



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 1 MARCH 2010
9.30 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 Erica Bussey

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Mr Nicholas Koumjian
Ms Kathryn Howarth
Ms Maya Dimitrova

For the accused Charles Ghankay Taylor:
Mr Morris Anyah

1 Monday, 1 March 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:29:06 5 PRESIDING JUDGE: Good morning. We will take appearances
6 first, please.

7 MR KOUMJIAN: Good morning, Madam President and
8 your Honours. Good morning, counsel opposite. For the
9 Prosecution this morning, Kathryn Howarth, Maja Dimitrova and
09:31:43 10 myself, Nicholas Koumjian.

11 MR ANYAH: Good morning, Madam President. Good morning,
12 your Honours. Good morning, counsel opposite. Appearing for the
13 Defence this morning are myself Morris Anyah. I am joined by
14 Mr Simon Chapman, who is a legal assistant with our office.

09:32:00 15 Thank you, Madam President.

16 PRESIDING JUDGE: Thank you. Morning, Mr Smythe.

17 THE WITNESS: Good morning, your Honour.

18 PRESIDING JUDGE: Your testimony continues this morning,
19 and I would just like to remind you of your oath to tell the
09:32:13 20 truth.

21 THE WITNESS: Thank you, your Honour.

22 PRESIDING JUDGE: Mr Koumjian, I think you were continuing
23 with your cross cross-examination.

24 WITNESS: YANKS SMYTHE [On former oath]

09:32:22 25 CROSS-EXAMINATION BY MR KOUMJIAN: [Continued]

26 Q. Could the witness please be given back the document that we
27 were working on that has not yet been marked for identification.

28 Mr Smythe, do you recall that when we finished Friday, you
29 had written down - I had asked you to list the headquarters of

1 the NPFL that had radios. You had said that radios were in all
2 controlled areas of the NPFL and I had asked you to list the
3 headquarters, and I believe that is now on the screen. Sir, I
4 would like you to go back to that document. Could you please
09:33:01 5 take the other seat - you have the document in front of you.
6 That's okay. Sir, on the document you have listed - and I
7 believe we have already read into the record - the various
8 headquarters where there were radios; is that correct?
9 A. Yeah. I have one to add.
09:33:15 10 Q. You have one to add this morning after thinking over the
11 weekend?
12 A. Yes.
13 Q. Okay. Can you please add that. Sir, did you add one new
14 name or more than one?
09:33:41 15 A. More than one.
16 Q. Can you read the first name that you added?
17 A. That's Robertsfield Airport and Voinjama.
18 Q. So you added those two?
19 A. Yes.
09:33:50 20 Q. Now, sir, can you, next to each of the names of the
21 headquarters that had radios that you have written down, write to
22 the right of that - to the right of each of those the call sign
23 for that station?
24 A. I can't remember the call signs of all of these stations.
09:34:11 25 It's been a very long time. I can't remember, actually.
26 Q. Okay. Write down the call signs of the stations you do
27 recall.
28 A. Only one I can recall is Gbarnga. That is Treetop.
29 PRESIDING JUDGE: Mr Anyah?

1 MR ANYAH: Just for purposes of clarification, when this
2 chart was initially undertaken by the witness, the request was in
3 relation to a specific date as of January 1, 1992. I wonder
4 whether this additional information - the witness has been
09:34:49 5 advised to limit it to at that scope.

6 PRESIDING JUDGE: Yes, Mr Koumjian, that's a valid
7 observation.

8 MR KOUMJIAN: Certainly:

9 Q. Sir, the two additional names that you added, did those
09:35:01 10 headquarters exist on January 1, 1992?

11 A. Excuse me?

12 Q. You added Robertsville; is that correct?

13 A. That's correct.

14 Q. Was that an NPFL-controlled area January 1, 1992?

09:35:18 15 A. Yes, Robertsville was under NPFL control, yes.

16 Q. And you added Voinjama. Was that an NPFL-controlled area?

17 A. Yes.

18 Q. Sir, you said you only recall one code name - one call
19 name; is that correct?

09:35:34 20 A. That's correct, yes.

21 Q. Which one is that?

22 A. That's Gbarnga, Treetop.

23 Q. Would you write "Treetop" next to "Gbarnga"?

24 A. I have already done that.

09:35:41 25 Q. Thank you very much, sir. Could that just be put on the
26 screen for public display. Sir, I want to ask you a little bit
27 more about radios. Can you tell us which - when you were a
28 radio --

29 PRESIDING JUDGE: Mr Koumjian, I can't quite recall, but

1 were all these names read into the record?

2 MR KOUMJIAN: I believe they were, yes, your Honour, at the
3 end of Friday. But perhaps - I see we don't - we can put some
4 additional information. Could the document please be handed back
09:36:44 5 to the witness:

6 Q. At the top, sir, could you write "NPFL radio stations", if
7 there's space, "January 1, 1992".

8 A. Are you trying to limit these to only January 1?

9 Q. I asked you as of January 1, yes. January 1, 1992. Sir,
09:37:36 10 perhaps while you have the document, could you please sign the
11 document and put today's date, which is 1 March 2010.

12 Your Honour, perhaps this is a good time, before I forget,
13 to ask to have this document given an identification number?

14 PRESIDING JUDGE: This is the list of locations for NPFL
09:38:27 15 radio stations as of January 1, 1992, drawn up by the witness
16 Yanks Smythe. That is marked MFI-431.

17 MR ANYAH: Madam President, I have a photograph as MFI-431
18 already.

19 PRESIDING JUDGE: Yes, you are right. You are absolutely
09:38:58 20 right. I beg your pardon. That last list will be marked
21 MFI-432.

22 MR KOUMJIAN: I take full responsibility for that, because
23 I had belatedly asked for a number for the photograph after
24 your Honour reminded me that I had not:

09:39:16 25 Q. Sir, when you were a radio operator for Charles Taylor,
26 what frequencies did you broadcast at?

27 A. I can't remember the frequencies. We were broadcasting so
28 many frequencies, so I can't specifically remember which one. I
29 can't remember.

1 Q. Can you explain what you mean when you say you broadcast at
2 so many frequencies?

3 A. Yeah, because you will call a radio station and they will
4 ask you, "Go to this frequency." You go there, you'll

09:39:41 5 communicate. We have open frequencies, so I can't remember which
6 one. I can't remember the exact frequency.

7 PRESIDING JUDGE: Mr Anyah, you are on your feet again.

8 MR ANYAH: Yes, I apologise for interrupting, but could we
9 see what the witness wrote on that document? The MFI has been
09:39:58 10 taken away.

11 PRESIDING JUDGE: Yes.

12 MR ANYAH: And I don't know what he wrote at the top.

13 PRESIDING JUDGE: Please put the MFI back on the overhead.

14 And also, Mr Witness, you have been asked to slow down. I know
09:40:11 15 you are a fast speaker naturally, but please make sure that you
16 do slow down when giving your answers.

17 THE WITNESS: Thank you, your Honour.

18 MR KOUMJIAN:

19 Q. Sir, the record that we have right now didn't get
09:40:37 20 everything you said in the last answer, so I will just ask you to
21 repeat it. Can you explain - you said you could not remember the
22 frequencies you were broadcasting because there were so many
23 frequencies, and my question was: "Can you explain what you mean
24 when you say you broadcast on so many frequencies?"

09:41:02 25 A. What I mean, I broadcast on so many frequency - I broadcast
26 on many frequencies. If I call a radio, you know, maybe I can
27 tell the radio to switch to another frequency. We communicate on
28 the frequency. We have open frequencies. All the other
29 frequencies, you know, as you scroll - I mean, scan through the

1 radio, you can get many frequencies. You know, you can get
2 frequencies that are not even related to, you know - how do you
3 call it - I mean, any radio in Liberia. Even out of Liberia.

4 Q. So, sir --

09:41:28 5 PRESIDING JUDGE: Mr Koumjian, that question that you
6 asked, was it the frequencies that witness himself broadcast, or
7 that the NPFL generally broadcasted?

8 MR KOUMJIAN: Sorry, I was asking my question specifically
9 of the witness, since I thought that would be what he would know
09:41:47 10 the best:

11 Q. Sir, when you were an NPFL radio operator, you said you
12 would say to another station to go to a certain frequency. How
13 did you know where to find the other station?

14 A. Excuse me?

09:42:00 15 Q. How did you know where to find the other station?

16 A. We have an open frequency that everybody operates on.

17 Q. Thank you. What is that, what you call open frequency?

18 A. It's a frequency that is general that everybody - I mean,
19 operate in the NPFL territories.

09:42:17 20 Q. What was it?

21 A. I don't know. I can't remember it.

22 Q. Sir, did you monitor any communications other than the ones
23 that you yourself were involved in?

24 A. Yes, definitely, yes, I can monitor communications that I
09:42:33 25 am myself not involved in, yes.

26 Q. What other communications did you monitor while you were
27 Charles Taylor's, you say, radio operator?

28 A. I monitored communications from all our stations - all our
29 controlled stations within our controlled area.

1 Q. All the NPFL stations?

2 A. That's correct.

3 Q. And you would do that by switching between frequencies?

4 A. I don't have to do that.

09:42:53 5 Q. Why is that?

6 A. I don't have to do that because we have an open frequency.

7 That's what I am saying.

8 Q. Well, sir, if you have an open frequency and stations are
9 communicating on that, why did you tell us that in order to -

09:43:07 10 when I first asked you about frequencies, you said in order to
11 speak to someone you would talk to them and say which frequency
12 to go to?

13 A. I am telling you, if I want to transmit a message to
14 somebody in Loguato that I don't want the other stations to know

09:43:23 15 I can tell you, "Go to so and so frequency" and you can go there.
16 So I see no difference in that.

17 Q. And how would you communicate to them to go to a certain
18 frequency? Would you just --

19 A. Because --

09:43:32 20 Q. Sorry, just wait for me to finish the question and slow
21 down a little bit. Pause a moment before you answer. How would
22 you know - how would you communicate to the other station which
23 frequency to go to? Would you say, "Go to frequency" and then
24 name the frequency with the numbers?

09:43:56 25 A. We can agree on which frequency to go on. You don't have
26 to tell him specifically this is the frequency. You can agree
27 with somebody, "Go to 1234", or, "Go to 3456", and all of you can
28 go there, you can meet there and talk.

29 Q. That's what I'm saying. You would agree by the two of you

1 would state the frequency you were going to?

2 A. Yes.

3 Q. Were there any other ways to convey which frequency you
4 were going to?

09:44:19 5 A. I don't know any other ways.

6 Q. So, in other words, anyone listening to your communication
7 would know which frequency you were going to?

8 A. Yes. Obviously, if they want to be curious, they can
9 monitor you, yes.

09:44:30 10 Q. And you were a trained operator. Is that correct?

11 A. Of course I am.

12 Q. Sir, did you monitor enemy radio frequencies?

13 A. When you say enemy radio frequencies, what do you mean?

14 Q. Who were your enemies when you were Charles Taylor's radio
09:44:45 15 operator?

16 A. When I was Charles Taylor's radio operator, we were
17 fighting against the Armed Forces of Liberia.

18 Q. Did you monitor their frequency?

19 A. I don't know of any radio that they had that I monitored
09:44:55 20 of. I don't know. I never monitored them before.

21 Q. Did you monitor ECOMOG?

22 A. I don't monitor ECOMOG.

23 Q. Did you monitor ULIMO?

24 A. I don't monitor ULIMO.

09:45:04 25 Q. Did you monitor RUF?

26 A. I don't monitor RUF.

27 Q. What were the ECOMOG frequencies, do you know?

28 A. How do I know ECOMOG when I don't monitor? I don't operate
29 with ECOMOG. How do I know their frequency?

1 Q. Sir, what is a grid reference? I'm finished with the
2 question. I'll repeat it. Sir, what is a grid reference?

3 A. I don't know what you mean by a grid reference.

09:45:45

4 Q. Sir, were the messages that you sent for Charles Taylor
5 coded or uncoded?

6 A. The messages I would send, if I want to code it I can code
7 it. If I want to send it, I can send it the same way.

8 Q. How would you code it, sir?

9 A. I would not - I can't tell you how I code my messages.

10 Q. What do you mean when you say you can't tell me how you
11 code them?

12 A. I don't know. I can't remember how I code them. I can't
13 remember.

14 Q. How did you learn how to code them?

09:46:09

15 A. How do I learn how to code them?

16 Q. Yes.

17 A. I learned it during my training.

18 Q. And how would the person you were sending the message to
19 understand it?

09:46:18

20 A. I don't know how the person would understand it. If he was
21 a trained radio operator, he would understand it.

22 Q. Sir, could your radio reach Sierra Leone?

23 A. I've never spoken to Sierra Leone on my radio throughout
24 the war.

09:46:38

25 Q. Sir, I want to clarify something with you about which you
26 had said. First, I would like to ask you about something you
27 said on 22 February at page 35646. I don't know if it's
28 necessary to put it on the screen or I just read it out. I am
29 happy to just read it out.

1 PRESIDING JUDGE: Well, if it can be found by the Court
2 Officer, it's usually good to put it up. We avoid controversy.
3 Please proceed.

4 MR KOUMJIAN:

09:47:56

5 Q. Reading from line 2, you were asked by Defence counsel:

6 "Q. What was the call sign or code name for Mr Taylor's
7 radio?

8 A. Butterfly."

09:48:09

9 So what I am asking, sir, is, does that name Butterfly,
10 when you were Charles Taylor's radio operator, did that apply to
11 Charles Taylor's radio station?

12 A. Yes, Charles Taylor's radio, yes.

13 Q. Whoever was operating it?

14 A. Yes.

09:48:22

15 Q. Okay. Thank you.

16 A. Excuse me?

17 Q. Yes?

09:48:36

18 A. Butterfly was only referred to two persons, myself and
19 Oretha Gweh. Let me make that clear. The radio is Butterfly and
20 the only two persons that were authorised to operate that radio
21 at the time was myself and Oretha Gweh. So I hope that is clear
22 to you.

23 PRESIDING JUDGE: Excuse me, that was Oretha Gweh?

24 THE WITNESS: Oretha Gweh, yes.

09:48:53

25 MR KOUMJIAN:

26 Q. And what about the supervisor of the station?

27 A. When you say supervisor of the station, what do you mean?

28 Q. Well, you gave us the name of the radio commander at the
29 time, I think it's Mr Gensei. Is that the correct name?

1 A. I said Victor Gensei was the head of the NPFL signal unit.
2 This is what I said.

3 Q. Could he operate Charles Taylor's radio?

4 A. No, he can't operate Charles Taylor's radio.

09:49:21 5 Q. If we could go to 24 February 2010, page 35978. Excuse me,
6 I'm going to skip that. I'm going to move on. Sir, I want to
7 ask you about some names and ask you if you recognise them.
8 Foxtrot Yankee, do you know that?

9 A. I don't know that.

09:50:00 10 Q. Planet 1, do you know that?

11 A. I don't know Planet 1.

12 Q. Marvel, do you know Marvel?

13 A. I don't know Marvel.

14 Q. Well, let me just clarify what I mean when I am asking you
09:50:11 15 if you know these. I'm asking if you have ever heard or
16 recognised these as names you heard on the radio.

17 A. I can't remember.

18 Q. I'll do it again quickly. Foxtrot Yankee?

19 A. I can't remember.

09:50:23 20 Q. Planet 1?

21 A. I can't remember.

22 Q. Marvel?

23 A. I can't remember.

24 Q. Bravo?

09:50:28 25 A. I can't remember.

26 Q. Energy?

27 A. Excuse me, Bravo, I know Bravo to be a code of one of the
28 commanders that served with me while I was in the southeastern
29 region and his name is George Mewon. His code name is Bravo. He

1 is the only one I know by the code name Bravo.

2 PRESIDING JUDGE: Mr Witness, I am going to ask you again,
3 you haven't slowed down.

4 THE WITNESS: I'm sorry, your Honour.

09:50:51 5 PRESIDING JUDGE: Do slow down, please.

6 THE WITNESS: I will try my best. Thank you.

7 PRESIDING JUDGE: Now, that name George something.

8 THE WITNESS: Mewon.

9 PRESIDING JUDGE: I think it's on the record before, Mewon.

10 THE WITNESS: Mewon, yes.

11 MR KOUMJIAN:

12 Q. Is that the same spelling as Francis Mewon?

13 A. Yes.

14 Q. M-E-W-O-N. Energy?

09:51:17 15 A. I don't know.

16 Q. Zul u 4?

17 A. No.

18 Q. Log?

19 A. No.

09:51:24 20 Q. Dead Cat?

21 A. No.

22 Q. Time Bomb?

23 A. No.

24 Q. Do?

09:51:31 25 A. No.

26 Q. Sky 1?

27 A. No.

28 Q. Sunlight?

29 A. No.

- 1 Q. Zero Two Zero?
- 2 A. No.
- 3 Q. 35 Bravo?
- 4 A. No.
- 09:51:42 5 Q. Proude?
- 6 A. No.
- 7 Q. Sir, do you know Menumata [phon] Dean?
- 8 A. Who.
- 9 Q. Menumata Dean?
- 09:51:53 10 A. I have never heard of that name before.
- 11 PRESIDING JUDGE: I think that can't be the name. You have
- 12 absolutely changed the name.
- 13 MR KOUMJIAN:
- 14 Q. Excuse me. Memunatu Dean. Thank you, your Honour. Do you
- 09:52:10 15 know any woman with the last name Dean or Memunatu who was a
- 16 radio operator?
- 17 A. I never heard of that name before.
- 18 Q. Sir, you said that Charles Taylor had sat phones in the
- 19 early days, satellite telephones, excuse me, in the early days.
- 09:52:28 20 Is that correct?
- 21 A. Yes, I said so.
- 22 Q. Did the satellite telephones that Charles Taylor - did he
- 23 continue to have satellite telephones throughout the time that
- 24 you worked with him through 2003?
- 09:52:41 25 A. Yes, he had satellite telephone, yes.
- 26 Q. Did the satellite telephones remain the same or did they
- 27 change?
- 28 A. I don't know when you say whether they remained the same or
- 29 they changed. What do you mean when you say that?

1 Q. Did they look the same, basically - I am not asking if it's
2 the exact same phone - or did they change?

3 A. Yeah, but technology changed, so you don't expect somebody
4 to use satellite phone in 1960 and use the same one in 1980.

09:53:09 5 Technology changes.

6 Q. Okay. The satellite phones that you first saw
7 Charles Taylor with, what did they look like?

8 A. The satellite phone I saw - the first satellite phone I
9 saw, it's big with like something like an umbrella.

09:53:20 10 Q. The phone itself looked like an umbrella?

11 A. No, probably the antenna or something. The phone is very
12 big. It's not something that you can just put in your pocket.
13 It's very big.

14 Q. Well, if you have an umbrella, it has a handle. Was the
09:53:37 15 speaking part, the listening part where the handle of the
16 umbrella is?

17 A. This is like - the one I saw is like bigger than some
18 suitcases, I'm telling you. It's not something that you can just
19 take and put in your bag or something.

09:53:49 20 Q. And what colour was it?

21 A. I can't remember the colour.

22 Q. And what did the phones change to?

23 A. Excuse me?

24 Q. You said that technology changes. How did the phones look
09:54:08 25 in the later years?

26 A. I don't know. I can't remember how they looked.

27 Q. Sir, when Charles Taylor wanted to speak to someone on a
28 satellite phone, did you ever use the radio?

29 A. But you are talking about two different things. You are

1 talking about a satellite phone and a radio, so I don't know what
2 you mean.

3 Q. You can't think of any reason why a radio might be
4 necessary in order to initiate a satellite phone conversation?

09:54:34 5 A. No.

6 Q. Sir, the satellite phone, how was it powered?

7 A. When you say how was it powered, what do you mean?

8 Q. What was the source of power?

9 A. The satellite phones, they can use - some can use
09:54:46 10 batteries, some can use - the one I know at the time was using, I
11 think it was - I think it used electricity or something.
12 Electricity, yes.

13 Q. Was the satellite phone on all the time?

14 A. I don't know.

09:55:05 15 Q. Sir, you talked about Ginger 2 being a radio station in
16 Danane. Is that correct?

17 A. That's correct, yes.

18 Q. In the Ivory Coast, correct?

19 A. I didn't say Ginger 2. I never said Ginger 2. Maybe you
09:55:26 20 didn't hear me well. I never said Ginger 2. I never mentioned
21 Ginger 2 in this Court.

22 Q. Thank you for correcting me. You said Ginger?

23 A. Yes, I said Ginger.

24 Q. Thank you. So there was a Ginger and a Ginger 3. Is that
09:55:41 25 correct?

26 A. That's correct.

27 Q. Was there a Ginger 2?

28 A. I don't know of any Ginger 2.

29 Q. Sir, Danane is in the Ivory Coast, correct?

1 A. That's correct, yes.

2 Q. What years did you communicate with Ginger?

3 A. What years do I communicate with Ginger?

4 Q. What years are you aware of NPFL communication with Ginger?

09:56:04 5 A. Up to 1991. Early 1991.

6 Q. So in early 1991 it stopped?

7 A. Definitely, yes.

8 Q. And when you say definitely yes, why do you say definitely?

9 A. I said it stopped - I stopped talking to Ginger early 1991.

09:56:24 10 Q. How about in 1996, was there any communication with Danane?

11 A. I was never aware of any communication being in Danane at
12 that time.

13 Q. Who was the radio operator for Ginger in Danane?

14 A. The person that operated that radio was Sylvester Salipo

09:56:44 15 [phon]. That's what I know.

16 Q. Who was he?

17 A. Sylvester Salipo was one of our NPFL radio, I mean,
18 technicians I can say. One of them.

19 Q. What was his nationality?

09:56:56 20 A. Sylvester Salipo is a Liberian.

21 Q. Sir, where did Musa Cisse live in 1991, to your knowledge?

22 A. Musa Cisse.

23 Q. Yes.

24 A. Well, I can see him in Liberia and he also have a house in
09:57:13 25 Danane.

26 Q. In 1996 was Musa Cisse living in Danane?

27 A. 1996 I can't remember Musa Cisse living in Danane. Musa
28 Cisse was living in Liberia from 1991 onwards. I would always
29 see him there, so I don't know him to be living in Danane at that

1 time.

2 Q. Now you said there also was communication with Ginger 3,
3 correct?

4 A. That's correct.

09:57:43 5 Q. What years was there communication with Ginger 3?

6 A. That was ceased during - how do you call it - sometime in
7 1991.

8 Q. Are you saying it stopped in 1991 sometime?

9 A. Yes, towards the end of 1991.

09:58:04 10 PRESIDING JUDGE: What does the witness mean by "that was
11 seized"?

12 THE WITNESS: There was no further communication with
13 Ginger 3, that's what I mean.

14 PRESIDING JUDGE: Oh, it ceased.

09:58:14 15 MR KOUMJIAN:

16 Q. Sir, you said Ginger 3 was a white lady. How do you know
17 that?

18 A. Yeah, but I can distinguish from when an African is
19 speaking and when a white person is speaking.

09:58:25 20 Q. What about an African from a European country or North
21 America?

22 A. I don't know [overlapping speakers] you are speaking
23 automatic. Obviously, if I hear your voice I will know you are
24 not an African. So I can distinguish from, you know, a white
09:58:40 25 woman or white man's voice to an African voice.

26 Q. What was clear to you was that it was an America woman;
27 correct?

28 A. Well, I can't be sure, but the person had an American
29 accent. That's what I am sure of it.

1 Q. This station, you understood, was at the United States
2 embassy in Abidjan; is that right?

3 A. That's what I think, yes.

4 Q. What part of the embassy did you understand this to be?

09:59:04 5 A. I have never been there. I don't know. I have never even
6 seen that lady. I don't even know what kind of radio he used.
7 We can only communicate.

8 Q. Sir, calm down a bit and pause before you answer. Was this
9 station, from your understanding, operated by the CIA?

09:59:21 10 A. I don't know who the station was operated by.

11 Q. Sir, you had received radios from the CIA; is that correct?

12 A. I don't know. When you say I have received radios from the
13 CIA, what do you mean I have received radios from the CIA?

14 Q. Charles Taylor and his forces received radios from the CIA;
09:59:40 15 is that correct?

16 A. Yeah, it might be correct, yes.

17 Q. And this was at the same time - well, excuse me. Were
18 those radios important for your operations?

19 A. When you say "those radios", I told you the radios I know
09:59:59 20 of that were brought were two Flyaways; I operated one and Ginger
21 operated one.

22 Q. Were those important for the NPFL operations? Did they
23 help you?

24 A. Of course they do help us.

10:00:10 25 Q. So you were receiving assistance from the CIA in 1991; is
26 that right?

27 A. I don't know, if you say I am receiving --

28 Q. The NPFL. I'm sorry, I am going to try to be more precise.
29 The NPFL was receiving assistance from the CIA in 1991 at least

1 to the extent of radio - important radio communications
2 equipment, correct?

3 A. Yes, that could be correct.

10:00:37

4 PRESIDING JUDGE: Are you saying, Mr Witness, that the
5 Flyaway radios were donated by the CIA?

6 THE WITNESS: I didn't say that in my first testimony. I
7 said these radios were donated to the NPFL, okay? And when I
8 said in my first testimony - I said we do communication with the
9 white - with the lady, you know, with an American accent, you
10 know, and we have another radio of that same type in Danane that
11 was operated by Sylvester Salipo.

10:00:56

12 PRESIDING JUDGE: Please proceed.

13 MR KOUMJIAN:

10:01:11

14 Q. Now, Mr Smythe, the NPFL had also received, obviously, very
15 important assistance from Libya, correct?

16 A. I don't know. When you say "very important assistance from
17 Libya", I don't know what you mean. Try to be specific.

10:01:27

18 Q. Well, you were a member of the NPFL. You were also in
19 Libya. You don't know whether the NPFL received important
20 assistance from Libya?

21 A. You have to be specific to tell me did the NPFL receive
22 this specific - I mean, particular assistance from Libya before I
23 can answer your question. Your question is too vague. I can't
24 understand it.

10:01:39

25 Q. In other words, sir, you are not going to volunteer any
26 information unless I already know it; is that what you are
27 saying?

28 A. The information that I know, I can volunteer it. But the
29 one I don't know - I don't want to answer questions that are not

1 clear. I don't want to be - you know, I am under oath here.

2 Q. Sir, tell me what you know about assistance the NPFL
3 received from Libya?

4 A. I know the NPFL received assistance - training assistance
10:02:01 5 from Libya, and I know NPFL received assistance of food from
6 Libya. I know that.

7 Q. And the food, you are talking about the rice that you
8 mentioned?

9 A. That's correct.

10:02:13 10 Q. Did the NPFL receive - and Charles Taylor's government in
11 later years, including his presidency, did the NPFL receive arms
12 or ammunition from Libya?

13 A. I am not aware of NPFL receiving any arms and ammunitions
14 from Libya.

10:02:27 15 Q. Did the NPFL receive any money from Libya to your
16 knowledge?

17 A. I am not aware of NPFL receiving any money from Libya.

18 Q. You were the ambassador to Libya beginning in 2000 - or the
19 charge d'affaires beginning in 2000, correct?

10:02:43 20 A. Yes, I was.

21 Q. And you are not aware of any assistance from Libya during
22 the time that you were the ambassador aside from the - well, any
23 assistance; is that right?

24 PRESIDING JUDGE: Mr Koumjian, you really expect anybody to
25 record - look at the record. Not even your question was
26 recorded. Please slow down.

27 MR KOUMJIAN:

28 Q. Sir, you were the charge d'affaires beginning in July 2000
29 until the end of Charles Taylor's presidency. Are you aware of

1 any assistance during that time that the Government of Liberia
2 received from Libya or Charles Taylor personally received from
3 Libya?

10:03:26 4 A. I am not aware of Charles Taylor personally receiving any
5 assistance from Libya.

6 Q. Did you meet regularly with Libyan officials?

7 A. Yes. If there is a need for me to meet them, I will meet
8 them.

9 JUDGE DOHERTY: Mr Koumjian, there were two parts to your
10:03:42 10 question; assistance to the Government of Liberia and assistance
11 to Charles Taylor personally. I have not heard an answer to the
12 Government of Liberia portion.

13 MR KOUMJIAN:

14 Q. Sir, during the time that you were the charge d'affaires
10:03:56 15 representing the Government of Liberia and Charles Taylor to the
16 government of Libya, are you aware of the Government of Liberia
17 receiving any assistance from Libya?

18 A. Yes, the Libyan government offered to build a rubber
19 factory in Liberia during President Taylor's presidency.

10:04:17 20 Q. Was that built?

21 A. The materials were brought in in containers and they
22 remained there. Up to now they are there.

23 Q. What year was that?

24 A. I can't remember which year, but it was during the time of
10:04:27 25 my tenure as charge d'affaires.

26 Q. Any other assistance?

27 A. Yes, we also received another time assistance of rice from
28 Libya during my tenure as charge d'affaires in Libya.

29 Q. And is this the rice that you mentioned was promised in the

1 trip you took before you were charge in 1996?

2 A. No, NPFL - I mean, the Government of Liberia also received
3 rice from the Government of Libya while I was charge.

4 Q. How was that rice taken to Liberia?

10:05:03 5 A. Obviously by ship.

6 Q. From Libya?

7 A. I don't know where it came from, but it was paid for by the
8 Libyan government, so it was a donation from Libya to Liberia.

9 Q. Why didn't they just give you the money?

10:05:17 10 A. You can ask them that question. I don't know. I can't
11 answer that question.

12 Q. Well, you were the highest ranking official representing
13 the Government of Liberia in Libya at the time, correct?

14 A. Yes.

10:05:29 15 Q. How was the rice - what was the source of the rice?

16 A. When you say "what was the source of the rice", what do you
17 mean?

18 Q. Did it come from Libya?

19 A. Counsel, I am telling you Libya is not a rice-producing
10:05:44 20 country, okay, and likewise any other country. If you have to
21 donate something to some country, you can as well buy it and
22 donate it.

23 Q. Where did the rice come from?

24 A. I don't know where it came from.

10:05:59 25 PRESIDING JUDGE: I think the witness might have said if
26 you have to donate something to some country, you can as well buy
27 it and donate it. That's what you said?

28 THE WITNESS: Yes, that's what I am saying. If I want to
29 give you something and I don't have it, I can buy it and give it

1 to you. That's what I am trying to say.

2 MR KOUMJIAN:

3 Q. Sir, at the time in 1991, would you agree that
4 Charles Taylor was receiving assistance from the CIA and was
10:06:29 5 still an ally of Muammar Gaddafi?

6 A. Try to repeat that question again. Let me hear.

7 Q. In 1991 at the time - well, first let me ask you when did
8 the Flyaway radios arrive in Liberia?

9 A. It was sometime in 1990. I can't remember specifically
10:06:53 10 when, but sometime in 1990.

11 Q. In 1990 when Charles Taylor received communication
12 equipment from the CIA, at the same time he was still an ally of
13 Muammar Gaddafi in Libya, correct?

14 A. I don't know. The only time I went with Charles Taylor to
10:07:11 15 Libya was in 1996, so I don't know before that whether he still
16 had communication with them or not. I don't know.

17 Q. Did you ever go back to Libya for Dr Manneh?

18 A. I never went back to Libya since I left there in 2009
19 besides going with Charles Taylor in 1996 - excuse me, let me
10:07:30 20 repeat that. I never went to Libya since I left in November 1989
21 until I went there in 1996 with Charles Taylor.

22 PRESIDING JUDGE: Sorry, Mr Witness, when you say you never
23 went to Libya since you left in November '89, did you not say you
24 were a charge d'affaires [overlapping speakers].

10:07:59 25 THE WITNESS: I was charge d'affaires - I say after 1996.
26 I was charge d'affaires in 2000. I said since I left in 1989 I
27 didn't go there until 1996.

28 PRESIDING JUDGE: Yes, I beg your pardon.

29 MR KOUMJIAN:

1 Q. Mr Witness, are you aware of the state of the relations
2 between the United States and Libya in 1990?

3 A. I was not involved in politics. I don't know.

4 Q. Let's see if we can assist you. Could we look behind tab 3
10:08:28 5 in the documents that the Prosecution distributed last week. If
6 that could be put on the screen. It's the wrong tab. Tab 1.
7 Sir, can you see this on the screen?

8 A. Yes, I do.

9 Q. And it appears to be a page from the BBC website "On this
10:09:26 10 day, 15 April" and then reading the article: "1986, US launches
11 air strikes on Libya." Sir, you told us that you recall being
12 present in Libya when the air strikes hit, correct?

13 A. Yes.

14 Q. And you were at one of the camps, correct?

10:09:50 15 A. Correct.

16 Q. Please remind me, which camp were you at?

17 A. I was at 2nd March.

18 Q. The article reads:

19 "At least 100 people have died after USA planes bombed
10:10:04 20 targets in the Libyan capital Tripoli and the Benghazi region.

21 Around 66 American jets, some of them flying from British
22 bases, launched an attack around 1.00 a.m. on Monday.

23 The White House spokesman, Larry Speakes, has said that the
24 strike was directed at key military sites, but reports suggest
10:10:29 25 that missiles also hit Bin Ashur, a densely populated suburb in
26 the capital.

27 Colonel Muammar Gaddafi's residential compound took a
28 direct hit that killed Hanna Gaddafi, the adopted baby daughter
29 of the Libyan leader.

1 President Regan has justified the attacks by accusing Libya
2 of direct responsibility for terrorism aimed at America, such as
3 the bombing of La Belle Discotheque in west Berlin 10 days ago."

4 And then we see - I am not going to read the rest of the
10:11:20 5 article, but then we see a timeline: 15 April 1986, US launches
6 air strikes on Libya; 21 December 1988, jumbo jet crashes on to
7 Lockerbie; 19 September 1989, French airliner bombed over desert;
8 14 November 1999, USA accuses Libyans of Lockerbie bombing.
9 That's all.

10:12:09 10 PRESIDING JUDGE: Mr Koumjian, did you not misread one of
11 the dates?

12 MR KOUMJIAN: Perhaps I did.

13 PRESIDING JUDGE: It should have been 19 September 1998.

14 MR KOUMJIAN: 1989.

15 PRESIDING JUDGE: '89.

16 MR KOUMJIAN: That was "French airliner bombed over
17 desert".

18 Q. Sir, were you - had you also heard that the Americans
19 accused the Libyans of involvement in the bombing of Pan Am
10:12:41 20 flight 104 which crashed into Lockerbie, Scotland?

21 A. I didn't have access to this at the time, so I don't know.

22 Q. Well, tell me, sir, obviously it takes a certain talent,
23 would you agree, to maintain relations and receive assistance
24 from two foreign powers that are enemies with each other; would
10:13:06 25 you agree with that?

26 A. I don't know. I am not involved in it, so I would not
27 know. I don't know.

28 MR ANYAH: Madam President, I am fairly certain, and I have
29 just Googled this, it was Pan Am 103 and not 104. The whole

1 Lockerbie trial is about 103.

2 MR KOUMJIAN: Thank you, counsel:

3 Q. Pan Am flight 103, would your answer change, Mr Witness?

4 Were you ware of that?

10:13:35 5 A. It would not change. It remains the same.

6 Q. Thank you. Now, sir, you knew Charles Taylor well,

7 correct?

8 A. Yes, I knew Charles Taylor well.

9 Q. You said he was highly intelligent, correct?

10:13:48 10 A. Definitely he is highly intelligent.

11 Q. And he is very personable, he can project images to people,

12 correct?

13 A. I never told the Court that. I never said that in court

14 here.

10:14:00 15 Q. Do you believe that Charles Taylor has a very strong

16 personality?

17 A. Yes, he has a very strong personality, yes.

18 Q. The ability to make two people who are enemies think that

19 you are their friend is a special ability. Would you agree with

10:14:15 20 that?

21 A. I don't know who you're talking about.

22 Q. I'm talking about Charles Taylor?

23 A. I don't know. I can't answer that question. I don't know.

24 I don't know.

10:14:23 25 Q. Sir, do you think a person who could maintain relations

26 with one country and the intelligence agency of an enemy country,

27 when those two countries were enemies is the same type of person

28 who could project an image of being a peacemaker when he is

29 sending weapons to one side in a conflict?

1 A. I don't know what you are talking about. I don't know.

2 PRESIDING JUDGE: Mr Anyah, you are on your feet.

3 MR ANYAH: Yes, I object to the question. There are
4 several compound questions in that one question and it's not,
10:14:58 5 frankly speaking, a fair question to put to the witness. There
6 is so much it assumes and there is so much speculation it
7 implicates.

8 PRESIDING JUDGE: In any event, Mr Anyah, the witness has
9 answered.

10:15:14 10 MR KOUMJIAN:

11 Q. Mr Witness, what was Charles Taylor's code name or code
12 names on the radio during the period you knew him?

13 A. I knew Charles Taylor to be Ebony and when he became
14 President he was 047.

10:15:33 15 Q. Anything else?

16 A. These are the ones I can remember.

17 Q. How about Unit 1?

18 A. Yes, we would also refer to him as Unit 1, yes.

19 Q. You were Charles Taylor's principal radio operator for a
10:15:48 20 certain period of time. Is that correct?

21 A. That's correct.

22 Q. And what period of time was that?

23 A. I told you from the time I came into Liberia up to sometime
24 in 1993.

10:15:57 25 Q. Did you hear the name Toyota?

26 A. I never heard the name Toyota before.

27 Q. Did you ever send a message to Toyota?

28 A. I never sent any message to Toyota.

29 Q. Did you ever hear a message coming in for Charles Taylor

1 from Toyota?

2 A. I never heard of any message coming in for Charles Taylor
3 from Toyota.

4 Q. Did Charles Taylor himself speak on the radio?

10:16:21 5 A. Charles Taylor never since I started to serve - I mean to
6 operate his radio until the time I left from there never spoke on
7 the radio.

8 Q. Perhaps you can help me then. Could the witness be shown
9 the testimony from 16 September 2009, page 28992. Sir, about how
10:17:20 10 many radio operators were there in the NPFL at its height, do you
11 know?

12 A. I don't know.

13 Q. Mr Smythe, this is from the testimony of Charles Taylor and
14 I am going to start at line 8. His Defence counsel asked:

10:17:58 15 "Q. One other matter before we go into further detail with
16 this witness. How many radio operators did you have,
17 Mr Taylor?

18 A. In the NPFL?

19 Q. Yes.

10:18:18 20 A. Oh, I would say about 30, 35 or more radio operators.

21 Q. And how many were personally assigned to you?

22 A. My operator was Butterfly. One only, Butterfly."

23 First of all, Mr Smythe, is that correct that
24 Charles Taylor had only one operator and that was you?

10:18:41 25 A. Yes. The time I specified to you, yes, myself and Oretha,
26 that's what I say.

27 Q. He is then asked:

28 "Q. Did you have any other operator?" No S.

29 "A. No, I didn't have any other operator but Butterfly.

1 Q. Did you personally have a code name?

2 A. Yes, I had a code name.

3 Q. What was that?

4 A. In fact, I had - they called me Unit 1. That was the
10:19:12 5 code name they would use. They also used 047, they used
6 that. And they also used - I think it was Ivory or
7 Ebony - the Vice-President - I think I was Ebony and the
8 Vice-President was Ivory. So they used Ebony, Unit 1,
9 047."

10:19:32 10 All of that you agree with, correct?

11 A. Yes, I do.

12 Q. That part. And then he was asked:

13 "Q. Did you - Foday Sankoh have a code name?

14 A. To the best of my knowledge, yes, he did have a code
10:19:44 15 name.

16 Q. What was it?

17 A. My remembrance is that his code name was Toyota, that I
18 remember."

19 So, Mr Smythe, if you were the radio operator for
10:19:57 20 Charles Taylor, how does Charles Taylor know Foday Sankoh's code
21 name and you don't?

22 A. Yeah, but supposing I don't speak to Foday Sankoh, how do I
23 know his code name?

24 Q. Thank you. So that would mean that Charles Taylor was
10:20:10 25 speaking to Foday Sankoh. That would make sense and explain
26 this, correct?

27 A. That's not correct. I can't say that is correct.

28 Q. Well, would not that explain how Charles Taylor knows Foday
29 Sankoh's code name.

1 A. I don't --

2 Q. Sorry, I am going to try to slow down. Let us both do
3 that. Wouldn't it make sense if Charles Taylor knows Foday
4 Sankoh's code name is Toyota, and you his radio operator do not,
10:20:34 5 that Charles Taylor spoke himself to Toyota?

6 A. I said while I served as Charles Taylor's radio operator he
7 never spoke on the radio as far as I know.

8 Q. Can you explain how Charles Taylor knows Foday Sankoh's
9 code name?

10:20:50 10 A. I don't know.

11 Q. Now, Mr Smythe, I want to move to a little different area.
12 You were talking at one point during your direct examination
13 about radios and long-range radios in various locations. Correct
14 me if I misstate your testimony. Is it your testimony that there

10:21:20 15 was no long-range radio at the Executive Mansion. Is that
16 correct?

17 A. Yes, I said that one during the time of the presidency of
18 Mr Taylor.

19 Q. Well, that was the only time you had access to the
10:21:34 20 Executive Mansion was during the presidency, or is that not
21 correct?

22 A. No, it was not only during the presidency. When he was
23 Council of State I had access to the mansion too.

24 Q. During the Council of State period was there a radio in the
10:21:46 25 Executive Mansion?

26 A. I don't know of it.

27 Q. In White Flower or surrounding White Flower, in the
28 surrounding area, was there a long-range radio?

29 A. I know of a short-range radio base around White Flower. I

1 know that.

2 Q. But no long-range radio?

3 A. I don't know about it.

4 Q. In any of the buildings, for example the SSS building

10:22:11 5 there, in any of the buildings surrounding White Flower, you
6 don't know of a long-range radio?

7 A. I don't know about it.

8 Q. How about at Benjamin Yeaten's house? You said there was
9 no long-range radio. Is that correct?

10:22:24 10 A. I never saw any long-range radio in Benjamin Yeaten's
11 house.

12 Q. When I say his house, just so we are not playing with
13 words, I mean anything around his house, a porch, a structure
14 that's in the yard next to his house. Did you see a radio in the

10:22:37 15 area of Benjamin Yeaten's house?

16 A. I didn't ever see any radio in or around Benjamin Yeaten's
17 house.

18 Q. And you had been to Benjamin Yeaten's house many times,
19 correct?

10:22:46 20 A. Yes, yes.

21 Q. Now, sir, during his presidency, if Charles Taylor wanted
22 to speak to a commander in let's say Lofa County, how would he do
23 that?

24 A. When Charles Taylor want to talk to a commander in Lofa
10:23:00 25 County?

26 Q. Yes.

27 A. How would he do that? Charles Taylor don't talk to
28 commanders in Lofa [indiscernible] directly.

29 Q. How would he then get a message?

1 A. Charles Taylor had lieutenants, he had his SS director, the
2 SS director have deputies, they have assistants.

3 PRESIDING JUDGE: Please slow down and repeat that answer.

4 THE WITNESS: Sorry, your Honour, thank you.

5 PRESIDING JUDGE: Repeat your answer. The question was how
6 would Charles Taylor talk to his commanders in Lofa.

7 THE WITNESS: Charles Taylor as far as I know during his
8 presidency don't talk directly to his commanders. If he want to
9 send a message, that instruction would be given to the SS

10:23:39 10 director and maybe somebody would be sent, as far as I know, with
11 car to go and deliver whatever message they want to deliver.

12 MR KOUMJIAN:

13 Q. How long would it take to get to let's say Voinjama from
14 Monrovia by car?

10:23:55 15 A. To Voinjama? I don't know. I never drove from Voinjama to
16 Monrovia - from Monrovia to Voinjama so I don't know the
17 distance.

18 Q. Well, sir, you have been to Voinjama, correct?

19 A. Yes, from Gbarnga, yes.

10:24:08 20 Q. When was the first time you went there?

21 A. I went to Voinjama the first time in October 1991 with
22 Mr Taylor.

23 Q. And, sir, you have lived in Liberia since 1990 except for
24 the time you were in Libya, correct?

10:24:22 25 A. That's correct.

26 Q. And you don't know how long it takes to drive from Monrovia
27 to Voinjama?

28 A. In fact - how do you call it - it may interest you to know
29 that since I went with Mr Taylor in 1991 I have never been to

1 Lofa County.

2 Q. How long would it take - okay. Could the witness be shown
3 the testimony from 17 September 2009, page 29206. Can we go to
4 line 15. Sorry, let me start at the first line. I am going to
10:26:04 5 read beginning from the first full sentence on the first line.

6 Let me first explain, Mr Witness. I don't want you to be
7 confused. Right now the Defence counsel is reading from the
8 testimony of another witness to Mr Taylor. So this is the
9 testimony of another witness, not Mr Taylor:

10:26:27 10 "Mosquito would use his own control station, that is Bravo
11 Zulu 4 in Buedu, and he would use that radio station through the
12 operators and would communicate with Base 1. That is Benjamin
13 Yeaten's radio station."

14 Mr Witness, have you ever heard the call sign Base 1?

10:26:46 15 A. I never heard of it.

16 Q. "That was Benjamin Yeaten's radio station, and it was
17 Sunlight" - Mr Witness, have you ever heard the name Sunlight?

18 A. Never heard of the name Sunlight.

19 Q. "... who was in control at Base 1. When Benjamin Yeaten
10:27:02 20 got any request from Mosquito he would say, okay, hold on, I will
21 have to meet the Papay, or maybe I will have to hang heads with
22 the Father. We had different code names that we used to disguise
23 the various commanders. Something like that, and so that was the
24 major role that Base 1 played."

10:27:23 25 He is explaining now at line 23: "That is, he would want
26 to consult directly with Charles Taylor." And then the Defence
27 counsel asked Mr Taylor:

28 "Q. Mr Taylor, the witness is categorically there stating
29 that you were controlling events through your able

1 Lieutenant Mr Benjamin Yeaten. What do you say about that?

2 A. That's totally false. Totally, totally, totally false.

3 Totally false. Now, what would a radio - there's nothing
4 unusual about Benjamin Yeaten having a radio at his house.

10:28:01 5 It would be - that would be normal. SSS director. The SSS
6 had its own radio frequency across the country. Wherever
7 Secret Service were, there were radios."

8 Mr Witness, you still say you don't know whether Benjamin
9 Yeaten had a radio at his house?

10:28:23 10 A. If I say I don't see a radio in Benjamin's house, would you
11 deny that? I said I don't see it.

12 Q. Yes, sir, I do deny that. You're not telling the truth.
13 You're lying about that, aren't you?

14 A. I am not lying, and I don't want you to - I mean, how do
10:28:37 15 you call it - I mean, label me as a liar. I'm not a liar. I
16 took oath here and I'm not lying, so don't label me as a liar,
17 with all due respect, please.

18 Q. Mr Witness, I want to talk to you a little bit about an
19 incident 1996, October 31. That was the incident where General
10:28:59 20 Jackson died, correct?

21 A. That's correct.

22 Q. And that was the incident where there was an attack and
23 Charles Taylor was rescued from the bathroom by ECOMOG officers,
24 correct?

10:29:10 25 A. I don't know where he was rescued from, whether in bathroom
26 or in the sky, but I know he was rescued.

27 Q. Where were you when this happened?

28 A. I was on my way with Moses Blah to Libya.

29 Q. Now, you said that you understood that to be an attack by

1 George Boley's group; is that correct?

2 A. That's what I understand to be. Because the people that
3 were arrested belonged to George Boley's group.

4 Q. And do you know where George Boley is now?

10:29:43 5 A. I don't know where George Boley is.

6 Q. Did you hear he was under arrest in the United States?

7 A. I don't know except I am getting that information from you.

8 Q. Okay.

9 A. Thank you for that information.

10:29:51 10 Q. Sir, after the attack Charles Taylor moved to Gbarnga,
11 correct?

12 A. Yes, he went to Gbarnga after that attack.

13 Q. And that was for security reasons, correct?

14 A. Yes, definitely.

10:30:06 15 Q. Could we have the testimony from 27 October 2009, page
16 30445. Mr Witness, have you ever heard the term - radio term
17 "three five" or "three five B"?

18 A. No.

10:31:00 19 Q. Now, I am going to beginning reading at line 8 where again
20 the defence counsel is reading to Mr Taylor the testimony of a
21 Prosecution Witness, and he read:

22 "A. Yes, at that time they used to just come on the net
23 and identify themselves at three five B. They said, 'Three five
24 B, three five B,' and the station commanders could be called to
10:31:19 25 come and talk to them. I can remember during the time we were
26 communicating - or facilitating the movement of Corporal Sankoh
27 from Zogoda to Yamoussoukro, there was a call from that station,
28 '35 bravo'. At that time the station sergeant told me that the
29 station was located in Gbarnga, and that was the station of

1 Charles Taylor. He had not yet been elected President."

2 Well, Mr Witness that would make sense if he is talking
3 about after 31 October 1996 before the July '97 election. That's
4 when Charles Taylor was in Gbarnga, correct?

10:32:00 5 A. Charles Taylor was in Gbarnga, yes. Don't get me mixed up.
6 Please try and frame your question again. I know Charles Taylor
7 to be in Gbarnga within that time, so phrase your question again
8 properly so that I will answer.

9 Q. You did answer my question. Do you want me to ask it
10:32:17 10 again?

11 A. No, I said Charles Taylor was in Gbarnga, yes. Charles
12 Taylor was in Gbarnga, I said that. But I didn't answer any
13 other question that you asked.

14 PRESIDING JUDGE: Yes, Mr Koumjian, I think the witness is
10:32:27 15 correct in that your question was loaded, and his answer is
16 restricted to the whereabouts of Mr Taylor only.

17 MR KOUMJIAN: Okay.

18 Q. Sir, you're saying just that he was present --

19 PRESIDING JUDGE: Yes, Mr Anyah.

10:32:44 20 MR ANYAH: Madam President, may I make an observation? It
21 would be helpful if we knew what witness - whose evidence
22 Mr Griffiths was reading. This is TF1-516, and Mr Koumjian, with
23 respect, learned counsel uses the pronoun "he", referring to
24 either Mr Griffiths or the evidence of the witness that was being
10:33:05 25 read by Mr Griffiths. And we heard this in the last exercise
26 where transcript from the testimony of TF1-274, December 2, was
27 read to the witness just a few minutes ago. So now what is
28 happening now is Mr Koumjian, learned Counsel opposite, is
29 reading TF1-516's evidence as read by Mr Griffiths and then a

1 question is put to this witness saying, when he says this, that
2 would make - mean such an such. Who is the he? Is it
3 Mr Griffiths or is it TF1-516 we are now referring to?

4 PRESIDING JUDGE: Yes, that is a good observation,
10:33:45 5 Mr Koumjian, because this witness was not sitting here during
6 those proceedings. It would help, when you are putting a
7 transcript to him, if you would explain the full circumstances of
8 the transcript.

9 MR KOUMJIAN: I will try --

10:34:00 10 PRESIDING JUDGE: Who is saying what about whom.

11 MR KOUMJIAN:

12 Q. Mr Witness, my question is limited now at your request. I
13 am only asking you about Charles Taylor's whereabouts, not about
14 the witness. From the incident where General Jackson was killed
10:34:18 15 until the election, he was in Gbarnga; is that what you were
16 saying, correct?

17 A. No, that's not correct.

18 Q. What were you saying?

19 A. He was - he went back to Monrovia after some time.

10:34:32 20 Q. "There was a call from the radio operator requesting the
21 radio operator on our side to make available Toyota - that Ebony
22 was on the radio to talk to Toyota. In the code I went through,
23 'Ebony' was referring to Charles Taylor and 'Toyota' was
24 referring to Corporal Sankoh, and they had that radio
10:35:27 25 conversation. And in their conversation Ebony told Toyota to
26 make use of - or take advantage over that peace accord which was
27 - he was supposed to attend in Yamoussoukro to move outside to
28 get more dancing materials."

29 Mr Witness, have you ever heard the "dancing materials"?

1 A. I never heard of that term "dancing materials".

2 Q. "... dancing materials, they were referring to ammunition
3 and some other materials relating to combat."

10:36:03

4 Now, that's, Mr Smythe, the end of what the witness - the
5 Prosecution witness said. And then the Defence counsel asked,
6 "Q. Yamoussoukro, Mr Taylor?"

7 A. Yes, Yamoussoukro is the political capital of La Cote
8 d'Ivoire. I know Yamoussoukro.

10:36:24

9 Q. Now, tell me, do you recall conversation with Corporal
10 Sankoh at that time when he was moving from Zogoda to
11 Yamoussoukro?

12 A. No, not at all. But look at where he puts me. He
13 places me in Gbarnga in 1996.

14 Q. Why do you say 1996?

10:36:44

15 A. Well, that's what - because 1996 is the time that they
16 are going to La Cote d'Ivoire for the meeting.

17 Q. Yes.

10:37:00

18 A. What am I doing in Gbarnga in 1996? I am not in
19 Gbarnga. I move to Monrovia in 1995, I am on the Council
20 of State at that time. What am I going to be doing? You
21 know, the only way we can catch these little lies, what
22 am I doing in Gbarnga in 1996 that somebody is calling
23 me on a radio in 1996? When I am on the Council of State
24 in Monrovia, what am I doing on a radio in Gbarnga? Not
25 so. I am not in Gbarnga in 1996, point number one. There
26 is no contact between Foday Sankoh and myself at this
27 particular time in 1996 or no other time. It's a blatant,
28 blatant lie. No."

10:37:23

29 That's what Charles Taylor said. Now, Mr Witness, when

1 Charles Taylor said he was not in Gbarnga in 1996, he was lying;
2 correct?

3 A. He was not lying. He was not in Gbarnga in 1996. He was
4 not lying.

10:37:51 5 Q. Sir, you said - you just told us Charles Taylor moved to
6 Gbarnga after 31 October 1996. Was that correct?

7 A. When there was an attack on his life, he left Monrovia
8 during that period and he went to Gbarnga, but he never said
9 there. He came back to Monrovia. That's what I'm saying.

10:38:07 10 Q. Sir, who was lying when they said Charles Taylor was never
11 in Gbarnga when we talked about - excuse me. Who is lying when
12 we talk about Charles Taylor being in Gbarnga in 1996, you or
13 Charles Taylor?

14 A. Nobody is lying here. Nobody is lying here. Nobody is
10:38:22 15 lying.

16 Q. When Charles Taylor says "I am not in Gbarnga in 1996",
17 that is a lie; correct?

18 A. It's not a lie. That's not a lie.

19 Q. Was Charles Taylor in Gbarnga in 1996?

10:38:36 20 A. When Charles Taylor was attacked in Monrovia, he went to
21 Gbarnga briefly and came back to Monrovia, that's correct.

22 Q. So the answer is: Yes, Charles Taylor was in Gbarnga in
23 1996, correct?

24 A. When he was attacked, for the first week he was in Gbarnga
10:38:48 25 and he came back to Monrovia.

26 Q. Sir, in that attack in Gbarnga --

27 A. Was there an attack in Gbarnga?

28 Q. Excuse me. In that attack on the Executive Mansion in
29 1996, I know you were out of the country. Did you hear about any

1 ECOMOG soldier being wounded?

2 A. Yes, I heard an ECOMOG soldier being wounded.

3 Q. Who was that?

4 A. There was the captain assigned to Mr Taylor, I think

10:39:15 5 Captain Ali. I don't know his first name. I think he's Captain
6 Ali.

7 Q. What other ECOMOG officers did you know who were dealing
8 with Charles Taylor during the time he was on the Council of
9 State?

10:39:27 10 A. I can't remember their names, actually, because there were
11 many. I can't remember their names.

12 Q. Can you recall any of their names?

13 A. If you wish to, do so.

14 Q. Victor?

10:39:39 15 A. Victor. I don't know what you call Victor. Anybody can be
16 referred to as Victor. I don't know.

17 Q. Did you know a Captain Victor? I am not talking about
18 Victor Malu.

19 A. Captain Victor assigned with Mr Taylor?

10:39:53 20 Q. Yes.

21 A. There was no two captain assigned with Mr Taylor. At the
22 time there was only one captain, who is the head of the unit,
23 assigned with Mr Taylor, so I don't know where you get that
24 Captain Victor from.

10:40:07 25 Q. Mr Smythe, when - before you were ambassador - before you
26 were charge d'affaires, Moses Blah was the ambassador to Libya
27 from Liberia, correct?

28 A. Correct, yes.

29 Q. He was not charge; he was ambassador, correct?

1 A. He was ambassador, yes.

2 Q. And I would ask if we could look at P-128 for a moment.

3 This, as you will see, is a copy of the constitution of the
4 Republic of Liberia, and I would now ask the Court Officer to go
10:41:25 5 to Article 54. Mr Witness, Article 54 of the constitution of
6 Liberia reads:

7 "The President shall nominate and, with the consent of the
8 Senate, appoint and commission -

9 A. Cabinet Ministers, Deputy and Assistant Cabinet
10:42:20 10 Ministers;

11 B. Ambassadors, ministers and consuls."

12 So, Mr Witness, it's correct that to be an ambassador for
13 Liberia one has to be confirmed by the Liberian Senate, correct?

14 A. That's correct, yes.

10:42:35 15 Q. Your name was never sent to the Senate for confirmation,
16 correct?

17 A. I was confirmed by the Senate for your information. I was
18 minister plenipotentiary and it required Senate confirmation. I
19 was confirmed by the Senate, commissioned, signed by the
10:42:51 20 President and the minister and sworn in.

21 Q. As what? You were confirmed for what position?

22 A. Minister plenipotentiary.

23 Q. And that was for being a charge?

24 A. Minister plenipotentiary is an immediate deputy for
10:43:04 25 ambassador. You have minister plenipotentiary before you have
26 minister counsel or something [overlapping speakers].

27 Q. Thank you. Do you know then why you were nominated for the
28 position of minister and I forget, I don't have exactly how you
29 termed the title but basically it's the number two to the

1 ambassador, correct?

2 A. Yes.

3 Q. And someone becomes charge, if they're number two, if there
4 is no ambassador, correct?

10:43:27 5 A. That's correct.

6 Q. So why were you nominated for this minister position below
7 ambassador and not ambassador, do you know?

8 A. I don't know.

9 Q. Thank you. I am finished with that document.

10:44:06 10 A. Your Honour, if the counsel may wish, I have a copy of my
11 commission. I can bring it to court for him to see it tomorrow,
12 if he wish to see it.

13 Q. Thank you, Mr Witness, that won't be necessary for me, but
14 perhaps Defence counsel would like --

10:44:21 15 A. No, you asked for it so that's why I offered to show it to
16 you.

17 Q. Sir, you don't have a commission as ambassador, correct?

18 A. I was not commissioned as ambassador, yes.

19 Q. What I would like to do now, Mr Witness, is ask you about
10:44:38 20 some of the documents that were presented to you during your
21 direct examination by the Defence. So I would ask the witness to
22 be shown the document that was behind tab 2 of the Defence and I
23 believe it's now marked MFI-425.

24 Sir, you can see this document. At the very top is
10:45:55 25 handwritten a date "11/23/98". Did you write that?

26 A. Who wrote it?

27 Q. That's what I am asking you. Did you write that?

28 A. I never wrote anything on this document.

29 Q. And obviously that is written in the North American dating

1 convention; month, day, year, correct?

2 A. I don't know what you are talking about. I don't know
3 North American dating. I don't know what you are talking about.

10:46:25

4 Q. Sir, did you give the Defence this document or is it
5 something that was shown to you?

6 A. This was a document that was shown to me. I never gave the
7 Defence this document.

8 Q. Now, sir, there appears to be a list of an official
9 delegation for a trip to Paris in November 1998, correct?

10:46:39

10 A. That's correct.

11 Q. Would you say that the list is in a protocol order in terms
12 of a person's importance according to protocol?

13 A. I don't know how the protocol place names. I don't know.

10:46:57

14 Q. Sir, you were a diplomat for many years, correct, for
15 several years?

16 A. Yes, but I don't know whether they did according to what
17 they should have done. I don't know.

18 Q. Well, take a look at it and tell me?

10:47:04

19 A. I am looking at it, but I don't know. That's what I'm
20 saying.

21 Q. Well, your name appears last. Does that have any
22 significance as far as your position?

10:47:15

23 A. As far as I am concerned, it doesn't matter your name
24 appears first or last or in the middle. I don't think it matters
25 to me. It doesn't matter to me. Because I was - in that
26 particular trip I was an advance team, so wherever my name
27 appeared doesn't matter to me.

28 Q. Sir, I am not asking you if you were personally offended.
29 I am asking you if this is according to a protocol rank?

1 A. I am telling you I don't know.

2 Q. You see the third name is Senator Grace Minor. Do you know
3 Senator Minor?

4 A. Yes, I know Senator Minor.

10:47:44 5 Q. And who was she?

6 A. Senator Minor, she was one time President pro tempore of
7 the Liberian Senate.

8 Q. Did you say "he"?

9 A. She.

10:47:54 10 Q. In fact, in that position by the constitution, she would
11 take power if the President and Vice-President were unable to
12 perform their duties?

13 A. That's not correct. The Speaker of the House of
14 Representatives.

10:48:04 15 Q. Okay. Thank you. I want to ask you about a few other
16 names on here. Ambassador Musa Cisse, he was part of the advance
17 team with you, correct?

18 A. Yes.

19 Q. What was Musa Cisse's role in the presidency of
10:48:31 20 Charles Taylor, not his title, but what did he do?

21 A. I said he was chief of protocol.

22 Q. Yes, what did he do as chief of protocol?

23 A. You can - if you know what protocol means, if you know what
24 chief of protocol means so you are supposed to know what his role
10:48:46 25 is.

26 Q. What did Musa Cisse do for Charles Taylor?

27 A. He performed the duties of chief of protocol to the
28 President.

29 Q. What duties did he perform?

1 A. As a protocol.

2 Q. Explain what you mean.

3 A. I said as a protocol. I cannot explain further than that.

10:49:02

4 Q. He would make sure the people were seated in the correct
5 order at a table?

6 A. Well, if that is part of the protocol job, yes.

7 Q. Well, sir, I am asking you what you know.

8 A. He performs the duties of a chief of protocol to the
9 President.

10:49:14

10 Q. Did he travel alone outside of Liberia?

11 A. I don't know. If the President wished to send him he can
12 send him anywhere.

13 Q. Did you see Musa Cisse in Libya when you were the charge in
14 Libya?

10:49:25

15 A. The only time I saw Musa Cisse in Libya was when he
16 travelled there with President Taylor.

17 Q. What officials from Liberia came to see you when you were
18 the charge in Libya?

19 A. Pardon me?

10:49:40

20 Q. Let me rephrase the question. What officials from the
21 Charles Taylor government travelled to Libya during the time that
22 you were the charge that you were aware of?

23 A. So many officials.

24 Q. Tell us some of them.

10:49:55

25 A. The Minister of Foreign Affairs.

26 Q. How many times - was that Monie Captan at the time?

27 A. Yes, Monie Captan.

28 Q. How many times did Monie Captan travel to Libya?

29 A. I can't remember how many times.

1 Q. More than you can recall?

2 A. I can't remember how many times he travelled there, but
3 more than once.

4 Q. Were you present during his meetings?

10:50:13 5 A. When you I'm present during his meetings, what do you mean?

6 Q. When he met - did he meet with Libyan officials?

7 A. I was present one time when he met Colonel Gaddafi, yes.

8 Q. Were you present at all of his meetings?

9 A. I can't - I am not supposed to be present at all his
10:50:31 10 meetings.

11 Q. Does that mean no?

12 A. Yes, that means no.

13 Q. What other officials from the Charles Taylor government
14 travelled to Libya - well, first of all, excuse me. When was the
10:50:42 15 last trip of Monie Captan to Libya that you are aware of?

16 A. I don't know. I can't recall.

17 Q. What other officials travelled to Libya while you were
18 charge?

19 A. Yes, the majority leader of the Senate at the time, the
10:50:58 20 Honourable John Dugray [phon], travelled there. He travelled
21 along with the Deputy Minister For Economic Integrations.

22 Q. Anyone else?

23 A. And so many other.

24 Q. More than you can recall right now?

10:51:12 25 A. Yes, definitely.

26 Q. Now we see number 22, Mr Lewis Brown. Who was Lewis Brown?

27 A. Lewis Brown one time might have been director of LPRC. He
28 was a representative, he was assistant, an adviser to the
29 President and he later became Foreign Minister of Liberia.

1 Q. You are forgetting something also, aren't you. Wasn't he
2 the national security adviser at one time?

3 A. You know that, so thank you for reminding me.

4 Q. So that's true?

10:51:49 5 A. Yes, of course.

6 Q. Was that before John T Richardson?

7 A. Yes, that was before John T Richardson.

8 Q. LPRC?

9 A. Liberian Petroleum Refinery Company.

10:52:02 10 Q. That is the company, state owned, is that correct, it's
11 state owned?

12 A. Yes, it's state owned.

13 Q. That controls the petroleum distribution, the sale of
14 petroleum in Liberia, correct?

10:52:13 15 A. They don't sell petroleum.

16 Q. What does it do?

17 A. They monitor because when the war came the LPRC was not
18 importing any petroleum product, so they were serving as a
19 custodian for those that import petroleum.

10:52:37 20 Q. Now, after he was national security adviser, what role did
21 Lewis Brown play in the government of Charles Taylor?

22 A. You mean after he served as national security adviser?

23 Q. Yes, sir. Well, perhaps first, so we are clear, do you
24 recall what year John T Richardson replaced Lewis Brown?

10:52:56 25 A. I can't recall.

26 Q. After John T Richardson replaced Lewis Brown, what role did
27 Lewis Brown play in Charles Taylor's government?

28 A. Lewis Brown was still an adviser to the President.

29 Q. What kind of adviser?

1 A. I don't know. He was an adviser to the President. That's
2 what I know.

3 Q. Did he advise him on arms deals?

4 A. I don't know.

10:53:19 5 Q. We see the aide-de-camp to the President, number 25,
6 General Peter Some. This is the Ghanaian that you had mentioned
7 previously, correct?

8 A. That's correct.

9 Q. And then we see number 34, special agent to the President,
10:53:41 10 that's you, correct?

11 A. That's correct.

12 Q. And at that time your rank was colonel, correct?

13 A. Yes.

14 Q. You were then a member of the SSS. Is that right?

10:53:51 15 A. That's correct.

16 Q. So, sir, when you say you were appointed to the SSS as the
17 assistant director for operations, you clearly were not appointed
18 as of late November 1998, correct?

19 A. That's correct.

10:54:16 20 MR ANYAH: Madam President, when the witness says that's
21 correct, there are two possible interpretations. It could be
22 correct that he maintains he was appointed this position by the
23 end of 1998, or he could be saying counsel's assertion that he
24 was not so appointed is correct. There is some ambiguity there.

10:54:44 25 PRESIDING JUDGE: No, I don't think there is any ambiguity.
26 Counsel did ask clearly: "You were not appointed as of late
27 November 1998, correct?" And the witness says, "That is
28 correct." There is no ambiguity in that.

29 MR KOUMJIAN: Thank you, Madam President. If I can move

1 on. If the witness could please be shown MFI-421A and B. They
2 are behind tab 6 and 7 in the Defence bundle.

3 PRESIDING JUDGE: One of the exhibits at a time. I think
4 we now have 421A on the screen.

10:56:26 5 MR KOUMJIAN: Correct:

6 Q. Now, sir, again is this a document that you gave to the
7 Defence or one that was shown to you by the Defence?

8 A. I never gave this document to the Defence.

9 Q. Thank you. Sir, in the middle towards the top it says
10:56:42 10 "voucher approved". Can you read the next line?

11 A. But you read it.

12 Q. What do you understand it to say, sir?

13 A. I don't know.

14 Q. Well, you wrote the letter?

10:56:58 15 A. Yes, but this is not my stamp.

16 Q. Okay. It says "By special presidential" and it looks like
17 "COM", do you agree?

18 A. I don't know what it is. I don't know. CRM, CAM or COM, I
19 don't know.

10:57:12 20 Q. What is that? What is the special presidential whatever it
21 is?

22 A. Well, I don't know what this is, but there is a special
23 presidential, you know, I think committee that would review all
24 vouchers and approve them for payment.

10:57:31 25 Q. So in other words all vouchers over a certain amount would
26 be approved by the President's office, correct?

27 A. I don't know that.

28 Q. And this was for \$38,000, correct?

29 A. Yes, this is \$38,000, yes.

1 Q. We see on this page three different stamps of approval,
2 would you agree?

3 A. Definitely.

10:58:29

4 Q. Let's go to 421B, please. Sir, tell me if I understand
5 correctly the relationship between these two documents. Is it
6 correct that this is the original voucher, originally dated at
7 the top in typewritten "September 2" again the northern American
8 convention, "1998", and the one we looked at just a moment ago
9 was your follow-up letter because the voucher had not yet been
10 paid, is that correct?

10:58:55

11 A. That's correct, yes.

12 Q. And on this document we see a lot of different writing and
13 stamps. Can you just go to the document, please, for a moment,
14 sir. I want to see if --

10:59:29

15 A. I am not hearing you. Can you wait small?

16 Q. I will wait small. Sorry. I apologise, Mr Smythe. Can
17 you hear me now?

18 A. Yes, I can hear you.

10:59:45

19 Q. Sir, just under "Republic of Liberia" there was is stamp.
20 Do you recognise the stamp?

21 A. Is that the one that says "BGA"?

22 Q. Yes, sir.

23 A. Yes.

24 Q. What is that?

10:59:53

25 A. BGA, that's Bureau of General Auditing.

26 Q. Now, I just want to see how many of these you can help us
27 with identifying. If we go down the page, and perhaps in the
28 middle box, starting at the left with the one that's the triangle
29 shape just above "material received", can you identify that

1 stamp?

2 A. Which one are you talking about?

3 Q. Just above - on the left-hand side in the middle.

4 A. This?

5 Q. No, keep going left?

6 A. This?

7 Q. Well, let's just take them one at a time. Okay, that one
8 sir, yes.

9 A. This one?

11:00:24 10 Q. Yes, that one. Can you identify it?

11 A. No, I can't quite see what is written inside this.

12 Q. Can you go to any of the other stamps?

13 A. Yes, this one is the General Service Agency.

14 Q. Let me describe that for the record so people know what you
11:00:38 15 pointed to. Can you point to it again?

16 A. This.

17 Q. The witness is pointing to an oval-shaped stamp in the
18 centre of the page that appears to say at the bottom "GSA
19 procurement" and has stars on the sides. What is that from, sir?

11:00:53 20 A. GSA is the General Service Agency.

21 Q. Thank you. Can you point to one of the other stamps?

22 A. There is another one here.

23 Q. For the record I will describe it. The witness has pointed
24 to a circular stamp that says in the middle "paid" and it's just
11:01:08 25 to the left of the signature of the director of the SSS. What is
26 that from, sir?

27 A. From the comptroller's office, Finance Ministry.

28 Q. Can you point to any of the other stamps, please? There
29 appear to be two more to me on the right-hand side?

1 A. There is another stamp, but I can't see what is inside.

2 Q. The witness is pointing to a triangular-shaped stamp that's
3 in the box that says "credit, memo charges, apro and accounts".
4 And is there one above that?

11:01:36 5 A. Is there any other stamp above that?

6 Q. Yes, sir. Do you see just above that a stamp that says "by
7 special presidential com"?

8 A. Well, I can't see. I see the C-O-M here and I see some -
9 yes, I see "by special presidential com".

11:01:51 10 Q. The witness is pointing on the right-hand side in the
11 column that says "do not use" just next to where it says
12 "non-apro". Sir, is it correct that there was tight financial
13 controls during President Taylor's presidency on all spending?

14 A. In every government of the Republic of Liberia, yes.

11:02:15 15 Q. Well, there should be - in a good government there's tight
16 financial controls on spending, correct?

17 A. Every good government, of course, definitely.

18 Q. So something like even \$38,000 will require the approval of
19 many different offices and officials, correct?

11:02:29 20 A. These are the protocols of payment for a voucher. A
21 voucher would never be paid until it passed through the BGA, I
22 mean, for material until it is, how do you call, approved by the
23 GSA and until - before it will be paid by the comptroller at the
24 Finance Ministry, so this happened at all times. There is never
25 a voucher that is sent to Finance Ministry and paid without being
26 scrutinised by the Bureau of General Auditing. So if anybody
27 tell you that's been happening in Liberia, that's not true.

28 Q. So the Bureau of General Auditing would view the voucher
29 and the Finance Ministry; is that correct?

1 A. And they are satisfied. The Bureau of General Auditing is
2 within the Finance Ministry.

3 Q. So how about for something like the transfer of \$500,000 to
4 a foreign bank? How much approval would that require?

11:03:12 5 A. Transfer of what, 500,000 --

6 Q. \$500,000 United States to a foreign bank. Would you expect
7 that would require an even greater level of scrutiny and
8 approval?

9 A. I don't know, I don't work at the Finance Ministry. I know
11:03:25 10 for vouchers that I deal with - dealt with that, you know, you
11 have to go through protocols like this. So I don't know what
12 requirements - what's required to transfer one million or
13 500,000. I don't know.

14 Q. Sir, this document is signed at the bottom right. Can you
11:03:41 15 point to where it says "director SSS"?

16 A. Here.

17 Q. Whose signature is that?

18 A. The signature is the signature of the SSS director,
19 Benjamin Yeaten.

11:03:56 20 Q. Thank you. I would ask to have the witness shown the
21 document behind tab 8. By the way, Mr Witness, while that's
22 being put on, we talked about the incident on 31 October 1996 and
23 Charles Taylor's subsequently going to Gbarnga. Do you know what
24 was going on as far as negotiations between the government and
11:04:44 25 the RUF in Sierra Leone at that time?

26 A. I am not aware of any negotiations between the RUF and - I
27 am not aware of it at that time. I'm not aware.

28 Q. Have you heard of the Abidjan Accord in November 1996?

29 A. Yeah, I heard about something like that, yes.

1 Q. Thank you. If the document could be shown to the witness,
2 please. I meant tab 8 of the Defence bundle.

3 PRESIDING JUDGE: If a document has an MFI number, it
4 helps.

11:05:18 5 MR KOUMJIAN: My fault completely. MFI-419. I apologise.

6 Q. Now, sir, correct me if I am wrong, but this document
7 MFI-419, you explained, was a list of an accounting for leases
8 and rents that had been paid between 1996 - or for the years 1996
9 and 1997, correct?

11:06:16 10 A. That's correct.

11 Q. Again, is this a document that you gave the Defence, or one
12 that was shown to you?

13 A. I never - first time seeing this document here in Court.

14 Q. Sir, when this - are you saying the first time you ever saw
11:06:27 15 the document was in the courtroom?

16 A. I said the first time I saw this document was in the Court.

17 Q. You never went over this with Defence counsel before you --

18 A. I say when I'm in Court. I was in - I'm in Court. I saw -
19 the first time I saw it, when I came to Court.

11:06:39 20 Q. Thank you. So you're saying you did not ever see this
21 document? Defense counsel never showed it to you before you
22 testified; is that what you are saying?

23 A. This document?

24 Q. Yes.

11:06:46 25 A. I was shown this document. Yes, I saw it.

26 Q. When were you shown it?

27 A. When I was being interviewed by the Defence.

28 Q. The document says at the top "Business Office of HE Charles
29 G Taylor". Now, sir, these various people whose rents are being

1 paid, who are they in general? Are these all NPFL members?

2 A. I don't know whether they are all NPFL members, some of
3 them I know, some I don't know. Some are people that, you know,
4 Mr Taylor was trying to help.

11:07:22 5 Q. It might take a little while, but let's go through them.
6 O Dehme, who was that?

7 A. Ocebio Dehme.

8 Q. And he was NPFL, correct?

9 A. Definitely.

11:07:32 10 Q. Victoria Refell, is that the name?

11 A. Victoria Refell.

12 Q. What was her position?

13 A. Victoria Refell was - one time she was a member of the
14 Council of State that Mr Taylor left.

11:07:44 15 Q. And she was very close to Charles Taylor throughout his
16 presidency, correct?

17 A. That's correct.

18 Q. Now, Watanga is a facility of the SSS or ATU. Is that
19 right?

11:07:57 20 A. No, I don't know Watanga to be a facility of ATU. Watanga
21 was - I know Watanga to be a place where the boys - most of the
22 boys that came with Mr Taylor were lodging.

23 Q. Well, it's a place where prisoners were taken and tortured,
24 wasn't it?

11:08:08 25 A. Watanga never served as a prison. Watanga was a
26 residential area.

27 Q. Let me take away the word prison. It was a place where
28 people were taken and tortured, correct?

29 A. It was never a place where people are taken and tortured.

1 That's not correct.

2 Q. Where it says chief driver, do you know who that is?

3 A. The chief driver, I don't know which one of them they are
4 talking about, but the chief driver I know to Mr Taylor was Moses
11:08:33 5 Kollie, I think.

6 Q. Do you know who Magnet & Ali are, or it may be Ali. I
7 can't read that for sure?

8 A. I don't know.

9 Q. LCN office, do you know what that is?

11:08:47 10 A. The LCN is Liberian Communication Network. That's where
11 Mr Taylor's FM radio was being housed.

12 Q. And then we see Bass & Ali. Do you know that?

13 A. I don't know who Bass & Ali is.

14 Q. Jangar & Ali, do you know that?

11:09:05 15 A. I know Jangar as one SSS officer and also a photographer.

16 Q. Did you see we did see a photograph of Jangar?

17 A. I never said.

18 Q. What did you say?

19 A. I said Jangar was an SS officer and also a photographer. I
11:09:24 20 think maybe he appeared in one of my photographs. I don't know.
21 I can't remember actually.

22 Q. Ben Ferguson?

23 A. Ben Ferguson, yes.

24 Q. He was NPFL?

11:09:34 25 A. Yes.

26 Q. Do you know how he died?

27 A. Ben Ferguson died - you know, a car, he was hit by a car
28 right in front of Mr Taylor's residence in Congo Town and he died
29 shortly afterwards.

- 1 Q. Banana & All, do you recognise that?
- 2 A. I know Banana. We have two Bananas. One --
- 3 Q. Who is the top banana?
- 4 A. I don't know what was top banana and low banana. I know we
11:10:02 5 have two people that we called Banana.
- 6 Q. And were they both NPFL?
- 7 A. That's correct, yes.
- 8 Q. E Dahn & All?
- 9 A. I don't - maybe E Dahn refers to Esther Dahn, one of the
11:10:18 10 ai de-de-camps to Mr Taylor I think.
- 11 Q. The Signal Unit.
- 12 A. That should be the people that take care of the radio.
- 13 Q. The next name refers to Lieutenant General Jackson, a
14 fellow Gambian, correct?
- 11:10:30 15 A. That's correct.
- 16 Q. And do you understand what "SSS left-out" means?
- 17 A. I don't know what the writer is trying to say here.
- 18 Q. And then we see the next line, the abbreviation "Bus Off",
19 do you know what that refers to so?
- 11:10:49 20 A. I don't know what it means.
- 21 Q. Does that refer to the business office?
- 22 A. It could be. I don't know. It's an abbreviation, it could
23 mean a lot, so I don't want to be specific here.
- 24 Q. Where was this business office located?
- 11:10:59 25 A. The business office.
- 26 Q. Do you remember?
- 27 A. I can't remember where it was located.
- 28 Q. We then have drivers and then it says M Ragland. Do you
29 recognise that name?

1 A. Yeah, Margaret Ragland was the secretary to Mr Taylor. We
2 were in Gbarnga and she came along with us to Monrovia.

3 Q. Then we see military personnel it appears to be an
4 abbreviation for and then Matilda Nelson. Do you recognise
11:11:24 5 Matilda Nelson?

6 A. Matilda Nelson also served - she served as a secretary to -
7 I think to the - at the President's office and later on she was
8 assigned with the First Lady after the election.

9 Q. Remsee Moore?

11:11:37 10 A. Remsee Moore was also a member of the NPFL.

11 Q. After ECOMOG we see George Mahsuo?

12 A. George Mahsuo was also a member of the NPFL.

13 Q. Was he Gambian?

14 A. No, George Mahsuo is not a Gambian.

11:11:52 15 Q. We see your name and then JP Jarbo, is that correct?

16 A. Yes, I see JP Jarbo.

17 Q. Do you recognise JP Jarbo?

18 A. I don't know what the J and the P stands for.

19 Q. Do you recognise the last name?

11:12:06 20 A. Jarbo, yeah, you have several people with the name Jarbo.

21 Q. Sir, this indicates the business office, it doesn't say of
22 the NPFL, it doesn't say of the Council of State. It says of HE
23 Charles G Taylor. Was your rent being paid by Charles Taylor?

24 A. When I came to Monrovia, yes. When I came with Mr Taylor
11:12:29 25 to Monrovia, yes, Mr Taylor assisted me to pay my rent. Yes,
26 that's correct.

27 Q. During the time of the NPFL, starting from when you arrived
28 in 1990, when you arrived in 1990 were you paid any salary?

29 A. I was not paid any salary.

1 Q. When was the first time you were paid a salary?

2 A. That was when we were into Gbarnga, when the NPRAG
3 government came into being.

4 Q. And how much were you paid during the NPRAG government?

11:13:02 5 A. I can't remember actually.

6 Q. Can you give us an approximation?

7 A. I can't remember. Counsel, please don't force me to an
8 answer.

9 Q. Were you paid as much as \$20 a month?

11:13:12 10 A. I can't remember, counsel. Can you please respect my view?
11 I can't remember, counsel.

12 Q. Sir, I am not asking your views.

13 PRESIDING JUDGE: Excuse me. Mr Witness, you are entitled
14 not to remember. However, counsel is also entitled to put to you
11:13:27 15 phrases or questions that may well remind, having forgotten, what
16 you are saying. So please respect that.

17 THE WITNESS: Thank you, your Honour.

18 MR KOUMJIAN:

19 Q. What currency were you paid in in Gbarnga?

11:13:40 20 A. I was paid in JJ Roberts banknotes.

21 Q. What was the source of funds that these leases and rents
22 were being paid out of?

23 A. I don't know.

24 Q. We see that the total \$9,750 was paid and 103 thousand
11:14:18 25 something dollars was remaining. You don't know where the funds
26 were going to come from to pay these rents?

27 A. I don't know.

28 Q. And just so the record is clear, on the top, the third line
29 is "Value(US\$)". So do you understand this document to be

1 speaking of United States dollars?

2 A. If that is what is mentioned, yes, that's correct.

3 Q. When you were with the SSS, what was your salary?

4 A. The SSS? I was being paid in Liberian dollars. I can't
11:14:59 5 remember. It's almost -- I don't know. I can't remember
6 exactly. I was being paid in Liberian dollars.

7 Q. Can you tell us approximately.

8 A. That's what I am saying, I can't remember, actually, but it
9 was in Liberian dollars. And I am also given a subsidy as
11:15:14 10 assistant director. Additional to my salary I was given two bags
11 of rice every month.

12 Q. How were you paid physically? I mean, where did you go to
13 get paid or who paid you?

14 A. We were being paid by the Finance Ministry. The Finance
11:15:31 15 Ministry sent the payroll to the Finance Ministry. And the
16 cheques are printed at the Finance Ministry and sent to the SSS.
17 So I would get paid from the comptroller's office.

18 Q. So it was by cheque?

19 A. That's correct.

11:15:43 20 Q. And you would take the cheque where to cash it?

21 A. To any of the banks that, you know, how do you call it, the
22 government would designate.

23 Q. And what account was it on? Was it on the Ministry of
24 Finance account or was it, say, Charles Taylor's account?

11:15:56 25 A. Charles Taylor - why would you say Charles Taylor's
26 account? Charles Taylor was President. It was a Finance
27 Ministry account.

28 Q. Thank you. Aside - were you paid a regular monthly salary
29 or did it change month to month?

1 A. I was paid a regular monthly salary. Sometimes it would
2 take maybe one or two months, but we will get the payment after.

3 Q. Did you ever get cash handed to you by Kadiatu Diarra?

4 A. Cash handed to me by Kadiatu Diarra?

5 Q. Yes.

6 A. No.

7 Q. Did anyone - Charles Taylor, for example - first of all,
8 did Charles Taylor ever hand you cash?

9 A. Charles Taylor as my President, you know, sometimes when I
11:16:33 10 asked him for something, he would give it to me and that is
11 obvious.

12 Q. Well, it may be obvious to you, but can you explain to use
13 how that happened.

14 A. If somebody is working under me, if he come to me and say,
11:16:45 15 "Well, today, you know, I don't have anything to eat," if I have
16 \$5 I can share with you. That happens.

17 Q. How much money did Charles Taylor give you in cash?

18 A. I can't remember. I can't remember how much money.

19 Q. Sir, even if you are upset at the question, please wait
11:16:59 20 until I finish --

21 A. I'm not upset. No, I'm not upset.

22 Q. Sir, please wait till I finish and then pause before you
23 answer. What was the most amount of cash that Charles Taylor
24 gave you?

11:17:10 25 A. The most amount of cash, what I can remember, maybe \$500.

26 Q. United States?

27 A. That's correct.

28 Q. What was that for?

29 A. I can't remember. I said sometimes I would ask, if I am

1 jammed, I need some assistance I can ask Mr Taylor, "Oh,
2 Mr President, I am jammed. I needs to do so and so thing." And
3 he know - I can remember where he gave me \$500, and one time he
4 gave me \$500.

11:17:38 5 Q. Sir, did you know anyone or ever hear the term "Black
6 Kadaffa"?

7 A. Black Kadaffa, no. I can hear Black Kadaffa, but I don't
8 know what it means. I don't know what it stands for.

9 MR KOUMJIAN: Your Honour, I don't have further questions
11:18:01 10 on this document, unless your Honours do:

11 Q. Sir, when you were the - appointed as assistant director of
12 operations, were you given anything to show that?

13 PRESIDING JUDGE: Do you wish the witness to remain seated
14 by the overhead?

11:18:26 15 MR KOUMJIAN: Yes, please. I have several other documents:

16 Q. Sir, when you were appointed as assistant director of
17 operations, did you receive any paperwork or ID cards?

18 A. Yes, I received ID card, yes. Did you say receive several
19 ID cards?

11:18:47 20 Q. Is that the identification card that you had brought - that
21 you showed us during your testimony?

22 A. That was the recent one, yes.

23 Q. What do you mean the recent one?

24 A. Yes, because when I was appointed, the ID cards we have was
11:18:59 25 not - it was an ID card that was being laminated, and then we had
26 this other ID card also. So we had about maybe one or two ID
27 cards. We changed two ID cards I think two times. This is the
28 third time, I think.

29 Q. Could the witness be shown MFI-420. I have two pages. I

1 forget if we have the original or if we have a photocopy of the
2 front and back. My first question, sir, is: What is your name?

3 A. My name is Yanks Smythe.

4 Q. What is AK?

11:20:01 5 A. That's my alias. That's the name of my father.

6 Q. What is the name of your father?

7 A. Alhaji Kemo.

8 Q. Can you spell that?

9 A. Alhaji, the normal spelling. Kemo, K-E-M-O.

11:20:17 10 Q. Why did you use your father's name - initials as a middle
11 name in Liberia?

12 A. But it's not only in Liberia that I used that. I've used
13 that all the time.

14 Q. Sir, if we go to the back of the card, I want to ask you a
11:20:35 15 few questions about that. Sir, we see the card was issued - you
16 said in this case it was day, month - the 10th December 1999,
17 correct?

18 A. Yes, if that is the sequence taken, yes.

19 Q. Well, sir, you were appointed actually in 1999 to your
11:21:15 20 position, correct?

21 A. That's not correct. I was appointed towards the end of
22 1998.

23 Q. Well, before you said you didn't remember when in 1998 you
24 were appointed.

11:21:25 25 A. Yes, I said I didn't remember, but I said towards the end
26 of 1998.

27 Q. Are you saying towards the end because we've seen that in
28 the late November trip to Paris you were not --

29 A. When I said --

1 Q. Sir, let me finish. You were not assistant director?

2 A. When I say towards the end I mean towards the end. That
3 could be late November, that could be early December or late
4 December.

11:21:46 5 Q. Are you qualifying when in 1998 this morning because I
6 pointed out to you that in late November on the trip to Paris you
7 were not listed as the assistant director?

8 A. I am telling you I can't remember exactly when, but it was
9 in 1998.

11:21:59 10 Q. Sir, did you ever perform close protection for
11 Charles Taylor?

12 A. If you say perform close protection for Charles Taylor,
13 what do you mean?

14 Q. Did you ever escort him, you know, walk with him to protect
11:22:12 15 him?

16 A. Yes, of course, I do.

17 Q. And did you have any particular training on how the
18 formation was supposed to be made around Charles Taylor?

19 A. Whether there was any particular formation?

11:22:28 20 Q. Yes.

21 A. Well, security officers can decide what formation they want
22 to take when they are working with VIP.

23 Q. Did you ever hear of the diamond formation?

24 A. I don't know what you are talking about.

11:22:39 25 Q. Thank you. Sir, do you recognise the signature on this
26 card?

27 A. The signature on this card is that of the director of
28 Special Security Service.

29 Q. And, sir, when this card is issued, you said 10 December

1 1999, I just like to read what the card says on the back:

2 "The bearer of this identification card is a member of the
3 Special Security Service and is in the discharge of his/her
4 duties authorised to:

11:23:14 5 A) demand the support of any person, policeman, or army
6 personnel."

7 Is that correct, SSS officers can ask any army personnel or
8 policeman to assist them?

9 A. Yes, if they are in danger or if they want to effect arrest
11:23:32 10 and they are not capable of doing it, they can ask these
11 agencies, yes.

12 Q. "B) to stop, check and arrest any vehicle or person." Did
13 you have that power as a member of the SSS?

14 A. Yes. If you suspect any vehicle or person, you can stop
11:23:44 15 them and check them, yes.

16 Q. "C) to carry arms assigned to him/her."

17 A. That's correct.

18 Q. And the SSS were armed when you were a member, correct?

19 A. That's correct.

11:23:55 20 Q. Without taking that document off, could the witness please
21 be shown P-28 - without taking it too far away I should say. We
22 see at the top it's called "Operation order 20 January 2001". Go
23 down, please.

24 Sir, this morning you have identified on two documents the
11:25:13 25 signature of Benjamin Yeaten. Here we see at the very bottom of
26 this document "Approved director Benjamin Yeaten" and then
27 printed again "Benjamin D Yeaten" and then there is a signature
28 above it. That's the same signature that you have identified
29 twice before, correct?

1 A. I can't confirm that.

2 Q. Sir, let's look at the - you were certain of your
3 identification card being signed by Yeaten, correct?

4 A. That's correct, yes.

11:25:41 5 Q. And you were certain of the voucher being signed by Yeaten,
6 correct?

7 A. That's correct.

8 Q. Well, let's look at the identification card now side by
9 side, if that's possible, the signature with that on this
10 document?

11:25:53

11 A. Those documents are official documents. That's why, you
12 know, I recognise his signature there. But this is not an
13 official document, so I can't say - somebody can forge somebody's
14 signature, so I can't say this is his signature. I can't say
15 that.

11:26:08

16 Q. Let's look at the two side by side, please.

17 A. As you wish.

18 Q. Sir, it's the same signature, isn't it?

19 A. I can't confirm it to be the same.

11:26:31

20 Q. That's because you don't want to help the Prosecution in
21 any way in this case against Charles Taylor, correct?

22 A. It's not a matter of I don't want to help the Prosecution.
23 But this document here is official; but this is not official.

24 It's signed here in his official capacity as director of SSS. I

11:26:49

25 didn't see any officiality attached to this document, so I can't
26 say this document was his signature. And, you know, if you look
27 at it, you see differences there. Somebody could forge this
28 signature. Who knows. I don't know. So I can't say this is
29 correct. I can't say this is the same signature here. I can't

1 say i t.

2 Q. Did Benjamin Yeaten use an adjutant to write documents for
3 him?

4 A. We had - as SS director we had a central office where all
11:27:17 5 documents originates from with the headings "Special Security
6 Service". There is no document that originates from the SSS
7 that's not on the letterhead of the Special Security Service.

8 Q. Sir, how many different adjutants did you - are you aware
9 of that Benjamin Yeaten used?

11:27:39 10 A. We have - there is no specific - people we have in the
11 office are the same people that - I mean, in the administration
12 office are the same people that we use throughout the SSS.

13 Q. Sir, when Benjamin Yeaten is in the field, he doesn't send
14 to Monrovia for a document to be written, did he?

11:27:58 15 A. I don't know what you are trying to say.

16 Q. I am asking you a question, sir. When Benjamin Yeaten was
17 in the field, he doesn't go to Monrovia - he didn't send to
18 Monrovia to have a document written for him, did he?

19 A. I can't remember any such instance.

11:28:17 20 PRESIDING JUDGE: I don't think I understand what you are
21 asking, Mr Koumjian.

22 MR KOUMJIAN:

23 Q. Sir, for example, if Benjamin Yeaten was in Lofa County,
24 let's say in August 1999, would he send to have a document - an
11:28:33 25 order typed up to Monrovia?

26 A. An official document, yes, he would do that.

27 Q. That's your testimony. Okay. And how about in 2000?

28 A. As any official document he would do that on a letterhead.

29 Q. In 2001?

1 A. I said he would do that as long as he remained as director
2 of SSS.

3 Q. Sir, did you take part in the fighting against Mosquito
4 Spray in Lofa County?

11:28:57 5 A. I told you from the time in October 1991 I went with
6 Mr Taylor to Lofa I have never been to Lofa up to present.

7 Q. Do you know if Benjamin Yeaten went to Lofa County in
8 August 1999?

9 A. I don't know.

11:29:14 10 MR KOU MJIAN: Your Honour, this might be an appropriate
11 time.

12 PRESIDING JUDGE: We still had a minute or so, but if you
13 are going on to a next question yes we will take the midmorning
14 break until 12 o'clock.

11:29:36 15 [Break taken at 11.30 a.m.]

16 [Upon resuming at 12.00 p.m.]

17 PRESIDING JUDGE: Yes, Mr Koumjian.

18 MR KOU MJIAN:

19 Q. Mr Witness, this morning we talked about LPRC and you said
12:02:47 20 LPRC simply monitored petroleum products or petroleum, it did not
21 do any importing of petroleum, correct?

22 A. Yes.

23 Q. Could the witness be shown the transcript of 18 February
24 this year, page 35389. Mr Witness, again, LPRC was a company
12:03:15 25 that at one time was headed by Lewis Brown, correct?

26 A. Yes, I said that.

27 Q. Yes, sir. This is from the testimony of Charles Taylor,
28 his re-direct examination. And it begins:

29 "Q. And Jamal Basma?

1 A. Another businessman. They are two brothers.

2 Q. Were they involved with the Liberian petroleum company?

3 A. Yes, they were.

4 Q. In what capacity?

12:04:04 5 A. They were given a licence to import petroleum products
6 in the country.

7 Q. Who granted them that licence?

8 A. The LPRC.

9 Q. Did you have a role within the LPRC?

12:04:20 10 A. No. The LPRC has a board of director. The President -
11 it is an autonomous agency. The President has nothing to
12 do with its functions. The board of directors preside over
13 the functions of the LPRC.

14 Q. Is it a nationalised company?

12:04:39 15 A. I wouldn't put it that way. Nationalised would mean
16 something else for me. Maybe --

17 Q. All right. Is a publicly owned company --

18 A. That is correct.

19 Q. -- that is owned by the government?

12:04:57 20 A. That is correct.

21 Q. So does the government have a say in the appointment of
22 the managing director?

23 A. Yes. You're nominated by the President with the advice
24 and the consent of Senate and then that corporation is
12:05:09 25 managed by a board."

26 So is that correct that Mr Lewis Brown was nominated by
27 Charles Taylor?

28 A. Yes.

29 Q. Thank you. Now, before we broke I was asking you about

1 Mosquito Spray. Do you recall an incursion into Liberia where a
2 man on the radio who was a leader of those attacking the
3 government forces said he was Mosquito Spray?

12:05:46

4 A. Who are you talking about? I don't know who you're talking
5 about.

6 Q. I'm talking about in August 1999. Do you recall that?

7 A. I don't know who man you're talking about when you say
8 Mosquito Spray. I don't know who you are talking about. Can you
9 be specific, please?

12:05:57

10 Q. Well, I will be in just a moment. How many Mosquitos do
11 you know?

12 A. I don't know any Mosquito, so I don't - the Mosquito that I
13 know within the NPFL is - how do you call the boy - Christopher
14 Varmoh. He I know as Mosquito.

12:06:11

15 Q. Is Christopher Varmoh still in Liberia?

16 A. I don't know. I have not seen him for a very long time.

17 Q. When was it that you first saw Christopher Varmoh?

18 A. I can't remember when the first time I saw him.

19 Q. About how old is he now?

12:06:25

20 A. I don't know.

21 Q. About how many years younger than you?

22 A. I don't know.

23 Q. Well, he was very young when you first met him, correct?

24 A. I don't know. He was a man when I met him.

12:06:37

25 Q. Was he NPFL when you met him?

26 A. Yes, I met him as an NPFL man.

27 Q. Could the witness please be shown the document behind tab 3
28 of the Prosecution documents that were distributed last week.

29 Mr Witness, you said you don't recall Mosquito Spray. I'm going

12:07:48 1 to read something to you to see if it refreshes your
2 recollection. This is from University of Pennsylvania African
3 Studies Center. It's a web page, IRIN-WA Weekly Round-Up 32,
4 1999, and then we see 1999/08/14, United Nations Office for the
5 Coordination of Humanitarian Affairs Integrated Regional
6 Information Network for West Africa. I'll skip the phone numbers
7 and I'll go to the title.

8 First it says:

12:08:06 9 "West Africa, IRIN-WA weekly Round-Up 32 covering the
10 period 7-13 August 1999. Liberia: Dissidents strike in the
11 northwest. Armed men this week seized five localities in
12 northwest Liberia, kidnapped aid workers, commandeered UNHCR
13 vehicles and battled with government soldiers reinforced by extra
14 troops rushed to the area, according to various sources.

12:08:37 15 Liberia's Deputy Information Minister, Milton Teahjay" - is
16 that the correct pronunciation, sir, do you know?

17 A. You are reading it. Go ahead.

18 Q. "... told IRIN that the dissidents on whose identity he
19 preferred not to speculate had taken five localities in Lofa
12:09:01 20 County by Wednesday. Armed men also commandeered five UNHCR
21 vehicles a source told IRIN. The government launched a
22 counteroffensive on Thursday according to Teahjay, who said on
23 Friday that the dissidents are retreating and at least two towns
24 have been retaken.

12:09:23 25 He denied reports by news organisations and humanitarian
26 sources that former combatants had been signing up for active
27 duty in Monrovia to help fight the rebels who, the government
28 said, came in from Guinea.

29 A state of emergency declared earlier in the week by

1 President Charles Taylor and limited to the affected area was
2 still in effect on Friday. Teahjay said it was helping the
3 security forces to bring the situation under control.

4 Liberia's Defence Minister said on Friday that there were
12:09:59 5 an estimated 500 to 800 dissidents, but the rebels claimed that
6 they numbered about 3,000.

7 A rebel spokesman who gave his name as Mosquito Spray
8 confirmed to the BBC on Friday that dissidents were holding some
9 100 persons - around 50 aid workers and their families - whom
12:10:22 10 they intercepted as they were trying to cross over into Guinea.
11 Mosquito Spray said they were being held in protective custody.

12 Their abduction had been reported in an update on the
13 situation in northwestern Liberia that had been sent to IRIN on
14 Friday by UNHCR in Abidjan. Responsibility for the act was
12:10:45 15 claimed by the group called the Joint Forces for Liberation of
16 Liberia (JFFL), which demanded assistance, such as fuel, in
17 exchange for the freedom of the 100 captives, the update said."

18 Now, sir, having read that to you, do you recall this
19 incident in August 1999 where a man who identified himself as
12:11:16 20 Mosquito Spray took credit for this incursion into Lofa County?

21 A. I heard that there was an incursion into Lofa County, but I
22 didn't listen to the initial announcement, so I never heard the
23 name Mosquito Spray.

24 Q. Do you recall - was Christopher Varmoh in Lofa County at
12:11:40 25 that time?

26 A. I don't know where he was at that time.

27 Q. Was there maybe another Mosquito close to Lofa County at
28 that time?

29 A. I don't know.

1 Q. Was Christopher Varmoh involved in Operation Octopus?

2 A. Christopher Varmoh, he was a NPFL soldier. I can't say
3 whether he was involved or not, but he was a NPFL soldier I know
4 of.

12:12:01 5 Q. Well, you heard, didn't you, that he killed the five nuns
6 in Monrovia?

7 A. I never heard he killed the five nuns. You are just
8 telling me that.

9 MR KOUMJIAN: Your Honour, I would ask that this document -
12:12:15 10 I see we included the entire report, but it's fine with me, only
11 the first page, which seems to be relevant to these proceedings -
12 be marked for identification.

13 PRESIDING JUDGE: This is page 1 of the University of
14 Pennsylvania IRIN-WA weekly round-up 32 of 1999, that first page
12:12:48 15 is marked for identification MFI-433.

16 MR KOUMJIAN:

17 Q. Now, sir, going to Operation Octopus - I would like for the
18 witness to be shown MFI-415. This was in the Defence bundle of
19 documents, the photograph behind tab 17, and I would actually ask
12:13:19 20 to have the original again distributed to your Honours. Excuse
21 me, I'm not talking about Operation Octopus. I withdraw that.
22 This is not Operation Octopus.

23 PRESIDING JUDGE: I don't think MFI-415 is behind tab 17.

24 MR KOUMJIAN: It is in my bundle. Do your Honours have the
12:14:55 25 original? I would ask that that be given to the judges, please.
26 The original is on the screen now. This is the correct
27 photograph that was in my bundle behind tab 17, MFI-415.

28 PRESIDING JUDGE: Please continue.

29 MR KOUMJIAN:

1 Q. Sir, this is a photograph you said that was taken during
2 the April 1996 fighting involving Roosevelt Johnson, correct?

3 A. Correct, yes.

4 Q. And depicted in the photograph is yourself and General
12:15:48 5 Jackson, correct?

6 A. Correct.

7 Q. General Jackson is also a Gambian, correct?

8 A. Correct.

9 Q. At that time what was his position?

12:15:56 10 A. General Jackson was aide-de-camp to Mr Taylor.

11 Q. In that position what were his responsibilities?

12 A. Which position are you talking about?

13 Q. General Jackson's position, aide-de-camp?

14 A. Aide-de-camp, you know, is a security position to the
12:16:11 15 President.

16 Q. Did he command troops?

17 A. Whether he command troops? I'm not aware of him commanding
18 troops.

19 Q. In this photograph you said that this depicted yourself,
12:16:23 20 General Jackson and NPFL soldiers?

21 A. Did I say NPFL soldiers?

22 Q. Yes, sir.

23 A. If I said so then that's a mistake. I don't know. I can't
24 identify them. I'm sorry for that.

12:16:34 25 Q. Well, sir, why did you make that mistake and why have you
26 changed?

27 A. Yeah, but I'm a human being, I can make mistake. Every
28 human being can make mistake. I can't identify these people. I
29 don't know them. If I said they were NPFL soldiers then I made a

1 mistake. They are not. I can't identify them as NPFL soldiers.

2 Q. Sir, this photograph, if I'm correct you said it was taken
3 behind the house, was that the house of Roosevelt Johnson?

4 A. No, I didn't say it was behind the house of Roosevelt

12:17:00 5 Johnson. I said it was one of the houses in the street where

6 Roosevelt Johnson lived. It is behind the fence. We were

7 sitting over there because there was firing and we're taking

8 cover. So it's possible that these people came as well to take

9 cover.

12:17:12 10 Q. Sir, there was very heavy firing in that incident in April,

11 correct?

12 A. Yes, of course.

13 Q. The fighting went on for several days, correct?

14 A. That's correct.

12:17:19 15 Q. Now, what was your position at that time?

16 A. My position at that time, I was a security for Mr Taylor.

17 Q. You were not in the police?

18 A. No, I was not in the police.

19 Q. Why were you and General Jackson sent to arrest Roosevelt

12:17:35 20 Johnson?

21 A. We were not sent to arrest General Johnson. We formed part

22 of the group, because the situation escalated and, you know, it

23 was spilling over to different areas. This is why we intervened.

24 The securities to Mr Taylor intervened.

12:17:50 25 Q. How many NPFL soldiers were involved in the fighting over -

26 let me start over. The fighting lasted for several days,

27 correct?

28 A. Yes.

29 Q. And there was heavy fighting, correct?

1 A. Yes.

2 Q. A lot of areas were destroyed in the city, correct?

3 A. Yes.

4 Q. And a lot of items were looted in the city, correct?

12:18:11 5 A. I don't know of that. Maybe you're informing me on that.
6 I don't know.

7 Q. You were there. You don't know about any looting?

8 A. I don't know, I was not involved in any looting and I've
9 not seen anybody involved in any looting so I can't say there was
12:18:23 10 looting.

11 Q. And you received no orders regarding looting during that
12 incident?

13 A. I received no orders regarding looting.

14 PRESIDING JUDGE: Mr Witness, I remind you to allow the
12:18:33 15 question to be asked fully before you respond, please.

16 THE WITNESS: Your Honour, I'm sorry, that's the nature of
17 the way I talk but I'm sorry. I will try.

18 PRESIDING JUDGE: No, I think you are losing your temper
19 unnecessarily. That is the reason why.

12:18:44 20 THE WITNESS: No, definitely I'm not. I'm not.

21 PRESIDING JUDGE: Okay, you prove me wrong.

22 THE WITNESS: Okay. Thank you, your Honour.

23 MR KOUMJIAN:

24 Q. Sir, General Jackson is the man in the centre with the two
12:18:52 25 rings on, the watch and the bracelet that all appear gold in
26 colour?

27 A. That bracelet was silver bracelet, it's not gold.

28 Q. Thank you. Is that him?

29 A. Yes, correct.

1 Q. And you are the man to his left, correct?

2 A. That is correct.

3 Q. What kind of weapon do you have?

4 A. I had an AK-47 assault rifle.

12:19:13 5 Q. And, sir, so the record is clear, just above General
6 Jackson's head, just where the brim comes out from his cap, you
7 can see the end of the barrel of a gun being held by the man with
8 the bandana behind him, correct?

9 A. Yeah, I can see something pointing behind General Jackson,
12:19:37 10 I can't say what it is.

11 Q. You don't recognise that as the barrel of a gun?

12 A. Well, I have not seen the gun. It could be something else.
13 I have not seen the gun.

14 Q. Sir, how old - you say these are not NPFL soldiers. The
12:19:54 15 child in the left corner of the photograph close to the
16 photographer, in the white shirt and grey pants, how old do you
17 believe he is?

18 A. I don't know.

19 Q. I'm asking you how old you believe he is looking at the
12:20:09 20 photograph?

21 A. I don't know. I can't look at somebody and tell how old a
22 person is.

23 Q. You cannot?

24 A. No.

12:20:13 25 Q. You have no ability to tell who is a child and who isn't a
26 child?

27 A. I can tell - I have an ability to tell who is a child and
28 who is a child. The person that I know, you know somebody can
29 appear small in size but they can be older in age.

1 Q. Sir, Domingo Ramos, was he killed in this operation?

2 A. Yes, Domingo was killed in this operation.

3 Q. And buildings were also destroyed in the April '96
4 fighting, correct?

12:20:48 5 A. Some buildings, yes.

6 Q. And that was by artillery fire or some kind of heavy
7 weapon?

8 A. Some buildings were destroyed. I don't know by what.

9 Q. Was it mortars, was it artillery, what was it, do you know?

12:20:59 10 A. Some buildings were destroyed. I don't know what they were
11 destroyed by. There was fighting. I don't know what - I don't
12 know all the weapons that were used in the fighting.

13 Q. Well, you were involved in the fighting. What heavy
14 weapons did you see used?

12:21:12 15 A. I didn't see any heavy weapons being used. I was not
16 involved in the fighting totally.

17 Q. Well, what are you doing here?

18 A. I was doing - I was here because the situation was spilling
19 over and we were setting up a defence.

12:21:27 20 Q. Sir, are you at the front line here?

21 A. Well, I would consider this place a front line because
22 there was firing there.

23 Q. So when you told us you had never been to the front line,
24 that wasn't true?

12:21:37 25 A. But this is not a front line. This is in the City of
26 Monrovia that I'm tell you.

27 Q. Monrovia saw a lot of fighting during the years that you
28 were in Liberia.

29 A. Well --

1 Q. Sir, let me finish the question. Didn't it? Monrovia saw
2 a lot of fighting during the years you were in Monrovia, didn't
3 it?

4 A. Yes, Monrovia saw a lot of fighting, yes.

12:21:56 5 Q. In 1990 there was heavy fighting in Monrovia?

6 A. That's correct.

7 Q. In 1992, Operation Octopus, there was heavy fighting in
8 Monrovia, correct?

9 A. That's correct, yes.

12:22:07 10 Q. In April 1996 in this fighting there was heavy fighting,
11 correct?

12 A. That's correct.

13 Q. By the way, in this fighting your forces were allied with
14 ULIMO-K in attacking ULIMO-J, correct?

12:22:21 15 A. Well, for the Council of State - the Council of State was
16 trying to arrest Roosevelt Johnson. It was not only - how do you
17 call it - to say NPFL and ULIMO-K. It was the decision of the
18 Council of State to have Roosevelt Johnson arrested.

19 Q. The forces fighting against Roosevelt Johnson's group
12:22:38 20 included Alhaji Kromah's ULIMO-K and the NPFL, correct?

21 A. That's correct.

22 Q. And then, sir, there was fighting in September 1998, heavy
23 fighting, again involving Roosevelt Johnson in Monrovia, correct?

24 A. That's correct.

12:23:05 25 Q. And that was September 18th that fighting began, correct?

26 A. You are correct.

27 Q. That also lasted for several days, correct?

28 A. Correct.

29 Q. In the 1990 fighting in Monrovia how far did the NPFL

1 forces get in the city?

2 A. The NPFL forces got to as far as the University of Liberia.

3 Q. And on the opposite side of the front line there which
4 force were you facing?

12:23:38 5 A. The Armed Forces of Liberia.

6 Q. So it was - thank you. President Doe's and then later
7 after he died whatever the remnants of President Doe's forces?

8 A. Armed Forces of Liberia. Armed Forces of Liberia doesn't
9 belong to any President, it belongs to the Republic of Liberia.

12:23:54 10 Q. Who was the President when you were fighting in Monrovia in
11 1990?

12 A. It was Samuel Doe was the President.

13 Q. Thank you. Sir, we have a map of Monrovia and I would like
14 you to mark on the map where the front line was in 1990. It's at

12:24:23 15 tab 4 in the Prosecution documents distributed. We all have a
16 copy but I would ask actually that the witness be allowed to mark
17 on this. He can remain seated where he is for now.

18 Sir, in 1990 you had the AFL, you also had the INPFL in
19 Monrovia, correct?

12:25:04 20 A. That's correct.

21 MR KOUMJIAN: Can the witness please be given the map and
22 given a marker. I don't know what would be clearer. I don't
23 know if there's a clear - if it can be marked clearly, or a pen.
24 I can give him a pen.

12:25:24 25 PRESIDING JUDGE: Don't you have some pen with a thinner
26 nib, yes.

27 MR KOUMJIAN:

28 Q. Sir, can you mark where the NPFL forces were in Monrovia at
29 the point they advanced the farthest in Monrovia in 1990. Just

1 so you're not confused I think everyone - this is actually a map
2 and then the lower left, the area where the Barclay Training
3 Centre is, et cetera, is blown up and you see that area of
4 Monrovia in greater detail. But that's blowing up the area that
12:26:17 5 would be the western - most western part of Monrovia.

6 PRESIDING JUDGE: Mr Witness, do you follow?

7 THE WITNESS: I'm following but I'm trying to see because
8 these writings are very small and my glasses couldn't just
9 magnify them.

12:26:44 10 MR KOUJIAN: I agree.

11 THE WITNESS: I mentioned the University of Liberia and I
12 have not seen the University of Liberia here.

13 MR ANYAH: Madam President, I am also having difficulty
14 viewing the larger map and identifying streets, although I can
12:26:59 15 see some of them clearly in the excerpt involving the Barclay
16 Training Centre, but the rest of the map is not very legible.

17 PRESIDING JUDGE: Mr Koumjian, where do we take it from
18 here? If people cannot read --

19 MR KOUJIAN: Let's leave it for now and I'll see what I
12:27:24 20 can do about this, whether there's possibly a bigger map:

21 Q. Sir, is the university near the JFK hospital?

22 A. The university is beyond the JFK hospital.

23 Q. It's near the Executive Mansion, correct?

24 A. That's correct.

12:27:40 25 Q. Okay, we'll try to find a better map. Let's leave this for
26 now. Before it's taken away, sorry, I don't know if you could
27 assist us. In 1992 in Octopus first without looking at the map
28 just tell us in words how far did the NPFL advance in trying to
29 push ECOMOG out of the city?

1 A. NPFL advanced as far as Caldwell base of Prince Johnson and
2 also I think almost up to Red Light and I think - yeah, Red Light
3 and the suburbs of Monrovia I can say.

4 Q. That Red Light district, is it called anything else?

12:28:30 5 A. The Red Light district, yes, it's called Paynesville.

6 Q. And the Caldwell base where is that?

7 A. Caldwell is in the Bushrod Island, but like, you know, I
8 mean towards the - how do you call - it's not in the centre, you
9 know. It's off the road.

12:28:52 10 Q. And if we look at the map, we see the Bushrod Island is the
11 area of the north part of the city, correct?

12 A. That's correct, yes.

13 Q. Thank you. If the witness could be shown MFI-416B. That
14 is behind tab 19 in the Defence bundle. Sir, this is one of the
12:29:57 15 photographs that you brought and provided to allow the Defence to
16 copy, correct?

17 A. That's correct.

18 Q. This was a trip in September 1996 you told us, correct?

19 A. That's correct.

12:30:09 20 Q. And this is Charles Taylor in which city?

21 A. In Tripoli.

22 Q. This was before, obviously, the election of Charles Taylor
23 as President, correct?

24 A. That's correct.

12:30:23 25 Q. Was Charles Taylor travelling to Libya as head of the NPFL
26 at that time?

27 A. He was travelling to Libya at this time as the head as a
28 member of the Council of State.

29 Q. How many other members of the Council of State were on that

1 trip?

2 A. I know only Charles Taylor. Only Charles Taylor as the
3 member of the Council of State.

4 Q. This was a time of great hardship in Liberia, correct?

12:30:50 5 A. What do you mean by great hardship in Liberia?

6 Q. People were suffering because of the economy and because of
7 the conditions created by the war, correct?

8 A. No, that's not correct. I'm not suffering and many other
9 people were not suffering. You know, everybody can enjoy in a
12:31:08 10 country. Even sovereign countries, you have other people that
11 live below the poverty line. We have the middle classes. We
12 have classes. So I can't agree with you to say people were
13 suffering. To the best of my recollection, people were not
14 suffering.

12:31:21 15 Q. Sir, I'm not asking if you were suffering. I'm sure you
16 were not suffering. I'm not asking if Charles Taylor was
17 suffering. I'm asking if the average person in Liberia was
18 suffering because of the war and its effect on the economy and
19 the lives of the people.

12:31:35 20 A. I can't say the average Liberians were suffering.

21 Q. What was the purpose of Charles Taylor's trip to Libya in
22 September 1996?

23 A. He was invited for the - to attend the celebrations, the
24 September 1 celebrations.

12:31:58 25 Q. Who paid for the trip?

26 A. I don't know.

27 Q. Do you know who he travelled with?

28 A. When you say who he travelled with, what do you mean who he
29 travelled with?

1 Q. Thank you. I'll clarify. Who accompanied Charles Taylor
2 from Liberia, to your knowledge, on this trip?

3 A. When you say "who", I was on the trip, you know; Jackson
4 was on the trip; Moses Blah was on the trip. Many others. If
12:32:18 5 you say who accompanied him, that's what I'm trying to say, in
6 terms of what?

7 Q. Thank you. You're answering my question. You said
8 yourself, General Jackson, Moses Blah and many others. About how
9 many in total?

12:32:30 10 A. I can't remember how many in total.

11 Q. Were there any businessmen on the trip?

12 A. I can't remember any businessmen on that trip.

13 Q. Sir, do you know Sanjivan Ruprah?

14 A. I never heard of that name before.

12:32:51 15 Q. How about Leonid Minin, do you know him?

16 A. I never heard of Leonid Minin before.

17 Q. You were Charles Taylor's bodyguard and you never heard of
18 Leonid Minin?

19 A. I say I never heard of Minin before.

12:33:04 20 Q. Did you know of Ukrainian men or eastern European men
21 staying at Hotel Africa in the late '90s?

22 A. No, I'm not aware of any Ukrainian men staying at Hotel
23 Africa in the late '90s.

24 Q. How did you get to Libya on that trip? What was the route
12:33:24 25 that you took?

26 A. We went by plane to Tunisia in Djerba, because at the time
27 there was an air embargo on Libya. We disembarked. He was
28 received at Djerba by Libyan officials who came to the border to
29 Tripoli.

1 Q. Was it a private flight?

2 A. Well, I can't remember. It was an airplane.

3 Q. Was it a commercial flight? Was it a regular passenger
4 flight or was it a special flight?

12:33:49 5 A. It was not a regular passenger flight.

6 Q. Do you recall who owned the airplane?

7 A. I can't recall.

8 Q. Or what company the airplane was from?

9 A. No, I can't help you. I can't recall that.

12:34:04 10 Q. Following this trip of Charles Taylor to Libya, you
11 received instructions to return, correct?

12 A. When you say I received instructions to return, what do you
13 mean?

14 Q. What is not clear to you about that?

12:34:18 15 A. You say I received instructions. Instructions from who?

16 Q. You received instructions to return to Libya. Is that
17 correct?

18 A. From who I received instructions from?

19 Q. Did you receive instructions from anyone to return to
12:34:29 20 Libya?

21 A. I want to know who asked me for instructions, because I
22 don't know what you're talking about. Who instructed me to
23 return to Libya? I want to know who you are talking about.

24 PRESIDING JUDGE: Mr Koumjian, ask your question in a way
12:34:42 25 that the witness understands.

26 MR KOUMJIAN:

27 Q. Sir, did anyone give you instructions to return to Libya
28 after Charles Taylor's trip?

29 A. I'm trying to say who are you referring to? You got to

1 tell me who gave me instructions.

2 PRESIDING JUDGE: Mr Witness, the question was did anyone
3 give you instructions. "Anyone" is the question. You can answer
4 yes or no.

12:35:05 5 THE WITNESS: Your Honour, thank you. Instructions to do
6 what?

7 MR KOUMJIAN:

8 Q. To go back to Li bya.

9 A. Yes.

12:35:11 10 Q. Who?

11 A. Mr Taylor sent me back to Li bya.

12 Q. And what exactly were Mr Taylor's instructions when he sent
13 you back to Li bya?

14 A. He didn't give me instructions. He gave me - when we were
12:35:26 15 on this trip, he discussed with Colonel Gaddafi about the food
16 situation in Liberia and Colonel Gaddafi agreed to help, to
17 assist him and the population with some rice. And he asked -
18 Colonel Gaddafi asked for somebody to remain there and he
19 designated Moses Blah and myself to remain behind. We remained
12:35:47 20 there, you know. I mean, the process was going on. After some
21 time they asked us to return back to Liberia and come back after
22 one month, so we came back to Liberia. After one month we
23 returned to Li bya.

24 Q. What were the instructions you received? You said Charles
12:36:00 25 Taylor told you to go back to Li bya --

26 A. Because --

27 Q. Wait till I finish the question, please.

28 A. Sorry. I'm sorry.

29 Q. What were the instructions he gave you when he told you to

1 go back to Li bya you said in October 1996?

2 A. The promise was made, I was assigned with Moses Blah to
3 make a follow-up on the rice issue and we were asked to come back
4 to Liberia to go back. So when October - I mean, October, the
12:36:26 5 time for us to go back, he asked us to go back. That was the
6 only instruction he gave us. Go back to Li bya to follow up on
7 the rice.

8 Q. So what did you do when you got back to Li bya?

9 A. When I got back to Li bya, we got in touch with the
12:36:38 10 authorities there and the negotiation continued.

11 Q. Sir, you were with the ambassador of Liberia to Li bya,
12 correct?

13 A. At the time --

14 Q. Excuse me. At the time he was not, correct. Thank you.

12:36:48 15 A. Thank you.

16 Q. Sir, who did you contact in Li bya?

17 A. We contacted the Li byan officials.

18 Q. Who?

19 A. The Foreign Ministry.

12:37:00 20 Q. Do you remember who you met with?

21 A. I can't remember exactly who we met with, actually.

22 Q. Who paid for your trip back, your trip and Moses Blah?

23 A. When we were going, our trip, Mr Taylor paid our way to go.
24 And when we were coming, the Li byans did pay our way to come
12:37:17 25 back.

26 Q. How did you get the money? Was it cash?

27 A. Excuse me?

28 Q. How did the money - well, let me first ask you: When you
29 went back in October, how did you travel to Li bya?

1 A. How did I travel? I travelled from Liberia to the Ivory
2 Coast and the Ivory Coast, we went to Burkina Faso to get on the
3 Russian airline Aeroflot.

12:37:52 4 Q. So did you travel by land through the Ivory Coast to
5 Burkina Faso?

6 A. We travelled by land to the Ivory Coast and we flew from
7 Ivory Coast to Burkina Faso and we flew from Burkina to Djerba.

8 Q. And why Djerba?

9 A. Because at the time no flight was allowed to land in any
12:38:11 10 territory of Libya.

11 Q. Okay. And then from Djerba you went overland to Tripoli?

12 A. That's correct.

13 Q. How many meetings did you have about the rice?

14 A. I can't recall how many meetings, but we had several
12:38:26 15 meetings.

16 Q. And what was the arrangement? What were these discussions
17 about?

18 A. About the rice.

19 Q. Well, explain. What was arranged --

12:38:34 20 A. The discussion was, you know - there was a promise made to
21 provide rice - I mean, "A promise made to Mr Taylor by Colonel
22 Gaddafi to provide rice and you people asked us to come, so we
23 are back here."

24 Q. So, sir, where was the rice coming from?

12:38:50 25 A. I don't know where the rice was coming from.

26 Q. Could I have the witness shown the document that was
27 distributed this morning. It's a two-page document, just so that
28 everyone has the right - there is the first page. Both are web
29 pages. The first home page and then a particular further page of

1 the document related to - entitled "Libya rice". What's now
2 being shown is the home page and this is a website entitled
3 "Index MUNDI". And then going down the page it shows - it says
4 it's Libya, it's not the home page but it's the Libya page from
12:40:02 5 index Mundi. It lists various agricultural products, one of
6 which is rice, millet, and then it says, "Source United States
7 Department of Agriculture".

8 Now if we could go to the next page. Madam Court Officer,
9 I have a copy that's been highlighted. That might be easier to
12:40:22 10 follow. Mr Witness, you told us this morning that Libya does not
11 produce rice, correct?

12 A. Did I say Libya does not produce rice?

13 Q. Yes.

14 A. Well, I'm not - anyway. Yes, as far as I know, they don't
12:40:55 15 produce rice, yes.

16 Q. Well, you are right.

17 A. I'm sorry about that, yes, as far as I know.

18 Q. Sir, we look at the first column and we see "area
19 harvested", also four columns - it's the second column. The
12:41:14 20 first column is a date and then the fifth column also says "rough
21 production". Now, if we go down the page for the years 1996
22 through 2005, which is the last year of cover, we see that both
23 in the second column, area harvested, zero for all years, 2006
24 through 2005, and the same for rough production or milled
12:41:39 25 production columns - the fourth and fifth columns, there's no
26 production.

27 Now, if we go back to the top to see the column headings.
28 We see that the column that is seventh column down highlighted
29 "total imports". Then if we go down to the years 1996 through

1 2005, which is - it says 117 for '96, 129 for '97, 98 for '98.

2 Going back to the top. So that was the imports.

3 Now let's look at the total domestic consumption, which is
4 the - going from the right-hand side - the third from the right.

12:42:35 5 That's the third column to the end. Let's go down and see what
6 was consumed of that that was imported, and we see the same
7 figures, 117, 129, 98. And if you look all the way to the end
8 through 2005, we see that consumption equals imports for all
9 years.

12:42:55 10 If we go just to the top, in the column between -

11 highlighted between imports and consumption, we see "total
12 exports" and also in the second to last column we see "ending
13 stocks". So going down to the years '96 to 2005, we see that
14 there were no - the figures are zero exports and zero ending

12:43:24 15 stocks for all years. So, sir, in your discussions with the
16 Libyans, you went all the way there - you were sent along with
17 Moses Blah - what did you learn about where the rice was coming
18 from?

19 A. I don't know where the rice was coming from. We were told
12:43:40 20 that they will provide the rice, but I don't know where the rice
21 was coming from.

22 Q. Sir, was it rice or was it other types of assistance that
23 you really went to Libya for?

24 A. Counsel, I went to Libya to make a follow-up on the rice
12:43:52 25 that was promised Mr Taylor during his visit in September 1996.
26 That was the only purpose that I went to Libya for.

27 Q. And what was the report you gave when you returned?

28 A. The report I gave when I report was that, yes, they have
29 agreed, they are making arrangements to have the rice come to

1 Liberia.

2 Q. What were those arrangements?

3 A. Well, if you have to send something, you know, I mean, from
4 overseas, you don't have to make arrangements - shipping and
12:44:18 5 other arrangements.

6 Q. Sir, what did you report - did you report to
7 President Taylor himself?

8 PRESIDING JUDGE: What was the word that you don't have to
9 make arrangements what? There's something I didn't catch.

12:44:29 10 THE WITNESS: No, he said what were the arrangements, what
11 - I think what the question was, I think it was what were the
12 arrangements and I said you know if you have to send something
13 from abroad and it needs to be shipped you have to make shipping
14 arrangements. You have to make arrangements.

12:44:42 15 PRESIDING JUDGE: Thank you.

16 MR KOUMJIAN:

17 Q. Did you report personally to President Taylor?

18 A. Yes, I did.

19 Q. What were the arrangements you reported to him?

12:44:52 20 A. I told him the Libyan authorities said we should let you
21 know that the arrangements are being made to have the rice
22 transported to Liberia.

23 Q. Is that it?

24 A. Exactly.

12:45:01 25 Q. In these times of economic difficulty, two officials from
26 the NPFL travel all the way to Libya and come back just to say
27 that the Libyans are saying they are going to do what they
28 promised?

29 A. Yes.

1 Q. Mr Witness, you also talked about a trip that Charles
2 Taylor took to South Africa in 1996, correct?

3 A. Yes, correct.

4 Q. And you went with him on that trip, correct?

12:45:35 5 A. That's correct, yes.

6 Q. What other persons went with the delegation?

7 A. The delegation included a lot of people.

8 Q. Can you tell us which names you recall now?

9 A. I was on the trip. The protocol officer - chief of
12:45:53 10 protocol at the time Paul Mulbah was on the trip, the
11 aide-de-camp Momo Dgiba was on the trip, Yundueh Monorkomna was
12 on the trip, and many other securities.

13 Q. So Musa Cisse was on the trip, correct?

14 A. I can't really recall but I think he was on the trip. I
12:46:13 15 think he was on the trip.

16 Q. Sir, what was the purpose of this trip to South Africa in
17 1996? You said I believe it was '95 or '96. Is that right?

18 A. Well, I don't know.

19 Q. Do you not recall now which date it was?

12:46:36 20 A. I can't recall which date it was, no.

21 Q. It was before Charles Taylor was elected President. Is
22 that correct?

23 A. That's correct, yes.

24 Q. What was the purpose of the trip to South Africa?

12:46:48 25 A. I don't know. I was not told the purpose of the trip to
26 South Africa. I don't know.

27 Q. Was it a secret?

28 A. I don't know. If it was a secret we're not going to take
29 pictures and bring back home. It was not a secret.

1 Q. What persons beside the Mayor of Soweto did Charles Taylor
2 meet with on that trip, to your knowledge?

3 A. I can't remember to my knowledge all the officials he met
4 but he met officials of the South African government. I can
12:47:12 5 remember I accompanied him to the office of the President in
6 Pretoria and he met, you know, officials there.

7 Q. Did he meet Nico Shefer?

8 A. I don't know whether he met Nico Shefer. I don't know.

9 Q. You know Nico Shefer, correct?

12:47:27 10 A. I heard the name Nico Shefer but I don't know him in
11 person.

12 Q. What did you hear about Nico Shefer?

13 A. I heard Nico Shefer was a businessman.

14 Q. Diamond dealer?

12:47:35 15 A. I don't know. I knew him to be a businessman. I don't
16 know what kind of business he was involved in.

17 Q. Sir, you were in the foreign service of Liberia, correct?

18 A. Yes, I was in the foreign service, yes.

19 Q. Nico Shefer was nominated by Charles Taylor as the honorary
12:47:53 20 consul to South Africa. Didn't you know that?

21 A. I don't know. I don't have to know - I don't know all the
22 consul generals of Liberia. I don't know all.

23 Q. South Africa was one of the most important countries in
24 Africa, correct?

12:48:11 25 A. Yes, I agree with that.

26 Q. Did Charles Taylor meet with any former South African
27 military officials on that trip?

28 A. I was not aware of any meeting between Charles Taylor and
29 any foreign military officer from South Africa at that time on

1 that trip.

2 Q. You know the name Fred Rindel, correct?

3 A. No, I don't know Fred Rindel.

4 Q. You've never heard of Fred Rindel?

12:48:39 5 A. I don't know Fred Rindel.

6 Q. Sir, who trained the ATU during Charles Taylor's
7 presidency?

8 A. The ATU was trained at a certain time. Some white man
9 provided the training but I don't know where the person came

12:48:55 10 from. I don't know and I don't even know his name because I was
11 not - you know, I was not a how do you call it within the ranks
12 of the ATU.

13 Q. Was it one white man or a group of white men?

14 A. I can't remember whether they are more than one or two or
12:49:10 15 three. But I think maybe one or two. I don't know.

16 Q. Where was the white man from that you know of?

17 A. I don't know where he is from actually.

18 Q. What about General Adams? Do you know a General Adams?

19 A. General Adams?

12:49:24 20 Q. Yes, sir.

21 A. What is the first name?

22 Q. I believe it's Mohamed. Do you know a general - any
23 General Adams?

24 A. Yes, I know Mohamed Adams, yes.

12:49:34 25 Q. What was his nationality?

26 A. He was Ghanaian.

27 Q. He trained the ATU, didn't he?

28 A. I don't know whether he was training ATU. I don't know.

29 Q. What do you know about him?

1 A. I know General Adams within, you know - in fact, the first
2 time I met him was in Monrovia. I didn't meet during the time -
3 those days we were in Gbarnga. The only time I met him was in
4 Monrovia.

12:49:57 5 JUDGE DOHERTY: Mr Koumjian, before you move on could I
6 note I understood the witness to say he was a Ghanaian and the
7 LiveNote record shows he was a Guinean.

8 THE WITNESS: No, Ghanaian.

9 MR KOUMJIAN:

12:50:11 10 Q. From Ghana, correct?

11 A. That's correct.

12 Q. Just while we're on the subject of the ATU, Chucky Taylor
13 was originally the commander of the ATU. Is that right?

14 A. That is correct.

12:50:38 15 Q. And then was replaced for some period of time by Momo
16 Dgi ba, correct?

17 A. That's correct.

18 Q. What caused Chucky Taylor to be replaced?

19 A. I don't know. I don't know the cause.

12:50:50 20 Q. Chucky Taylor, did you hear he killed one of the soldiers
21 because the man had driven over a dog?

22 A. I never heard of that. I remember Chucky had an accident
23 on the Robertsfield Highway. He was driving and he accidentally
24 hit somebody on the highway. That's the only killing I heard
12:51:11 25 about Chucky, related to Chucky.

26 Q. Sir, among the Gambians that were in Liberia and in Libya,
27 were some of them - did some of them have previous military
28 training in The Gambia or military service in The Gambia?

29 A. Some of them were the members of the field force.

1 Q. And can you explain is it correct that the field force was
2 created - at what time was the field force created?

3 A. I don't know when it was created. I don't know. I can't
4 tell you the time it was created.

12:51:56 5 Q. In fact wasn't the field force created after the 1981 coup?

6 A. That's not correct.

7 Q. That's not correct?

8 A. The field force was created I think since independence.

9 Q. Well, at sometime The Gambia and the Senegal merged their
12:52:16 10 military forces, correct?

11 A. I don't know of that.

12 Q. And you're correct. The field force was established about
13 three years before independence, isn't that correct, in 1961?

14 A. Well, maybe if your record shows that maybe that's it.

12:52:36 15 Q. Well, do you recall after that the coup in 1981 at that
16 time a law was passed and in 1984 the Gambian army and
17 gendarmerie were established, two separate forces, correct?

18 A. The gendarmerie I heard about it. It was not formed while
19 I was there. I don't know what time it was formed. I heard The
12:53:01 20 Gambia had a gendarmerie.

21 Q. It was formed after you left The Gambia. Is that right?

22 A. I don't know. I don't know actually. I can't give a time
23 frame before I will be wrong here.

24 Q. But it wasn't while you were there, you say, correct?

12:53:11 25 A. I don't know of it.

26 Q. The Gambian military, from talking to your fellow Gambians,
27 is it correct that they were trained in both French - the
28 Senegalese from a French tradition and the British and they
29 salute in the British way. Do you understand what I mean, as

1 opposed to the North American. In other words, they salute with
2 their hand palm up or out, rather than with the palm down as in
3 the North American tradition?

4 A. Mr Counsel, I was not in The Gambia when the Gambian
12:53:53 5 national army was formed so I don't know what kind of training
6 they took, I don't know how they salute, so I can't answer that
7 question to be yes or no. I don't know.

8 Q. How do you salute in The Gambia, do you know?

9 A. I was not a soldier in The Gambia. I don't know.

12:54:21 10 MR KOUJIAN: Just briefly if the witness can be shown
11 MFI-423.

12 PRESIDING JUDGE: Mr Koumjian, this was a whole set of
13 photographs.

14 MR KOUJIAN: 423D. Thank you, Madam President:

12:55:21 15 Q. Sir, just quickly, in that photograph do you believe you
16 are saluting when the photograph was taken?

17 A. I was not saluting. I was trying to wave this guy passing
18 by me speaking and I was just trying to wave at him. I was not
19 saluting.

12:55:35 20 Q. And who was that that you were waving at?

21 A. This guy, I said he was Yeane.

22 Q. Thank you. That's all I need of that photograph. Sir, you
23 talked about Suwandi Camara who you said was some relation of
24 yours, correct?

12:55:59 25 A. I said Suwandi's sister is married to my uncle.

26 Q. And you said he is about 20 years younger than you,
27 correct?

28 A. I should think so, yes.

29 Q. You were born in 1957, correct?

1 A. That's correct.

2 Q. That would make him born in 1977?

3 A. Well, maybe. I don't know.

4 Q. That would mean in 2007 when he testified here he would
12:56:21 5 have been about 30 years old. Is that what your testimony is?

6 A. I don't know his age, to be frank with you.

7 Q. So he could be 40 when he testified. He could be ten years
8 older?

9 A. I don't know his age actually, counsel.

10 Q. Okay. So when you said he was just a little boy, he would
11 have been too young to go to Libya, you really didn't know that
12 because you don't know his age?

13 A. Did I say he was too young to go to Libya? I never said he
14 was too young to go to Libya. Did I say that in my testimony

12:56:47 15 here.

16 Q. The record will speak for itself. Are you saying he wasn't
17 too young to go to Libya. Is that right?

18 A. Counsel, please don't mislead me. I didn't say he was too
19 young to go to Libya. I never said that in my testimony. Did I
12:57:00 20 say that?

21 Q. Sir, you said that Suwandi Camara was five years in the
22 gendarmerie, correct?

23 A. Did I say he was there for five years? What I know of the
24 Gambian service, you can - you know, the first time you sign is
12:57:15 25 five years. So if somebody has to be there except for under an
26 abnormal circumstances you're supposed to serve five years before
27 you can leave.

28 Q. Sir, do you have trouble remembering what you said in your
29 prior testimony?

1 A. No, I don't have a problem. I'm a human being, I can
2 forget. Every human being can err. I can forget also.

3 Q. You left The Gambia in 1983, correct?

12:57:45

4 A. I never told you I left The Gambia in 1983. I told you I
5 left The Gambia in 1984.

6 Q. Thank you. So when you left The Gambia in 1984 the
7 gendarmerie had not yet been created which would have meant that
8 someone who was in - well, I'll leave it at that. Could the
9 witness be shown MFI-416C. Before that's been shown, sir, how
10 old do you have to be to join the gendarmerie?

12:58:52

11 A. I don't know.

12 Q. Did Suwandi Camara finish high school?

13 A. I don't know what level he has gone.

14 Q. Sir, looking at the photograph on the screen, do you
15 recognise of course the gentleman in the light blue in the near
16 right corner of the photograph in the foreground all in blue?

12:59:27

17 A. Which gentleman are you talking about?

18 Q. Benjamin Yeaten.

19 A. Yes. This is Benjamin Yeaten, yes.

12:59:43

20 Q. How old is Benjamin Yeaten in that photograph?

21 A. I don't know. I don't know when Benjamin was born, so I
22 don't know how old was he.

23 Q. Benjamin Yeaten was very young in Libya, correct?

24 A. He was young, but I don't know his age.

12:59:59

25 Q. How old do you think he was in Libya?

26 A. I don't know.

27 Q. Did Benjamin Yeaten, did he - was he the type of person, if
28 you know, who would know how old he was?

29 A. Why not? He is a human being. He is educated. Why can't

1 he know when he was born?

2 Q. Well, sir, there are people from villages who do not know
3 what year they were born. You haven't - haven't you had that
4 experience?

13:00:27 5 A. But I don't think Benjamin was that primitive not to know
6 when he was born.

7 PRESIDING JUDGE: Mr Koumjian, I don't know where such a
8 question takes the proceedings, really. It because argumentative
9 and I don't think it's a very useful question.

13:00:48 10 MR KOUMJIAN:

11 Q. What were the qualities of Benjamin Yeaten that you saw
12 that made him qualified to be the SSS director?

13 A. SSS director, the only - one of the qualities is, you know,
14 to gain the trust of the person that will appoint you to serve
15 him, you know, as SSS director, and he got the trust of Mr Taylor
16 to serve him as SSS director.

17 Q. In fact, that is the most important quality, wouldn't you
18 agree?

19 A. Of course. Definitely, yes.

13:01:19 20 Q. And what was it that made Charles Taylor, as far as you
21 saw, believe that Benjamin Yeaten was someone he could absolutely
22 trust?

23 A. I don't know. I don't know, counsel. I don't know. I
24 know he trusted him. Why he trusted him, I don't know.

13:01:32 25 Q. Did Benjamin Yeaten in your experience always fulfill the
26 orders of Charles Taylor?

27 A. He was subject to Charles Taylor's orders as he was
28 director of SSS. He was subject to orders.

29 Q. Have you heard Charles Taylor tell others, "What Benjamin

1 Yeaten sees, I see. What Benjamin Yeaten says, I say"?

2 A. I don't understand that.

3 Q. Have you heard Charles Taylor tell that to other people?

4 A. What?

13:01:56 5 Q. That when Benjamin Yeaten speaks, take that as Charles
6 Taylor speaking.

7 A. I never heard of that. That's very strange. That's my
8 first time hearing that.

9 Q. Benjamin Yeaten was from what county?

13:02:15 10 A. Benjamin was from Nimba County.

11 Q. Now, sir, you talked about the killing of Sam Dokie,
12 correct?

13 A. Yes.

14 Q. And you said you heard that these - Sam Dokie had been
13:02:33 15 arrested by Benjamin Yeaten, correct?

16 A. I didn't say he was arrested by Benjamin. I said Benjamin
17 ordered his arrest. This is what I said in Court.

18 Q. Thank you. That's exactly correct. Sam Dokie was killed
19 some days after the arrest, correct?

13:02:48 20 A. Sam Dokie died after his arrest.

21 Q. Some days after his arrest?

22 A. I don't know how many days. He died after his arrest. Can
23 we agree on that?

24 Q. Sir, did you know Janet Dokie?

13:03:01 25 A. Janet Dokie? I think she should be the wife of Dokie, I
26 think.

27 Q. What happened to her?

28 A. She died also.

29 Q. She was also arrested with him, correct?

1 A. Yes, that's what I heard, yes.

2 Q. In addition to Sam Dokie, she was killed also, correct?

3 A. I heard, yes, she was killed too, yes.

4 Q. Were any others arrested and killed along with Sam Dokie
13:03:23 5 and his wife?

6 A. I heard maybe one or two other persons. I don't know their
7 names, actually, but prominent among them was Dokie and his wife.

8 Q. Sam Dokie's body, when it was discovered, had been
9 decapitated, correct?

13:03:39 10 A. I never saw the body, so I didn't know the state of the - I
11 never knew the state of the body.

12 Q. Did you hear that?

13 A. I never saw the body and I can't tell you what was the
14 state of the body.

13:03:49 15 Q. Sir, I am asking you: Did you hear that his body - that
16 his head had been taken off his body?

17 A. No, I never heard that.

18 Q. Did you hear that the bodies of those that were killed were
19 burnt?

13:03:56 20 A. I never heard that.

21 Q. You said that Benjamin Yeaten was punished, placed under
22 house arrest, correct?

23 A. Yes. When it came to knowledge, public knowledge that this
24 thing happened, you know, because he was not given an instruction

13:04:12 25 to do it, you know, an investigation was set up and he was
26 relieved of his duties for that time and placed under house
27 arrest.

28 Q. And Charles Taylor reinstated him as the director of the
29 SSS, correct?

- 1 A. That's correct.
- 2 Q. John Yormie, did you know him?
- 3 A. Yes, I knew John Yormie, yes.
- 4 Q. Isaac Vaye, did you know him?
- 13:04:38 5 A. Yes, I knew Isaac Vaye.
- 6 Q. What were their - what was John Yormie's position in 2003?
- 7 A. I think he was Deputy Minister of National Security. I
- 8 think so, yes.
- 9 Q. And Isaac Vaye?
- 13:04:51 10 A. Isaac Vaye was I think assistant Minister of Public Works.
- 11 Q. What was John Yormie's ethnicity, his tribe?
- 12 A. He is from Nimba. He was from Nimba. I don't know what
- 13 tribe he is, because Nimba you have different tribes. I'm
- 14 somebody that I don't ask people of their tribes.
- 13:05:11 15 Q. Sam Dokie was from Nimba, correct?
- 16 A. Yes, correct.
- 17 Q. And Sam Dokie had at one time been very, very close to
- 18 Charles Taylor in the early days of the NPFL, correct?
- 19 A. That's correct.
- 13:05:20 20 Q. He was one of the leaders of the NPFL, correct?
- 21 A. I don't know. When you say leaders, I don't know. He
- 22 served, you know - during the NPRAG he served as Internal Affairs
- 23 Minister.
- 24 Q. Sir, did you know that John - that Benjamin Yeaten
- 13:05:35 25 confessed to killing John Yormie and Isaac Vaye?
- 26 A. I never heard Benjamin confessing. I don't know. I never
- 27 heard of it. I never heard he confessed to killing Yormie and
- 28 Isaac Vaye.
- 29 Q. Would Benjamin Yeaten take an act of killing such prominent

1 persons as Sam Dokie, John Yormie or Isaac Vaye without the
2 instructions of Charles Taylor?

13:06:04 3 A. I don't know Benjamin Yeaten has killed these people. I
4 never know. I can't tell you Benjamin Yeaten was the one who
5 killed these people. I don't know about it.

6 Q. Sir, you said someone was killed for violation of SOP
7 earlier in your testimony, correct?

8 A. What do you mean? Be specific, please.

13:06:19 9 Q. Sir, did you say earlier in your testimony that someone was
10 executed for violation of SOP?

11 A. Well --

12 Q. Do you recall that?

13 A. -- the people that I know were executed were people that
14 were court-martialled and were executed. These are the people
15 that I know.

16 PRESIDING JUDGE: Yes, Mr Anyah.

17 MR ANYAH: I rise simply to make a point. We've had
18 several instances when learned counsel opposite has referred to
19 prior testimony of the witness. There has been some dispute
13:06:42 20 between the witness and learned counsel sometimes regarding the
21 accuracy of what the witness has said. The witness sometimes
22 conceding that he may have said something similar to what counsel
23 opposite says and counsel opposite sometimes conceding that the
24 witness has rightly corrected it, an assertion. It would be
13:07:03 25 helpful if it is put to the witness which part of the transcript
26 or at least put on the record that on such-and-such a day you
27 said such-and-such to this Court. Because it's very hard now to
28 confirm the accuracy of what the witness is supposedly said to
29 have said. For example, this SOP issue, it's very difficult to

1 follow.

2 PRESIDING JUDGE: Mr Koumjian, is that a little too much to
3 ask?

4 MR KOUMJIAN: Yes, with 600 pages of transcript and I don't
13:07:32 5 have every question written out. I was given one-page summary of
6 this witness's testimony prior to beginning - prior to the end of
7 his testimony, so obviously if I misquote the witness, that would
8 be very bad, but the record speaks for itself. And I simply
9 asked him if he remembers or if he doesn't remember that
13:07:52 10 testimony. If it is in dispute, we can look it up. But what I
11 recall, and I can put it to the witness, he was talking about
12 Anthony Mekunagbe.

13 PRESIDING JUDGE: Yes. But, actually, it is helpful to
14 quote accurately - as accurately as you can whatever the witness
13:08:09 15 says and you do have a team that is assisting you.

16 MR KOUMJIAN: Well, may I, Madam President, I certainly
17 will do that any time the witness disputes my summary of his
18 evidence, but it would be very hard to look up before I ask a
19 question.

13:08:22 20 PRESIDING JUDGE: Please continue.

21 MR KOUMJIAN:

22 Q. Sir, does that ring a bell, what I said? Do you think that
23 is accurate? You said that Anthony Mekunagbe was killed for a
24 violation of SOP?

13:08:31 25 A. He was court-martialled and executed, yes.

26 Q. Now, would you consider killing ministers of government a
27 violation of SOP?

28 A. It's unlawful to accuse somebody - you know, it's not
29 allowed to kill somebody unlawfully.

1 Q. Sir, if Charles Taylor said that he would re-appoint
2 Benjamin Yeaten, would you think he would re-appoint someone who
3 was violating his orders?

4 MR ANYAH: Objection.

13:09:05 5 PRESIDING JUDGE: What is the objection?

6 MR ANYAH: One, it's a hypothetical, the first part of the
7 question "if Charles Taylor said". Second part of the question,
8 if he was re-appointing Benjamin Yeaten, that's another
9 hypothetical. And then you ask the witness to confirm something
10 that you have two double hypotheticals.

13:09:22

11 PRESIDING JUDGE: Yes, the objection is sustained. Please
12 put a specific question to the witness, not hypotheticals.

13 MR KOUMJIAN:

14 Q. Sir, does Charles Taylor tolerate people disobeying his
15 orders?

13:09:35

16 A. Of course, yes, as a leader, if you give an order to
17 somebody, you know, you would not want them to disobey your
18 orders.

19 Q. My question is: Does he tolerate it? Would Charles Taylor
20 keep or re-appoint a person who was violating his orders, based
21 on your years of experience with Charles Taylor?

13:09:47

22 A. I don't know what you are talking about. That question
23 seems to be confusing.

24 Q. Okay. Let me try to say it again so you can understand it.
25 You worked with Charles Taylor. You said you've always worked
26 with Charles Taylor when you were asked when you stopped working.
27 You said you always work with Charles Taylor. Do you recall
28 that?

13:10:04

29 A. That's correct.

1 Q. When you worked with Charles Taylor, does he tolerate
2 people who disobey his orders? Does he keep them in their
3 positions?

4 A. If you disobey his orders, he will discipline you.

13:10:26 5 Q. Would he re-appoint a person to a position of
6 responsibility if that person was disobeying his orders?

7 A. He would not appoint somebody that's disobeying his orders.

8 Q. Based on your experience, would he appoint a person to a
9 position of great responsibility who had killed ministers of
10 government outside of his orders?

11 A. I have not known anybody that he appoint that had killed
12 ministers of government.

13 MR KOUMJIAN: Could the witness be shown MFI - I'm sorry,
14 I'm come back to that later. MFI-422A, please. This, in the
15 Defence bundle, is behind tab 30:

16 Q. Sir, you've told us that this is you and various SSS
17 members in the photograph, correct?

18 A. That's correct.

19 Q. And are these troops that you are commanding at the time
20 the photograph is taken?

21 A. These were not the ones. This group is a part of the group
22 that accompanied the President to Gbarnga.

23 Q. So this is only part of the group?

24 A. That's correct.

13:13:03 25 Q. Are you the commander of these particular soldiers that are
26 in the photograph?

27 A. I was assistant director and they fall under me, under my
28 command at the time.

29 Q. Now, sir, are these a formal uniform that the officers are

1 in?

2 A. Yes, that's official SSS uniform.

3 Q. And when they go on an operation, would they be more likely
4 to be wearing the type of uniform that you are wearing in the
13:13:27 5 photograph?

6 A. Not all. Not everybody was given these uniform. It was us
7 - I mean, how do you call it, not everybody had this uniform,
8 actually.

9 Q. There's two different uniforms. So if you could clarify
13:13:38 10 when you say not everyone was given this uniform, which uniform
11 are you talking about?

12 A. This is not the official uniform of the SSS. This is the
13 official SSS uniform.

14 Q. Sir, you are pointing at the screen that we can't see
13:13:51 15 because we're on the other one. Perhaps you could move seats.

16 A. I said this is the official uniform of the SSS.

17 Q. You're indicating the uniform that the officers - the group
18 of officers with the light blue top and dark bottoms are wearing,
19 correct?

13:14:27 20 A. That's correct.

21 Q. Just for the record.

22 A. Yes.

23 Q. The uniform that you were wearing, was that the type of
24 uniform that they might wear on operations?

13:14:36 25 A. No, this uniform was a uniform that was used by the - an
26 auxiliary of the SSS called the SSU. This is the uniform they
27 were using.

28 Q. What was the SOD?

29 A. SOD was part of the police, not SSS.

1 Q. That's a special operations division of the police?

2 A. That's correct.

3 PRESIDING JUDGE: Mr Witness, SSU stands for what?

4 THE WITNESS: Special Security Unit.

13:15:15

5 MR KOUMJIAN:

6 Q. Was the SOD - was that a name that was commonly known in
7 Liberia, SOD?

8 A. Yes, definitely, yes.

9 Q. Sir, the officers are carrying weapons. Are they AK-47s
10 that most of the officers seem to be holding?

13:15:36

11 A. Yes, that's correct.

12 Q. Where did the weapons come from?

13 A. I don't know where the weapons came from.

14 Q. I mean are they assigned to each officer, do they come from
15 a warehouse?

13:15:48

16 A. These weapons are assigned to the motorcade, so if you are
17 on the motorcade, you know, you take one of these arms. But
18 these are not arms that they will carry with them home. These
19 arms remain in the vehicle because, you know, the shifts - we
20 have different shifts and they are rotational. So if you are not
21 on shift you don't carry these weapons home. These weapons stay
22 in the car, the cars that form part of the convoy.

13:16:04

23 Q. Were they weapons kept in a warehouse or in the car?

24 A. Mr Counsel, I'm saying these are weapons that are kept in
25 the convoy vehicles.

13:16:20

26 Q. Were other weapons kept in the warehouses?

27 A. Mr Counsel, I don't know about that.

28 Q. Well, there was a warehouse at White Flower, correct?

29 A. I said that, yes.

1 Q. And there were AK-47s kept in there, correct?

2 A. I said that, yes.

3 Q. And there was also a warehouse for the SSS at the Executive
4 Mansion, correct?

13:16:41 5 A. That's correct. Yes, I said that.

6 Q. And weapons were kept there, correct?

7 A. AK-47s, yes.

8 Q. About how many weapons did you have in the forces under
9 your command at this time?

13:16:53 10 A. I don't know. We have a unit I will call the G4 that is
11 responsible to check the weapons when we come back and to check
12 them, you know, to make sure the weapons are accurate.

13 Q. Was it just your particular unit that was armed or were the
14 rest of the SSS also armed?

13:17:13 15 A. This is not a particular unit that belongs to me. This is
16 a part of the SSS. I said these are the - I mean the personnel
17 who were part of the motorcade that particular trip that
18 accompanied the President to Gbarnga.

19 Q. Thank you. Sir, if you could resume your seat. I would
13:17:31 20 ask that the witness be given a piece of paper now to draw a
21 diagram. Sir, I would like you to diagram the organisation of
22 the SSS for the rest of us who were not members during the time
23 of Charles Taylor's presidency, after his election in 1997, until
24 you left in 2000. And if it changed over time and you need me to
13:18:21 25 be more specific as to a date, I can be if that's necessary.

26 A. Just you said two different things. Can you be specific on
27 what you are saying?

28 Q. Can you draw the organisation of the SSS during Charles
29 Taylor's presidency, how it was before you left to go to Libya?

1 A. Yes, it's a lot of copying. That's it. Because of the
2 writing can I go over there to read what I wrote?

3 Q. Certainly, sir. Sir, we have at the top "director".

4 A. Yes.

13:26:23 5 Q. Can you write the name of the director during the time that
6 you were in the SSS during --

7 A. If you allow me to do that here by numbers because the
8 spaces are not - and I want to be able to write something clear.

9 Q. That's a good idea. So why don't you write number 1 next
13:26:44 10 to "director"?

11 A. Okay.

12 Q. Then put a 1 before or above "director" so we know which
13 one it refers to. Now, below that you have "deputy
14 administration", is that correct?

13:27:11 15 A. Yes, we have several deputies. We have deputies for
16 administration, deputy for operation, deputy for training, deputy
17 for technical service and intelligence.

18 Q. Can you write above each of those four going from left to
19 right the numbers 2, 3, 4 and 5. Can you repeat what that last
13:27:44 20 name 5 is deputy?

21 A. Deputy for technical services and intelligence.

22 Q. Going back to below where you wrote Benjamin Yeaten's name,
23 can you write for numbers 2, 3, 4 and 5 the names of the persons
24 that held that post during the time that you were in the SSS
13:28:03 25 during Taylor's presidency?

26 A. The time I left is the time I can tell you who were there,
27 because the SSS administration changed at some time.

28 Q. We'll say that this diagram is as of July 2000 when you
29 left, correct? Thank you. Let's go back to where we can read

1 the next - the higher levels of the document. Move the document
2 down a little bit.

13:29:52 3 A. Yes, under "deputy for administration" you have "assistant
4 director for administration"; under "deputy for operations" you
5 have "assistant director for operations"; under "deputy director
6 for training" you have "assistant director for training"; under
7 "deputy director for technical service and intelligence" you have
8 "assistant director for technical service and intelligence".

13:30:11 9 Q. Sir, can you write the numbers, going from left to right,
10 6, 7, 8 and 9. Do we have time for the witness to write those
11 names, your Honour?

12 PRESIDING JUDGE: Let me hear from Mr Anyah.

13 MR ANYAH: Yes, Madam President, I just have an inquiry.
14 Is account being taken of the possibility that any of these
13:30:34 15 positions had different people in them during the relevant period
16 of time? Is this a snapshot of July 2000 the SSS's
17 organisational structure, or is it a snapshot of the time period
18 when the witness started working in the SSS?

19 PRESIDING JUDGE: I was going to ask the same question
13:30:51 20 myself, considering that when you put the proposition July 2000,
21 the witness was busy; he didn't respond. But we'll pick this up
22 after the lunch break at 2.30.

23 [Lunch break taken at 1.30 p.m.]

24 [Upon resuming at 2.30 p.m.]

14:31:46 25 PRESIDING JUDGE: Good afternoon. Mr Koumjian, please.

26 MR KOUMJIAN: Your Honour, it's been brought to my
27 attention that I neglected to ask for some MFI numbers on some
28 documents we used this morning. The first one is the document
29 behind tab 1 regarding the BBC article on the 15 April 1986 air

1 strikes on Libya.

2 PRESIDING JUDGE: It's really not my place to tell you what
3 you put in evidence or not, but you really think that this is a
4 document you want tendered in evidence after you asked the
14:33:10 5 question and read it into the record?

6 MR KOUJIAN: Your Honour, I believe at least the first
7 page should go into evidence because the date of the bombing I
8 think is relevant to the testimony of several witnesses.

9 PRESIDING JUDGE: Okay. So this is the BBC News article of
14:33:30 10 15 April 1986 entitled "1986 US launches air strike on Libya."
11 That is marked MFI-434.

12 MR KOUJIAN: Thank you. The second document was the one
13 distributed this morning, the two pages from the websites about
14 Libyan production of rice and consumption.

14:34:03 15 MR ANYAH: Madam President, it's not typically the case we
16 rise and make an objection when the request is merely for an MFI.
17 We do that naturally when it's time that a request is made to
18 have it tendered. In this case I make an objection about this
19 document. Not a single question was asked of this witness about
14:34:27 20 this document except to ask him to say Do you see this? and he
21 said yes. Counsel read the various portions of this document
22 into the record. The version of the document now sought to be
23 identified contains highlighting done not by the witness, but by
24 learned counsel opposite out of court. I believe there was one
14:34:50 25 with a yellow highlighter that we looked at, and I'm assuming
26 that's the version that the Court Management section is in
27 possession of.

28 You and will notice, Madam President, usually in these web
29 page documents we even have some notation that bottom "www"

1 something. There is no such notation on this document. My basis
2 for objection really is that this is a document that its contents
3 in its entirety was essentially put on the record by learned
4 counsel opposite and not in any way adopted or pursued with the
14:35:28 5 witness to elicit his responses.

6 PRESIDING JUDGE: Thank you, Mr Anyah. Mr Koumjian, your
7 response and what you want to do with this document.

8 MR KOUMJIAN: Yes, I do want to tender the document. First
9 of all to correct counsel, the document --

14:35:46 10 JUDGE LUSSICK: You're only applying at this stage to have
11 it marked for identification, aren't you?

12 MR KOUMJIAN: Thank you, your Honour. Yes. The document
13 that the Court Management has is not highlighted. I realise
14 counsel would have thought that, but no, we took back - Court
14:36:03 15 Management took back the highlighted to us and they have a blank
16 copy.

17 Furthermore, the document is clearly relevant to the
18 testimony of this witness. This witness himself confirmed that
19 Libya does not produce rice. It's relevant to an issue of why
14:36:16 20 the trips of Charles Taylor and the witness took place to Libya.
21 It's available for further questions by the Defence, and the
22 document was put to the witness and the website - at least on the
23 copy I have - does appear on the bottom of each page, the web
24 address.

14:36:50 25 PRESIDING JUDGE: Mr Koumjian, you said they appear on the
26 bottom. Where somewhere?

27 MR KOUMJIAN: For some reason we must have different
28 copies. At the very bottom it says <http://www-index>
29 [mundi.com/Libya/agriculture](http://www-index.mundi.com/Libya/agriculture).

1 PRESIDING JUDGE: Certainly not on the copies that you gave
2 to the Bench. I don't see them. Apparently not on the Court
3 Manager's copy either. If you have a copy --

14:37:20 4 MR KOUMJIAN: I do have that and I can hand that over to
5 the Court Manager. We have further copies also.

6 PRESIDING JUDGE: I'm inclined to mark this document for
7 the reasons - that the comments given by Mr Anyah by way of
8 objection go to the weight of this document if and when
9 ultimately admitted in evidence, but I'm persuaded by the
14:37:40 10 comments of Mr Koumjian to mark for identification. So I will
11 mark the document in question, that is, the Index Mundi,
12 consisting of two pages. The document is "Libya, agriculture
13 production, consumption and imports", I will mark that MFI-435.

14 Yes, Mr Koumjian. Please continue.

14:38:46 15 MR KOUMJIAN: When the Court Officer is ready, if we could
16 have the document that the witness was working on at the break
17 regarding the SSS structure put back. And, Mr Witness, if you
18 could change seats again, I think that would be more convenient.
19 I apologise for making you get up:

14:39:21 20 Q. Before we begin - can you hear me now, sir?

21 A. Go ahead.

22 Q. Before we begin let me make it clear, sir, that I'm asking
23 you to draw the structure of the SSS as of the time that you left
24 in July 2000. However, if individuals changed in those positions
14:39:48 25 during the time you were in the SSS, it would be interesting for
26 you to tell us, and perhaps I'll come back to that later. But
27 right now we're drawing it as of July 2000. In fact, sir, can
28 you go to the top of the diagram. First of all, the director,
29 who does the director report to? Who did Benjamin Yeaten report

1 to?

2 A. Can you let me finish? You asked me to do something, then
3 you're asking questions. How do we finish?

4 Q. If you prefer to finish, sir, that's fine.

14:40:30 5 A. You asked me to do something, I'm not finished yet and
6 you're asking questions. So when do I finish with it?

7 Q. Let's finish. Okay. Let's go back. I think you were in
8 the midst of writing some of the positions at the assistant
9 director level. Is that right?

14:42:46 10 Could I ask the Court Officer to give the witness another
11 piece of paper so that he can continue the list.

12 PRESIDING JUDGE: Mr Koumjian, whilst the witness is
13 completing his testimony, you remember the issue before the
14 luncheon break of the time frame for this organogram, whether it
15 in fact related to a point in time, the point being I think July
16 of 2000, or whether it related to a time frame between point A
17 and B? Have we dealt with this yet?

18 MR KOUMJIAN: I tried to:

19 Q. Mr Witness, I want to make sure you understand again that
14:44:42 20 we're dealing in this diagram with SSS structure as of July 2000.
21 Can you write that on the top left of the diagram, "SSS structure
22 as of July 2000".

23 A. I think you might be wrong if I say "as of July" because
24 immediately after I left there were changes, so it would be
14:45:05 25 correct if I say "SSS structure when witness served as assistant
26 director for operations". I think that would be correct.

27 Q. Thank you. That's fine.

28 A. Okay.

29 Q. Can you write that on the top left.

1 A. To make some clarifications, these other positions are not
2 positions that I know everybody that was in like the motorcade,
3 the base shift, the trainers, the intelligence officers. I don't
4 know their names. So I basically list out the names from the
14:46:04 5 director to the chief of protective service.

6 Q. Sir, are there any other names that you do know? I
7 understand you don't necessarily know everyone. But, for
8 example, the intelligence officer, do you know who it was you
9 were serving?

14:46:19 10 A. It's not an officer. I said officers. We had several
11 intelligence officers. You don't have to know all of them. In
12 fact, at certain times you don't have to know who are
13 intelligence officer.

14 Q. Because they're undercover?

14:46:31 15 A. Well, whatever.

16 Q. Is that true or not?

17 A. Certain times you don't know intelligence officers.

18 Q. Okay. Thank you. Now, let's go back then and make sure we
19 understand your writing.

14:46:41 20 A. I can read --

21 Q. Yes. I think you've read first to the level of deputy, the
22 four deputy positions. Can you now start reading from the
23 assistant positions.

24 A. Assistant director for administration, we have James Lewis.
14:46:57 25 Assistant director of operations, we have Yanks Smythe.
26 Assistant director for training, we have Joseph Korpu. Assistant
27 director for technical services and intelligence, we have Robert
28 Beer. The comptroller, we have Yorna Korpu. Chief of protective
29 service, Ocebilo Dehme.

1 Q. Am I correct - can anyone correct me whether the witness
2 did read the deputy names?

3 PRESIDING JUDGE: I don't recall that he did.

4 THE WITNESS: Yeah, but you said I did it, so I should
5 start with the assistants. That's what you said.

6 MR KOUMJIAN:

7 Q. It's all my fault. You're right, sir. So let's start with
8 the deputies.

9 A. The deputies are: The deputy for administration, Urias
10 Taylor. Deputy for operation, Joseph Montgomery. Deputy for
11 training, Joseph Lackay. Deputy for technical services and
12 intelligence, Zachariah Ross.

13 Q. Can you spell, just for the record, the deputy for
14 training, Joseph, can you spell his last name, to the best of
14:48:12 15 your ability?

16 A. Joseph Lackay, L-A-C-K-A-Y. I think that's the correct
17 spelling.

18 Q. And Zachariah is?

19 A. Zachariah Ross. Z-A-C-H-A-R-I-A-H. Ross is R-O-S-S.

14:48:29 20 Q. And there's a Joseph Korpu and a Yorna Korpu?

21 A. Yorna Korpu, yes.

22 Q. And Korpu is for the both names K-O-R-P-U?

23 A. To the best of my knowledge, yes.

24 Q. How do you spell Yorna?

14:48:43 25 A. Yorna I spell it Y-O-R-N-A. Maybe - that's the spelling I
26 think I know.

27 Q. Let me just ask you some questions about the structure. So
28 is it correct that the assistant directors would report directly
29 to the deputy directors?

1 A. Yes, you can report to deputy directors. In times you can
2 report to the director himself.

3 Q. And the director himself reported to who?

4 A. The director reports to the commander-in-chief.

14:49:18 5 Q. To the President?

6 A. To the President, yes.

7 Q. I know there's little space. Can you draw a box for the
8 President above the director or commander-in-chief, whatever you
9 want to label it. Thank you. Now, under the assistant director

14:49:53 10 for administration, we have the administration office and the
11 comptroller. Are those two separate people?

12 A. Yes. The administrator's office is separate from the
13 comptroller's office.

14 Q. The name you gave for number 10 was the name of the

14:50:07 15 comptroller?

16 A. That's correct.

17 Q. Thank you. Now, under the assistant director for
18 operations, that was your position from some time before you left
19 for Libya, correct?

14:50:16 20 A. That's correct.

21 Q. Under you came the chief of protection services?

22 A. Protective services, yes.

23 Q. Protective services. And under the chief of protective
24 services was the motorcade?

14:50:29 25 A. You have the motorcade. In fact, I didn't add - you have
26 the advance team. Yes.

27 Q. Would it be correct then that the chief of protection
28 services was somewhat of a deputy to you? Was he your deputy?

29 A. Yes. After my position, his position come immediately

1 after me, yes.

2 Q. And there was no one else at the same level as the chief of
3 protection services; all others in your department reported
4 through him to you. Is that correct?

14:51:05 5 A. Yes.

6 Q. You had under the chief of protection services, the advance
7 team, the motorcade and various base shifts. Is that right?

8 A. That's correct. And all these various units have
9 commanders at various times.

14:51:19 10 Q. And the various base shifts, did they report to the
11 motorcade or to the chief of protection services?

12 A. Their commander would report to the chief of protective
13 service. The motorcade, the advance team and the various shifts,
14 they would report to the CPS.

14:51:35 15 Q. So perhaps you can draw the line because, do you see, it
16 may be misleading. It looks like the base shifts report to the
17 motorcade. The base shifts report to the chief of protection
18 services, correct?

19 A. Yes. Let me just do that straight here.

14:51:55 20 Q. Now, under the deputy for training is the assistant deputy
21 for training and then the chief training officer. Is that
22 correct?

23 A. That's correct.

24 Q. Who was the assistant director for training?

14:52:05 25 A. Yes, but it's in the records. I think I called the name.

26 Q. Yes. I just can't see it where the document is now.

27 A. It's Joseph Korpu.

28 Q. And who was the chief training officer?

29 A. At the time I can't really remember who it was, but I think

1 Adolphus Nyema, something - yeah, Adolphus Nyema.

2 Q. Was Joseph Korpu a Liberian?

3 A. Yes, Joseph Korpu is a Liberian.

14:52:38

4 Q. I'm sorry. I know we're going to later ask you when we
5 read the record, you said Adolphus and a last name. Could you
6 try to spell the last name?

7 A. Adolphus Nyema, N-Y-E-M-A.

8 Q. Was Joseph Korpu a former NPFL official - officer?

14:52:59

9 A. Joseph Korpu joined the NPFL. He was in the SSS before the
10 1989 war.

11 Q. Okay. And then the various trainers under the chief
12 training officer. Is that correct?

13 A. That's correct.

14 Q. What were the nationalities of the trainers of the SSS?

14:53:15

15 A. The trainers I know of the SSS are all Liberians.

16 Q. And then if we go up, now we see the deputy - was it
17 technical service and intelligence?

18 A. That's correct.

19 Q. What were the functions of this deputy, of his department?

14:53:38

20 A. The functions are taking care of technical matters like
21 when radios have problems and things and the intelligence.

22 Q. Under the deputy is the assistant director and then under
23 that under number 9 we see arms - what does that say, sir?

24 A. Registration.

14:54:01

25 Q. Arms registration?

26 A. Yes.

27 Q. Was that a department or a particular position?

28 A. It is under the directorate of technical service and
29 intelligence. Arms registration - when I say arms registration,

1 this means to private arms that individual citizens own. If you
2 want to own your private arm legally, you can go, apply for a
3 registration and, you know, you apply through this place and it's
4 registered and you are given a certificate for your arm.

14:54:28 5 Q. Okay. So at the time that you served in the SSS, by law,
6 all citizens who had a private weapon had to register it with the
7 SSS, correct?

8 A. If you have a private arm, you're supposed to register it
9 with the SSS, yes.

14:54:43 10 Q. And then under the assistant director would be various
11 intelligence officers, correct?

12 A. That's correct.

13 Q. Now, sir, which of these departments would have - or if
14 it's all of them say all of them. In which of these would the

14:54:58 15 SSS officers serving have been armed?

16 A. Pardon me?

17 Q. In which of the different sections were the officers armed,
18 or were all of the officers armed?

19 A. Not all - the administrators are not armed. The

14:55:14 20 comptroller, I don't know of comptroller being armed. Yes. So
21 those are the ones I know they are not armed. Most of them have
22 their side arm - when you say arm, it's not long range. The SSS
23 mostly dealing with, you know - I mean, how do they call it -
24 silent weapons, pistols and thing.

14:55:35 25 Q. Under your departments, all of the assistant director for
26 operations, those regular SSS officers in your department would
27 have been armed, correct?

28 A. Those that are on duty would be armed. You are not armed
29 at all times. When you are on duty, you are armed.

1 Q. About how many weapons were within your department when you
2 were the commander?

3 A. I can't recall. I can't recall that.

14:56:07

4 Q. About how many officers do you think were serving under you
5 in total?

6 A. I can't recall the amount. I can't recall the total.

7 Q. Would it be a few hundred?

8 A. I can't recall the total. I don't want to predict.

9 Q. Can you give us any estimate?

14:56:17

10 A. Please be fair to me. I can't remember. I don't want to
11 predict here, please.

12 Q. Certainly it was your - you were responsible for the
13 officers under you, correct?

14 A. Yes, I'm responsible for the officers under me, yes.

14:56:30

15 Q. But you don't know how many they were?

16 A. Yes, it's been quite a long time. I don't know. But the
17 records are there, they will show it.

18 Q. Sir, in training were weapons available to the training
19 department?

14:56:42

20 A. I don't know whether weapons had been made available to the
21 training department. It's not my field. I have little to do
22 with them. I don't know.

23 Q. Do you know anything about weapons in the intelligence and
24 technical services department?

14:56:54

25 A. I don't know.

26 Q. Sir, the ATU also fell under the director of the SSS,
27 correct?

28 A. I don't know what you're talking about. I know ATU to be
29 the Anti-Terrorist Unit.

1 Q. The ATU reported to the SSS director, correct?

2 A. Are you saying that or are you asking me? I don't know
3 about that. I don't know. I know they're a separate entity that
4 is commanded - it's headed by a commander. So whether they
14:57:22 5 report to the SSS, you know, I don't know. That was not my
6 function as an ATU member, so I don't know.

7 Q. Did you interact with the ATU?

8 A. I don't interact with the ATU.

9 Q. Sir, what is the function of the ATU?

14:57:35 10 A. I don't know the function of the ATU. I know they're a
11 security - I mean, a security branch, but whatever other
12 functions they perform besides providing security, I don't know.

13 Q. They provide security for who?

14 A. For the President and the country.

14:57:51 15 Q. So as assistant director for operations, that was also a
16 part of your responsibility, correct?

17 A. They don't fall under me so if they are not, I'm not
18 responsible for them. They don't fall under my department.

19 Q. Sir, what I'm asking is as the assistant director for
14:58:07 20 operations, you also were responsible for the security of
21 President Taylor?

22 A. Yes, I was responsible for the security of President
23 Taylor, yes.

24 Q. Did you coordinate with the ATU in order to do that?

14:58:18 25 A. The ATU had their commander. Their commander and myself
26 would coordinate, yes.

27 Q. Were the ATU well armed?

28 A. The ATU, I don't know whether you call well armed or
29 whatever. ATU was armed like the SSS.

1 Q. So they carried things like AK-47s?

2 A. That's correct.

3 Q. RPGs were available within the SSS warehouses, is that
4 correct?

14:58:40 5 A. RPGs, yes.

6 Q. How about the ATU, did they have RPGs?

7 A. I don't know what the ATU had in their arsenal, so I don't
8 want to pre-empt.

9 Q. Sir, the motorcade, when moving with the President, it was
14:58:58 10 typical, wasn't it, that there would be a vehicle with a large
11 calibre weapon mounted on it to in order to protect the
12 President, correct?

13 A. Yes, that's typical, yes.

14 Q. What kind of weapon was that normally?

14:59:09 15 A. That weapon is - I think it's GMG. I think, yes, it's GMG.

16 Q. Does that stand for general machine gun?

17 A. That's correct.

18 Q. But it was a large calibre, correct?

19 A. General machine gun. It's a general machine gun.

14:59:25 20 Q. Was it an anti-aircraft type of weapon?

21 A. I don't know what you're talking about, anti type of - I
22 know it's a GMG, a general machine gun.

23 Q. And it was actually somehow fixed to the back of like a
24 pick-up truck, correct?

14:59:38 25 A. It's in a pick-up truck.

26 Q. Is this structure - is this basically the structure
27 throughout the time, let's say, from when President Taylor took
28 office until the last days of your service with the SSS?

29 A. Counsel, I stated in writing above "SSS structure when

1 witness served as assistant director for operations". I think
2 that should satisfy you.

3 Q. Sir, before you became the assistant director for
4 operations you were in the SSS, correct?

15:00:27 5 A. That's correct, yes.

6 Q. Was the structure the same as what you have drawn?

7 A. I was not in the administration of SSS at the time, so I
8 don't know.

9 Q. Where exactly were you at the time before you were promoted
10 to assistant director for operations?

11 A. I would fall under operation.

12 Q. And at that time did the officers within the operations
13 have - also were armed with AK-47s?

14 A. At the time, the only time I would handle a weapon is when
15 I'm travelling with the President out of Monrovia going
16 upcountry. That's the only time I would have a long-range
17 weapon. Beside that I had a side arm, that is, a pistol.

18 MR KOU MJIAN: Could the witness be shown the testimony from
19 30 September 2009, page 29992.

15:01:43 20 PRESIDING JUDGE: Have we finished with this document and
21 would you like the witness to go back to his seat?

22 MR KOU MJIAN: Thank you:

23 Q. Sir, before you go back to your seat can you please sign
24 and date this document. You could sign it on the - well, better
15:01:59 25 to sign it on both pages.

26 A. I have only one page.

27 Q. Okay. Today's date is 1 March. There's a second page
28 where you wrote some names or it was not used? It was not used,
29 okay.

1 Your Honour, may that document be given an MFI number.

2 PRESIDING JUDGE: Certainly. This is the organogram of the
3 SSS organisation during the service of Yanks Smythe as assistant
4 director, operations as drawn by the witness. That's MFI-436.

15:03:04 5 MR KOUMJIAN: Now if we could have the transcript from 30
6 September 2009, page 29992. I'm going to begin reading from line
7 3:

8 Q. Mr Witness, this is the testimony of Charles Taylor, and
9 I'm starting with a question from his counsel. His counsel
10 asked:

11 "Q. Mr Taylor, so we've got yet another individual saying
12 you were the one sending arms to Sam Bockarie and the RUF.
13 Are they all wrong?

14 A. Every one of them. They probably saw arms coming from
15 Liberia and just: Oh, it's coming from Liberia, it's
16 coming from President Taylor. Because there is evidence
17 here, and I have no reason to dispute it, that arms are
18 coming from Liberia. But they are buying the arms
19 themselves and I don't know how they can figure it's coming
15:04:04 20 from me. I don't have any arms. So I don't know how they
21 managed to get these witnesses to all say the same thing.

22 Well, listen, guys, I didn't have any arms. How do I give
23 people arms I do not have? March 1998? Where would
24 Charles Taylor be getting arms from? Where, where, where?
15:04:21 25 And that's why these witnesses, they are so - they forgot
26 that Liberia was disarmed. That's why they have these
27 witnesses lying. Because no one in his rightful mind would
28 say that arms are coming from the Government of Liberia in
29 1998 or 1997 or 1999 if they knew that all of these arms

1 were being kept by the United Nations. All they knew in
2 their misfiguring here is that he's at - got the arms, he's
3 got the arms so he's sending them out. I have no arms, so
4 how do I send arms out? I have no arms. My securities are
15:05:26 5 not even armed."

6 Mr Witness, that statement was not true by Charles Taylor.

7 His securities did have arms, didn't they?

8 A. What time frame are you talking about here?

9 Q. 1999.

15:05:47 10 A. 1999?

11 Q. Well --

12 PRESIDING JUDGE: Counsel, I think you misread.

13 MR KOUMJIAN: 1997, 1999.

14 PRESIDING JUDGE: 1988.

15:06:03 15 MR KOUMJIAN:

16 Q. 1988.

17 A. Yeah, but what did I say here?

18 Q. Sir, my question is --

19 A. The President of the Republic of Liberia is entitled to
15:06:13 20 security. Probably he's saying he doesn't have arms to send out,
21 but every President is entitled to security and you are protected
22 by securities that are armed. So I don't know under what
23 circumstances he said this, so you can clarify that from him.

24 Q. Mr Witness, were Charles Taylor's securities, of which you
15:06:30 25 were one of them, armed?

26 A. When I served as assistant director for operation, yes,
27 Charles Taylor's securities were armed.

28 Q. And you told us you began that position in 1998 through
29 July 2000, correct?

1 A. That's correct.

2 Q. In the photograph that we looked at of you reviewing troops
3 - SSS officers on a trip to Gbarnga they were armed with AK-47s,
4 correct?

15:06:55 5 A. That's correct, yes.

6 Q. And when Charles Taylor travelled, he travelled with a
7 heavy weapon, a GMG, in the back of a vehicle, correct?

8 A. That's correct.

9 MR KOUMJIAN: Could I have the transcript for 24 February,
15:07:16 10 page 35921, please.

11 Q. Beginning at line 27 you were asked:

12 "Q. Was there in existence when you assistant director of
13 the SSS something called the ATU?

14 A. Yes, there was - that was the ATU, yes.

15:08:19 15 Q. Who was the head of the ATU during that period of time?

16 A. The ATU, are you talking about from its formation or as
17 it was, because it has two commanders.

18 Q. Well, let's focus on the period when you were assistant
19 director for operations of the SSS?

15:08:37 20 A. When I was assistant director of SSS, Momo Dgi ba was
21 commander of the ATU.

22 Q. Was the ATU part of the organisational structure of the
23 SSS?

24 A. The ATU was an auxiliary branch of the SSS."

15:09:04 25 So, Mr Witness, why did you just tell us you don't know
26 anything about the ATU?

27 A. The ATU's operations didn't fall under me, so I don't know
28 about their operations. That's what I mean.

29 Q. They fell under Benjamin Yeaten as the director of the SSS,

1 correct?

2 A. I don't know whether they fall under Benjamin Yeaten.

3 Q. You told us they were an auxiliary part of the SSS?

4 A. Because they work with the SSS, yes, in providing security
15:09:29 5 for the President.

6 Q. Someone who works with somebody is not necessarily an
7 auxiliary part, correct?

8 A. Maybe I said - I shouldn't have used have the word
9 "auxiliary".

15:09:40 10 Q. The ATU reported to Yeaten, correct?

11 A. I don't know of the ATU reporting to Yeaten.

12 Q. Who was the most powerful person in all security and armed
13 forces in Liberia when you were there?

14 A. What do you mean by "most powerful"?

15:09:55 15 Q. The person with the most command over troops?

16 A. Every commander has the power over their troops.

17 Q. Who did the commanders report to?

18 A. Every commander of the armed forces, the SSS, they all
19 report to the President of Liberia.

15:10:12 20 Q. Is also correct that all of the armed forces reported to
21 Benjamin Yeaten?

22 A. No, I don't know of armed forces reporting to Benjamin
23 Yeaten. There was a Defence Minister, and I know the armed
24 forces is controlled by the Defence Minister. He is the minister
15:10:26 25 of that - I mean, national defence.

26 Q. The Defence Minister was Daniel Chea, correct?

27 A. That's correct.

28 Q. And Daniel Chea was never as close to Charles Taylor as
29 Benjamin Yeaten, was he?

1 A. Because he was not security to Charles Taylor. He was a
2 minister. He was close to President Taylor as a minister, not as
3 a security.

15:10:53 4 PRESIDING JUDGE: Mr Koumjian, by "close" you mean what
5 exactly, as friends or in terms of proximity, present physical
6 closeness?

7 MR KOUMJIAN: Yes, I'll clarify:

8 Q. Sir, Benjamin Yeaten had more access, I mean direct
9 physical access to Charles Taylor than Daniel Chea, correct?

15:11:15 10 A. Yes, correct. As security to the President, yes, he do.

11 Q. Charles Taylor clearly had more trust in Benjamin Yeaten
12 than Daniel Chea, correct?

13 A. I would disagree with that. I don't know.

14 Q. Why do you disagree?

15:11:25 15 A. I would disagree with that because if he doesn't trust
16 Daniel Chea, he would not make him a minister of national
17 defence. So you can't tell me that he trusts Benjamin more than
18 Daniel Chea. I would not agree with that.

19 Q. And commanders were more worried about what Benjamin Yeaten
15:11:40 20 thought than what Daniel Chea thought. Isn't that correct?

21 A. That's not correct.

22 Q. Daniel Chea, however, was a much more articulate person
23 and educated person, would you agree with that?

24 A. Daniel Chea was a very educated and articulate, yes, I know
15:11:53 25 that.

26 Q. Daniel Chea was a much better person to speak publicly on
27 behalf of the Government of Liberia than Benjamin Yeaten,
28 correct?

29 A. Daniel Chea speaks for his Defence Ministry and Benjamin

1 Yeaten will speak for the SSS, that I know of.

2 Q. Sir, I want to go back in time now and take you back to
3 when you first arrived in Liberia. At that time most of the
4 Gambians who arrived, in what part of the NPFL structure were
15:12:25 5 they placed?

6 A. At the time, I don't know. I told you, we were brought in
7 to provide security for Mr Taylor and we were there providing
8 security for Mr Taylor, except for me, who was assigned with the
9 radio and I was with the radio and at that same time providing
15:12:41 10 him security.

11 Q. So the Gambians were bodyguards?

12 A. Yes, yes.

13 Q. How many men do you think there were - or let's say forces.
14 I'm not just talking about men. I'm talking about women and I'm
15:12:54 15 talking about all ages. How many troops were there in the NPFL
16 let's say at the end of 1990?

17 A. I don't know. I don't know. NPFL have a lot of troops. I
18 don't know.

19 Q. There were thousands, correct?

15:13:08 20 A. Well, you can put it to that.

21 Q. Clearly there were thousands, wouldn't you agree?

22 A. That's what I'm saying. I'm not disputing you, counsel.

23 Q. And how many bodyguards had the access that you had to
24 Charles Taylor?

15:13:19 25 A. Well, I can't tell you how many bodyguards has access to
26 Charles Taylor as I have. You know, bodyguards have access to
27 Charles Taylor.

28 Q. Would you say it was a matter of a couple dozen people that
29 were in that inner circle of security?

1 A. That's correct.

2 Q. How many of them were Gambians?

3 A. All the Gambians that were there were serving as security
4 to Mr Taylor.

15:13:40 5 Q. Sir, why did Charles Taylor prefer Gambians to his own
6 people, Liberians, to act as his bodyguards?

7 A. Well, whoever told you Charles Taylor preferred Gambians to
8 his Liberians to serve as bodyguards? Liberians were bodyguards
9 as well. They worked in collaboration with the Gambians. So I
10 don't know who told you that.

15:13:58

11 Q. Well, why were the Gambians placed as bodyguards and not in
12 other positions?

13 A. I don't know. We were brought out - the purpose that we
14 were brought in was to provide security for him and this is what
15 we continued to do. [Indiscernible] you know, he can trust you
16 to do other duties.

15:14:10

17 Q. Do you believe that Charles Taylor trusted the Gambians
18 more than most Liberian officers he had?

19 A. I would not agree with that, because if you don't trust -
20 if he doesn't trust the Liberians they would not be around him
21 like us, the Gambians.

15:14:24

22 Q. Did he treat you better than the other - than the Liberian
23 soldiers?

24 A. He doesn't treat us any better. When all - when there is
25 salary, you know, based on your rank, you will receive that
26 salary. So there is no preference to say because these are
27 Gambians, so they should get this, and these are Liberians should
28 get no - we were all treated equally.

15:14:36

29 Q. Most of the forces at that time in 1990 in the NPFL were

1 Gio and Mano from Nimba County, correct?

2 A. They were almost every tribe. NPFL - was every tribe
3 within the ranks of the NPFL, so I can't say Gios and Manos only.

4 Q. Are you finished?

15:15:07 5 A. I said there were other tribes, not only Gios and Manos.
6 It have a lot of other tribes in the NPFL.

7 Q. Sir, I'm absolutely sure that that is correct. My question
8 is: Most of the troops in the NPFL in 1990 were Gio and Mano
9 from Nimba County, correct?

15:15:24 10 A. As we move on, other counties where other tribal are they
11 joined the NPFL. So when we were in Nimba County, yes, you can
12 say more - most of them were Nimba citizens. When we went to
13 Grand Bassa, the people that joined were not Nimba citizens.
14 They were Bassa citizens. They were people from Bassa and all

15:15:43 15 other tribes. You have every tribe within the ranks and file of
16 the NPFL.

17 Q. Charles Taylor was always afraid that the Gios and Manos
18 would prefer to replace him with one of their own, wouldn't you
19 agree?

15:15:54 20 A. Is that what he told you? I don't know about that.

21 Q. You don't know?

22 A. No.

23 Q. What was Camp Naama?

24 A. When you say what was Camp Naama, what do you mean?

15:16:07 25 Q. What was it? What function did it serve?

26 A. Camp Naama was before the war, you know, a military base.

27 Q. And how about during the war?

28 A. During the war, NPFL used it as a training base and, you
29 know, encampment. Even during disarmament, it was used as one of

1 the cantonment sites for the disarmament.

2 Q. In 1990 and 1991, was the training based, in your opinion,
3 placed in Naama in order to keep so many front line soldiers away
4 from Charles Taylor?

15:16:44 5 A. I don't understand what you mean. Rephrase that question.

6 Q. Thank you. In 1991 Charles Taylor went to Gbarnga,
7 correct?

8 A. That's correct.

9 Q. The Gios - excuse me. The front line troops, large numbers
10 of them were kept at Naama because it was some distance from
11 Gbarnga. Wouldn't you agree?

12 A. They were not kept there for any other thing, but armed men
13 coming from the front line are not allowed to come within the
14 vicinity, because Gbarnga at the time I was - I'm talking about

15:17:18 15 became a seat of a government. So we can't have armed men
16 roaming all around, you know - how do you call it - among the
17 population. So if armed men come from the front, they will be at
18 Camp Naama. If you want to leave from Camp Naama to come, you
19 will leave, be over there, disarm yourself over there and you can
15:17:35 20 come as a civilian in town.

21 Q. Now, sir, you talked quite a bit about Suwandi Camara. Did
22 Suwandi Camara come to Liberia with Dr Manneh?

23 A. I don't know who Suwandi Camara came to Liberia with. I
24 don't know.

15:17:52 25 Q. You don't know whether he did or did not come with
26 Dr Manneh?

27 A. I don't know whether he came with Dr Manneh.

28 Q. Do you recall Suwandi Camara being sent back to The Gambia
29 by Dr Manneh to recruit more people?

1 A. I can't remember that.

2 Q. Would you remember if it had happened?

3 A. I can't remember it.

4 Q. When Suwandi Camara testified here in The Hague, you were
15:18:29 5 following his testimony. Is that correct?

6 A. I was not follow his testimony. Only that - the ones that
7 appear on the newspaper, if I read the newspaper any day. I
8 don't buy newspapers every day. So when I buy a newspaper today
9 and I see the testimony on the newspaper, I will read it.

10 Q. Did you talk to other people about Suwandi Camara when he
15:18:40 11 was testifying?

12 A. I've never talked to anybody about Suwandi Camara when he
13 was testifying.

14 Q. Sir, how about after he testified, did you ask people what
15:19:02 15 they knew about him?

16 A. I never asked anybody what they knew about him.

17 MR KOUMJIAN: Your Honour, I would like to try again with
18 this map - and if the witness cannot see, he cannot see - but the
19 map of Monrovia, if that could be put on the screen. Tab 4 of
15:19:24 20 the Prosecution bundle:

21 Q. Mr Witness - if the Court Officer could focus on the insert
22 for central Monrovia at the bottom left. Mr Witness, I think my
23 eyes are worse than yours, I'm older than you, but can you see --

24 PRESIDING JUDGE: Madam Court Officer, can you magnify this
15:20:39 25 diagram? Is it possible to magnify but to retain the focus?

26 MR KOUMJIAN: Perhaps another copy could be put before the
27 witness. I can give him my copy and I can look at the screen:

28 Q. Mr Witness, if my memory is correct, we were talking about
29 where the front line was in 1990 and you had mentioned the

- 1 University of Liberia. Looking at the insert for central
2 Monrovia, if you look at the right-hand side, you'll see what
3 looks like some squares or buildings in green. So on the screen
4 right now it would be on the very right of the screen about two
15:21:53 5 inches up from the bottom. Do you see where it says "University
6 of Liberia" and it says "zoo" and there's a further building a
7 little further up, further northwest, another green building that
8 says "University of Liberia"? Look where the Court Officer is
9 pointing on the screen.
- 15:22:18 10 A. Okay. Okay. Yes, okay. Yes.
- 11 Q. Now, is that the area where the NPFL front line was?
- 12 A. NPFL came as far as the University of Liberia in 1990, yes.
- 13 Q. Okay. Can you take a pen on the copy that's before you and
14 draw a line where the front line was.
- 15:22:49 15 A. Let's be specific here. NPFL came as far as the University
16 of Liberia, but this was not the position they maintained all the
17 time. So let's be very clear what you're trying to say here.
- 18 Q. Thank you for that clarification. So this is the farthest
19 that the NPFL came?
- 15:23:02 20 A. NPFL came as far as the University of Liberia, yes.
- 21 Q. Can you draw the front line where the NPFL penetrated the
22 furthest into Monrovia.
- 23 A. Should I circle the University of Liberia? Should I circle
24 it?
- 15:23:19 25 Q. Sure, if that's the front line. Draw approximately where
26 there front line was.
- 27 A. I said in 1990, the NPFL went as far as the University of
28 Liberia.
- 29 Q. Okay. Circle the University of Liberia then.

1 A. Okay.

2 PRESIDING JUDGE: Counsel, when you refer to "front line",
3 what do you mean?

4 MR KOUMJIAN: The farthest that NPFL troops advanced into
15:23:42 5 Monrovia in 1990 fighting:

6 Q. And there were troops very close to that that you were
7 firing against, correct?

8 A. Yes. President Doe was still at the mansion and he has the
9 AFL there with him.

15:23:59 10 Q. And, in fact, you can see the Executive Mansion, just so
11 everyone is oriented, if you just go west of the University of
12 Liberia, you see a building that is shaped sort of like a bird
13 with its wings outspread towards the beach, and maybe the Court
14 Officer could point to it, where it says "Executive Mansion",
15:24:21 15 just next to that is Kingdom of Spain embassy, but you'll see the
16 large black building, Executive Mansion. Correct?

17 A. Okay.

18 Q. From the front line, were you able to fire at the Executive
19 Mansion?

15:24:41 20 A. What are you talking about? I was not at the front line,
21 so how do I know? I was not there.

22 Q. That's fair. Sir, in 1992, in Operation Octopus, you had
23 told us in words, but can you repeat, what was the farthest the
24 NPFL penetrated into Monrovia?

15:25:00 25 A. I said NPFL penetrated as far as the Red Light in the
26 Paynesville suburbs. I said that.

27 Q. Are they shown on this map? Can you find it?

28 A. I can't find - look, I'm finding it very difficult. I'm
29 straining my eyes right now and it might give me some headache.

1 I can't really see it. I can't really read this thing and my
2 glasses are not magnified enough to see these writings here.

3 Q. First, next to where you circled the University of Liberia
4 can you write "NPFL-held ground 1990"?

15:25:41 5 A. That would not be correct.

6 Q. What would you say would best describe it?

7 A. I would say the furthest the NPFL advanced into Monrovia.
8 That's what I would say.

9 Q. Perfect. Please write that.

15:25:54 10 PRESIDING JUDGE: This would still be 1990, Mr Witness?

11 THE WITNESS: Yes, that's what I'm saying. He's asking
12 1990. I said during the 1990 war, NPFL advanced as far as the
13 University of Liberia.

14 MR KOUMJIAN:

15:26:49 15 Q. Before we leave the map - I know you can't see it, you said
16 your eyes are strained - but can you describe in words where the
17 Red Light district is?

18 A. I don't know. It should be - I don't know.

19 Q. Where is it in relation to Sinkor?

15:27:06 20 A. No, you get to Red Light before you get to Sinkor.

21 Q. Is it near the JFK Hospital?

22 A. No, it's very far from that.

23 Q. In which direction from the JFK Hospital?

24 A. JFK, you take the Tubman Boulevard, you pass by the ELWA
15:27:29 25 Junction, you pass by, you know, going towards like you're going
26 out of Monrovia.

27 Q. Like you're going towards Buchanan, or like you're going
28 where?

29 A. No, like you're going to Kakata.

1 Q. Towards Bushrod Island?

2 A. No. That's another - you can take another road from there
3 to Bushrod Island, but not going to Bushrod Island.

4 Q. Do you know where the YWCA is, Young Women's Christian
15:27:57 5 Association?

6 A. That's in Congo Town. That's far away from Red Light.

7 Q. Is Red Light closer to the Loma quarter?

8 A. What do you call Loma quarter?

9 Q. Okay, if you don't know that, how about the Monrovia
15:28:11 10 central prison?

11 A. You're talking about - you're going further up instead of
12 coming down. That's far.

13 Q. Okay, that's what I'm trying to figure. Thank you. If you
14 could sign the map that you marked and date it, please.

15:29:03 15 PRESIDING JUDGE: Could you please display that map. Thank
16 you.

17 MR KOUMJIAN:

18 Q. Mr Witness, am I reading correctly that you wrote "Circled
19 is the area NPFL has advanced in 1990"?

15:29:18 20 A. That's correct.

21 MR KOUMJIAN: May that, your Honour, be marked for
22 identification.

23 PRESIDING JUDGE: Right. The map of Monrovia City as
24 marked by the witness is MFI-437.

15:29:40 25 MR KOUMJIAN:

26 Q. Mr Witness, do you know if Foday Sankoh had military
27 training before Libya?

28 A. I don't know Foday Sankoh prior to seeing him in Libya. I
29 don't know.

1 Q. But from talking to him in Libya or from talking to others,
2 do you know if he had military training before Libya?

3 A. I don't talk to Foday Sankoh intensively in Libya, so I
4 don't know. I never asked him such a question.

15:30:03 5 Q. Was Foday Sankoh the kind of person that was known by all
6 the Gambians that were training with him?

7 A. I know I saw Foday Sankoh in Libya like any other person,
8 so I don't know. I'm not close to him. I was not close to him,
9 I mean, so I don't know.

15:30:21 10 Q. There are some types of people that keep to themselves and
11 others who are very extroverted and talk to everybody. How would
12 you describe Foday Sankoh in that regard?

13 A. I would see Foday Sankoh and speak to him, so I don't know
14 his situation with other people. I can't tell you that.

15:30:36 15 Q. Did you see him talking to other Gambians in the training
16 camp?

17 A. I don't see him talking to them. Maybe they talk, I don't
18 know, but I don't see them. I don't pay attention to him.

19 Q. Did you see him talking to Liberians in the training camp?

15:30:47 20 A. I said I don't pay attention to him to know who he talk to
21 and who he doesn't talk to.

22 Q. Mr Witness, do you recall the time that Nigerian and Sierra
23 Leone citizens were arrested or detained in Liberia under the
24 orders of Charles Taylor?

15:31:08 25 A. I can't recall that.

26 Q. Sir, in 1990 or 1991 were you aware of, let's say,
27 Nigerians being arrested or detained by NPFL forces in Liberia?

28 A. I'm not aware of it.

29 Q. Are you aware of civilian Sierra Leoneans being arrested or

1 detained by NPFL forces in Liberia?

2 A. I'm not aware of that.

3 Q. Sir, isn't it a fact - a well-known fact - isn't it a fact,
4 sir, that NPFL forces were given an order to arrest all the
15:31:47 5 Sierra Leonean men and boys that they saw in Liberia?

6 A. That's not correct.

7 Q. Did you have detention facilities when you were with the
8 NPFL in 1990?

9 A. I don't know of any detention facility.

15:32:07 10 Q. Was anyone kept in a jail, a prison or a room that was
11 guarded?

12 A. I don't know of any detention facility.

13 Q. As a Gambian not from Liberia, did you try to listen to the
14 news so you would know what was going on around Africa and in The
15:32:28 15 Gambia?

16 A. If I have the chance I would listen to news.

17 Q. What news programmes would you listen to?

18 A. If I have the time, I would listen to BBC.

19 Q. Do you remember the name of the programme that they would
15:32:40 20 have?

21 A. I listened to Focus on Africa. I listened to VOA, Daybreak
22 Africa.

23 Q. When you were with the NPFL, did the NPFL have checkpoints?

24 A. Obviously, yes, we had checkpoints. The NPFL had
15:33:00 25 checkpoints, yes.

26 Q. What does the term "gate" mean to you?

27 A. Gate is the same as checkpoint.

28 Q. Did you see human skulls or heads displayed at checkpoints
29 or gates?

1 A. That's ridiculous. I've never seen that before.

2 Q. You travelled with Charles Taylor, correct?

3 A. Yes, I do.

4 Q. You never saw a human skull or head displayed at a
15:33:23 5 checkpoint?

6 A. I never saw it.

7 Q. Did you see bones hanging from something put across the
8 road at checkpoints, human bones?

9 A. I never saw that.

15:33:32 10 Q. Did you see heads on car bumpers?

11 A. I never saw it.

12 Q. These gates or checkpoints, what were the ages of those who
13 were manning the gates or checkpoints?

14 A. The people that are manning the checkpoints are NPFL
15:33:50 15 soldiers above the age of 18 onwards.

16 Q. Did you ever see anyone under 18 at the checkpoint manning
17 it?

18 A. I never saw anybody under age manning a checkpoint.

19 Q. By the way, I read to you on Friday the testimony of

15:34:06 20 Varmuyan Sheriff when he said all factions in the Liberian civil
21 war used child soldiers, and you talked about the NPFL. You told
22 us, no one under 18. Did ULIMO use child soldiers?

23 A. I don't know about ULIMO. I don't know what they did and
24 what they didn't do. I can't talk about ULIMO. I don't know
15:34:24 25 them. I don't know what they did and what they didn't do.

26 Q. Did you see any child soldier associated with any faction
27 in Liberia?

28 A. I have never seen any child soldier associated with any
29 faction in Liberia.

1 Q. Sir, did you really live in Liberia during the war?

2 A. I lived in Liberia throughout, yes.

3 Q. Sir, do you recall preparing a list in court where you were
4 - okay, I'll come back to that in a moment. Do you recall

15:35:18 5 preparing a list, MFI-408? Could that be perhaps shown again to
6 the witness. Sir, do you recall that when you were asked to
7 prepare this list, Defence counsel asked you to prepare a list of
8 the Gambians who were with you at Camp Tajura?

9 A. Yes.

15:36:24 10 Q. Now, you wrote on number 12 and 13 the names of two people
11 who were Senegalese, is that correct; Ibrahim Bah and Abdoulie
12 Bah?

13 A. Yes.

14 Q. Sir, is the reason you wrote their names on this list
15:36:43 15 because they were associated with the Gambians?

16 A. Excuse me?

17 Q. Did you write the names of these Senegalese on this list
18 because these Senegalese were integrated with the Gambian group?

19 A. I was asked to list the names of those that were in
15:36:56 20 training with me in Camp Tajura. I listed their names, yes,
21 because they were associated with the Gambian group, yes.

22 PRESIDING JUDGE: Mr Koumjian, my note here in my book says
23 this is the list of 15 persons that trained with the witness at
24 Camp Tajura. It's not the list of 15 Gambians that trained with
15:37:18 25 him.

26 MR KOUMJIAN: Your Honour, if we could have the transcript
27 for 22 February, page 35573. I think there was a further
28 qualification. We see on this page the President asks, "The
29 names that the witness is writing, are these the name at Camp

1 Tajura?" Defence counsel: "Yes, that is correct, and I will ask
2 him about that."

3 "Q. Are you done, Mr Witness?

4 A. Yes.

15:38:13 5 Q. How many names have you written down?

6 A. Fifteen names.

7 Q. And these names are the names of which people?

8 A. These are the names of the Gambians that trained in
9 Tajura."

15:38:23 10 So, Mr Witness, obviously you included these two Senegalese
11 because they were integrated into the Gambian group. Is that
12 correct?

13 A. These two Senegalese were in within the Gambian group, yes.

14 Q. In Liberia did most Liberians believe that Ibrahim Bah was
15:38:42 15 Gambian?

16 A. I don't know what they believed. They might believe that
17 because he is associated with the Gambians.

18 Q. And in fact, what tribe was Ibrahim Bah?

19 A. Ibrahim Bah was a Fulani. Ibrahim is a Fulani, I mean.

15:38:58 20 Q. In fact, he lived just on the border. He came from just
21 the border between The Gambia and Senegal, correct?

22 A. I don't know where he came from.

23 Q. You also spoke about Varmuyan Sherif, and you talked about
24 him being arrested for some kind of misconduct and losing his
15:39:26 25 position. Is that correct?

26 A. That's correct.

27 Q. Did Varmuyan Sherif regain any position of importance in
28 the government of Charles Taylor?

29 A. Not that I know of.

1 Q. Do you know if Varmuyan Sherif - if Charles Taylor had
2 further contact with Varmuyan Sherif after he left Liberia?

3 A. I don't know of Charles Taylor having any further contact
4 with Varmuyan Sherif after he left.

15:39:55 5 Q. Who was Roland Duo?

6 A. Roland Duo was one of the NPFL commanders, and during the
7 administration he was, I think - what was his position? I will
8 think about it.

9 Q. Do you want me to come back to that?

15:40:17 10 A. Roland Duo was one of the commanders, yes.

11 MR KOUMJIAN: Could we have the transcript for 18 November
12 2009, page 32046:

13 Q. Do you believe Roland Duo was someone of importance during
14 Charles Taylor's government, sir?

15:41:12 15 A. Excuse me?

16 Q. Do you believe Roland Duo was someone of importance during
17 the presidency of Charles Taylor?

18 A. Roland Duo was one of our commanders, yes, I know.

19 Q. He was one of the top commanders, correct?

15:41:23 20 A. That's correct.

21 Q. Now, if we go down to line 22, this is from the testimony
22 of Charles Taylor in November of last year, 18 November. He was
23 asked by counsel for the Defence:

24 "Q. After you left the presidency in August of 2003, did
15:41:44 25 you continue to have contact with Roland Duo?

26 A. In 2003, yes, once I had contact with Roland, yes.

27 Q. Was that person contact or letter or phone?

28 A. Personal contact.

29 Q. And where was that?

1 A. That was in Calabar in Nigeria. Varmuyan Sherif and
2 Roland Duo made a brief visit to me in Calabar."

3 Sir, would this indicate to you, based on your knowledge of
4 Charles Taylor, that Varmuyan Sherif was now someone he trusted?

15:42:27 5 A. Counsel, I said I was not aware of any contact between
6 Charles Taylor and Varmuyan Sherif. I said that and I maintain
7 that. I'm not saying - I didn't say it didn't happen. I said I
8 was not aware of that. That was the answer I gave.

9 Q. Well, now that you've seen what I've read to you, which is
15:42:46 10 Charles Taylor has said that Varmuyan Sherif came with Roland Duo
11 to visit him in Calabar in Nigeria, would that indicate to you
12 that Varmuyan Sherif was someone that Charles Taylor trusted at
13 that time?

14 A. I don't know whether he trusted him. Somebody visiting you
15:43:02 15 and trusting somebody are two different things. I don't know.
16 He can tell you that. But I don't know whether he trusted him or
17 not.

18 Q. I want to come back to Varmuyan Sherif. What I'm looking
19 for right now I cannot find, so I'll come back to him later.
15:43:59 20 Sir, I want to ask you a little bit about Charles Timber. Does
21 that name mean something to you?

22 A. It means nothing to me. I've never heard of that name
23 before.

24 Q. Okay. May we please have the transcript from 26 September
15:44:16 25 2009, page 30240.

26 MR ANYAH: Madam President, I wonder if I learned counsel
27 opposite has the date wrong. I don't show a transcript for 26
28 September 2009.

29 PRESIDING JUDGE: Mr Koumjian?

1 MR KOUMJIAN: That's what I have and I'll recheck it, but
2 let's go on to 23 September. Was counsel checking 26 July 2009?
3 Did I give that? 26 September, yes. Let me move on to
4 23 September 2009. So if we could start perhaps with

15:45:52 5 23 September 2009, page 29462:

6 Q. You told us just now that the name means nothing to you,
7 correct, Mr Witness?

8 A. I have not heard of that name before. I maintain that,
9 yes.

15:46:41 10 MS IRURA: Your Honour, according to our records,
11 26 September is a Saturday.

12 MR KOUMJIAN: Thank you. Can we go to 23 September?

13 PRESIDING JUDGE: The page is on the overhead. That is
14 29462.

15:47:08 15 MR KOUMJIAN:

16 Q. Going to line 12 - this is from the testimony of
17 Charles Taylor - Charles Taylor was asked:

18 "Q. Does the name Charles Timber mean anything to you?

19 A. These are all junior commanders. These are not Special
15:47:24 20 Forces. I know of Charles Timber, yes.

21 Q. Do you recall a situation where Charles Timber was a
22 deputy to Sam Tuah?

23 A. Yes.

24 Q. When was that?

15:47:36 25 A. That was the time I would say about August/September of
26 1991. The unit that was sent - the special operations unit
27 that was sent to the borders with Liberia and Sierra Leone
28 to protect, that unit that ended up finally in that Top 20,
29 Top 40 fight, Sam Tuah commanded that unit, Charles Timber

1 was there. That's the unit."

2 Sir, does that refresh your recollection that Charles
3 Timber was an NPFL officer sent to Sierra Leone?

15:48:13

4 A. I said I don't know him. He could be an NPFL officer. I
5 don't have to know every NPFL officer. I said I didn't know him,
6 so I didn't know him.

7 Q. Now, one NPFL officer whose name you do recall or nickname
8 was One Man One. Is that correct?

9 A. Yes, I remember One Man One, yes.

15:48:31

10 Q. And do you recall whether that was - what his real name
11 was?

12 A. I don't know his real name. I only know One Man One.

13 Q. Can we have, please, the transcript for 28 October 2009,
14 page 20547. Excuse me. Yes, that's correct. If we go to

15:49:16

15 line 24.

16 MR ANYAH: 20547 does not appear in that transcript, as far
17 as I have the confidential version for 28 October.

18 MR KOUMJIAN: I must be getting tired. The correct
19 citation, 22 July '09, 25060. 22 July '09, 25060. I apologise.

15:50:07

20 If we go to line 24:

21 Q. I'll just start reading from Mr Taylor's testimony at line
22 22:

23 "A. Francis Menwon was more associated with the division
24 controlled by Anthony Mekunagbe. He is in this Bong/Lofa
15:50:30 25 area.

26 Q. And One Man One, is that an alias familiar to you?

27 A. I'm not familiar with the alias One Man One, no."

28 But you do know a One Man One who was an NPFL commander,
29 correct, Mr Witness?

1 A. I didn't tell you I know him. I said I heard of that name.
2 This is what I said. I heard of the name One Man One. This is
3 what I said.

4 Q. Let's just look at the testimony of 28 October, page 30546.
15:51:23 5 28 October '09, 20547 - excuse me, I apologise. That's not the
6 correct citation - 30546. If we can go to the bottom of the
7 page. Is this 30546? If so, then I have the wrong number. Can
8 we go to the page before, please. It's my mistake. The very
9 last two lines. I don't have that, so there seems to be an
15:52:34 10 error. This is 545 on the screen now? Yes. I'll move on and
11 come back to this.

12 Let me ask you, Mr Witness, about Lome. You said you
13 travelled with President Taylor, is that correct, to Lome?

14 A. Yes, I do.

15:53:03 15 Q. And when you got there, Musuleng-Cooper was already present
16 in Lome. Is that correct?

17 A. Is that what I said in my testimony?

18 Q. Sir, is that correct?

19 A. Is that what I said?

20 Q. I am asking you a question.

21 A. Because I can't remember saying that he was already present
22 there.

23 Q. Did you see her there?

24 A. I see D Mus, yes.

15:53:32 25 Q. And you said that she was the head of the Charles G Taylor
26 Education Fund?

27 A. I said she was one time the head of the Charles Taylor
28 Humanitarian and Endowment Fund. That was a humanitarian
29 organisation found by Charles Taylor.

1 Q. Was that a fund with an account, do you know, at LBDI bank?

2 A. I don't know the accounts they operate. I don't know.

3 Q. What was her role in Lome, if you know?

15:54:02

4 A. In Lome, later on, President Taylor appointed her as - how
5 do you call it - mediator in the Sierra Leone crisis.

6 Q. What was her experience in Foreign Affairs, do you know?

7 A. D Musuleng-Cooper is a well educated - she was a well
8 educated lady, so I know she had a lot of experience. So I don't
9 know the level of her experience, but I know she earned a lot of
10 degrees that she's capable of - how do you call it - I mean,
11 undertaking that kind of duty.

15:54:20

12 Q. Sir, was Joe Tuah in Lome?

13 A. I can't remember Joe Tuah in Lome. I can't remember.

14 Q. Who is Joe Tuah?

15:54:37

15 A. Joe Tuah?

16 Q. Yes.

17 A. I know Joe Tuah as one of the Special Forces.

18 Q. Was he a front line commander?

15:54:47

19 A. I think in my - how do you call it - when I was mentioning
20 the - when I was drawing the NPFL structure, I named Joe Tuah as
21 the artillery battalion commander.

22 Q. Was he an expert in munitions?

23 A. I don't know what you call expert in ammunitions.

24 Q. Well, he would know the type of ammunition you needed for
25 different types of weapons?

15:55:03

26 A. I don't know that. You can ask him that. Maybe he is the
27 best person to tell you that.

28 MR KOUNJIAN: Your Honour, we have a photograph I would
29 like - I believe it's been distributed - shown to the witness.

1 PRESIDING JUDGE: Is it in the bundle that you distributed?

2 MR KOUMJIAN: I believe it was distributed separately this
3 morning. After lunch it was distributed.

4 PRESIDING JUDGE: Were the judges included?

15:56:00 5 MR KOUMJIAN:

6 Q. Mr Witness, do you see the photograph?

7 A. Yes.

8 Q. Does it look to you like the inside of an airplane?

9 A. I don't know where is this.

15:56:06 10 Q. Do you recognise any of the people in the photograph?

11 A. I don't know, because it's black and white. But I don't
12 know really.

13 PRESIDING JUDGE: Could the witness be shown a physical
14 photograph rather than him looking at the screen?

15:56:50 15 THE WITNESS: Yes, this picture, I think it looks like Joe
16 Tuah.

17 MR KOUMJIAN:

18 Q. Which of the individuals looks like Joe Tuah to you?

19 A. This one.

15:57:00 20 Q. Perhaps you can change the seat just to point to that
21 person.

22 PRESIDING JUDGE: Mr Smythe, we do sympathise with you
23 having to dance around between the two seats, but this is the way
24 things are.

15:57:21 25 THE WITNESS: I know, your Honour, thank you.

26 MR KOUMJIAN:

27 Q. Which person is Joe Tuah? Could you just point on the
28 paper?

29 A. This person.

1 Q. Thank you. Can you draw an arrow under his photograph and
2 write his name, please. Sir, would you sign and date this
3 photograph?

4 A. To sign to say I identified Joe Tuah, right?

15:58:06 5 Q. Correct. Sir, before we leave the photograph, there are
6 two faces visible to Joe Tuah's right to the centre of the
7 photograph. Do you recognise either of those two people?

8 A. No, I don't recognise them.

9 Q. Okay, thank you.

15:58:49 10 Your Honour, could this photograph be marked for
11 identification.

12 PRESIDING JUDGE: The photograph with the serial number
13 P0000666 is marked MFI-438.

14 MR KOUMJIAN:

15:59:30 15 Q. Sir, I'm finished with the photograph. I hate to make
16 Mr Smythe bounce around, but I guess it's better for the cameras
17 if he's in the other seat. I do want him to make one more
18 diagram, hopefully before the end of the day. Sir, one name that
19 you mentioned in your direct examination was Elmer Glee Johnson.
16:00:07 20 Can you tell the Court who he was?

21 A. Elmer Glee Johnson, the only thing I know about him, he was
22 based in the United States and when NPFL launched the revolution
23 he came to join the NPFL, and he served as military adviser to
24 Mr Taylor at the time. That's all I know about him.

16:00:28 25 Q. He had actually served in the United States Army and
26 participated in the invasion of Grenada. Had you heard that?

27 A. I'd never asked for his autobiography. I don't know about
28 it. It's possible, but I don't know about it.

29 Q. He was missing an eye, correct?

1 A. I don't know. He wears glasses, so I don't know whether
2 he's got two eyes or one. I don't know.

3 Q. Had you heard that he had been involved in an earlier
4 attempt, I believe along with Sam Dokie, to invade into Nimba
16:00:56 5 County, an unsuccessful attempt that was subsequently followed up
6 by the atrocities committed by Samuel Doe and Charles Julu in
7 Nimba County?

8 A. Yes, I think I heard something like that, yes.

9 Q. He was very popular among the NPFL, troops?

16:01:22 10 A. I don't know. When you say he was very popular, I don't
11 know. He was an advisor and he was a nice man that would talk to
12 the soldiers correctly and courage them. That I know of.

13 Q. And he was respected, correct?

14 A. Yes, he was a man of - yes, he was respected, yes.

16:01:29 15 Q. And he was brave. He was willing to participate in
16 fighting himself, correct?

17 A. I never saw him in the front line fighting, so I don't know
18 whether he was brave or not.

19 Q. Was he a Gio?

16:01:39 20 A. I don't know his tribe, actually.

21 Q. And Elmer Johnson is another person who fell into a
22 mysterious ambush, isn't that correct?

23 A. Elmer Johnson, you know, died in an ambush just outside of
24 Buchanan.

16:01:55 25 Q. And that occurred in what year, sir?

26 A. That should be in 1990, yes.

27 Q. And the area where he's supposedly ambushed was controlled
28 by the NPFL, wasn't it?

29 A. I don't know, because the time he died it was like - how

1 you call it? Buchanan was still not under total control. The
2 NPFL would be there and the AFL would hit back, we would, you
3 know, retreat and come back. So he didn't die inside Buchanan.
4 It was out of Buchanan, and at that time I could remember Samuel
16:02:26 5 Doe's soldiers had his ID card and said they [indiscernible] kill
6 him. I could remember hearing that.

7 PRESIDING JUDGE: You said that the - what soldiers? Doe's
8 soldiers did what?

9 THE WITNESS: AFL soldiers. The ambush that he died in was
16:02:45 10 an ambush that was - he was killed in the ambush by AFL soldiers
11 because that - after the AFL soldiers said they had his ID card.
12 So as far as I know, he was - he died in the AFL ambush.

13 MR KOUMJIAN:

14 Q. Sir, I want to go back to something that we were discussing
16:03:07 15 this morning and read to you from the transcript from 18
16 February. If we could have page 35386 put on the screen, please.
17 This is when Charles Taylor was being asked about the deaths -
18 the killing of John Yormie and Isaac Vaye. Starting at line 3:

19 "... Isaac Vaye was arrested in --

16:04:00 20 Q. Who by?

21 A. By the security forces involving Benjamin Yeaten in
22 2003 and was killed, I understand, by the orders of
23 Benjamin Yeaten."

24 This is the testimony of Charles Taylor. Question to

16:04:18 25 Mr Taylor:

26 "Q. Was he an opponent of yours?

27 A. No, no, no, no. Vaye had worked with me in Gbarnga all
28 the way to Monrovia.

29 Q. In what capacity?

1 A. As Deputy Minister For Public Works.

2 Q. For how long had he held that position?

3 A. Vaye was with me in Gbarnga from about 1991. He had
4 followed me from 1991 all the way down through my election.

16:04:52 5 Q. Line 12, John Yormie?

6 A. Deputy Minister of National Security. He was one of
7 those that was killed by Benjamin Yeaten.

8 Q. So you accept that those two men were killed by
9 Benjamin Yeaten?

16:05:13 10 A. Yes, I accept that from what I have understood - even
11 after I Liberia, I understand that Benjamin Yeaten admitted
12 to that."

13 Now, Mr Witness, is Charles Taylor the kind of
14 commander-in-chief who tolerates subordinates killing civilians?

16:05:39 15 A. I wouldn't say that, no.

16 Q. Would he tolerate his subordinate killing a deputy
17 minister?

18 A. No, he would not tolerate that.

19 Q. Without his orders?

16:05:48 20 A. I said he would not tolerate that.

21 Q. Does Charles Taylor tolerate subordinates not obeying his
22 orders?

23 A. No, he would not tolerate a subordinate not to obey his
24 orders.

16:06:03 25 Q. Would he keep in a position a subordinate who was not
26 obeying his orders?

27 A. Somebody that's disobedient to you, he would not keep that
28 person.

29 MR ANYAH: Madam President, with all due respect, yes,

1 there is discretion in how counsel may proceed, but the context
2 in which these questions are being asked is not complete. That's
3 why I object. If the issue is what this transcript purports to
4 indicate, and from it questions are asked of the witness, the
16:06:36 5 proper context in which the transcript - the testimony was given
6 should be made known to the witness as well.

7 In particular, the questions now being asked are in
8 relation to Charles Taylor's presidency. In the transcript
9 Mr Taylor answers clearly he was not aware that Benjamin was
16:06:58 10 implicated in this during his presidency. So to ask whether in
11 the witness's experience Charles Taylor would tolerate someone as
12 part of his government whom he knew to have killed somebody,
13 doesn't put the testimony of Mr Taylor in context. At the line
14 starting at line 23 there was a question:

16:07:19 15 "Q. Now, before you left Liberia were you aware that
16 Benjamin Yeaten was responsible for these killings?

17 A. No, he had denied it and he had said that the security
18 that took the people away killed them. But later on during
19 the reign of Moses within the two months an investigation
16:07:39 20 was launched and he finally admitted and fled the country."

21 The context is not that Taylor knew of this, that Yeaten
22 admitted it during Taylor's presidency. The context is that
23 after Taylor had left, it became known during the tenure of Moses
24 Blah, President Blah, and that's when Benjamin Yeaten left. So
16:08:01 25 I'm saying that the transcript as read to the witness does not
26 reflect accurately the testimony of Charles Taylor.

27 PRESIDING JUDGE: Mr Koumjian, I was following with
28 interest the questions, and I was wondering where they were
29 leading to, the questions that you're asking. They seemed quite

1 harmless at the time you've asked them, but I don't know how far
2 you're going to take them. But the comments by Mr Anyah really
3 boil down to this: That when you're putting the testimony of
4 another witness or the accused to this witness, you need to put
16:08:41 5 it as accurately as possible, context and all included. This is
6 the basic request, and I think it's appropriate that you do that.

7 MR KOUMJIAN: Thank you, your Honour. My understanding was
8 that counsel could address that in re-direct and that, I thought,
9 I was told when I made a similar objection during counsel's
16:09:09 10 direct examination, but let me make it clear. I'm trying to look
11 to clarify the point where it is going. I did read word for word
12 from the transcript. There was nothing that was inaccurate.

13 Let's have the transcript for 27 January 2010, please, page
14 34205:

16:10:41 15 Q. Sir, this is from the testimony of Charles Taylor. He was
16 asked by me on line 3:

17 "Q. So, sir, would you regret today any of the
18 appointments that you made within your power as President?

19 A. No.

16:11:02 20 Q. Benjamin Yeaten, for example. If let's say for some
21 reason you were back in government, would you consider him
22 as a person you could put back into your government? Is
23 that correct?

24 A. Well, I would answer your question this way, because
16:11:20 25 you are getting into hindsight and conjecture: An
26 individual is innocent until proven guilty. Unless there
27 were factual evidence and Benjamin Yeaten had been charged
28 and convicted with a crime, I would appoint him again
29 today. I was not into the business of passing judgment on

1 people based on innuendo without proof. If there is
2 evidence proven against not just Benjamin Yeaten but
3 any other official, that was proven and not just talked about
4 as people in West Africa just blab about people, factual
16:12:01 5 evidence, it would be incumbent upon me as President not to
6 nominate him, okay, as SSS director because that process -
7 the office of the SSS is with advice and consent. He is
8 nominated and he is approved by the Senate of the Republic
9 of Liberia. I would do it again unless there was credible
16:12:26 10 evidence that he was involved in improprieties.

11 Q. Sir, it was within your discretion to dismiss Benjamin
12 Yeaten, for example, up until the day you left Liberia in
13 August 2003, correct?

14 A. Oh, yes, it was within my discretion, yes.

16:12:43 15 Q. And looking back, even in hindsight, you believe you
16 made the correct decision in keeping him in charge in the
17 position that he had, correct?

18 A. Well, I've responded to you. Until now and up until
19 that time, there was nothing before me or that had been
16:13:05 20 brought in any way that would have led to me not
21 reappointing him."

22 So, Mr Smythe, do you understand that even though
23 Charles Taylor knew that Benjamin Yeaten had, after Taylor left
24 office, confessed to killing Isaac Vaye and John Yormie, he would
16:13:29 25 still reappoint him as the director of the SSS?

26 A. You read that, he said --

27 PRESIDING JUDGE: Excuse me, all of you. I haven't even
28 heard a question. There is no question yet. I think Mr Koumjian
29 was continuing to - was about to ask a question.

1 MR KOUMJIAN: Thank you:

2 Q. Sir, in your experience, would Charles Taylor appoint
3 someone who had failed to follow his orders?

4 A. He would not appoint anyone that failed to follow his
5 orders.

16:14:03

6 Q. Thank you. Could I ask the witness briefly to be shown - I
7 haven't given notice of this and it's any problem, we could come
8 back tomorrow because I'm probably not going to finish today, I
9 won't, MFI-28. It's all the President's men. If that's
10 available easily. It's the presidential papers.

16:14:27

11 PRESIDING JUDGE: Yes, Mr Anyah.

12 MR ANYAH: Madam President, I should have given
13 your Honours notice of this after we resumed after the luncheon
14 adjournment, but perhaps this might be an appropriate time. With
15 leave of the Chamber, and I apologise for interrupting, there are
16 two matters I would like to briefly raise with the Chamber
17 outside the presence of the witness, bearing in mind the time
18 now, and it won't take but five minutes or less. Thank you.

16:14:57

19 PRESIDING JUDGE: Mr Koumjian, perhaps you could deal with
20 this exhibit and then we could consider these other matters.

16:15:16

21 MR KOUMJIAN: Okay:

22 Q. Could we turn, please, to page 181 and I would also ask
23 that --

24 PRESIDING JUDGE: Your microphone, please.

16:15:47

25 MR KOUMJIAN: Thank you, Madam President:

26 Q. If we could turn in the presidential papers to page 181,
27 and I would also ask, because I need to compare, that MFI-438,
28 the last photograph we just looked at, brought back. Page 181, I
29 want to get the title. The title that we see "The President's

1 men" and then there's a photograph. Sir, who is the centre of
2 the President's men in this photograph?

3 A. Are you asking me?

4 Q. Who is in the centre?

16:16:41 5 A. Of this photograph?

6 Q. Yes, sir.

7 A. I saw Yeaten in the centre.

8 Q. Thank you. You see Joe Tuah in this photograph?

9 A. Yes, I saw Joe Tuah.

16:16:52 10 Q. Can you please - which side of the photograph is he on?

11 A. He's on this side, the right-hand side.

12 Q. On the right, if you're look at the photo, in the blue
13 suit?

14 A. Yes.

16:17:05 15 Q. If now we can just go back for a moment so we can all
16 compare it to the MFI-438 I believe it was. That's the same
17 person, isn't it?

18 A. Yes, correct.

16:17:35 19 Q. Thank you. I'm in the Court's hands. I could go for a few
20 more minutes or I could stop now.

21 PRESIDING JUDGE: I think you could go on for two more
22 minutes.

23 MR KOUMJIAN:

16:17:46 24 Q. Sir, you talked about Charles Taylor. You said he was
25 never in a society that sanctioned cannibalism, correct?

26 A. That's correct.

27 Q. Sir, what societies - secret societies is Charles Taylor a
28 member of, as far as you know?

29 A. With all due respect, Liberian societies, if you are not a

1 member of that society, you don't talk about it. I'm not a
2 member of any of these societies, so I would not talk about any
3 of these societies.

4 PRESIDING JUDGE: Mr Witness, you were asked a question.

16:18:15 5 If you know the answer, you are requested to respond.

6 THE WITNESS: Okay, your Honour.

7 MR KOUMJIAN:

8 Q. Sir, do I understand you correctly that you're not a member
9 of any Liberian society?

16:18:30 10 A. Yes, I'm not a member of any society.

11 Q. You're not a member of a Poro society?

12 A. I'm not a member of the Poro society.

13 Q. And you've just told us that in these societies people
14 don't talk about them, correct?

16:18:42 15 A. Yes, definitely.

16 Q. So you don't know who is a member and who isn't a member of
17 a secret society in Liberia, correct?

18 A. Somebody would tell you, "I'm a member of the secret
19 society," but that doesn't mean that they would talk about what
16:18:54 20 happened in the secret society.

21 Q. So you don't know what happened in any secret society that
22 Charles Taylor belonged to, do you?

23 A. I don't know the inside, but there is nothing like
24 cannibalism in Liberia. There's nothing like cannibalism being
16:19:06 25 practised in Liberia. That I can tell you that.

26 Q. You've never heard of cannibalism in Liberia?

27 A. I never heard of cannibalism in Liberia.

28 Q. If someone in this Court came into this Court and testified
29 that a famous man was killed and his body eaten on the streets of

1 Monrovi a, would that person be l yi ng?

2 A. That would sound very ri di cul ous to me because he would be
3 real ly defi ni tely l yi ng.

4 Q. Di d you hear Char les Tay lor testi fy about how Thomas
16:19:29 5 Qui wonkpa was killed and his body was eaten in the streets of
6 Monrovi a?

7 A. Yes, but, you know, you have to look at the circumstances.

8 Q. So was that ri di cul ous for Char les Tay lor to say that?

9 A. I'm not saying that was ri di cul ous for him to say it. I'm
16:19:42 10 saying it would be ri di cul ous for people to kill somebody in the
11 street and eat their bodies, is what I said.

12 Q. Di d you hear that Thomas Qui wonkpa was killed, di smembered
13 and body parts eaten in the streets of Monrovi a?

14 A. At the time Thomas Qui wonkpa died, I was not in Liberia. I
16:19:58 15 don't know what happened to him.

16 Q. That wasn't the question. The question was: Di d you hear
17 that?

18 A. I don't hear it.

19 Q. Di d you hear what happened to Samuel Doe when he was
16:20:01 20 killed?

21 A. Samuel Doe, I don't know what happened to him, besides the
22 one I saw in the picture, his ear was cut, that's all.

23 Q. Di d you hear that someone ate his ear?

24 A. I don't know whether somebody ate it.

16:20:12 25 Q. Sir, are you seriously saying you've never heard of
26 cannibalism in Li beri a?

27 A. That's what I'm telling you. I never heard of cannibalism
28 in Li beri a. I never witnessed it. I never heard somebody
29 involved in cannibalism. That's what I'm trying to tell you.

1 Q. Sir, Benjamin Yeaten, he engaged in the practice of eating
2 human beings, didn't he?

3 A. Is that what he told you?

16:20:38

4 Q. Sir, witnesses have seen human fingers being cooked, hands
5 being cooked, behind the house of Benjamin Yeaten. You find that
6 funny?

7 A. I find it to be very, very funny, to be frank, yes, because
8 I don't know Benjamin Yeaten to be any cannibal that would cook
9 human beings behind his house and eat it.

16:20:52

10 Q. How about when Thomas Quiwonkpa was dismembered and eaten
11 on the streets of Monrovia, do you find that funny?

12 A. Yes, I find it to be funny, for somebody to eat human
13 being, yes, I find it to be very funny.

16:21:06

14 MR KOUMJIAN: Thank you. Your Honour, this might be an
15 appropriate time then.

16 PRESIDING JUDGE: Mr Witness, I'm going to ask you to leave
17 the Court, to be escorted, and I don't think it will be necessary
18 for you to return before we adjourn. But before you leave, I'll
19 just remind you that your testimony will continue tomorrow and
16:21:31 20 you are in the meantime not to discuss your testimony with
21 anybody.

22 THE WITNESS: Thank you, your Honour.

23 PRESIDING JUDGE: So you will be escorted out before we
24 deal with matters that don't concern you. Thank you.

16:21:42

25 [In the absence of the witness]

26 PRESIDING JUDGE: Yes, Mr Anyah.

27 MR ANYAH: Thank you, Madam President. I am grateful for
28 the Chamber's indulgence in this request and I extend thanks to
29 learned counsel opposite for the interruption to his examination.

1 The first issue is an administrative one in the sense that we
2 wanted some indication of when the Prosecution anticipates it
3 might conclude the cross-examination of the current witness,
4 bearing in mind that we have to give certain notification to the
16:22:27 5 WVS vis-a-vis our next witness and that witness being brought to
6 the courthouse, and also in particular that additional time might
7 be needed in the circumstances where the next following witness
8 might require certain protective measures. I'm speaking of the
9 setup of the courtroom and the like. So our first request,
16:22:53 10 really, is for some indication of when the Prosecution
11 anticipates it might finish the cross-examination of this
12 witness.

13 The second issue is simply a matter that we wish to place
14 on the record. It occurs to me that we have not provided
16:23:05 15 feedback to your Honours vis-a-vis an order you issued to the
16 Defence on Thursday last, 25 February, to disclose a particular
17 document to the Prosecution, the document being the witness
18 DCT-179 statement. I wanted to report to your Honours, on that
19 very day in the courtroom, within 30 minutes of Court being
16:23:32 20 adjourned, I handed over a copy of that statement to the lead
21 Prosecution principal trial attorney, now Prosecutor of the
22 Special Court, Ms Brenda Hollis. I did so in the presence of
23 Mr Mohamed Bangura and I did so in the presence I believe of
24 Mr Chapman from our team. So I wanted to place that on the
16:23:53 25 record so your Honours are aware that we did comply within 30
26 minutes of Court being adjourned in open court by providing a
27 copy of the witness's statement to the Prosecution. Those are
28 the two matters, Madam President.

29 PRESIDING JUDGE: Thank you, Mr Anyah. Mr Koumjian?

1 MR KOUMJIAN: Your Honour, first I would confirm that the
2 Prosecution did receive it. I think it was less than 30 minutes,
3 and we appreciate that.

4 First, let me say I definitely will finish this witness
16:24:19 5 tomorrow and a witness should be on standby. I should never say
6 definitely.

7 PRESIDING JUDGE: That would be tomorrow morning,
8 afternoon? Could you indicate?

9 MR KOUMJIAN: Well, not in the first hour, but it could be
16:24:31 10 anytime after that. It depends on when I go home and review what
11 notes are left and what new material occurs to me, reading the
12 transcript, that I need to bring.

13 PRESIDING JUDGE: Shall we say by the morning break you
14 hope you will have finished, or shall we give you until the lunch
16:24:49 15 break?

16 MR KOUMJIAN: I hope I'm not being given a deadline to
17 finish because I don't know until I review everything. I'm
18 saying it's possible I'll finish anytime after 10.30, but I
19 definitely will finish tomorrow.

16:25:03 20 PRESIDING JUDGE: Mr Anyah, does that help?

21 MR ANYAH: Yes, that's of much assistance and we are
22 grateful to the Court and counsel opposite.

23 MR KOUMJIAN: There's a couple of matters in regards to
24 what counsel said. First, I confirm we received a statement from
16:25:16 25 2009. The witness did testify that he talked to the Defence team
26 in 2007 and I just wish for counsel to confirm that there are no
27 other memorialisations of this witness discussing this case in
28 any way in the possession of the Defence including from the
29 previous Defence team or any - since the statement that we

1 obtained was written.

2 MR ANYAH: Madam President, I am in a position to shed
3 light on that but it implicates a legal issue, which is what was
4 the scope of your order? Does a witness statement as ordered by
16:25:55 5 you in the context of Defence disclosure obligation include
6 proofing notes? Does it include notes and other documents taken
7 elsewhere at other times? Because our disclosure obligations as
8 far as the jurisprudence is concerned is not exactly identical to
9 the Prosecution's and so the scope of your order on the 25th is
16:26:16 10 really what controls.

11 The statement we have given them incidentally is a 26 page
12 statement with over 260 something paragraphs, single spaced,
13 indicating interviews conducted with the witness over at least
14 four or five days by the Defence. So if they are saying that
16:26:41 15 your order includes every note of every conversation had with
16 this witness by the Defence team, I might be in a position to
17 shed some light about some but certainly not all.

18 PRESIDING JUDGE: Mr Anyah, and of course Mr Koumjian, as I
19 recall the request by the Prosecutor was for a single statement,
16:27:07 20 it was for a single statement of the witness, and our order was
21 limited to a single statement and that is what was disclosed.

22 MR KOUMJIAN: Well, actually at that time we would not have
23 known how many statements there were.

24 THE WITNESS: You could have said "statement or statements
16:27:25 25 including notes", et cetera.

26 MR KOUMJIAN: Very well.

27 PRESIDING JUDGE: That was not the context.

28 MR KOUMJIAN: We will be more clear in the future. Thank
29 you.

1 There is another matter if we have a moment if I can think
2 of what it was. Regarding the next witness and the protective
3 measures for that witness, I understand there's reasons for the
4 protective measures but there also was an ex parte application
16:27:45 5 that was ex parte on the basis that the Prosecution had no right
6 to know the identity of the witness. Since the name of the
7 witness has now been disclosed I would ask the Court to lift the
8 ex parte nature of that filing because there's no reason for it
9 to be ex parte at this point.

16:28:07 10 MR ANYAH: This cannot be a back door way to overturn a
11 previous order of this Court. It renders meaningless the order
12 your Honours entered previously at the particular time that
13 application was made, and there was a legal basis for your
14 Honours' order. It did not just implicate the witness's name.
16:28:26 15 It implicated the nature of the information that supported our
16 application for those measures. Your Honours have ruled, you've
17 given him protective measures and they now want you to go back
18 and lift or vitiate parts of your order.

19 I don't think that this kind of reasoning can follow
16:28:45 20 through. It would mean that in every case where we apply in the
21 future for a witness to receive special measures, as soon as we
22 disclose the witness's name to the Prosecution whatever ex parte
23 materials we filed with those documents the Prosecution would
24 then be entitled to. It sets a very dangerous precedent, Madam
16:29:04 25 President.

26 PRESIDING JUDGE: Mr Koumjian, ex parte in my understanding
27 means a matter that only is privy to - rather, a matter in
28 respect of which only one of the parties is privy to, of course
29 and the judges, and that includes the totality of that matter,

1 including the information in the filings et cetera. Now just
2 because the identity of a witness has now been disclosed does not
3 make the other party privy to that information necessarily.

4 Now if you have some argument that you think is important
16:29:46 5 enough to be put to the judges I would propose that you file a
6 motion, giving us time to adequately consider your arguments and
7 counsel opposite to respond.

8 What you're proposing I have never heard of really, frankly
9 speaking, whereby a Chamber properly considers a motion, an ex
16:30:12 10 parte motion, and at some stage we change our minds and declare
11 it inter partes with a view to what, I don't know. Certainly not
12 giving the other side an opportunity after the event to respond.
13 But if you feel importantly enough, do file a motion by all
14 means.

16:30:27 15 MR KOUMJIAN: Thank you.

16 PRESIDING JUDGE: That brings us to the end of today's
17 proceedings. We will adjourn to tomorrow at 9.30.

18 [Whereupon the hearing adjourned at 4.30 p.m.
19 to be reconvened on Tuesday, 2 March 2010 at
20 9.30 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

YANKS SMYTHE 36258

CROSS-EXAMINATION BY MR KOUMJIAN 36258