



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 10 AUGUST 2010
9.00 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

Justice Julia Sebutinde, Presiding
Justice Richard Lussick
Justice Teresa Doherty
Justice El Hadji Malick Sow, Alternate

For Chambers:

Ms Simon Meisenberg
Ms Doreen Kiggundu
Ms Sidney Thompson

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Joseph F Karmara
Mr Nicholas Koumjian
Ms Kathryn Howarth
Ms Ruth Mary Hackler
Ms Ula Nathai-Lutchman
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munday
Mr Morris Anyah
Ms Silas Chekera
Ms Logan Hambriick
Ms Fatiah Balfas
Mr Simon Chapman
Ms Kathryn Hovington
Mr Tor Kreyer
Ms Salla Moilanen

For the witness Carole White:

Mr Daniel Bright

1 Tuesday, 10 August 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.02 a.m.]

09:01:12 5 PRESIDING JUDGE: Good morning. We will take appearances
6 first, please.

7 MS HOLLIS: Morning, Madam President, your Honours,
8 opposing counsel. This morning for the Prosecution, Joseph
9 Kamara, Kathryn Howarth, Ruth Mary Hackler, Ula Nathai-Lutchman,
09:02:54 10 our case manager, Maja Dimitrova and myself, Brenda J Hollis.

11 MR GRIFFITHS: Good morning, Madam President, your Honours,
12 counsel opposite. For the Defence today, myself, Courtenay
13 Griffiths, with me, Mr Terry Munyard, Mr Morris Anyah, Mr Silas
14 Chekera, Ms Logan Hambri ck, Ms Fatiah Balfas, Mr Simon Chapman,
09:03:25 15 Ms Kathryn Hovington, Tor Krever, and our case manager Salla
16 Moilanen.

17 PRESIDING JUDGE: Also we note the presence of Mr Brighton
18 behalf of the witness in the box.

19 Ms White, good morning.

09:03:58 20 THE WITNESS: Good morning.

21 PRESIDING JUDGE: This morning we continue with your
22 testimony in cross-examination, and I just remind you of the oath
23 that you took yesterday to tell the truth. That oath is still
24 binding on you today. Mr Griffiths, please continue.

09:04:14 25 WITNESS: CAROLE WHITE [On former oath]

26 CROSS-EXAMINATION BY MR GRIFFITHS: [Continued]

27 Q. Ms White, yesterday afternoon when we adjourned, I was
28 asking you about the presence of black men in that compound and
29 at that dinner, do you recall that?

1 A. I do.

2 Q. Now, would it be fair to say that there were a number of
3 individuals staying in that lodge?

4 A. Yes.

09:04:42 5 Q. Do you have any idea how many?

6 A. Maybe eight, I don't - I don't know particularly.

7 Q. And what about the staff? Did they also stay on the
8 premises, to your knowledge?

9 A. I don't know.

09:05:09 10 Q. Whilst you were staying at that compound, did you see
11 several black men on the premises?

12 A. As in staff?

13 Q. Anyone.

14 A. Yes.

09:05:31 15 Q. Would it be fair to say that the staff at the presidential
16 lodge were, for the most part, black?

17 A. Yes.

18 Q. And you will recall that yesterday we spoke about the
19 security at the premises, yes?

09:05:53 20 A. Yes.

21 Q. And you informed me that they were many sentries and other
22 security guards around the premises, yes?

23 A. Yes.

24 Q. Now, you tell us that at the dinner, you were seated next
09:06:22 25 to the Liberian defence minister; is that right?

26 A. Yes.

27 Q. Then it was Naomi Campbell?

28 A. Yes.

29 Q. Then it was Charles Taylor?

1 A. Yes.

2 Q. Are you sure about that?

3 A. Yes.

4 Q. When we look at the photograph which was taken, and we
09:06:48 5 needn't have it out again, we've seen it on several occasions
6 now, this photograph of the gathering, yes; apart from his wife
7 and Mr Taylor, the closest person to Nelson Mandela is Naomi
8 Campbell. And I mention that for this reason: Ms Campbell tells
9 us that at the dinner, she was seated between Nelson Mandela and
09:07:27 10 Quincy Jones. May you be wrong about the seating arrangements,
11 Ms White?

12 A. No.

13 Q. So despite being the star attraction, according to this
14 photograph, she was stuck between the Liberian President and his
09:07:51 15 defence minister; that's what you're telling us, yes?

16 A. Yeah.

17 Q. I suggest you're totally wrong about that.

18 A. It's what I recall.

19 Q. And I also suggest, you see, that this flirtation between
09:08:08 20 Naomi Campbell and Charles Taylor is a figment of your
21 imagination, you've made that up. Do you follow me?

22 A. I haven't made it up.

23 MR GRIFFITHS: Could the witness please be shown the
24 interview notes which I provided to her yesterday? The interview
09:08:36 25 notes of 13 May, which your Honours have in the bundle provided
26 by Mr Anyah yesterday. I'm told it's tab 11 in that bundle.

27 Q. Let's start, please, at paragraph 3. In that paragraph,
28 you were telling the Prosecution, in the persons of Nick Koumjian
29 and Ruth Mary Hackler, on 13 May of this year:

1 "The witness described the presidential guesthouse as a
2 baronial like house. She remembered it had huge wooden doors."

3 Is that correct?

4 A. Correct.

09:10:29 5 Q. "A big hallway, a lounge area, and the guest room sort of
6 looked on to the common area. There were guards in dress uniform
7 during the day."

8 Now, how big were the doors?

9 A. I reckon they were 10 to 12 foot high.

09:10:56 10 Q. And they were secured by bolts, were they?

11 A. At night, yes.

12 Q. And during the day, there were guards outside those doors;
13 is that correct?

14 A. Two guards outside the doors, to my recollection.

09:11:08 15 Q. And I have good reason for asking. Having gone through the
16 doors, according to this there is a big hallway; is that correct?

17 A. Like a hall/gathering area that merged into a lounge.

18 Q. And it was from that lounge, later that night, that you and
19 Ms Campbell, according to you, went to open the large 10 foot
09:11:40 20 tall doors to let the men in; is that correct?

21 A. Correct.

22 Q. We'll come to that. Paragraph 4:

23 "Also in attendance was Charles Taylor. The witness
24 remembers being told by Ms Campbell that Graca Machel,
09:12:06 25 Mr Mandela's future wife, was annoyed that Charles Taylor was
26 invited to the dinner. The witness was fairly certain that
27 Ms Machel did not attend the dinner."

28 Did she attend the dinner or not?

29 A. Apparently so.

1 Q. Got that wrong, didn't you?

2 A. I did.

3 Q. Because that's her in the photograph sitting next to her -
4 standing next to her future husband, right?

09:12:35 5 A. Yes.

6 PRESIDING JUDGE: When you say "apparently so", where did
7 you get this other information that's contrary to what you stated
8 before?

9 THE WITNESS: Well, I've since realised, having seen
09:12:52 10 pictures, that she was at the dinner, but I didn't recall her,
11 but I didn't recall all the guests at the dinner anyway.

12 PRESIDING JUDGE: What pictures?

13 THE WITNESS: This picture.

14 MR GRIFFITHS:

09:13:04 15 Q. When did you see it?

16 A. Yesterday.

17 Q. So it's as a result of seeing this picture yesterday that
18 you suddenly realised that what you'd told the Prosecution in May
19 of this year was complete nonsense?

09:13:17 20 MS HOLLIS: I object to that. The kind of language Defence
21 counsel is using is nothing but theatrics. It is not even open
22 to argument at this point that it's complete nonsense. She has
23 indicated that she didn't recall all the guests; she now
24 remembers them. I object to the phrasing of the question.

09:13:37 25 PRESIDING JUDGE: Mr Griffiths, please temper your
26 language.

27 MR GRIFFITHS:

28 Q. Ms White, it's completely wrong, what you said to the
29 Prosecution in May of this year, isn't it? As in W-R-O-N-G. It

1 is, isn't it?

2 A. I don't know what you're referring to.

3 Q. That Ms Machel, Graca Machel, was not at the dinner?

4 A. I said --

09:14:11 5 MS HOLLIS: Objection. That is also misstating what is in
6 the statement. If the Defence counsel is going to rely on the
7 statement, he should state very clearly what is in the statement.
8 What is in the statement: The witness was fairly certain, fairly
9 certain, that Ms Machel did not attend the dinner. That's the
09:14:32 10 language Defence counsel should use.

11 PRESIDING JUDGE: But, Ms Hollis, let's not argue about
12 this. The witness has spoken for herself. She herself says she
13 was mistaken, that apparently now Machel was at the dinner.
14 These are semantics. Please get on with the evidence.

09:14:50 15 MR GRIFFITHS: I'm grateful.

16 Q. How was it, Ms White, that in May you were fairly certain
17 but now you accept you were wrong?

18 A. I did not recall or remember her at the dinner, but then
19 I didn't remember everyone on the other side of the table, which
09:15:19 20 I presume she was on.

21 Q. Also this: Naomi Campbell did not tell you, did she, that
22 Graca Machel had told her, Naomi Campbell, that Graca Machel was
23 annoyed that Charles Taylor was invited to the dinner. You made
24 that up, didn't you?

09:15:42 25 A. I did not make it up.

26 Q. When did Naomi Campbell tell you that?

27 A. Before the dinner.

28 Q. Where? Yes, think about it. Where?

29 A. Probably --

1 Q. Not probably. Where?

2 A. I don't recall, I'm sorry.

3 Q. How long before the dinner?

4 A. Maybe an hour.

09:16:04 5 Q. So if you can remember that, help me: Where was she when
6 she told you that? Just picture the scene in your head?

7 A. I'm trying.

8 Q. You're in the presidential lodge. Where were you when she
9 told you that?

09:16:22 10 A. Not in the presidential lodge.

11 Q. Where?

12 A. At the President's house.

13 Q. Yeah. Where in the house?

14 A. In the reception room.

09:16:32 15 Q. Right. You now remember?

16 A. I think that's where it was.

17 Q. Well, why didn't you answer my question when I first asked
18 it?

19 A. It's not something I've thought about.

09:16:43 20 Q. I suggest that is a complete lie; nothing like that was
21 said to you by Naomi Campbell. Do you follow me?

22 A. It is not a lie.

23 Q. We've already dealt with this but for completeness, let's
24 deal with it now. Where in paragraph 5 of this account you say
09:17:04 25 that Naomi Campbell sat next to Charles Taylor, I suggest, just
26 as with fairly certain that Ms Machel did not attend the dinner,
27 that you're mistaken about that as well. Do you follow?

28 A. I'm not mistaken.

29 Q. And I also suggest, paragraph 7, again for completeness,

1 where you say that Ms Campbell and Mr Taylor were mildly
2 flirtatious with each other, again I suggest that is a complete
3 fabrication by you.

4 A. It's not.

09:17:42 5 Q. Now, help us: When they were flirting with each other, was
6 that being done openly?

7 A. It was being done at the dinner table.

8 Q. Yes. Was it being done openly?

9 A. Yes.

09:18:03 10 Q. For everyone to see?

11 A. Yes.

12 Q. And everyone was seated at the same one table, weren't
13 they?

14 A. Yes.

09:18:13 15 Q. So therefore, others present, such as Mia Farrow, for
16 example, should have observed what was going on between the
17 supermodel and the dictator, right?

18 A. Depends what they were looking at.

19 Q. Because they were all at one - everyone was at one table,
09:18:37 20 weren't they?

21 A. Yes.

22 PRESIDING JUDGE: Ms White, do you mean to say that in
23 spite of the warning from Graca Machel that Naomi had alluded to
24 to you not to be seen in the company of Charles Taylor, she was
09:18:55 25 openly flirting with him at the same table where Mandela was
26 sitting and Machel was sitting?

27 THE WITNESS: Naomi Campbell did not say that Graca Machel
28 had told her not to be in his company. She told me that Graca
29 Machel was annoyed or irritated that President Mandela had asked

1 him to the dinner. That's all.

2 MR GRIFFITHS:

3 Q. Why was she annoyed? Didn't Ms Campbell explain?

4 A. No.

09:19:26 5 Q. So prior to the dinner, Ms Campbell tells you that she has
6 been warned by the President's future wife not to associate - or
7 that she was annoyed with this - that this man was present, and
8 yet, according to you, despite that health warning with which
9 Mr Taylor came, Naomi Campbell was nonetheless flirting with him
09:19:52 10 at the table, yes?

11 A. Yes.

12 Q. As I say, Ms White, that is a complete lie by you.

13 I suggest you've embellished this account with a number of
14 blatant lies, this being one of them. And also, at the table,
09:20:15 15 you seated, what, two persons away from Charles Taylor - is that
16 correct?

17 A. Yes.

18 Q. You heard Mr Taylor tell Ms Campbell that he was going to
19 send her diamonds, yes?

09:20:32 20 A. I did. Ms Campbell leaned back to tell me very excitedly
21 that he was sending her diamonds and he was nodding and laughing.

22 Q. No, Ms White. Look at paragraph 7. "The witness heard
23 Mr Taylor" - not Naomi Campbell - "tell Ms Campbell that he was
24 going to send her diamonds."

09:20:56 25 A. Yes.

26 Q. Did you hear Charles Taylor say those words, yes or no?

27 A. He indicated that he was going to send her diamonds.

28 Q. Did you hear Charles Taylor say those words, yes or no?

29 A. It's very difficult to remember the conversation.

1 Q. No, no, no, no, no. You were able to remember in May. Try
2 now in August. Did you hear Charles Taylor say that, yes or no?

3 A. Charles Taylor's manner indicated he was in agreement with
4 Naomi Campbell --

09:21:30 5 Q. I'm not interested in his manner with respect, Ms White.
6 Did you hear him say that?

7 JUDGE LUSSICK: Let her answer the question. I want to
8 hear what her answer is, Mr Griffiths.

9 MR GRIFFITHS: Very well.

09:21:41 10 Q. What's your answer?

11 A. When Naomi Campbell leaned back to tell me that he was
12 going to send - Charles Taylor was going to send her diamonds, he
13 was in agreement. I don't recall the conversation word for word,
14 it was a long time ago, but he was definitely acquiescing to what
09:21:57 15 she was saying.

16 Q. That's not what you say in this paragraph, which is why I'm
17 going to ask you the question again. Did you hear Charles
18 Taylor --

19 PRESIDING JUDGE: Excuse me. Let me try to ask the witness
09:22:11 20 the question. Ms White, you state in paragraph 7, these words,
21 and I'd like you to confirm or deny this statement: You state
22 that you heard Mr Taylor tell Ms Campbell that he was going to
23 send her diamonds. Did you hear Mr Taylor say that? Yes or no,
24 please.

09:22:39 25 THE WITNESS: He nodded that he was going to send her
26 diamonds. I didn't hear the words. I don't recall them.

27 PRESIDING JUDGE: You didn't hear him say he was going to
28 send her diamonds?

29 THE WITNESS: No. He was agreeing with what she was

1 sayi ng.

2 MR GRI FFITHS:

3 Q. So you did not hear him say he was going to send her
4 di amonds. Is that right? Is that right, Ms White?

09:23:03 5 A. I don't recall the conversation to its full extent.

6 Q. Ms White, you did not hear him say that, so help me: Why
7 did you tell lawyers for the Prosecution something which you knew
8 to be wrong in May of this year?

9 A. He agreed with Naomi Campbell that he was sending her
09:23:20 10 di amonds.

11 Q. Ms White, that's not my question, with respect. You now
12 agree you did not hear him say that. So why --

13 A. I can't recall his words.

14 Q. Can I finish my question, please? You now accept you did
09:23:36 15 not hear him say that. So why did you say this to the
16 Prosecution lawyer in May of this year?

17 A. I said it because he was in agreement with Naomi Campbell
18 that he - when she told me he was sending di amonds and I don't
19 recall the words.

09:23:58 20 Q. The bottom line is you made this up, didn't you?

21 A. I did not make it up.

22 Q. So how --

23 PRESIDING JUDGE: Ms White, when you say Mr Taylor nodded,
24 was he nodding as a signal to you, as Carole White?

09:24:13 25 THE WITNESS: No, he was nodding towards Naomi Campbell
26 when she was telling me. In other words, he was part of the
27 conversation.

28 MR GRI FFITHS:

29 Q. Were you involved in the conversation?

1 A. Yes. She was talking to me.

2 Q. And were you talking to Charles Taylor as well?

3 A. No. She was talking to me within his earshot and he was
4 agreeing.

09:24:36 5 PRESIDING JUDGE: But, Ms White, you say that Naomi leant
6 back or leaned back - there was this one person sitting between
7 the two of you, wasn't there? So she leans back and you leaned
8 back too, to speak behind the back of this one individual between
9 you?

09:24:57 10 THE WITNESS: Yes.

11 PRESIDING JUDGE: And then you said Mr Taylor leaned
12 forward.

13 THE WITNESS: Yes.

14 PRESIDING JUDGE: So Mr Taylor is leaning the opposite side
09:25:04 15 of the two of you.

16 THE WITNESS: Yes.

17 PRESIDING JUDGE: Nodding at who?

18 THE WITNESS: Naomi.

19 PRESIDING JUDGE: How is that possible when the two of you
09:25:13 20 are leaning backwards obviously communicating behind the back of
21 one individual and Taylor, who is sitting three persons away from
22 you, is leaning forward? How is that possible?

23 THE WITNESS: He was leaning towards her to be in the
24 conversation. I'm afraid that's how I recall it.

09:25:34 25 PRESIDING JUDGE: I'm just trying to understand. I wasn't
26 there. For me, mathematically and geographically it's a little
27 difficult to understand.

28 THE WITNESS: It's what happened.

29 MR GRIFFITHS:

1 Q. Well, let's continue looking at this description which you
2 gave to a Prosecution lawyer in May.

3 "Taylor and his people were staying some distance away, so
4 it was arranged that he would send some men back with the gift."

09:26:06 5 What arrangements were they?

6 A. They sent two men to drive back to Johannesburg --

7 Q. No, I'm sorry. These arrangements, it's obvious from the
8 context that the arrangements were made at the table, so you tell
9 us what arrangements did you hear.

09:26:37 10 A. I knew about the arrangements at the end of the dinner;
11 that some men had been dispatched to Johannesburg, which was
12 about two hours away, I believe, to collect some diamonds and to
13 bring them back to the guesthouse.

14 Q. Was there discussion about the arrangements at the dinner
09:26:58 15 table?

16 A. Maybe with Naomi but I know about that after the dinner,
17 when we stood up and talked with the Minister of Defence and I
18 believe Charles Taylor was there for a second, about the
19 logistics of getting these diamonds to Naomi Campbell.

09:27:15 20 Q. Did you hear any discussion about arrangements at the
21 dinner table?

22 A. I don't really recall.

23 Q. Well, try and help us, please. Did you hear any
24 arrangements being made at the dinner table as to how the
09:27:31 25 diamonds were to be delivered?

26 A. I heard about the diamonds being delivered and it was my
27 understanding it had already started, the men had already started
28 on their journey, and I heard that at the end of the dinner.

29 PRESIDING JUDGE: Excuse me, Ms White, you know what would

1 really help this trial to move forward quickly and expeditiously
2 is if you answered questions as directly as possible. Okay? I
3 don't think you're trying, ma'am, with due respect. Try and
4 answer the questions directly and then we'll move forward.

09:28:13

5 MR GRIFFITHS:

6 Q. Let's have a look at the context in which you say this.
7 Paragraph 7, please, do you have it in front of you?

8 A. Yes.

09:28:24

9 Q. "The witness heard Mr Taylor tell Ms Campbell that he was
10 going to send her diamonds. Taylor and his people were staying
11 some distance away. So it was arranged that he would send some
12 men back with the gift. Ms Campbell seemed excited about the
13 diamonds and she kept talking about them with the witness. After
14 the dinner Ms Campbell and Mr Taylor were somehow in
15 communication."

09:28:48

16 Now, in the context of this statement, the arrangements
17 would appear to have been made at the table.

09:29:06

18 MS HOLLIS: I object to that. This is Defence counsel's
19 interpretation of that. There is nothing that says they were
20 still seated at the table when these arrangements were made.

21 And, indeed, if you look at the statement about flirtation, it
22 said "throughout the dinner". And the witness has said that at
23 the end of the dinner is when she became aware of arrangements
24 being made. Defence counsel is simply inserting his

09:29:22

25 interpretation as the only interpretation of this language, and
26 I suggest he needs to rephrase his question.

27 MR GRIFFITHS: No, I don't, and the reason why I don't
28 is --

29 MS HOLLIS: I also object to Defence counsel answering

1 directly to me and not to your Honours when I have made an
2 objection.

3 MR GRIFFITHS: No, I don't. The reason why not is because
4 this is cross-examination. I can phrase my question in whichever
09:29:46 5 way I like. It's for the witness to decide what answer to give,
6 not for opposing counsel to put words in the witness's mouth
7 through the form of an objection.

8 PRESIDING JUDGE: Ms Hollis, please sit.

9 MS HOLLIS: [Microphone not activated]

09:30:02 10 PRESIDING JUDGE: Ms Hollis, please sit down. I'm trying
11 to process the question that counsel put to the witness. So the
12 question, as it is on the record, is as follows - that - this is
13 what counsel said: "Now, in the context of this statement, the
14 arrangements would appear to have been made at the table."

09:30:36 15 MS HOLLIS: [Microphone not activated]

16 PRESIDING JUDGE: It's a statement of something that was
17 apparent. Now, I would like counsel to finish this question,
18 because I don't think that he finished the question. It doesn't
19 seem complete.

09:30:52 20 MR GRIFFITHS:

21 Q. Would you agree, Ms White, that in the context of this
22 statement that you made in May to a lawyer for the Prosecution,
23 that it appears that the arrangements were made at the dinner
24 table?

09:31:07 25 A. Yes, it appears the arrangements were made at the dinner
26 table.

27 Q. That's why I'm asking, you see. What arrangements did you
28 hear at the dinner table being made?

29 A. Naomi told me that Charles Taylor was going to give her a

1 diamond. At the end of the dinner, it was quite clear that some
2 men had already been dispatched to Johannesburg to collect the
3 diamonds, and in the meeting with the minister, at the end of the
4 dinner, they were on their way and there was - the men were on
09:31:58 5 their way to collect the diamonds to bring them back to the
6 guesthouse. That's really all I know.

7 Q. Let me try my question again. What arrangements did you
8 hear being made at the dinner table?

9 A. I heard the arrangements at the end of the dinner.

09:32:23 10 Q. So can I be clear then. You did not hear any arrangements
11 being made at the dinner table?

12 A. I haven't actually said I heard arrangements at the dinner
13 table. I've said that I heard arrangements had been made after
14 the dinner.

09:32:44 15 Q. Let me ask the question once more.

16 PRESIDING JUDGE: Ms White, this is exactly what I asked
17 you to do. It seems like a perfectly simple question to me. We
18 are not talking about what happened after dinner. We are talking
19 about what happened at the table. You were there. We weren't
09:33:01 20 there. You're able to tell us what it is that you heard or
21 didn't hear. I don't know where the difficulty is "at the dinner
22 table".

23 THE WITNESS: I have not said "at the dinner table".

24 PRESIDING JUDGE: No, but the question relates to the
09:33:16 25 dinner table, ma'am.

26 THE WITNESS: I agree, your Honour, but I haven't said in
27 my statement that I heard about the arrangements "at the dinner
28 table".

29 MR GRIFFITHS:

1 Q. Which is why I'm asking you a very simple question. So you
2 did not hear arrangements being made at the dinner table?

3 A. No.

4 Q. Thank you. Let's go back to the statement, shall we:

09:33:43 5 "Ms Campbell seemed excited about the diamonds and she kept
6 talking about them with the witness."

7 What was she saying?

8 A. That the diamonds were coming.

9 Q. What else?

09:33:58 10 A. That's all I recall. She was very excited that some
11 diamonds were coming.

12 Q. That's all?

13 A. Yeah.

14 Q. Was there any discussion about how many?

09:34:11 15 A. No.

16 Q. Who was bringing them?

17 A. Two men.

18 Q. Who was sending them?

19 A. Charles Taylor.

09:34:19 20 Q. And she told you all of this, did she?

21 A. She told me that Charles Taylor was arranging to send her
22 some diamonds.

23 Q. Well, that's interesting for this reason: She didn't need
24 to tell you that, did she, because you'd overheard that at the
09:34:45 25 dinner table, hadn't you?

26 A. Yes. She had told me at the dinner table that Charles
27 Taylor was going to give her some diamonds.

28 Q. And did she tell you that again after dinner?

29 A. Yes.

1 Q. And whereas you say in the statement that, "It was arranged
2 that he would send some men back with the diamond," you go on to
3 say, "After the dinner, Ms Campbell and Mr Taylor were somehow in
4 communication." By what means?

09:35:25 5 A. By phone or text message.

6 Q. Which one?

7 A. I believe it was text message.

8 Q. Were you present?

9 A. I was with her all the time and she was looking at her
09:35:39 10 phone.

11 Q. Did you see Naomi Campbell speaking on the phone to Charles
12 Taylor?

13 A. I don't know.

14 Q. No, no, no.

09:35:51 15 A. No, I didn't.

16 Q. You were with her all the time, help me.

17 A. I didn't.

18 Q. You didn't?

19 A. No.

09:35:56 20 Q. Did you see Naomi Campbell texting Charles Taylor?

21 A. I saw her texting somebody. I have no idea if it was
22 Charles Taylor or the minister or the drivers getting the
23 diamonds.

24 Q. So if that's the case, then you hadn't got a clue who she
09:36:13 25 was communicating with, why did you say, "After the dinner,
26 Ms Campbell and Mr Taylor were somehow in communication." Why
27 did you say that?

28 A. Oh, that was an assumption on my part.

29 Q. So you don't know, do you, who she may have been in contact

1 with?

2 A. No.

3 Q. Thank you. And if the contact was by telephone, why did
4 you say in this statement "somehow in communication"? Why not
09:36:51 5 just say she was in contact by telephone? Why not?

6 A. Well, because it was either by - by a phone conversation or
7 a text message, but I believe it was a text message.

8 Q. How many times were they in contact or was Naomi in contact
9 with someone by text message?

09:37:16 10 A. I would say about four or five times.

11 Q. And you were present all the time?

12 A. Yes.

13 Q. Yes?

14 A. Yes.

09:37:25 15 PRESIDING JUDGE: Ms White, you didn't see the text
16 messages, did you?

17 THE WITNESS: I didn't, no.

18 PRESIDING JUDGE: What led you to draw the conclusion that
19 there were text messages relating to the delivery of the
09:37:38 20 diamonds?

21 THE WITNESS: Because Naomi - when we were back at the
22 lodge, told me, "Oh, they are really near. Can we go out in the
23 garden and look for them?" On two occasions we went in the
24 garden to look for them.

09:37:58 25 PRESIDING JUDGE: And were they there?

26 THE WITNESS: No.

27 PRESIDING JUDGE: So to bring you back to my question, what
28 led you to think that the earlier text messages had been to these
29 men or to Charles Taylor?

1 THE WITNESS: Because she was telling me - she was giving
2 me information that these men that were bringing the diamonds
3 were on their way. Someone was telling her they're near.

09:38:27

4 PRESIDING JUDGE: Did she tell you someone had told her
5 this?

6 THE WITNESS: Well, she was telling me, "Oh, they are
7 nearly here."

8 PRESIDING JUDGE: Yes, but did she tell you that someone
9 had told her by text that they were near?

09:38:37

10 THE WITNESS: I was watching her with the phone and the
11 communication was by text, I think, and she was telling me,
12 "Let's go in the garden because they are nearly here. Let's try
13 and look for them."

09:38:54

14 PRESIDING JUDGE: So your testimony in this regard is based
15 on what you assumed was happening?

16 THE WITNESS: Yes.

17 MR GRIFFITHS:

09:39:11

18 Q. Now, apart from those text messages, Ms White, were you
19 present when Ms Campbell discussed with Mr Taylor or any of his
20 entourage the delivery of the diamonds to the presidential lodge?

21 A. I was, at the end of the dinner.

22 Q. Yes. Who was involved in that discussion?

23 A. The Minister of Defence.

24 Q. And who?

09:39:31

25 A. Charles Taylor was there right at the beginning but left,
26 and it was just a gathering of me, Naomi and the Minister of
27 Defence, and they were talking about the men coming to the
28 guesthouse.

29 Q. And you were present for that discussion, were you?

1 A. Yes.

2 Q. And it was the Minister of Defence who was discussing with
3 Ms Taylor - not, Charles Taylor, it was the Minister of Defence
4 who was discussing with Ms Campbell, not Mr Taylor?

09:40:08 5 A. Yes.

6 Q. Is that right?

7 A. Yes.

8 Q. Now --

9 PRESIDING JUDGE: We are interested in this discussion.

09:40:21 10 What were they discussing, since you were present, ma'am?

11 THE WITNESS: They were discussing the drivers going to
12 collect the diamonds and how long it would take for them to bring
13 it back to the guesthouse, to bring them back to the guesthouse,
14 to give to Ms Campbell.

09:40:47 15 PRESIDING JUDGE: And how did you learn of the location,
16 Johannesburg?

17 THE WITNESS: I don't quite recall but I do know that maybe
18 it was in that discussion that the minister said that it was two
19 hours away, so if it was two hours away to get there, it was two
09:41:10 20 hours to get back, so it was going to be some time.

21 PRESIDING JUDGE: You're saying you're not sure where you
22 heard the name Johannesburg?

23 THE WITNESS: No, in the dining room.

24 MR GRIFFITHS:

09:41:28 25 Q. Ms White, in September of 1997, there were no mobile phones
26 in Liberia and Charles Taylor didn't, nor any member of his
27 entourage, have one - they didn't have any mobile phone.

28 MS HOLLIS: Is Defence counsel giving evidence or is he
29 putting that as something the witness knows or doesn't know?

1 MR GRIFFITHS:

2 Q. Did you appreciate that, Ms White?

3 A. I don't know what it means actually.

09:42:06

4 Q. In 1997, neither President Taylor or any of his staff were
5 in possession of a mobile phone. Did you know that?

6 A. No, why would I know that?

7 JUDGE LUSSICK: Well, how do you know that, Mr Griffiths?

8 MR GRIFFITHS: Based on my instructions from my client.

09:42:25

9 JUDGE LUSSICK: And did they have mobile phones in South
10 Africa at that time?

11 MR GRIFFITHS: Well, my client instructs me that he was not
12 in possession of a mobile phone, nor were any member of his
13 staff. So --

14 JUDGE LUSSICK: But that's --

09:42:37

15 MR GRIFFITHS: -- I'm just putting my client's case.

16 JUDGE LUSSICK: You're putting your client's case, but
17 there is no evidence to that on record so far.

09:42:52

18 MR GRIFFITHS: No evidence to that effect, because this
19 matter arose during the course of cross-examination of Mr Taylor,
20 and the calling of these additional witnesses came at a time
21 after he had completed his evidence and I've now received
22 instructions from him.

09:43:14

23 Bearing in mind that this witness for the very first time
24 in this Court, not in any statement, mentions mobile phones. So
25 I am only in a position to put that position now.

26 JUDGE LUSSICK: I think it would be a lot fairer if you put
27 it in the form of a question rather than an asserted fact.

28 MS HOLLIS: I also object to Defence counsel's
29 characterisation that for the first time this witness refers to a

1 phone, because the very statement he's referring to in paragraph
2 8, where he has read to you, "After the dinner, Ms Campbell and
3 Mr Taylor were somehow in communication", ends: "But the witness
4 didn't know if they phoned each other or communicated by text
09:43:45 5 message." That was in her statement of 13 May.

6 PRESIDING JUDGE: Can I rule on this aspect? First of all,
7 it is true that the witness does refer to "text message" in this
8 very statement, so it's not correct to say that she speaks of a
9 text message or mobile phone first in her evidence in court. She
09:44:07 10 did state so in her statement.

11 Secondly, my own view is that this being cross-examination,
12 counsel is perfectly entitled to put a proposition to the witness
13 in accordance with his clients's instructions.

14 MR GRIFFITHS:

09:44:27 15 Q. And my instructions, Ms White, are that Charles Taylor and
16 no member of his entourage were in possession of a mobile phone
17 during the course of that visit to South Africa. That's what I'm
18 suggesting. Do you follow?

19 A. I follow what you're suggesting, but somebody was because
09:44:49 20 there was a communication between Ms Campbell and either the men
21 collecting the diamonds, the minister, or Charles Taylor,
22 definitely.

23 Q. And also, I want to suggest to you that the Liberian
24 Minister of Defence was not a member of Charles Taylor's party
09:45:12 25 during that trip to South Africa. Do you follow?

26 A. Yes. And in my statement I did say I thought he was
27 Minister of Defence, but he was - he could have been Minister of
28 Home Affairs. I have no idea, but I don't - didn't recall
29 correctly what he was, but he was a minister and he was at the

1 dinner.

2 Q. Now, in some proofing notes which we were provided with on
3 Sunday - before we come to those notes, let me ask you this:

09:46:58

4 This presidential lodge where you were staying, was it a large
5 building?

6 A. Yeah, I believe so.

7 Q. Just help us, and I know it's - it might not be easy, how
8 many guest rooms would you estimate there were in that building?

9 A. I really don't know. Maybe eight, but I don't know.

09:47:21

10 Q. On the second page of these proofing notes I've just put in
11 front of you, at paragraph 6 you say this:

12 "At the end of the dinner, before going back to the
13 presidential guest lodge, the witness was present in a group,
14 including Ms Campbell and one of the accused's ministers, when
15 there was a discussion about arrangements to get the diamonds to
16 Ms Campbell later that night. The accused was present for at
17 least part of that discussion."

09:47:45

18 Is that correct?

19 A. I believe it's correct.

09:48:01

20 Q. Now, during the course of that discussion, for part of
21 which you were present, did you tell --

22 MS HOLLIS: The language is the accused was present for at
23 least part of the discussion. It doesn't say the witness was
24 only present for part of the discussion.

09:48:22

25 MR GRIFFITHS:

26 Q. So you were present for all of the discussion, were you,
27 Ms White?

28 A. I was there, yes.

29 Q. For all of the discussion, yes?

1 A. Yes.

2 Q. And during the course of that discussion, did you give any
3 of the men your room number?

4 A. I didn't have a room number.

09:48:37 5 Q. Did you tell any of the men which room you were staying in?

6 A. No.

7 Q. Did you hear Ms Campbell tell any of the men which room
8 they were staying in?

9 A. No.

09:48:50 10 Q. Let's go back to the interview notes now, please.

11 Paragraph 9:

12 "That night, it got to be very late and all of the guests
13 had retired to their rooms. The witness heard something hitting
14 her window that sounded like pebbles and she looked outside and
09:49:15 15 saw two men."

16 Help me: How did the men know which windows to throw
17 pebbles at?

18 A. I have no idea. They threw pebbles at my window. I don't
19 know whether it was a lucky guess, but that's what happened.

09:49:31 20 Q. Well, there are several other people staying in this
21 building. How would they know which room to throw the - which
22 window to throw the pebbles at? You do see, don't you?

23 A. I do see, yes; it was either very lucky, or someone had
24 told them, but I really don't think so. I think it was a lucky
09:49:55 25 guess. It was very late.

26 Q. So even though there was a choice of windows, and no doubt
27 there are many windows in that building, they just struck lucky
28 and aimed at --

29 JUDGE DOHERTY: Mr Griffiths, we don't know if they tried

1 other windows. You're putting that it was only that one window.
2 We don't know that.

3 MR GRIFFITHS:

09:50:20

4 Q. Tell me, Ms White, when you got up as a result of these
5 pebbles hitting your window, did you meet other guests in the
6 corridor saying, "Guess what, people are throwing pebbles at my
7 window as well." Did you?

8 A. No.

09:50:42

9 Q. "The men said they had something for Ms Campbell." So they
10 spoke directly to you, did they?

11 A. Well, I was the only person to speak to. I put my head out
12 the window, and my window looked on to the garden, I was on the
13 side, and they said, "We have a gift for Ms Campbell."

14 Q. And you then closed the window, no doubt, yes?

09:51:01

15 A. Yes.

16 Q. And how were you dressed at the time?

17 A. I was still dressed. I hadn't got ready for bed.

18 Q. And so you went next door, or a couple of doors away, to
19 Ms Campbell's room, yes?

09:51:14

20 A. Yes.

21 Q. Woke her up?

22 A. She wasn't asleep.

23 Q. The both of you then go downstairs, this is your account?

24 A. Yes. Yes.

09:51:32

25 Q. Does she take her mobile phone with her?

26 A. I don't recall.

27 PRESIDING JUDGE: Mr Griffiths, if I may seek a
28 clarification. When the men threw stones at your window, they
29 were downstairs, one floor below you?

1 THE WITNESS: Yeah, they were on the ground floor. It was
2 very high.

3 PRESIDING JUDGE: Yes. It's very high. So did they shout
4 the message to you or did they whisper, or how did they convey
09:52:06 5 the fact that they had a gift for Ms Campbell to you?

6 THE WITNESS: They said - they just said, "We've got a gift
7 for Ms Campbell."

8 PRESIDING JUDGE: How did they say it?

9 THE WITNESS: I don't know, in - "We've got a gift for
09:52:24 10 Ms Campbell." I don't think it was shouting - well, I suppose it
11 could have been a bit of shouting - but my window was on the side
12 of the garden and everyone else was the other sort of - in the
13 back. It sort of went round, so I guess they just chose the
14 first window nearest the main doors, and when I opened the
09:52:50 15 window, there was two men in the garden, and they sort of yelled
16 up, I guess in a [overlapping speakers] --

17 PRESIDING JUDGE: They sort of yelled up - out, you guess?

18 THE WITNESS: Yes, they sort of yelled, "We've got a gift
19 for Ms Campbell."

09:53:06 20 PRESIDING JUDGE: By "yelled", you mean shouted?

21 THE WITNESS: If you - yes, possibly.

22 MR GRIFFITHS:

23 Q. And these two men, were they the same men from the dinner?

24 A. I don't know what you mean.

09:53:27 25 Q. Had these two men been present at the dinner?

26 A. No.

27 Q. So you had not seen these two men before?

28 A. No.

29 Q. So you had not --

1 PRESIDING JUDGE: What about at the meeting referred to,
2 I think in the proofing notes, where the discussions were held
3 for the arrangements? Were these two men there?

4 THE WITNESS: No.

09:53:53

5 MR GRIFFITHS:

6 Q. So you hadn't seen these two men previously that evening?

7 A. No.

8 Q. So how would they know that you, Carole White, were Naomi
9 Campbell's agent and consequently give you a message for her?

09:54:12

10 How would they know?

11 A. I don't know.

12 Q. You do understand what I mean, don't you? Two men you had
13 never seen before that night just happened to throw stones at
14 your window without knowing who you are or your connection with

09:54:29

15 Naomi Campbell. How does that work, Ms White?

16 A. It's what happened. I can't say any more than that. That
17 is what happened.

18 Q. And help me with this: According to you, these men had
19 been - or Naomi Campbell had been in telephone contact with
20 either Charles Taylor or his group earlier that evening. So why
21 did they need to throw pebbles at your window in order to contact
22 her? All they needed to do was send her a text, "We are
23 outside." Why did they have to throw pebbles at your window?

09:54:57

24 A. Because the whole house had gone to sleep.

09:55:19

25 Q. Yes. Precisely. And so by sending a text, you don't alert
26 anyone. So why did they have to throw stones at your window?

27 A. I don't know. I don't know the answer to that. They threw
28 stones at my window and I can only tell you what happened.

29 Q. But you do follow my point, don't you?

1 A. Not really. I can only tell you what happened. Your point
2 is that you don't believe me, but I can only tell you what
3 happened.

4 Q. I certainly don't. I suggest you're a liar, you see.

09:55:59 5 A. That's nice of you.

6 Q. And I suggest that this account of what happened that night
7 is a complete fabrication, which is why you're having difficulty
8 dealing with the detail. Do you understand what I'm suggesting?

9 A. No.

09:56:16 10 Q. Now, when you went to Ms Campbell's room, what did you say
11 to her?

12 A. When I went to Ms Campbell's room, I said to her the men
13 have arrived and I'm not sure whether we should let them in.
14 I told her to put on her wrap, because she wanted to let them in,
09:56:48 15 and we went downstairs. And when we got downstairs, there was
16 just no one. There was no servants in the kitchen, everyone had
17 gone to bed, and we had to open the bolt, she had to help me to
18 open the doors and I was hoping that the guards would be outside
19 but there was no guards outside, and we let the men in.

09:57:17 20 Q. What mood was Ms Campbell in when you went to her room?

21 A. I think she was quite excited that finally these diamonds
22 had arrived.

23 Q. Let's go back to the interview notes, shall we. Paragraph
24 10:

09:57:47 25 "She alerted Ms Campbell" - that's you - "who was excited
26 and wanted to open the doors. But the witness was nervous to let
27 the men in as all the other guests had retired and there seemed
28 to be no guards or staff present. After looking unsuccessfully
29 for any guards, the witness let the men in herself. Ms Campbell

1 was in her nightdress but had a big cashmere shawl around her."

2 Is that an accurate account?

3 A. Yes.

09:58:31

4 Q. So just to be clear, you leave from upstairs, the bedroom,
5 and go downstairs to open the main doors to the building. Is
6 that correct?

7 A. Yes.

09:58:55

8 Q. Ms White, do you appreciate that Ms Campbell told this
9 Court last Thursday that the men actually came to her bedroom
10 door and you weren't there? Did you appreciate that?

11 A. I appreciate it, but it didn't happen.

12 Q. Did you know that she said that?

13 A. I knew before I came here she said that, yes.

14 Q. How did you know?

09:59:17

15 A. Someone told me what was in the news.

16 Q. Who told you?

17 A. I don't remember.

09:59:34

18 Q. In which news did it appear that Naomi Campbell opened her
19 bedroom door to the two men and you weren't there? In which news
20 did you hear that?

21 A. I don't remember. Somebody told me, maybe from my work.
22 But why would Naomi Campbell let two men into her bedroom?

09:59:52

23 Q. Well, why would you open your window and talk to two
24 strange black men you'd never seen before in your life in the
25 middle of the night? Why would you do that?

26 A. I was curious. It was pebbles being thrown at my window
27 and I opened the window.

28 Q. You see, I suggest you weren't there?

29 A. But I was there.

1 Q. And that it wasn't the main doors that you opened.

2 Ms Campbell opened her bedroom door to the two men?

3 A. So how did they get in?

10:00:22

4 Q. Well, you tell me. You were there. How did they get into
5 this compound, the presidential compound?

6 A. Because I opened the door.

7 Q. Let's go back to this interview. "The witness gave the two
8 men Coca-Colas." Where did you get the Coca-Colas from?

10:00:43

9 A. There was a small fridge with some Coca-Colas in the lounge
10 room.

11 Q. In the lounge room, yes?

12 A. Yes.

13 Q. And you told Ms Campbell, from your testimony yesterday,
14 not to give the men alcohol?

10:00:50

15 A. Yes.

16 Q. Why?

17 A. We didn't know these men and I didn't think she should give
18 them alcohol.

10:01:01

19 Q. So let's just be clear about this, then. We should have a
20 picture in our minds of two women late at night opening these
21 large wooden doors to let two strange men into a building where
22 they were just visitors? Yes, that's the picture we should have;
23 is that right?

24 A. Yes.

10:01:22

25 Q. What was said when the men came in whilst you were sitting
26 - they were sitting drinking Coca-Colas?

27 A. They just sat down, asked if they wanted a Coca-Cola, gave
28 them a Coca-Cola, and then they got out the piece of paper with
29 the diamonds in and gave them to Naomi. She thanked them and

1 showed them to me. We looked at them, thought they were quite
2 weird but thank you, she said thank you, and I don't recall other
3 than, "Thank you for coming and driving so far," something like
4 that.

10:02:14 5 Q. Did they tell you where they had driven from?

6 A. I don't remember.

7 Q. Did they tell you they had come from Johannesburg?

8 A. I don't think so at that point, no.

9 Q. How far is Johannesburg from this presidential lodge in
10:02:32 10 Pretoria?

11 A. I don't know. I was told it was two hours away.

12 Q. So just so that we understand, roughly what time did the
13 dinner finish?

14 A. I'd say about 10.30, 10 o'clock.

10:02:55 15 Q. And arrangements are made and it's a two hour journey to
16 Johannesburg and a two hour journey back. Is that right?

17 A. Mm-hm.

18 PRESIDING JUDGE: Is that yes?

19 THE WITNESS: Sorry, yes, I beg your pardon.

10:03:16 20 MR GRIFFITHS:

21 Q. Let's just see if we can work something out here. Does
22 that mean that the men arrive around about 2 o'clock or so in the
23 morning?

24 A. I think it was around about 1 o'clock but it could have
10:03:28 25 been that late.

26 Q. And so all of this you're describing is occurring in this
27 presidential lodge, 1 or 2 o'clock in the morning?

28 A. Yes, it was late.

29 Q. And how did the conversation end with these two men?

- 1 A. "Thank you very much," and they got up and left.
- 2 Q. What were they wearing?
- 3 A. Suits.
- 4 Q. Yes?
- 10:04:03 5 A. Yes.
- 6 Q. Not African dress?
- 7 A. Suits.
- 8 Q. Now, after the men had left, what did you say to Naomi
9 Campbell?
- 10:04:26 10 A. "Let's go to bed. Goodnight."
- 11 Q. Anything else?
- 12 A. Don't recall.
- 13 Q. Did you, as her mother agent, say, "Naomi, I don't think
14 you should have accepted this gift from these two strange men at
10:04:47 15 2 o'clock in the morning, you know." Did you?
- 16 A. Not at that time, no.
- 17 Q. So when was it that you said that to her?
- 18 A. The next day.
- 19 Q. When the next day?
- 10:04:58 20 A. I believe in the morning, before breakfast.
- 21 Q. Where?
- 22 A. Most likely in her bedroom.
- 23 Q. Not interested in most likely. Where?
- 24 A. I don't recall.
- 10:05:12 25 Q. Try and help us.
- 26 A. Well --
- 27 Q. This is one of your clients, a major client, who you think
28 has done something illegal. When did you give her that warning?
- 29 A. I'm sorry, I never said she had done anything illegal.

1 Q. Well, did you think that it was perfectly legal, then, for
2 her to accept these diamonds from these men?

3 A. Yes, at the time I thought it was perfectly legal.

4 Q. So when did it cross your mind that it might be illegal?

10:05:47 5 A. That night - when I woke up in the morning I had thought
6 about it and decided that I definitely knew it was very illegal
7 to take diamonds out of South Africa. I don't know how I knew
8 that, but I knew it. And so I had a conversation with Naomi,
9 most likely in her bedroom because I would have been getting her
10:06:08 10 up, and I told her that I didn't think that those diamonds should
11 go out of South Africa and my thought process was they should be
12 given to the charity. She did not commit anything illegal. She
13 accepted a gift.

14 Q. So you had this conversation with Naomi before breakfast,
10:06:31 15 did you?

16 A. Yes.

17 Q. And a decision was made by Naomi then that she was - would
18 hand the diamonds over to the charity?

19 A. Yes.

10:06:42 20 Q. And you had that discussion with her, did you?

21 A. Yes.

22 Q. Before breakfast?

23 A. Yes.

24 Q. Did you then go down to breakfast yourself?

10:06:57 25 A. I don't recall going down to breakfast.

26 Q. Were you not at breakfast with Mia Farrow?

27 A. I have no recollection of it.

28 Q. I suggest you were.

29 A. I have no recollection of having breakfast with Mia Farrow.

1 Q. Do you recall Naomi Campbell going downstairs and excitedly
2 announcing to Mia Farrow and others at the breakfast table that
3 two men had come to her bedroom the night before and given her
4 diamonds?

10:07:38 5 A. No.

6 Q. When you say no, are you saying that never occurred?

7 A. No, I'm not. I just don't recall being there.

8 Q. Is it not the case that the first time you found out that
9 Naomi Campbell had received diamonds was the next day?

10:08:11 10 A. No, not the case.

11 Q. And is it not the case that when Naomi Campbell told you
12 and Mia Farrow at breakfast the next day what had happened the
13 night before, one of you said that they must have come from
14 Charles Taylor?

10:08:36 15 A. I didn't recall having breakfast with Mia Farrow, so
16 I can't answer that.

17 PRESIDING JUDGE: Did you have breakfast with Naomi that
18 morning?

19 THE WITNESS: I don't recall breakfast at all.

10:08:58 20 MR GRIFFITHS:

21 Q. Now, you're quite confident, are you, that you told
22 Ms Campbell for the first time that she shouldn't keep the
23 diamonds because it was illegal to take diamonds out of South
24 Africa before breakfast?

10:09:36 25 A. Yes.

26 Q. And did you have to - and was a decision made there and
27 then that she would do as you advised?

28 A. I don't recall.

29 Q. Did you have to raise the topic with her later?

1 A. I don't - I don't remember. Possibly.

2 Q. Well, I want you to think about it.

3 A. I have thought about it.

4 Q. Having had the discussion before breakfast, did you have to
10:10:02 5 go back to her again and say, "Naomi, look, you really oughtn't
6 to hold on to these diamonds"?

7 A. Maybe, but I can't say something I don't remember.

8 Q. I'm asking for good reason. Let's go back to that
9 interview, shall we:

10:10:21 10 "The witness gave the men - two men Coca-Colas and sat with
11 them and Ms Campbell. The men gave Ms Campbell a scrubby piece
12 of paper which Ms Campbell opened. Inside were what looked to be
13 about six small greyish pebbles, but there could have been five
14 to eight. The witness didn't really remember. The witness
10:10:44 15 thought Ms Campbell was disappointed because she thought she was
16 going to get a big shiny diamond and they just looked like
17 pebbles. The witness had never seen rough diamonds before. The
18 witness thought about the diamonds all night. She knew it was
19 illegal to take diamonds out of South Africa, although she
10:11:04 20 doesn't recall how she knew that. She was also aware that
21 Mr Taylor did not have a good reputation, although she also
22 cannot recall how she was aware of that, perhaps it was because
23 of Graca Machel's reaction to him. The witness does not recall
24 if Ms Campbell told anyone in the guesthouse about the diamonds
10:11:28 25 but, knowing Ms Campbell, she feels it unlikely she would have
26 kept it to herself. However, the witness thinks it very unlikely
27 Ms Campbell would have told Graca Machel, as it was clear
28 Ms Machel did not have a high opinion of Mr Taylor.

29 The next morning, the witness and Ms Campbell and others

1 boarded the Blue Train. The witness knew they had the diamonds
2 and she figured that she would probably be the one who wound up
3 holding them and carrying them."

4 Then this:

10:12:02 5 "She told Ms Campbell that she didn't think they should
6 keep the diamonds, it could result in a scandal or prison. The
7 witness and Ms Campbell discussed the matter and decided to give
8 the diamonds to Mr Mandela's charity."

9 So was this discussion with Naomi Campbell in her bedroom
10:12:20 10 before breakfast or on the Blue Train?

11 A. I think we had a few discussions about it and we definitely
12 talked again on the Blue Train about it.

13 Q. Do you agree there is no mention in this account of you
14 having this discussion with Ms Campbell in her bedroom before
10:12:43 15 breakfast?

16 A. I do agree.

17 Q. Thank you.

18 "The witness remembers having lunch with Nelson Mandela,
19 Desmond Tutu and the other passengers on the train?"

10:13:02 20 Paragraph 16:

21 "That evening or the next day, the witness and Ms Campbell
22 went to see Jeremy Ractliffe in the train compartment he was
23 sharing with his wife. The witness, Ms Campbell and Mr and Mrs
24 Ractliffe were in the apartment when Ms Campbell gave the
10:13:24 25 diamonds to Mr Ractliffe, who was horrified."

26 Are you sure you were present?

27 A. Yes.

28 Q. One final matter. Can we look at those proofing notes,
29 please. Paragraph 8:

1 "Before the men arrived at the guesthouse with the
2 diamonds, Ms Campbell said on more than one occasion that the men
3 were nearly there. The witness and Ms Campbell would then go
4 outside to see if the men had arrived."

10:14:41 5 How did Ms Campbell know that the men were nearly there?

6 A. She was either getting - I think she was getting text
7 messages on her phone but she knew that they were coming.

8 Q. Well, you say you were present with her all the time.

9 A. Yes, I was.

10:14:59 10 Q. So what was it? Was she getting text messages from them or
11 not?

12 A. She was getting text messages or a phone call, I don't 100
13 per cent recall which way around it was.

14 Q. And how many text messages or telephone calls?

10:15:14 15 A. Three or four.

16 Q. So she was in constant contact with the men?

17 A. I don't know who it was but she knew that they were on
18 their way.

19 Q. She was in constant contact with someone up until the men
10:15:32 20 arrived?

21 A. Yes.

22 Q. And that contact was by text message?

23 A. I think so.

24 Q. And yet, when the men arrive, they throw pebbles at your
10:15:47 25 room?

26 A. Yes.

27 Q. And you didn't know who these two strange men were?

28 A. No.

29 Q. And did they say, when you saw them outside, "We've come

1 from Charles Taylor"?

2 A. They said they had a gift for Ms Campbell, and as I've
3 already said, we were sort of expecting them.

4 Q. Did they say they had come from Charles Taylor?

10:16:14 5 A. Not that I recall.

6 Q. So when you saw the men, you assumed that their presence
7 had something to do with Charles Taylor; is that correct?

8 A. Yes.

9 Q. And based on that assumption, you go and wake up
10:16:36 10 Naomi Campbell, yes?

11 A. Yes, she wasn't asleep.

12 Q. And just for completeness, paragraph 9, that same page:

13 "When Ms Campbell and the witness met with Mr Ractliffe,

14 Ms Campbell told him that she had received the diamonds from

10:17:01 15 Charles Taylor."

16 Did you hear Naomi Campbell say that to Jeremy Ractliffe?

17 A. Yes.

18 Q. So consequently, you were present when Naomi Campbell said
19 that to Jeremy Ractliffe, were you?

10:17:17 20 A. I was with her all the time.

21 Q. I suggest that too is a lie.

22 A. Do you want me to answer that?

23 Q. It would be nice.

24 A. It's not a lie.

10:17:36 25 Q. And, in fact, quite frankly, Ms White, I suggest that your
26 account is a complete pack of lies and you've made it up in order
27 to assist in your lawsuit against Ms Campbell. Put bluntly, for
28 you, this is all about money. There ain't nothing funny.

29 I have no further questions.

1 JUDGE DOHERTY: I don't know if that was a statement, an
2 observation or a question because there was no opportunity for
3 the witness to respond.

4 MR GRIFFITHS: I anticipated the witness's answer, which is
10:18:14 5 why I didn't wait for it.

6 PRESIDING JUDGE: Ms White, it's important, this last
7 proposition put to you, I don't need to repeat it, but the last
8 proposition put to you, we have to have a response from you
9 regarding that proposition.

10:18:33 10 THE WITNESS: What the gentleman just said?

11 PRESIDING JUDGE: Yes.

12 THE WITNESS: Well, I can categorically tell your Honour
13 it's not a lie. This happened. I have told people after the
14 journey in '97, people that I trusted, this story, because it was
10:18:51 15 quite funny at the time, although it's not so funny now. It's
16 totally the truth. It has nothing whatsoever to do with my
17 business argument with Naomi Campbell, and I don't really see the
18 relevance of the gentleman's argument. But this is not about
19 money, this is about a very serious matter and I am telling the
10:19:10 20 truth.

21 PRESIDING JUDGE: Ms Hollis, any re-exam?

22 MS HOLLIS: Yes, Madam President, may I have a moment to
23 get the podium in place.

24 RE-EXAMINATION BY MS HOLLIS:

10:19:30 25 Q. Good morning, Ms White.

26 A. Good morning.

27 Q. Ms White, you recall at the end of the Defence counsel's
28 cross-examination and also yesterday, he put to you matters about
29 the lawsuit that you have with Naomi Campbell, yes?

1 A. Yes.

2 Q. And yesterday Defence counsel put to you that your lawsuit
3 against Naomi Campbell was worth millions of dollars if you
4 succeed. Do you recall that?

10:20:28 5 A. Yes.

6 Q. And also put to you that the contract with Naomi Campbell
7 gave you 25 per cent of the proceeds of all she earned under the
8 contract and you agreed with that as well?

9 A. Yes.

10:20:41 10 Q. And you also recall yesterday that Defence counsel put to
11 you that you're looking at \$600,000 and much more if you were
12 successful?

13 A. Yes.

14 Q. Do you recall that? And just for Defence counsel, my page
10:20:55 15 references to these matters are 45790 and 45792 of yesterday's
16 transcript. Ms White, if you succeed and Naomi Campbell loses
17 that lawsuit, would she also be looking at a loss of \$600,000 and
18 much more?

19 A. Yes.

10:21:18 20 Q. So is it correct that you would both have an equal amount
21 to win or lose, depending on the outcome of the lawsuit; is that
22 correct?

23 A. Naomi Campbell has stopped paying me the royalties for her
24 perfume contract that I negotiated and also funded the
10:21:42 25 experimental - sorry, my brain is not working. We funded the
26 making of the perfume ourselves, and she has broken the contract.
27 It was a contract made in New York, and if her - if it continues,
28 then I get 25 per cent of her 4 per cent of the sales. It's a
29 hefty amount. However, there is a legally binding contract but

1 Naomi Campbell has decided to terminate it.

2 Q. Well, Ms White, I'm not interested in the merits of the
3 lawsuit. My question was simply that both of you have a
4 considerable amount to win or lose, depending on the outcome of
10:22:34 5 the lawsuit; is that correct?

6 A. Yes, that's correct.

7 Q. Now, Ms Campbell [sic], Defence counsel in his
8 cross-examination asked you questions about your statement of 13
9 May 2010, and that was at tab 11 of the binder of documents for
10:22:56 10 Mia Farrow. And if that document could be taken back and put on
11 the overhead. The Defence counsel referred you to portions of
12 paragraph 5 of that document, if paragraph 5 could be put on the
13 overhead, please, for completeness. Ms White, we see paragraph
14 5, in completeness, says:

10:23:55 15 "The witness remembers there were probably about eight to
16 ten people sitting at their table at the dinner."

17 Is that what you currently recollect?

18 A. Yes.

19 Q. "Mr Taylor sat next to Ms Campbell, on Ms Campbell's other
10:24:10 20 side was one of Mr Taylor's government officials, perhaps his
21 defence minister, but the witness was not sure."

22 Is that your current recollection or have you now recalled?

23 A. I know he was a minister but I don't recall if he was a
24 defence minister or what minister he was, but he was a minister.

10:24:31 25 Q. And the paragraph goes on to say:

26 "The witness sat next to him, meaning the government
27 official, perhaps his defence minister. Mr Mandela was either on
28 Mr Taylor's left at the head of the table or across from
29 Mr Taylor."

1 Is that your recollection today?

2 A. Yes, I think he was most likely at the head of the table.

3 Q. So your recollection is that Mr Taylor was seated close to
4 Mr Mandela?

10:25:03 5 A. Yes.

6 Q. "The witness does not recall who else was at their table
7 that evening." Is that still correct?

8 A. I recall having Mia Farrow opposite me with her son at that
9 dinner. I just recall that Mia Farrow was there, and her son was
10:25:31 10 dressed in white; and at the time I gave my statement I didn't
11 recall it, but when you have to put your mind to something like
12 this, I remember having a dinner with Mia Farrow opposite me, and
13 it had to be that one.

14 Q. Ms White, Defence counsel also referred you to paragraph 13
10:25:51 15 of the statement, and I'm interested only in the first sentence
16 of that paragraph. If that could be put on the overhead, please.

17 And the sentence is:

18 "The witness does not recall if Ms Campbell told anyone in
19 the guesthouse about the diamonds but, knowing Ms Campbell, she
10:26:13 20 feels it unlikely she would have kept it to herself."

21 What did you mean by that?

22 A. Ms Campbell is given a gift of diamonds from a President,
23 and, quite frankly, any woman who had been given diamonds from
24 anyone would tell somebody. It was very exciting.

10:26:40 25 Q. Now, Defence counsel also referred you to paragraph 16 of
26 that statement and again, for completeness, let's finish out
27 what's in that paragraph.

28 Defence counsel read to you what is in that paragraph all
29 the way down to the line, "Ractliffe, who was horrified." Let's

1 Look at what else you said in that statement, for completeness.

2 The next sentence is:

3 "The witness and Ms Campbell said if he didn't take the
4 diamonds, they would go to waste and maybe they could do some
10:27:13 5 good for the charity, so he reluctantly took them."

6 Is that still your recollection?

7 A. Yes.

8 Q. And when you said he reluctantly took them, what made you
9 conclude he was reluctant to take the diamonds?

10:27:28 10 A. He did not want the diamonds, but the argument was we
11 couldn't take them out of South Africa and therefore he was
12 pressed by Ms Campbell and myself to take them, for us to give -
13 she wanted them given to the charity.

14 Q. Now, Ms White, yesterday Defence counsel put to you that
10:27:52 15 you had dishonestly told the Court that the two men who came to
16 the compound said they were from Liberia.

17 Now, Madam President, it could shorten my redirect
18 examination if Defence counsel could give me the exact reference
19 in the transcript from which he took this question, when he put
10:28:15 20 to the witness yesterday on page 45806, line 27 to 45807, line 4
21 that the witness quite dishonestly told the Court the men who
22 came to that compound said they were from Liberia, or that they
23 were Liberians. If Defence counsel could give me the reference
24 it might shorten my redirect examination.

10:28:51 25 PRESIDING JUDGE: Why don't you just go ahead and redirect?
26 Is it necessary?

27 MS HOLLIS: All right. I will.

28 Q. Well, let me just refresh you yesterday as to the question
29 that Defence counsel put to you - and I am reading from page

1 45806, line 27 to page 45807, line 4. If we look at this,
2 Defence counsel asked you:

3 "Q. I'm asking for this reason, you see, because I'm going
4 to suggest that the men who came to that compound did not
10:29:43 5 say they were from Liberia because, if they were Liberians,
6 as you have quite dishonestly told the Court, they couldn't
7 have got into the compound at that time of night."

8 That's the particular assertion of Defence counsel that
9 I would like to ask you questions about in relation to your
10:30:08 10 testimony before this Court.

11 And in that relation, if we could first look at page 45766
12 of the witness's testimony, page 45766, beginning at line 26, and
13 going to 45767, line 3. And if we look at this, this is your
14 response during direct examination:

10:30:46 15 "A. At the end of the dinner everyone stood up and the
16 minister and Charles Taylor and Naomi Campbell and myself -
17 they were talking about how to get the diamonds to Naomi
18 and I think briefly Charles Taylor was there and then left,
19 and the minister" - we are going over the page - "was
10:31:06 20 discussing how to - that two men were going to collect them
21 from Johannesburg and they were going to bring the diamonds
22 to the guesthouse."

23 Ms White, when you said that two men were going to collect
24 them, they were going to bring the diamonds to the guesthouse,
10:31:25 25 anywhere there do you say that these men were Liberians?

26 A. No.

27 Q. And if we could please look at page 45768, lines 1 to 15,
28 where you are describing waiting for the men to arrive, going
29 into the garden to see if they were there, and, in particular, if

1 we could look at lines 1 to 13, saying:

2 "About to arrive. We were sitting in the lounge area,
3 I think it must have been around 10 o'clock at night, maybe a bit
4 later, and we were waiting for these men to arrive."

10:32:10 5 Do you see anywhere there where you say that these men were
6 Liberians?

7 A. No.

8 Q. And if we could look at lines 13 to 15, where you are
9 describing Naomi Campbell saying:

10:32:22 10 "Oh, they are nearly - they're coming, they're coming. So
11 we went back in the garden to see if we could see these people
12 and then went back in the lounge."

13 Anywhere there do you refer to these people as Liberians?

14 A. No.

10:32:39 15 Q. And then if we look at lines 19 to 21:

16 "Because she knew that the men were on their way and she
17 kept telling me 'Oh, they're nearly here, they're nearly here',
18 and each time we would go into the garden."

19 Anywhere there do you refer to these men as Liberians?

10:32:58 20 A. No.

21 Q. And then at lines 23 to 25, when the Presiding Judge asked
22 you: "What is the significance of the garden?" And you said:
23 "We were looking for the men". Anywhere there do you refer to
24 these men as Liberians?

10:33:18 25 A. No.

26 Q. If we could please also look at page 45769, and, in
27 particular, I am interested in looking at the content of lines 17
28 to 25 where you're talking about hearing chinking noises outside
29 your window, and, in particular, line 19 to 24, where you say:

1 "So I - I went over to see what that was, and I opened the
2 window and looked down and there were two guys down there on the
3 ground and they, 'We have something for Ms Campbell'."

4 Anywhere there do you describe these two guys as Liberian?

10:34:08 5 A. No.

6 Q. And then you go on to say:

7 "So I told them to wait and then I went to knock on Naomi's
8 door, and I told her that the guys with the diamonds had
9 arrived."

10:34:17 10 Do you describe them as Liberians there?

11 A. No.

12 Q. Now, if we could also look, please, at page 45770. And on
13 this page, you're describing letting the men into the guesthouse,
14 describing them in the lounge and the events that occurred there,
10:34:40 15 and I'm particularly interested here in lines 15 to 21, where you
16 say:

17 "Anyway, the guys came in and they sat in the lounge and we
18 sat opposite them and gave them a Coca-Cola and they then took
19 out quite scruffy paper and handed it to Ms Campbell."

10:35:02 20 Anywhere there do you describe these men as Liberians?

21 A. No.

22 Q. And then at the bottom of the page, 24 to 28, you're asked
23 if you recognised either of these two men. You said no. You
24 were asked to describe them and you said, "They were both quite
10:35:23 25 big, powerful African men." Anywhere there do you describe these
26 men as Liberian?

27 A. No.

28 Q. Then if we could please look at page 45771, and, in
29 particular lines 10 to 14, where you are asked:

1 "Q. What happened after Ms Campbell showed you these
2 diamonds?

3 A. She let me hold the paper and then afterwards I folded
4 them up and gave them back to her, and we thanked the guys
10:36:00 5 for bringing them and let them out and shut the big wooden
6 doors and bolted them."

7 Any reference there to these guys being Liberians?

8 A. No.

9 Q. And you say you let these guys out; did you actually escort
10:36:16 10 them to the door?

11 A. I guess I would have, but I don't recall.

12 Q. When you said you let these guys out, what did you mean?

13 A. Yeah, I must have done, because the doors had to be shut
14 and bolted again.

10:36:32 15 Q. Now, please let's also look at page 45772 and, in
16 particular, I'm looking at lines 15 and 16, where you were asked
17 about whether you were able to observe or hear Ms Campbell's
18 reaction to the diamonds, and your answer was: "When the men had
19 given them to her, she wouldn't be rude about the diamonds."

10:37:00 20 Anywhere there, Ms White, do you refer to these men as Liberian?

21 A. No.

22 Q. Now, yesterday, also, Ms White, Defence counsel asked you
23 about the timing of the signing of Mia Farrow's declaration.

24 A. Yes.

10:37:27 25 Q. And this is at page 45799, line 29, to page 45800, line 4,
26 where Defence counsel is asking you about this timing. And if we
27 could look at page 45799, line 29, "Because, just so that we are
28 clear, your lawsuit", and we go over the page, and I'm looking at
29 the last page, "was launched on 26 October 2009 and, guess what,

1 Mia Farrow's signed declaration is dated 9 November 2009, exactly
2 two weeks afterward. Have you been in contact with Mia Farrow at
3 any time since 1997?" You said "No", and told Defence counsel he
4 could look at your telephone records, if he wished.

10:38:24 5 Now, again, to be sure that we have the date of the signing
6 of this declaration in full context for the Court, in relation to
7 Defence counsel's question to you, let's look at what Mia Farrow
8 said about that signing on 9 August when she testified under oath
9 before these judges, and that's at page 45702 and, in particular,
10:39:09 10 I'm interested in line 8 to line 15. And Ms Farrow was asked
11 this question:

12 "Yes, now, if the Prosecution contacted you on 10 August
13 2009, why is it that your declaration was not made until the 19th
14 or the 9th of November 2009?"

10:39:33 15 Now, first of all, Ms White, were you aware that the
16 Prosecution had contacted Mia Farrow on 10 August of 2009?

17 A. No.

18 Q. Now, Ms Farrow answers:

19 "Well, they contacted me and then, at some point after
10:39:47 20 that, I gave a verbal declaration on the phone."

21 Ms White, were you aware that Ms Farrow had given a verbal
22 declaration on the phone?

23 A. No.

24 Q. Ms Farrow goes on, "Then they sent me a transcript of
10:40:03 25 that." Were you aware, Ms White, that the Prosecution had sent
26 Ms Farrow a transcript of that verbal declaration?

27 A. No.

28 Q. And then Ms Farrow goes on:

29 "And it was some time before I could actually get a signed

1 version that would be legally acceptable to them. So it was just
2 a logistical problem."

3 Were you aware, Ms White, that it was just a logistical
4 problem that resulted in this declaration actually being signed
10:40:32 5 on 9 November?

6 A. No.

7 Q. Now, Ms White, you were also asked questions about a
8 Facebook entry or entries on the Facebook of a lady that Defence
9 counsel referred to as Annie Wilshire. And there were
10:41:04 10 photographs and a Facebook entry and those were marked as 13A, B
11 and C. MFI-13A, B and C. First of all, could I see that
12 MFI-13A, B and C, please. And if we could have 13B shown on the
13 overhead, please.

14 Ms White, Defence counsel referred to this person as Annie
10:42:18 15 Wilshire. W-I-L-S-H-I-R-E. We see on this document before us
16 that it is shown as Annie Wilshaw's photos, W-I-L-S-H-A-W. Which
17 of those last names is correct? Is it Wilshire or Wilshaw?

18 A. Wilshaw.

19 Q. So Defence counsel was incorrect in that. Now, is this
10:42:43 20 your Facebook page?

21 A. I don't know anything about Facebook, don't like it.

22 Q. Did you put that entry on this Facebook page?

23 A. I most certainly did not.

24 Q. Did you tell her, this Annie Wilshaw, to put this entry on
10:43:01 25 the Facebook page?

26 A. No.

27 Q. Now, if MFI-13C could also be shown. And you will recall
28 Defence counsel asked you about these comments that were made by
29 a Jeanna Ridout and Annie Wilshaw. Now, as we look at this page,

1 do you see any comments there attributed to you, that is saying
2 Carole White wrote this in the Facebook?

3 A. No.

10:43:41

4 Q. And we see two people here exchanging these informations,
5 correct?

6 A. Correct.

7 Q. And did you tell any of these people what to say?

8 A. No.

10:44:00

9 Q. Thank you. That can be removed. Defence counsel also
10 asked you about the donor of the diamonds to Naomi Campbell. Who
11 was the person who made the gift of those diamonds to Naomi
12 Campbell?

13 A. Charles Taylor.

10:44:30

14 Q. Now, yesterday Defence counsel read to you in your
15 statement of 13 May, paragraph 17, and if we could have that
16 statement back to Defence counsel, I'm referring to page 45793 of
17 yesterday's transcript.

18 PRESIDING JUDGE: The page is on the overhead.

19 MS HOLLIS: Thank you. Thank you, Madam President.

10:45:31

20 Q. And you will recall perhaps, Ms White, that he read to you
21 paragraph 17:

10:45:47

22 "The witness is currently in litigation against Ms Campbell
23 over a contract dispute. The witness did not even know Mr Taylor
24 was on trial until her attorney in the breach of contract matter
25 contacted her back in January or February after seeing something
26 in the news about Naomi Campbell and a blood diamond. He asked
27 the witness if she knows anything about that and the witness told
28 him the story of what had happened. He urged her to come forward
29 because it might be important."

1 And then the question to you on the next page was:

2 "Why did your lawyer think it might be important for you to
3 come forward with this story?"

4 Ms White, did your attorney ever tell you why he thought it
10:46:21 5 was important for you to come forward with this information?

6 A. My lawyer told me that Charles Taylor was in a trial and
7 had been for three years. It was sometime after I'd sent him the
8 email that he urged me to let him ring the Prosecution, and he
9 felt it could have some relevance and be important to the trial.

10:46:50 10 So I said, "Yes, contact them."

11 Q. Now, Ms White, also when Defence counsel was asking you
12 questions about a decision to come forward or why it was
13 important to come forward, if we look at page 45794, at lines 15
14 to 16, Defence counsel asked you:

10:47:19 15 "Why did your lawyer think it might be important for you to
16 go public with this story?"

17 Now, at that paragraph 17 we just read - you can look at
18 that again, please - anywhere in that paragraph does it say that
19 your lawyer told you to go public with this story?

10:47:41 20 A. I'm sorry, could you repeat the question?

21 Q. Yes. Look at paragraph 17 of the 13 May statement and
22 could you tell us where in that paragraph does it say that your
23 lawyer told you to "go public"?

24 A. It doesn't say that.

10:48:04 25 Q. Now, you indicated at some point there was a decision that
26 you would contact the Prosecution about this information. And
27 who attempted to contact the Prosecution to convey this
28 information?

29 A. My lawyer attempted to contact the Prosecution and I think

1 the first attempt he got the Defence who told him the trial was
2 over. He then tried again on the Monday morning. I think he was
3 unsuccessful. He tried again and he finally got Nick Koumjian.

10:48:46

4 Q. And when you say that he contacted the Defence and they
5 told him that the trial was over, how do you know that?

6 A. My lawyer told me and he thought that the trial was over,
7 then he thought about it and decided that the conversation wasn't
8 right and he tried again after the weekend and got put through to
9 the right people eventually.

10:49:06

10 Q. When your counsel told you that the Defence had told him
11 that the trial was over, do you recall anything else your counsel
12 told you about that conversation?

13 A. They just told him that the trial was over and that the -
14 no more evidence could be submitted.

10:49:26

15 Q. And did he indicate whether the person with whom he spoke,
16 person or persons, identified himself or themselves?

17 A. He thought he was speaking to the Prosecution.

18 Q. Did the person with whom he spoke or the persons with whom
19 he spoke identify themselves to him, do you know?

10:49:44

20 A. I don't recall.

21 Q. Now, Ms White, why did you decide to come forward to these
22 judges and give this evidence here today?

23 A. I've known this story since 1997 and, you know, it's quite
24 an amazing story. However, when I was told by my lawyer that
25 Charles Taylor had been in The Hague in the war crimes trial,
26 I realised it was very serious and the blood diamond issue had a
27 big bearing on the case and it was - it was my duty to tell my
28 story that happened 13 years ago. I haven't lied, and it is a
29 true story.

1 MS HOLLIS: Madam President, I have no further questions.

2 PRESIDING JUDGE: Thank you. I'll just inquire of the
3 judges if they have any questions.

4 JUDGE DOHERTY: Ms White, we have been shown this page from
10:51:00 5 a Facebook. I would ask that you be shown it again. It's
6 MFI-13C. Ms White, can you tell me how I work out the date of
7 these various messages on this Facebook page, please?

8 THE WITNESS: How you work out the date?

9 JUDGE DOHERTY: Yes, the date that they were sent.

10:52:00 10 THE WITNESS: I guess you read - I don't know how you work
11 out the date, I don't use Facebook, but I can tell you they were
12 the day - it was a Friday, the 6th of August.

13 JUDGE DOHERTY: Does it say Friday the 6th of August on the
14 document?

10:52:20 15 THE WITNESS: No, but I know that the drinks party we had
16 at the model house was on Thursday, the 5th, in the evening,
17 after work.

18 JUDGE DOHERTY: And my other question which is not related
19 to the Facebook. Are you aware if, in 1997, in South Africa, it
10:52:47 20 was possible to hire mobile phones if you were a visitor to that
21 country?

22 THE WITNESS: I have no idea. I know I had a mobile phone
23 and Naomi Campbell had a mobile phone and I think it was quite
24 easy to get a mobile phone in 1997.

10:53:09 25 JUDGE DOHERTY: Thank you. Those are my only questions.

26 THE WITNESS: Thank you.

27 PRESIDING JUDGE: I have a couple of questions for you,
28 ma'am. My questions revolve around the men that came in the
29 night to the guesthouse and who you say sat with you and Naomi in

1 a room in the guesthouse. First of all, where exactly did you
2 say you sat to have a conversation with these men?

3 THE WITNESS: We were in the lounge room, and there were -
4 there was a coffee table and two chairs opposite, there were four
10:53:58 5 chairs and we were opposite them.

6 PRESIDING JUDGE: And could you estimate for us how long
7 did these men spend in your company, both you and Naomi?

8 THE WITNESS: I would say no longer than 20 minutes.

9 PRESIDING JUDGE: What did you talk about, the four of you,
10:54:18 10 in 20 minutes?

11 THE WITNESS: Talked about the gift of the diamonds. It
12 may have been 15 minutes. It wasn't very long.

13 PRESIDING JUDGE: Well, what exactly did you say to each
14 other in 15 minutes?

10:54:33 15 THE WITNESS: "What a long drive." And looked at the
16 diamonds. "Would you like a Coca-Cola?" "Yes, thank you." I
17 don't recall anything more than that.

18 PRESIDING JUDGE: And during this conversation, did the men
19 tell you who they were?

10:54:53 20 THE WITNESS: No, don't recall.

21 PRESIDING JUDGE: Did you ask them who they were?

22 THE WITNESS: Well, I sort of knew who they were because
23 they had come from Charles Taylor to bring the diamonds to Naomi
24 so I was aware who they were, otherwise they wouldn't have been
10:55:15 25 in the house.

26 PRESIDING JUDGE: Which brings me to my next question: Did
27 they tell you they were from Charles Taylor?

28 THE WITNESS: I'm sorry, it's a long time ago and I just
29 couldn't say if they did or they didn't.

1 PRESIDING JUDGE: Well, you did say in your
2 evidence-in-chief that they never said they were from Charles
3 Taylor.

4 THE WITNESS: Yeah, I don't recall, I don't recall that.

10:55:41 5 PRESIDING JUDGE: So they didn't tell you they were from
6 Charles Taylor?

7 THE WITNESS: No.

8 PRESIDING JUDGE: They didn't tell you who they were, in 15
9 minutes? And you didn't ask where they were from?

10:55:54 10 THE WITNESS: I don't remember.

11 PRESIDING JUDGE: Now, we've heard evidence from Naomi
12 saying that the stones were in a pouch made of cloth, a cloth
13 pouch. That's what she described it as. You say they were in a
14 scruffy paper.

10:56:17 15 THE WITNESS: Yes.

16 PRESIDING JUDGE: Now, was it a pouch, a cloth pouch that
17 they were in, or was it a scruffy paper that the stones were in?

18 THE WITNESS: A scruffy paper. They were later put in a
19 pouch by Naomi but it was a scruffy piece of paper. I remember
10:56:35 20 it very well because it was not normally how she would get a
21 gift. Usually they are gift-wrapped, but it was a piece of
22 paper.

23 PRESIDING JUDGE: Was it an envelope or just a piece of
24 paper?

10:56:48 25 THE WITNESS: No, just a piece of paper.

26 PRESIDING JUDGE: And is your evidence that Ms Campbell
27 opened this package then and there?

28 THE WITNESS: Yes.

29 PRESIDING JUDGE: Because she said to the Court that she

1 opened the package the next morning in her room.

2 THE WITNESS: Yeah.

3 PRESIDING JUDGE: You are sure she opened the package then
4 and there?

10:57:11 5 THE WITNESS: She opened the package in front of the two
6 men and in front of myself and then she passed me the package and
7 I looked at these curious stones.

8 PRESIDING JUDGE: And in the conversation where you say
9 immediately after the dinner that there was a group consisting of
10:57:43 10 Naomi, the minister, that's the government official, and
11 Mr Taylor for a few moments, and some other people - you said you
12 were there discussing the arrangements to deliver these diamonds.
13 What exactly was said at that meeting, that you recall?

14 THE WITNESS: I recall basically the minister was talking
10:58:12 15 about the men had gone to collect the diamonds and it was how
16 they were going to bring them back, it was - made it clear that
17 it was quite a way away, and that it would all - it was all being
18 arranged that the men would bring the diamonds to the guest
19 lodge.

10:58:37 20 PRESIDING JUDGE: So at that moment, in your understanding,
21 the men had already left?

22 THE WITNESS: I'm pretty certain that the men had already
23 left.

24 PRESIDING JUDGE: Which then leads me to the question: At
10:58:52 25 the dinner table, did the - did you see any men come to take
26 instructions from Mr Taylor?

27 THE WITNESS: No.

28 PRESIDING JUDGE: So how had these men received
29 instructions to go?

1 THE WITNESS: I don't know. Maybe I'm mistaken but the
2 impression I got was that they had already gone but I don't know.

3 PRESIDING JUDGE: And you are certain that the two men who
4 appeared later at the guesthouse --

10:59:20 5 THE WITNESS: Yes.

6 PRESIDING JUDGE: -- were not at this meeting where the
7 arrangements were discussed?

8 THE WITNESS: I don't recall them, no.

9 PRESIDING JUDGE: Thank you. Those would be my only
10:59:32 10 questions, and it remains for me to thank you, Ms White --

11 THE WITNESS: Thank you.

12 PRESIDING JUDGE: -- for taking your time. Sorry, are
13 there questions arising out of my questions or the judges'
14 questions?

10:59:45 15 MS HOLLIS: If I'm permitted.

16 FURTHER RE-EXAMINATION BY MS HOLLIS:

17 Q. I simply have one follow-up for Madam Presiding Judge's
18 question about whether the diamonds were in a paper or pouch and
19 you said later the diamonds were put into a pouch. How did you
10:59:59 20 know that?

21 A. The diamonds came in paper. It was scruffy so I remember
22 it well. And the diamonds the next day were in a pouch, so I can
23 only assume Naomi put them into a little jewellery pouch that she
24 would have had.

11:00:22 25 Q. Did you see the pouch?

26 A. I believe, yes, I saw the pouch. It was maroon.

27 Q. And what kind of a pouch was it?

28 A. A little small jewellery pouch with a tie.

29 Q. And did Ms Campbell often carry that kind of pouch?

1 A. Yes.

2 MS HOLLIS: Thank you, Madam President.

3 PRESIDING JUDGE: Mr Griffiths, any questions?

4 MR GRIFFITHS: Yes, please.

11:00:44 5 FURTHER CROSS-EXAMINATION BY MR GRIFFITHS:

6 Q. Where did you see the pouch?

7 A. On the train when she gave it to Mr Ractliffe.

8 Q. And help me. Was that the first time you were seeing the
9 diamonds since the previous night?

11:01:01 10 A. I don't believe that I saw the diamonds on the train.

11 I just saw them the first night.

12 MR GRIFFITHS: Very well.

13 PRESIDING JUDGE: Like I said before, Ms White, we wish you
14 a safe journey home.

11:01:19 15 THE WITNESS: Thank you very much.

16 PRESIDING JUDGE: The witness may be escorted out.

17 It's 11 o'clock, the time we normally take our break, but I
18 know there are exhibits that are pending for admission. So we
19 will take the midmorning break now and reconvene at 11.30 for the
20 admission of these documents.

21 [Break taken at 11.01 a.m.]

22 [Upon resuming at 11.36 a.m.]

23 PRESIDING JUDGE: Now, we have some documents pending
24 before the Court for admission. Did I hear - does the
25 Prosecution have any of these documents as their documents?

26 MS HOLLIS: Yes, we do, Madam President, MFI-11 and MFI-12.
27 Madam President, first of all, I would note a change of
28 appearance for the Prosecution. We have been joined by
29 Nicholas Koumjian and Ula Nathai-Lutchman has departed.

1 Madam President, MFI-11 was the Blue Train launch programme
2 of events for Ms Naomi Campbell, with handwritten entries. It's
3 found, I believe, at tab 3 of the bundle of Prosecution
4 documents. We would move that for admission.

11:36:48 5 PRESIDING JUDGE: Does the Defence object?

6 MR GRIFFITHS: No objection.

7 PRESIDING JUDGE: Right. The documents known as the Blue
8 Train launch programme events for Naomi Campbell is admitted as
9 exhibit P-559.

11:37:14 10 MS HOLLIS: And, Madam President, also the document that
11 has been marked MFI-12 was the document found at tab 1 of the
12 Prosecution documents. It is a photograph, P0005019A. It was
13 marked, signed and dated by the witness, and we would move for
14 the admission of that document into evidence.

11:37:41 15 PRESIDING JUDGE: Any objection, Defence?

16 MR GRIFFITHS: No objection.

17 PRESIDING JUDGE: This document is admitted as exhibit
18 P-60 - sorry, P-560.

19 [Exhibits P-559 and P-560 admitted]

11:37:57 20 MS HOLLIS: Thank you. Madam President, should the Defence
21 move any of their MFI documents for admission into evidence, we
22 have no objection.

23 MR GRIFFITHS: I'm grateful to my learned friend for that
24 indication, and the three documents bearing respectively the
11:38:18 25 appellations MFI-13A, B and C, those being an enlarged photograph
26 from Facebook, the same photograph, smaller in size, with a
27 caption, and also a further page from Annie Wilshaw's Facebook
28 page, I would ask that they be admitted into evidence, please.

29 PRESIDING JUDGE: Very well. Those three documents are

1 admitted with the same number, exhibit D-433A, B and C
2 respectively.

3 [Exhibits D-433A to C admitted]

4 Now, to the matter of the status conference that we said we
11:39:08 5 were going to hold today at the close of the three - the
6 testimony of the three Prosecution witnesses, the first question
7 that the judges would like to know is, from the Defence, that is,
8 the length of Mr Sesay's testimony in chief, and, of course, the
9 anticipated length of the cross-examination by the Prosecution.

11:39:36 10 That is the first item. So we will hear from the Defence. How
11 much longer is Mr Sesay going to be in the witness box in chief?

12 MR GRIFFITHS: I have discussed the matter with Mr Chekera
13 who will be taking over conduct of Mr Sesay today, because I will
14 be leaving the Court following the status conference, but I will
11:40:12 15 be back tomorrow, and I'm hoping that we will conclude his
16 evidence-in-chief either tomorrow or early-ish on Wednesday.
17 Today is Tuesday - today is Tuesday, I'm wrong, either tomorrow
18 or early the day after.

19 PRESIDING JUDGE: To be on the safe side, let me presume
11:40:37 20 that by every means the testimony in chief of Mr Sesay will be
21 concluded by Thursday lunch break.

22 And for the Prosecution, Ms Hollis, you've heard the
23 submission. What is the anticipated length of Mr Sesay's
24 cross-examination, if you can estimate?

11:41:03 25 MS HOLLIS: Madam President, with your permission, I would
26 ask Mr Koumjian to address that, as he will be conducting the
27 cross-examination.

28 PRESIDING JUDGE: Very well.

29 MR KOUMJIAN: Your Honours, it would depend, of course,

1 partially on what Mr Sesay says in the rest of his direct and
2 during the cross-examination, but we would estimate one to three
3 weeks. It won't be longer than the direct examination. I
4 promise that.

11:41:58 5 PRESIDING JUDGE: So today is the 10th and, if you're
6 talking one to three weeks, that takes us to the end of August,
7 beginning of September, Mr Koumjian, is that what you're saying?

8 MR KOUMJIAN: Yes. I think we've had about 18 days of
9 direct examination and I would say my cross, in my estimate,
11:42:20 10 would be between one to three weeks.

11 PRESIDING JUDGE: Because I'm looking at my calendar and
12 trying to estimate the length of the trial altogether, in view of
13 the remaining witnesses.

14 So assuming that then, I'm giving you the longer end of the
11:42:37 15 stick, that should - cross-examination should take up to the -
16 say, the 27th of August, which would be a Friday. Assuming.

17 Now, the next question is, from, again, Mr Griffiths, how
18 many Defence witnesses do you hope to call beyond Mr Sesay?

19 MR GRIFFITHS: Well, that matter was discussed between
11:43:16 20 myself and Mr Taylor during the morning coffee break.
21 Unfortunately, time didn't allow us to conclude that discussion,
22 which is why I inquired, through your learned clerks, whether I
23 could have some more time to discuss that matter with Mr Taylor
24 so that I could provide the Court with some concrete information.

11:43:42 25 PRESIDING JUDGE: I think Mr Meisenberg would take offence
26 to being referred to as a clerk. He is our senior legal officer,
27 if you please.

28 MR GRIFFITHS: And no offence was meant to Mr Meisenberg.

29 PRESIDING JUDGE: How much time do you require, you said?

1 MR GRIFFITHS: I would like about 20 minutes, your Honour.

2 PRESIDING JUDGE: While you're consulting with your client,
3 I will also inquire from you, in addition to informing us how
4 many witnesses you have left, we really would like to know the
11:44:15 5 end of the Defence case, when that will be, in as concise terms
6 as possible, for the sake of our calendar. I'm trying to now
7 work out succinctly, and as precisely as possible, the milestones
8 in the trial, the end of the trial.

9 Okay. I'm going to grant you a little adjournment, not 20
11:45:02 10 minutes, it will probably be up to midday. I reckon that should
11 be sufficient, given that you've been on notice since last week,
12 as a team, that this status conference would address this very
13 question. However, I also would like to address the Prosecution.

14 We will be asking you if you have in mind to apply to call
11:45:26 15 for rebuttal evidence, and, if so, how long you think that would
16 be. So these are the issues that you take the next 15 minutes to
17 liaise and, when we return, we will conclude.

18 We will return at 12 o'clock.

19 [Break taken at 11.46 a.m.]

11:51:26 20 [Upon resuming at 12.00 p.m.]

21 PRESIDING JUDGE: Good afternoon. I need to revise
22 something that I said before the break in relation to my
23 estimation of the Prosecution re-examination of - sorry,
24 cross-examination of Issa Sesay. First of all, the Defence
12:03:36 25 indicated they would most likely close examination-in-chief of
26 Sesay by lunchtime Thursday. So my calculation of the three
27 weeks requested by the Prosecution should begin from there,
28 Thursday afternoon, and not from today, as I had earlier
29 observed.

1 So going on from Thursday afternoon, I would, by my
2 calculation on the calendar, put the close of cross-examination
3 of Issa Sesay latest Friday, 3 September, Mr Koumjian. Is that
4 correct?

12:04:20 5 MR KOUMJIAN: Yes.

6 PRESIDING JUDGE: Now, we also have to factor in any
7 possible re-exam of Mr Sesay. And, Mr Chekera, that would be a
8 question for you.

9 MR GRIFFITHS: Well, no, I think it would be a question for
12:04:40 10 me. I will, undoubtedly, be dealing with the re-examination.

11 PRESIDING JUDGE: Okay.

12 MR GRIFFITHS: And can I say, Madam President, that at this
13 stage I am not in a position to give an estimate as to how long
14 it will take, and I say that for one main reason. Your Honours
12:04:59 15 will be aware that there is an outstanding motion regarding what
16 material can be used in the cross-examination of this witness,
17 and dependent on that, my re-examination could be extremely
18 lengthy.

19 PRESIDING JUDGE: By "extremely" you mean what?

12:05:19 20 MR GRIFFITHS: Possibly as much as a week, if not more.

21 PRESIDING JUDGE: Well, Mr Griffiths, all I'm interested in
22 now is comments like that, estimates, that's all. We really need
23 to cooperate. If you say that you think at the very lengthiest
24 it would take you a week, that is what I'm going to factor into
12:05:39 25 our timetable.

26 And from 3 September, that would take us to Friday,
27 10 September, which incidentally is a public holiday here in the
28 STL, so I take that back one day to 9 September. These are
29 estimates. So that's the end of the re-exam.

1 Now, the next question that I asked the Defence team was
2 how many more witnesses do you anticipate calling?

3 MR GRIFFITHS: Up to seven.

4 PRESIDING JUDGE: Okay. Maximum of seven. And again in
12:06:40 5 the spirit of estimation, how long do you think the Defence would
6 take?

7 MR GRIFFITHS: Four weeks.

8 PRESIDING JUDGE: Four weeks from the end of Sesay's
9 re-examination. Let me just calculate that.

12:06:55 10 JUDGE DOHERTY: Sorry, Mr Griffiths, is that in chief or in
11 total?

12 MR GRIFFITHS: Well, we can't say so far as
13 cross-examination is concerned, but looking at each of the
14 witnesses we might call, we've estimated how long we think they
12:07:12 15 might take in chief.

16 PRESIDING JUDGE: Well, normally, the way I look at it is
17 cross-examination at the very lengthiest takes as much as
18 exam-in-chief. So if you say your witnesses, in your estimation,
19 would take four more weeks, then we would factor in possibly
12:07:34 20 another four weeks to account for the cross-examination of those
21 witnesses, and probably a quarter of that for re-examination.
22 So, in any event, let me see where that takes us.

23 Now, four weeks from the end of Sesay's testimony takes us
24 to Friday the 8th of October. That's where it takes me.

12:09:32 25 Before I factor in another four weeks for the Prosecution,
26 do you really think you'll take four weeks max?

27 MS HOLLIS: If we are talking about the outside
28 possibility, then we would have to leave it open that it would be
29 a one for one for each of the witnesses; we would hope to be more

1 efficient, but we would have to have that possibility.

2 PRESIDING JUDGE: Right. Then if we factor in another four
3 weeks to accommodate the cross-examination of these four
4 witnesses - seven witnesses, it would take us up to Friday the
12:10:22 5 5th of November. And if the parties are agreed, I could factor
6 in an extra week for re-examination. Do you have any objections?

7 MR GRIFFITHS: I have no objection. I think it's safer to
8 err on the side of caution.

9 PRESIDING JUDGE: Meaning?

12:10:48 10 MR GRIFFITHS: Meaning, providing pessimistic timings in
11 the hope that optimistically it would go a lot shorter.

12 PRESIDING JUDGE: And you consider the one week
13 pessimistic?

14 MR GRIFFITHS: Uh-huh.

12:11:01 15 PRESIDING JUDGE: Very well. Ms Hollis, agreed?

16 MS HOLLIS: Well, we have an objection to the entire time
17 sequence. But we would have an objection to giving more than a
18 total of one week to re-examination. We think a lot of it has
19 been repetitive and unnecessary. So we would have an objection
12:11:17 20 to --

21 PRESIDING JUDGE: Nobody is suggesting more than one week.

22 MS HOLLIS: Well, I think he was talking about a
23 pessimistic assessment; it was my understanding he was thinking
24 of more than a week. Perhaps I misunderstood.

12:11:28 25 PRESIDING JUDGE: I think you did. Because I just asked
26 him whether one week was the pessimistic view and he said yes.

27 Mr Griffiths, are you envisaging more than a week?

28 MR GRIFFITHS: No.

29 PRESIDING JUDGE: Right. So a week from the 5th

1 of November takes me to the 12th of November.

2 So basically, with these rough estimates that we've done,
3 with the help of the parties, it would be fair for us to conclude
4 that the Defence would likely close their case on November the

12:12:15 5 12th. Is that a fair assumption?

6 MR GRIFFITHS: Pessimistically, yes.

7 PRESIDING JUDGE: Right. Ms Hollis, you said you were in
8 disagreement with the estimates down so far. Four weeks for
9 examination-in-chief, four weeks for cross-examination, one week
10 for re-examination, so a total of nine weeks from the close of
11 Sesay's evidence. What was it that you wanted to say?

12:13:23

12 MS HOLLIS: What we want to say is that we are objecting to
13 the time sequence that has been put forward by the Defence for
14 the continuation of their case after the witness Issa Sesay. And
15 if I may be allowed, I would like to explain why we have that
16 position and make a request, but that's up to your Honour.

12:13:49

17 PRESIDING JUDGE: Yes, but you have the floor, Ms Hollis.

18 MS HOLLIS: Thank you. Our position is this: That the
19 Trial Chamber should today set a date for the end of the Defence
20 case and that that date should not be dependent upon estimates
21 given to the Trial Chamber by the Defence because those estimates
22 have not proven to be reliable or trustworthy in trying to manage
23 this case.

12:14:08

24 You may recall that in May, on the 11th of May - in fact,
25 on the 10th of May to be fair - lead Defence counsel said that
26 their optimistic view was that they could conclude their case
27 sometime in August; pessimistic possibility, it may run
28 into September. And that was at page 47201 of the 10th
29 of May transcript.

12:14:27

1 On the 11th of May the Defence came back to your Honours
2 and notified the Court that the team had given careful
3 consideration to the estimated length of the whole of their
4 evidence of each witness and came to the conclusion they were
12:15:02 5 likely to finish the middle of August. And the Defence noted
6 that the team had engaged in a rather more scientific approach in
7 coming up with this end date.

8 So in May they told you the middle of August as a more
9 scientific approach for the end date, and, on the 10th of May,
12:15:21 10 you were told that a pessimistic possibility it would run
11 into September.

12 Now we have the Defence telling you that they will call up
13 to seven additional witnesses after Mr Sesay has completed his
14 and, when we figure out those estimates, we come up with the
12:15:38 15 Defence case not ending in mid-August, not ending and running
16 into September, but ending somewhere in November. That would
17 mean that the Defence case would have run one year and
18 four months for the party with no burden of proof running longer
19 than the Prosecution case, the party that had the burden of
12:16:03 20 proof.

21 And on the 10th of May your Honours urged the Defence to
22 consider the absolute necessary minimum number, keeping in mind
23 the fact that they had no burden of proof, rather, we did.

24 We suggest that this is not proper for the Defence case to
12:16:21 25 continue this long. We ask that your Honours set an end date
26 much in advance of that. We ask that your Honours set an end
27 date no later than the end of September. And we would urge you
28 to set an end date earlier than that.

29 The Defence, in the past, has given very, very inaccurate

1 estimates as to the length of time for their witnesses. Of
2 course, two notable instances of that would be the examination of
3 Charles Taylor. More recently, the examination of the current
4 witness, now, Issa Sesay.

12:16:55 5 As of today, Issa Sesay has testified in this Court for 85
6 hours, plus. That is actual in court testimony. That is over
7 twice the length of the Defence estimate. Over twice the length.
8 And, as we have heard, it is not yet completed.

9 In fact, your Honours, Issa Sesay in this case to date has
12:17:19 10 testified for a total of over 2,000 pages of direct examination.
11 In his own case, where he was the accused, testifying on his own
12 behalf, his direct examination, three cross-examinations and
13 redirect examination ran for some 1,700 pages.

14 So we suggest that the reason we are so far into the
12:17:41 15 Defence case and have not gone through more witnesses is because
16 of the way the Defence has chosen to conduct its case. And that
17 has consequences. And the consequence should not be the Defence
18 is allowed to continue on with its case for such a length of time
19 because of the way that they have chosen to conduct their
12:18:01 20 defence.

21 We would suggest that the time has come that your Honours
22 do set a date, irrespective of estimates given by the Defence.
23 We ask that that date be no later than the end of September. It
24 is not a violation of fair trial rights. Neither the Defence nor
12:18:18 25 the Prosecution has a right to call as many witnesses as they
26 choose, nor do they have the right to drag out their case as long
27 as they want to. Trial management is for your Honours to
28 determine.

29 So we request that you give an order for an end date, that

1 it be no later than the end of September. And we suggest that
2 that would be fair, it would be expeditious, it would meet your
3 Honours' mandate under the rules. Thank you, Madam President.

12:18:50 4 PRESIDING JUDGE: Mr Griffiths, I'll ask you, or somebody
5 on your behalf, to respond to the comments of the Prosecution.

6 MR GRIFFITHS: Madam President, your Honours, time
7 estimates, as this discussion illustrates, is a very inexact
8 science, and I accept the time estimates we have provided have,
9 on more than one occasion, proved to be too optimistic.

12:19:23 10 Talking about the length of time that the Defence case is
11 taking. One has to bear in mind that adjustments have to be made
12 to our outlook on the case, based on issues raised in the
13 cross-examination of our witnesses, and so that factor has to be
14 borne in mind. But perhaps Ms Hollis forgets, we have called 19
12:19:55 15 witnesses, the Prosecution called 91. We have, therefore, in our
16 submission, acted economically, insofar as the number of
17 witnesses we will call. So that even if we added the proposed
18 seven additional witnesses to the 19 we have called, we are still
19 only talking about the Defence calling, what, less than a third
12:20:25 20 of the witnesses called by the Prosecution.

21 So in our submission, there is no real room here for the
22 complaint being made by Ms Hollis on behalf of the Prosecution,
23 because justice cannot be scientifically determined.

12:20:46 24 And, furthermore, the way we conduct the defence is a
25 matter for us and, as far as we are concerned, we have conducted
26 ourselves professionally throughout and not wasted any court
27 time, which seems to be the underlying suggestion.

28 PRESIDING JUDGE: Very good. Very well. I'm sure we are
29 going to deliberate on this aspect of the submissions a little

1 later, but one of the other factors that I had wanted to know
2 from the Prosecution is how many weeks or days or if indeed they
3 would be filing an application for leave to call rebuttal
4 evidence.

12:21:38 5 MS HOLLIS: Thank you, Madam President. And as of today,
6 and of course we don't know what will happen after today, that
7 may change our view, but as of today the Prosecution does not
8 envision requesting a rebuttal case.

9 PRESIDING JUDGE: I think the other additional matter that
12:22:09 10 I wanted to inquire from the Defence is whether the Defence will
11 be filing a 92 bis or 92 quater motion for admission.

12 MR GRIFFITHS: We will be.

13 PRESIDING JUDGE: When?

14 MR GRIFFITHS: Within the next fortnight.

12:22:41 15 PRESIDING JUDGE: Very well. We'll take a few moments off
16 the Bench to deliberate and come back with firm dates on these
17 estimates. We'll take a few moments. We'll get back to you.

18 [Break taken at 12.23 p.m.]

19 [Upon resuming at 12.48 p.m.]

12:48:36 20 PRESIDING JUDGE: After deliberating on the submissions of
21 the parties, firstly, let me say that the Trial Chamber, by a
22 majority, Judge Doherty dissenting, and she may want to say her
23 reasons after - may or may not, I don't know - are of the view
24 that the objection raised by the Prosecution and the time
12:49:09 25 estimate given for it in which, in the Prosecution opinion, the
26 Defence should close or end their case by end of September, was
27 not based on any realistic evidence on the ground. In other
28 words, they've not given us any scientific or mathematical
29 reasons for the estimating that the seven remaining witnesses

1 would be examined in so many days and therefore it should be the
2 end of September. It seemed to us like a date that's just been
3 thrown out on the table.

4 We have asked the parties, starting with the party now
12:49:55 5 putting their case, that is the Defence, for an estimate for a
6 very good reason. We want to hear from the Defence, from their
7 own perspective, how long they think their remaining witnesses
8 would take. We then factored in from the Prosecution how long
9 they thought their cross-examination would take, et cetera,
12:50:20 10 et cetera, and based on those estimates, we came up with a date
11 of the Defence case closing or ending on the Friday, 12 November,
12 which we now accept, like I said, by a majority, as the date that
13 has been stated for the close of the Defence case.

14 Now, I must also hasten to add, especially for the benefit
12:50:51 15 of the Defence, that we observe Mr Griffiths's comments when he
16 said, "This is the worst case scenario," meaning that we do not
17 expect the Defence, in its worst form, to go later than 12
18 November, this being the very last day. And so I'm going to
19 order now that the Defence close their case by 12 November 2010.

12:51:25 20 Now, having said that, we are minded to have another status
21 conference at the close of the Defence case to map the way
22 forward for the closing and briefs, and we will invite the
23 parties - we'll give them adequate notice from now to consider.
24 We were also thinking, and I hope that the parties can think this
12:51:54 25 over, there is an advantage in a status conference in the parties
26 agreeing on the issues in this trial, the advantage being that
27 everybody knows that these are the issues we must address. But,
28 of course, that depends on if you agree on the issues. And the
29 judges are there to facilitate a meeting in which issues can be

1 agreed upon. On the other hand, if you feel that this is not
2 particularly the way you want to go as parties, we are ready to
3 listen as well, but obviously there are pros and cons in the way
4 in which we approach this.

12:52:34 5 So we will have another status conference at the end of the
6 Defence case. I undertake that the Chamber will circulate an
7 agenda for that particular status conference, earlier than the
8 status conference, in order to put the parties on notice. And,
9 of course, we are going to hold the Defence - the Defence have
12:52:54 10 indicated that they are going to file a 92 bis, 92 quater motion
11 for admission of documents in the near future, being two weeks
12 time. And we've also noted the statement of the Prosecution that
13 they do not intend to call rebuttal evidence.

14 MS HOLLIS: At this time.

12:53:17 15 PRESIDING JUDGE: At this time.

16 MS HOLLIS: Yes, Madam President, it was as of this time.

17 PRESIDING JUDGE: As of this time.

18 JUDGE DOHERTY: I have not formulated my views concerning
19 the end date. I would, however, say I feel it is not humane to
12:53:44 20 staff, parties, and all concerned that we sit without a break
21 from what is ostensibly April to November.

22 PRESIDING JUDGE: On the issue of a break, the majority of
23 the Chamber is of the view, a view that I have expressed earlier
24 on in this year, that any break that the Court reckons we should
12:54:17 25 take should come at the end of the Defence case, and not before,
26 because we, by taking a break before the end of the Defence case,
27 we are effectively lengthening the Defence case unnecessarily,
28 and that is the majority view.

29 We appreciate that everybody's tired and I think the judges

1 more than everybody in this regard are the tiredest, because we
2 cannot afford to be off the Bench. Whereas the rest of you can
3 stagger your various leave dates and take them here and there,
4 the judges can't do that. But in spite of that, we are willing -
12:54:58 5 the majority of us are willing to take a break after the close of
6 the Defence case in November. Much as that is difficult for us.
7 And basically, that's it.

8 It is now 1 o'clock, but I think we could call Mr Sesay in
9 and salvage the rest of the morning.

12:55:18 10 MR GRIFFITHS: Can I indicate, Madam President, that myself
11 and Mr Anyah will be leaving at this point.

12 PRESIDING JUDGE: Is the witness being brought in?

13 MR CHEKERA: I understand that the witness is being brought
14 to Court and should be coming in any time soon, I believe it has
12:57:42 15 to do with security.

16 PRESIDING JUDGE: Good afternoon, Mr Sesay. I remind you
17 of your oath to tell the truth as you continue with your
18 evidence-in-chief this afternoon. That oath is still binding on
19 you today.

12:59:21 20 THE WITNESS: Thank you, my Lord.

21 WITNESS: DCT-172 [On former oath]

22 EXAMINATION-IN-CHIEF BY MR CHEKERA: [Continued]

23 Q. Good afternoon, Mr Sesay.

24 A. Yes, good afternoon.

12:59:31 25 Q. When we left off on Friday we were discussing the evidence
26 of Abu Keita, and we were particularly dealing with the
27 allegation that you directed an excursion, military excursion,
28 into Guinea. You remember that part of the evidence?

29 A. Yes, I remember.

1 Q. In particular, I was asking you about two individuals, the
2 names were Amadou Toure and Ibrahim Sidi ebay and you indicated
3 that you do not know these two individuals. You remember that?

4 A. Yes, I remember.

13:00:10 5 Q. Now, according to the evidence of Mr Abu Keita, you
6 actually introduced those two individuals to the RUF. What is
7 your comment to that allegation?

8 A. No, I did not introduce such people to the RUF.

9 Q. Now, Mr Sesay, we are going to be dealing with evidence of
13:00:33 10 other witnesses relating to this same allegation that you
11 directed or ordered the RUF to go into Guinea --

12 PRESIDING JUDGE: Sorry, Mr Chekera, you said Ibrahim
13 Sidi ebay and who?

14 MR CHEKERA: Amadou Toure. Sorry, Madam President, I'm
13:00:54 15 looking at the transcript of 5 March 2008, and it's page 5338.

16 PRESIDING JUDGE: The reason I asked was I didn't see the
17 second name in the transcript at all, and I had forgotten what
18 you had said.

19 MR CHEKERA:

13:01:21 20 Q. Mr Sesay, just to sum up your evidence, because we will be
21 looking at other transcripts and I don't want us to repeat that
22 evidence, the RUF had excursions into Guinea, that is your
23 evidence, but those were counter-attacks against the Guineans, is
24 that a correct summation of your evidence on the Guinea attacks?

13:01:43 25 A. Well, those attacks were border attacks because the
26 Guineans used to cross and cross over and attack RUF positions.
27 That was why the RUF was repelling those attacks. And I told you
28 earlier that from 1998 those attacks started occurring, the
29 Guineans started crossing over.

1 Q. And other than repelling the Guineans who were attacking
2 you, did the RUF have any other motive in Guinea?

3 A. No. The RUF hadn't any other motive in Guinea because from
4 1991 to 1998, when the Guineans never attacked our positions, we
13:02:48 5 never went to them.

6 Q. I've asked you of one Amadou Toure. Do you know someone by
7 the name of Sekou Toure?

8 A. No. I know Sekou. I knew Sekou in 2000.

9 Q. Sorry. Just before you continue. The Sekou you know, is
13:03:12 10 that a Sekou Toure I'm asking about or a different person?

11 A. Well, the Sekou that I knew was Eddie Kanneh's friend. I
12 met them in Monrovia. But I don't know his surname.

13 Q. Very well, Mr Sesay. We will come back to - we'll come
14 back to that issue when we deal with the relevant transcript.

13:03:49 15 I'm going to refer you to the evidence of yet another
16 Prosecution witness, and that's the evidence of Sheriff.

17 Very briefly, Mr Sesay, tell us what you know about
18 Varmuyan Sheriff, and I want you to be very brief.

19 A. Well, the first time that I heard about Varmuyan Sheriff was
13:04:22 20 in December 1996. When Sam Bockarie went to Foya to make friends
21 with ULIMO. Since that time, Varmuyan Sheriff used to come to
22 Koindu with ammunition for sale. That was the time that I knew
23 Varmuyan Sheriff.

24 Q. Now, do you recall the first time that Sam Bockarie went to
13:05:01 25 Liberia?

26 A. In 1996, that was in December after Foday Sankoh's return
27 from Kailahun.

28 Q. Okay. Just before you proceed, let me re-focus my question
29 to a specific issue. Do you recall the time that Sam Bockarie

1 went to Monrovia to see Mr Taylor for the first time?

2 A. Yes, that was in September 1998.

3 Q. Did anyone from Monrovia come for Sam Bockarie?

4 A. Yes.

13:05:43 5 Q. Who came for Sam Bockarie?

6 A. It was General Dopoe Menkarzon. He came to the border. He
7 sent a message to Sam Bockarie saying that Mr Taylor wanted to
8 see Sam Bockarie.

9 Q. Was Varmuyan Sherif part of that delegation?

13:06:09 10 A. I did not hear his name. Sam Bockarie told me that he was
11 taken away by General Dopoe. That's all.

12 Q. I'm looking at the transcript of 9 January 2008. I do not
13 wish to proceed as we have been doing in the past, where we read
14 specific excerpts out because we wish to speed things up a little
15 bit, but just for reference to the questions I'm raising, they
16 arise from that transcript.

17 Now, according to the evidence of Varmuyan Sherif, he is
18 the one who came to collect Sam Bockarie at the instance of
19 Mr Taylor. Do you know anything about that?

13:06:55 20 A. No, I never heard that.

21 Q. Did Sam Bockarie tell you that Varmuyan Sherif had come to
22 collect him on the instructions of Mr Taylor?

23 A. No, no, I did not hear that. Sam Bockarie said it was
24 General Dopoe who came for him.

13:07:14 25 Q. Now, when Sam Bockarie went to see Mr Taylor for the first
26 time when Dopoe came to pick him up, did he take anything with
27 him, in particular, did he take diamonds with him?

28 A. No.

29 Q. Well, according to the evidence of Varmuyan Sherif

1 Sam Bockarie took a mayonnaise bottle of diamonds, do you know
2 anything about that?

3 A. Where would Sam Bockarie have gotten a mayonnaise bottle of
4 diamonds in 1998?

13:07:49 5 THE INTERPRETER: Your Honours, can the witness kindly be
6 requested to wait for the Krio interpretation.

7 PRESIDING JUDGE: Mr Sesay, the interpreters are requesting
8 that, before you give your answer, you listen to the Krio
9 interpreter. Okay?

13:08:05 10 THE WITNESS: Okay, ma'am.

11 MR CHEKERA:

12 Q. You said Sam Bockarie went to see Mr Taylor for the first
13 time in 1998 and, by 1996, you'd already established contact with
14 Varmuyan Sherif, correct? Now --

13:08:46 15 A. My Lord, I'm not getting the Krio interpretation.

16 PRESIDING JUDGE: So what is happening? Mr Interpreter,
17 what is happening?

18 THE INTERPRETER: My colleagues on the other side of the
19 booth are checking the equipment to see what's going on.

13:09:09 20 PRESIDING JUDGE: What was the matter? Was the witness on
21 the wrong channel? Okay, I think the channel had not been
22 changed from the previous witnesses.

23 Mr Sesay, we apologise. I did notice that the Court
24 Officers did not come to help you when you sat down to change.

13:09:28 25 Now they've switched back to the Krio receptacle so they should
26 be able to hear the interpretation.

27 THE INTERPRETER: His microphone needs to be switched on.

28 PRESIDING JUDGE: Yes, his microphone is on.

29 MS IRURA: Your Honour, we do apologise.

1 MR CHEKERA:

2 Q. Now, Mr Sesay, I do realise that you were on the wrong
3 channel, you were on the English channel. Just before I proceed,
4 can you confirm that you understood all the questions that I put
13:09:53 5 to you before?

6 A. Yes, yes.

7 Q. This is what Varmuyan Sherif told the Court concerning his
8 dealing with the RUF concerning the purchase of ammunition.
9 You've already indicated that you were buying ammunition from
13:10:14 10 Varmuyan Sherif, yes?

11 PRESIDING JUDGE: Mr Chekera, there is a question to which
12 we don't have an answer on the record that appears at page 95
13 where you said this to Mr Sesay: "You said Sam Bockarie went to
14 see Mr Taylor for the first time in 1998 and by 1996 you already
13:10:39 15 established contact with Varmuyan Sherif, correct?" Now, we
16 don't have an answer, because the witness says, "My Lord, I'm not
17 getting the Krio interpretation."

18 MR CHEKERA:

19 Q. Mr Sesay, could we have your answer to that, because it
13:10:59 20 prefaces my next question.

21 A. Yes, I said from December '96 the RUF had been in contact
22 with Varmuyan Sherif.

23 PRESIDING JUDGE: Was that the question you asked?
24 Mr Chekera, you should not be untidy about the way you are
13:11:25 25 proceeding. You ask a question, the witness answers something
26 totally different, you don't follow it up. I'm not going to
27 assist you again.

28 MR CHEKERA: Yes, Madam President, actually that was the
29 answer to my previous question. It sums up the answer - sorry,

1 it answers the question precisely.

2 Q. Mr Sesay, after Sam Bockarie came back from the first trip
3 to see Mr Taylor, did Varmuyan Sheriff come to Liberian territory
4 with arms and ammunition? Rather, did Varmuyan Sheriff come to
13:12:05 5 your territory, RUF territory, with arms and ammunition - or
6 ammunition?

7 A. No.

8 Q. Now, according to Varmuyan Sheriff, the evidence he gave
9 before this Court, after Sam Bockarie went to see Mr Taylor, when
13:12:27 10 he came back Taylor instructed him to turn over all the arms and
11 ammunition that they had within the ULIMO territory. This was
12 the time that ULIMO was disarming. Taylor ordered Varmuyan
13 Sheriff to turn over all the arms and ammunition they had to
14 Sam Bockarie. Did that happen?

13:12:53 15 A. No, that did not happen. I never heard that. What I knew
16 from December '96 to May '97 was that the RUF and Sam Bockarie
17 were buying ammunition from the ULIMO-K. And during this time
18 the RUF had any contact - had no contact with Mr Taylor. So how
19 could Varmuyan Sheriff say Mr Taylor told him to hand over the
13:13:21 20 arms and ammunition to the RUF? And by then, during the
21 disarmament in Liberia, Varmuyan Sheriff was not with Mr Taylor,
22 he was working with Alhaji Kromah as his leader.

23 Q. Well, that is exactly what I'm getting at, Mr Sesay.
24 According to Varmuyan Sheriff, the trade you had with former ULIMO
13:13:51 25 fighters concerning ammunition, and arms in certain instances,
26 that trade was facilitated by Mr Taylor because Mr Taylor ordered
27 Varmuyan Sheriff to ensure that all former ULIMO fighters who were
28 under him would make access for the RUF in Lofa. Do you follow?

29 The trade you had with ULIMO was facilitated by Mr Taylor

1 because Mr Taylor ordered Varmuyan Sherif to make sure that Lofa
2 was opened to the RUF. Do you agree with that?

3 A. No, I disagree. That's not true.

4 Q. And what is your basis for disagreeing with that?

13:14:37 5 A. Because, one, from December '96 to May '97 Varmuyan Sherif
6 was a member of ULIMO and we knew that their leader was Alhaji
7 Kromah. And the transaction that we had with Varmuyan Sherif,
8 Mr Taylor's name never came up in that, up to the overthrow of
9 the SLPP in Sierra Leone when the AFRC called the RUF from - off
13:15:13 10 Mr Sankoh. When the RUF joined the AFRC on Mr Sankoh's orders.
11 At that time we were not in contact with Mr Taylor. So I knew
12 that the business that was going on was purely between ULIMO and
13 the RUF.

14 And even in 1998 when Sam Bockarie sent Kennedy, Matthew
13:15:36 15 Kennedy, to be based in Kolahun, Varmuyan Sherif was not in Lofa.
16 At that time he was in Monrovia. He had no business with that -
17 with what was going on.

18 Q. Yes. Very well. Let's move on, Mr Sesay, because we are
19 trying to speed things up a little bit. You've given evidence
13:15:59 20 concerning the changeover of the leadership in the RUF when you
21 took over from Sam Bockarie. I will straightaway go to the
22 allegation by Varmuyan Sherif concerning that issue and seek your
23 comment.

24 According to the evidence of Varmuyan Sherif, it was
13:16:17 25 Mr Taylor who ordered that change of leadership and it was
26 Mr Taylor who instructed you to take over from Sam Bockarie and
27 ordered Sam Bockarie to come to Liberia. First question: Was it
28 Mr Taylor who ordered the change of leadership?

29 A. No, it was not him. It was Sam Bockarie who resigned and

1 when he left the RUF I was appointed by Mr Sankoh, it had nothing
2 to do with Mr Taylor. It was our own leader who was the CIC of
3 the RUF who appointed me.

13:17:02

4 Q. And was it Mr Taylor who summoned Sam Bockarie to come to
5 Liberia?

6 A. No. It was Sam Bockarie who went himself. Mr Taylor did
7 not call him.

13:17:35

8 Q. Let's move on, Mr Sesay, to the evidence of yet another
9 Prosecution witness. Let's look at the evidence of Zigzag
10 Marzah. You've already indicated that - you've indicated that
11 you know Zigzag Marzah. When did you say you first came into
12 contact with Zigzag Marzah, just to give a bit of perspective to
13 my next questions?

13:18:01

14 A. I said it was in June of '99, because he escorted the - he
15 escorted the ambassadors, the delegation that came from Lome to
16 Buedu.

17 Q. And before that, do you know whether he used to come to
18 Liberia? You might not have seen him, but do you know whether he
19 used to come to Liberia before that?

13:18:21

20 A. I do not understand the question you're asking. I was not
21 in Liberia, I was in Sierra Leone.

22 Q. Sorry, my mistake. Sorry. Before 1999, when you saw
23 Zigzag Marzah when he escorted the delegation that you indicated,
24 do you know whether he used to come to Sierra Leone?

13:18:37

25 A. No. I did not hear about him coming to Sierra Leone.

26 Q. And after 1999, did he continue to come to Sierra Leone?

27 A. No.

28 Q. Did you ever hear of Zigzag Marzah coming to Sierra Leone
29 and bringing ammunition?

1 A. No, I did not hear that.

2 Q. Did you ever hear of Zigzag Marzah escorting diamonds from
3 Sierra Leone to Liberia?

4 A. No, I did not hear that.

13:19:21 5 Q. I'm making reference to the transcript of March 12, 2008.
6 Zigzag Marzah said that since the time that ULIMO disarmed, that
7 was around 1997, he made between 20 to 40 trips to Sierra Leone.
8 Do you know anything about that, Mr Sesay?

9 A. That's a lie. I don't know of that.

13:19:54 10 Q. And on these trips he took ammunition to Sierra Leone?

11 A. No, that's not true. Because the RUF had serious
12 ammunition constraints 1998, 1997, so.

13 Q. Well, according to Zigzag Marzah you were well supplied
14 because he made over 20 trips, almost 40 - between 20 and 40
13:20:25 15 trips.

16 A. That's a lie. If they were supplying us ammunition, how
17 come that we had to buy ammunition? Why did Mike Lamin sell his
18 machine for him to get ammunition for us to defend Kailahun if we
19 were receiving supplies? We would have been unable to do those
13:20:51 20 things.

21 Q. On occasions, actually on one occasion, Zigzag Marzah
22 actually says he also brought in artillery pieces, what he called
23 chasers. What are chasers, Mr Sesay?

24 A. A tracer is for Alpha Jets.

13:21:11 25 Q. Do you remember Zigzag Marzah bringing chasers to the RUF?

26 A. No. The only chasers that I saw were those brought by the
27 plane that landed at Magburaka that had come from Burkina Faso.

28 Q. Now, do you remember some white guy with a big stomach who
29 was a friend of Mr Taylor bringing chasers to Liberia - sorry, to

1 Sierra Leone?

2 A. No, I never heard that and I never saw that, that a
3 big-bellied white man brought chasers to Sierra Leone and he was
4 Mr Taylor's friend. No, that's a lie.

13:22:00 5 Q. Diamonds. I've already indicated to you, according to
6 Mr Marzah, he did escort diamonds from Sierra Leone to Liberia on
7 many occasions. He says about 10 to 15 times he escorted
8 diamonds from Sierra Leone to Monrovia. Do you know anything
9 about these trips or any one of them?

13:22:31 10 A. No. I don't know of any trip wherein Zigzag Marzah came
11 and took diamonds from the RUF and took them to Monrovia. And in
12 1998 the mining that was done by the RUF was on a small scale,
13 because then the ECOMOG had deployed in Kono. RUF was not in
14 Tongo. ECOMOG had deployed in Kono, so.

13:22:58 15 Q. Maybe, Mr Sesay, if we look at one particular diamond which
16 stands out in his memory you might also remember. Do you
17 remember a time when Isaac Marzah escorted a diamond -
18 passport-sized diamond to Liberia from Sierra Leone? This was
19 particularly big. He remembered it particularly. It was a
13:23:20 20 passport-sized diamond. Do you remember that?

21 A. That's a lie. I never heard of that type of diamond from
22 the RUF. That is a lie. This diamond business, they're just
23 exaggerating it. They are just exaggerating it. But it's a lie.
24 But the way they've spoken about diamonds in this case, if that
13:23:42 25 was how diamonds were in Sierra Leone, then the people of
26 Sierra Leone, everybody would have been rich. It's just an
27 exaggeration that there are diamonds that looks like a passport.

28 Q. Zigzag Marzah says on this particular trip he went along
29 with Mosquito, that would be Sam Bockarie, Benjamin Yeaten and

1 Joe Tuah. Does that remind you of this incident, Mr Sesay?

2 A. No, that does not remind me, because it does not - it did
3 not happen. The first time that I heard about Zigzag and when I
4 saw him in Buedu, that was in June of 1999 when he came with that
13:24:26 5 delegation that he had accompanied to come to - who had come to
6 talk to the RUF about Lome.

7 PRESIDING JUDGE: Mr Chekera, on the issue of a diamond
8 passport-size - or a passport-size diamond, wasn't the evidence,
9 according to a certain picture or image that was drawn, wasn't
13:24:50 10 the evidence that this diamond was shaped like a portrait of a
11 human being on a passport rather than a passport-size document?
12 Wasn't that the evidence?

13 MR CHEKERA: That is the same diamond. Let me go to the
14 relevant part.

13:25:07 15 PRESIDING JUDGE: If I am correct, you are misstating the
16 evidence.

17 MR CHEKERA: At page 578, line 6:

18 "I escorted over 10 to 15 - I escorted diamonds over 10 to
19 15 times, but the one that I was actually - that was actually
13:25:29 20 encouraging was the passport-size diamond in the shape of a human
21 being."

22 Q. Mr Sesay, do you remember this passport-sized diamond in
23 the shape of a human being?

24 A. No. This is my first time of hearing this type of story,
13:25:54 25 that the RUF had a diamond that looked like a human being. No
26 RUF would ever testify to that kind of a story, even those who
27 were mining the diamond.

28 Q. Now, according to the evidence, this diamond was taken to
29 Mr Taylor, and the diamonds - sorry, and the RUF received

1 ammunition in return. Do you remember this, Mr Sesay?

2 A. That's a lie. That did not happen. That did not happen.

3 The way they are talking about ammunition supplies, if that was
4 how RUF was receiving ammunition supplies, then I think the RUF
13:26:38 5 would have been able to take over power in Sierra Leone. Even
6 ECOMOG wouldn't have been able to fight against us.

7 Q. Mr Zigzag Marzah was quite sure about this because he said
8 the diamond was handed over to Mr Taylor in his presence, and in
9 turn, Mr Taylor gave them envelopes of money, each one of them.

13:27:02 10 Did you hear anything about this?

11 A. No, I never heard that.

12 Q. Okay. Let's talk about allegations of diamonds that
13 involve you, Mr Sesay. Mr Marzah says, looking at page 5883,
14 transcript of 12 March 2008, line 26, I will just read this

13:27:45 15 particular part, Mr Sesay, because it concerns you:

16 "Q. Sir, did you ever see Sam Bockarie return with
17 diamonds to Liberia?

18 A. Yes. When we went with the material under the
19 directive of Charles Taylor, before we arrived Issa brought
13:28:04 20 some diamonds in a small jar, just like this glass here" -
21 he was referring to a glass of water that was in front of
22 him - "but the mouth was full, almost to the end of the
23 jar" --

24 PRESIDING JUDGE: "The mouth was small".

13:28:23 25 MR CHEKERA:

26 Q. "... the mouth was small, almost to the end of the jar, and
27 we took it back to Liberia." Do you remember taking quite a
28 handful of diamonds to this particular incident that Zigzag
29 Marzah is referring to, Mr Sesay?

1 A. No, no. I and Zigzag Marzah never transacted diamonds, and
2 I never took diamond when Zigzag Marzah was present or that which
3 he knew of. The only diamond that I was involved in was the
4 diamonds which I dropped in Monrovia - which I lost in Monrovia.

13:29:05 5 Even at that time, I did not know Zigzag Marzah, in '98.

6 Q. Page 5884, line 8:

7 "A. After we had taken this jar, that was the time
8 Charles Taylor called Musa Cisse in my presence. I will
9 say the truth and nothing but the truth. In my presence

13:29:28 10 Charles Taylor told - he called Musa Cisse and said, 'These
11 boys are doing extremely well. It will be better if we do
12 a recommendation for him to go to Burkina Faso to sign for
13 ammunition for himself,' and that he did, and later
14 Mosquito, Eddie Kanneh, Musa Cisse, they left and went.

13:29:53 15 Q. They went where, Mr Witness?

16 A. To Burkina Faso."

17 Mr Sesay, you've already given evidence on the trip by
18 Sam Bockarie to Burkina Faso. Do you understand what Mr Marzah
19 is saying here?

13:30:11 20 A. Yes, I'm listening.

21 Q. You gave Sam Bockarie a glass of diamonds or diamonds that
22 could fill a glass. Sam Bockarie took the diamonds to
23 Charles Taylor, and Charles Taylor was so impressed he decided to
24 recommend the RUF to deal directly with Burkina Faso where they
13:30:35 25 were getting ammunition from. Do you follow what he's saying?

26 A. Yes.

27 Q. Do you agree with this evidence?

28 A. No, I disagree, because it's not true, because at the time
29 that Sam Bockarie went to Burkina Faso, November of '98, I was in

1 Pendembu then, from April - from May to November. I was not
2 involved in any diamond dealings. And RUF did not even have that
3 type of diamond that he's making claims to, and Mike Lamin did
4 not even go on that trip. I and Mike Lamin stayed in Buedu. So
13:31:20 5 he's lying there.

6 PRESIDING JUDGE: Mr Chekera, it is our usual lunch break,
7 and I intend that we take it now and reconvene at 2.30.

8 [Lunch break taken at 1.31 p.m.]

9 [Upon resuming at 2.32 p.m.]

14:33:40 10 PRESIDING JUDGE: Good afternoon. Before we proceed with
11 the testimony of the witness, I would like to draw the parties'
12 attention to a confidential submission of the Registrar, that is
13 CMS number 1043, that came in this afternoon - no, this morning
14 actually, it was filed this morning. It basically requests a
14:34:04 15 redaction to the public record of certain information. In order
16 to expedite this matter, I am going to ask if either party has
17 any objections or not.

18 MR KOUMJIAN: We do not, your Honour.

19 PRESIDING JUDGE: Thank you, Mr Koumjian. And for the
14:34:28 20 Defence?

21 MR CHEKERA: Madam President, I would entirely leave it in
22 the hands of the Court. Suffice to say that the information was
23 obtained from the public domain. It is information already in
24 the public domain, but should the Court feel that it is
14:34:47 25 necessary, we will leave it in the hands of the Court.

26 PRESIDING JUDGE: Very well, then. At this stage I will
27 order that the record will be redacted as requested by the
28 Registrar.

29 Proceed with the witness.

1 MR CHEKERA: Thank you.

2 Q. Mr Sesay, before we took the lunch break, we were looking
3 at the evidence of Zigzag Marzah concerning the trip by Sam
4 Bockarie to Burkina Faso. One question that you still haven't

14:35:27 5 addressed: Did Mr Taylor organise or recommend or facilitate Sam
6 Bockarie's trip to Burkina Faso because he was happy with the
7 diamonds that he had gotten from Sam Bockarie?

8 A. No. To my knowledge, Sam Bockarie did not go with diamonds
9 on that trip.

14:35:57 10 Q. Now, I don't want you to repeat your evidence in detail,
11 but just to put everything into perspective, did Mr Taylor have
12 anything to do with Sam Bockarie's trip to Burkina Faso that you
13 have already talked about in your evidence?

14 A. Yes, he had something to do with it.

14:36:21 15 Q. And what role did he play in that regard?

16 A. Sam Bockarie told me that when he went in that October '98,
17 Mr Taylor told him that he would contact President Blaise and
18 others about revisiting the Abidjan Accord. That is what I
19 understood from Sam Bockarie.

14:36:51 20 Q. Now, Mr Sesay, I want - I am referring specifically to Sam
21 Bockarie's trip to Burkina Faso. In your evidence, you have
22 already talked about this trip by Sam Bockarie to Burkina Faso.
23 Did Mr Taylor play any part resulting in Sam Bockarie going to
24 Burkina Faso?

14:37:19 25 A. I think that, based on Mr Taylor's contact with Blaise
26 Compaore, that is why Sam Bockarie was requested to go, because
27 they were talking about - they were saying that Mr Taylor should
28 talk to Blaise Compaore, who was the chairman, about revisiting
29 the Abidjan Accord.

1 Q. When Sam Bockarie went on that trip, what was the purpose
2 for the trip?

3 A. Well, the purpose - the time that he was leaving, he said
4 he was going to meet President Blaise to talk to the other
14:38:11 5 guarantors about revisiting the Abidjan Accord.

6 Q. When you say "revisiting the Abidjan Accord", what was
7 happening with respect to the Abidjan Accord?

8 A. Well, they were to revisit the Abidjan Accord so that the
9 RUF and the SLPP government will have sat back to discuss the
14:38:40 10 peace process, because during the AFRC government, the AFRC and
11 RUF had a meeting with the Government of Sierra Leone in Abidjan,
12 with other ECOWAS states, and there was another communique that
13 was signed in Conakry.

14 Q. On that trip, when Sam Bockarie came back, was that the
14:39:11 15 trip that Sam Bockarie came back with ammunition?

16 A. Yes. When Sam Bockarie returned - because when he went to
17 Burkina Faso, he went to Libya, according to him. From there, he
18 came to Burkina Faso to Monrovia, and he bought the ammunition in
19 Lofa. Those are the ammunition he brought to Buedu.

14:39:40 20 Q. When Sam Bockarie brought the ammunition into Sierra Leone,
21 was he escorted by any Liberian officials?

22 A. No. Only those who went, they were the ones who returned,
23 except the civilian truck that was hired by Sam Bockarie.

24 Q. Did Zigzag Marzah escort that particular consignment of
14:40:08 25 ammunition?

26 A. No, Zigzag was not among the people who came. I said it
27 was Sam Bockarie and the people who had gone, they were the ones
28 who returned. If Zigzag had come with Sam Bockarie I would have
29 known him from December 1998, but he did not come with that trip.

1 So that's why I did not know him at that time.

2 Q. A different matter. The time that you were disarming,
3 during the disarmament, the early part of the disarmament, was
4 Zigzag Marzah in Sierra Leone?

14:40:47 5 A. No, no. He was not in Sierra Leone.

6 Q. During the entire time that you were disarming when you
7 took over leadership of the RUF, did you have any dealings with
8 Zigzag in Sierra Leone?

9 A. No, I had no dealings with Zigzag in Sierra Leone, except
14:41:10 10 when I used to visit Monrovia and I saw him there, but in Sierra
11 Leone he did not come to Sierra Leone, from the time I became the
12 leader up to the time of the disarmament he did not come to
13 Sierra Leone.

14 Q. Did you at any point, Mr Sesay, become aware of a plan to
14:41:30 15 execute you?

16 A. No. I did not know about any plan to execute me.

17 Q. According to the evidence of Zigzag Marzah, he got
18 instructions from Mr Taylor to execute you because you were
19 disarming the RUF and Mr Taylor was opposed to it. Did you hear
14:41:55 20 anything about that?

21 A. No. I never heard that.

22 Q. According to the evidence of Zigzag Marzah, he was in
23 Sierra Leone at the time and he was going to - according to the
24 plan, he was going to lure you to Buedu and under the guise that
14:42:16 25 he was bringing you ammunition and that there he in Buedu he
26 would execute you. Did Zigzag Marzah ever lure you by any means
27 to come to Buedu to receive ammunition?

28 A. No. I never heard such a discussion with Zigzag Marzah
29 when I was the leader. We never had a discussion like that.

1 Q. At this time were you receiving any ammunition from Charles
2 Taylor from Liberia?

3 A. No. I did not receive ammunition from Mr Taylor. When I
4 became an interim leader I did not attack government positions,
14:42:59 5 so there was no need to receive ammunition from Mr Taylor.

6 Q. Were you involved in any way, Mr Sesay, in Superman's
7 death?

8 A. No. I had no hands. I was not even in Liberia when
9 Superman died, I was in Sierra Leone.

14:43:31 10 Q. Did you discuss with Benjamin Yeaten anything containing
11 Superman conniving?

12 A. No. Not to my knowledge.

13 Q. Well, according to the evidence of Zigzag Marzah, you and
14 others, that is, Morris Kallon, FOC and some other RUF staff, you
14:43:57 15 took a document from the internet and you took it to Benjamin
16 Yeaten, and in that document it was alleged that Superman had
17 gone to Guinea and connived with Lansana Conte. Did you?

18 A. I did not even have access to the internet, and I never saw
19 a document which stated that Superman connived. That is not to
14:44:28 20 my knowledge. Never. Neither me, nor Morris Kallon or FOC, we
21 never had a discussion like that.

22 Q. Well, according to the evidence, Mr Sesay, you took the
23 document to Benjamin Yeaten and Benjamin Yeaten, when he informed
24 Mr Taylor that when Mr Taylor ordered for the execution of
14:44:52 25 Superman, do you recall this sequence of events?

26 A. That is a blatant lie. Superman left me in Kono and he
27 went to Liberia and I never had any documents from anybody that
28 was from the internet. In fact, Kono, Makeni the RUF controlled
29 area, had no access to the internet and I never received any

1 document from anybody from Freetown, because that was the place
2 where people had access to the internet. So this one is
3 misleading information.

14:45:37

4 Q. Do you know anything about Mr Taylor ordering the execution
5 of Superman?

6 A. No, I did not hear that. What I heard was that Superman
7 fell in an ambush.

8 Q. A different topic. Freetown invasion. Was Zigzag Marzah
9 in Freetown in January of 1999?

14:46:11

10 A. What, even us, the RUF, who were in Sierra Leone, were not
11 in Freetown. How could Zigzag Marzah - was not in Freetown. He
12 was not there. The Freetown invasion was AFRC business. It was
13 not an RUF business, nor NPFL or the Liberian government. That
14 is a blatant lie.

14:46:35

15 MR CHEKERA: Madam President, just for the record, I am
16 looking at the transcript of 13 March 2008, page 5991 to the
17 succeeding pages.

14:46:58

18 Q. According to the evidence of Zigzag Marzah, Charles Taylor
19 sent him to Sam Bockarie who had some men who were in Freetown
20 who had instructions to cooperate with Sam Bockarie's men who
21 were in Freetown. On that occasion, Marzah carried ammunition to
22 make sure that Sam Bockarie's men would enter Freetown. And,
23 while in the city, that is while he was in Freetown, Zigzag
24 Marzah was wounded.

14:47:26

25 A. Sam Bockarie was in Buedu during the attack. I was in
26 Makeni. I was closer to Freetown than Sam Bockarie. Zigzag
27 Marzah is just telling lies. Even we, the RUF, were not in
28 Freetown, it was the AFRC who were in Freetown. They were the
29 ones who attacked. Zigzag Marzah did not go to Freetown before

1 the end of the war. During the war, when I was in Sierra Leone
2 when he was there, no, he was not part of that attack. He did
3 not take part. He is just making claims.

14:48:04 4 MR KOUMJIAN: Excuse me, your Honour, I am trying to limit
5 my objections, and so I am not always objecting if I believe the
6 evidence is slightly mischaracterised, I just want to make a
7 record of that. And in this particular instance, I would just
8 note that this witness talked about the invasion - this is Zigzag
9 Marzah, that he was in Freetown for the invasion in which, page
14:48:26 10 5901 line 13, "in which Johnny Paul, Eddie Kanneh retreated with
11 us to Buedu to Mosquito's base."

12 MR CHEKERA: It would actually be easier if I just read the
13 excerpt where I am getting the evidence from. That will put the
14 evidence into context and answer the objection of my learned
14:48:47 15 friend.

16 PRESIDING JUDGE: Very well, do that then, please.

17 MR CHEKERA: Page 5991, question - or, rather, let me just
18 start at line 28 - or at line 25:

19 "Q. Is it the case, Mr Marzah, that you were convalescing
14:49:11 20 in Monrovia in January 1999?

21 A. The one you are talking about 1999, it happened around
22 Guinea but the invasion that you're talking about, I can't
23 recall the specific year but I know that the time that
24 Charles Taylor sent me and said Mosquito has some group in
14:49:32 25 Freetown to cooperate with when I carried ammo, we have
26 to make sure that they entered Freetown and while in the
27 city - while in the city of Freetown I received this rocket
28 wound, so I don't remember what happened later."
29 That is the part that I am referring to, and it relates

1 specifically, the question by learned counsel was asking the
2 question - had specifically referred to the incident of Freetown
3 in January of 1999 and the answer seemed to relate to the
4 particular incident, although the witness was not sure of the
14:50:11 5 date.

6 PRESIDING JUDGE: Very well, and did the witness answer
7 your question?

8 MR CHEKERA: Mr Sesay? I don't believe he had answered.

9 PRESIDING JUDGE: Perhaps you can rephrase your question
14:50:24 10 then.

11 MR CHEKERA:

12 Q. Mr Sesay, you have indicated that Zigzag Marzah was not in
13 Freetown around January 1999. During the time around 1999, in
14 January, in January of 1999, did you receive any ammunition from
14:50:44 15 Liberia?

16 A. No. No.

17 Q. Did Zigzag Marzah deliver any ammunition to Sam Bockarie?

18 A. No, I never heard that because January '99 I was in Makeni,
19 but I never heard that Zigzag Marzah came to Buedu and gave
14:51:06 20 ammunition to Sam Bockarie. I never heard that.

21 Q. Do you know whether he was ever wounded in combat in
22 Sierra Leone?

23 A. That man never fought in Sierra Leone, so he could not be
24 wounded in Sierra Leone. He never fought in Sierra Leone with
14:51:23 25 the RUF - alongside the RUF, no.

26 MR CHEKERA: Maybe, Madam President, just to put the issue
27 into perspective and beyond question, for the benefit of my
28 learned friend, page 5993, line 23.

29 "A. I don't remember the year but I took part in the

1 invasion of Freetown."

2 Q. Mr Sesay let's try to move on and maybe we should move on
3 to a different witness altogether.

4 Mr Sesay, we are going to briefly deal with the evidence of
14:52:17 5 a protected witness who enjoyed the benefit of the use of a
6 pseudonym, so I would not be able to give you the identity of
7 that person. That would be the evidence of TF1-367.

8 Mr Sesay, in your evidence you made reference of one
9 Kennedy who was purchasing arms - sorry, or rather, ammunition
14:53:03 10 for the RUF in Liberia. Do you remember?

11 A. Yes, I remember.

12 Q. And you said for a while he was based in --

13 A. Ammunition, not arms. He used to buy ammunition from
14 ULIMO, yes.

14:53:21 15 Q. And you said for a while he was based in Liberia for that
16 purpose?

17 A. Yes.

18 Q. Again, just to put the evidence I am going to put to you
19 into perspective, when was it that Kennedy was based in Liberia
14:53:40 20 for the purpose of purchasing ammunition?

21 A. Between April and July of '98.

22 Q. And was he based there continuously for that period?

23 A. Yes. When he used to buy the buried ammunition from the
24 ULIMO, he used to bring them and leave them with Sam Bockarie and
14:54:03 25 he would return. But in July of '98, he did not receive anything
26 from there so Sam Bockarie asked him to return. So he returned
27 to Buedu.

28 Q. Well, according to the evidence of TF1-367, Kennedy was not
29 permanently based in Lofa. He would go and come back and would

1 probably be based there continuously for a period not exceeding
2 two weeks and come back to Sierra Leone, and that he made these
3 trips a few times, maybe three times. Do you agree with that?

14:55:05 4 A. No, I disagree, because I knew that Kennedy was in
5 Voinjama, and he used to buy the ammunition and bring them to Sam
6 Bockarie and he would return. And that happened between April
7 and July of '98.

8 Q. Kennedy was subsequently appointed mining commander, you
9 have already indicated in your evidence. Who appointed Kennedy
14:55:32 10 mining commander?

11 A. It was Sam Bockarie who sent him to Voinjama, and he was
12 the one who withdrew him, and it was Sam Bockarie who sent him to
13 Kono as mining commander. And the reason why Sam Bockarie sent
14 him to Voinjama in '98 was that he was the one who was deployed
14:55:56 15 in Koindu in December, and he used to --

16 THE INTERPRETER: Your Honours, can the witness repeat his
17 answer and repeat it slowly, kindly?

18 PRESIDING JUDGE: Yes. Please pause, Mr Sesay. The
19 interpreter did not catch up with you. Please repeat your
14:56:14 20 answer.

21 THE WITNESS: Yes, my Lord. I said it was Sam Bockarie who
22 appointed him as mining commander and - when he withdrew him from
23 Voinjama, and it was Sam Bockarie who had posted him to Voinjama.
24 And in 1996 December, it was Sam Bockarie who posted him to
14:56:36 25 Koindu to be buying the ammunition from ULIMO. So it was based
26 on that, because the ULIMO had known him. That's why Sam
27 Bockarie sent him back in April of '98 to go to Voinjama to buy
28 the ammunition that ULIMO had buried.

29 MR CHEKERA:

1 Q. Did you play any part in the appointment of Kennedy as
2 mining commander?

3 A. No. The time Sam Bockarie sent him to Kono, I was in
4 Pendembu.

14:57:08 5 Q. Well, according to the evidence of TF1-367, at page -
6 transcript of 20 August 2008, at page 14158, you and Sam Bockarie
7 appointed Kennedy as mining commander. Sam Bockarie ran the idea
8 by you, and the two of you agreed, and you appointed Kennedy
9 mining commander. Do you remember that?

14:57:40 10 A. I don't remember that because that was not what happened,
11 and I can give you an instance why I say that. I can give you an
12 brief explanation, if you can allow me.

13 Q. Please. Just be very brief in your narrative.

14 A. In '96, Sam Bockarie used to work under Kennedy. He was
14:58:10 15 the area commander. And in '96 December, Sam Bockarie posted him
16 to Koindu, and he used to give money to him, physical cash that
17 Sankoh had left.

18 Q. Just before you continue, did you say in '96, Sam Bockarie
19 used to work under Kennedy?

14:58:30 20 A. Yes, yes. Kennedy was the area commander for Peyima and
21 Sam Bockarie was the battalion commander under him.

22 Q. And in December, Sam Bockarie appointed him?

23 A. To go and be based in Koindu when he used to send money to
24 him, after the money Mr Sankoh had left run out, December '96.

14:58:57 25 THE INTERPRETER: Your Honours, can counsel kindly wait for
26 the interpretation to fully complete.

27 MR CHEKERA: I am sorry.

28 Q. Mr Sesay --

29 A. Yes.

1 Q. -- initially, Kennedy is superior to Sam Bockarie. When
2 did Sam Bockarie become Kennedy's superior?

3 A. November 1996, when Mr Sankoh visited Kailahun District.

14:59:30

4 Q. Yes. Now, please continue and explain when Sam Bockarie
5 then appointed Kennedy.

14:59:57

6 A. So after Mr Sankoh's departure, Sam Bockarie and Kennedy
7 went to Foya to meet with the ULIMO. So in December '96, Sam
8 Bockarie posted Kennedy to Koindu, with some of the money that
9 Mr Sankoh had given them. So after that money had depleted, the
10 money that Sam Bockarie used to receive from the produce that the
11 RUF sold in Guinea, he used to send the money to Kennedy up until
12 May of '97. And after that, around July of 1997, Sam Bockarie
13 called Kennedy, he met him in Kenema, and he brought him to
14 Freetown, and he was appointed logistics commander for the RUF in

15:00:22

15 Freetown to distribute the rice. Even us, the commanders, it was
16 Kennedy who paid us monthly. And from there, we retreated back
17 to Kailahun District, and Sam Bockarie sent him with the money
18 that the very Kennedy had brought from Kono, the money that they
19 had looted from the bank. Sam Bockarie took some of the money
20 and gave it to him and posted him to Voijnjama to be buying the
21 ammunition from ULIMO. So, from '96 to '98, why is it now that I
22 should appoint him together with Sam Bockarie when it was Sam
23 Bockarie alone who used to do the appointments?

15:00:51

24 Q. Now, what was the relationship between Sam Bockarie and
25 Kennedy?

15:01:18

26 A. They were friends, they were very good friends, because at
27 the time Mr Sankoh sent Sam Bockarie to be a subordinate to
28 Kennedy, as a staff sergeant - no, as a captain, battalion
29 commander, Kennedy was still friendly and respectful to Sam

1 Bockarie. So that was like a return good gesture that Sam
2 Bockarie was doing to him when he came under him as a
3 subordinate. And even before the war, according to the two of
4 them, they had known each other from Kakata.

15:02:13 5 Q. And when Sam Bockarie used to go to Liberia, were there
6 occasions when you would go with Kennedy?

7 A. No. Sam Bockarie never went to Liberia with Kennedy,
8 because at the time Sam Bockarie posted Kennedy to Kono from July
9 '98, at that time Bockarie had not yet gone to Monrovia. And
10 when Kennedy went to Monrovia - sorry, I mean when Kennedy went
11 to Kono in the whole of '98, he did not come back to Buedu. And
12 in the whole of '99, he did not also come to Buedu until the time
13 Sam Bockarie resigned from the RUF. So, if he did not come to
14 Buedu, then he wouldn't have travelled with Sam Bockarie to
15 Liberia.

16 Q. Well, there is evidence before this Court, Mr Sesay, that
17 at one point Kennedy did accompany Sam Bockarie to Monrovia.
18 That would be at page 14232. I don't intend to read the
19 evidence. Mr Sesay, there is evidence that Kennedy once went to
20 Monrovia with Sam Bockarie and that while they were in Monrovia,
21 Sam Bockarie went to see Charles Taylor.

22 A. It's a lie. Since July of '98, when Kennedy went to Kono,
23 until December '98, when I came there, he did not go to Kailahun,
24 he did not go to Buedu. And that went on up until '99. Kennedy
25 never went to Buedu. At the time he was doing the mining of the
26 diamonds, he used to send the diamonds to Sam Bockarie, usually
27 through other people. Sometimes he sent Alpha Turay, sometimes
28 Mohamed Kamara, sometimes he sent Abdul Mansaray.

29 Q. Now after the junta were expelled from Freetown and before

1 Kennedy was appointed mining commander, where was he based, if
2 you remember?

3 A. Do you mean after the intervention?

15:04:47

4 Q. Yes. Before Kennedy was appointed mining commander, do you
5 know where he was based?

6 A. Yes. Kennedy would - and others withdrew from Freetown,
7 they he met me in Masiaka. We - he went to Kono, he was in Kono.
8 It was in April that he went to Buedu with the looted money from
9 the bank. In April, when he got to Buedu, for about one to two
10 weeks, it was after one to two weeks that Sam Bockarie sent him
11 to Voinjama.

15:05:10

12 Q. During that time, do you remember Kennedy making a trip to
13 Monrovia with Sam Bockarie?

15:05:32

14 A. It's a blatant lie. He did not go to Monrovia. I was the
15 only man who Sam Bockarie sent to go through - to go to Burkina
16 Faso through Monrovia. By then Kennedy was in - not in Buedu.
17 And when I was coming from Monrovia, when I had lost the diamond,
18 Pa Mulbah, that's John Mulbah, went to collect me, we met Kennedy
19 in Voinjama.

15:05:55

20 Q. Your answer, Mr Sesay, has been recorded as, "It's a
21 blatant lie. He did not go to Monrovia. I was the only man who
22 Sam Bockarie sent to go through - to go to Burkina Faso to
23 Monrovia."

24 A. I said "through Monrovia".

15:06:16

25 Q. To go to Burkina Faso?

26 A. Through Monrovia.

27 Q. Okay. According to the evidence of 367 on this particular
28 trip that Kennedy went along with Sam Bockarie to see Mr Taylor,
29 Sam Bockarie went to see Mr Taylor, and when Sam Bockarie came

1 back he told witness 367 that Mr Taylor had told Sam Bockarie to
2 increase security in Lofa, as it was the supply route, that is
3 supply route for ammunition to the RUF territory. Do you
4 remember an instruction from Sam Bockarie to increase security in
15:07:12 5 Lofa after Sam Bockarie went to see Mr Taylor along with Kennedy?

6 A. No. After the intervention, when we retreated, Kennedy did
7 not go to Monrovia with Kennedy, and Sam Bockarie did not go to
8 Monrovia. I never heard that information from Sam Bockarie.

9 PRESIDING JUDGE: Mr Interpreter, you said, "After the
15:07:36 10 intervention, when we retreated, Kennedy did not go to Monrovia
11 with Kennedy." What is that?

12 THE INTERPRETER: Your Honours, it should be with Sam
13 Bockarie.

14 THE WITNESS: I said Kennedy did not go to Monrovia with
15:07:50 15 Sam Bockarie, and Sam Bockarie did not go to Monrovia during that
16 period.

17 MR CHEKERA:

18 Q. According to this piece of evidence, Mr Sesay, Sam Bockarie
19 did go to Monrovia with Kennedy, and on the way back, they got
15:08:10 20 ammunition from Charles Taylor. Do you remember that happening?

21 A. That did not happen, that did not happen, because had
22 Kennedy and Sam Bockarie gone to Monrovia and that Mr Taylor saw
23 Sam Bockarie in Monrovia, what was the reason then for Sam
24 Bockarie to send Kennedy in April of '98, when he used to go and
15:08:36 25 purchase buried ammunition? When they came back, they used field
26 to wash it dry, put it under the sun to dry before using it.

27 Q. According to this piece of evidence, Mr Sesay, when Kennedy
28 and Sam Bockarie came back, they came back with ammunition and
29 they came back in the company of Jungle and Zigzag Marzah. Do

1 you now recall this incident?

2 A. He's lying. It did not happen. It did not happen. That
3 was why I said had he gone with Sam Bockarie to Monrovia and that
4 Mr Taylor gave supplies, then it was not necessary for Sam
15:09:21 5 Bockarie to have sent him to Voinjama to be buying buried
6 ammunition, only for them to come and wash it and dry it before
7 using it.

8 Q. Very well, Mr Sesay. A different topic: The attack on
9 Kono by yourself. You have already given extensive evidence on
15:09:41 10 that. According to the evidence of 367, page 14181, the
11 ammunition you used for that attack on Kono came from Liberia.
12 Do you want to comment on that?

13 A. Yes. Bockarie said he bought them in Lofa and Lofa is in
14 Liberia, so.

15:10:06 15 Q. More particularly let me say this witness says that it came
16 from Charles Taylor.

17 A. No, Bockarie did not tell me that and I met him in Kono,
18 because 367 is a number that I am familiar with because the
19 Prosecution used it against me.

15:10:34 20 Q. With that in mind, just be cautious not to divulge the
21 identity outside this Court. And now that you know the identity
22 of the person in question, do you have anything to comment on
23 further to what - the pieces of evidence that I have been putting
24 to you?

15:10:56 25 A. Yes. I stand by my evidence that I have been giving since
26 you started asking me questions about him. And all the answers
27 that I have given, I still stand by them to be the fact.

28 Q. And my question was: Now that you know who the person is
29 we are talking about, is there anything you wish to add without

1 divulging the identity to members of the public?

2 A. I respect the rules. I know that the witness is a
3 protected witness by the Court, so I respect those rules.

4 Q. Now, witness 367 occupied, at some point, a position where
15:11:54 5 he was familiar with the mining activities of the RUF, diamond
6 mining activities of the RUF. According to his evidence, Sam
7 Bockarie was taking diamonds to Charles Taylor. Do you wish to
8 comment on that?

9 A. Yes, because, as far as I know, he was mining and sending
15:12:30 10 the diamonds to Sam Bockarie, but he would not confirm that Sam
11 Bockarie used to take the diamonds to Mr Taylor because he never
12 used to go with Sam Bockarie to Mr Taylor. He was based in Kono.
13 And even in 1998, into 1999, Sam Bockarie brought two white men
14 to Kono and those white men were having transactions, business
15:12:52 15 transactions, with him. And they met he, the very witness.

16 Q. What was the purpose of that meeting?

17 A. Well, Sam Bockarie and the two white men came to talk to
18 him. The two Lebanese, Fayard and the other man.

19 Q. Do you recall the name of the other man?

15:13:28 20 A. The name of the other man I have forgotten that for now,
21 but it should be on a document that they said Sam Bockarie wrote
22 and gave to him, that Sam Bockarie signed and gave to him. There
23 were two, two of them came.

24 Q. And please continue. The question was: What was the
15:13:51 25 purpose of the meeting?

26 A. I said they used to buy diamonds and produce from Sam
27 Bockarie, so they came to Kono with Sam Bockarie. When they came
28 there they spoke with Kennedy.

29 Q. Yes, please continue?

1 A. When they came and spoke to the witness about the - Sam
2 Bockarie came and told him about the support that we continued to
3 give to the mining unit to be sending used clothing, medicine,
4 food, condiments and food. That was what they came and discussed
15:14:45 5 with him.

6 Q. Did they discuss any transactions between the witness
7 concerned, 367, and the white men? Did they discuss any diamond
8 transactions?

9 A. No. The only discussion that Sam Bockarie and the two
15:15:16 10 Lebanese men had with him was to give him the basic supplies that
11 he needed for the miners, like clothing, plastic sandals,
12 medications, feeding. Those were the things.

13 Q. According to the evidence of 367, Sam Bockarie told him
14 that he, Sam Bockarie, was taking diamonds to Charles Taylor.

15:15:46 15 Did Sam Bockarie ever tell you about his transactions, diamond
16 transactions, with Charles Taylor?

17 A. No. Sam Bockarie did not tell me that. And this witness,
18 it was only when Sam Bockarie came to Kono with those two
19 Lebanese and all of us travelled with Sam Bockarie from Buedu
15:16:13 20 when we met him in Kono. And since that time he and Sam Bockarie
21 never sat again together and discussed until the time Sam
22 Bockarie left the RUF. The only thing I can say was that Sam
23 Bockarie used to send messages to him and he too would respond
24 through radio message.

15:16:34 25 Q. When you say he and Sam Bockarie never sat again together
26 and discussed things, what do you mean?

27 A. That is to say, as I am sitting here, then he sits by me on
28 the other side, then we discuss together. Or to say they even
29 came together at any point. He was in Kono and Sam Bockarie was

1 in Buedu. The only means that they used to talk was through
2 either a field radio, they get a dialogue, or Bockarie would send
3 a message to him and then he too would respond to the message,
4 because he did not go to Buedu and Bockarie did not come to Kono,
15:17:21 5 apart from the visit that he and the Lebanese men paid around
6 late July. I think, yes, it was in July '99.

7 Q. According to the evidence of this witness, Mr Sesay, there
8 was an instruction from Foday Sankoh to Sam Bockarie and to
9 yourself that any minerals of value should be turned over to
15:18:04 10 Charles Taylor for safekeeping. Do you recall any such order
11 from Foday Sankoh during the time that was in Ivory Coast, just
12 to give you a perspective?

13 A. No. I did not hear such an instruction from Mr Sankoh and,
14 when Mr Sankoh came to Kailahun, I was there with the very
15:18:31 15 witness. All of us travelled with Mr Sankoh from Pendembu - I
16 mean from Giema to Buedu. Mr Sankoh never gave such instructions
17 and when he went to Ivory Coast he never sent such an instruction
18 to the RUF, no.

19 Q. Just for the record, transcript of 21 August page 14229.
15:18:58 20 Do you know whether Sam Bockarie ever sent diamonds to Mr Taylor
21 for safekeeping, Mr Sesay?

22 A. I never heard that from Bockarie.

23 Q. Did you take diamonds to Charles Taylor for safekeeping?

24 A. No, no.

15:19:30 25 Q. Do you recall an incident when one of Sam Bockarie's -
26 rather, sorry, when one of Foday Sankoh's bodyguards, called
27 Junior, came back to Buedu with a message from Foday Sankoh that
28 you, Mr Sesay, and Sam Bockarie, you should not misuse any
29 government property, especially diamonds?

1 A. Where did Junior come from?

2 Q. He was coming from Foday Sankoh in Togo?

3 A. No. It's a lie. It's a lie because he was not in
4 Kailahun, he was not in Buedu. He was in Kono. In Kono. Junior
15:20:22 5 did not come with such a message because Junior and Mr Sankoh and
6 others travelled up to Monrovia in October and Junior and Sam
7 Bockarie, together with Daf, they came to Buedu where they met me
8 before I left for Makeni. Mr Sankoh did not send such an
9 instruction with Junior, not at all. Because when Mr Sankoh came
15:20:46 10 to Freetown in that October, it was just after one week that he
11 went to Kailahun. He met Sam Bockarie there.

12 Q. According to the evidence of 367, Mr Sesay, Foday Sankoh
13 did send Junior with a message that you and Sam Bockarie should
14 not misuse government property, that is diamonds?

15:21:15 15 A. That is why I'm telling you that it's a lie. Junior did
16 not come with such a message. How could Mr Sankoh send Junior
17 when Sam Bockarie himself was with Mr Sankoh in Monrovia? Junior
18 and Mr Sankoh met Sam Bockarie in Monrovia and Sam Bockarie -
19 Junior and Daf, all of them together with Patrick PS Binda, they
15:21:43 20 all travelled from Monrovia and they met me in Buedu. So why
21 wouldn't Mr Sankoh have just told Sam Bockarie directly, except
22 that he was going to pass the message through Junior again to
23 come and tell Sam Bockarie?

24 Q. Mr Sesay, so that we understand your evidence, when was it
15:21:54 25 that Junior and Sam Bockarie and company met with Foday Sankoh in
26 Monrovia?

27 A. Well, Mr Sankoh, that was around early September of - early
28 October, sorry, of '99 when Mr Sankoh had come from his trip.
29 When he left Lome he went on trips to other places, then he came

1 to Abidjan and then came to Monrovia where he met Sam Bockarie,
2 Johnny Paul Koroma. It was he, himself, Junior and Daf, they
3 came to Monrovia. So he met Johnny Paul, Superman, Sam Bockarie,
4 he met them in Monrovia. And then Mr Sankoh sent Superman to go
15:22:43 5 ahead to Freetown and then, when he gets to Freetown, he should
6 proceed to Makeni and then he told Sam Bockarie that Sam
7 Bockarie, when Sam Bockarie comes to Buedu, he should dispatch me
8 to go to Makeni to go and take over the command in Makeni. Why
9 did Mr Sankoh not give the instruction directly to Sam Bockarie,
15:23:06 10 but to send a message through Junior to be told to Sam Bockarie?
11 That does not make sense.

12 Q. Now, just so we are clear, Junior, what is his second name?

13 A. Vandi. Junior Vandi.

14 Q. And was he the only Junior who was a bodyguard of Foday
15:23:29 15 Sankoh?

16 A. Yes, he was the only one.

17 Q. According to the evidence of 367, you not only heard this
18 from Junior, you also heard this from Foday Sankoh, that this was
19 an instruction that - sorry, let me start again. You also heard
15:23:51 20 from Sam Bockarie that this was the instruction that Foday Sankoh
21 had given and that this instruction was disseminated over RUF
22 radio. Do you recall a radio message with these instructions,
23 for you and Sam Bockarie to preserve and not misuse government
24 property?

15:24:19 25 A. Well, Sam Bockarie met me in Buedu. He did not tell me
26 that. And this witness, he never used to give me diamonds in
27 '99, so he never used to present or report diamonds to me in '99
28 and Mr Sankoh did not give such an instruction because Sam
29 Bockarie did not make mention of anything like that when he got

1 to Buedu. And he was not there.

2 Q. My question, Mr Sesay, was: Was this an instruction that
3 was disseminated over RUF radio?

15:25:04

4 A. I never heard that. I never heard that information on the
5 radio.

6 Q. A different topic, Mr Sesay. We have heard a lot of
7 evidence on the attacks on Guinea. Did 367 take part in any of
8 the attacks on Guinea?

9 A. No, I did not know about that.

15:25:29

10 MR CHEKERA: For the record, Madam President, transcript of
11 21 August 2008, page 14254.

12 Q. According to 367, Mr Sesay, you did take part in the attack
13 on Guinea and as with the other witnesses, he alleges that you
14 are the one who ordered the attack.

15:26:00

15 A. Well, I did not order that witness to go on an attack and I
16 did not give orders for any attack on Guinea, apart from the
17 cross-border attacks that used to take place.

18 Q. Do you know someone called Mohamed Toure?

19 A. No, I don't know that name.

15:26:40

20 Q. According to the evidence of 367, before the attack on
21 Guinea in Kokuima, you were present in Kokuima and you introduced
22 Mohamed Toure to the RUF fighters.

23 A. I said I don't know anybody by the name of Mohamed Toure.
24 I - at the time I became interim leader I never went to Kokuima
15:27:10 25 until the disarmament did.

26 Q. Maybe, Mr Sesay, if I tell you a bit more of who Mohamed
27 Toure is from this witness's evidence, that would remind you of
28 the incidents we're talking about.

29 According to 367, Mohamed Toure was the son of the late

1 Sekou Toure from Guinea and you were helping him a lot - you were
2 helping him wage a war in Guinea and you introduced him to the
3 RUF fighters in Kouiima.

15:27:54 4 A. No. I don't know anyone among Sekou Toure's children. I
5 have not come across any man that was Sekou Toure's son. I have
6 no interest in political power in Guinea. I am not a Guinean.

7 Q. Just to follow up on that comment, Mr Sesay, and just to
8 give - to be faithful to this witness's evidence. You were
9 assisting in the fighting in Guinea because Lansana Conte, who
15:28:33 10 was the Guinean President, was conniving with elements that were
11 fighting against the RUF in Sierra Leone. Do you follow?

12 A. Yes, I follow.

13 Q. You were assisting Toure because Lansana Conte, the Guinean
14 President, was assisting elements that were fighting against you;
15:28:58 15 that is why you went into Guinea. Do you want to come on that --
16 comment on that?

17 A. Yes. It's a lie because I know that the Guineans'
18 intervention to the war in Sierra Leone stopping the RUF, I heard
19 about it from late March of 1991, because when we attack Bomaru
15:29:27 20 it was not up to one week, when the Guineans came to Daru with 40
21 barrel missiles, 16 barrel missiles. So I know that at the start
22 of the RUF war in Sierra Leone, the Guineans, Lansana Conte's
23 Government was helping the legitimate government that was there
24 by then, the APC government, Lansana Conte was supporting them.

15:29:53 25 And when NPRC overthrew the APC, and they were also a junta
26 group, Lansana Conte still continued to give his support. So we
27 did not have a problem with Lansana Conte because we knew that he
28 was a government and that he would work with the Government of
29 Sierra Leone, which is the government of the day. And throughout

1 those years, we were sharing borders with Guinea when the
2 Guineans never crossed over to us we never had any problem with
3 them - crossing over to them. But where the problem started with
4 Guinea was when they crossed over to Yenga. Do you know how many
15:30:30 5 RUF fighters they killed before they could capture Yenga from the
6 RUF?

7 PRESIDING JUDGE: Mr Sesay, please slow down, we have been
8 through this routine before, slow down with your testimony,
9 please.

15:30:41 10 THE WITNESS: Yes, my Lord. So I am saying since 1991, up
11 to 1998, let me just make it brief. From 1991 up to 1998, the
12 RUF and the Guineans have always shared borders in the Kailahun
13 District and we never fired a gun against the Guinean border, in
14 fact, they used to sell ammunition to the RUF. And it was when
15:31:13 15 they started crossing over in '98, July, when they crossed and
16 captured Yenga when they killed some RUF soldiers around the
17 Yenga area, that was when. They also crossed Mofindor, they
18 would still cross the border and shed missiles, they fell in
19 villages, Nyandehun, Bandajuma Sinneh --

15:31:38 20 MR CHEKERA: Just go a bit slowly. Just finish with the
21 villages you were naming slowly and pause after you finished with
22 the names. If you could give us the names again.

23 THE WITNESS: I said they were launching when they crossed
24 over to Mofindor they were launching rockets that fell behind
15:31:59 25 Kailahun Town, Nyandehun, Bandajuma Sinneh and the surrounding
26 villages. They did the same thing in Kono at Kombayendeh when
27 the RUF also repelled them and then they captured some ground
28 missiles from them. So I am saying had the Guineans not crossed
29 and carried out those attacks from '98 to 2000, the RUF would

1 have never attacked the Guineans on the borders.

2 JUDGE DOHERTY: Just a moment. Mr Sesay, when you said
3 that the Guineans had supported the APC government and then the
4 NPRC, junta took over, they continued to give support. Which
15:32:52 5 organisation did they continue to give their support to; the APC
6 or the NPRC?

7 THE WITNESS: I said when the NPRC over through the APC
8 Government, which was the legitimate government, still the
9 Guineans continued their support to the government, they
15:33:13 10 supported the NPRC and they took ammunition supply from Guinea.

11 PRESIDING JUDGE: Mr Chekera, these names that were run
12 through very quickly almost combining two villages at the same
13 time, you need to spell these out for us. Some names may be on
14 the record, I don't know.

15:33:36 15 MR CHEKERA: I think the first name was Mofindor.
16 Mofindor, I think it's on the record. And then the other name
17 was Nyandehun. I think it's also on the record, it sounds
18 familiar to me. The other one was Bandajuma Sinneh, I'm not sure
19 whether that is one village or they are two different villages.

15:33:56 20 Q. Mr Sesay, Bandajuma Sinneh, is that one name?

21 A. Yes. Yes, it is one name.

22 Q. Would you be able to spell Bandajuma Sinneh?

23 A. I think it is B-A-G-A-J-U-M-A-S-I-N-N-E-H.

24 PRESIDING JUDGE: Mr Interpreter, is that the correct
15:34:25 25 spelling?

26 THE INTERPRETER: Your Honour, it is

27 B-A-N-D-A-J-U-M-A-S-I-N-N-E-H.

28 MR CHEKERA: And Kombayendeh, is that one name?

29 THE WITNESS: Yes, Kombayendeh.

1 PRESIDING JUDGE: Mr Interpreter, spelling again, please.

2 THE WITNESS: Kombayendeh K-O-M-B-A-Y-E-N-D-E-H,

3 your Honour.

4 MR CHEKERA:

15:35:01 5 Q. Mr Sesay, you have indicated that the Guineans were
6 supporting successive government in Sierra Leone initially, the
7 APC and the junta that took over then from the APC?

8 A. Yes.

9 Q. Can you tell us why the Guineans then started attacking RUF
15:35:22 10 territory?

11 A. Well, it was the arrangement that they had with the
12 previous government, that is, President Kabbah's Government,
13 because in 1998 we understood that it was President Kabbah who
14 spoke to Lansana Conte, for them to attack us in Kailahun to
15:35:48 15 cross over into Yenga, that they should cross through Mofindor
16 and ECOMOG should cross from Daru, that is to dislodge us from
17 the Kailahun District. That was when the offence started. If
18 they were just fighting on the side of the government troops and
19 not to attack our areas, that would have been different.

15:36:13 20 Q. Just to complete your evidence on that aspect, Mr Sesay,
21 who is Lansana Conte?

22 A. The former late President of Guinea.

23 Q. And during the time that the RUF was fighting with the
24 Guineans, what was - was he President?

15:36:34 25 A. Yes, he is.

26 PRESIDING JUDGE: You mean he was.

27 THE WITNESS: President Lansana Conte.

28 MR CHEKERA:

29 Q. Mr Sesay, let's move on to a different witness altogether.

1 Let's consider the evidence of TF1-579. Again, Mr Sesay, this is
2 a protected witness, highly protected, and I would not be in a
3 position to give you the identity of the witness, nor any
4 information that might identify that witness, but I will ask you
15:37:36 5 to assist us with a few details from the allegations by that
6 witness.

7 You have already denied, Mr Sesay, that the RUF received
8 ammunition from Liberia, in particular, from Charles Taylor.
9 According to the evidence of this witness, who, without divulging
15:38:13 10 his identity, I would say, just for you to be in context, was one
11 of Benjamin Yeaten's close aids, who alleges that he used to run
12 a number of errands for Benjamin Yeaten, including errands into
13 Sierra Leone. According to the evidence of this witness, Zigzag
14 Marzah, Jungle, with Daniel Tamba, Sampson Weah and one Junior
15:38:52 15 Seiatoe, used to run errands into Sierra Leone bringing
16 ammunition to the RUF. Do you know anything about this?

17 A. No. I have told you that I don't know anything about
18 Zigzag Marzah bringing ammunition to the RUF.

19 Q. We have already discussed Zigzag Marzah, we have touched on
15:39:20 20 Daniel Tamba, Jungle and Sampson Weah. Do you know someone by
21 the name of Junior Seiatoe?

22 A. No, I don't know that name.

23 Q. According to the evidence of this witness, the people I
24 have mentioned, Zigzag Marzah, Jungle, Tamba - Jungle, that is
15:39:42 25 Daniel Tamba, Sampson Weah, they used to run a lot of errands and
26 that this Junior Seiatoe also used to bring in arms and
27 ammunition and that some of the ammunition came from White
28 Flower. You have indicated that White Flower is Mr Taylor's
29 residence. Do you recall ammunition coming to the RUF from White

1 Flower, Mr Sesay?

2 A. No.

3 Q. Now, just for the record, Madam President, I am looking at
4 the evidence of 5 November 2008, and I was looking at page 19837,
15:40:29 5 and the succeeding pages.

6 According to the evidence of this witness, Mr Sesay, on one
7 occasion when Junior Sei atoe and others brought ammunition to
8 Sam Bockarie in Buedu, on their way back Sam Bockarie gave them a
9 tanker that he had captured for them to take back to Charles
15:40:56 10 Taylor. Do you remember an incident when the RUF captured a
11 tanker, Mr Taylor - or, sorry, a tank, let me put it exactly the
12 way it was put in the evidence - a military tank.

13 A. Yes. I know that the RUF captured tanks because I was the
14 one who captured them in Kono. But those tanks did not cross the
15:41:22 15 Moa River, so they did not get on to where Sam Bockarie was in
16 Buedu. So if anybody told you that Sam Bockarie sent tanks to
17 Charles Taylor, that is a black lie, but the tanks did not get to
18 where Sam Bockarie was, that is in Buedu.

19 Q. Let's just pause there, Mr Sesay, and discuss this in more
15:41:41 20 detail. How many tanks, in your recollection, were captured by
21 the RUF?

22 A. There were two in operational order, but there were four in
23 number.

24 PRESIDING JUDGE: There were two in what?

15:42:06 25 THE WITNESS: There were two functioning, your Honour.
26 There were two in operational order but - two of them were
27 functioning and the other two were not.

28 MR CHEKERA:

29 Q. And these four tanks, were they captured at the same time

1 or on different occasions?

2 A. It was the same attack but not the same place.

3 Q. Firstly, when was this? What year was this, if you
4 remember the year and the month?

15:42:41 5 A. This was in December of '98.

6 Q. And in relation to which attack?

7 A. The attack that I led on Kono.

8 Q. And what happened to those tankers - or, rather, let me say
9 tanks, sorry. What happened to the tanks?

15:43:07 10 A. After one was captured, Sam Bockarie said it was to be
11 parked in Bunumbu, and it was there. Later, after Sam Bockarie
12 had left, they were driven to Kono. And one was what we used
13 when we were fighting against the government from that May to
14 July of 2000, and the other one was in Kono. One was in Makeni,
15:43:40 15 and the other was in Kono, up to the disarmament, when they were
16 handed over to the UNAMSIL. The other ones that were not
17 functioning, UNAMSIL collected them.

18 Q. Mr Sesay, you seem to have indicated more than four tanks
19 in your answer there. One was in Bunumbu, one was in Makeni, one
15:44:12 20 was in Kono, the other one you used, and the others that were not
21 functioning.

22 A. No, that's not what I meant. After we had captured the
23 tanks, two of them could move. So the two tanks, Sam Bockarie
24 said they were to be driven to Bunumbu Teachers College, that is
15:44:36 25 across the Moa, on this side. So they were parked there up to
26 December of 1999, when Sam Bockarie left the RUF, and he gave
27 instructions --

28 Q. Sorry, before you move on to tell us about the instruction,
29 you said they were parked "there". Where were they parked?

1 A. I said Bunumbu Teachers College.

2 Q. And why were they not taken across the Moa?

3 A. You could not cross with them over, because of the river,
4 the Moa River. You cannot put a tank in a ferry because the

15:45:20 5 ferry that Sam Bockarie made could only cross with a jeep or a
6 pick-up, not a tank. So it could not go with them across the
7 river. That's why he said they should be parked in Bunumbu.

8 Q. If they had been taken across the Moa River, where were
9 they supposed to go to?

15:45:50 10 A. They were to be in Kailahun.

11 Q. Now, you were telling us --

12 PRESIDING JUDGE: Mr Chekera, how many tanks were
13 ultimately surrendered to the UNAMSIL?

14 MR CHEKERA:

15:46:08 15 Q. Mr Sesay, please assist.

16 A. My Lord, all of them. But the ones that could move, one
17 was in Makeni, which I handed over to the UNAMSIL commander in
18 Makeni, that is the battalion commander at that time, Colonel
19 Oladipo, and the one in Kono, we handed it over to the
15:46:31 20 Pakistani s. And the scrapped ones, one was in Kokui ma, that was
21 not functioning; the Pakistani s collected it. And the other was
22 in Jai ama Ni mi koro and it was parked there, but that was not
23 functioning; the Pakistani s also collected that one.

24 PRESIDING JUDGE: I was observing the record. I just hope
15:47:07 25 that these village names will be captured eventually. For
26 exampl e, Jai ama Ni mi koro appears as Voi nj ama, and it is not
27 Voi nj ama.

28 MR CHEKERA:

29 Q. Mr Sesay, was there an attempt to cross one of those four

1 tanks over the Moa River which was not successful?

2 A. No, that was not to my knowledge because those ferries
3 could not cross with any of those tanks.

15:48:03

4 Q. Did you realise that after failing to cross one of those
5 tanks across Moa River on one of those ferries?

6 A. Please repeat the question. I don't understand.

7 Q. Let me put it a different way. According to the evidence
8 of 379 [sic], there was an attempt by Sam Bockarie to take one of
9 these tankers - one of these tanks across the Moa River on the
10 ferries, which was unsuccessful because the tank drowned. Do you
11 recall that incident?

15:48:31

12 A. No, I don't recall that.

13 PRESIDING JUDGE: I think you meant the tank sunk.

15:48:55

14 MR CHEKERA: Oh, sorry. Thank you, Madam President. The
15 tank sunk, thank you.

16 MR KOUJIAN: I think, for the record, counsel meant 579.

17 MR CHEKERA: That was actually what I was going to say
18 next. It was not just a grammatical error but was a numerical
19 error on my part, 579 indeed.

15:49:11

20 Q. According to 579, Mr Sesay, there was an attempt to cross
21 one of the tanks over the Moa and the tank sank. Do you recall
22 that incident?

23 A. No, I said I did not hear that.

15:49:35

24 Q. And the reason why that tank was being crossed over was so
25 that it would be taken to Charles Taylor in Liberia. Do you
26 recall?

27 A. No, I don't recall that.

28 Q. Actually, Mr Sesay, the witness says you took part in that
29 attempt to get the - to get the tank across the Moa River, 5

1 November 2008, page 19844, line 27. The witness, Mr Sesay, just
2 to give you a bit of perspective, in his evidence preceding the
3 reference I have made, narrated how they had unsuccessfully tried
4 to cross the tank and how it drowned, and - oh, sorry, gosh, how
15:50:21 5 it sank. You might have to send me back to grammar school,
6 Madam --

7 PRESIDING JUDGE: I'm beginning to think this tank had
8 life, was animated.

9 MR CHEKERA: Once a word is stuck in your mind, it is
15:50:37 10 difficult to get it out.

11 Q. Mr Sesay, I won't say the tank drowned. After Sam Bockarie
12 tried to get the tank across and it sank, he gave up and went
13 back and he ordered you, Issa Sesay, to see what you could do to
14 get that tank out of the river, line 27 to the next page on
15:51:17 15 19844. Mr Sesay, were you there when this happened, as this
16 witness alleges?

17 A. No. It's a lie. I never made attempts to cross over with
18 those tanks, that one of them got sunk and Bockarie made attempts
19 to get them out. No, that never happened to me, and I never
15:51:42 20 heard about it.

21 Q. Did Sam Bockarie ever tell you of a plan to send one of the
22 tanks over to Charles Taylor?

23 A. No, Bockarie did not tell me that. You cannot look at
24 those very heavy tanks and you want to force it on those - a
15:52:03 25 ferry that could only carry 25 drums or 30 drums.

26 Q. Yes. Mr Sesay, I just have to go back on this and make
27 sure - Madam President, if I could just have a minute.

28 Mr Sesay, just before I ask again, did you make any
29 reference in your answer to drums, 25 drums? And, if so, what

1 did you say about the drums?

2 A. I said you cannot make a ferry that could only carry about
3 25 to 30 drums and you look at that same ferry and say you would
4 put that tank on it to go across the Moa River.

15:53:02 5 Q. Your answer is recorded as saying that the ferry could only
6 take 25 drums. What drums are you talking about?

7 A. No, no. That's not what I mean. I said - what I meant is
8 that the ferry was made out of 25 to 30 drums. So you cannot
9 look at a drum like that that was made from the tins of 25 or 30
10 drums and say you would put heavy tanks like those on top of
11 them. No, that's what I meant.

12 Q. So it is the ferry that was made out of about 25 drums, not
13 that it could only carry 25 drums; do I get your evidence
14 correctly? The ferry was made of 25 drums, correct?

15:53:51 15 A. Yes, between 25 and 30 drums. Those are the number of
16 drums that were used to build the ferry.

17 Q. And your evidence is that that kind of ferry could not
18 carry the weight of a tank?

19 A. No, not at all, it cannot.

15:54:12 20 Q. Now, Mr Sesay, that part of your evidence, you are in
21 agreement with witness 579 because you said the ferry could not
22 carry a tank, actually that there was an attempt and the ferry -
23 sorry, and the tank sank. Is that what happened?

24 A. Well, I am not aware of - no, that is not what happened,
25 because I never knew of any attempt to board that tank on that
26 ferry, no.

27 Q. Let's move on, Mr Sesay, to a different aspect concerning
28 the evidence of this witness.

29 Did you ever have a dispute with Sam Bockarie? That is

1 you, Mr Sesay. Was there a time that you did dispute with Sam
2 Bockarie.

3 A. Yes, there was a conflict. Mr Sankoh and I had -

15:55:28

4 THE INTERPRETER: Your Honours, can the witness kindly
5 repeat this area slowly?

6 PRESIDING JUDGE: Please pause, Mr Sesay. You have said
7 yes, there was a conflict between you and Mr - and then you said
8 - no. Actually, you said there was a conflict, and then you were
9 beginning to tell us Mr Sankoh and you had what? Repeat your
10 evidence, please.

15:55:44

11 THE WITNESS: My Lord, when the lawyer asked me, I said
12 yes, but that happened when Mr Sankoh and Sam Bockarie used to
13 have arguments and conflicts on the field radio. They even used
14 to insult each other. That is when myself and Morris Kallon,
15 together with Lawrence Womandia to go to Kailahun to talk to Sam
16 Bockarie in Buedu from Makeni. And that was when Sam Bockarie
17 instructed the RUF in Bunumbu to set an ambush before me. That
18 was the problem between myself and Sam Bockarie.

15:56:06

19 MR CHEKERA:

15:56:29

20 Q. And I don't wish to go into the detail of that conflict.
21 How was it resolved?

22 A. Well, the men - like the commander refused to go and set
23 the ambush. And the fighters did not obey the instructions
24 because those who went were just few in number and those who
25 stayed behind were in the majority. So when they saw us they
26 dared not open fire on us because they were not many in the
27 ambush.

15:56:54

28 Q. Did Mr Taylor play any part in your feud with Sam Bockarie
29 in terms of resolving the conflict?

1 A. Well, the only time Mr Taylor spoke about Sam Bockarie to
2 me and my colleagues was December 2000 when he said he wanted Sam
3 Bockarie to return so all of us could come together as one in the
4 organisation, since we have gone for Abuja I and disarmament was
15:57:45 5 approaching, so he wanted Sam Bockarie to return. That was the
6 only time. But before that time, the two of us did not discuss
7 anything regarding Sam Bockarie.

8 Q. At that time where was Sam Bockarie in 2000 in December?

9 A. He was in Liberia, Monrovia.

15:58:03 10 Q. Was there a time when Mr Taylor called for you and Sam
11 Bockarie to come to Monrovia to reconcile you because there was a
12 conflict between the two of you?

13 A. No, no. When Sam Bockarie was with the RUF we had no
14 problem. At the time of this problem - when this problem
15:58:27 15 occurred, I think it was about three days when Sam Bockarie
16 resigned from the RUF. There was never a day when the two of us
17 went to Mr Taylor to resolve a problem between us. Never.
18 Before Sam Bockarie resigned from the RUF.

19 MR CHEKERA: Madam President, transcript of 5 November
15:58:46 20 2008, page 19848.

21 Q. Mr Sesay, are you okay? Are you feeling okay?

22 A. No, I saw a dentist this morning. I was suffering from
23 headache, but if you insist we can continue.

24 PRESIDING JUDGE: We only have half an hour left, so I
15:59:14 25 think we can continue.

26 MR CHEKERA:

27 Q. Mr Sesay, you will have to bear with us and try to limp on
28 but maybe before I proceed, would some painkillers assist or
29 would you rather we just continue?

1 A. Let's continue.

2 Q. According to the evidence of 579, Mr Sesay, there was a
3 time when there was a conflict between you and Sam Bockarie while
4 Sam Bockarie was still in Sierra Leone, as a result of which
15:59:59 5 Mr Taylor summoned both of you to Monrovia to reconcile you. Do
6 you recall this incident?

7 A. No. That kind of incident never happened.

8 Q. Well, according to this witness, you went to Monrovia, and
9 that you went to Benjamin Yeaten's house and he took you to White
16:00:24 10 Flower where you saw Mr Taylor and the dispute was settled?

11 A. It's a lie. From the time Mr Sankoh was arrested in
12 Nigeria I never had a dispute with Sam Bockarie. Even the
13 diamonds that I lost in April of '98, when I returned, Sam
14 Bockarie was annoyed and he gave me orders to go to Pendembu and
16:00:51 15 I obeyed the orders. I never challenged his authority. I had no
16 dispute with him until Mr Sankoh's return, until December 1999.
17 But from '97 I never had a dispute with Sam Bockarie until
18 December 1999. So Mr Taylor never called the two of us between
19 '97 - in fact from '96 to December of '99, never did Mr Taylor
16:01:25 20 invite myself and Sam Bockarie to go and resolve a dispute.

21 The only time I was invited by Mr Taylor together with
22 other RUF commanders in the presence of Mr Bockarie was in
23 December of 2000. And at that time Sam Bockarie was no longer a
24 member of the RUF.

16:01:47 25 Q. What about an incident, Mr Sesay, where again Mr Taylor
26 summoned you to Monrovia to reconcile you, involving yourself and
27 Superman, on the one side, and Sam Bockarie on the other? You
28 and Superman were on one side and you had a dispute with Sam
29 Bockarie and again you were called to Monrovia for Mr Taylor to

1 reconcile you. Do you recall that incident?

2 A. No, I do not remember that incident because Superman and I
3 never operated together. We never came together on one side as
4 against Sam Bockarie. That never happened. Even during the
16:02:37 5 infightings that took place. Sam Bockarie and I were on one side
6 and Superman and others, Gibriil Massaquoi and others, were on the
7 other side. So Superman and I, we were never on one side and
8 with Sam Bockarie on the other side that Mr Taylor invited us to
9 go and resolve the matter. That never happened.

16:03:07 10 Q. A different topic from the evidence of the same witness,
11 Mr Sesay. You have already given evidence on why Sam Bockarie
12 left Sierra Leone to go to Liberia. I just have to put maybe the
13 same questions and to the extent that we have covered the
14 evidence I don't wish you to repeat, but just to confront the
16:03:38 15 evidence of this witness who says he was very close to Benjamin
16 Yeaten and was observing what was happening in Monrovia.

17 A. But the events that you are talking about are events that
18 never happened within the RUF, no.

19 Q. According to this witness, Mr Sesay - Madam President, I am
16:04:05 20 looking at page 19859 of the same transcript, and this evidence
21 relates to Sam Bockarie moving over to Liberia and Issa Sesay
22 taking over command of the RUF.

23 According to the evidence of this witness, Mr Sesay,
24 Charles Taylor ordered Sam Bockarie to come to Liberia because
16:04:30 25 Foday Sankoh wanted you, Issa Sesay, to take over leadership of
26 the RUF. There are two questions. When Sam Bockarie went to
27 Sierra Leone - sorry to Liberia, was that an order that came from
28 Charles Taylor?

29 A. No.

1 Q. I do not want you to repeat your evidence in any detail,
2 but just to give perspective to your answer: Sam Bockarie went
3 to Liberia under what circumstances? Just be very brief,
4 Mr Sesay.

16:05:09 5 A. Well, after Sam Bockarie had set, as you said, the ambush
6 before me I called him, I asked him. He told me, yeah, he
7 doesn't blame me. He said it was because the men did not
8 reinforce his orders - did not enforce his orders. He said I
9 would have been a dead person.

16:05:33 10 THE INTERPRETER: Your Honours, could the witness be asked
11 to slow down and repeat that area slowly.

12 PRESIDING JUDGE: Please slow down. You have you to slow
13 down and give us your circumstances again, slowly.

14 THE WITNESS: So I said he should come to the Moa River to
16:05:54 15 have a discussion with me, I said because he had decided to set
16 an ambush before me and I told him that I was coming to Kailahun
17 with others. And Mr Sankoh too told us to go to Kailahun, he
18 said because Mosquito wanted to bring problem into Kailahun. He
19 said and even the men who have been arrested in Segbwema, I
16:06:20 20 should go there, he said. So Sam Bockarie monitored the message,
21 whilst I was sending message to Momoh Rogers that I was coming to
22 Segbwema. So Sam Bockarie also sent radio message to all
23 stations.

24 PRESIDING JUDGE: Mr Sesay, the issue that counsel put to
16:06:41 25 you was to tell us briefly the circumstances under which Sam
26 Bockarie went to Monrovia. Briefly. Briefly.

27 THE WITNESS: It was as a result of a conflict between
28 Mr Sankoh and Sam Bockarie that extended to me, and all of us
29 thought that Sam Bockarie did not want peace, that was the reason

1 why he decided to go to Liberia.

2 MR CHEKERA:

3 Q. Who made the decision for Sam Bockarie to go to Liberia?

16:07:25

4 A. Well, he made the decision for himself - by himself, but it
5 was when he had now gone to Monrovia and when Mr Sankoh went to
6 Monrovia and when Mr Sankoh came from there to Pendembu and met
7 myself and others there, he told me that he, President Obasanjo
8 and Mr Taylor have held a meeting in Monrovia that Sam Bockarie
9 should stay in Monrovia in Liberia whilst Mr Sankoh carries on
10 with the peace process.

16:07:46

11 Q. In the latter part of your answer you have just indicated
12 the role that Mr Taylor played subsequent to Sam Bockarie going
13 to Monrovia. Before Sam Bockarie went to Monrovia do you know
14 whether Mr Taylor had anything to do with his relocation to
15 Monrovia?

16:08:14

16 A. No, no, because the way Sam Bockarie left for Monrovia --

17 Q. Just before you continue. No, you don't know, or, no,
18 Mr Taylor had no role to play? Just answer that part first and
19 then continue?

16:08:34

20 A. No, Mr Taylor did not play any role in Sam Bockarie's going
21 to Liberia. Sam Bockarie just decided to pack off and go to
22 Liberia. So it's like he just wanted to go out for a rescue.

23 Q. And subsequently what role did you learn Mr Taylor had to
24 do with Sam Bockarie's relocation? When Sam Bockarie was in
25 Liberia, what did you understand was Mr Taylor's role?

16:09:06

26 A. Well, when Sam Bockarie left it was in the same December
27 that Mr Sankoh also went to Monrovia. It was just days after
28 that Mr Sankoh went to Monrovia. And from Monrovia he came and
29 he told us that he had had a meeting with Mr Taylor and

1 Mr Obasanjo and that all of them discussed and agreed that Sam
2 Bockarie should stay in Monrovia because he wanted to bring a
3 problem to the peace process. So they said Mr Sankoh should
4 carry on with the peace process within Sierra Leone and with the
16:09:52 5 RUF, so that was what Mr Sankoh told me.

6 Q. And did you understand that the decision for Sam Bockarie
7 to, as it were, be given asylum in Liberia was Mr Taylor's
8 decision alone?

9 A. No. It was a decision taken by Obasanjo, Mr Taylor and
16:10:19 10 Mr Sankoh; Mr Obasanjo, Mr Taylor and Mr Sankoh.

11 Q. A different issue, Mr Sesay, from the same witness. This
12 relates to the leadership of the RUF, page 1968 - sorry, let me
13 start again, 19860.

14 You have, in your evidence, Mr Sesay, previously denied
16:11:03 15 that Mr Taylor had any leadership role within the RUF or in
16 relation to members of the RUF. When Foday Sankoh was in prison,
17 who was the ultimate leader in the RUF?

18 A. Well, there was no leader. It was Foday Sankoh who was the
19 leader, but he was - he was not there, so Sam Bockarie was the
16:11:36 20 field commander.

21 Q. And in Foday Sankoh's absence, who had the final say in the
22 RUF?

23 A. It was the field commander, Sam Bockarie, at that time.

24 Q. During that time, did you ever receive instructions that
16:12:00 25 you should take instructions from Charles Taylor?

26 A. No. What I knew was that when Mr Sankoh was arrested in
27 Nigeria, he used to send communication to Sam Bockarie, and after
28 the AFRC overthrew, Foday Sankoh sent instructions to Sam
29 Bockarie that he should take orders from Johnny Paul.

1 Q. And do you know, during the time that Sam Bockarie
2 relocated to Liberia, do you know who he was taking instructions
3 from?

4 A. Well, Sam Bockarie was in Liberia and I was in Sierra
16:12:53 5 Leone.

6 Q. You indicated that at some point you discussed with Sam
7 Bockarie when he moved to Liberia. In any of your discussions
8 with Sam Bockarie when he moved over to Liberia, did he ever tell
9 you whether he was taking instructions from anyone?

16:13:10 10 A. No. He did not tell me that, and I did not ask him,
11 because he was no longer involved in military operations. So he
12 did not tell me that.

13 PRESIDING JUDGE: Mr Chekera, when the witness says at page
14 152, line 9, "After the AFRC overthrew Foday Sankoh sent

16:13:34 15 instructions to Sam Bockarie that he should take orders from
16 Johnny Paul," what is the AFRC overthrow? What does that mean?

17 THE WITNESS: My Lord, I meant when the AFRC overthrew the
18 SLPP government in May of 1997, and it was after the coup that
19 Mr Sankoh sent that instruction.

16:14:19 20 MR CHEKERA:

21 Q. Mr Sesay, let me just repeat my question, and I noticed
22 you in your answers made reference to military operations. My
23 question was more general than that. When Sam Bockarie moved
24 over to Liberia, did you learn or did he tell you whether he was
16:14:38 25 getting instructions from anyone any more?

26 A. Well, I did not ask him, but at the time Sam Bockarie was
27 staying in Monrovia, it was Mr Taylor, Mr Obasanjo and Mr Sankoh
28 who accepted for Bockarie to stay in Liberia. So Mr Taylor knew
29 about Bockarie's presence in Monrovia. But I did not ask him

1 from whom he was taking instructions, because Bockarie was never
2 involved in fighting any more at that time.

3 Q. Did you hear that Sam Bockarie was taking orders from
4 Charles Taylor when he was in Monrovia?

16:15:24 5 A. Well, I don't know about that.

6 Q. Let's move on, Mr Sesay. We're trying to cover ground.
7 Let's move on to a different topic relating to diamonds. Again,
8 you have already given extensive evidence on diamonds, and you
9 have denied taking diamonds to Charles Taylor, or knowledge of
10 the RUF - actually, you have denied the RUF taking diamonds to
11 Charles Taylor, either through you or other parties.

12 Now, according to the evidence of witness 579 - again, I
13 will remind you this is a witness who says he was very close to
14 Benjamin Yeaten and was in a position to observe closely what was
15 happening in Monrovia.

16 This witness heard from Sam Bockarie that the diamonds that
17 were being taken to Liberia would, in many instances, be divided
18 into three parts. One part would be for Charles Taylor, the
19 other part would be for Sam Bockarie and other commanders,
20 including yourself, and the other part would be reserved for
21 Foday Sankoh.

22 Madam President, just for the record, this is page 19861.

23 Mr Sesay, is this how you were apportioning diamonds that
24 you were taking to Liberia?

16:17:01 25 A. No. I don't know about this.

26 MR CHEKERA: Sorry, Madam President, I think the correct
27 reference, the evidence starts at page 19861 but the actual
28 reference would be at 19862.

29 Mr Sesay, your answer is you don't know about that. You

1 took diamonds to Monrovia on more than one occasion.

2 A. Yes.

3 Q. Was this how you were apportioning the diamonds that you
4 took to Monrovia?

16:17:44 5 A. No. The diamonds that I took with me, at first I lost them
6 in '98. In 2000, the diamonds I took with me, I sold them. In
7 2001, the diamonds I took with me, I sold them. In 2001, the
8 ones I took with me, I sold them also. So I did not used to
9 apportion them, and I never heard that Sam Bockarie too used to
16:18:07 10 apportion diamonds. To get diamonds sometimes you mine from a
11 whole area, they wash the gravels, you will not get anything. So
12 it's not to say that getting diamonds is just like when you go
13 and try to assemble peanuts, like that, no.

14 Q. Understandable, Mr Sesay, but the question is: The
16:18:34 15 diamonds that you took, was there a portion that you reserved for
16 Charles Taylor and delivered to Charles Taylor, the diamonds that
17 you, yourself, took to Monrovia?

18 A. I said no. When I used to take the diamonds with me to
19 Monrovia, the things that I did with them, I have explained
16:18:53 20 everything before the Court here.

21 Q. Did you apportion - did you apportion one portion of it for
22 Foday Sankoh?

23 A. No, no. I used to sell. I used to sell them.

24 Q. Sam Bockarie, do you know whether he was apportioning the
16:19:16 25 diamonds that were taken to Liberia by him or any of his agents,
26 do you know whether this was the system that was - that he was
27 employing?

28 A. No. Sam Bockarie did not tell me that. Sam Bockarie too
29 used to sell the diamonds. I have explained here about the

1 people with whom he used to have transactions with.

2 Q. Yes. And, when Sam Bockarie went to Liberia with diamonds,
3 when he came back, did you get any proceeds as one of the
4 commanders from those sales?

16:20:01 5 A. What do you mean by - what do you mean by "proceeds",
6 Mr Interpreter?

7 Q. Did you get your share from the sale of the diamonds?

8 A. No, no. I never used to give Michel. When we sell the
9 diamonds, we buy medicine and we buy basic needs for the RUF.

16:20:30 10 Q. Just pause there, Mr Sesay. Let me ask again, did you get
11 a share, S-H-A-R-E, of the proceeds of the sale of the diamonds,
12 a portion, share?

13 A. I said no. Sam Bockarie never used to give me a share.
14 Nor did he give shares to individual commanders.

16:20:59 15 Q. Let's move on, Mr Sesay, to a different witness.

16 Madam President, if I can could just have a minute to
17 decide which transcript to go to next.

18 Mr Sesay, let's look at the transcript of witness TF1-375.

19 Again, this is a witness who was protected in that he used a
16:22:15 20 pseudonym during his evidence, and again, I can't give you any
21 details of his - relating to his identity. And I am just going
22 to start with the very same topic that we were discussing, which
23 is diamonds.

24 According to this witness, Mr Sesay, there was a time - I
16:22:53 25 will try to get the time frame because it did not appear in his
26 evidence - but ultimately, Mr Sesay, after delivering diamonds to
27 Charles Taylor on a number of occasions, there was a point you
28 then went - actually, the time frame was when you were now
29 campaigning for the elections.

1 Madam President, I am looking at transcript of 24 June
2 2008, and I will just start at page 12686 and the succeeding
3 pages.

4 Mr Sesay, election time, RUF is preparing elections, this
16:23:45 5 is after disarmament, the RUF wishes to transform itself into a
6 political party.

7 You went to Charles Taylor to redeem all the diamonds that
8 you had been depositing with him. On this occasion, Benjamin
9 Yeaten sent this particular witness, 375, to you, you were in
16:24:15 10 Monrovia, to deliver a package, and that package contained 85,000
11 American dollars. Do you recall a time when you received 85,000
12 American dollars from Mr Taylor through Benjamin Yeaten, who in
13 turn sent someone to you whose identity I cannot tell you?

14 A. No. I never received \$85,000 from Benjamin Yeaten, or from
16:24:53 15 Mr Taylor through Benjamin Yeaten, no.

16 Q. According to the evidence of this witness, Mr Sesay, you
17 were in Monrovia at the Royal Hotel, this witness was sent by
18 Benjamin Yeaten to you to deliver a package of 85,000 American
19 dollars and you were disappointed with the amount of 85,000
16:25:26 20 because you were expecting half a million American dollars for
21 the diamonds that you had been depositing with Charles Taylor.
22 Do you now remember the incident when you were so disappointed,
23 Mr Sesay, to receive such a paltry sum?

24 A. No, that's a lie. I never received such an amount from
16:25:50 25 Mr Taylor and I was not disappointed in anybody to say I was
26 supposed to have received more than that amount, no. And I never
27 stopped in any hotel called Royal Hotel. I don't even know where
28 that Royal Hotel is.

29 Q. Mr Sesay, you were in Royal Hotel room number 102, page

1 12687, and among those in your company were FOC, witness 375, and
2 Eddie Kanneh. Do you now remember the time when you were in
3 Monrovia on this occasion that the witness is talking about, the
4 time that you had FOC with you, Eddie Kanneh, witness 375 and you
16:26:51 5 were in room 102, Royal Hotel?

6 A. No. I said it's a lie. It's a lie. Eddie Kanneh never
7 stayed with me in a hotel. Eddie Kanneh had his own place in
8 Monrovia. And for me, starting from 2000, when I started going
9 to Monrovia, I used to stop at the guesthouse. The only time I
16:27:19 10 went and stayed in the Boulevard Hotel - in the Boulevard Hotel
11 was in March of 2001. But I did not stay in any other hotel,
12 apart from that.

13 Q. Boulevard Hotel, Mr Sesay, do you know whether it's now
14 known by another name?

16:27:44 15 A. No. That is the name that I knew for it. I don't know any
16 other name.

17 Q. Let's talk about the time you went to stay in Boulevard
18 Hotel in 2001. What was your business in Liberia at that time?

19 A. I said I went there at the time Ibrahim Bah invited me in
16:28:07 20 March of 2001 when Eddie Kanneh came and collected me in Pendembu
21 in Kailahun District. We went there and I went to sell the
22 diamonds that I had with me to Sammy and the money was up to
23 \$135,000. That was the time I went and stayed in the Boulevard
24 Hotel.

16:28:29 25 Q. On that occasion did you receive the full amount of
26 \$135,000?

27 A. No. The amount that was given to me in cash --

28 THE INTERPRETER: Your Honours, could the witness be asked
29 to repeat the certain amount that he spoke about.

1 PRESIDING JUDGE: Mr Sesay, please repeat your evidence.
2 The interpreter wants to know the amount of money you were given
3 in cash.

4 THE WITNESS: My Lord, I said the money was 135,000 in
16:29:09 5 total but in cash I received 100,000. So the 35,000 was later
6 given to Gibriil Massaquoi who brought it to me in Sierra Leone.

7 MR CHEKERA:

8 Q. And on that occasion, Mr Sesay, who went along with you?

9 A. I said it was Eddie Kanneh who came and collected me in
16:29:32 10 Pendembu. He and Ibrahim Bah's driver called CR, myself, my
11 bodyguard, Tommy, Musa Vandi, we were the ones who went.

12 MR KOUMJIAN: Your Honour, before we leave this, I think
13 it's only fair to put that the witness in question on page 12686
14 explains, on lines - I think counsel was maybe coming to this -
16:30:08 15 18 to 20, that the Boulevard Hotel changed its name to Royal
16 Hotel.

17 MR CHEKERA: I have no objection to my learned friend
18 alluding to that actually. My question, which I was avoiding
19 leading, was actually designed to elicit that answer.

16:30:33 20 PRESIDING JUDGE: Well, I think we have come to the day's
21 end of the proceedings and we will adjourn to tomorrow at
22 9 o'clock to continue Mr Sesay's testimony. The Court adjourns.

23 [Whereupon the hearing adjourned at 4.31 p.m.
24 to be reconvened on Wednesday, 11 August 2010
16:31:31 25 at 9.00 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

CAROLE WHITE	45811
CROSS-EXAMINATION BY MR GRIFFITHS	45811
RE-EXAMINATION BY MS HOLLIS	45850
FURTHER RE-EXAMINATION BY MS HOLLIS	45868
FURTHER CROSS-EXAMINATION BY MR GRIFFITHS	45869

WITNESSES FOR THE DEFENCE:

DCT-172	45884
EXAMINATION-IN-CHIEF BY MR CHEKERA	45884

EXHIBITS:

Exhibits P-559 and P-560 admitted	45870
Exhibits D-433A to C admitted	45871