

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

WEDNESDAY, 13 OCTOBER 2004  
9.40A.M.  
TRIAL

Before the Judges:

Benjamin Mutanga Itoe, Presiding  
Bankole Thompson  
Pierre Boutet

For Chambers:

Ms Candice Welsch  
Mr Matteo Crippa

For the Registry:

Mr Geoff Walker

For the Prosecution:

Mr Peter Harrison  
Ms Melissa Pack  
Mr Christopher Santora  
Mr Christopher Dunn (intern)  
Mr Bobby Gboyor (Case Manager)

For the Principal Defender:

Ms Haddijatou Kah-Jallow

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 Wednesday, 13 October 2004  
2 [Accused Sesay and Kallon entered Court]  
3 [Accused Gbao not present]  
4 [Open session]  
09:32:36 5 [The witness entered Court]  
6 [Upon commencing at 9.40 a.m.]  
7 PRESIDING JUDGE: Good morning, learned counsel, we're  
8 resuming our session. Yes, learned counsel.  
9 MR HARRISON: I just wanted to advise the Court that yesterday  
09:45:02 10 afternoon also appearing for the Prosecution was  
11 Ms Melissa Pack and Mr Christopher Dunn, and they are  
12 again present this morning in the court. Thank you.  
13 PRESIDING JUDGE: Okay. Thank you.  
14 Yes, Mr Cammegh, you may continue.  
09:45:34 15 WITNESS: JOHN S TARNUE [Continued]  
16 CROSS-EXAMINED BY MR CAMMEGH [Continued]  
17 MR CAMMEGH:  
18 Q. Chuckie Taylor suspected you of developing a relationship  
19 with the US military representative behind his back,  
09:46:01 20 didn't he?  
21 A. Your Honour, judge -- Your Honour, sir -- well, can  
22 I just --  
23 PRESIDING JUDGE: What is your answer? What is your reply?  
24 Chuckie Taylor suspected you, you know, of having  
09:46:18 25 military dealings, you know, with the US military  
26 attache.  
27 THE WITNESS: I say no, sir.  
28 MR CAMMEGH:  
29 Q. Yesterday, you told us that he did suspect you of doing



1 that. What's the true answer, please?

2 A. I said no, sir.

3 Q. Yesterday, you told us that he had you arrested, because  
4 of your relationship with the US military attache, in  
09:46:46 5 January 2002.

6 A. That was his order, and I refused to submit myself under  
7 his arrest, because I was not guilty.

8 Q. I'd like you to answer the question. You see, I've got  
9 about half an hour of questions here, General. I don't  
09:47:03 10 want that to turn into three and a half hours. If you  
11 don't answer the question, we're not going to get very  
12 far.

13 A. Your Honour, sir --

14 PRESIDING JUDGE: Now, look, I would like to advise here that  
09:47:16 15 the court recorders have a lot of problems about these  
16 argumentative exchanges; that is, two people or three  
17 people wanting to talk at the same time. Please, may one  
18 person speak at a time so that things are properly  
19 recorded?

09:47:36 20 THE WITNESS: Yes, sir.

21 PRESIDING JUDGE: There is no point stepping in to talk when  
22 counsel is asking a question, or there is everything  
23 wrong in counsel stepping in when the witness has not  
24 finished giving an answer to a question.

09:47:51 25 THE WITNESS: Yes.

26 PRESIDING JUDGE: It complicates the work of the court records  
27 and, of course, if the records are messed up, I don't see  
28 how we would have been perceived to have reproduced these  
29 proceedings faithfully. So, please, I would like to



1 admonish all parties concerned in these proceedings to  
2 proceed very methodically and that the job of the  
3 reporters is not complicated by these unnecessary  
4 exchanges, or people struggling to speak at the same  
09:48:28 5 time. It is not right.  
6 THE WITNESS: Yes, sir.  
7 MR CAMMEGH:  
8 Q. I'm going to ask --  
9 JUDGE BOUTET: Mr Cammegh, just before, Mr Witness --  
09:48:38 10 THE WITNESS: Yes, sir.  
11 PRESIDING JUDGE: -- please, listen to the question.  
12 THE WITNESS: Yes, sir.  
13 JUDGE BOUTET: So the question that was asked of you again was  
14 a fairly clear question. You did not answer the  
09:48:48 15 question. Listen to the question carefully and then  
16 answer the question. If you don't know, say "I don't  
17 know." The question you were asked now was whether  
18 Chuckie Taylor suspected you of playing behind his back  
19 with the Americans. That's the question. You have  
09:49:05 20 answered that yesterday about, I would say, four times to  
21 say yes, but --  
22 THE WITNESS: Yes, sir, that's what he suspected, but it's  
23 false allegations --  
24 JUDGE BOUTET: Listen to me; I have not finished yet.  
09:49:17 25 THE WITNESS: Yes, sir.  
26 JUDGE BOUTET: So wait for the question. Then, when the  
27 question is finished, if you don't know the answer, say  
28 you don't know, but listen to the question before  
29 answering that question. That question again was quite



1 precise. You did not listen to it and then you answered  
2 "no". Well, the question was not did you do it; the  
3 question was were you suspected by Chuckie Taylor. Thank  
4 you.

09:49:38 5 MR CAMMEGH: Thank you, Your Honour.

6 Q. I am going to ask --

7 PRESIDING JUDGE: Sorry, are you now saying that you were  
8 suspected by Chuckie Taylor?

9 THE WITNESS: I don't know, sir.

09:49:55 10 PRESIDING JUDGE: You can continue, counsel.

11 MR CAMMEGH: Thank you, Your Honour.

12 Q. Listen to this question and answer it simply. What  
13 reason were you given for your arrest in January 2002 by  
14 Chuckie Taylor's men?

09:50:14 15 A. I don't know.

16 Q. Yesterday you told us that the reason you'd been given  
17 was that you were getting too close to the US military  
18 attache.

19 A. I disagree with you. I didn't say that.

09:50:33 20 Q. I'm going to move on. What I'm going to -- what I want  
21 to explore with you this morning, General, is the  
22 possibility that the FBI were interested in you for more  
23 than just alleged human rights abuses in Liberia -- all  
24 right?

09:51:02 25 A. I disagree with you, sir.

26 Q. Now, let's just take it stage by stage. In April of 2002  
27 you flew to Ghana, didn't you?

28 A. Yes, sir.

29 Q. And the reason you gave us for flying to Ghana was





1 two-fold: one, you wanted medical treatment; correct?  
2 A. Yes, sir.  
3 Q. And, two, you wanted to escape the Taylor regime;  
4 correct?  
09:51:47 5 A. I went for medical treatment.  
6 Q. Two, you wanted to escape the medical -- the Liberian --  
7 the Taylor regime; correct?  
8 A. I went for medical treatment.  
9 Q. I'm going to ask the question a third time now, and this  
09:52:04 10 time you will answer it.  
11 A. I went for medical treatment.  
12 Q. You told us --  
13 PRESIDING JUDGE: Was there any other reason besides going for  
14 medical treatment [overlapping speakers]  
09:52:15 15 THE WITNESS: It was not to go back home, because I was  
16 humiliated and, of course, sir, I have my own right under  
17 the Geneva Convention of 1984. I mean, I was tortured  
18 and dehumanised. I had the right to leave the country.  
19 You want me to stay and die? No way; I had to leave.  
09:52:44 20 I was tortured. And yesterday you just admitted that you  
21 were happy because Chuckie tortured me. I didn't sleep  
22 well last night. Quite frankly, I want to be honest with  
23 you, sir. I'm prepared to answer all your questions,  
24 with all due respect, your cross-examination, sir, and  
09:52:57 25 I think you are human --  
26 MR CAMMEGH:  
27 Q. You want to talk about the Geneva Convention --  
28 A. -- but we need to respect each other.  
29 Q. You want to talk about the --



1 A. And act brotherly.

2 Q. -- Geneva Convention, General?

3 A. Sir.

4 Q. You want to talk about the Geneva Convention?

09:53:11 5 A. I'm just reminding you that we are all protected by the  
6 law, regardless of what country you're from, what race  
7 you are, but we need to respect each other, yeah?

8 Q. Is that so? In June 2002, General, you filed -- bear in  
9 mind we must not disclose where you are living now.

09:53:28 10 A. It doesn't matter with me.

11 Q. Well --

12 A. It doesn't matter with me. That's why I'm sitting here  
13 in the open.

14 Q. We're not going to disclose where you are living now, but  
09:53:37 15 in June of 2002, as you told the Court last Tuesday, you  
16 filed for US asylum, didn't you?

17 A. I did. I filed an asylum in Ghana. It wasn't too  
18 specific. I said either Europe, or anywhere in the  
19 world, but I can't go back to Liberia because of the  
09:53:54 20 humiliation and dehumanisation done to me by Chuckie  
21 Taylor and approved by the president, so I had all my  
22 right to leave the country and get my family out for  
23 safety.

24 JUDGE BOUTET: Counsel, I don't want to refrain you from  
09:54:10 25 asking questions, but I just want to remind you there are  
26 some areas that are --

27 MR CAMMEGH: Indeed. My next question --

28 JUDGE BOUTET: You know what I mean?

29 MR CAMMEGH: I do, indeed, and, Your Honour, my next question



- 1 will take us away from that point.
- 2 Q. And it is this, General. You told the Court also that  
3 you relayed a package -- you sent a package to a  
4 gentleman called Milton Teahjay, was it -- what was his  
09:54:33 5 name?
- 6 A. Yes, I did, Milton Teahjay, I prepared a package and  
7 I sent it over to him.
- 8 Q. Who was Milton Teahjay?
- 9 A. Milton Teahjay was the Deputy Minister of Information  
09:54:44 10 and --
- 11 Q. Where?
- 12 A. -- international media consultant -- in Liberia.
- 13 Q. Right. You sent a package to him containing what  
14 exactly?
- 09:54:58 15 A. I sent a package to him concerning my asylum and the way  
16 I was dehumanised and the way I was treated, so in the  
17 process of trying to seek an asylum, I sent him this  
18 package to give the supporting documents so that they  
19 would be able to at least pursue the case --
- 09:55:14 20 Q. Did this --
- 21 A. -- while I was trying to talk to the UNHCR in Ghana.
- 22 Q. Did this include written documents -- documents written  
23 by you?
- 24 A. I don't know about that.
- 09:55:23 25 Q. Well, you sent it; you should know.
- 26 A. Yes, the letter I sent are all inclusive. I mean you've  
27 got the package right before you.
- 28 Q. All right. Then I know what --
- 29 A. You can make your own analysis, sir.



1 Q. Then I know what you're talking about, thank you.

2 A. You know -- I don't know what you're talking about unless  
3 you can make it available to me.

4 Q. Now, this package that you sent to Milton Teahjay, you  
09:55:46 5 obviously sent it to him in good faith, didn't you? You  
6 were hoping that --

7 A. Very good faith, yes, sir.

8 Q. Exactly.

9 A. Good faith.

09:55:53 10 Q. Were you --

11 A. I had trust they were going to work out, because  
12 I submitted all the relevant documents I --  
13 substantiating my claim.

14 Q. And within one week, as you've told the Court last  
09:56:03 15 Tuesday, you were contacted by representatives of the  
16 United States State Department?

17 A. Say that again.

18 Q. Within one week of sending that package, you were  
19 contacted by representatives of the US State Department?

09:56:18 20 A. Representative?

21 Q. Answer the question.

22 A. What did I say -- no, sir.

23 Q. Well, you told the Court last Tuesday that, within a week  
24 of you dispatching that package to Milton Teahjay, you  
09:56:31 25 were contacted by a representative of the American --

26 A. But you mention about FBI. It's the FBI who -- when I  
27 went to Ghana -- to make sure, because my [inaudible]  
28 sanction. And they had to conduct the polygraph  
29 machine -- polygraph test. I took the polygraph test





1 three consecutive times and that's the reason why they  
2 have to expedite me, because they wanted to make sure I  
3 was clear of all human rights abuses, and that was it.

4 Q. Do you remember not five or six minutes ago you told me  
09:57:00 5 you were prepared to answer my questions?

6 A. Yeah, in a very respectful and decent manner. That's  
7 what I'm doing now, sir.

8 Q. I'm going to ask that question for what I think is now  
9 the fourth time.

09:57:13 10 A. You're posing the question, sir, then you want to be very  
11 directive and try to say, "You must; you must." But, I  
12 mean, we should be very, very approachable and in a  
13 respectful manner, chief. So if you talk to me in a  
14 respectful manner, I will answer you very quietly.

09:57:25 15 I don't want to be very disrespectful to you, sir, but  
16 I think you should approach me as a human being. You  
17 have your right; I have my right, sir. You are doing  
18 your job as a Defence Counsel -- to defend people that  
19 have committed atrocity. I'm here to tell the Court what  
09:57:39 20 I saw. Now, tell me, sir -- so go ahead with your  
21 cross-examination.

22 Q. You're not responsible for any atrocities, General?

23 A. Say that again.

24 Q. You wouldn't be responsible for any atrocities, would  
09:57:51 25 you?

26 A. That's your view. When the time comes, if I'm charged  
27 for committing atrocity -- that time will come -- then  
28 maybe you'll be one of my defence, I don't know.

29 Q. Listen, I don't want to get dragged down this alleyway.



1 I want you to answer the question --

2 A. Go ahead, sir.

3 Q. I am going to put it for the fourth time.

4 A. What is your question, sir?

09:58:05 5 Q. You told this Court last Tuesday that, about a week after

6 sending that package to Milton Teahjay, you were

7 contacted by representatives from the US State

8 Department. Now, is that true?

9 A. No, sir, it's not true.

09:58:26 10 Q. How long did it take after you sent the package for you

11 to be contacted [Overlapping speakers]

12 A. I don't know. You look at the date -- the date I wrote

13 the letter, it tells you exactly how long it took before

14 I went to the States and what have you, but definitely I

09:58:42 15 don't know, and I have never told you that.

16 MR CAMMEGH: Your Honours, are you hearing me?

17 JUDGE BOUTET: I think there might be some confusion. The

18 question is within a week you were contacted not in the

19 States by representatives of the State Department, but in

09:58:59 20 Ghana where you were.

21 THE WITNESS: In Ghana.

22 JUDGE BOUTET: Yes, that's the question.

23 PRESIDING JUDGE: State Department.

24 JUDGE BOUTET: The question is the State Department

09:59:06 25 [overlapping speakers]

26 THE WITNESS: Maybe you -- okay, sir, let me clarify that

27 point. I think he needs some clarification on that.

28 I was saying the representative of the US Immigration

29 Department from the State Department in Ghana, in the



1 person of Helu Kebebbi -- Helu Kebebbi. So he contacted  
2 me and said there were people that came from -- and the  
3 FBI were already in Ghana and it was headed by the chief  
4 investigator, so he calls me. That's what I mean by  
09:59:40 5 "contacted". But it was never in the United States; it  
6 was in Ghana --

7 Q. Yes, I know.

8 A. -- when I was contacted by Helu Kebebbi.

9 Q. I know.

09:59:49 10 JUDGE BOUTET: Again, witness, you're not listening to the  
11 question. The question was not whether you were met in  
12 the States; the question was whether or not you had been  
13 met by people from the State Department. He didn't say  
14 where -- just the question was State Department.

10:00:03 15 THE WITNESS: Yes, sir, I was met by people -- I was met by  
16 people from the State Department, yes, sir.

17 MR CAMMEGH:

18 Q. Right. How long after you sent the package to Milton  
19 Teahjay did that meeting take place?

10:00:15 20 A. Well, I can't tell the interval. Like I say, you know,  
21 the mailing system in Africa is so deteriorating, so when  
22 I send the mail, it was like two weeks after, so I can't  
23 be very exact on date, but I do know it was between two,  
24 three weeks.

10:00:30 25 Q. So when you said -- or when you told this Court it was  
26 within - and I'm quoting you - within a week, last  
27 Tuesday, your "within a week" means anything between one  
28 and three weeks, does it?

29 A. What are you trying to get at, counsellor? I don't



1 understand.

2 Q. Well, I've made the point, and I'm going to move on.

3 Were you expecting to be contacted by representatives

4 from the US State Department as quickly as you were?

10:00:58 5 A. No, sir.

6 Q. You weren't?

7 A. No, sir.

8 PRESIDING JUDGE: I would like us to get the notes, I think,

9 clear. I do not know -- this witness has said that he

10:01:15 10 was contacted -- when he wrote, he was contacted, if

11 I got him right, by the immigration officials of the US

12 Embassy.

13 THE WITNESS: Yes, sir, in Ghana.

14 PRESIDING JUDGE: In Ghana. That is what I have in my notes.

10:01:30 15 Is this what we're calling the State Department?

16 MR CAMMEGH: Well, Your Honour, the reason I'm using the

17 term "State Department" --

18 PRESIDING JUDGE: Because we have to be very, very clear. I'm

19 not very familiar with the mechanics of the American

10:01:46 20 administration, but I don't know -- maybe Immigration is

21 part of the State Department. I'm not very sure. But

22 what I want to get clear on the record is that he was met

23 by Immigration officials of the US Embassy in Ghana.

24 MR CAMMEGH: Your Honour, may I explain?

10:02:08 25 PRESIDING JUDGE: Yes, please.

26 MR CAMMEGH: The reason I'm using the term "State Department"

27 is because those are the words he used in

28 evidence-in-chief. He told us in-chief that the package

29 was sent to Milton Teahjay and thereon was relayed to the





1 State Department and that he was met within a week.  
2 That's why I've been proceeding down this particular --  
3 THE WITNESS: Your Honour, sir --  
4 PRESIDING JUDGE: You may continue, learned counsel. This is  
10:02:34 5 what has featured now. There will come a time when we  
6 will put all this evidence together.  
7 MR CAMMEGH: Of course.  
8 Q. I want to hurry along, General.  
9 PRESIDING JUDGE: He wants to explain something.  
10:02:44 10 THE WITNESS: Yes, sir. If he looks -- let him just make  
11 reference to the letter I wrote -- the letter I wrote to  
12 Honourable Milton Teahjay, "Would you please see if you  
13 can contact the State Department, and whatever they can  
14 do to help me out of here, I'm prepared to go through  
10:03:01 15 anything." And I contacted Milton Teahjay to do that,  
16 and the call came from the Ghana embassy through the  
17 immigrations.  
18 PRESIDING JUDGE: Okay, thank you.  
19 THE WITNESS: So that was it.  
10:03:12 20 PRESIDING JUDGE: Thank you.  
21 THE WITNESS: Yes, sir.  
22 PRESIDING JUDGE: Learned counsel, can you proceed, please.  
23 MR CAMMEGH: Thank you, Your Honour.  
24 Q. In April of 2002 Dr White arrived in Ghana, didn't he,  
10:03:21 25 with five FBI operatives -- agents -- I don't know.  
26 A. Yes, sir -- four, plus himself made it five. I didn't  
27 say five -- four FBIs and one made it five, not five  
28 FBIs.  
29 MR SANTORA: I was just going to object here to a



1 misrepresentation of the evidence. The date was never  
2 April 2002. That was never put into evidence. And I can  
3 say what was put into evidence on direct testimony, or it  
4 can be clarified through the witness, but I just wanted  
10:03:53 5 to say that there was no evidence given that in  
6 April 2002 Dr White arrived in Ghana.

7 PRESIDING JUDGE: Let us proceed. The records are before us.  
8 We'll sort all that out. Mr Cammegh, can you proceed,  
9 please.

10:04:07 10 MR CAMMEGH:  
11 Q. You were interviewed in April, weren't you, by Dr White?  
12 A. Pardon me?  
13 Q. You were interviewed by Dr White in April 2002 in Ghana,  
14 weren't you?

10:04:16 15 A. I say no, sir -- no, sir.  
16 Q. Right. As I say, the records will show. Now, General,  
17 what did the FBI agents want?

18 PRESIDING JUDGE: Learned counsel -- learned counsel,  
19 Mr Cammegh, you suggested to him that Dr White  
10:04:36 20 interviewed him in April 2002?

21 MR CAMMEGH: Yes, in Ghana.  
22 THE WITNESS: I said no, sir.  
23 MR CAMMEGH:  
24 Q. I don't want to take a bad point. When do you say you  
10:05:27 25 were interviewed by Dr White?

26 A. When do I say?  
27 Q. Yes, when do you think you were interviewed by Dr White?  
28 A. The records are there.  
29 PRESIDING JUDGE: Please answer the question, General.



1 THE WITNESS: I was interviewed xxxx, April.  
2 MR CAMMEGH:  
3 Q. Were you -- April 2002?  
4 A. xxxx, April 2003, not 2.  
10:05:49 5 Q. Well, I'm asking you about -- well, is that the first  
6 time you say you were interviewed?  
7 A. But I was interviewed April 2003.  
8 Q. Were you interviewed before --  
9 A. xxxx xxxx xxxx.  
10:06:02 10 Q. Were you interviewed before that?  
11 A. No, sir -- by Dr White? Dr White did not interview me  
12 before April -- April 2003. I was interviewed by the FBI  
13 in Ghana to qualify my expedition, and that's why I took  
14 the polygraph test.  
10:06:22 15 Q. Your evidence then is that -- I just want to be sure  
16 about this -- that you were not interviewed by Dr White  
17 until April 2003?  
18 A. No, sir, I was never interviewed by Dr White until April  
19 2003.  
10:07:00 20 Q. Well, then, explain, if you will, what you were talking  
21 about last week when you told us about the polygraph  
22 machine that was used while you were being spoken to by  
23 Dr White in Ghana.  
24 A. Did I say Dr White interviewed me in Ghana?  
10:07:19 25 Q. Well, you certainly did, General.  
26 A. Well, he didn't. Dr White did not interview me. It was  
27 the FBI, and the very interview that the FBI went  
28 through, there's a copy here. I don't even have access  
29 to the copy until I came to the Court, and I clarified



1 that; I said, "But I've never seen this." When I saw it,  
2 I read -- I think they gave me -- during the break time  
3 I was given one hour to go through, and vividly  
4 I remember everything I say there. When I came back  
10:07:49 5 I confirm yes, sir, that was the interview FBI had with  
6 me. It wasn't Dr White. The exclusive interview I had  
7 was in April 2003 -- that was in **Xxxx**.

8 Q. I'm going to try and summarise. If I've got anything  
9 wrong, no doubt you'll put me right. So does it go like  
10:08:06 10 this then: that in approximately April 2002 you are  
11 interviewed in Accra, in Ghana, by the FBI?

12 A. No, sir.

13 Q. When did they interview you then?

14 A. When did they interview me?

10:08:23 15 Q. Yes.

16 A. I clearly told you that was in November -- I mean,  
17 December -- between November and December, the ending  
18 part of 2000.

19 Q. General, you told us last week --

10:08:32 20 PRESIDING JUDGE: The ending part of?

21 THE WITNESS: Sir?

22 PRESIDING JUDGE: The ending part of 2000?

23 THE WITNESS: The ending part of 2000, in Accra. I think  
24 I mentioned about my birthday, and so it was between  
10:08:48 25 December 14, 15, 16, 17 and, finally, on the 18th of  
26 December I was expedited from Ghana on my birthday.

27 MR CAMMEGH:

28 Q. December 2002?

29 A. December 2002.





1 Q. Yes.

2 A. December 18, 2002, I left Africa.

3 Q. Were you --

4 PRESIDING JUDGE: Did -- I'm sorry. When were you interviewed  
10:09:20 5 by the FBI in Accra, Ghana -- at what time? Let me get  
6 the dates right.

7 THE WITNESS: That was in the month of December, sir.

8 PRESIDING JUDGE: December what year?

9 THE WITNESS: Well, I can't remember which date but --

10:09:33 10 PRESIDING JUDGE: What year, not the date.

11 THE WITNESS: I said 2000.

12 PRESIDING JUDGE: 2000, that's what I have here. Then you  
13 moved to 2002. What happened in 2002?

14 THE WITNESS: 2002, sir -- not 2000.

10:09:43 15 PRESIDING JUDGE: This is the confusion.

16 THE WITNESS: I'm sorry, chief, but sometimes, I mean, it can  
17 be confusing. You mean 2000, sometimes it's 2002. I'm  
18 sorry, 2002.

19 PRESIDING JUDGE: I just have the latter part of December  
10:09:57 20 2002.

21 THE WITNESS: The ending part of December 2002.

22 PRESIDING JUDGE: The ending part?

23 THE WITNESS: Yes, sir.

24 PRESIDING JUDGE: I thought you send the ending part or the  
10:10:03 25 later -- that's okay.

26 THE WITNESS: Instead of the later, I'm sorry, but I meant  
27 2002. Go ahead, sir.

28 MR CAMMEGH:

29 Q. Thank you. When did you first meet Dr White?



1 A. The very first time I met Dr White was in Ghana.  
2 Q. When?  
3 A. When?  
4 Q. Mmm.  
10:10:29 5 A. Between the 14th, 15th when they arrive in Ghana, but  
6 I can't be too specific on the date.  
7 Q. I'll try again, General. When did you first meet  
8 Dr White?  
9 A. December 2002, between the 14th and 15th, but I can't be  
10:10:46 10 specific. Where I was, I mean, I wasn't even thinking  
11 about dates; I was thinking about survival.  
12 Q. What were you doing in Ghana between April when you  
13 arrived there and December when you first met Dr White  
14 and the FBI?  
10:11:04 15 A. What was I doing in Ghana?  
16 Q. Yes.  
17 A. I clearly told you, I went for medical treatment and to  
18 seek an asylum.  
19 Q. You told us that you were in hospital for three months.  
10:11:13 20 That takes us up to about July.  
21 A. I said I went for medical treatment and, when I went for  
22 medical treatment, I reported to Obeng -- I think I did  
23 mention Obeng, who is now the Chief of Defence staff in  
24 Ghana. He was one time deputy ECOMOG Force Commander in  
10:11:32 25 Liberia and I was serving as a liaison. So we all served  
26 on the disarmament. He was the chairman on the  
27 disarmament committee and the joint cease-fire monitoring  
28 group, and so he knew me very well. When this situation  
29 happened and I got to Ghana, I reported to the military



1 barrack, because being a Brigadier-General, and he knew  
2 my capability. I reported to the barracks. I said, "I'm  
3 here, chief, and this is my situation." In his office  
4 I took down my pants and I showed him exactly what went  
10:12:02 5 on. He saw the bruised eyes, he saw the chest and I was  
6 burnt, and he felt -- he had a real heart -- that's a  
7 human being -- he acted in a brotherly-hood manner. He  
8 gave me a written letter, told the military hospital, so  
9 I was a day patient and I went to one hotel called Kandar  
10:12:21 10 hotel -- and I paid for three months. And I was there  
11 going for my treatment every morning --

12 Q. What were you doing --

13 A. So I was there for medical treatment.

14 Q. Yes. What were you doing between around July when you  
10:12:34 15 told us your medical treatment came to an end and  
16 December when you met Dr White and the FBI?

17 A. Counsellor, I went for treatment and I said I was never  
18 going back to Liberia. In the process, July, I wrote my  
19 letter for asylum at the UNHCR office. So at the same  
10:12:52 20 time undergoing my treatment, you know -- maybe you don't  
21 understand, because the pain I went through. If you went  
22 through the same pain, counsellor, you wouldn't be, you  
23 know, talking to me like this. But I will still answer  
24 your questions.

10:13:05 25 Q. Go on then.

26 A. I went through -- I wrote my letter July 19 to the UNHCR  
27 to [inaudible] my conditions and I met the UNHCR boss.  
28 He saw everything that happened.

29 Q. But, with respect --



1 A. He said, "We're going to present your letter." And  
2 definitely --  
3 Q. With respect --  
4 A -- I sent copy to US Embassy. SO everything was going  
10:13:24 5 gradually for my repatriation from Ghana.  
6 Q. With respect, General, it doesn't --  
7 A. My resettlement [overlapping speakers]  
8 Q. Will you let me speak?  
9 A. Are you ordering me? I'm talking. So let me --  
10:13:36 10 Q. I'm asking you to stop.  
11 A. Can I lend --  
12 Q. With respect, General, it doesn't take you about seven  
13 months to write a letter to the UNHCR, does it? What  
14 were you doing in Accra between the end of your medical  
10:13:50 15 treatment and November/December when Dr White and the FBI  
16 arrived?  
17 A. With respect, Your Honour, I have my own right to live  
18 where I want to live. With respect, Your Honour, I got  
19 no business taken Liberia to be killed for war crimes  
10:14:05 20 committed against humanity --  
21 Q. Answer the question.  
22 A. -- by the Government of Liberia.  
23 Q. Answer the question.  
24 A. So with respect, Your Honour, I had the right to be in  
10:14:11 25 Ghana and seek political asylum while going through my  
26 medical treatment, sir.  
27 Q. Answer the question.  
28 A. What's the question?  
29 Q. What -- this is the fifth time I've asked, because I'm





1 counting.

2 A. I just told you, to seek medical treatment and to seek an  
3 asylum to get out of Liberia, or Africa.

4 Q. What were you doing in Accra?

10:14:29 5 A. Seeking medical treatment and trying to get asylum.

6 PRESIDING JUDGE: Learned counsel, learned counsel, please,  
7 don't press the issue too far.

8 MR CAMMEGH: Your Honour, with respect, I'd like an answer.

9 PRESIDING JUDGE: He went to Ghana for treatment. He had no  
10:14:42 10 intention of returning to Liberia.

11 THE WITNESS: Exactly.

12 PRESIDING JUDGE: And he remained there, because he had no  
13 intentions of returning and was processing his asylum  
14 documents.

10:14:51 15 THE WITNESS: Yes, sir.

16 PRESIDING JUDGE: Does that not satisfy you of -- and, of  
17 course, he said he has the freedom to live wherever he  
18 wishes and wherever they want. I mean, do you think --  
19 if you have any particular reason which he is not  
10:15:09 20 revealing, you can put it to him.

21 THE WITNESS: Exactly.

22 PRESIDING JUDGE: You can put it to him.

23 THE WITNESS: That's right.

24 PRESIDING JUDGE: We'll get out of this impasse.

10:15:15 25 MR CAMMEGH: I'll do that.

26 PRESIDING JUDGE: Because I think he's sufficiently explained  
27 himself as to what he was doing in Ghana at the time.

28 MR CAMMEGH:

29 Q. Where did you live?



1 A. Sir?

2 Q. Where did you live in Accra?

3 A. Okay. Well I was living -- Accra is - Kandar -- Kandar  
4 Estate.

10:15:34 5 Q. Who paid for that?

6 A. Sir?

7 Q. Who paid for your accommodation?

8 A. I just told you, when I came from Liberia, I had a few  
9 dollars I took from my wife. She works for the World  
10:15:45 10 Vision, so she gave me some dollars. So when I came,  
11 I made it my business to pay for three months.

12 Q. Yes.

13 A. After the three months, definitely I went bankrupt and  
14 I never had the money, because I didn't come with money  
10:15:58 15 much. That's when I had accumulated all the hotel bills,  
16 and I had to finally give my diplomatic passport to the  
17 hotel management, to seize it until I can get money to  
18 pay. So they seized my passport and you are not going to  
19 leave without a passport. So it was in that vein I was  
10:16:12 20 trying to process my asylum and, as God would have it,  
21 definitely I go and say my prayers and was able to bring  
22 the FBI along with Dr White. So I told him this is the  
23 situation and he was honest enough to pay the balance of  
24 my hotel bills that were accumulated in the past months  
10:16:31 25 I was there, sir. I clearly told you that.

26 Q. Thank you. When they arrived - that's Dr White and the  
27 FBI - you said that they wanted information concerning  
28 the Armed Forces in Liberia and they said that, "We've  
29 got to go to a safety zone." What particular information



1 about Liberian Armed Forces did they want?  
2 A. [Microphone not activated]  
3 Q. I can't hear you?  
4 A. [Microphone not activated]  
10:16:55 5 Q. Turn your microphone on.  
6 PRESIDING JUDGE: Your microphone?  
7 THE WITNESS: I'm sorry, I'm sorry.  
8 PRESIDING JUDGE: Listen to the question first. Go ahead  
9 counsel.  
10:17:03 10 MR CAMMEGH:  
11 Q. Do you want to hear the question again, General?  
12 A. I'm listening to you, sir, yes  
13 Q. Did you hear the question?  
14 A. Just be moderate -- I'm sorry, be moderate.  
10:17:11 15 Q. Do you want the question again? I don't know if you  
16 heard me.  
17 A. I'm listening, sir  
18 PRESIDING JUDGE: I want you to take the question again,  
19 please.  
10:17:18 20 MR CAMMEGH: Very well.  
21 Q. In evidence last Tuesday you said that, when the -- when  
22 Dr White and the FBI arrived, they wanted information  
23 concerning the Armed Forces in Liberia and they said that  
24 they had to get you to a safety zone.  
10:17:34 25 A. They say that?  
26 Q. Yes -- well, that's what you said.  
27 A. Well, the only thing I told them I have no comments,  
28 because if anything you want me to do, if you want to  
29 help me with my asylums or whatever, you have to get me



1 out of here. I was not prepared to say anything to  
2 anybody, because I felt that I was threatened.

3 Q. Right. Did the FBI --

4 A. Do you think it's my right to do that?

10:18:00 5 Q. You just interrupted me.

6 A. Sir?

7 Q. You just interrupted me, General. Please don't. Let me  
8 ask the question.

9 A. Yes, sir.

10:18:06 10 Q. Did the FBI ask you about anything else other than the  
11 situation in Liberia or Sierra Leone?

12 A. Yes, sir, they did ask me about whether I was involved in  
13 human rights, and I clearly told them, no, sir, and  
14 I told them that I was training and I had to train the  
10:18:26 15 right materials, and I talked with the trainees about the  
16 rules governing the Geneva Convention of Warfare and the  
17 proper application of the uniform code of military  
18 justice to the fighters as well.

19 Q. You know, don't you, that throughout 2002 the political  
10:18:40 20 climate in the world, throughout the world, was deeply  
21 preoccupied with, for want of a better phrase, the war on  
22 terrorism; correct?

23 A. You mean the political aspects in the world?

24 Q. Yes.

10:19:02 25 A. Whether I'm knowledgeable?

26 Q. You knew, didn't you, at that time that terrorism was a  
27 major subject so far as the world political climate was  
28 concerned?

29 A. I knew terrorism, but when I got to Ghana, I never had





1 money to buy radio, so I wasn't really listening to --

2 Q. Did the FBI ask you anything about diamonds

3 A. Did the FBI ask me about diamonds?

4 Q. Yes.

10:19:31 5 A. Oh, yes, they did; the FBI did ask me about diamonds.

6 They did ask me about the war.

7 Q. Let's --

8 A. And they asked me about Charles Taylor.

9 Q. Let's just stick with diamonds, if we can, for a moment.

10:19:43 10 Did the FBI ask you whether you knew if diamonds were

11 being supplied to terrorist groups?

12 A. No, sir, they didn't ask me a question of that nature in

13 that exclusive interview.

14 Q. Did they ask you anything --

10:20:02 15 A. They didn't ask me a specific question about diamonds

16 being carried to terrorists.

17 Q. Did they ask you whether you knew anything about diamonds

18 being supplied to al Qaeda?

19 A. No, they didn't ask me that.

10:20:16 20 Q. All right.

21 A. No, sir, I can't remember that vividly. I don't know

22 what's written in the statement, but I can't remember

23 telling them anything of that nature. I do remember that

24 I told them that I was able -- when September 11

10:20:32 25 happened, in my capacity as former Commanding General --

26 Q. Yes, yes.

27 A. -- I was about to provide protective services operational

28 order.

29 Q. We've heard about that.



1 A. Okay.

2 Q. You telephoned Mr Santora last week, didn't you?

3 A. Pardon me, sir?

4 Q. You telephoned Mr Santora at his home last week, didn't  
10:20:51 5 you, while you were giving evidence?

6 A. If I did what? I'm not getting you. Could you just --

7 Q. You telephoned Mr Santora one morning -- or was it an  
8 evening last week --

9 A. Yes, I admitted to you that I did telephone him -- yes,  
10:21:09 10 I did.

11 Q. And one thing you mentioned to him before he put the  
12 phone down on you - quite properly - you mentioned an  
13 exclusive polygraph test that you took in **Xxxx**.

14 A. Yes, sir, I did.

10:21:26 15 Q. Now, what was all that about?

16 A. Sir?

17 Q. What does that mean "exclusive polygraph test in  
18 **Xxxx**"?

19 A. He's my legal counsel and, definitely when I call, he  
10:21:37 20 told me you're not supposed to be talking to me. Right  
21 there I quitted. So I did not go further than that. But  
22 I did call and then, when I asked him, besides my  
23 documents, to make sure that if I would be allowed --  
24 what I'm doing now, if I had my documents, they have no  
10:21:59 25 business giving me this, I would have just made reference  
26 to my documents. But, again, he said, "I can't talk to  
27 you" and I say, "Yes, sir." I did not comment further.

28 Q. Was there, or were you -- no. Was there an exclusive  
29 polygraph test done in **Xxxx**?



1 A. Well, I don't know the reason why they brought this  
2 polygraph -- the exclusive polygraph test. They got  
3 their own reason. Maybe that's a way of trying to  
4 establish credibility.

10:22:29 5 PRESIDING JUDGE: Answer the question, please.  
6 THE WITNESS: Yes, sir.  
7 PRESIDING JUDGE: Answer the question. Answer the question.  
8 THE WITNESS: What's the question?  
9 PRESIDING JUDGE: Learned counsel, put the question to him  
10:22:39 10 again, please.  
11 MR CAMMEGH:  
12 Q. This is the question. Did the FBI conduct an exclusive  
13 polygraph test with you in **Xxxx**?  
14 A. No, sir.

10:22:53 15 JUDGE BOUTET: Is it a yes or no?  
16 THE WITNESS: In **Xxxx** -- I said no, sir. I did not  
17 go through an exclusive polygraph machine test in  
18 **Xxxx** -- no, sir.  
19 MR CAMMEGH:

10:23:16 20 Q. I'm going to ask you this question. Throughout yesterday  
21 we looked together at the interviews that you gave, or  
22 that you conducted with Dr White -- yes? You've got them  
23 in front of you. Do you remember that?  
24 A. Throughout the interview, what happened?

10:23:40 25 Q. During yesterday's proceedings --  
26 A. Yes, sir.  
27 Q. -- we examined together --  
28 A. Yes, we went through -- we examined --  
29 PRESIDING JUDGE: No, no, no. Please, don't cut in; don't cut



1 in.

2 THE WITNESS: Okay, I'm sorry.

3 PRESIDING JUDGE: That is what the recorders are complaining  
4 about.

10:23:52 5 THE WITNESS: Okay.

6 PRESIDING JUDGE: Wait patiently, General.

7 THE WITNESS: Yes, sir.

8 PRESIDING JUDGE: And answer the question thereafter.

9 THE WITNESS: Your Honour, I'm sorry.

10:24:00 10 MR CAMMEGH:

11 Q. Yesterday afternoon, General, we went through various  
12 parts of the interviews that you conducted with Dr White,  
13 didn't we?

14 A. Yes, sir.

10:24:16 15 Q. The documents in front of you.

16 A. Yes, sir.

17 Q. And those interviews were not conducted by the FBI; they  
18 were conducted by Dr White, weren't they?

19 A. I disagree with you, counsel -- I disagree with you  
10:24:33 20 totally.

21 Q. Dr White was asking the questions, wasn't he?

22 A. No, sir.

23 Q. Well, who was asking the questions in this document if  
24 it's not Dr White?

10:24:48 25 A. The FBI. Are you following your note very closely? --  
26 the FBI sir.

27 Q. You're seriously saying that those interviews were not  
28 conducted by Dr White?

29 A. Say that again.





1 Q. Are you seriously saying that the interviews in front of  
2 you were not conducted by Dr White?

3 A. If I'm scared? I'm not a coward.

4 PRESIDING JUDGE: No, no, no. He doesn't say -- General,  
10:25:22 5 I want you to --

6 THE WITNESS: He used the word "scared".

7 PRESIDING JUDGE: I'd like you to be very calm. You should  
8 please temper your responses.

9 THE WITNESS: Chief, the thing is -- I mean, Your Honour --

10:25:38 10 PRESIDING JUDGE: No --

11 THE WITNESS: -- from yesterday I never slept well. I want to  
12 be very frank with you, chief. I did not sleep very  
13 well, because his approach to me as Defence Counsel,  
14 I thought he was questioning me -- he has all right to  
10:25:51 15 question my credibility. I'm not disputing that fact.  
16 You have all right to question my credibility. But where  
17 you begin to antagonise me when I was dehumanised -- you  
18 got heart. Heartless people think that way. You and  
19 myself, we should talk to each other in a brotherly-hood  
10:26:08 20 manner. Forget about colour, forget about countries --

21 MR CAMMEGH:

22 Q. Sorry?

23 A. But the fact that we are human beings and we have all  
24 rights -- the arbitrary arrests, illegal detentions --  
10:26:19 25 you want me to stay in Liberia and die when I was  
26 tortured? I would have been impotent today. They pulled  
27 my penis. I had profuse bleeding -- my testicles. My  
28 eyes, because of them, I'm wearing glasses. I've  
29 got burns on my chest -- if I take off my shirt, you can



1 see. Yet you are happy about that. You think I should  
2 be happy? Definitely. I have grief in my heart. Let me  
3 be very frank with you.

4 Q. I would be very happy --

10:26:42 5 A. I'm just answering your question, because I have to  
6 answer these questions. But I have grief in my heart,  
7 because you talk to me heartlessly. Honestly, I must be  
8 very frank with you, counsel. But, Your Honour, Judge,  
9 because I'm here and, you know, as I talk to you, the  
10:26:58 10 tears are running from my eyes. I will answer his  
11 question.

12 PRESIDING JUDGE: Learned counsel, we shall rise for  
13 10 minutes.

14 THE WITNESS: I will answer his questions.

10:27:19 15 PRESIDING JUDGE: Please. Learned counsel, we shall rise for  
16 10 minutes --

17 THE WITNESS: I will answer his questions --

18 PRESIDING JUDGE: But, please, let passions die.

19 [Break taken at 10.24 a.m.]

10:38:28 20 [On resuming at 10.35 a.m.]

21 PRESIDING JUDGE: Yes, learned counsel, you may proceed.

22 MR CAMMEGH: Thank you, Your Honour.

23 Q. When we left off, General, I was asking you about the  
24 interview that you have in front of you. To be precise,  
10:39:48 25 it's the interview of April the 9th and the 10th of 2003.

26 PRESIDING JUDGE: Mr Cammegh, just a minute. If we rose, it  
27 was at least to get everybody, you know, to calm down.

28 THE WITNESS: Yes, sir.

29 PRESIDING JUDGE: And to come to at least an amicable



1 sentiment, you know.

2 THE WITNESS: Yes, sir.

3 PRESIDING JUDGE: In order that we can proceed.

4 THE WITNESS: Yes, sir.

10:40:24 5 PRESIDING JUDGE: I hope that you are now back to your good  
6 sentiments.

7 THE WITNESS: I'm okay. I'm okay. I'm okay. Counsellor, go  
8 ahead, sir. I'm prepared to answer any question from  
9 you. Go ahead with you -- yes, sir.

10:40:42 10 MR CAMMEGH:

11 Q. The interview of April the 9th and the 10th, 191 pages  
12 long --

13 A. Would you be a little bit audible so I can hear you, sir?

14 Q. Sorry. The interview that you have in front of you dated  
10:40:56 15 April 9th and 10th of 2003 was conducted by Alan White,  
16 wasn't it?

17 A. I said yes, sir.

18 Q. Good. Not the FBI?

19 A. But let me just get your point clear. I don't know what  
10:41:11 20 is the contradiction, because you are talking about  
21 interview in Ghana. Now here you're talking about  
22 interview xxxx. I did clearly tell you that  
23 I had an exclusive interview with the FBI prior to my  
24 expeditions. Then I had another interview in April of  
10:41:28 25 2000 -- I mean of 2003, xxxx xxxx, so which one  
26 are you adopting?

27 Q. Well, I've made it quite clear that the one I'm talking  
28 about is the one on April the 9th and 10th of 2003 xxxx  
29 xxxx --



1 A. Oh, yes, sir.

2 Q. -- and that was with Alan White?

3 A. Yes, sir.

4 Q. It was not with the FBI?

10:41:46 5 A. No, sir, that's not -- now that I understand the question  
6 clearly, it's 2003 of April, definitely, yes, sir.

7 Q. Right.

8 A. That exclusive interview was done by Dr Alan White, chief  
9 investigator for the Special Court.

10:41:58 10 Q. Okay, okay. I want to return to the December 2002  
11 interviews with the FBI in Ghana.

12 A. Yes, sir.

13 Q. Were you asked about diamonds and the destination of  
14 diamonds in that interview with the FBI?

10:42:15 15 PRESIDING JUDGE: He has said no. He has answered that  
16 question. Please, counsel, you can move ahead.

17 MR CAMMEGH:

18 Q. Were you -- when you spoke to Mr Santora on the  
19 telephone, when you mentioned an exclusive polygraph test

10:42:30 20 xxxx -- why are you shaking your head?

21 A. Because I never took any polygraph xxxx xxxx.

22 PRESIDING JUDGE: Listen to the question, please.

23 THE WITNESS: Sorry.

24 PRESIDING JUDGE: Counsel has not finished formulating his  
10:42:47 25 question.

26 THE WITNESS: Your Honour, I'm very sorry.

27 MR CAMMEGH:

28 Q. Did you --

29 A. No, sir.





1 PRESIDING JUDGE: He hasn't asked the question yet.

2 THE WITNESS: He said "did you". He's talking about polygraph  
3 test xxxx. That's what I understood. I mean,  
4 it's self-explanatory.

10:43:04 5 PRESIDING JUDGE: Okay. Be patient; listen to Mr Cammegh.

6 THE WITNESS: Yes, sir.

7 MR CAMMEGH:

8 Q. Did you receive an exclusive polygraph test xxxx  
9 xxxx?

10:43:23 10 A. Have you landed? No, sir.

11 Q. Why did you tell -- no. Why did you mention an exclusive  
12 polygraph test xxxx xxxx to Mr Santora on the  
13 telephone last week?

14 A. That's not true, counsellor. That's not true. I did not  
10:43:51 15 say anything --

16 MR SANTORA: Objection.

17 THE WITNESS: I'm sorry, I didn't see you.

18 JUDGE BOUTET: What's your objection?

19 MR SANTORA: Your Honour, I think in fairness to the witness,  
10:44:08 20 what I stated on record to the Court should be put  
21 exactly as I stated, and I would be happy to say exactly  
22 as I stated what I thought I heard during this exchange.  
23 But I think it has to be put, in fairness, exactly as  
24 I stated when I reported this to the Chamber that  
10:44:33 25 morning. And I'd be happy to say it again, if you feel  
26 it's necessary, or it can be --

27 JUDGE BOUTET: So what you're suggesting is what Mr Cammegh  
28 has put to the witness is not what you stated in court.

29 MR SANTORA: It's not exactly. I only say "exactly" -- how



1 I said it and what I thought I heard and it's not exactly  
2 what I said in court. I think, in fairness to the  
3 witness, it has to be put exactly as my recollection was  
4 when I reported this.

10:45:04 5 JUDGE BOUTET: Mr Cammegh?

6 MR CAMMEGH: Well, my recollection is as I put. I'd be  
7 perfectly happy for Mr Santora to do that, if he  
8 pleases -- if Your Honours please.

9 JUDGE BOUTET: Very well, please.

10:45:16 10 MR SANTORA: I stated that morning what I thought I heard was  
11 "exclusive polygraph" something-something -- in other  
12 words, words I did not hear -- and then "in  
13 xxxx". And that's a little bit different than  
14 what my learned colleague has put to the witness and  
10:45:36 15 I think, in fairness to him, it should be stated exactly  
16 as it was, and also noting that this is what I thought,  
17 to the best of my ability, I heard. I clearly, that  
18 morning, said, "This is what I thought I heard." I did  
19 not say it definitively. I think, in fairness --

10:45:56 20 JUDGE BOUTET: It was understood that way. Mr Cammegh?

21 MR CAMMEGH: If it please Your Honour.

22 Q. General, did you mention to Mr Santora on the telephone  
23 last week "an exclusive polygraph" something-something  
24 "in xxxx"?

10:46:23 25 A. In xxxx? No, sir.

26 Q. Right. Can you hear me all right, General?

27 A. I'm not deaf. I'm hearing you, sir.

28 Q. I'm just asking if you can hear me all right. My  
29 headphones --



1 A. I can hear you loud and clear.  
2 Q. Thank you. All right?  
3 A. Can you hear me, too? My mike is on.  
4 Q. Yes, I can hear you.  
10:46:45 5 A. Okay.  
6 Q. Did you attend a polygraph test --  
7 A. Did I?  
8 Q. Did you attend a polygraph test --  
9 A. In Ghana.  
10:46:58 10 Q. -- in **Xxxx**?  
11 A. No, sir -- no, sir.  
12 Q. Did the FBI speak to you or interview you in  
13 **Xxxx**?  
14 A. No, sir.  
10:47:14 15 Q. Did you develop --  
16 PRESIDING JUDGE: Please, may we get the replies -- please.  
17 MR CAMMEGH: Sorry, yes.  
18 Q. Were you asked by anybody about the supply of diamonds to  
19 militant Islamic terrorist groups?  
10:48:37 20 A. No, sir.  
21 Q. Did you --  
22 PRESIDING JUDGE: Please, let us get this reply for the second  
23 time. It's to Islamic militant groups, did you say?  
24 MR CAMMEGH: Terrorist groups.  
10:49:11 25 PRESIDING JUDGE: Islamic terrorist groups.  
26 MR CAMMEGH:  
27 Q. During your time as Commander of the Armed Forces in  
28 Liberia --  
29 A. No, sir.



1 PRESIDING JUDGE: Please, he has not finished.  
2 THE WITNESS: Okay.  
3 PRESIDING JUDGE: He has not finished.  
4 THE WITNESS: I'm sorry.  
10:49:43 5 PRESIDING JUDGE: General, please, listen. Follow him --  
6 watch his lips.  
7 THE WITNESS: Okay, I'm watching.  
8 MR CAMMEGH:  
9 Q. Between 2000, your appointment as Commander in Chief, and  
10:50:00 10 January 2002, the date of your final arrest, had you  
11 formed any covert relationship with United States  
12 Security Service personnel in Liberia?  
13 A. Let me just correct that. I wasn't appointed Commander  
14 in Chief; I was the Commanding General.  
10:50:22 15 Q. Just answer the question. Do you want me to ask it  
16 again?  
17 A. Go over again.  
18 Q. All right. Between January 2000, your appointment as  
19 Commanding General, and January 2002, the point of your  
10:50:41 20 third arrest, had you formed any covert relationship with  
21 United States Security Services personnel in Liberia?  
22 A. No, sir.  
23 Q. By the date of your arrest in 2002, had you been working  
24 as an intelligence source for the CIA?  
10:51:46 25 A. No, sir.  
26 Q. Have you, since your final arrest in January 2002, at any  
27 time acted as an intelligence source for the CIA or the  
28 FBI?  
29 A. No, sir.





1 PRESIDING JUDGE: Learned counsel, is it the CIA or FBI?  
2 MR CAMMEGH: Both.  
3 Q. In reality, General, is it the case that the FBI were far  
4 more interested in intelligence about diamonds than they  
10:53:20 5 were about what was going on with the RUF?  
6 A. I don't know. I don't know. I can't tell --  
7 PRESIDING JUDGE: You don't know, please.  
8 THE WITNESS: Yes, sir.  
9 PRESIDING JUDGE: Save your energies. I know you have plenty  
10:53:39 10 of energy around you.  
11 MR CAMMEGH:  
12 Q. General --  
13 A. Yes, sir.  
14 Q. -- I'm coming to the end. You told this Court, quite  
10:54:19 15 passionately, on more than one occasion that you would  
16 die for your country. But you're still alive. You could  
17 have died for your country, for your  
18 democratically-elected president, Samuel K Doe, in 1990;  
19 but you didn't, did you?  
10:54:40 20 A. I'm not prepared to die senselessly -- senselessly. I'm  
21 not prepared to die senselessly. That's why I was  
22 training, so why should I die --  
23 PRESIDING JUDGE: General, just a moment.  
24 THE WITNESS: I'm sorry.  
10:54:54 25 MR SANTORA: Just to avoid confusion and another 20-minute  
26 digression, the evidence -- it's not asserted that  
27 Samuel K Doe was ever democratically elected.  
28 MR CAMMEGH: Forgive me, you're absolutely right. I'm sorry.  
29 Q. You did say that you served three democratically-elected



1           presidents, but I accept what my learned friend says.  
2           I'll put it in this way, because my learned friend is  
3           right. When the going got tough for Doe's forces in,  
4           what, June of 1990, you got going, didn't you?

10:55:37 5    A.    I was what?

6    Q.    Well, you changed sides?

7    A.    Died?

8    Q.    You changed sides?

9    A.    I changed?

10:55:44 10   Q.    Sides -- you went over from Doe to Taylor?

11   A.    It was involuntary. I was a PoW. I got caught into the  
12       system, so it was an involuntary changing of side. I got  
13       caught up into a revolution and definitely I had to stay  
14       with that to be able to save my life.

10:56:03 15   Q.    Yes, to save your life.

16   A.    I clearly told you that, sir

17   Q.    To save your life --

18   A.    Yes, sir.

19   Q.    -- to suit yourself, you changed loyalty, didn't you?

10:56:12 20   A.    I don't know how you term that. I don't really know how  
21       you term that.

22   Q.    You said earlier that you would die for your family.

23   A.    Oh, yes.

24   Q.    And yet you left them high and dry in Monrovia when you  
10:56:44 25       left in April 2002 at Taylor's mercy?

26   A.    I'm very happy to know that now you begin to have heart  
27       that my family were of my concern. That's very good. If  
28       I didn't care for my family, definitely I was not going  
29       to leave Liberia to come and seek an asylum in Ghana.



1 And that's why today they're out, or else they would have  
2 been killed. Don't you know I'm a very good father? Oh,  
3 yes, I am.

4 Q. Well, that's perhaps for others to decide. Did you give  
10:57:16 5 a single thought to your wife and how many - eight  
6 children - when you fled Liberia?  
7 A. Nine children and five -- I mean, six adopted ones.  
8 Q. Five children, six adopted. Did you give --  
9 A. I didn't say five -- let's get it corrected. Nine plus  
10:57:34 10 five -- six adopted ones.  
11 Q. Let's get to the point, shall we?  
12 A. You were talking about children, so I wanted to make that  
13 clarification.  
14 Q. Thank you; you've done so. Did you give your family more  
10:57:45 15 than a second's thought when you fled Liberia in --  
16 A. I was very, very flexible --  
17 Q. Flexible?  
18 A. -- because if I wasn't sensitive in deciding, they would  
19 have been killed in 1990. So when I surrendered,  
10:58:04 20 I decided to be very submissive, psychologically, and  
21 I went through -- can you imagine -- I went through from  
22 1990 up to 1997 after the election -- I didn't want to be  
23 a coward to leave my country. I wanted to demonstrate my  
24 professional expertise. That's what I did.  
25 [HS131004B 10.54 a.m.]  
26 A. And since Taylor did not realise that, the same thing Doe  
27 did, he tribalised the army instead of liberalising it.  
28 Taylor also did the thing, he factionalised the thing  
29 when the election was over with. He factionalised the



1           army instead of liberalising and that's what brought  
2           about the re-entry of the rebels. So do I have to  
3           leave --

4   PRESIDING JUDGE: Yes. General --

5   THE WITNESS: Yes, sir.

6   PRESIDING JUDGE: Yes, we have heard all that. Counsel, can  
7           you put the question to him again, please.

8   MR CAMMEGH:

9   Q. Have you ever heard of the phrase a rat leaving a sinking  
10          ship?

11   A. No, sir.

12   JUDGE BOUTET: I am not sure this is the kind of language that  
13          will produce a positive result in this court. I would  
14          just caution you with this type of language.

15   MR CAMMEGH: I won't --

16   JUDGE BOUTET: It does not, you know, produce proper exchange.

17   MR CAMMEGH: I take Your Honour's point; I will withdraw that.

18   Q. You see, the point I am getting at, General, is that you  
19          abandoned Samuel K Doe when it suited you, and you  
20          abandoned, betrayed, your family when it suited you;  
21          isn't that right?

22   A. You got interest in my family -- you got interest in my  
23          family than me? I would never betray my family, that's  
24          the last thing I would ever do.

25   Q. And when it suited you --

26   A. Of course, if the commander-in-chief doesn't understand  
27          that he has trained people and the situation came to  
28          reality, of course, they have right to be  
29          self-descriptive.





- 1 Q. When it suited you --
- 2 A. Either stay or leave.
- 3 Q. When it suited you, you deserted Liberia.
- 4 A. Say that again, sir.
- 5 Q. When it suited you, you deserted Taylor and his regime in  
6 Liberia.
- 7 Q. What is said, that I deserve.
- 8 Q. Deserted.
- 9 A. Deserted?
- 10 Q. Ran away.
- 11 A. I didn't run away.
- 12 Q. Fled.
- 13 A. If I wanted to run away from the time the war entered,  
14 1990, I was going to leave the country; all the AFL  
15 personnel left, but I felt that I needed to contribute my  
16 professionalism and that's why I stay up to 2000 when  
17 they begin to -- my first arrest [inaudible] arrest for  
18 detention, 2000, I went through the investigation. I was  
19 acquitted. 2001, I was re-arrested falsely, detained. I  
20 went through it. I was acquitted. The third time again  
21 I had no business to submit myself to any arrest when I  
22 have my own right, that's when I decided to take the  
23 precautionary measure. You want me to stay in Liberia  
24 and die, Counsellor? That's not proper; I can't do that,  
25 I have my own rights.
- 26 Q. You are a career opportunist, aren't you?
- 27 A. It's not opportunity; I am a professional assets to my  
28 country, like you are a professional assets to what you  
29 doing now.



- 1 Q. You have, I suggest, every reason to benefit from the  
2 luxury of being a Prosecution witness in his case.
- 3 A. I don't understand your own interpretation. If you are  
4 trying to be a luxury to defending people that have  
5 brought bloodless [sic] war on the people of Sierra  
6 Leone, I am not.
- 7 Q. You are a war criminal.
- 8 A. I am not.
- 9 Q. You are a war criminal.
- 10 A. You will be able to defend me tomorrow if I am accused,  
11 because you are noted for that now.
- 12 Q. You see --
- 13 A. You are defence counsel for defending people that have  
14 brought senseless war on armless people --
- 15 Q. I'm coming to that.
- 16 A. And then you are standing there, you try to antagonise  
17 me.
- 18 Q. Don't worry, General, I'm coming to that.
- 19 A. Hit the main point; cross-examine me. You are trying to  
20 evaluate my credibility.
- 21 Q. Yes, I am.
- 22 A. You are leaving the main points.
- 23 Q. I am trying to destroy your credibility, General.
- 24 A. I'm a credible man. Because you don't have anything to  
25 say now, [overlapping speakers]
- 26 Q. I am going to suggest -- [overlapping speakers]
- 27 A. -- you are supposed to be defending instead of trying to  
28 argue with me.
- 29 JUDGE BOUTET: Mr Cammegh, please, please.



1 THE WITNESS: You don't have anything for me. I'm prepared  
2 for your cross-examination, sir.

3 MR CAMMEGH:

4 Q. Do you want to know why I'm calling you a war criminal?  
5 A. Are you done?  
6 Q. Yes.  
7 A. Are you done?  
8 Q. No, I want you to -- [overlapping speakers]  
9 A. In other words, you don't have anything to tell me, then  
10 loose me free.  
11 Q. You are a war criminal.  
12 A. Crime, that's the only thing you got to say?  
13 Q. War criminal, General.  
14 A. What do you mean by "war criminal"?  
15 Q. You said here --  
16 A. You know the definition of the word "war criminal"?  
17 Q. Just let me speak.  
18 A. I can't let you speak when you are trying to antagonise  
19 me personally.

20 PRESIDING JUDGE:

21 Q. General --  
22 A. Yes.  
23 Q. You have said -- you have said that you are not a career  
24 opportunist and that you are not a war criminal. That is  
25 what you have said.  
26 A. Yes, sir, I am not a career opportunist, I am not a war  
27 criminal. I am professional assets to my country.  
28 Q. Right.  
29 A. That's what I clearly stated here, counsellor.



1 PRESIDING JUDGE: Mr Cammegh, can you proceed, please?

2 MR CAMMEGH:

3 Q. You have every reason to fear -- I put this to you: You  
4 have every reason to fear allegations that you have acted  
5 as a war criminal and you know that.

6 A. I don't know that, sir, Your Honour.

7 PRESIDING JUDGE:

8 Q. I do not -- I do not -- please, wait. I do not have any  
9 reason.

10 A. I don't have any reason as you allege.

11 Q. That I have acted as war criminal.

12 A. Yes, sir.

13 MR CAMMEGH:

14 Q. Number one, the second level of the command structure,  
15 that of advisory command and strategic planning, was a  
16 role that you performed in the organisation of the 292  
17 men who invaded Sierra Leone.

18 JUDGE BOUTET: Are you asking a question now, or are you --

19 MR CAMMEGH: I am putting this, Your Honour, I'm putting it.

20 JUDGE BOUTET: Yes, well, put it. It does not appear to me to  
21 be a question, so if it is to be argumentative, I would  
22 ask you to refrain from that.

23 MR CAMMEGH: Very well.

24 Q. I suggest that that was a criminal act, General.

25 A. I disagree with your suggestion, sir, Your Honour.

26 Q. I suggest, number two, that by taking responsibility in  
27 your position as training commandant for the training of  
28 under-age boys and girls, you are a war criminal.

29 A. I have heard that over 100 times, sir. I don't know what





1 to say. I am not a war criminal and I would never become  
2 a war criminal.

3 Q. Number three, that by your part or the part you played in  
4 training those unfortunate Sierra Leonean civilians who  
5 were forcibly conscripted, you are a war criminal.

6 A. I am not a war criminal. When the time come maybe you  
7 will be one of those that defend me, but for now I am not  
8 a war criminal, sir, okay?

9 Q. Number four, by virtue of your training of foreign  
10 mercenaries to attack Sierra Leone, you are a war  
11 criminal.

12 A. Did I hear you say foreign missionaries?

13 Q. Mercenaries.

14 A. No, you are misquoting me. Read your note very  
15 carefully, counsellor, you have misquoted me. I never  
16 told you, I have never said in my exclusive interview in  
17 my handwriting, my testimony here in the court, I have  
18 never said I trained foreign missionaries -- never.

19 PRESIDING JUDGE:

20 Q. Yes; so you are saying you disagree with counsel --

21 A. I disagree.

22 Q. -- that you trained mercenaries?

23 A. Yes, sir, I disagree with him in totality.

24 MR CAMMEGH:

25 Q. And I will also suggest that your involvement in the  
26 flight - the arms supply flights up to Kolahun - suggest  
27 that you knew full well what was going on in Sierra  
28 Leone.

29 A. I disagree with you, sir.



- 1 Q. I suggest --
- 2 A. I was acting in my capacity as assistant chief of staff  
3 G3, and commanding general respectively for the  
4 government forces, not RUF. Let's get that squared away.
- 5 PRESIDING JUDGE: By flying to Kolahun he had knowledge --
- 6 MR CAMMEGH: Of what was going on.
- 7 PRESIDING JUDGE: -- of what was going on in Sierra Leone.
- 8 MR CAMMEGH: That he must have done, Your Honour.
- 9 Q. I further suggest that, as I exposed by reference to your  
10 interview yesterday, you repeatedly accompanied the  
11 diamond supply flights to the White Flower with Ibrahim  
12 Bah.
- 13 A. Repeatedly?
- 14 Q. Yes.
- 15 A. I disagree.
- 16 Q. And that you lied to this Court --
- 17 A. I disagree with you, sir.
- 18 Q. -- when you said you only went once.
- 19 A. I disagree with you, sir.
- 20 Q. You have seen the interview.
- 21 A. In totality, I disagree with you. Check your notes  
22 properly.
- 23 PRESIDING JUDGE: Learned counsel, let's see what he is  
24 agreeing with. You put it to him that he accompanied  
25 these flights with diamonds.
- 26 MR CAMMEGH: Yes, repeatedly, that's what he was [overlapping  
27 speakers]
- 28 A. Repeatedly. I disagree with you, sir, in totality.
- 29 Q. You say that you have seen Augustine Gbao, that he is a



1 huge man, to quote you, but he is five foot three. You  
2 are wrong about that description, aren't you, that he is  
3 huge?

4 A. That is your own opinion, sir; I disagree with you there.  
5 Your description is different from my description. You  
6 can look at this and say this is blue, and I look at it  
7 and it's green, so your description is not my  
8 description.

9 Q. [Microphone not activated] I'm sorry, General.

10 A. So to verify that, bring Augustine Gbao and ask me where  
11 is Augustine Gbao. I will identify, like I identified  
12 the other two guys sitting back there.

13 Q. We have been -- [overlapping speakers]

14 A. So let's be very optimistic about that. I am talking to  
15 you with confidence.

16 Q. The question I am coming to is this: Have you really  
17 come to this Court to tell the truth about Augustine  
18 Gbao?

19 A. [Inaudible] so, yes, sir, I come to tell the truth. Had  
20 it not been so I wouldn't be here. And I was going to  
21 testify close, but I chose open the curtains and let me  
22 be heard and let everybody look at me. I'm telling the  
23 truth. I mean, it left with you to be able to  
24 cross-examine and the judges will decide, but I am here  
25 telling the truth and nothing but the truth.

26 Q. You say that if you hadn't come here to tell the truth --  
27 no, I am sorry, I will put it differently. You said that  
28 if you weren't intending to tell the truth, you would not  
29 be here; is that right?



- 1 A. If I wasn't intending to tell the truth?
- 2 Q. Yes, if you were not intending to tell the truth, you  
3 would not be here.
- 4 A. I would not be here and I would not be in readiness to  
5 testify in the open.
- 6 Q. All right. But the truth is, isn't it, the real truth is  
7 that if it were not for your connection with your new  
8 friends --
- 9 A. My new friends?
- 10 Q. Yes.
- 11 A. Who are my new friend?
- 12 Q. Well, you probably know better than I who your new  
13 friends are.
- 14 A. No, no, you know better than I, because if you know my  
15 friends, I don't know your friends.
- 16 JUDGE BOUTET: Mr Cammegh, Mr Cammegh, please, please, don't  
17 get into these kind of arguments; it's useless and  
18 everybody gets confused.
- 19 MR CAMMEGH: Very well.
- 20 Q. I will put it differently.
- 21 A. Yes, sir.
- 22 Q. By your "new friends", I am referring to those Americans  
23 that you told us about.
- 24 A. Counsellor, I don't -- you are confused, I'm sorry, but I  
25 don't have a new friend.
- 26 Q. The people -- I don't know who it is --
- 27 A. I was performing my job.
- 28 Q. Let me answer -- ask the question.
- 29 A. I was performing my job on a professional level.





- 1 Q. Let me ask the question.
- 2 A. I don't have a special friend.
- 3 PRESIDING JUDGE:
- 4 Q. General.
- 5 A. Yes, sir.
- 6 Q. Please.
- 7 A. Okay, sir. I'm sorry. Go ahead.
- 8 MR CAMMEGH:
- 9 Q. You know full well what I am referring to.
- 10 A. I don't know --
- 11 Q. Listen! I am referring to the people who have paid you  
12 benefits in kind up to about \$90,000 who continue to pay  
13 you now.
- 14 A. Are you ordering me militarily, or are you trying to  
15 cross-examine me [overlapping speakers]
- 16 Q. [Overlapping speakers] continue to house you now, to  
17 accommodate you [overlapping speakers]
- 18 A. I'm a soldier, but you are not my commander [overlapping  
19 speakers]
- 20 Q. To feed you. That's what I'm referring to?
- 21 A. No, no, calm down.
- 22 Q. Let me ask the question.
- 23 A. You talk to me acrimoniously.
- 24 Q. Yes, I am [overlapping speakers]
- 25 A. I will not be prepared to listen to that.
- 26 Q. Perhaps it is because I feel acrimonious right now  
27 [overlapping speakers]
- 28 A. You got to be moderate.
- 29 JUDGE BOUTET: Mr Cammegh, please, please.



1 THE WITNESS: I'm a responsible person, I have my wife and  
2 children and I will not have you talking to me like I am  
3 a little boy. Okay [overlapping speakers].

4 MR CAMMEGH:

5 Q. If it wasn't -- [overlapping speakers]

6 A. You have your profession, I have my profession and I  
7 think you are supposed to respect me, counsellor  
8 [overlapping speakers]

9 Q. If it wasn't -- [overlapping speakers] You know, if it  
10 wasn't --

11 JUDGE BOUTET: Witness, please, please.

12 THE WITNESS: Yes, sir. I'm sorry, chief.

13 JUDGE BOUTET: And Mr Cammegh as well.

14 THE WITNESS: I'm sorry, I'm sorry.

15 MR CAMMEGH:

16 Q. Let me put this to you: You know full well that if it  
17 wasn't for those people -- [overlapping speakers]

18 A. Counsellor, I don't know.

19 Q. Listen!

20 A. I'm not listening. Have you got to order me? I'm not  
21 your --

22 Q. If it wasn't for those people you would be dead.

23 A. You want to kill me, go ahead, but if I wasn't sensible  
24 enough, I would have been dead [overlapping speakers]

25 Q. Thank you.

26 JUDGE BOUTET: Mr Cammegh, I am not sure where you want to try  
27 arrive and where you are trying to get at with these kind  
28 of questions [overlapping speakers]

29 THE WITNESS: I would be dead.



1 JUDGE BOUTET: Please.

2 THE WITNESS: If you want to kill me, go ahead, but I'm  
3 telling --

4 MR CAMMEGH:

5 Q. You are a preacher, aren't you?

6 A. We will see.

7 Q. You are a preacher, aren't you?

8 A. You can go [inaudible] out there. That's why I've  
9 decided to testify openly -- [overlapping speakers]

10 Q. Do you preach in church?

11 A. But I'm prepared for any eventuality. I can tell you  
12 that. I am prepared for any eventuality, and that's why  
13 I decided to testify openly.

14 Q. Do you preach in church?

15 A. I'm not a coward.

16 Q. Do you preach in church, General?

17 A. Are you threatening me?

18 Q. Do you preach in a church?

19 A. If I do preach, I'm not a pastor. But I do go to church.

20 Q. You have been provided [overlapping speakers]

21 A. I wouldn't question your own Christian background,  
22 because if you were a real Christian, you would not be  
23 standing there defending people who brought senseless war  
24 and then begin to transport the blood diamonds out of  
25 here to go out there and dehumanise and kill innocent  
26 civilians and children [inaudible]. If you are standing  
27 there and you want to act like a good defence counsel,  
28 then you want to antagonise me personally. I came to  
29 testify what I saw and you want to implicate me. I



1 should be a fool enough to sit there and listen to all  
2 these -- I don't know how you call it -- yesterday you  
3 told me rubbish and you told me, "You are talking  
4 nonsense."

5 Q. I stand by that.

6 A. You and myself let's analyse who is talking the rubbish  
7 and nonsense, honestly.

8 Q. When you go to church [overlapping speakers].

9 A. Do you know where you are talking? If you have this  
10 position yourself, you don't know what you are saying  
11 here then --

12 PRESIDING JUDGE: Right, it has to stop somewhere.

13 [At this stage of the proceedings Presiding Judge banged  
14 his gavel]

15 It has to stop somewhere. I think we are either in a  
16 courtroom, or we are in a market place.

17 THE WITNESS: I'm sorry, sir.

18 PRESIDING JUDGE: Mr Cammegh, please.

19 MR CAMMEGH: Thank you, Your Honour.

20 PRESIDING JUDGE: You had better avoid provocative approaches,  
21 you know, to your questions, because they also could  
22 contribute, to an extent - and have contributed to an  
23 extent - to this futile debate we are having here. May  
24 you please limit yourself to the questions you want to  
25 ask him and let us see how we can get along, you know, to  
26 end this process, please.

27 MR CAMMEGH:

28 Q. You have a secure home --

29 PRESIDING JUDGE: And I don't think I want to use this hammer





1 a second time, please. I have never used it.

2 THE WITNESS: I promise you, sir, I would never -- I will

3 listen to all his questions.

4 MR CAMMEGH:

5 Q. You have a secure home somewhere in the west, don't you?

6 A. I have a home, yes, sir, I have a home.

7 Q. Which has been provided for [overlapping speakers]

8 A. I am a father with a family.

9 Q. Which has been provided for you.

10 A. Would you be audible so I can hear you? I am not hearing

11 you.

12 Q. Which has been provided for you.

13 A. You are still low; I'm not hearing you.

14 Q. Which has been provided for you.

15 A. Provided?

16 Q. Yes.

17 A. What do you mean provided?

18 Q. You know full well what I mean.

19 A. I don't know unless you tell me.

20 Q. You have been given somewhere to live, haven't you?

21 A. Somewhere to live?

22 Q. Yes.

23 A. Oh, yes, sir, when you talk about repatriation, you talk

24 about asylum. Under the UN laws I am entitled to it,

25 because Liberia is part of the signatory of that.

26 Q. All I was looking for was the word "yes". [Overlapping

27 speakers]

28 A. And I have to enjoy that emoluments.

29 JUDGE BOUTET:



- 1 Q. General, please, just again listen to the question.
- 2 A. Yes, sir.
- 3 Q. The question was: Have you been provided with a home?
- 4 A. Yes, sir, I've been provided a home.
- 5 MR CAMMEGH:
- 6 Q. Did you pay for that?
- 7 A. Yes, sir, it's been for the UN.
- 8 Q. Did you pay for that?
- 9 A. No, sir.
- 10 Q. Thank you.
- 11 A. The UN pay.
- 12 Q. Do you go to church near your home?
- 13 A. I do go to church.
- 14 PRESIDING JUDGE: Please, please, just hold on, hold on,  
15 before we go into church.
- 16 THE WITNESS: Are you -- you want --
- 17 PRESIDING JUDGE: Please hold on before we go to church.
- 18 MR CAMMEGH: The next bit --
- 19 THE WITNESS: I don't understand.
- 20 MR CAMMEGH: The next bit is not funny.
- 21 PRESIDING JUDGE: I hope we can go to church and remain in  
22 church and do what is done --
- 23 THE WITNESS: Well, you keep threatening.
- 24 PRESIDING JUDGE: Please hold on, hold on.
- 25 THE WITNESS: Counsellor is threatening me right here. I  
26 mean, he's threatening me. The Defence is threatening  
27 me.
- 28 PRESIDING JUDGE: Never mind the Defence.
- 29 THE WITNESS: But I'm a soldier man, you can [overlapping



1 speakers]

2 JUDGE BOUTET: Please, General, please.

3 THE WITNESS: Yes, sir.

4 JUDGE BOUTET: Listen.

5 THE WITNESS: Yes, sir.

6 PRESIDING JUDGE: You say it is paid for by who?

7 THE WITNESS: By the United Nations -- it's a re-settlement.

8 My family's on a re-settlements. I was a loan provided

9 by the International Organisation for Migrations through

10 the International Rescue Committee.

11 PRESIDING JUDGE: That is okay, we have gotten it.

12 THE WITNESS: Which I'm entitled to.

13 PRESIDING JUDGE: Yes, Mr Cammegh.

14 MR CAMMEGH:

15 Q. When you are in church, General --

16 A. Sir?

17 Q. When you are in church, do you ever remember those 292

18 men who you arranged and organised --

19 JUDGE BOUTET: Well, Mr Cammegh, I don't think it is the kind

20 of question that will be conducive to any positive result

21 in this respect. I will not allow that question.

22 MR CAMMEGH: Very well.

23 JUDGE BOUTET: Move in a different direction.

24 MR CAMMEGH:

25 Q. It's quite simple, General. You did not come to this

26 Court with clean hands; you came to this court with your

27 hands smeared in the blood of hundreds and thousands of

28 innocent civilians of this country.

29 A. Counsellor, I disagree with you.



1 Q. That will be all.

2 A. I disagree with you today. I disagree with you in  
3 totality. Thank you.

4 JUDGE THOMPSON: Does the Prosecution have any re-examination?

5 MR SANTORA: The Prosecution has no questions for  
6 re-examination, Your Honours.

7 JUDGE THOMPSON: Thank you.

8 PRESIDING JUDGE: Well, General Tarnue --

9 THE WITNESS: Yes, Your Honour, sir.

10 PRESIDING JUDGE: Thank you very much for coming.

11 THE WITNESS: Yes, sir.

12 PRESIDING JUDGE: And we thank you for the assistance, you  
13 know, that you have given to the judicial process by --

14 THE WITNESS: Yes, sir.

15 PRESIDING JUDGE: -- accepting to testify and to testify.

16 THE WITNESS: Yes, sir.

17 PRESIDING JUDGE: Your examination-in-chief, cross-examination  
18 and re-examination is all over.

19 THE WITNESS: Thank you.

20 PRESIDING JUDGE: So I would like to inform you that you are  
21 free to go back to your residence.

22 THE WITNESS: Thank you, sir.

23 PRESIDING JUDGE: Should necessity arise in future for us to  
24 call you again --

25 THE WITNESS: Yes, sir.

26 PRESIDING JUDGE: We would go through the normal channels. We  
27 would ask the Prosecution to bring you back here.

28 THE WITNESS: Yes, sir.

29 PRESIDING JUDGE: So although, you know, we are through with





1 you at this particular point in time --

2 THE WITNESS: Yes, sir.

3 PRESIDING JUDGE: -- there may well arise a possibility, who  
4 knows, that we'll call you back here.

5 THE WITNESS: Yes, sir.

6 PRESIDING JUDGE: So please, you may go and we want to once  
7 more thank you and wish you a very safe journey and all  
8 the best to your family.

9 THE WITNESS: Thank you, counsellor, I am more than ready any  
10 time, sir. Thank you very kindly.

11 PRESIDING JUDGE: Thank you very much. Have a safe journey.

12 THE WITNESS: Thank you, sir.

13 PRESIDING JUDGE: We shall move to -- I don't know, the  
14 Prosecution has a witness which --

15 MR HARRISON: That's correct.

16 PRESIDING JUDGE: Yes, we would like to -- are there any  
17 particular measures, you know, for this witness?

18 MR HARRISON: This witness and the next witness will be  
19 testifying behind a screen, the normal protective  
20 measures for category C.

21 PRESIDING JUDGE: But in an open session?

22 MR HARRISON: It will be open but behind a protective screen  
23 with the voice distortion -- all measures attached to  
24 category C witnesses.

25 JUDGE BOUTET: Pardon me, you have just mentioned voice  
26 distortion. Can I get some additional explanation on  
27 that? What do you mean?

28 MR HARRISON: That attaches to all category C witnesses, I  
29 think that is one of the --



1 JUDGE BOUTET: I would like to be assured that the system is  
2 indeed functional, because the last time we heard about  
3 that, the system was not working.

4 MR HARRISON: I am in Your Lordship's guidance on what needs  
5 to be done. I will make an inquiry --

6 JUDGE BOUTET: That's why I am asking the question, because if  
7 the system is like it was the last time, there was no  
8 distortion. The voice distortion applied to the public  
9 and us and we said no to that. So if this is what it is,  
10 I suggest you discuss that with Court Management, because  
11 that won't work.

12 MR HARRISON: I will do that.

13 PRESIDING JUDGE: Right, in order to allow for time for all  
14 these to be put in place for consultations, you know, to  
15 be made with Court Management, the Court will rise and we  
16 will resume when we are informed that everything is in  
17 place for us to start with the examination-in-chief of  
18 the next witness. The Court will rise, please.

19 [Break taken at 11.21 p.m.]

20 [On resuming at 11.32 p.m.]

21 PRESIDING JUDGE: Learned counsel, the Chamber has been  
22 informed that there are some technical problems which  
23 relate to the testimony of this witness who we are  
24 supposed to take on and we have been fully briefed on  
25 this problem and we have also been told that the  
26 technical dispositions can be put in place only -- I mean  
27 not in under two hours. This is what we have been told.  
28 It is unfortunate we have lost about two hours, you know,  
29 today of court proceedings and we are going to lose some



1 more time, because we don't sit in the afternoons on  
2 Wednesdays. So I think we would give the Court  
3 Management and the technicians, you know, the time to put  
4 the technical equipment, you know, right for us to be  
5 able to take this witness tomorrow at 9.30 and we would  
6 like to remind -- I don't know how long -- even if it is  
7 a long witness, we would like the Prosecution to have a  
8 stand-by witness, because you never know, we may run into  
9 technical problems -- they may put in place the  
10 technology and it treats us otherwise, so it's good to  
11 have a regular witness tomorrow in case the technology  
12 does not function.

13 MR HARRISON: I will ensure that happens this afternoon.

14 PRESIDING JUDGE: Right. So this said, learned counsel, we  
15 will have to adjourn the proceedings, I mean rather  
16 prematurely, and to resume tomorrow at 9.30. So have a  
17 nice day. The Court will rise, please.

18 [Whereupon the hearing adjourned at 11.35 a.m., to be  
19 reconvened on Thursday, the 14th day of October 2004, at  
20 9.30 a.m.]

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C E R T I F I C A T E

We, Maureen P Dunn and Susan G Humphries, 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.

Maureen P Dunn

Susan G Humphries



WITNESSES FOR THE PROSECUTION:

WITNESS: JOHN S TARNUE [Continued] 1

CROSS-EXAMINED BY MR CAMMEGH [Continued] 1