



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

FRIDAY, 4 JULY 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah

1 Friday, 4 July 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:25:42 5 PRESIDING JUDGE: Good morning. Ms Hollis, I note some
6 changes of appearance on your Bar.

7 MS HOLLIS: Yes, Madam President. Good morning, Madam
8 President, your Honours, opposing counsel. Appearing today for
9 the Prosecution is myself Brenda J Hollis, Maja Dimitrova and
09:31:22 10 Rachel Gore who is an intern in our office.

11 PRESIDING JUDGE: Thank you, Ms Hollis. Mr Griffiths?

12 MR GRIFFITHS: Good morning, Madam President, your Honours,
13 counsel opposite. Representation today is myself Courtenay
14 Griffiths and my learned friend Mr Morris Anyah. Madam
09:31:41 15 President, whilst I am on my feet can I mention one other matter?

16 PRESIDING JUDGE: Yes.

17 MR GRIFFITHS: There is an oral application which we would
18 like to make at some stage today and we are anxious that it not
19 disrupt the smooth flow of the proceedings, so we wondered
09:31:58 20 whether your Honours would indicate when would be an appropriate
21 time to raise that matter so as not to inconvenience the witness.
22 We have informed counsel opposite that such an application would
23 be made orally today.

24 PRESIDING JUDGE: This is in relation to a Rule 92 bis
09:32:14 25 application, is it, Mr Griffiths?

26 MR GRIFFITHS: Madam President, yes.

27 PRESIDING JUDGE: Ms Hollis, would you have any problem
28 dealing with that now?

29 MS HOLLIS: Not at all, Madam President.

1 PRESIDING JUDGE: Thank you. Perhaps we can deal with it
2 as a preliminary matter before I remind the witness of his oath.
3 Mr Griffith, please proceed.

09:32:34

4 MR GRIFFITHS: Mr Anyah will be making the application,
5 your Honour.

6 PRESIDING JUDGE: Thank you, Mr Anyah. Please proceed.

09:32:48

7 MR ANYAH: Good morning, your Honours. Good morning, Madam
8 President. May it please the Court, the Prosecution filed a
9 motion two days ago, 2 July, in respect of the prior testimony of
10 witness TF1-141. The CMS number for the motion is 550. The
11 motion itself is not necessarily long in length. I think it is
12 about nine pages long, but it comes with annexures which number
13 approximately, in our count, 580 something pages.

09:33:18

14 As your Honours are well aware, the provisions of Rule 92
15 bis (C) requires us to register, or submit any objections to the
16 notice rather, within five days of service and so we have, by
17 that computation, somewhere about Tuesday next week if we were to
18 accept that service was perfected yesterday, 3 July, when we
19 received a CD-ROM containing the motion from the CMS. Your
20 Honours, we are making this application by virtue of how short of
21 a time frame we have to respond to the motion. We would ideally
22 need at least two weeks from the date of service to complete our
23 response and to do an adequate job on behalf of our client.

09:33:51

24 I did send an e-mail late last evening to counsel opposite,
25 advising them that we would be making this application this
26 morning. In my e-mail to counsel opposite I specified the date
27 of 16 July as being the date when we would respectfully seek to
28 submit our response.

09:34:14

29 I have just spoken with our Case Manager before coming into

1 court and that is when I discovered that the service on us was
2 perfected by way of a CD-ROM and not by virtue of a hard copy of
3 the motion itself. I am reluctant to start a course of practice
4 whereby we accept service as being perfected when it is served on
09:34:55 5 us electronically and I believe your Honours have spoken on this
6 issue previously in respect of The Hague sub-office indicating
7 that service is only perfected when hard copies are received by
8 the parties.

9 So, in sum and substance, we come before you and
09:35:11 10 respectfully request two weeks from the date service of the hard
11 copies are made on us for the filing of our response to the
12 Prosecution's notice under Rule 92 bis in respect of TF1-141.
13 Thank you, Madam President.

14 PRESIDING JUDGE: Thank you, Mr Anyah. Ms Hollis, your
09:35:34 15 reply. I do not have my [microphone not activated]. Sorry, my
16 learned colleague Justice Lussick has assisted me with a copy.

17 MS HOLLIS: Thank you, Madam President. The Prosecution
18 would note that the Defence were provided unredacted copies of
19 all of the statements and prior testimony of this witness on 15
09:36:06 20 February of this year. The motion does not add anything to those
21 materials, but it does redact certain portions of those
22 materials. We did provide hard copy of all of the annexes to the
23 CMS when we filed the motion yesterday. The Prosecution takes no
24 position on the Defence application.

09:36:32 25 PRESIDING JUDGE: Thank you, Ms Hollis. Allow me to
26 confer, please.

27 [Trial Chamber conferred]

28 In the circumstances of the case we find the application a
29 reasonable one and will permit the extra time, as requested by

1 counsel for the Defence to consider their response to the 92 bis
2 application. We draw the parties' attention to the provisions of
3 Article 13(B) of the Practice Direction on dealing with documents
4 in The Hague sub-office and time will run from the service of the
09:37:32 5 hard copy in accordance with Article 13(B). When I say the extra
6 time as requested by counsel, that is two weeks from the date of
7 the service of the hard copy.

8 MR ANYAH: We are most grateful, Madam President, your
9 Honours.

09:38:00 10 PRESIDING JUDGE: Thank you, Mr Anyah. If there are no
11 other preliminary matters I will remind the witness of his oath
12 and we will proceed with his testimony. No.

13 Mr Witness, you recall that on Wednesday you took the oath
14 to tell the truth. That oath is still binding on you and you are
09:38:16 15 obliged to answer questions truthfully. You understand?

16 THE WITNESS: Yes, I have understood.

17 PRESIDING JUDGE: Please proceed.

18 WITNESS: TF1-567 [On former oath]

19 EXAMINATION-IN-CHIEF BY MS HOLLIS: [Continued]

09:38:31 20 Q. Good morning, Mr Witness.

21 A. Yes, morning.

22 Q. Mr Witness, are you hearing me in a language you
23 understand?

24 A. Yes, I am getting you clearly.

09:38:59 25 Q. Mr Witness, on Wednesday you testified that after your
26 forces took Makeni you were there with Issa Sesay as his security
27 and that whatever information was around you were to be informed
28 as well. For counsel's benefit I am referring to page 12919 of
29 the transcript. Do you remember that, Mr Witness?

1 A. I have not got that clearly yet. I want you to explain it
2 better so that I can understand.

3 Q. On Wednesday do you recall telling the Court that after
4 your forces took Makeni you were in Makeni with Issa Sesay as his
09:39:48 5 security and that whatever information was around you were to be
6 informed as well?

7 A. Yes, I said that.

8 Q. You also told the Court that while you were in Waterloo you
9 were with Issa. You said that you would see any report that came
09:40:12 10 from the other securities with whom you were working. You
11 testified that you saw a report which Christ A Mannah, the IO
12 commander, sent to Issa Sesay and you also name add Black Guard
13 adjutant Raymond Kartewu. You testified that you all worked
14 together. For counsel's benefit, this is the transcript at page
09:40:44 15 12922. Mr Witness, do you recall saying that?

16 A. Yes, I did say that.

17 MS HOLLIS: At this time I would ask that the Court Manager
18 provide the witness with a copy of a document ERN 00025494495.
19 This is not in the tabs, but it has been provided for
09:41:13 20 distribution.

21 MR GRIFFITHS: I'm not sure what this document is and I'm
22 not sure whether I have it.

23 PRESIDING JUDGE: I am having trouble locating it myself.
24 It has been pointed out to me. Is it permissible for me to read
09:41:48 25 out the title, Ms Hollis?

26 MS HOLLIS: I have no objection to that. I was going to do
27 that.

28 PRESIDING JUDGE: Well, if Ms Hollis is going to give us
29 the title and it has been distributed.

1 MS HOLLIS: And it has been previously provided to the
2 Defence and my Case Manager is looking for the date on which it
3 was provided to the Defence.

09:42:16 4 PRESIDING JUDGE: If it may assist you, Mr Griffiths, it is
5 the second page of another document headed "Revolutionary United
6 Front of Sierra Leone" with small print.

7 MS HOLLIS: This document was disclosed with disclosure in
8 2006. Does opposing counsel have the document before him?

09:42:55 9 MR GRIFFITHS: I haven't located it yet, your Honour, but I
10 recognise the document.

11 PRESIDING JUDGE: Very well. In the circumstances please
12 proceed, Ms Hollis.

13 MS HOLLIS: I apologise. We did provide that for
14 distribution.

09:43:10 15 MS IRURA: Your Honour, copies were handed out to the
16 parties and to the Legal Officer.

17 MR GRIFFITHS: Yes, I have found it.

18 PRESIDING JUDGE: It appears we are all ad idem on this,
19 Ms Hollis.

09:43:23 20 MS HOLLIS: Thank you. If the witness could be provided
21 with the document to review it for a moment, please:

22 Q. Mr Witness, if you would look at the second page of that
23 document and do you see a signature block for a Lieutenant
24 Raymond Kartewu. Can you tell us who that is?

09:44:23 25 A. Lieutenant Raymond Kartewu was a Black Guard who was in
26 that Waterloo area. He was working with Christ Mannah. He was
27 the adjutant.

28 Q. Do you recognise the signature above the name Raymond
29 Kartewu?

1 A. Yes, that is Raymond Kartewu's signature on this same
2 document. I saw it.

3 Q. Would you please look at Major Christ A Mannah, overall IO
4 commander. Can you tell us who that is?

09:45:03 5 A. Yes, Major Christ A Mannah was the overall IO commander at
6 the 2nd Battalion. That's his signature.

7 Q. Mr Witness, are you familiar with this document?

8 A. Yes, this document, at the time that we were in Waterloo
9 the missions that were going on there, the attacks, the materials
09:45:44 10 that were being captured, this is the report that Christ A Mannah
11 sat with the adjutant and put together and handed it over to Issa
12 Sesay. I saw it.

13 Q. Mr Witness, I would like to ask you some questions about
14 this report. If you look at the top of the report on the first
09:46:10 15 page, the very top, do you see that it is to the BFC, Brigadier
16 IH Sesay. Can you tell us what BFC stands for?

17 A. That's battlefield commander. That's the meaning of BFC,
18 battlefield commander. He was the commander for the soldiers at
19 the front lines.

09:46:47 20 Q. And then if you would look at the first paragraph of this
21 report below subject where it says:

22 "Upon hearing the confirm report that the Strike Force
23 commander Brigadier Goodial entered Freetown with his troops,
24 Colonel Boston Flomo (Alias Verndame) was instructed to meet with
09:47:16 25 him with his troops date 05 January 1999."

26 First of all, Mr Witness, can you tell us when they say
27 "Strike Force commander Brigadier Goodial" who are they referring
28 to?

29 A. That was the other SLAs who were under the AFRC. They were

1 the first to enter Freetown. Their commander was Gullit. That
2 was what they were talking about.

3 Q. So this name Goodial or Goodisl, do you know who that is?

4 A. It is Gullit. He was the commander who entered Freetown.

09:48:12 5 Q. Now in this paragraph they talk about Colonel Boston Flomo
6 alias Verndame. When you testified earlier you told us that
7 Boston Flomo was also known as Rambo. Can you tell us about this
8 name, Verndame?

9 A. Yes, they also used to call him Van Damme. The reason they
09:48:40 10 were calling him Van Damme was that he was strong - he was a
11 strong fighter, so that was the nickname that was given to him.

12 Q. The paragraph indicates that Colonel Boston Flomo was
13 instructed to meet with him, meaning the Strike Force commander,
14 with his troops on 5 January. Who instructed Boston Flomo to do
09:49:09 15 this?

16 A. It was Issa Sesay who instructed Boston Flomo to go and
17 join Gullit's group.

18 Q. If we look to the bottom of this report the last paragraph
19 above "Casualty on Jui Operation", the date is 9 January 1999, it
09:49:49 20 indicates: "We deployed at Hastings, we discovered enemies at
21 Jui and Kossoh Town ... we every day attack the guys." Now you
22 have talked about attacks on Jui. Can you tell us where is
23 Kossoh Town?

24 A. Kossoh Town is after Hastings and when you get to Jui
09:50:20 25 Kossoh Town is on the left-hand side.

26 Q. Now, where were you when this attempted attack on Kossoh
27 Town occurred?

28 A. All of us went with the mission, but the mission was not
29 accomplished.

1 PRESIDING JUDGE: Mr Witness, that does not answer the
2 question. The question is where were you at the time of the
3 attempted attack on Kossoh Town?

4 THE WITNESS: We were at Hastings.

09:51:17 5 MS HOLLIS:

6 Q. Did you yourself take part in this attack?

7 A. Yes.

8 Q. Now, if we could look at page 2, please, and at the top of
9 page 2 the date is 15 January 1999: "It was agreed that the men

09:51:41 10 in Freetown and the men at our point were to do joint operation
11 on Jui and Kossoh Town." Do you recall that joint operation?

12 A. Yes.

13 Q. "The Freetown men scheduled to attack Jui and we to attack
14 Kossoh Town. That night we attacked Kossoh Town, clear the

09:52:06 15 enemies but the Freetown men never turn up. Therefore the
16 enemies, with the support of the Alpha Jet, drove us from Kossoh
17 Town."

18 Now, were you able to join up with the Freetown men in this
19 joint operation?

09:52:28 20 A. No, the enemy, we were not --

21 THE INTERPRETER: Your Honours, can he repeat this answer.

22 PRESIDING JUDGE: Mr Witness, the interpreter is trying to
23 keep up with you. He hasn't heard you clearly so we would like
24 you to speak a bit louder and repeat your answer from the point
09:52:45 25 you say, "The enemy, we were not". Continue from there, please.

26 THE WITNESS: We were unable to link up with the group in
27 Freetown.

28 MS HOLLIS:

29 Q. Mr Witness, on page 2 under "Problems" the authors of the

1 report list as a problem "The strategic positions of the enemies
2 mainly Port Loko, Lungi, Jui, Kabala area delaying our progress".
3 Can you explain to us how the enemies at Port Loko, Lungi, Jui
4 and Kabala areas delayed your progress?

09:53:44 5 A. Yes, because all those areas that have been mentioned,
6 enemy forces were there, so that caused the manpower that were
7 there, the RUF and the AFRC manpower were deployed there, so we
8 didn't have enough manpower to carry out this attack. So that
9 was what they were trying to talk about.

09:54:20 10 Q. Also on page 2 under "Suggestion" the authors write,
11 "That we speedily recruit able and gallant men as population
12 matters." Can you tell us what they are saying there?

13 A. They were trying to talk about those civilians whom we had
14 met, whom we had captured, that they were to be sent for
09:54:57 15 training, to be trained in guns so that they can join us to
16 increase our number to fight. That was what they meant.

17 Q. When they talk about "gallant men", what do they mean by
18 "gallant"?

19 A. That refers to those who will be able to undergo the
09:55:29 20 training that was being talked about.

21 Q. So when you say they will be able to undergo the training,
22 what do you mean?

23 A. The training that was being talked about, to train them how
24 to fight using guns, that was what they were trying to talk
09:55:54 25 about.

26 Q. Another suggestion in that subsection is, "That Tombo Road
27 should be engaged while fighting force-enemies are at Tombo."
28 Now, what are they talking about there?

29 A. The other ECOMOG forces were at Tombo. We attempted again

1 to attack Tombo, but we did not succeed at all.

2 MS HOLLIS: Your Honours, I would ask that this document be
3 marked for identification.

4 PRESIDING JUDGE: Thank you, Ms Hollis. This is a two page
09:56:41 5 document headed - I think the word is "Restricted", but it is
6 obscure, "Revolutionary United Front of Sierra Leone - RUF/SL
7 2nd INF Brigade Headquarters." It is marked for identification
8 MFI-3. Is that correct, Madam Court Attendant?

9 MS IRURA: That is correct, your Honour.

09:57:11 10 PRESIDING JUDGE: MFI-3.

11 MS HOLLIS:

12 Q. Mr Witness, on Wednesday you also testified about mining,
13 diamond mining, during certain periods and you testified that
14 wherever mining was going on, if there were Black Guards there
09:57:22 15 then the Black Guards kept records of diamond mining. You
16 testified that one of the Black Guards who took records of
17 diamond mining was Joseph Bakundu who was an RUF junior commando
18 and for counsel's benefit this is from the transcript page 12887,
19 12888, 12928 and 12929. Mr Witness, do you remember telling us
09:57:52 20 that?

21 A. Yes, I can recall that.

22 Q. Did you ever see any of these records of diamond mining
23 that were kept by Black Guards?

24 A. Yes, I did see that.

09:58:14 25 Q. Do you recall which records you saw?

26 A. Yes, I saw a record from the Black Guard who was Joseph
27 Bakundu. He used to take these records.

28 MS HOLLIS: If the witness could please be shown a document
29 ERN00008234 and that document pages continue to 8250. If the

1 witness could look at the first page of that document. That
2 document is found at tab 9, your Honours.

3 PRESIDING JUDGE: Thank you, Ms Hollis.

4 MS HOLLIS:

09:59:35 5 Q. Now, this is not a very good copy, but Mr Witness can you
6 make out the name on the front of that document?

7 A. Yes.

8 Q. And do you see under "Class" the words "Black Guard"?

9 A. Yes, I have seen it.

09:59:56 10 Q. And do you see "Subject: Record book"?

11 A. Yes, I have seen it.

12 Q. Now if you could take a moment and look at the rest of that
13 document, please. If the witness could be provided with the rest
14 of the document. Mr Witness, have you seen this document before?

10:00:54 15 A. Yes, I had seen it.

16 Q. And how did it happen that you saw this document?

17 A. At that time I was in Kono because I was a Black Guard and
18 it was my colleague Black Guard with whom I was working hand in
19 hand and so whatever report he made, I will see. So after he had
20 got this report, I saw it from him.

10:01:27 21 Q. Now if we could look at some of the pages of this report
22 and if we could start with the first page of the report which
23 ends in 8235. Now, at the top of the report there are some
24 names: Abdul Koroma, Abduraman Kamara, Tamba Yilla. Do you know
10:02:09 25 who these people are?

26 A. Yes, these people were those Issa Sesay deployed at mining
27 areas.

28 Q. Did you yourself know these people?

29 A. I know some of them. There are some that I do not know.

1 Q. Did you know Abdul Koroma?

2 A. Yes, I know him.

3 Q. Did you know Abduraman Kamara?

4 A. Yes, I know that one.

10:02:53 5 Q. Did you know Tamba Yilla?

6 A. No, I don't know that one.

7 Q. Now if you look also at the top of this page, there are
8 headings above the various columns and there is one heading that
9 says "Caratage" and next to it there is a heading that --

10:03:15 10 JUDGE SEBUTINDE: I am sorry to interrupt, Ms Hollis,
11 wouldn't it be better for this witness to tell us what this
12 document is? He has simply said it is a report, but a report of
13 what? I think it would be better than you telling him what it
14 is.

10:03:30 15 MS HOLLIS: I hope I haven't done that, but I will ask him.

16 JUDGE SEBUTINDE: I am curious to hear it from the witness,
17 tell us what this document is.

18 MS HOLLIS: Of course. Of course:

19 Q. Mr Witness, you said that you have seen this document. Can
10:03:43 20 you tell us what it is?

21 A. Yes, I can tell you exactly what this document is.

22 Q. Then please tell us.

23 A. Okay, this document - it was Issa Sesay who appointed
24 Joseph Bakundu for him to be taking down records of the mining
10:04:07 25 that was going on. He was to be there as security so that
26 whatever diamond that was found, he should keep a record of this
27 diamond and the person who would be giving this diamond to the
28 commander, he was the one who should take that record. For
29 instance, you see the percentages, the caratages. If there was a

1 diamond that had been found that was not up to one carat that was
2 what they referred to as percentage, but if it was more than a
3 carat, any other percentage added to that is also a percentage.
4 So that was what this document was about.

10:05:10 5 Q. Mr Witness, on this same page if you look under "Stage 2
6 Kono production", under the column "received from" there is an
7 entry that says "minners", or miners. Can you tell us what that
8 means?

9 A. That was those who were doing the job, the miners. That is
10:05:42 10 what they are talking about.

11 Q. If now if we can look at the page that ends in 8237,
12 please, which is the fourth page of the document I believe and if
13 we can look at the bottom of the page, the last two entries, the
14 first one says, "Grand total of diamonds".

10:06:12 15 MR GRIFFITHS: Your Honours, Madam President, my copy is
16 somewhat obscure in parts because the photocopying has cut off a
17 part of the page. I wonder if it would not be of assistance, if
18 the original is available, for us to use the original.

19 PRESIDING JUDGE: Indeed, Ms Hollis, mine is similarly cut
10:06:34 20 off. Is the original available to be put before the witness?

21 MS HOLLIS: Unfortunately, your Honour, we do not have the
22 original. Not here, not in Freetown. We don't have it.

23 PRESIDING JUDGE: What has happened to the original? As
24 you know, we have had this question of originals and copies
10:06:50 25 before.

26 MS HOLLIS: The original was returned to the Sierra Leone
27 government who had provided it to us for copying.

28 PRESIDING JUDGE: I see. Mr Griffiths, the document in its
29 original form is not immediately available.

1 MR GRIFFITHS: It is just that parts of the document have
2 been cut off, for example to both the left and the right, so we
3 can't make out some of the dates and also to the right-hand side
4 of the page, because what appears to have happened is that it is
10:07:26 5 an exercise type book, two pages being copied at the same time,
6 and parts of the pages have been removed. So it is very
7 difficult to make out precisely what the full extent of this
8 document is.

9 PRESIDING JUDGE: I take your point, Mr Griffiths. Counsel
10:07:54 10 for the Prosecution has been referring to a part that is not
11 obscured in the way you describe, although I do agree with you
12 that parts of it are missing and therefore making proper reading
13 difficult. I will allow the question as put. However, on the
14 question of if it comes to be tendered eventually, then I will
10:08:13 15 listen to any points you wish to make.

16 MR GRIFFITHS: I am grateful.

17 PRESIDING JUDGE: Please proceed, Ms Hollis.

18 MS HOLLIS: Thank you, Madam President, and we will
19 certainly endeavour to try to get the original of this book back
10:08:25 20 from the Sierra Leone government.

21 PRESIDING JUDGE: Thank you, I have noted that.

22 MS HOLLIS:

23 Q. Now, Mr Witness, we were looking at the last two entries at
24 the bottom of this page. The first of these entries says, "Grand
10:08:37 25 total of diamonds 1,216 pieces, equal 259.30 per cent." Can you
26 tell us what this 259.30 per cent means?

27 A. Yes, that is trying to talk about when they had gotten all
28 these diamonds, after they had been weighed that was what it
29 summed up to.

1 Q. And that is the amount of what? What does 259.30 stand
2 for?

3 A. The point behind it, that is the percentage.

4 Q. The percentage of what?

10:09:35 5 A. That's 2,509 carats - 2,509 point - I am not getting - I am
6 not seeing where this thing has been written. That's why I'm
7 confused.

8 MR GRIFFITHS: Your Honour, I am somewhat concerned about
9 this position, because this witness is being questioned as if in
10:10:08 10 some way he is an expert on diamonds and also that he is the
11 writer of this report. Now, so far as the latter is concerned,
12 we know that he is not the writer of the report and equally, so
13 far as the former is concerned, he is not an expert on diamonds.
14 So to what extent he can assist us as to the contents and the
10:10:29 15 meaning of this document is somewhat questionable.

16 PRESIDING JUDGE: Ms Hollis, your response?

17 MS HOLLIS: Thank you, Madam President. First of all we
18 are not saying he is an expert and you don't have to be an expert
19 to read this. He has told you that there were columns of
10:10:48 20 caratage and percentage and explained those, that if it was a
21 whole carat it would be under caratage and if it was a part of a
22 carat but not a full carat it would be under percentage and he
23 has said he has seen this document and he has indicated that he
24 was present at places where mining was going on and knew about
10:11:05 25 these records. So we do not believe he has to be an expert to
26 explain to us the meaning of these things. Now, whether he is
27 able to do so or not is something that you will hear as we go
28 through these points.

29 [Trial Chamber conferred]

1 PRESIDING JUDGE: We note the witness's response to the
2 question as originally put prior to the objection and he has said
3 he - I haven't got the exact wording, but to the effect that he
4 has a problem reading it. In these circumstances - finding it,
10:12:05 5 rather.

6 Ms Hollis, if you would direct the witness if necessary
7 through Madam Court Attendant to the particular part that you are
8 referring to we will then hear his answer.

9 JUDGE LUSSICK: I would be interested, Ms Hollis, to know
10:12:20 10 whether he understands what's written there once you direct his
11 attention to the passage you are referring to.

12 MS HOLLIS: Thank you, your Honours:

13 Q. Now if the Court Attendant could assist us by pointing to
14 the second entry from the top where it says: "Grand total of
10:12:44 15 diamonds, 1,216 pieces, 259.30 per cent". It is the second line
16 from the top?

17 PRESIDING JUDGE: On my copy it is close to the bottom.

18 MS HOLLIS: My apologies:

19 Q. Second line from the bottom?

10:13:06 20 A. I have seen it.

21 Q. First of all can you tell us what that entry - how you -
22 what you understand about that entry?

23 A. Yes, sorry. This 100 - 1,216 pieces refers to all the
24 diamonds that were put together that summed up to that amount.

10:13:36 25 So this 259.30 per cent is after they have weighed everything
26 that was what it came up to, 259.30 per cent. That was what it
27 came up to, that amount.

28 Q. Now, can you tell us this 259.30 per cent, you said this is
29 the total amount, total amount of what? What is the term that is

1 used for this, if you know?

2 A. They meant the carats. 259.30 carats.

3 Q. Now, if we can also look at the bottom entry on this page
4 where it says, "Combatant production 28 pieces, 6 gorat" - it
10:14:46 5 looks like - "25 per cent". What do they mean by combatant
6 production?

7 A. That refers to those which the combatants mined for
8 themselves which they handed over. That was what they meant.

9 Q. Now, if we could next look at the page that ends in 8241
10:15:35 10 and if we look at the eighth entry in these columns we see the
11 name Sam Bockarie as providing diamonds. Can you tell us who
12 this Sam Bockarie is they are talking about here? Do you know?

13 A. This is a soldier who was trying to call himself
14 Sam Bockarie. He too was overseeing mining in Koidu Town. This
10:16:10 15 is not the Mosquito whom we knew was Sam Bockarie. This was
16 another soldier who was imitating his name.

17 MS HOLLIS: Madam President, if this document could be
18 marked for identification.

19 PRESIDING JUDGE: This is a 17 page document with a cover
10:16:31 20 sheet with the word "Peace" and some symbol with "God bless" on
21 it, and followed by 16 pages of handwritten records, some of
22 which have been identified by the witness. It is marked for
23 identification MFI-4.

24 MS HOLLIS:

10:16:56 25 Q. Mr Witness, you also testified on Wednesday that RUF
26 adjutants would take a record of any activity that was to take
27 place under a command structure and that the commanders would
28 then take these documents to Sam Bockarie because he was in
29 charge at that time. For Defence counsel I am referring to page

1 12897. Do you recall telling the Court that on Wednesday?

2 A. Yes, I can remember that.

3 Q. To your knowledge during the operation that began with the
4 attack on Koidu Town did Issa Sesay have an adjutant?

10:17:42 5 A. Yes, Issa Sesay had an adjutant.

6 Q. Do you recall the name of that adjutant?

7 A. The adjutant's name was Jabba.

8 Q. To your knowledge did Issa Sesay ever send a report to
9 Sam Bockarie regarding the operation that began with the attack
10 on Koidu Town?

10:18:09

11 A. Yes, after we had captured Koidu and went to Makeni and
12 Waterloo, after the operation Issa Sesay sat with his adjutant,
13 he did a report of the mission and sent it to Sam Bockarie. I
14 was aware of that.

10:18:39 15 Q. And how were you aware of that?

16 A. When he prepared the document, I saw it.

17 Q. Now, who actually prepared the document?

18 A. It was his adjutant who wrote it, but he told him to.

19 Q. I believe you said you saw the document. Did you actually
20 read the entire document?

10:19:10

21 A. No, I didn't read all.

22 MS HOLLIS: Your Honours, if the witness could be provided
23 with the document at tab 5. This is P-93. If the witness could
24 look at the last page of that document there is a signature line
25 and below that is the word "adjutant":

10:20:15

26 Q. Do you see that, Mr Witness?

27 A. Yes, I have seen it.

28 Q. Are you able to recognise that signature?

29 A. Yes.

1 Q. Now you said that you did not read this entire document.
2 Are you able to recognise this document?

3 A. Yes, I knew about this document. This signature was Issa
4 Sesay's adjutant's signature called Jabba.

10:20:56 5 Q. And what is this document?

6 MR GRIFFITHS: Your Honour, the question is did he read the
7 document. The answer is, "I knew about the document". Those are
8 two completely different propositions

9 MS HOLLIS: I believe the point, your Honour, was he had
10:21:13 10 said he did not read the entire document, is he able to recognise
11 the document.

12 PRESIDING JUDGE: I will allow that question, because he
13 has said he did not read the entire document.

14 MS HOLLIS:

10:21:27 15 Q. So, Mr Witness, let me ask you again. You have told the
16 Court you did not read the entire document that was prepared to
17 send to Sam Bockarie. Do you recognise this document?

18 A. Yes, I had seen this document.

19 Q. And can you tell the Court what this document is?

10:21:54 20 A. This document, after Issa Sesay had accomplished his
21 mission he sat with his adjutant all that he had captured, how
22 the mission went on, he sat with his adjutant and told him and
23 the adjutant put everything on this paper. So I just went
24 through some headings, some areas, so from there I saw the
10:22:25 25 signature. That is - that was how I saw it.

26 Q. Have the contents of this document been read to you in the
27 Krio language?

28 A. Yes.

29 Q. Do you recognise --

1 MR GRIFFITHS: Who by and when?

2 PRESIDING JUDGE: We require a bit more foundation,
3 Ms Hollis.

4 MS HOLLIS:

10:22:54 5 Q. Do you recall who read the contents of this document to you
6 in the Krio language?

7 A. Yes, this document had been shown to me by investigators.

8 Q. And who read the document to you, if you remember?

9 MR GRIFFITHS: Well, your Honour, I am sorry. It's one
10:23:22 10 thing for the witness to talk about his knowledge of the document
11 at the time of its creation. It's another matter altogether if
12 during the course of this investigation an investigator read the
13 document out to him then. His knowledge of it acquired as a
14 consequence of that can have no relevance whatsoever to these
10:23:44 15 proceedings. What we need to know is at the time of its creation
16 what his knowledge was then.

17 PRESIDING JUDGE: Ms Hollis, I think counsel has a point.
18 The witness has said, "I read some headings". Just exactly what
19 does he know of the document, rather than knowledge acquired
10:24:08 20 after the events.

21 MS HOLLIS: May I respond to that?

22 PRESIDING JUDGE: Yes, certainly, Ms Hollis.

23 MS HOLLIS: Your Honours, not all witnesses are fully
24 literate. A witness can see part of a document, have the
10:24:22 25 document translated to him in a language he understands and can
26 tell the Court whether he recognises the events that are recorded
27 in the document and whether those events recorded in the document
28 are consistent with his recollection. That is a permissible
29 approach.

1 JUDGE SEBUTINDE: But Ms Hollis, with respect, this is not
2 what you asked the witness. You asked the witness if he
3 recognised the document, not the events spoken of in the
4 document. The witness has so far said he never read this
10:24:55 5 document, he merely scouted through looking at the titles or
6 headings. I for one am having difficulty finding such headings,
7 but he says he did. Secondly, as far as I am concerned, it
8 hasn't even been established if this witness is fluent in the
9 language of the document, which is English. So even if he did
10:25:17 10 scout through the document I am not sure what it is that he read.
11 Now you are saying to him was the document interpreted to him in
12 Krio, which is the language he is comfortable with. Why would it
13 need to be interpreted if he read it, or even scouted and
14 understood and recognised it? I don't understand.

10:25:35 15 MS HOLLIS: May I respond? At the very beginning of the
16 witness's testimony he indicated the languages that he spoke and
17 he also indicated that he understood some English and that he
18 could read some English. I believe he said "small small".

19 PRESIDING JUDGE: Yes.

10:25:55 20 MS HOLLIS: So it has been established that he is not
21 fluent in reading English. He does understand some English. I
22 believe he said "small small". So he has indicated that he
23 looked at parts of this document and was able to understand them
24 in English, but he did not read the entire document. He has told
10:26:14 25 the Court he does recognise this document and how he recognises
26 it and the extent to which he recognises it is a matter to be
27 determined as to the weight to be given to his evidence relating
28 to this document.

29 Now, it is permissible, in the Prosecution's view, to read

1 a document to a witness who is not completely fluent in the
2 language of the document, a witness who has testified relating to
3 events that are relevant to the document and then to ask the
4 witness if, having been read the contents of the document, he
10:26:59 5 recognises the events and that if these events, as read to him,
6 are consistent with his recollection. We believe that that is an
7 appropriate approach and, again, how your Honours evaluate his
8 evidence on this would be a matter of weight.

9 JUDGE LUSSICK: But firstly, Ms Hollis, I am having some
10 difficulties with this evidence. Firstly, he said he was able to
11 read enough to read the headings. I can't see any headings here
12 to read. Secondly, when he first saw the document did he
13 understand what he was reading, or does he now understand what
14 the document says; not because he read it, but because an
10:27:50 15 investigator told him what was in it?

16 MS HOLLIS: Going back to just one point - and I will
17 certainly go with the witness and clarify this - there is no
18 evidence that an investigator read it to him. He said that an
19 investigator showed it to him and my follow up question was, "Who
10:28:05 20 read it to you?", and it was at that point that the objection was
21 interposed. So we still do not have an answer to the question as
22 to who actually read it to him.

23 JUDGE SEBUTINDE: But you suggested to him that, "Did the
24 investigators read this to you in Krio?"

10:28:20 25 MS HOLLIS: No, I said was, "It read to you in the Krio
26 language?" I did not say by whom.

27 MR GRIFFITHS: The answer was that it was the investigator
28 who read it to him [microphone not activated] "the contents of
29 this document to you in the Krio language?"

1 "A. Yes, this document had been shown to me by
2 i nvestigators.

3 Q. And who read the document to you?"

4 And that was the point at which I intervened.

10:29:01 5 MS HOLLIS: That is my point exactly. He said it was shown
6 to him by investigators. He was asked who read it to him.

7 JUDGE SEBUTINDE: Ms Hollis, we are really having trouble
8 with this approach, because so far the witness has indicated to
9 the Court that at the time of the making of this document he had
10:30:00 10 access to it, he looked through it and he read it. Now, you
11 haven't asked him if he understood then the contents, we are
12 still doubtful, but then he goes on to indicate that thereafter,
13 some time during this preparation of this trial, someone else
14 read this document to him and interpreted it to him in a language
10:30:20 15 that he understands, which in our view, or in my view, then leads
16 me to question his initial understanding of this document. Is it
17 based on what he was now told by the investigators, or is it his
18 prior knowledge? What are we dealing with here? We would be
19 interested in the former: His knowledge at the time of first
10:30:46 20 accessing this document before anyone else read it to him.

21 MS HOLLIS: Yes, your Honour:

22 Q. Now, Mr Witness, you said that when this document was
23 prepared that you sat and this document was prepared by the
24 adjutant Jabba. Now, as this document was being prepared, how
10:31:10 25 did this process work? How did Jabba know what to put into this
26 report?

27 A. Well, after I had seen this document, Jabba told me that it
28 was the operation which General Issa Sesay had undertaken from
29 the starting of the mission up to the time he got to Waterloo,

1 all that they captured and how the mission had gone. He said
2 this was the report, so he showed it to me. I read some, but not
3 everything. So I saw his own signature, but I did not see Issa
4 Sesay's signature and so I saw this document. During the time
10:32:11 5 that the investigation was going on, when they asked me and I
6 told them that I was with Issa Sesay in Kono, in the Kono and
7 Makeni operations, so it was at that time that they asked me if I
8 had - after I had spoken about the report, that Issa Sesay sent a
9 report about the mission. It was at that time that they asked me
10:32:45 10 if they showed me any document in relation to that operation that
11 I had seen before, if I would be able to identify it. So it was
12 at that time that they showed me this document. When I saw this
13 document, I realised that it was the document that I had seen
14 before. So they read it out to me in Krio for me to understand.
10:33:17 15 So it was at that time that I told him that, yes, this was the
16 document that I had seen before.

17 JUDGE SEBUTINDE: Mr Witness, are you saying that before
18 the document was read to you in Krio you hadn't understood it?

19 THE WITNESS: I understood it.

10:33:41 20 JUDGE SEBUTINDE: So why was it necessary for someone to
21 read it to you in Krio?

22 THE WITNESS: I understood those areas that I read. The
23 other areas that I did not read, it was those areas that were
24 read in Krio to me.

10:34:01 25 JUDGE SEBUTINDE: The document in front of you, can you
26 read it now and understand it in English? Are you able, without
27 an interpreter, to understand the contents of this document?

28 THE WITNESS: Some. That was why I said some. Those that
29 I can understand, I can understand some when I read it. Those

1 that I cannot understand, it was those that they interpreted to
2 me in Krio.

3 JUDGE SEBUTINDE: Can you give us an example of which page
4 or paragraph you understood?

10:34:46 5 THE WITNESS: Like I understood "Revolutionary United Front
6 of Sierra Leone, RUF/SL. To: Major General Sam Bockarie, chief
7 of defence staff - RUF/SL. From: Brigadier Issa H Sesay, battle
8 field commander - RUF/SL. Subject: Comprehensive report. Date:
9 January" - that date is not clear to me, 1999.

10:35:37 10 JUSTICE SEBUTINDE: What is the date? What was the date
11 that you saw this report? When you first saw it, what was the
12 date?

13 THE WITNESS: I can't recall the date any more, but this is
14 not clear to me, "Remarks: Sir, on 6 December 1998, I left the
10:36:09 15 defence headquarters, on your instruction, for assignment and
16 mission to attack Koidu, the 2nd Brigade, RUF/SL" - I don't
17 understand that area. Like I was reading, wherever I did not
18 understand they told me that in Krio.

19 JUDGE SEBUTINDE: Okay, Ms Hollis, I think you can proceed.

10:37:00 20 MS HOLLIS: Thank you, Justice Sebutinde:

21 Q. Now, Mr Witness, I would like to ask you, this document,
22 what you read and understood and what was read to you in the Krio
23 language, does this document reflect the events as you recall
24 them?

10:37:26 25 A. Yes, exactly. That is exactly what the document means.

26 Q. Now I would like to ask you some questions about this
27 document, as you read yourself:

28 "On 6 December 1998 I had left the defence headquarters, on
29 your instruction, for assignment and mission to attack Koidu, the

1 2nd Brigade."

2 Now, where were you on 6 December when Issa Sesay left the
3 defence headquarters for assignment and mission to attack Koidu?
4 Where were you?

10:38:06 5 A. I was with Issa Sesay in Buedu. I was there with him.

6 Q. And when he left, what did you do?

7 A. I went together with him on the mission.

8 Q. Now, in the second paragraph of this document it lists
9 materials that Issa Sesay indicates were given to him for the
10 mission. To your recollection, this list of materials, is it
11 consistent with your recollection of the materials Issa Sesay
12 took with him?

13 JUDGE SEBUTINDE: Ms Hollis, how can we be sure that as
14 this witness sits here he actually understands everything in this
10:39:27 15 list and therefore is able to answer your question like that,
16 just like you asked it? He has just testified that some of the
17 things he understands, some he doesn't. Now we haven't exhausted
18 the contents to show exactly what he understands or doesn't
19 understand and I imagine it was quite some time since this
10:39:47 20 document was interpreted to him. He's not sitting with a written
21 interpretation there. I don't know what kind of answer he will
22 give to that question.

23 MS HOLLIS:

24 Q. Now, Mr Witness, let's back up a moment. If we look at the
10:40:03 25 second paragraph, "The below enumerated materials and items were
26 handed over to me for said mission" and then there are a list of
27 items and quantities. Now, are you able to read that list of
28 items and quantities and understand it?

29 A. Yes.

1 Q. And you reviewed that list?

2 A. Yes, I have looked at the list, but the way I see it - yes.

3 Q. Go ahead, please.

4 A. The materials that we went with, when we arrived at

10:41:01 5 Superman Ground these are not the materials that I am seeing
6 here. The ones that we had when we got to Superman Ground were
7 60 boxes of AK rounds and there were 35 boxes of RPG rockets and
8 50 AK rifles and 25 pieces of combats. Those are the materials I
9 knew about.

10:41:48 10 Q. So on this list where it lists a bazooka, do you recall
11 having a bazooka?

12 A. Yes, I recall about that one.

13 MR GRIFFITHS: Madam President, I am sorry, we now have a
14 situation where the witness is contradicting the contents of the
10:42:11 15 document he is being asked to verify and the question is where
16 are we now, given that the witness in effect is contradicting
17 what my learned friend is seeking to direct his attention to on
18 this list? How do we know now in light of that answer how
19 accurate this document is? It's the testimony of the witness
10:42:35 20 which is of significance, not the contents of the document. So I
21 still ask where are we now?

22 PRESIDING JUDGE: Ms Hollis?

23 MS HOLLIS: Well, I am not sure I understand the objection.
24 The objection seems to go to the weight to be given either the
10:42:52 25 document or the testimony of the witness. Now, it's not as
26 though we have robots that we programme to say exactly what the
27 evidence is. This witness is explaining what his recollection is
28 and he is being asked questions about it. Those questions - the
29 document is relevant, the questions are relevant. If he agrees

1 or disagrees with a document will go to the weight to be given
2 his testimony or the weight to be given the document.

3 JUDGE SEBUTINDE: But, Ms Hollis, the evidence of this
4 witness on page 33 where he says:

10:43:27 5 "The materials that we went with, when we arrived at
6 Superman Ground these are not the materials that I am seeing
7 here. The ones that we had when we got to Superman Ground were
8 60 boxes of AK rounds and there were 35 boxes of RPG rockets and
9 50 AK rifles, 25 pieces of combats. Those are the materials I
10:43:51 10 knew about."

11 Now, beyond that my own view is that you are
12 cross-examining your own witness.

13 PRESIDING JUDGE: Could I seek clarification, Ms Hollis.
14 The witness has said - or the question you asked related to the
10:44:07 15 attack in Koidu and you then followed up with this document. The
16 witness is talking about going to Superman Ground with certain
17 materials. It is not apparent to me that the two are the same
18 exercise or if they are different exercises and I find the answer
19 therefore confusing.

10:44:30 20 JUDGE LUSSICK: Just before you reply, Ms Hollis, if I
21 could just add one more thing. You would recall that the witness
22 said that he first looked at the document and then at some later
23 stage it was read to him by an investigator and he was able to
24 identify it. Now, in view of the fact that he now disagrees with
10:44:58 25 the contents I am wondering was the document he first saw the
26 same document that was shown to him by the investigator?

27 MS HOLLIS: Let me deal with Justice Lussick's question
28 first, if I may, by a question to the witness.

29 PRESIDING JUDGE: Yes, please do so.

1 MS HOLLIS:

2 Q. Now, Mr Witness, you have said you recognise this document
3 and would you tell us again to your recollection when was it that
4 you first saw this document?

10:45:32 5 A. Yes, I had seen this document. I saw it since '99 and I
6 saw it since the time the investigation was going on, I saw this
7 document. But what I am talking about is that at the time I saw
8 this document all that is here on it were there. But what I am
9 saying here is at the time we went to Superman Ground, the
10:45:57 10 materials that we went with it is in my statement that we used
11 for that mission were 60 boxes of AK rounds, 30 boxes of RPG
12 bombs and 50 AK rifles and the 25 pieces of combats.

13 MS HOLLIS: Now, your Honour, Madam President, as to your
14 question, it is my recollection of the evidence that the witness
10:46:31 15 has testified that they went to Superman Ground which was near
16 Koidu and it was from there that they launched the attack on
17 Koidu. I can go over it with the witness again, but I believe
18 that is in the evidence.

19 PRESIDING JUDGE: That was the earlier evidence, I agree,
10:46:47 20 but I am still trying to relate this document to the two
21 different places.

22 MS HOLLIS:

23 Q. Now, Mr Witness, in this document Issa Sesay indicates that
24 he took the items for the mission. Can you tell us where you
10:47:16 25 took these items to?

26 PRESIDING JUDGE: Ms Hollis, which items, because there are
27 items in the document and there are different items that he has
28 referred to.

29 MS HOLLIS: The items he recollected, your Honour, not the

1 document.

2 PRESIDING JUDGE: I see.

3 MS HOLLIS:

10:47:42

4 Q. Mr Witness, the items you recollect taking for this
5 mission, this attack on Koidu, to what location did you take
6 those items when you left Buedu?

7 A. It was Koidu, Superman Ground. That was where we took them
8 to.

10:48:14

9 Q. Now, if we can look at the second page of the document,
10 there are a list of items down to number 22 and then it says,
11 "The below listed materials and items were also given to me for
12 the Sengema target". Now do you know what is being talked about
13 there, items for the Sengema target?

14 A. Yes.

10:48:36

15 Q. What is that?

16 A. Sengema target was the place where we crossed over, myself
17 together with Issa Sesay and others, and around Sengema area
18 there were soldiers. So Sam Bockarie instructed Issa Sesay that
19 he should drop these materials at the Sengema target. That is
20 what it means.

10:49:04

21 Q. And the Sengema target is in what district?

22 A. Well, Sengema target I don't know actually, but it is
23 across the river going towards Kono, but I don't actually know
24 the district in which it is.

10:49:32

25 Q. It is across what river?

26 A. Moa River.

27 Q. Now, if we continue to look at page 2 --

28 MR GRIFFITHS: Your Honour, I really don't want to be
29 difficult here, but I would much prefer if we rely upon the

1 witness's understanding of the document, rather than my learned
2 friend reading out the document to the witness. It's his
3 account, it's his knowledge of the document which is of interest
4 to this tribunal, not my learned friend's reading out of it. So
10:50:09 5 I think the proper course is to direct the witness's attention to
6 the document and ask him what he understands by its contents.

7 MS HOLLIS: Your Honour, it's the Prosecution's position
8 that we can identify portions of this document and ask him what
9 his understanding is of it and that is what I was doing when I
10:50:31 10 talked about materials given to the Sengama target and then I
11 asked him what the Sengama target was. Now, how do I ask him
12 what the Sengama target is if I can't refer to the Sengama
13 target?

14 PRESIDING JUDGE: I think counsel did not object to that
10:50:45 15 part. It is the new question he has objected to, Ms Hollis, and
16 I think he has a valid point. The witness should identify these
17 matters himself. Reading them out and putting them to him in
18 this way is verging on leading him.

19 MS HOLLIS: I guess I'm unclear, because we were still on
10:51:05 20 my question about Sengama target. He had explained that and then
21 I asked him what district it was in.

22 PRESIDING JUDGE: Yes, he answered that but then you said,
23 "If we continue to look at page 2" and you were about to read the
24 content of page 2.

10:51:21 25 JUDGE LUSSICK: Ms Hollis, I don't know whether it will
26 assist or not, but I understand Mr Griffiths to be saying that
27 with reference to your last question this witness may not even
28 have known that those items were referring to the Sengama target,
29 except that you told him they were and what I would suggest is

1 that instead of reading out words such as, "The below materials
2 and items were also given to me for the Sengama target", that you
3 say, 'If you count down seven lines you will see a sentence
4 there. What do you understand by that sentence?" I think that
10:52:06 5 would clear up Mr Griffiths's hesitation about this evidence.

6 MS HOLLIS: I appreciate your point, Justice Lussick. I
7 will point out I didn't ask him about the items. I only asked
8 him about what the Sengama target was. But I take the point
9 about reading too much of it, so I will direct by using less of
10:52:28 10 it:

11 Q. Now, Mr Witness, if we continue on this page and we see a
12 heading "Members of Delegation". Would you look at that, please.
13 Look at those names.

14 A. Yes. Yes, these were the people who went with Issa Sesay
10:53:41 15 on that mission.

16 Q. Now, what mission are you talking about here?

17 A. That was the mission to attack Koidu Town.

18 Q. Now, if we look at this list of names, do you know all of
19 these people?

10:54:12 20 A. Yes, I know them.

21 Q. Major Edward Fembeh, who is that?

22 A. He was an RUF vanguard.

23 Q. And if we look at S/Captain Mohamed Kamara, who is that?

24 A. He was an RUF junior commando.

10:54:43 25 Q. And if we look at Captain Morie Jibao, who is that?

26 A. He was also a junior commando and he was a Black Guard.

27 Q. And if we look at Captain Abdulai Massalay, who is that?

28 A. He was an SLA under AFRC.

29 Q. Captain Musa Vandi, who is that?

1 A. He was a junior commando in the RUF.

2 Q. Now, if we look at this list of people that are said to be
3 members of the delegation, your name is not among these people.
4 Can you tell us why not?

10:55:53 5 A. Well, I don't know the reason why they did not put my name
6 there, but all of us went and there were other people that I know
7 about, that we all went, whose names are not on this list.

8 Q. Now if we look at the paragraph beginning "December 9th",
9 we see the words "Guinea Highway". Can you tell us what Guinea
10 Highway was?

11 A. Yes, the Guinea Highway was the same Superman Ground that
12 was referred to as the Guinea Highway, because the road - where
13 we were at Superman Ground, there was a road that moved from
14 there straight to Guinea. That was why the area was called the
10:56:42 15 Guinea Highway.

16 Q. If we can look at the last page of this document, the last
17 paragraph talks about troops able to capture Nigerians. Who were
18 these Nigerians it is talking about?

19 A. That was the Nigerian ECOMOG. After we had attacked Kono
10:57:27 20 and Makeni, we captured Nigerian soldiers and we sent all of them
21 to Mosquito, to Mosquito's ground.

22 MS HOLLIS: Thank you, the document can be removed from the
23 witness:

24 Q. Now, Mr Witness, at the end of the court session on
10:57:58 25 Wednesday you were telling the Court about being selected with
26 others to go to Lome for peace talks. You testified that you
27 remained in Buedu for a long time before leaving for Lome and for
28 counsel's benefit that is at page 12930. Now, can you tell us
29 what happened in Buedu while you were waiting to leave for Lome?

1 A. Yes, whilst we were in Buedu I used to see Zigzag Marzah,
2 Jungle, Mike Lama. I used to see them bring ammunition there.

3 Q. And do you know from whom this ammunition was coming?

10:59:10

4 A. Yes, when Jungle and others came with this ammunition they
5 used to say that it was the Pa, Charles Taylor, who sent the
6 ammunition, he said because when it is time for peace he should
7 prepare for war. So being that the peace talk was going on, he
8 said they should bring the ammunition to be kept underground.

9 Q. Did you eventually travel from Buedu to Lome?

10:59:47

10 A. Yes, it happened.

11 Q. And how did you travel to Lome?

12 A. Well, Sam Bockarie had vehicles and so he himself escorted
13 us, we went through Pendembu and we went to Vahun. That was
14 where we met a UN helicopter and from there we travelled to
15 Monrovia.

11:00:22

16 Q. And where was it in Monrovia that you arrived in this
17 helicopter?

18 A. Where we landed was an airfield, which I later understood
19 was referred to as Spriggs field.

11:00:46

20 Q. And then what happened after you arrived at Spriggs field?

21 A. When we got to Spriggs field, I saw so many soldiers having
22 guns with them and they were guarding the area and when we got
23 there I saw vehicles. We saw securities come to receive us. We
24 went into the vehicles and from there we went to a place that
25 they said was a guesthouse. They took us there.

11:01:15

26 Q. Now, these many soldiers that you saw guarding the
27 airfield, did you know to what group these soldiers belonged?

28 A. Later they told me that that group was called the SSU.
29 They said they were a special security unit under the mansion.

1 Q. And when you say "under the mansion", what do you mean?

2 A. That is under Charles Taylor's mansion.

3 Q. This mansion, do you know it by any other name?

4 A. Executive Mansion.

11:02:16 5 Q. Now, you indicated that you were taken to a guesthouse.
6 Who took you to the guesthouse?

7 A. Well, the vehicle in which I was, I was in there and I sat
8 in the back together with Mike Lamin and the Liberian securities,
9 the SSS. We had a radio in front and the driver was there
10 driving. So they took us to that guesthouse.

11:02:43

11 Q. And you said the Liberian securities, SS, can you tell us
12 again what does SS mean?

13 A. Well, he told us that they were the bodyguards to Charles
14 Taylor, the SSS, Special Security Service.

11:03:08

15 Q. What happened when you arrived at this guesthouse?

16 A. When we got to the guesthouse, they provided food for us.
17 We ate and after eating we left that same evening and we went
18 back to Spriggs field and when we went there we met a small UN
19 aeroplane, so we went into that aeroplane and we went to Lome.

11:03:48

20 Q. And what happened when you arrived in Lome?

21 A. After arriving in Lome we also met vehicles at the
22 airfield. Those vehicles also collected us and took us to a
23 hotel that was called Hotel 2 Fevrier. So we went upstairs and
24 that was where we met Foday Sankoh, so he was very happy that
25 particular night. We got there at around 7 o'clock in the
26 evening and so he was very happy since he had not been able to
27 see us for a very long time, so he was happy for us. So, after
28 we had discussed lengthily, he asked everybody to go and take
29 their rest and he said we will talk the following day, so

11:04:24

1 everybody went to bed.

2 So the following morning he said he wanted to get a meeting
3 with us, so he called the meeting and we went to the second floor
4 where the swimming pool was and at that meeting it was SYB Rogers

11:05:09 5 who served as the head of the delegation. So he was the first

6 person - he was the first person who spoke, that is Foday Sankoh,
7 and he told us that he was very sorry since he has been away from
8 us for some time and he said it was not his fault. He said in

9 1996 he was arrested in Nigeria because they saw him with a
11:05:37 10 pistol. He said that was the reason. So he said thanks to

11 everybody because they have been continuing to take care. So

12 from there SYB Rogers said, he said, "Well, we the delegation

13 have come", and he was trying to tell Foday Sankoh that since he

14 had not been around, his brother, Charles Taylor, has been giving

11:06:13 15 a lot of help to us and he said, "He really showed to us that he

16 was your brother in the revolution. He had been helping us a

17 lot", and he said, "Sam Bockarie too has been doing very well on

18 the ground." He mentioned other commanders too, like Mike Lamin,

19 he also spoke, Leather Boot also spoke, I also spoke, Lawrence

11:06:50 20 Womandia too spoke. Most of us spoke during the meeting. I

21 cannot recall everything now, all what we said.

22 Q. Can you tell us again who Leather Boot was?

23 A. Leather Boot was the AFRC SLA, that at the time we were

24 going on that Lome Accord the SLA too came together and said that

11:07:28 25 Leather Boot and others should go and represent their own group.

26 So when we were going we went with four SLAs, so Leather Boot was

27 the commander for them.

28 Q. Do you remember the names of any of these other SLA who

29 went to Lome?

1 A. There was another who was called Jalloh. I can't recall
2 the names of the others now.

3 Q. Now, in addition to this meeting and this briefing that was
4 given to Foday Sankoh, were there any other briefings or reports
11:08:05 5 given to him while you were at Lome?

6 A. Yes, I also added. I told him about the operations - about
7 how the operations had been going on. I spoke and we had been
8 Black Guards to him and we went too, myself, Junior Vandi and
9 Morie Jibao. So we also sat down and we gave our own situation
11:08:48 10 report about all that had been obtaining. So we all sat together
11 and prepared a document which we handed over to him.

12 Q. And after you handed the document over to him, what
13 happened then?

14 A. Well, after that we were now at Lome when at one point in
11:09:22 15 time I saw Jungle come there, that is Daniel Tamba. That was
16 when we went - we went there anew. And when we went we were
17 taking dinner, so I saw him and Foday Sankoh sitting aside
18 discussing. So what he said was - he said the Pa, Charles
19 Taylor, sent him to come and see you, to come and see conditions
11:09:53 20 with you. So he was saying that. It was just that that I
21 overheard. We were there for two weeks, but during that two
22 weeks Jungle went there two times. So after the two weeks Foday
23 Sankoh said that we should go back to Sierra Leone to Mosquito so
24 that we inform them about how the discussion was going on. So we
11:10:23 25 went back.

26 Q. Now, if I could just stop you there and go back to clarify
27 a few matters. You said that you, the Black Guards, had sat and
28 prepared a report that you gave to Foday Sankoh. Can you explain
29 to us what you mean by that?

1 A. Well, we were his bodyguards. We were the Black Guards.
2 Since the time he was arrested and he had not been with us, so
3 all what happened in his absence we, the Black Guards, sat
4 together and decided to prepare a document on behalf of the Black
11:11:11 5 Guard unit and that Foday Sankoh was supposed to know all what
6 had been happening and it was JR who wrote the document and later
7 we handed it over to Foday Sankoh.

8 Q. Now, you say that JR wrote the document. First of all, who
9 is JR?

11:11:41 10 A. Junior Vandii. He was also a Black Guard to Foday Sankoh.

11 Q. And what do you mean when you say he wrote the report?

12 A. We all sat together and arranged it, but he took up his pen
13 and wrote it.

14 MS HOLLIS: Now if the witness could please be shown the
11:12:05 15 document at tab 4. This is P-67. P-67, tab 4. I am told that
16 9672 is the ERN number. It starts out with 9672. That is the
17 ERN number. It should be at tab 4:

18 Q. Mr Witness, do you recognise this document?

19 A. Yes, yes, this is the document I am talking about.

11:14:10 20 Q. How are you able to recognise this document?

21 A. At the time Junior Vandii wrote this document - in fact I
22 know Junior Vandii's handwriting and I know the content too.

23 Q. And you said you all sat together and prepared this
24 document. How did you do that? How did that happen?

11:14:49 25 A. Well, we sat together. We arranged, we discussed all that
26 happened during the revolution, so we sat together and we
27 explained to Junior Vandii. So he took the pen and wrote it.

28 MS HOLLIS: Thank you. The document can be removed:

29 Q. Now, Mr Witness, you mentioned that you saw Jungle in Lome

1 and you saw him speaking with Foday Sankoh. How many times did
2 you see Jungle in Lome?

3 A. I saw Jungle two times in Lome.

11:15:42

4 Q. Now, you have explained what happened on one occasion when
5 you saw him. Can you tell us what happened on the second
6 occasion that you saw him?

11:16:09

7 A. Well, the next time he came we all went and ate at the same
8 place, but where we were eating we were a little bit far off from
9 him, so he was sitting very close to Foday Sankoh discussing with
10 him, but I did not actually overhear what they discussed at that
11 time. But he went there actually, but I did not overhear what
12 they discussed that particular time.

13 Q. In addition to Jungle, did you see anyone else in Lome who
14 was not a part of your delegation?

11:16:35

15 A. Yes.

16 Q. Who did you see?

17 A. General Ibrahim was there. Ibrahim Bah.

18 Q. Who is General Ibrahim Bah?

11:16:59

19 A. General Ibrahim Bah, Foday Sankoh told me that he was his
20 friend and General Ibrahim Bah was with the NPFL, but he was from
21 Burkina and according to Foday Sankoh he was the person - he was
22 the person that was living outside helping the establishment of
23 the RUF movement and Golley too was there.

24 Q. You said Gullit was there?

11:17:35

25 A. Golley. Golley.

26 Q. Who is Golley?

27 A. Omrie Golley. Omrie Golley was the spokesman for the RUF.
28 He was there also.

29 Q. Now when you saw Ibrahim Bah there, what was he doing?

1 A. Ibrahim Bah, at any time Jungle went to Monrovia to see
2 Charles Taylor the two of them went together.

3 Q. And when you saw Ibrahim Bah in Lome what was he doing?

4 A. Ibrahim Bah was there and at any time there was supposed to
11:18:23 5 be any movement to go out, Pa Sankoh used to send him on such
6 missions and at any time Jungle came to see Pa Sankoh in Lome, Pa
7 Sankoh will send him to go with him to go and see Charles Taylor.

8 Q. So in addition to these missions to see Charles Taylor, do
9 you know what other missions Sankoh sent Ibrahim Bah to do?

11:18:57 10 A. No, but he used to tell us that he was sending him to his
11 brother Charles.

12 Q. How long did you yourself remain in Lome?

13 A. I was there for two weeks.

14 Q. Why did you leave?

11:19:23 15 A. Foday Sankoh told us that we should go back to Mosquito and
16 others to explain to them how the discussions were going on, so
17 we went.

18 Q. And you said "we went". Who is it who went?

19 A. I went together with other people like Dr Williams who was
11:19:57 20 our head when we were going.

21 Q. Can you tell us who is Dr Williams?

22 A. Dr Williams was a medical personnel in the RUF, so we used
23 to call him Dr Williams.

24 Q. When you left Lome, where did you go?

11:20:23 25 A. We went back to Monrovia. They took us back to the same
26 guesthouse that they had taken us before when we got there. So
27 when we got to Monrovia I later saw Benjamin Yeaten come to the
28 place and he told us he was Benjamin Yeaten and he said his dad,
29 Charles Taylor, knows that we have arrived. So he came, he

1 brought a parcel and he gave it to the commander who was with us,
2 that is Dr Williams, but I did not actually know what was in the
3 parcel.

4 But Dr Williams later gave me 200 US dollars and he said,
11:21:20 5 "The Pa said we should buy some items" because we were going to
6 go back inside. So we later bought some items that we needed and
7 the following day Benjamin Yeaten came again. He said that he
8 will not be able to go and escort us, but his friend Joe Tuah
9 will go and escort us. So he took us back to the same airport,
11:21:52 10 Spriggs field, and we loaded into the UN helicopter and it took
11 us to Vahun.

12 Q. Now, if I can stop you there for a moment, you said that
13 when you were in the guesthouse, "The Pa said we should buy some
14 items because we are going to go back inside". Now, first of
11:22:17 15 all, who do you mean when you refer to the Pa?

16 A. Well, it was Benjamin Yeaten who came to us and said the Pa
17 said he knows that you have arrived, so he gave the parcel. He
18 said, "Pa Taylor gave this parcel for me to bring". So he said,
19 "You should buy some items to take back to Sierra Leone".

11:22:44 20 Q. And you said that Benjamin Yeaten came to the guesthouse
21 and said he could not escort you, "But his friend Joe Tuah will
22 go and escort us". Now, who was Joe Tuah?

23 A. Joe Tuah also was one of the Special Forces. They were all
24 trained in Libya and that was what I later understood. I also
11:23:14 25 later understood that he was a minister without portfolio in
26 Charles Taylor's government.

27 Q. What do you understand it to mean, "a minister without
28 portfolio"?

29 A. Well, what I understood was that he was in the government

1 but he did not have a specific position.

2 Q. Did you learn his nationality?

3 A. He was a Liberian.

4 Q. What happened when you arrived at Vahun?

11:23:59 5 A. When we arrived in Vahun, at that time Mosquito had sent
6 vehicles to pick us up. So the vehicles picked us up and we went
7 and met him in Buedu.

8 Q. Did you know how was it that Sam Bockarie knew to send
9 vehicles to Vahun to pick you up?

11:24:28 10 A. Well, before we left there was somebody called Memunatu
11 Deen. She was also an RUF operator, so she went to Benjamin
12 Yeaten's house to communicate, to send a message.

13 Q. Now, when you got to Vahun and the vehicles were there to
14 take you back to Sierra Leone what did Joe Tuah do?

11:25:03 15 A. Joe Tuah returned with the UN helicopter.

16 Q. And where did you go in Sierra Leone?

17 A. We went to Buedu to meet Sam Bockarie. When we arrived
18 Dr Williams explained to him that when we went and met the Pa, Pa
19 Sankoh, he was happy about the actions that had been going on in
11:25:41 20 his absence and he also told him that the talks were still going
21 on and they were going on very nice. So Sam Bockarie too was
22 happy. From there I went back to Balahun.

23 Q. How long did you yourself remain in Sierra Leone?

24 A. Well, after staying in Balahun for some time, from Balahun
11:26:18 25 I went to Kailahun. I was there for up to a month and at a point
26 in time Sam Bockarie sent somebody, someone, to me.

27 THE INTERPRETER: Your Honours, could the witness kindly
28 stop there and repeat the last bit of his testimony.

29 PRESIDING JUDGE: Mr Witness, the interpreter needs you to

1 repeat part of your answer. Please pick up from the point after
2 you have said, "I was there for up to a month and at a point in
3 time Sam Bockarie sent somebody, someone, to me". Continue from
4 there, please.

11:26:55 5 THE WITNESS: Sam Bockarie sent somebody who was riding a
6 motorbike and the person told me that Sam Bockarie said he wanted
7 to see me urgently, so I joined him and I went with him. So when
8 I arrived Sam Bockarie told me that the Pa sent a message, Pa
9 Foday Sankoh, that he, Mosquito, with me and other people should
11:27:36 10 try and visit him in Lome.

11 So from there I told Sam Bockarie that he should allow me
12 to go and get myself ready. So I went back. So I went and
13 prepared myself in few days and I returned to Sam Bockarie in
14 Buedu.

11:27:58 15 From there at that particular time we travelled through
16 Foya, myself, Sam Bockarie and others, and it was at Foya that we
17 boarded a helicopter and it took us back to Spriggs field in
18 Monrovia. From there we were taken to the same guesthouse in
19 Monrovia.

11:28:26 20 Q. Now, if I could stop you for a moment and just ask one
21 question. You said that you took a helicopter from Foya to
22 Monrovia. Can you tell us what kind of helicopter this was?

23 A. The helicopter was coloured blue and white and it was
24 called Weasua, Weasua Airline. So when we arrived they took us
11:29:02 25 back to the same guesthouse where we were and whilst we were in
26 the guesthouse, and since we were all expecting that we were
27 going to meet Pa Sankoh in Lome, Mosquito told us that he was not
28 going to Lome because he said he knew that UN was up to arresting
29 him, so he said he was not going there. So we all decided not to

1 go, so he stopped all of us. So we were in Monrovia until -
2 until Foday Sankoh himself came.

3 PRESIDING JUDGE: Ms Hollis, I note the time and I
4 understand the tape is just about finished. I hope this is a
11:29:50 5 convenient time to adjourn.

6 MS HOLLIS: It is, Madam President.

7 PRESIDING JUDGE: Thank you. Mr Witness, we are going to
8 take our mid-morning adjournment for a break. This will be half
9 an hour and we will resume court at 12 o'clock. Please adjourn
11:30:05 10 court until 12.

11 [Break taken at 11.30 a.m.]

12 [Upon resuming at 12.02 p.m.]

13 PRESIDING JUDGE: When you are ready, Ms Hollis, please
14 proceed.

12:01:49 15 MS HOLLIS: Thank you, Madam President:

16 Q. Mr Witness, just before the break you had told the Court
17 that you, Sam Bockarie and others had come back from Sierra Leone
18 to Monrovia and that Sam Bockarie refused to go to Lome so all of
19 you waited in Monrovia until Foday Sankoh came to Monrovia. Now,
12:02:12 20 before we continue with this time in Monrovia I would like you to
21 think back to the time you were in Lome and I want to ask you
22 what communications capability, if any, did the RUF delegation
23 have while you were in Lome?

24 A. When we were going to Lome to the Lome talks Sam Bockarie
12:02:54 25 gave a communication set to Daf, Dauda Fornie, for him to be the
26 radio operator to go to Lome. So when we went Daf installed the
27 radio. So it was through that radio that we were communicating
28 with Sierra Leone.

29 Q. And are you aware of any of the communications that took

1 place during your two weeks there?

2 A. Yes, I was aware of communications.

3 Q. What communications are you aware of?

4 A. Daf used to communicate with Sam Bockarie in Buedu in
12:03:52 5 relation to how the talks were going on. Daf was again
6 communicating with Monrovia through Sunlight, a radio operator
7 who was working with Benjamin Yeaten. Daf used to talk to him.
8 He used to tell him how the peace talks were going on.

9 Q. How did you know about these communications?

12:04:17 10 A. I used to go to Daf in the radio room. I used to be there
11 when the communications were taking place.

12 Q. To your knowledge in addition to these radio communications
13 did Foday Sankoh have any other communications capability?

14 A. Yes, Foday Sankoh had a telephone. He had a telephone.
12:04:54 15 Sometimes he communicated to Monrovia. Sometimes he will say he
16 had spoken to his brother Charles.

17 Q. How did you know about these communications?

18 A. Like Foday Sankoh's telephone, he used to tell me that he
19 has communicated with his brother Charles Taylor.

12:05:24 20 Q. Did he tell you what they talked about when he communicated
21 with Charles Taylor?

22 A. No, he did not disclose that to me, what they discussed.
23 He just used to say he had spoken with his brother Charles.

24 Q. Thank you, Mr Witness. Now, you testified that you were
12:05:51 25 taken from Foya to Monrovia, you and Sam Bockarie and others, in
26 a helicopter and you told us the name of the group that had the
27 helicopter. Would you tell us that name again?

28 A. It was a blue and white helicopter. It was Weasua
29 Airlines.

1 Q. Mr Witness, do you know how to spell that, Weasua?

2 A. No, I don't know how to spell it.

3 MS HOLLIS: Your Honours, I believe that is W-E-A-S-U-A.

4 Q. Now, you indicated that you remained in Monrovia until

12:06:45 5 Foday Sankoh came to Monrovia. During that time that you were
6 all in Monrovia do you know what Sam Bockarie did?

7 A. Sam Bockarie was in Monrovia to wait for Foday Sankoh.

8 When he was there Foday Sankoh told Sam Bockarie to send a

9 message to Johnny Paul Koroma so that the two of them can meet in

12:07:16 10 Monrovia before ever going to Freetown. So Sam Bockarie sent the

11 message to Johnny Paul Koroma, who in turn came and met us in

12 Monrovia in the same guesthouse. When Johnny Paul Koroma came

13 later he too sent for some of his soldiers who were in Freetown.

14 When they came they were lodged at a hotel called Hotel

12:08:02 15 Boulevard, but it had been changed to Hotel Royal.

16 When Johnny Paul came I saw Joe Tuah go to the guesthouse.

17 I saw him give a parcel to Joe Tuah. Joe Tuah gave a parcel to

18 Johnny Paul Koroma. Johnny Paul Koroma told us that it was

19 Charles Taylor that had sent the parcel to him. He said the

12:08:38 20 parcel contained 15,000 US dollars to take care of him and his
21 family.

22 Q. Now, if I can just ask you to pause there for a moment.

23 You said that Foday Sankoh told Sam Bockarie to send a message to

24 Johnny Paul Koroma so that the two of them can meet in Monrovia

12:09:04 25 before going to Freetown. What two are you talking about who
26 were to meet in Monrovia?

27 A. That is Johnny Paul Koroma was to come to Monrovia. While

28 Foday Sankoh when he comes from the Lome peace talks, they were

29 to meet in Monrovia before proceeding to Freetown. That was what

1 I was trying to talk about.

2 Q. Who was it who was to meet in Monrovia?

3 A. Foday Sankoh was to meet Johnny Paul Koroma in Monrovia.

4 The two of them were to meet his brother Charles before ever they
12:09:50 5 proceeded to Freetown.

6 Q. When did Foday Sankoh come to Monrovia?

7 A. Foday Sankoh came to Monrovia in 1999, but I can't remember
8 the date. But before ever Foday Sankoh came I saw - before Foday
9 Sankoh's arrival, they took Johnny Paul Koroma from the

12:10:24 10 guesthouse to Hotel Africa because they said they didn't want
11 them to stay together. So, later I saw one man who came called
12 Paul Moriba. At that time he was a GSM director. He came and
13 said that he had got information that the generator that was at
14 the guesthouse was not in good condition and so the Pa,

12:11:06 15 Charles Taylor, had instructed him to come and replace it.

16 Immediately that generator was replaced, so later Foday Sankoh
17 came and met us in Monrovia at the guesthouse.

18 Q. Now, tell us again the name of this person who came to
19 replace the generator.

12:11:32 20 A. His name was Paul Moriba.

21 Q. Now, you mentioned earlier that Johnny Paul Koroma and his
22 people went to the Boulevard Hotel and now you are talking about
23 them going to Hotel Africa. Can you explain that to us?

24 A. Johnny Paul Koroma, when he went to Monrovia he was at the
12:11:56 25 guesthouse. When he was at that guesthouse he sent for his boys
26 from Freetown. When they came they were lodged at the Hotel
27 Boulevard which was later changed to Hotel Royal, so before Foday
28 Sankoh arrived in Monrovia it was just Johnny Paul who was taken
29 from the guesthouse to Hotel Africa. That is what I meant.

1 Q. Now, do you recall when Foday Sankoh came to Monrovia do
2 you know had there been any peace agreement signed when he came?

3 A. Yes, they had signed.

4 Q. What happened after he came to Monrovia?

12:12:50 5 A. When he came to Monrovia, he, Johnny Paul Koroma and other
6 people met his brother Charles at the mansion in Monrovia.

7 Q. When you say "the mansion in Monrovia", what are you
8 talking about?

9 A. I am talking about the Executive Mansion.

12:13:26 10 Q. And how did you know about this meeting at the Executive
11 Mansion between Johnny Paul Koroma, Foday Sankoh and
12 Charles Taylor?

13 A. All of us went. I went to that meeting too.

14 Q. Did you ever learn what that meeting was about?

12:13:53 15 A. I went. At the meeting they discussed how Foday Sankoh -
16 how Johnny Paul Koroma and Foday Sankoh were to work together and
17 the other people.

18 Q. How did you know that they talked about this?

19 A. I have not got you clearly.

12:14:31 20 Q. How did you know that that is what they talked about?

21 A. When we went to this meeting at the Executive Mansion on
22 the fourth floor, we were somewhere where all of us were gathered
23 when Foday Sankoh, Johnny Paul Koroma, Mosquito and others, all
24 of us met, we ate and it was from there that the arrangement was
12:15:05 25 taking place. That was how I knew.

26 Q. But now my question is how did you yourself know what Foday
27 Sankoh, Johnny Paul Koroma and Charles Taylor actually talked
28 about during that meeting?

29 A. It was Foday Sankoh who said it. He told me.

1 Q. Now, what happened after that meeting?

2 A. We returned to the guesthouse. Later Foday Sankoh said
3 they were to try and go to Freetown, he and Johnny Paul Koroma.
4 They arranged the trip. Later we accompanied Foday Sankoh to the
12:16:06 5 RIA airport.

6 Q. Before Foday Sankoh left to return to Freetown, to your
7 knowledge did Foday Sankoh have any other meetings in Monrovia?

8 A. I can't remember.

9 Q. Now while he was at the guesthouse, to your recollection
12:16:37 10 did anyone come to visit him at the guesthouse?

11 A. Yes, I can remember. When Foday Sankoh was at the
12 guesthouse I saw - I saw many people who came to him and he told
13 us that they were his friends, Special Forces, with whom he had
14 trained in Libya together with Charles Taylor. He said all of

12:17:12 15 them underwent the training, but I saw someone like Joe Tuah,
16 I saw Benjamin Yeaten, I saw Francis Mewon with them and others,
17 a lot of them whose names I cannot recall now. In this meeting
18 all of them were happy to see Foday Sankoh, because they said all
19 of them had undergone training. Since he had gone with his own

12:17:41 20 war they had known that he had been arrested, but since he has
21 come back all of them were happy to see him. So, at that meeting
22 they sang a song. I think they said they were singing that
23 Jamahiriya. They said the time that they were in Libya that was
24 the song they were singing during the training, so they sang that
12:18:15 25 song for them to remember that time. All of them sat together
26 and drank.

27 Q. Do you know what position Foday Sankoh was given in the
28 Sierra Leone government after the peace agreement was signed?

29 A. I understood that they gave him a position whereby he was

1 to be in control of the diamond business. That was the
2 understanding I got.

3 Q. And how did you get that understanding?

4 A. I knew when we returned to Freetown. He himself told me.

12:19:18 5 Q. Now, you said that Foday Sankoh left out of RIA airport.
6 Who accompanied him to the airport?

7 A. I myself accompanied him to the airport, together with some
8 Liberian securities. He was escorted to the airport. We were
9 there when they departed. From there we returned to the
10 guesthouse, I and Mosquito.

12:19:50 11 Q. When you reached RIA airport, did you see any securities
12 around the airport?

13 A. Yes, I saw securities.

14 Q. Did you know who those securities were?

12:20:08 15 A. They were SSUs. SSU securities.

16 Q. You said that "they departed". Who are the "they"?

17 A. Foday Sankoh and Johnny Paul Koroma's group. All of them
18 went.

19 Q. Now, you said that you and Mosquito went back to the
12:20:33 20 guesthouse after this departure. What happened after that?

21 A. When we returned to the guesthouse, Benjamin Yeaten came
22 and collected Mosquito. He said they were to go and meet the Pa,
23 Charles Taylor, to arrange about his return. So, they went and
24 met Charles Taylor. Mosquito returned to the guesthouse and said
12:21:01 25 that the Pa had said he should try and return. The following day
26 Mosquito and I and Benjamin Yeaten went to Spriggs field. When
27 we went to Spriggs field to accompany Mosquito, we boarded the
28 helicopter that was to take Mosquito. In this helicopter I saw
29 Benjamin Yeaten - I heard Benjamin Yeaten saying, "Mosquito,

1 these materials have been given by my dad, Charles Taylor,
2 because as my brother Foday Sankoh was going to Freetown you
3 should be keeping security and so you should take along this
4 ammunition to Buedu." So, from there we alighted the helicopter.

12:22:09 5 Q. Now when you were in the helicopter, what did you see
6 inside this helicopter?

7 A. I saw AK - I saw AK rounds in the tins. We used to call
8 them sardine tins which contained the AK rounds. I saw up to 15.
9 I saw --

12:22:41 10 JUDGE SEBUTINDE: You saw what? 15 what?

11 THE WITNESS: 15 of those tins. Then I saw RPG bomb with
12 the TNT. It was - they were in the helicopter.

13 MS HOLLIS:

14 Q. Mr Witness, when you say you saw 15 tins, what were in
12:23:06 15 these 15 tins if you know?

16 A. They contained the AK rounds.

17 Q. What kind of helicopter was this that these materials were
18 in?

19 A. Well, this time it was a helicopter that had a camouflage
12:23:40 20 colour. It had a camouflage colour.

21 Q. And did you know whose helicopter this was?

22 A. Yes, Benjamin Yeaten told us that it was owned by his dad,
23 Charles Taylor.

24 PRESIDING JUDGE: Ms Hollis, could we have a clarification
12:24:05 25 of what the witness means by camouflage colour please.

26 MS HOLLIS:

27 Q. Mr Witness, you have said that this helicopter was a
28 camouflage colour. Can you describe to the Court what you mean
29 by camouflage colour?

1 A. That is the colour - it's camouflage, just like a combat,
2 just like a military uniform, that's what it was like.

3 Q. Can you tell us what colours were on this camouflage?

4 A. Green, black, dark brown. It was a mixed colour.

12:24:53 5 Q. You indicated that you then got out of the helicopter and
6 what happened after that?

7 A. When we alighted the helicopter I returned to the
8 guesthouse while Sam Bockarie and others went.

9 Q. Can you tell us who these others were that went with Sam
12:25:18 10 Bockarie?

11 A. Sam Bockarie went with his bodyguards.

12 Q. What happened with Benjamin Yeaten?

13 A. Benjamin Yeaten did not go. He too returned to his house.

14 MS HOLLIS: Your Honours, this next line of questioning
12:25:46 15 I am going to ask for private session. It has to do with a
16 unique position - two unique positions in fact that the witness
17 held which would be identifying and the information the witness
18 received because of these unique positions in combination would
19 also be identifying.

12:26:12 20 PRESIDING JUDGE: Mr Griffiths, you have heard the
21 application for a private session.

22 MR GRIFFITHS: Well, I am in no position to object to it,
23 your Honour, frankly.

24 PRESIDING JUDGE: Very well. Yes, we will allow the next
12:26:30 25 part of the evidence to be in private session. For purposes of
26 the rules, I inform the public that the next part of the evidence
27 will not be heard, it will be in what's called private session
28 for reasons of security of the witness. I do not know how long
29 it will take.

1 MS HOLLIS: It is a fairly substantial part of the
2 witness's evidence and it all revolves around his unique
3 positions.

4 PRESIDING JUDGE: I understand. Please put the Court in
12:27:00 5 private session, Madam Court Attendant.

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7 [At this point in the proceedings, a portion of
8 the transcript, pages 12986 to 13009, was
9 extracted and sealed under separate cover, as
10 the proceeding was heard in private session.]

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12 [Whereupon the hearing adjourned at 1.33 p.m.
13 to be reconvened on Monday, 7 July 2008 at
14 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

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EXAMINATION-IN-CHIEF BY MS HOLLIS	12935