sources.

29 THE WITNESS: Yeah, one of the sources.

1 JUDGE THOMPSON: Not the entire source.
2 MR TOURAY: Not the entire.
3 JUDGE THOMPSON: Right. In other words --
4 PRESIDING JUDGE: Proceed, counsel.
17:07:16 5 MR TOURAY:
6 Q. And within the fence you would normally have some of the
7 other senior members or confidants, like in your own case
8 perhaps the Defence Minister, Daniel Chea?
9 A. Yeah, you have some of the junior members, you say?
17:07:31 10 Q. Senior members --
11 A. Of course, yes, sir.
12 Q. -- of the government switching in the fence?
13 A. Yes, sir. Senior member, aide-de-camps, battlefront
14 commanders, and then his inner circles as well.
17:07:45 15 Q. And ministers?
16 A. Yes, sir, those are his inner circle that he deals with
17 directly.
18 Q. And those are the people he usually talks to directly?
19 A. Yeah, aide-de-camps, he talk to them directly.
17:08:30 20 Q. And the ministers?
21 A. Sometimes he sends for the minister, he talks to them
22 directly. He talks with the training staff, the training
23 commandant directly. He talks to the principal military
24 staff officer directly so --
17:08:42 25 Q. I've not asked you as [inaudible] --
26 A. Yes, sir.
27 PRESIDING JUDGE: The General wants to let you know, learned
28 counsel, that they also spoke to him in the fence.
29 MR TOURAY:

1 Q. Directly?

2 A. Yes.

3 Q. So you were spoken in the fence directly?

4 A. Yeah, directly.

17:08:59 5 Q. Not always.

6 PRESIDING JUDGE: As training commandant --

7 THE WITNESS: Directly.

8 MR TOURAY:

9 Q. Not always.

17:09:02 10 PRESIDING JUDGE: -- of four bases.

11 THE WITNESS: Directly.

12 MR TOURAY:

13 Q. What I'm saying is on training matters yes, to you.

14 A. Besides that. Principal military staff officer I

17:09:10 15 represented him in Liberia and outside of Liberia, so it

16 means I talk to him any time, be it 12.00 o'clock

17 midnight he sends for me, 3.00 o'clock in the morning. I

18 talk to him any time.

19 JUDGE THOMPSON: Yes, counsel?

17:09:41 20 MR TOURAY:

21 Q. In that case, General, why do you have to ask security

22 personnel officers to get information? Why do you have

23 to go through security officers to get information?

24 A. What do you mean, sir?

17:09:52 25 JUDGE THOMPSON: If -- if what?

26 THE WITNESS: I don't understand; be specific.

27 JUDGE THOMPSON: Yes. If what, counsel?

28 MR TOURAY:

29 Q. If you are absent -- for example, you are not within the

1 fence, and then you come, you never ask Charles Taylor
2 directly, but you go through the security officers to
3 find out information -- to get information.

4 A. Well, I mean, if you -- if you not there and something
17:10:13 5 went wrong, perhaps you can make some inquiry. That
6 doesn't mean to say I don't have access to Charles
7 Taylor.

8 Q. But you never ask him directly?

9 A. Sir?

17:10:22 10 Q. You never ask him directly?

11 A. I mean, if it was something that I needed to know from
12 him directly I do, but if it's something minor I didn't
13 have to go to him directly because I -- I -- my fellow
14 securities are credible as well as I am.

17:10:34 15 Q. So they inform you what had happened?

16 A. Sir?

17 Q. They inform you what has happened in your absence?

18 A. I mean, maybe one or two occasions, but most often I do
19 the -- I do my own inquiry from the chief himself

17:10:48 20 directly.

21 Q. And by "the chief" you mean Charles Taylor?

22 A. Sir?

23 Q. You mean Charles Taylor?

24 A. Oh, yeah, when I say "chief", I'm talking about Charles
17:10:58 25 Taylor; yes, sir. He's the commander in chief so we just
26 say "chief"; abbreviation, chief.

27 Q. Is your other source of information based on newspaper
28 articles?

29 A. Newspaper?

1 Q. Articles?
2 A. Article from where?
3 Q. From newspapers.
4 A. How? My information don't come from newspaper.
17:11:43 5 Q. Doesn't, does it?
6 A. Sir?
7 Q. You don't gather information from newspapers?
8 A. Well, I listen to news, I listen to newspaper. And,
9 again, like, when they pronounce that Johnny Paul Koroma
17:11:56 10 took over, it was on radio, it was on newspaper. And so
11 definitely --
12 Q. I was not --
13 A. -- we had to know that it was that particular --
14 [Overlapping speakers]
17:12:02 15 PRESIDING JUDGE: So the answer is yes, General?
16 THE WITNESS: Yes, sir.
17 PRESIDING JUDGE: You got some of your information from
18 newspapers, from the radios; from the media. Is that --
19 [Overlapping speakers]
17:12:09 20 THE WITNESS: Yes, sir, from the media. Yes, sir, from the
21 media institution, yes, sir. From the media.
22 MR TOURAY:
23 Q. Now, you wrote a letter to Milton Teahjay; not so?
24 A. Sir?
17:12:50 25 Q. You wrote a letter to Milton Teahjay?
26 A. To Milton, yes, sir.
27 Q. In that letter you attached some newspaper clippings --
28 or copies of some?
29 A. Yes, sir, newspaper.

1 MR TOURAY: Your Honour, I want to refer to written
2 statement 5. I think it's the -- written statement 5.
3 JUDGE THOMPSON: Mr Santora, could you just hold on, please.
4 Yes, Mr Santora is -- he wants the attention of the
17:14:46 5 judges. Yes, go ahead.
6 MR SANTORA: Your Honours, I just wanted to clarify that my
7 learned colleague was referring to material sent to
8 Mr Milton Teahjay, but, to clarify that, written
9 statement 5 is not in that category. It's not the same
17:15:05 10 date; it's dated -- and I just wanted to make sure that
11 my learned colleague understood that --
12 JUDGE THOMPSON: Yeah.
13 MR SANTORA: -- so as to avoid confusion.
14 JUDGE THOMPSON: Learned counsel --
17:15:14 15 MR TOURAY: Yes, My Lord?
16 [Overlapping speakers]
17 JUDGE THOMPSON: Do you take that hint?
18 MR TOURAY: -- get myself organised and --
19 PRESIDING JUDGE: Learned counsel, take your time, please.
17:15:36 20 Take it easy, please.
21 MR TOURAY: Thank you.
22 JUDGE BOUTET: Where is it in the -- Mr Santora?
23 MR TOURAY: Okay.
24 MR SANTORA: 8290.
17:16:07 25 MR TOURAY: Yes, yes, yes.
26 Q. "Material submitted by John Tarnue under Rule 70." I
27 think it's 8290 following?
28 A. 82894 [sic] for?
29 Q. Following?

1 A. Yes, sir.

2 Q. "Material submitted by John Tarnue under Rule 70."

3 A. Yes, sir.

4 JUDGE BOUTET: Mr Touray, that's the document dealing with
17:16:55 5 human rights abuse?

6 MR TOURAY: Right.

7 JUDGE BOUTET: That's the one, okay.

8 MR TOURAY: Yes.

9 JUDGE BOUTET: At least that seems to be the way it is
17:17:00 10 described.

11 MR TOURAY: The one that has a special body of investigators
12 -- those are [inaudible] three submitted.

13 JUDGE BOUTET: You mean attached to that?

14 MR TOURAY: Attached to that, yes.

17:17:10 15 JUDGE BOUTET: So that's the one starting at page 8371 I
16 presume.

17 THE WITNESS: 8 --

18 JUDGE BOUTET: 8297.

19 THE WITNESS: 837. Where is that?

17:17:23 20 JUDGE BOUTET: 8297, Mr Witness, and 8298.

21 THE WITNESS: 8297.

22 JUDGE BOUTET: So 8298, this document is called "the Special
23 Board of Investigation has been constituted and sworn,"
24 and attached to that that's where you have these photos,
17:17:48 25 Mr Touray. That's what you're looking for?

26 MR TOURAY: Yes, it is, yes. Specially the West Africa
27 Magazine of 14th to 20th August 2000.

28 THE WITNESS: Yeah. Which page?

29 JUDGE BOUTET: The magazine in question is Daily Times,

1 Mr Touray?

2 MR TOURAY: West Africa Magazine for the 14th to the 20th,
3 August.

4 MR SANTORA: Your Honours, I think it's 8350.

17:18:49 5 MR TOURAY: 8350.

6 Q. Now, there's an article there headed "The Bad Guys of
7 West Africa"?

8 A. Yeah.

9 Q. And you marked it with an asterisk?

17:19:33 10 A. Pardon? What?

11 Q. You marked it with an asterisk?

12 A. With -- with what?

13 JUDGE BOUTET: Page 8356.

14 THE WITNESS: Yeah?

17:19:54 15 MR TOURAY:

16 Q. The asterisk there is your marking; not so?

17 A. Yeah.

18 Q. Yes. And all the underlinings, they are yours?

19 A. Yeah.

17:20:04 20 Q. Okay. Now, let me just read a portion of this. The
21 second column -- it's about the second paragraph in the
22 second column.

23 A. Yeah.

24 Q. "The British official said information at his
17:20:37 25 government's disposal shows that Taylor has been holding
26 regular high-level meetings with the RUF leadership,
27 either in Monrovia or in the Burkina Faso capital,
28 Ouagadougou. He listed RUF commanders who have been
29 attending these meetings as including Issa Sesay, Gibril

1 Massaquoi, Morris Kallon, Augustine Gbao and Edward
2 Kanneh. Citing specific instances of such meetings,
3 Pattison said they are held to arrange for the sale of
4 diamonds, purchase of arms, and formulation of RUF
17:21:21 5 strategy.

6 "President Taylor has formulated the RUF strategy,"
7 he said. 'He proposed the fortification of the diamond
8 areas around Kono, withdrawing some troops from the north
9 and north-west, while continuing guerilla attacks there,
17:21:40 10 especially around Makeni, Lunsar, Port Loko and Masiaka.
11 This strategy, he said, the RUF implemented in June and
12 July. Since June, following some meetings, Taylor has
13 authorised arms supplies, including rocket-propelled
14 grenades, mortars and rifles to the RUF in Sierra Leone."

17:22:05 15 Now, this magazine was with you in Ghana at that time.

16 A. That's why I made photocopy and send it.

17 Q. So it was with you in Ghana at that time?

18 A. That's why I made photocopy and send it.

19 Q. Answer the question, sir.

17:22:23 20 A. Yes, sir

21 JUDGE THOMPSON: No, no, General.

22 THE WITNESS: Yes, sir. Yes, sir.

23 JUDGE THOMPSON: [Microphone not activated] -- when?

24 MR TOURAY: [Microphone not activated] -- 2002.

17:22:23 25 Q. Not so?

26 A. Not -- the -- the -- the magazine?

27 Q. The magazine you had in Ghana with you in 2002?

28 A. It was 2002.

29 Q. You had it with you?

1 A. Yes, sir.

2 Q. It's a 2000 magazine you kept up to 2002?

3 A. That's a record, yes, sir. That's part of my record.

4 They are newspapers and other thing attached to it too

17:23:15 5 that were from 2001, 2002. So I had all. Those are

6 records.

7 JUDGE THOMPSON: Yes, counsel?

8 MR TOURAY:

9 Q. So these are not personal records at all?

17:23:34 10 A. These were not personal records. I tried to clarify

11 that.

12 Q. No, they were not; not so?

13 A. No, sir.

14 Q. Yes. Earlier on you said you only came with personal

17:23:48 15 records.

16 PRESIDING JUDGE: Well, personal records, again --

17 MR TOURAY: That is, they contained --

18 PRESIDING JUDGE: Learned counsel --

19 MR TOURAY: -- matters relating to what is an issue in this

17:23:58 20 Court; that's what I'm saying.

21 PRESIDING JUDGE: It could be a newspaper --

22 MR TOURAY: Yes.

23 PRESIDING JUDGE: -- but it could be my personal record.

24 MR TOURAY: Yes, My Lord, I agree.

17:24:03 25 Q. But they contain matters relating to issues in this

26 Court.

27 A. Yeah, well --

28 Q. Does it not?

29 A. That's -- that's a personal record to me.

1 Q. Yeah, but they contain matters relating to issues in this
2 Court.

3 A. But at that time I wasn't dealing with the Court.

4 Q. That's what I'm saying. [Overlapping speakers]

17:24:19 5 PRESIDING JUDGE: The question is that newspaper contains --
6 THE WITNESS: Oh, yeah, it contains matter --
7 PRESIDING JUDGE: -- matters -- [Overlapping speakers]
8 THE WITNESS: Pertaining to or relating to the issues in the
9 Court, yes, sir.

17:24:26 10 MR TOURAY:
11 Q. Now, could you please go on to written statement 3?
12 A. What number, sir?
13 Q. Page 2, about the last paragraph.
14 A. Yes, sir.

17:25:07 15 Q. Perhaps you can read the last paragraph to yourself.
16 [Inaudible] the last paragraph.
17 JUDGE BOUTET: For the record, this is at page 8278.
18 THE WITNESS: Yeah, 8278, I have it here.
19 MR TOURAY: "Most of the meetings".

17:25:21 20 PRESIDING JUDGE: Learned counsel, could you read it for us,
21 please?
22 MR TOURAY: Okay.
23 Q. Now, it says:
24 "Most of the meetings that were held with the RUF
17:25:29 25 leadership were in Monrovia or Burkina Faso, in the
26 capital Ouagadougou, in arrangement of the sale of
27 diamonds for the purchase of arms, ammunitions and the
28 formulation of RUF strategy plan of actions by Charles
29 Taylor in order to fortify the diamond areas around Kono

1 for the continuing mining of diamonds in Kono while the
2 war was going on. And this will serve the NPFL" -- this
3 will serve as something -- there is a line that is
4 missing at the bottom.

17:26:15 5 JUDGE BOUTET: "As a major source of income".

6 MR TOURAY: "For the NPFL".

7 JUDGE BOUTET: "As in the case of the NPFL".

8 MR TOURAY: "As in the case of the NPFL."

9 "...where they captured and controlled all of the
17:26:28 10 diamond areas during the seven years civil war in
11 Liberia. Since I, Brigadier General John S Tarnue, was
12 the training commandant for the NPFL at the time, as old
13 AFL soldiers, I was ordered by Charles Taylor, rebel
14 leader at the time for NPFL, that I should help in
17:26:49 15 formulating a tactical plan of action in coordination
16 with the RUF commanders, to put in place a strategy plan
17 by withdrawing some of the troops from the north and
18 north-west in order to continue the guerilla attacks,
19 thereby creating stronghold especially around Makeni,
17:27:11 20 Lunsar, Port Loko and Masiaka, to properly and
21 effectively secure Kono from any further threat and set
22 strong defences.

23 "All of these plan of action strategically was
24 implemented in June and July 2000 when the war begin
17:27:31 25 intensified between RUF and government forces from
26 Sierra Leone."

27 Then you go on to the fourth page: "During the
28 meeting" -- it's a about the middle of the page.

29 "During the meeting with Charles Taylor, RUF

1 commanders that attended the meeting were Issa Sesay,
2 Morris Kallon, Gibril Massaquoi, Augustine Gbao and
3 Edward Kanneh. So that diamonds brought from Sierra
4 Leone could be sold through President Compaore because of
17:28:07 5 the outstanding relationship to President Taylor and
6 Foday Sankoh in support to the RUF in such areas as
7 manpower, weapons, training, advice and strategic
8 planning."
9 General, what I'm trying to suggest to you is what you
17:28:22 10 wrote here was directly borrowed from this newspaper,
11 which you sent.
12 A. But can I -- can I also --
13 Q. It's a direct reproduction --
14 A. Can I also refer you to --
17:28:33 15 Q. -- in substance of what was contained in that magazine,
16 West Africa Magazine. [Overlapping speakers]
17 A. But -- but that's why I made photocopy and sent to
18 Teahjay. Now --
19 PRESIDING JUDGE: Answer --
17:28:46 20 MR TOURAY:
21 Q. So you agree?
22 JUDGE THOMPSON: Wait.
23 PRESIDING JUDGE:
24 Q. Answer the question.
17:28:47 25 A. Yes, sir.
26 Q. Yes. Is it -- what you're saying in that statement, is
27 it a reproduction --
28 A. Yes, sir.
29 Q. -- of what appears in that magazine?

1 A. Attached to it and send it to Teahjay, yes, sir.
2 MR TOURAY:
3 Q. [Microphone not activated] mean that --
4 JUDGE THOMPSON: There's his answer.
17:29:03 5 THE WITNESS: Yes, sir.
6 MR TOURAY:
7 Q. What are you going -- [Microphone not activated]
8 A. That's why I send it, so that he would see.
9 JUDGE THOMPSON: 'And so that what I put in my statement was a
17:29:10 10 direct reproduction of the article in the newspaper', or
11 the publication or the magazine, whichever.
12 MR TOURAY: The West Africa Magazine, headed "The Bad Guys of
13 West Africa".
14 JUDGE THOMPSON: Yes. Reproduction of the article in the
17:29:35 15 magazine entitled "The Bad Guys of West Africa". That's
16 the title of the article?
17 MR TOURAY: Yes, indeed, Your Honour.
18 PRESIDING JUDGE: And the magazine is?
19 [Overlapping speakers]
17:29:54 20 JUDGE THOMPSON: West Africa Magazine.
21 MR TOURAY: 14th to 20th August 2000.
22 JUDGE THOMPSON: Yes, learned counsel.
23 MR TOURAY: [Microphone not activated]
24 JUDGE THOMPSON: Sorry. Carry on, counsel.
17:30:46 25 MR HARRISON: It's not a criticism of the question posed by
26 Mr Touray but --
27 JUDGE THOMPSON: Yes.
28 MR HARRISON: -- my suggestion to the Court is that the
29 witness interpreted it somewhat differently from what the

1 Court has. When he used the word "reproduction", I think
2 he was actually referring to the photocopy that he had
3 attached and that he'd attached an accurate photocopy.
4 JUDGE THOMPSON: And so you are saying that he didn't mean
17:31:10 5 what he said?
6 MR HARRISON: I think there's some misunderstanding and I'm
7 asking --
8 JUDGE THOMPSON: Well, let's repeat it to him.
9 Q. Would you like to give us your answer again to that
17:31:20 10 question?
11 A. Okay. Can you repeat that question, sir?
12 JUDGE THOMPSON: Learned counsel, would you repeat it for the
13 benefit of both sides, because counsel has a different --
14 because I heard the word "reproduction."
17:31:32 15 PRESIDING JUDGE: Yes.
16 JUDGE THOMPSON: But let us -- counsel on the other side seems
17 to have a different perception of that.
18 MR TOURAY:
19 Q. What I'm saying then, General --
17:31:39 20 A. Yes, sir.
21 Q. -- I mean, the substance of what is contained in that
22 magazine --
23 A. Right.
24 Q. -- is substantially the same as what is contained in your
17:31:49 25 -- your -- your written statement?
26 A. It's reproduced, sent to Milton Teahjay. And then --
27 Q. Substantially the same.
28 A. It's reproduced.
29 JUDGE THOMPSON: [Overlapping speakers] reproduction.

1 MR TOURAY:
2 Q. [Overlapping speakers]
3 A. It's reproduced, sent it to Milton Teahjay.
4 Q. Yes, the content there is -- [Overlapping speakers]
17:32:05 5 JUDGE THOMPSON: Is a reproduction?
6 MR TOURAY: That's what he's saying.
7 JUDGE THOMPSON: Yeah, well that's what I -- I thought you
8 used the word "reproduction".
9 MR TOURAY: I used reproduction I'm trying -- [Overlapping
10 speakers]
11 JUDGE THOMPSON: And then he's now using the word
12 "reproduction".
13 THE WITNESS: Yeah, reproduction.
14 JUDGE THOMPSON: But counsel on the other side -- the
17:32:15 15 prosecuting counsel is saying that we've got it wrong by
16 using the word "reproduction". Is that what you're
17 saying, learned counsel?
18 MR HARRISON: Yes, but Your Lordship's point is now taken; the
19 witness has used that word.
17:32:27 20 JUDGE THOMPSON: Yes, he used the word. All right, thank you.
21 Thank you, learned counsel.
22 MR TOURAY: All right.
23 JUDGE THOMPSON: Continue now.
24 MR TOURAY:
17:32:35 25 Q. Now, the next article in that same magazine is talking to
26 the RUF again. The next --
27 JUDGE BOUTET: This is page 8357. You have that, General?
28 THE WITNESS: I do have that, yes, sir.
29 MR TOURAY:

1 Q. So, in fact, General, I'm putting it to you that my
2 client, Morris Kallon, is brought in by you, in your
3 statements, as a result of information you got out from
4 this magazine?

17:33:25 5 A. No, sir.

6 Q. You had no personal knowledge of any of his activities?

7 A. No, sir. No, sir. Morris Kallon sits there; he knows
8 me. He sits there; he knows me. We met at White Flower.
9 We met at Kolahun. He knows that.

17:33:47 10 Q. He says he doesn't know you.

11 A. Well, I mean, he will say he doesn't know me now, but he
12 knows that so --

13 JUDGE THOMPSON: Okay.

14 THE WITNESS: I'm telling you --

17:33:56 15 JUDGE THOMPSON: Let's -- let's not -- we're trying to get the
16 answer now. That you deny that --

17 THE WITNESS: Yes -- yes, sir.

18 JUDGE THOMPSON: 'I deny that your client was brought into
19 the' -- did you say brought into the picture?

17:34:08 20 MR TOURAY: Into the picture as a result of this article.

21 JUDGE THOMPSON: As a result of the article in the West
22 Africa?

23 MR TOURAY: Which he read, yes.

24 JUDGE THOMPSON: Yeah.

17:34:14 25 THE WITNESS: I said no, sir.

26 JUDGE BOUTET: Which article are we talking about,
27 Mr Touray --

28 JUDGE THOMPSON: Yeah, let's have -- [Overlapping speakers]

29 JUDGE BOUTET: -- because you have referred to a second

1 article. So we don't --

2 MR TOURAY: The first one on Bad Guys of West Africa.

3 JUDGE THOMPSON: What was the second one?

4 JUDGE BOUTET: Okay. So the Bad Guys of West Africa is the

17:34:24 5 article you are making reference to?

6 MR TOURAY: Yes.

7 JUDGE BOUTET: Because --

8 JUDGE THOMPSON: Is it the same article?

9 MR TOURAY: No, the other one is headed "Talking to the RUF

17:34:28 10 again".

11 JUDGE BOUTET: That's right.

12 JUDGE THOMPSON: That's the one that you say allegedly he used

13 to --

14 JUDGE BOUTET: This is not the one.

17:34:35 15 MR TOURAY: It's the first one, I'm saying. The one headed

16 "The Bad Guys of the West Africa" mentions Morris Kallon.

17 JUDGE BOUTET: [Overlapping speakers] Because counsel has

18 referred to a second article but he has not quoted from

19 the second article.

17:34:47 20 JUDGE THOMPSON: That's the point.

21 JUDGE BOUTET: Yes.

22 JUDGE THOMPSON: That's my --

23 MR TOURAY: I've only quoted from the first one.

24 JUDGE BOUTET: The first article. And when you have mentioned

17:34:55 25 reference to your client, Mr Kallon, it was while looking

26 at the first article, which says "The Bad Guys of West

27 Africa".

28 MR TOURAY: Indeed, sir, yes.

29 JUDGE BOUTET: Okay.

1 JUDGE THOMPSON: I see. So, in other words, your reference to
2 page 8357 has not been explored yet.

3 JUDGE BOUTET: Not yet.

4 MR TOURAY: No, not yet.

17:35:15 5 JUDGE THOMPSON: Cause I thought you were referring to
6 something at page 8357.

7 MR TOURAY: No, no, no, no, not at all.

8 JUDGE THOMPSON: Okay. So 'I deny that your client was bought
9 into the picture as a result of what I read in the
17:35:31 10 article Bad Guys of West Africa.'

11 THE WITNESS: Your Honour, sir --

12 JUDGE THOMPSON: And, General, that's your evidence, that you
13 deny?

14 THE WITNESS: Yes, I deny. Your Honour, sir?

17:35:49 15 JUDGE THOMPSON: Yes.

16 THE WITNESS: Since we already on this -- the West Africa
17 Magazine, I just wanted to bring to the attentions of the
18 counsellor -- and if you look at page 20 -- well, I just
19 say 8358, and then you turn over to 8359, you will see,
17:36:17 20 at 8358, they have the house arrest of the commanding
21 general. And in the same magazines I attach this to send
22 it to Milton. All I was trying to do is tell Charles
23 Taylor that assigning the ATU on the warfront and you try
24 to allow ATU to take absolute command over national army,
17:36:45 25 as commanding general I was never going to tolerate that.
26 So you are trying to give ATU a lot of incentive, and
27 this is going to demoralise all the soldiers. That was
28 also -- and these were some of the reasons why I will be
29 sent under house arrest. So I mentioned these in the

1 letter and told him "I'm sending the magazines to include
2 some of the, you know, atrocities and what have you that
3 were committed," to include newspaper. So this was not
4 anything to say it was like trying to do direct
17:37:12 5 quotations, but only trying to make sure that he's aware
6 of what I was saying based on the original plans of
7 action from 1991.

8 [HS101104G 5.40 p.m.]

9 So if you look there, it's going to clearly tell
17:44:48 10 you. This was the very thing I was telling you, that he
11 sidelined the AFL, the National Army I was commanding,
12 and decided to invest into a separate military
13 establishment -- the ATU, the SOD -- and I had to go on
14 to the west. So all of the things that they say here --
17:45:06 15 quotations that came directly from some of us and the
16 people modify it -- the magazine could not [inaudible]
17 get right. Like this one here, they quoted from me
18 indirectly inside the magazine

19 PRESIDING JUDGE: Okay, that's all right. We've heard you.
17:45:23 20 Counsel, can you proceed, please.

21 Counsel has suggested to you that you only brought
22 in his client, Morris Kallon, because the papers
23 mentioned him, because you read of this in the papers,
24 particularly in the article -- "The Bad Guys of West
17:45:47 25 Africa" -- which featured in the West Africa magazine.

26 THE WITNESS: Yes, sir. I said my answer is no, sir.

27 JUDGE THOMPSON: And you stand by that?

28 THE WITNESS: I stand by that 100 per cent.

29 JUDGE THOMPSON: Thank you. Proceed, Mr Touray.

1 MR TOURAY:
2 Q. Now, did you know the role played by the Special Forces?
3 A. What do you mean the "role played" --
4 Q. The Special Forces of Sierra Leone --
17:46:30 5 JUDGE THOMPSON: General, give him a chance to complete the
6 question.
7 MR TOURAY:
8 Q. Did you know the role played by the Sierra Leonean
9 Special Forces that were fighting alongside with the NPFL
17:46:45 10 at the time of the launching of the attack in Sierra
11 Leone?
12 A. Well, I wasn't inside Sierra Leone, so I can't tell you
13 what role they played inside Sierra Leone specifically.
14 I can't -- I don't know, sir.
17:47:28 15 PRESIDING JUDGE: That is the role of the Special Forces of
16 Sierra Leone in the attack on Sierra Leone.
17 JUDGE THOMPSON: Was it when the RUF --
18 MR TOURAY: When the RUF --
19 JUDGE THOMPSON: Launched the attack, yes.
17:47:43 20 THE WITNESS: I say I don't know.
21 JUDGE THOMPSON: Quite; "I cannot tell you." He says he
22 cannot tell you what role they played.
23 MR TOURAY:
24 Q. And you don't know their position in the command
17:48:04 25 structure as well?
26 A. No, sir. I was not in Sierra Leone, so I can't tell you,
27 but what I do know --
28 JUDGE THOMPSON: Wait. Don't --
29 PRESIDING JUDGE: Let's have what you don't know first.

1 THE WITNESS: I do not know. I'm sorry, I don't know.

2 JUDGE THOMPSON: "I don't know their position in the command
3 structure at the time; that is, the Special Forces
4 position."

17:48:28 5 MR TOURAY: Yes, of Sierra Leone.

6 PRESIDING JUDGE: In what command structure -- the RUF?

7 MR TOURAY: The RUF command structure, yes.

8 Q. And you do not know about changes within the command
9 structure whilst they were in Sierra Leone from time to
17:49:03 10 time?

11 A. I was never in Sierra Leone; no, sir, I never went across
12 the border into Sierra Leone to fight any war. I don't
13 know.

14 PRESIDING JUDGE: That is what you should say, you do not
17:49:17 15 know. Put the question to him.

16 MR TOURAY:

17 Q. You do not know changes within the command structure from
18 time to time whilst they were in Sierra Leone?

19 A. No, sir, I don't know.

17:49:26 20 Q. And you don't know Morris Kallon's position within the
21 command structure?

22 A. No, sir. I know he used to be called one of the
23 commanders, but I don't know his positions.

24 Q. In the command structure?

17:50:26 25 A. No, sir.

26 Q. You wouldn't even know what rank he carried from time to
27 time?

28 A. Revolution s -- he's a Brigadier-General -- Morris
29 Kallon, Brigadier-General.

1 Q. Morris Kallon was a Brigadier-General?
2 A. Yeah.
3 Q. Are you sure about that?
4 A. I'm sure. After the time he used to come to White
17:50:59 5 Flowers.
6 Q. When was that?
7 A. Sir?
8 Q. When was he a Brigadier-General?
9 A. That was when Taylor became president I got to know that
17:51:06 10 he became Brigadier-General.
11 Q. That was '97?
12 A. Brigadier-General.
13 Q. In 1997?
14 A. That's the name they call him by, Brigadier-General.
17:51:14 15 He'd say Brigadier-General. I was Brigadier-General.
16 Benjamin Yeaten was Lieutenant-General, so there were a
17 whole lot of Generals.
18 JUDGE BOUTET: But the question, General, was when -- when?
19 THE WITNESS: When they started calling him General, sir.
17:51:30 20 That was -- whenever we met, they would say CO or General
21 Issa Sesay, so --
22 JUDGE THOMPSON: We're talking about Morris Kallon first.
23 JUDGE BOUTET: When was that?
24 JUDGE THOMPSON: When; when? Around what time was that?
17:51:43 25 THE WITNESS: Well, that was between '97 onward.
26 JUDGE THOMPSON: From 1997 onward?
27 THE WITNESS: Yes, sir.
28 JUDGE THOMPSON: They called Morris Kallon Brigadier-General?
29 THE WITNESS: Brigadier-General.

1 PRESIDING JUDGE: And who did you say was Lieutenant-General?
2 THE WITNESS: Benjamin Yeaten was Lieutenant-General.
3 MR TOURAY: Those were Liberians.
4 THE WITNESS: Yeah, he was a Liberian. He was a coordinator
17:52:27 5 and a special representative from Charles Taylor, so
6 [inaudible] was four-star -- he was General.
7 JUDGE THOMPSON: I think you ended up by saying that there
8 were a whole lot of Generals?
9 THE WITNESS: Yes, sir.
17:52:45 10 JUDGE THOMPSON: You want this as part of the testimony?
11 THE WITNESS: Yes, when he became president, all of the NCF
12 were generals -- he brought Roland Duo in as chief of
13 staff. He was Lieutenant-General commanding the National
14 Port Authority; he brought Eric Wongbah, who was
17:53:01 15 commanding the Electricity Security Force as chief of
16 staff; then they have Melvin Sobanee chief of staff of
17 Marine -- -
18 JUDGE THOMPSON: Thank you.
19 THE WITNESS: -- and then they have Siafia Normal, chief of
17:53:10 20 staff of army, so we have five -- five chief of staffs
21 within the Republic of Liberia, so the General ranks were
22 like -- in fact, I don't think we really had privates.
23 So -- absolutely.
24 JUDGE THOMPSON: [Microphone not activated]
17:53:36 25 THE WITNESS: When Charles Taylor took over as president,
26 because the least rank you had was captain -- all the
27 people who were elephant hunters, once Charles Taylor
28 say, "When you stand up there and they shoot you, no
29 bullet hits you. You elephant hunter; you got the

1 [inaudible], you've got protective from bullet" --
2 traditional culture or something. Of course, you were
3 elevated to some rank, because he wanted you to sit as a
4 shield to cover him, so the rank for him was no problem.

17:54:06 5 JUDGE THOMPSON: Thank you, General. I'm satisfied with the
6 answer there was a whole lot of Generals.

7 THE WITNESS: Yes, there were a whole lot of Generals.

8 PRESIDING JUDGE: Don't tell us that there were no privates
9 because there were so many Generals.

17:54:15 10 THE WITNESS: Sir?

11 PRESIDING JUDGE: Don't tell us that there were no more
12 privates in an army because --

13 THE WITNESS: I know, but chief, absolutely -- I mean, nobody
14 wanted to be a private. They felt that promotion was
17:54:32 15 going to give them increase in pay. That's what
16 happened, sir.

17 JUDGE THOMPSON: Thank you.

18 MR TOURAY:

19 Q. General, really, would it surprise you to know that
17:54:45 20 Morris Kallon has never been a Brigadier-General in the
21 RUF?

22 A. Well, that's the name they call him, General, so --

23 Q. You perhaps called him that.

24 A. I didn't call him a General. I know that they call him a
17:54:59 25 General. He knows that we went to Kolahun, he knows that
26 he came to White Flowers. It's obvious -- I'm not a
27 little boy to say, "Please, can I identify someone." No.
28 I'm telling you the honest truth, counsellor.

29 JUDGE THOMPSON: Continue, counsel.

1 MR TOURAY:
2 Q. Now, tell me how vulnerable was Lofa County in 1993?
3 A. In 1993 Lofa County wasn't really vulnerable in '94,
4 because I think, counsellor -- the counsellor did ask
17:55:48 5 those questions and I gave a breakdown --
6 PRESIDING JUDGE: How vulnerable was Lofa County in 1993?
7 THE WITNESS: It wasn't that vulnerable.
8 PRESIDING JUDGE: It wasn't vulnerable?
9 THE WITNESS: It wasn't vulnerable.
17:55:59 10 PRESIDING JUDGE: Lofa County was not vulnerable.
11 THE WITNESS: At all; it wasn't vulnerable. Yes, sir,
12 counsellor, it wasn't vulnerable.
13 JUDGE THOMPSON: Would you put it as high as that, that it
14 wasn't vulnerable.
17:56:11 15 PRESIDING JUDGE: At all?
16 THE WITNESS: It wasn't vulnerable.
17 JUDGE THOMPSON: It was not vulnerable. Did you say it was
18 not vulnerable?
19 THE WITNESS: Yes, sir, it wasn't vulnerable.
17:56:20 20 PRESIDING JUDGE: In 1993.
21 THE WITNESS: Yes, sir.
22 PRESIDING JUDGE: Should we remove "at all"?
23 THE WITNESS: Okay, vulnerable.
24 PRESIDING JUDGE: Vulnerable -- I'm removing "at all"?
17:56:37 25 THE WITNESS: You can remove "at all" -- vulnerable.
26 MR TOURAY:
27 Q. What about in 1994?
28 A. It wasn't vulnerable still, because, you see, if you look
29 at my statement --

1 Q. I'm not looking at your statement.
2 A. Okay, let me tell you perhaps, I just want to reflex your
3 memory, since you brought up about this 1993/1994.
4 Because it wasn't too vulnerable --
17:57:00 5 PRESIDING JUDGE: No, no, no. Look, we've gotten you here
6 that in 1994 it was still not vulnerable.
7 THE WITNESS: It was not vulnerable.
8 PRESIDING JUDGE: Proceed. Counsel, can you proceed, please?
9 MR TOURAY:
17:57:11 10 Q. Now, did you have other fighting forces in Lofa County in
11 1993?
12 A. Can I answer that?
13 Q. Did you have?
14 PRESIDING JUDGE: Pardon me?
17:57:20 15 MR TOURAY:
16 Q. Did you have?
17 A. Yes, sir.
18 Q. There were other fighting forces --
19 A. There were fighting forces in his -- there were fighting
17:57:27 20 forces in Lofa, yes, sir.
21 Q. In 1993?
22 A. 1993, 1994 -- yes, sir.
23 Q. In opposition to the NPFL?
24 A. Yes, sir.
17:57:38 25 Q. Which were the forces fighting there at the time in 1993?
26 A. The forces that were fighting in Lofa County were
27 ULIMO -- ULIMO. They were fighting from '93/'94, so
28 going through there [inaudible], there was -- because it
29 wasn't vulnerable to us, so RUFs were helping the NPFL to

1 attack them from the rear and NPFL were attacking them
2 from Gbarnga, so they got caught in the middle so --
3 Q. Okay. So RUF were helping NPFL to attack ULIMO from the
4 rear?
17:58:44 5 A. From Sierra Leone side.
6 Q. Yes, that's what I'm saying.
7 A. Yes.
8 Q. So that was the position also in 1994?
9 A. That was the what?
17:59:22 10 Q. The same position continued in 1994?
11 A. Well, of course, there was a cease fire and meetings
12 going on, so I was busy. In 1994 I went to Abuja on a
13 consultative peace initiative.
14 PRESIDING JUDGE: Yes, yes.
17:59:39 15 MR TOURAY:
16 Q. So you don't know what was happening on the --
17 A. No, I wasn't there, because I was not frontline commander
18 anymore. I was training commandant.
19 PRESIDING JUDGE: Learned counsel, you may wish to regroup
17:59:55 20 your questions and see a convenient point where we can
21 stop to continue tomorrow.
22 MR TOURAY: I was starting a new area, so perhaps --
23 PRESIDING JUDGE: You were starting a new area?
24 MR TOURAY: Yes, I just started on the first two questions.
18:00:12 25 JUDGE BOUTET: The one about Lofa County?
26 MR TOURAY: Lofa County, yes.
27 PRESIDING JUDGE: Do you think that would take how long --
28 that part that you just started, you think it would take
29 about how many minutes?

1 MR TOURAY: It will spill over to arms and everything, so it
2 will take a little bit longer.
3 PRESIDING JUDGE: It will be take some time?
4 MR TOURAY: Yes.
18:00:42 5 PRESIDING JUDGE: Well, I think that, since it's -- you intend
6 to cover a wide area and you just started, this could
7 well be a convenient point to stop the proceedings and to
8 restart them tomorrow with you pursuing your
9 cross-examination.
18:01:15 10 MR TOURAY: As Your Honour pleases.
11 PRESIDING JUDGE: We will therefore adjourn the proceedings
12 and resume tomorrow at 9.30. So the Court will rise,
13 please.
14 [Whereupon the hearing adjourned at 5.58 p.m., to be
15 reconvened on Tuesday, the 12th day of October 2004, at
16 9.00 a.m.]
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C E R T I F I C A T E

We, Susan G Humphries, Ella K Drury, Maureen P Dunn and Roni Kerekes, Official Court Reporters for the Special Court for Sierra Leone, do hereby certify that the foregoing proceedings in the above-entitled cause were taken at the time and place as stated; that it was taken in shorthand (machine writer) and thereafter transcribed by computer, that the foregoing pages contain a true and correct transcription of said proceedings to the best of our ability and understanding.

We further certify that we are not of counsel nor related to any of the parties to this cause and that we are in nowise interested in the result of said cause.

Susan G Humphries

Ella K Drury

Maureen P Dunn

Roni Kerekes

WITNESSES FOR THE PROSECUTION:

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