



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

FRIDAY, 5 SEPTEMBER 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 Doreen Kiggundu
Ms Sidney Thompson

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Ms Leigh Lawrie
Mr Christopher Santora

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah

1 Friday, 5 September 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:28:32 5 PRESIDING JUDGE: Good morning. Am I correct in thinking
6 that appearances are as before?

7 MS HOLLIS: As before for the Prosecution, your Honour.

8 MR MUNYARD: Likewise for the Defence, Madam President.
9 Good morning to everybody.

09:28:53 10 PRESIDING JUDGE: I will therefore, unless there's some
11 other matters, remind the witness of his oath. Mr Witness, I
12 again remind you this morning that you have taken the oath to
13 tell the truth in the Court. That oath continues to be binding
14 on you and you must answer questions truthfully.

09:29:12 15 THE WITNESS: Yes, I understand.

16 WITNESS: TF1-338 [On former oath]

17 PRESIDING JUDGE: Good. I will just check, if I recall
18 correctly we were in private session yesterday, is that correct,
19 Madam Court Attendant?

09:29:27 20 MS IRURA: That's correct, your Honour.

21 PRESIDING JUDGE: Mr Witness, we are still in private
22 session. That means that only the persons here in the Court can
23 hear what you are saying and it also means that there is no
24 broadcast of this part of the evidence. Mr Munyard, please
09:29:43 25 proceed.

26 [At this point in the proceedings, a portion of
27 the transcript, pages 15538 to 15555, was
28 extracted and sealed under separate cover, as
29 the proceeding was heard in private session.]

1 [Open session]

2 MS IRURA: Your Honour, we are in open session.

3 MS HOLLIS:

10:20:05

4 Q. Mr Witness, Defence counsel on 4 September asked you some
5 questions about the disarmament in Sierra Leone, the disarmament
6 by the RUF, and he asked you about the timing of the disarmament
7 in the RUF and you stated that - and the reference is page 15447
8 and 15448. And you stated that:

10:20:33

9 "He" - and you were referring to Issa Sesay - "started the
10 disarmament at the end of 2001 going into 2002 but in certain
11 areas he delayed the disarmament because of certain things that
12 were happening in those particular areas."

13 Defence counsel asked you such as what and you told him:

10:20:57

14 "Like, for instance, in the northern area, that is around
15 Kambia, he refused to disarm early in Makeni because of the
16 operation that was going on at Pamelap and in the Koinadugu area
17 also he refused to disarm early because of the mission that was
18 going to take place in Kissidougou, and in Kailahun also he
19 refused to disarm early because of the operation that was going
20 to take place from Foya to Guéckédou."

10:21:24

21 And you stated these were some of the reasons why in
22 certain areas he delayed the disarmament in 2002. Then Defence
23 counsel:

10:21:46

24 "Q. Right, in some areas they delayed because they were
25 assisting the Government of Liberia in repelling rebel
26 attack in that country, yes?

27 A. Yes, according to the instruction, because it was
28 according to instruction that we decided to infiltrate
29 there."

1 Do you remember saying that?

2 A. I remember saying that.

3 Q. Can you explain to the Court what you mean by "according to
4 the instruction, because it was according to instruction that we
10:22:16 5 decided to infiltrate there".

6 A. The instruction that I mean was the instruction from Issa.
7 He said he got an instruction from Charles Taylor that he should
8 organise the troops to enter Guinea through Pamelap.

9 THE INTERPRETER: Your Honours, can the witness repeat this
10:22:45 10 last one.

11 PRESIDING JUDGE: Pause, Mr Witness, please. The
12 interpreter asks that you repeat the last part of your answer.
13 Please pick up from where you said, "He should organise the
14 troops to enter Guinea through Pamelap". Please continue from
10:23:02 15 there.

16 THE WITNESS: They should enter to Guinea by Kissidougou
17 through Kono, not Koinadugu. Then he should send manpower to
18 Foya to Benjamin Yeaten to be able to join the other forces who
19 were there to enter through Guéckédou. That was why there was
10:23:23 20 delay, the disarmament in that area.

21 MS HOLLIS:

22 Q. Now, Mr Witness, on 3 September you also testified about
23 materials being brought by plane to Mayoroh which is near
24 Magburaka, and you testified that the materials included GMG
10:23:51 25 rounds, G3 rounds, stick grenades and AK-47 rounds. To your
26 knowledge, what was done with these materials once they arrived
27 at that location in Mayoroh?

28 A. Whether they brought, first they tried to take them from
29 Mayoroh. They took some to Freetown to the Ordinance and some

1 were taken to Makeni and some were in Magburaka. They were used
2 to repel the ECOMOG troops who wanted to invade Freetown at that
3 time.

10:24:43

4 Q. So these materials, once they were received, how were they
5 distributed?

6 A. Some were left in Magburaka, some were taken to Ordinance
7 and some were taken to Makeni.

10:25:11

8 Q. Mr Witness, you were also asked questions about General
9 Ibrahim Bah and General Ibrahim Bah's involvement with Ukrainian
10 mercenaries?

11 JUDGE SEBUTINDE: Ms Hollis, sorry to interrupt, did the
12 witness say a word "ordnance"? What is ordnance?

13 MS HOLLIS: Yes, your Honour, he did and I will clarify
14 that:

10:25:27

15 Q. Mr Witness, you have used the word "ordnance". What does
16 that mean, ordnance?

17 A. Ordinance, it's an a particular place that the military had
18 in the Murray Town barracks where arms were stored. They called
19 the place Ordinance.

10:25:52

20 Q. Now, Mr Witness, you were asked questions about General
21 Ibrahim Bah and his involvement with Ukrainian mercenaries and
22 you were asked about these Ukrainian mercenaries who were going
23 to assist the RUF and you talked about having a last meeting in
24 December that was held for you to go and capture Kono, and I am
25 speaking here about pages 15294 all the way through to 15298. So
26 you talked about a last meeting in December that was held for you
27 to go and capture Kono and it was during that meeting that you
28 saw General Ibrahim Bah and Mosquito said it was General Ibrahim
29 who had helped him to pass through Charles Taylor to go to Blaise

1 Compaoré to get materials and bring them and that:

2 "General Ibrahim would come and assist us to be able to get
3 more materials from the Ukrainians if we allowed them to come and
4 help us to fight to capture Kono. So that was how I made mention
10:27:04 5 about General Ibrahim."

6 Now you also said that they were to come to assist you to
7 fight and then if you allowed them they would continue the
8 mining. Now, Mr Witness - and these people by the way were
9 referred to as Ukrainian mercenaries. Did the RUF use those
10:27:26 10 Ukrainian mercenaries?

11 A. No, RUF did not accept to use them.

12 Q. Why not?

13 A. Why? Because there was a commander called Superman who was
14 at the Kurubonla jungle. He got that on the HF radio, so he
10:27:50 15 responded through the HF radio to talk to the RUF that, no, Foday
16 Sankoh had said we should not allow any mercenary. We should not
17 allow any assistance from anybody except his brother,
18 Charles Taylor, and so we should not allow anybody to come as a
19 mercenary to work with the RUF because Foday Sankoh had said it
10:28:11 20 was a self-reliant struggle. It was a Sierra Leonean struggle.
21 That was why they did not allow them.

22 JUDGE SEBUTINDE: Ms Hollis, by "work" the witness means -
23 it includes mining as well? These mercenaries did not assist in
24 the mining?

10:28:32 25 MS HOLLIS:

26 Q. Mr Witness, you used the word "work". Were you saying that
27 the mercenaries did not assist in mining?

28 A. They did not assist in the mining at all. They were not
29 allowed to come and fight because if they had fought and captured

1 then they would be mining and supplying us, but Superman did not
2 accept.

3 Q. You were also asked questions about a meeting with Ibrahim
4 Bah, Simbo, Foya Musa and Guinean special forces Bah. This came
10:29:20 5 up in the context of your answer when you said there were two
6 Bahs; that there was a Guinean Special Forces Bah and there was a
7 General Ibrahim Bah. You talked about in 1996 in Zogoda seeing
8 Guinean Special Forces Bah with Foya Musa and a Ghanaian
9 Dr Simbo and Ibrahim Bah and I'm referring to page 15297 to page
10:29:45 10 15298. You said that according to the idea you got General
11 Ibrahim Bah:

12 "... came to discuss how the RUF leader would be able to
13 get materials while he was there and at the same time to
14 encourage General Bah - that was the other General Bah, the short
10:30:07 15 one, the Guinean Special Forces - to encourage him to be with us
16 so we would be acquainted with each other because he had to use
17 RUF fighters to go to Guinea. At the same time he came with
18 Dr Simbo for Dr Simbo to be with us, he said, because Dr Simbo
19 had a mission in Ghana."

10:30:33 20 You then stated that the other short Ibrahim Bah was a
21 Guinean who only came to get acquainted with RUF boys in Zogoda
22 because he was later to use them after the RUF struggle. Now did
23 you know how he was to use these RUF boys later after the RUF
24 struggle?

10:31:00 25 A. He said - he spoke in general terms. He said he would use
26 them. He said he would have to use them after the RUF would have
27 succeeded. He spoke in general terms as use. He used the word
28 "use" in general terms. But during that time the only meaning
29 that we had for "use" was to go and fight, so I had in the back

1 of my mind that in that sense he meant to go and fight in Guinea
2 after the RUF would have succeeded.

3 Q. And this person, Fayia Musa, who was that?

4 A. Fayia Musa was an RUF.

10:31:43 5 Q. And what was his nationality?

6 A. He was a Sierra Leonean.

7 Q. And who was Dr Simbo?

8 A. Dr Simbo was a Ghanaian.

9 Q. And you said he was brought because he had a mission in
10:32:01 10 Ghana. Do you know what that mission was?

11 A. He told us that he was a revolutionary and they would have
12 to lead a revolution in Ghana to oust John Rawlings. He said he
13 attempted once and he failed, but next time he would have to try
14 it in a revolution form. So that's why he had - because RUF had

10:32:30 15 fought and maintained their war, so he liked the way the RUF
16 fought. That's why he had come to the RUF to be acquainted with
17 the fighters, so he wanted to understudy and he attended the
18 formation. What I mean by formation is it's a parade that we
19 hold every morning for prayers, and every commander who had a
10:32:50 20 piece of advice would come forward and give those advice to the
21 soldiers and that was the time he came forward and told us that
22 that was the reason he was in our midst.

23 MR MUNYARD: Can I ask if the witness actually did use the
24 name John Rawlings.

10:33:14 25 MS HOLLIS:

26 Q. Mr Witness, did you use the name John Rawlings?

27 A. Jerry Rawlings, the former Ghanaian President.

28 MR MUNYARD: I simply wanted to know what name he used the
29 first time round.

1 PRESIDING JUDGE: Mr Interpreter, what name was used by the
2 witness when he started to answer that question?

3 THE INTERPRETER: He initially used John Rawlings and later
4 he said Jerry Rawlings. The President was actually John Jerry
10:33:45 5 Rawlings.

6 PRESIDING JUDGE: Some extraneous information from the
7 interpreter there.

8 MR MUNYARD: I think it's called evidence, your Honour.

9 MS HOLLIS: I think it's called inadmissible, your Honour.

10:33:57 10 MR MUNYARD: I agree.

11 MS HOLLIS:

12 Q. Now, Mr Witness, you said that Jerry Rawlings was the
13 former Ghanaian President. Now at the time that Dr Simbo was in
14 your country saying that he was going to try to lead a revolution
10:34:15 15 to overthrow or oust John Rawlings, the name you used then, at
16 that time what was John Rawlings's position in Ghana?

17 A. He was the President at that time.

18 Q. Defence counsel asked you questions about infighting in the
19 RUF and if there was any particular person who was causing
10:34:44 20 problems, and you talked about the rift between Superman and Issa
21 Sesay and you also talked about problems that Superman had with
22 Sam Bockarie and I'm referring to page 15299 through page 15301.

23 Now you testified that in late 1998/1999 Superman was
24 accused of being in possession of diamonds and that he wanted to
10:35:18 25 escape with those diamonds to Guinea. Now did Superman escape to
26 Guinea?

27 A. Superman did not escape. They told us that he wanted to
28 escape, but he did not actually escape. He was just accused, but
29 he did not do it.

1 Q. Now in late 1998 in December, late December 1998, where
2 were you?

3 A. Late December 1998 I was around the Kono axis.

4 Q. And where did you go from the Kono axis?

10:36:07 5 A. Around the Kono axis after Mosquito has called for a forum
6 and we went, we attended the meeting, from there we came, we
7 pursued and we entered Kono and we went down to Freetown.

8 Q. Mr Witness, now if I may ask you to be specific. From the
9 Kono axis, where exactly did you go?

10:36:23 10 MR MUNYARD: Before we continue down this line of
11 questioning, I would be grateful to know how this arises out of
12 my cross-examination.

13 PRESIDING JUDGE: Ms Hollis, I'm just looking at the
14 transcript while awaiting your response to that objection.

10:36:46 15 MS HOLLIS: Thank you. Once we place the witness, then I
16 will place Superman and discuss his activities and this goes to
17 this whole issue of infighting and rifts.

18 PRESIDING JUDGE: I see. In that case I allow the
19 question.

10:36:59 20 MS HOLLIS:

21 Q. So, Mr Witness, from the Kono axis where did you go?

22 A. We hit to go to Makeni.

23 Q. And when you arrived in Makeni, where was Superman?

24 A. Superman was at a village called Binkolo. He at first came
10:37:24 25 and attacked Makeni, but it was unsuccessful and so he retreated.
26 He went and based in Binkolo.

27 Q. Now when you were in Makeni who was your commander?

28 A. It was Boston Flomo, aka Rambo.

29 Q. Now once you were in Makeni with Boston Flomo and Superman

1 was in a village called Binkolo, what did Superman do after that?

2 A. Boston Flomo suggested that we should go and receive
3 Superman to come and join us, because by then he was a little bit
4 afraid to come and join us because of the accusation levied
10:38:15 5 against him by Mosquito. So what happened was that we tried to
6 call a meeting between Boston Flomo, Superman and Issa. They all
7 decided that they should go and fight together, but when they
8 came after that he moved with his own troops and went and based
9 in Lunsar.

10:38:33 10 Q. So who was it who decided that they should go and fight
11 together?

12 A. The three of them decided to fight together, because they
13 called for a meeting to iron out the differences between the
14 three of them.

10:38:53 15 Q. And where did Superman go from Lunsar?

16 A. From Lunsar, Boston Flomo and his troop, we moved, we went
17 and met him in Lunsar. We all organised there and we decided to
18 go to Freetown, but when we went to Freetown we did not succeed
19 and so we went and we came back to Masiaka. We based there.

10:39:21 20 Those who succeeded in entering Freetown later were there for
21 some time. Later they retreated and met us in Masiaka.

22 Q. So you said that you all "... went and met him in Lunsar".
23 Who is the "him" you met in Lunsar?

24 A. We met Superman in Lunsar.

10:39:38 25 Q. And then you said, "We decided to go to Freetown". Who
26 moved from Lunsar to Freetown?

27 A. It was Superman and Boston Flomo and their troops. We
28 moved to go to Freetown, but the ECOMOG troop did not allow us to
29 enter at all, so we were based at Waterloo.

1 Q. Now you have told the Court earlier that on 8 May of 2000
2 when Foday Sankoh's residence was attacked that many people fled
3 and that that included Superman. Now why was Superman at Foday
4 Sankoh's residence on 8 May of 2000?

10:40:30 5 A. It was Foday Sankoh who invited him to go there. After the
6 Lomé Peace Accord Foday Sankoh flew to Freetown, so when he was
7 there he invited Superman to come and meet him there because he
8 wanted to know his own side with regards the infighting that took
9 place, but when he went there now he based there. He did not
10:40:55 10 return.

11 Q. So how long did Superman base in Freetown with Foday
12 Sankoh?

13 A. Superman was with Foday Sankoh in Freetown for a long
14 period of time, because he was there up to Christmas and after
10:41:11 15 the Christmas he was there during the new year up to the 8 May
16 incident. So he was there for long with Foday Sankoh.

17 Q. And what were his duties at this time when he was in
18 Freetown with Foday Sankoh?

19 A. He was a senior officer, so he was now based there as a
10:41:32 20 security to Foday Sankoh.

21 Q. You also testified that Superman was in command of Sierra
22 Leone --

23 PRESIDING JUDGE: Sorry, Ms Hollis. I hesitate to
24 interrupt, but when the initial objection was made you said it
10:41:48 25 was to do with - the line of questioning was to do with
26 infighting and we have now moved away from that into the role. I
27 don't have the entire cross-examination before me, but does this
28 also arise from cross-examination?

29 MS HOLLIS: That is correct, your Honour. The Defence

1 questions were the infighting and Superman being - having a rift
2 with Issa Sesay, both regarding Boston Flomo and other things,
3 and this line of questioning is to show Superman's position
4 within the RUF.

10:42:21 5 PRESIDING JUDGE: Thank you.

6 MS HOLLIS:

7 Q. Now you have also testified that Superman was sent to
8 command Sierra Leone fighters who were sent to Liberia to fight
9 against the LURD. Now who sent Superman to do this?

10:42:35 10 A. It was Issa who sent Superman to do that.

11 Q. And you've also testified that Superman was recalled to
12 Sierra Leone to be sent on a mission to Kissidougou in Guinea.
13 Now who recalled Superman from Liberia to Sierra Leone?

14 A. It was Issa who recalled him to come back to Sierra Leone
10:43:01 15 so that he will lead the troops to Kissidougou.

16 Q. What did Superman do - what was his assignment after the
17 Kissidougou mission?

18 A. After the Kissidougou mission he decided to go back to
19 Liberia because that was where he was now based. He only came at
10:43:25 20 that time because he was invited to come and undertake the
21 Kissidougou mission. So immediately after the Kissidougou
22 mission he decided to go back to Liberia where he was based.

23 Q. And what were his duties there?

24 A. He was there as a commander under the RUF.

10:43:46 25 Q. When you say under the RUF, under who?

26 A. Under the Liberian government, but he was actually sent
27 there by Issa. So he directly took instructions from Issa at
28 that particular time. Whatever Issa told him was what he went
29 by.

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

2 MR MUNYARD: Well, Madam President, since you yourself
3 raised with my learned friend where this was going to and we've
4 heard a certain amount about Superman's physical geographical
10:44:27 5 location, my learned friend based this line of questioning on my
6 cross-examination on 3 September on certain pages. And at the
7 foot of page 15301 going on to 15302 the question I asked and the
8 answer I got was:

9 "Q. After that incident, that's with the diamonds, did the
10:44:48 10 RUF high command continue to distrust?

11 A. It continued. After that incident they continued to
12 distrust him. They hadn't any trust in him."

13 Now we've dealt with where he went and where he lived, but
14 my learned friend has not re-examined on the question and the
10:45:06 15 answer that I've just read out that she purported to base this
16 line of re-examination on.

17 MS HOLLIS: May I respond?

18 PRESIDING JUDGE: Yes.

19 MS HOLLIS: I never said I based it on the suspicion. I
10:45:20 20 said I based it on the issues that the Defence counsel raised.
21 Throughout all of his questioning he was trying to show rifts
22 within the RUF and focused on Superman and the issue arose as to
23 the suspicion about Superman having diamonds and planning to
24 escape to Guinea. I addressed that.

10:45:44 25 The rift with Issa Sesay, I addressed through the issue of
26 Boston Flomo, because the witness said the rift was Superman did
27 not want to follow Boston Flomo's orders. The re-examination
28 showed the two of them working together and moving to Waterloo.

29 And the rift with Issa Sesay, the questions relating to not

1 just his physical location, but who sent him there to do these
2 missions, the fact that he went on these times is all relevant to
3 this issue of a rift within the RUF in general terms and is also
4 relevant to the specific issue of the rift concerning Superman
10:46:19 5 and Issa Sesay and the earlier evidence that came out about Sam
6 Bockarie's suspicions.

7 PRESIDING JUDGE: Thank you, Ms Hollis. Actually,
8 Mr Munyard, I didn't ascertain what relief, if any, you are
9 seeking from the Court other than to put on record the
10:46:39 10 observation you have already put on record and possibly deal with
11 it in submission.

12 MR MUNYARD: I wasn't seeking relief as such. I was hoping
13 that my learned friend would deal with that issue, because that
14 seemed to me to be the nub of the issue to which she was
10:46:58 15 directing her re-examination and I didn't feel that she had
16 directed re-examination to the nub of the issue. I felt that
17 she'd only dealt with the geographical locations and so on. And
18 I'm not going to pursue this any further but I did raise the
19 objection in the first place to this line of questioning, I
10:47:18 20 didn't feel that it had been properly met. It's a matter for the
21 Court. I don't pursue it.

22 PRESIDING JUDGE: Thank you.

23 [Trial Chamber conferred]

24 PRESIDING JUDGE: Mr Witness, that is the end of your
10:47:46 25 evidence - excuse me. [Microphone not activated] matter of a
26 document marked for identification, Ms Hollis.

27 MS HOLLIS: Yes, Madam President, it is MFI-1 and it is a
28 map which is found at M5 in the book. However, I believe it was
29 - the generic map was introduced as P-4. The witness has marked

1 on this map. It is a map of Guinea and he has marked three
2 locations on the map and I would move for its admission into
3 evidence.

10:48:23

4 PRESIDING JUDGE: Thank you. Mr Munyard, you've heard the
5 application.

6 MR MUNYARD: And we agree.

10:48:40

7 PRESIDING JUDGE: Thank you. This is a map, a one-paged
8 document showing Guinea, Sierra Leone and surrounding countries.
9 It has been marked in three places by the witness and it becomes
10 a Prosecution exhibit P-167.

11 [Exhibit P-167 admitted]

10:49:09

12 Mr Witness, that is the end of your evidence and we thank
13 you for coming here to the Court to give your evidence and we
14 wish you a safe journey back. I want to say one other thing
15 before I release you from the Court. In the course of
16 cross-examination you have heard things that were said at
17 different times in this Court by others. Those witnesses are
18 like yourself protected witnesses and therefore I must tell you
19 that you cannot try and identify those persons or approach them
20 concerning their evidence. Do you understand what I have said?

10:49:33

21 THE WITNESS: I have heard you.

22 PRESIDING JUDGE: Please remain where you are so that the
23 curtains can be lowered to allow you to leave the Court. If that
24 can be implemented, please.

10:51:12

25 We're in open session, Mr Bangura. I note the curtains are
26 down but can you indicate to us if the next witness has measures
27 that have to be implemented.

28 MR BANGURA: May it please your Honours.

29 PRESIDING JUDGE: I am presuming that you have carriage of

1 the next witness in view of the fact that you have moved into the
2 driving seat.

3 MR BANGURA: That is correct, your Honour. Your Honours,
4 just for purposes of representation before we get on to that, may
10:51:40 5 the Bench take note of the fact that the Prosecution team has
6 been joined by Mr Chris Santora. Your Honours, the next witness
7 would be --

8 PRESIDING JUDGE: I just note that Mr Anyah has also
9 changed places. Mr Anyah, is that correct?

10:51:55 10 MR ANYAH: Yes, Madam President, may it please your
11 Honours. I have carriage of this witness for the Defence.

12 PRESIDING JUDGE: Thank you.

13 MR BANGURA: Your Honours, the next witness will be
14 TF1-585. This witness will testify in Krio. This witness has
10:52:14 15 been granted certain protective measures by this Chamber and
16 those measures are contained in decisions by this Chamber dated
17 10 January 2007 and that decision incorporates actually measures
18 that were granted on 5 May 2006 and additional measures were
19 granted by this Chamber to this witness on 7 May 2008.

10:52:59 20 Specifically, the witness will testify using image distortion,
21 screen and voice distortion. Also the witness, by reason of the
22 earlier measures granted by this Court, is to be referred to by a
23 pseudonym.

24 PRESIDING JUDGE: Thank you, Mr Bangura. I will first
10:53:25 25 check that the Krio interpreters are in position, Mr Interpreter?

26 THE INTERPRETER: Yes, your Honours.

27 PRESIDING JUDGE: We note the protective pressures in
28 place. I have the order before me. In order to allow the
29 witness to be brought into the Court, please lower the curtains

1 and assist the witness to be brought in.

2 MR BANGURA: Your Honour, just a point of correction. My
3 attention has just been drawn to the fact that I referred to your
4 order of 10 January, I referred to it as made in 2007 instead of
10:54:11 5 2008. It should be 2008.

6 PRESIDING JUDGE: Thank you, I have noted that accordingly.

7 MR BANGURA: Your Honour, there is a matter to be addressed
8 regarding the mode of testimony of this witness further. I don't
9 know whether that can be dealt with before the witness actually
10:55:04 10 comes in. It's just an application that I was hoping to make.

11 PRESIDING JUDGE: Is it appropriate to make it in the
12 absence of the witness?

13 MR BANGURA: Not necessarily, your Honour.

14 PRESIDING JUDGE: Well, tell us the nature of it and we
10:55:18 15 can --

16 MR BANGURA: Your Honour, it's just for part of the
17 testimony to be in closed session, some part of the testimony.

18 PRESIDING JUDGE: We will deal with that application as it
19 arises, Mr Bangura.

10:55:29 20 MR BANGURA: As your Honour pleases.

21 WITNESS: TF1-585 [Sworn]

22 PRESIDING JUDGE: Mr Bangura, please proceed.

23 MR BANGURA: Thank you, your Honour. Your Honour, I need
24 to make the application that I talked about right up front at
10:57:34 25 this stage. Your Honour, because of the nature of the testimony
26 that the witness will be giving to this Court, in particular the
27 nature of the relationship she bore with certain individuals who
28 will be named in her testimony, it is necessary, to continue to
29 give her the protection that she needs for her security, that

1 such testimony be given in private session.

2 Your Honour, I intend not to have to go into and out of
3 private session throughout the testimony. In this vein, I wish
4 to apply that the witness's testimony in the early part of it be
10:58:36 5 given in private session and that will probably last for about 30
6 minutes and again towards the end we shall be asking the Chamber
7 to allow that the witness finishes her testimony in chief in
8 private session. Your Honour, I make this application pursuant
9 to Rule 79(A)(ii) of the Rules of Procedure and Evidence.

10:59:08 10 PRESIDING JUDGE: Mr Bangura, without divulging any
11 information, can you indicate to us the nature of the testimony
12 you wish to adduce in private session now, as I understand it is
13 now.

14 MR BANGURA: Your Honour, the evidence that the Prosecution
10:59:30 15 intends to adduce in private session basically will be evidence
16 that relates to the positions that this witness held throughout
17 the period of her career with the RUF and that those portions of
18 her testimony will also relate to persons whom she served with,
19 commanders under whom she served, and they particularly will
11:00:04 20 bring out the very unique nature of the relationship she bore
21 with some of these persons that will be named.

22 PRESIDING JUDGE: Thank you. Mr Anyah, you've heard the
23 application.

24 MR ANYAH: Madam President, we have no objection with
11:00:19 25 respect to the first of the two applications, the one pertaining
26 to the initial phase of the witness's direct examination. To the
27 extent counsel for the Prosecution applies later on during the
28 examination-in-chief to be heard in private session we hope to be
29 heard at that point in respect of that application.

1 PRESIDING JUDGE: We grant that application to have this
2 initial evidence in private session and we will deal with any
3 other applications when and if they arise.

4 For purposes of record and the rules I note too for
11:00:57 5 broadcast and to any members of the public that are present that
6 the next part of the evidence will be not broadcast. It will not
7 be heard outside the Court. Persons can look into the Court, but
8 they will not hear. This is for reasons of security of the
9 witness. Please implement that, Madam Court Attendant.

11:01:15 10 [At this point in the proceedings, a portion of
11 the transcript, pages 15574 to 15595, was
12 extracted and sealed under separate cover, as
13 the proceeding was heard in private session.]
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1 [Open session]

2 MS IRURA: Your Honour, we are in open session.

3 PRESIDING JUDGE: Madam Witness, the continuation of your
4 evidence is in open session. I therefore caution you to ensure
12:20:02 5 that you do not mention your own name or some relationship that
6 could directly and clearly identify you. Please continue.

7 MR BANGURA: Thank you, your Honour:

8 Q. Madam Witness, what sort of training was conducted at
9 Zogoda? Let me go back. What sort of training was conducted at
12:21:12 10 the northern jungle?

11 A. Well, it was a radio operator's training that had to do
12 with the alphabetical code.

13 Q. And when you say alphabetical code, what do you mean?

14 A. I mean the radio alphabetical code, the RUF radio
12:21:44 15 alphabetical code.

16 Q. And at Zogoda what sort of training was undertaken there?

17 A. We underwent - we continued the same RUF radio operator's
18 training that had to do with the antenna. We were taught how to
19 mount antenna, how to use RUF code books, how to operate various
12:22:18 20 types of radio communication sets. We were taught the logbook.
21 They taught us about grid references. They taught us about call
22 signs. We were taught about frequencies.

23 Q. Madam Witness, in terms of communications, how did the
24 system operate that you recall - the radio system within the RUF,
12:23:04 25 how did it operate? How did one person communicate to another
26 person?

27 A. For that we had an RUF control station which was the state
28 controlled station. That was the state controlled station. We
29 had a special frequency, a special channel, where all RUF

1 communications should go, that all call signs should call on that
2 particular control station to know the present situation that
3 obtained. If there were any instructions, so the instructions
4 would be passed on to you directly.

12:23:54 5 Q. Who did the controlled station communicate with?

6 A. The control station communicated with various substations.

7 Q. You mentioned a special frequency. Was there one that the
8 system operated on, the RUF radio system?

9 A. Yes, we had a special frequency which was the control
12:24:30 10 frequency, control station, which was 70110. It was on that
11 particular frequency that every call sign, every radio station,
12 should monitor or should present report or to receive
13 instructions from.

14 Q. Now you mentioned call signs. Were there any particular
12:24:58 15 call signs to any particular radios that you recall?

16 A. Yes.

17 Q. Please go on?

18 A. We had Bravo Zulu 4. We had Mike November 1. We had
19 Foxtrot Yankee on the other side. We had Base 1 on the other
12:25:39 20 side. We had many other frequencies we were call signs, but I
21 cannot recall everything now.

22 Q. But, Madam Witness, you first of all mentioned on the other
23 side. What do you mean by "on the other side"?

24 A. That is the Liberian side. That's what I meant. In
12:26:03 25 Monrovia and around Monrovia.

26 Q. You mentioned a few names of call signs and you said - you
27 clearly said some were on the other side. Which ones of these
28 were not on the other side, that is which ones were on your side?

29 A. Well, Mike November 5 was my own side, that was Sierra

1 Leone, RUF station. Planet 1 was on the RUF station that was in
2 Sierra Leone under RUF command. We had many others.

3 Q. Now where was Planet 1?

12:26:59

4 A. Well, Planet 1 was in Buedu. That was Sam Bockarie's
5 station.

6 Q. You mentioned also Bravo Zulu 4. Where was that?

7 A. It was in Buedu again. It was the same call sign that we
8 changed to Planet 1, because we used to change call signs.

12:27:26

9 Q. And you mentioned Mike November. Which call sign was that
10 or for which radio was that call sign?

11 A. Well, it was in the same Buedu. In Buedu we had three
12 different radio stations, all of them were under Sam Bockarie's
13 command. We had Mike November 5, that was towards going to the
14 airfield. Then we had Marvel, which was a mobile radio station
15 that was mounted in a vehicle. Wherever Sam Bockarie would go
16 that was the radio set he would move with. And Planet 1 was
17 mounted right at Issa Sesay's veranda. That was the permanent
18 radio that Sam Bockarie used.

12:27:55

19 Q. Now you have mentioned a number of names of radio stations,
12:28:22 20 or call signs for radios that were used in Buedu. Can you give
21 us the time frame when these different radios were in use, or
22 these call signs were in use in Buedu? Let us start with Bravo
23 Zulu 4. You said that was the sign before it was changed. When
24 was it in use?

12:28:22

12:28:49 25 A. The time we came to Buedu when we had left Kenema,
26 Sam Bockarie left Kenema to Buedu, from Kenema right up to - in
27 Kenema it was Bravo Zulu 4, but when we got to Buedu that was the
28 time we changed it. We changed it to Planet 1.

12:28:49

29 Q. From the time you changed Planet 1, about what period was

1 it?

2 A. It was early 1998.

3 Q. And up until what time did you continue to use Planet 1 as
4 a call sign for Sam Bockarie?

12:29:39 5 A. Up to the time that Sam Bockarie left for Monrovia, we were
6 using Planet 1 right up to that time.

7 Q. And what about Marvel?

8 A. Marvel was his mobile station that he used whenever he
9 wanted to go to the front line, like the Pendembu area, and
10 whenever he went to Monrovia. We used Marvel to go and escort
11 him to the airfield, Foya airfield, for him to board a chopper to
12 Monrovia.

13 Q. Within what period was Marvel used in Buedu? What time
14 period?

12:30:19 15 A. It was around '98. From early '98 up until the time we
16 went to Monrovia. We used that as an escort radio station. As
17 an escort radio station. That was the mobile radio station.

18 Q. Finally you mentioned Mike November. For what period was
19 Mike November also used as a call sign for a radio in Buedu?

12:30:54 20 A. It was the same time that we left Kenema for Buedu. It was
21 the same early 1998. Mike November 5 was used to relay any
22 information that any other call sign would want to pass to Planet
23 1 whenever that station did not get us. It was as well used
24 particularly for 448, whenever 448 would be coming in Buedu or
12:31:23 25 any other RUF operational areas.

26 Q. Madam Witness, you just mentioned 448. What do you mean?

27 A. That is the ECOMOG jet. That was the code name for the
28 ECOMOG jet that used to come from Liberia.

29 Q. Now you said that "whenever 448 would be coming in Buedu".

1 Can you explain that? What is the link with Mike November?

12:32:18 2 A. Well, that particular station was there for whenever 448
3 would be taking off from IRA, IRA in Monrovia, Roberts
4 International Airport, we had an operator there who was called
5 Sky 1. He would come on the net and tell us that 448 had just
6 left my location and during that time Planet 1 would instruct
7 Mike November 5 saying that he should tell the MP commanders in
8 Buedu to ring the bell. That was for Buedu, inside of Buedu. So
9 Mike November 5 now would pass the information on to MP commander
12:32:47 10 so they would ring the bell. When they would ring the bell,
11 everybody - anybody who was in the RUF in Buedu at that time and
12 the surroundings, whenever he or she heard that bell everybody
13 would know that ECOMOG jet was around and so everybody would go
14 into hiding.

12:33:08 15 Q. Madam Witness, you mentioned earlier that Marvel was used
16 as a mobile radio. Was any other radio at any time used as a
17 mobile radio, apart from Marvel?

18 A. Yes, whenever Marvel had a problem we used Planet 1. That
19 was up to us, the operators, to choose which call sign we would
12:33:40 20 use on that day. We were the ones who would choose the call sign
21 we used on a particular day.

22 Q. Madam Witness, you started giving us names of call signs of
23 radios, you said on the other side, and that means Liberia. Can
24 you recall any more names? You gave us Foxtrot Yankee. First of
12:34:02 25 all where was Foxtrot Yankee based?

26 A. Well, Foxtrot Yankee was based in Foya, Foya airfield. And
27 we had another radio station that was called Victor 1. That was
28 in Vahun. And Lima Bravo in Base 1 - sorry, as well as Base 1,
29 that was in Monrovia with 50. That was Benjamin Yeaten's call

1 sign.

2 Q. Madam Witness, which radio stations did you mention that
3 you said are 50's radio stations in Monrovia? Can you go over
4 that again, please?

12:35:02 5 A. He used Base 1 as well as Lima Bravo. It was the same
6 radio that had those two call signs that I can remember.

7 Q. And who was 50? You said 50's radio station, so who was
8 50?

9 A. I know him to be Benjamin Yeaten.

12:35:27 10 Q. And the name 50 was - what did you know that name as? 50,
11 was that a name for a particular reason? Did that name represent
12 anything?

13 A. Well, as far as I am concerned, I know that it was a code
14 name.

12:35:59 15 Q. Madam Witness, let me take you back to Kenema where you
16 said Bravo Zulu was used as a call sign. Now do you recall any
17 communications that went on during the period that you were in
18 Kenema?

19 A. Yes, communications went on.

12:36:25 20 Q. Now do you recall who these communications were with
21 internally within the RUF?

22 MR ANYAH: Well, she said communications went on. I don't
23 think she restricted it to being internally within the RUF.

24 THE WITNESS: Yes, that's what I am about to say now. It
12:36:51 25 was both within the RUF and in Liberia.

26 MR BANGURA:

27 Q. Madam Witness, can you deal with communications within the
28 RUF internally first?

29 A. Okay.

1 Q. What sort of communications went on?

2 A. Well, radio communications went on between Sam Bockarie and
3 Johnny Paul, between Johnny Paul and Sam Bockarie, between Issa
4 Sesay and Sam Bockarie, between one another.

12:37:28 5 Q. Do you recall what was the subject of some of these
6 communications?

7 A. Well, I can recall one or two of them.

8 Q. Yes, please, go on.

9 A. That was about how they were to work together.

12:38:00 10 Q. At this time do you recall what was the situation in Kenema
11 generally where Sam Bockarie was, the military situation there?

12 A. Yes, Sam Bockarie was in Kenema as commander. He was there
13 as a commander, an RUF commander, and he used to check at the
14 various front lines.

12:38:34 15 Q. And where were these various front lines that he checked on
16 from Kenema?

17 A. He was frequent in Tongo.

18 Q. Was anything going on in Tongo?

19 A. Yes, RUF was mining for diamonds in Tongo.

12:38:58 20 Q. Do you know of any other deployment apart from Tongo?

21 A. Well, RUF was based in Kono where mining was done as well.

22 Q. How did you know that mining was going on in Tongo, first
23 of all?

24 A. I myself went with them there one day. We went to as far
12:39:29 25 as Tongo for two or three days before we returned, and for all
26 the days that we were there mining was going on there.

27 Q. And do you recall who was doing the mining?

28 A. It was the senior officers for the RUF, both the RUF and
29 the government soldiers.

1 Q. When you say the government soldiers, do you know them by
2 any other name?

3 A. Yes, AFRC.

4 Q. You also mentioned that mining was going on in Kono. How
12:40:07 5 did you know that?

6 A. Well, Issa used to come from there and Sam Bockarie too had
7 his bodyguards there who were there representing him. And people
8 used to come from that place and visit him every month, or even
9 every week.

12:40:33 10 Q. Now what sort of people came to visit Sam Bockarie from
11 Kono?

12 A. Issa Sesay used to come, because at that time he was based
13 there. He used to come and Sam Bockarie's bodyguards too used to
14 come from Kono.

12:40:51 15 Q. Madam Witness, you mentioned that there was communication
16 also with Liberia, is that correct, at this time?

17 A. Yes.

18 Q. Do you recall who was communicating with who at this time?

19 A. Yes, communication went - there was a communication there
12:41:14 20 which was a satellite communication from Liberia. We had a
21 Liberian radio operator. He was a senior radio operator - a
22 senior officer. His name was Sellay. He had a satellite phone
23 and he spoke with 50 on the satellite phone.

24 Q. Madam Witness, just before we go on to talk further about
12:41:43 25 communications with Liberia, do you recall the time period that
26 you went to Tongo? You said you paid a visit to Tongo and you
27 found mining going on there. Do you recall when that was?

28 A. I cannot recall.

29 Q. What time frame did that visit fall within? Do you recall

1 what time period it fell within?

2 A. I don't recall.

3 Q. When you made these visits, where were you based?

4 A. Well, it was in Tongo I was based, but I don't remember the
12:42:35 5 name of the place because that was the only time I went to Tongo.

6 Q. No, the question is where did you come from when you made
7 the visit to Tongo?

8 A. Well, I came from Kenema, IMC compound.

9 Q. Now we just started talking about communications with
12:42:55 10 Liberia and you mentioned the name Sellay. Who was this person?
11 Your Honours, I was just checking the spelling to be sure we have
12 it correct.

13 A. Sellay was a Liberian radio operator.

14 Q. And do you know why he was in Kenema?

12:43:32 15 A. At that time it was for communication to coordinate between
16 Sam Bockarie and 50, who is Benjamin Yeaten.

17 Q. Do you know who sent him to Kenema?

18 A. At that time I didn't know who sent him to Kenema.

19 Q. And how did you know that it was - he was there to
12:44:00 20 coordinate between Sam Bockarie and Benjamin Yeaten?

21 A. It was at that time that I came to understand that - or I
22 started understanding that there was communication between

23 Liberia and Sierra Leone because they would come on and when

24 Base 1 would come on, that is Benjamin Yeaten's radio station,

12:44:32 25 they will come on and when they come on, the station - the

26 station would come on and whenever the station would come on they

27 will call on 35B, that is 35 Bravo. At that time that was our

28 call sign in Kenema. So when they will come there they will

29 always ask for Sellay and when Sellay was available they will

1 talk with Sellay and they would instruct Sellay to put Two-One
2 on, but whenever Sellay was not there they will not further the
3 communication with us.

12:45:17 4 Q. Madam Witness, you said that they would - when - if Sellay
5 was there and he received the call they would tell him to put
6 Two-One on. What do you mean by Two-One?

7 A. That is the satellite phone at that time. The code name
8 for that is Two-One.

9 Q. Who had a satellite phone?

12:45:38 10 A. Well, it was Sellay who had it in Kenema.

11 Q. Do you know who gave him the satellite phone?

12 A. Well, at that time I just saw it with him. I did not
13 understand him much myself.

14 Q. You mentioned - just for clarification, Madam Witness, you
12:45:58 15 mentioned earlier that Bravo Zulu Four was a radio call sign that
16 was used in Kenema until you got to Buedu and then you've just
17 mentioned that when the Liberian - when there was a call from
18 Liberia they would call 35 Bravo and you said that call sign was
19 also used in Kenema. Can you clarify which of these two call
12:46:26 20 signs was actually used in Kenema?

21 A. Well, we used to use the two call signs, but on the
22 Liberian side we used to use the 35B, that is the 35 Bravo.

23 Q. Thank you. Now do you recall what was the substance of the
24 communications that Sellay had with the Liberian operators who
12:46:52 25 called him?

26 A. Well, at that time I did not recall - I cannot recall
27 anything, because by then I did not understand anything. They
28 normally spoke in a dialect which was not Liberian English, so I
29 did not understand the communication and the communication itself

1 was restricted. They did not expose it at all. It was not
2 exposed to even us, the operators.

3 Q. Was it only - was it only Sellay and the operators in
4 Liberia who had communications when you were in Kenema?

12:47:42 5 A. Yes, because at that time at any time they came on they
6 would call on our station and at any time they called our station
7 if Sellay was present maybe they will just say, "Hello, hello,
8 hello" or sometimes Sam Bockarie will just come on the radio and
9 they will say, "Hello, hello". But regards the communication on
12:48:07 10 the satellite phone - or any official communication was done on
11 the satellite phone and not on the radio net.

12 Q. Do you recall who was communicating with who on the
13 satellite phone at this time?

14 A. Well, at that time I recall that it was Benjamin Yeaten who
12:48:30 15 would discuss with Sellay over the satellite phone.

16 Q. Do you recall whether any - do you recall any visitors that
17 came to Kenema during your time there?

18 A. Yes, I recall that Jungle used to come to Kenema at the
19 time I was there.

12:48:59 20 Q. Who was Jungle?

21 A. Well, Jungle was an SSS.

22 Q. When you say SSS, what do you mean?

23 A. Special Security Service.

24 Q. For where? Special Security Service where?

12:49:27 25 A. For Liberia. In Liberia for Charles Taylor.

26 Q. Do you know where Jungle came from when he came to Kenema
27 usually?

28 A. Well, he used to come from Monrovia to Kenema.

29 Q. And do you know who he came to in Kenema?

1 A. Yes, he used to come to Sam Bockarie in Kenema.

2 Q. And do you recall when he came to Kenema? Was it only one
3 time, or was it many times?

12:50:19

4 A. Well, at the time I was in Kenema I recall that he came
5 there three times.

6 Q. Do you recall when these three visits occurred?

7 A. Well, I do not recall the actual times now.

8 Q. Did Jungle come from Monrovia alone on these visits?

12:50:53

9 A. Well, at that time I used to see three of them, Jungle,
10 Sampson and Junior, they were all triple S.

11 Q. When you say "triple S", can you be clear what you mean?

12 A. Well, that is the same Special Security Service.

13 Q. Do you recall what they came to do in Kenema, the purpose
14 of the visit?

12:51:27

15 A. Well, at that time I used to see them come. At one time
16 they came and travelled to Tongo and they returned.

17 Q. Do you recall who they travelled to Tongo with?

18 A. Well, they went to Tongo together with Sam Bockarie.

12:52:01

19 Q. Do you recall other visits that they made? Did anything
20 happen on those other visits?

21 A. Well, on the other occasion on which they visited they went
22 to Kono as far as Freetown.

23 Q. Can you be clear, Madam Witness. You have mentioned Kono
24 as far as Freetown. These are two different locations. Where

12:52:27

25 did they go to on one of these other visits that you are
26 referring to?

27 A. At that time we never used to use the main road, that is
28 the highway going to towards Freetown, because we had men
29 deployed in Kono. So they travelled through Kono and there they

1 were joined by Issa and then they went to Freetown. That was the
2 route they used to go.

3 Q. Thank you. Apart from these three that you have mentioned,
4 Jungle, Sampson and Junior who came from Liberia, were there any
12:53:11 5 other visitors that you recall during the time you were in
6 Kenema?

7 A. Well, at a point in time I saw Senegalese. Senegalese, a
8 Liberian soldier.

9 Q. How did you know this Senegalese was a Liberian soldier?

12:53:44 10 A. He did not speak Krio, nor any other language. He only
11 spoke the Liberian English.

12 Q. And do you recall what time you saw Senegalese in Kenema?

13 A. Well, at the first time I saw him he - he and Jungle, all
14 of them came together.

12:54:11 15 Q. And do you recall what was the purpose of that visit?

16 A. Well, at that time I did not know.

17 Q. Now you mentioned that in one of these visits Jungle and
18 the others with Bockarie went to Kono and then they were joined
19 by Issa and they went as far as Freetown. Do you know who they
12:54:37 20 went to see in Freetown?

21 A. Well, they went to see Johnny Paul.

22 Q. How did you know this?

23 A. Well, it was Sam Bockarie who said it, that he and Jungle
24 and others were travelling to Issa in Kono and from there Issa
12:55:02 25 would join them and they would go to Freetown. But at that time
26 I did not actually know what the things were that they went to
27 discuss at that time, or what they discussed even.

28 Q. You have testified that you left Kenema in the company of
29 Sam Bockarie towards the end of 1997, going into 1998. Is that

1 correct?

2 A. Yes.

3 Q. Why did you leave Kenema?

12:55:56

4 A. Well, we were attacked by Kamajors in Kenema. That was the
5 reason why we pulled out from Kenema and went.

6 Q. And where did you go from Kenema?

7 A. Well, we went straight to Buedu. We were in Buedu.

12:56:33

8 Q. At this time that you left Kenema to go to Buedu, was there
9 anything - was anything going - apart from Kenema where you said
10 Kamajors were attacking your positions, was anything else going
11 on around the country at the time?

12 A. Yes, it was a general retreat. They also pushed our men
13 from Freetown. They pushed them from Kono. It was a general
14 retreat anyway. The enemy suppressed us at that time, so it was
15 a general retreat.

12:57:00

16 Q. And when you referred to our - you say your men were
17 pushed, who were your men that you were referring to here?

18 A. They pushed the RUF/AFRC from their positions.

12:57:29

19 Q. And who pushed the RUF/AFRC? You said "they". Who were
20 "they"?

21 A. The ECOMOG were fighting against them at that time.

22 Q. Your group that moved from Kenema to Buedu, were you the
23 only ones that went to Buedu?

12:57:55

24 A. Well, we were many. We were many who moved from Kenema to
25 Buedu. Some were even civilians. All the RUF moved. Some
26 civilians even joined us to go to Buedu and even the AFRC
27 members.

28 Q. Now the people who went to Buedu, were they only from
29 Kenema?

1 A. Not just Kenema. Some came from Buedu. The various
2 operational areas that were under the RUF command. Most of them
3 went to Buedu.

12:58:32 4 Q. Are you able to recall exactly what time you finally got to
5 Buedu?

6 A. Well, it was in early '98. I do not recall the specific
7 time.

8 Q. Apart from your group that moved to Buedu and others that
9 came to Buedu, do you know whether any other groups were moving
10 at this time? You say there was a general retreat. Were any
11 other groups moving at this time anywhere else, along anywhere
12 else?

13 A. Yes, that was the time even Johnny Paul was moved to Buedu.

14 Q. Now at Buedu what was the situation there now that
15 different groups had retreated to Buedu? What was the situation
16 there when you arrived there?

17 A. Well, at that time the situation, Sam Bockarie was in
18 command at that time, but that was the time Johnny Paul too went
19 there and even before Johnny Paul went to Buedu Sam Bockarie did
13:00:19 20 say that he has been given an instruction that he should assist
21 for Johnny Paul to go to Buedu.

22 Q. When you say Sam Bockarie said he had been given an
23 instruction, what instruction did he say he had been given?

24 A. Well, he did say that he had spoken with 50 and that 50
13:00:49 25 told him that his dad, Charles Taylor, had instructed him that he
26 and Sankoh had spoken concerning Johnny Paul and that he should
27 try by all possible means - that Sam Bockarie should try by all
28 possible means to help bring Johnny Paul to Buedu since they have
29 something for them.

1 Q. Madam Witness, can we try and break the information you
2 have given, your evidence, so that we are able to understand it
3 clearly. You said that Sam Bockarie said he had spoken to 50.
4 50 meaning who?

13:01:34 5 A. Benjamin Yeaten.

6 Q. And what did he say that 50 told him, just one step up?

7 A. Sam Bockarie said that he had spoken to 50 and that 50
8 instructed him that he should try to bring Johnny Paul to Buedu.

9 Q. Can you pause just so that we are able to take in what you
10 have given us.

11 A. Okay.

12 Q. That he had spoken to Johnny - who did 50 say he got this
13 instruction from?

14 A. 50 said he had got instruction from his dad, Charles
13:02:34 15 Taylor, and that Charles Taylor said he and Foday Sankoh had
16 discussed that 50 should instruct Sam Bockarie so that
17 Sam Bockarie will help to bring Johnny Paul in Buedu.

18 PRESIDING JUDGE: Mr Anyah, I am trying to remind
19 Mr Bangura that he must switch off his microphone so I was
13:02:58 20 looking that way. You are on your feet, Mr Anyah.

21 MR ANYAH: Yes, I register an objection on a foundational
22 basis. I appreciate the fact that hearsay is admissible, but
23 there are several different declarants and several different
24 communications being communicated by this witness or being
13:03:15 25 testified to by this witness. One set of declarants apparently
26 is a conversation between Foday Sankoh and Charles Taylor. We
27 went don't know when that conversation took place. That alleged
28 conversation is being relayed by Benjamin Yeaten in another
29 conversation between Yeaten and Sam Bockarie. That's the second

1 set of declarants. And then the witness is testifying to what
2 Sam Bockarie said to her and others, or to the witness and
3 others.

4 PRESIDING JUDGE: Was it to the witness and others?

13:03:47 5 MR ANYAH: Well, the witness said she heard him say or,
6 rather, the witness heard Sam Bockarie say certain things and
7 this was the essence of what Sam Bockarie said.

8 Your Honours will note reference has been made to certain
9 matters that we would seek application later on to deal with, but
13:04:06 10 I register an objection in the nature of foundation. There has
11 to be some foundational basis for either the conversation between
12 Foday Sankoh and Charles Taylor and/or the alleged conversation
13 between Charles Taylor and Benjamin Yeaten and then we get to the
14 third set of hearsay which would be what was heard from
13:04:29 15 Sam Bockarie.

16 PRESIDING JUDGE: Yes, Mr Bangura?

17 MR BANGURA: Your Honours, the bottom line of my submission
18 would be that this evidence is relevant and what my learned
19 friend is seeking to do is to say that this sort of evidence is
13:04:50 20 inadmissible, but my learned friend - he says it is hearsay and
21 my understanding of the submission he has made is that being
22 hearsay to the level at which we have it makes it the sort of
23 evidence that - that is my understanding, your Honour, I may be
24 wrong.

13:05:08 25 PRESIDING JUDGE: No, that is not my understanding. My
26 understanding is he prefaced it by saying that, whilst hearsay
27 is admissible, there is no foundation for this sequence of
28 conversations, or declarations as he put it, and that is what is
29 being objected to. I don't even know how the witness has this

1 knowl edge.

2 MR BANGURA: Your Honours, the witness has - admittedly
3 there are three different levels at which information is flowing
4 down on to what the witness is testifying and we can establish
13:05:47 5 certainly foundation on the basis of what the witness or how the
6 witness came to learn this information from Sam Bockarie. But
7 what the witness gives us beyond that would be a matter on which
8 the foundation we lay would be based on the witness's position at
9 the time and based on what is said to her or what was said to her
13:06:12 10 by Sam Bockarie himself. The witness was not there when the
11 communication took place between 50 and Bockarie, so she would
12 only relay to this Court what was relayed to her by Bockarie.
13 The witness was not there when --

14 JUDGE SEBUTINDE: Mr Bangura, you are complicating this
13:06:33 15 unnecessarily. The objection related to your lack of foundation.
16 It is so easy to lay foundation. Nobody is stopping you asking
17 questions. Just lay the foundation for this kind of evidence,
18 but don't complicate it any more, please.

19 MR BANGURA: I will proceed, your Honour:
13:06:50 20 Q. Madam Witness, you have said that you - you have given us
21 information that you said was - you learned from Sam Bockarie.
22 How did you learn this - how did you learn about this from Sam
23 Bockarie? You said that Sam Bockarie said that he had had
24 communication with 50 and you have given us all what 50 said to
13:07:15 25 him and how 50 got to get the instructions he had. How did you
26 learn this information from Sam Bockarie?

27 A. Well, I saw him talking over the satellite phone off a
28 distance and after that Eddie Kanneh came to him, but Eddie
29 Kanneh in fact met him talking over the satellite phone and so

1 after which they were served food. So how comes he explained
2 about this conversation between him and 50 was that when they
3 were eating he was explaining to Eddie Kanneh and he told Eddie
4 Kanneh that this was the kind of conversation that took place
13:08:05 5 between him and Yeaten.

6 PRESIDING JUDGE: Who is the "he"? "He explained". Who is
7 the "he"?

8 MR BANGURA:

9 Q. Madam Witness, you said --

13:08:25 10 A. Sam Bockarie was explaining to Eddie Kanneh about the
11 instruction that he received from Benjamin Yeaten.

12 JUDGE SEBUTINDE: Yes, and Mr Bangura, the witness said, "I
13 saw him talking over a satellite phone off a distance". What
14 does that mean?

13:08:49 15 MR BANGURA: I am getting to that.

16 JUDGE SEBUTINDE: What does that mean?

17 MR BANGURA: Yes, your Honour:

18 Q. Madam Witness, you said that you saw Bockarie talking to -
19 "I saw him". Who was talking over this satellite phone that you
13:09:03 20 saw?

21 A. I saw Sam Bockarie talking over the satellite phone. He
22 was standing in an open place. So after the communication
23 through the satellite phone he came and they were about serving
24 him food whilst he was explaining to Eddie Kanneh that Benjamin
13:09:26 25 Yeaten just gave him instruction that he should pass on to others
26 that they needed JPK Koroma in Buedu and he said Benjamin Yeaten
27 said it was an instruction that came from Charles Taylor.

28 Q. Thank you. And do you know what followed from this?

29 JUDGE SEBUTINDE: Mr Bangura, before you go running off, it

1 is still not clear from what the witness has said how she knew
2 the content of this conversation. She doesn't feature anywhere
3 in here.

4 MR BANGURA:

13:10:07 5 Q. Madam Witness, you have said that you heard Sam Bockarie
6 telling --

7 JUDGE SEBUTINDE: She saw. She saw him talking on a phone
8 at a distance.

9 MR BANGURA: Your Honour, that was not the question I was
13:10:22 10 going to ask. The question is - the witness has said at the time
11 that Sam Bockarie was having a meal with Eddie Kanneh she
12 overheard. That's my understanding of the evidence.

13 JUDGE SEBUTINDE: I don't think she said that.

14 PRESIDING JUDGE: She didn't say that.

13:10:33 15 JUDGE SEBUTINDE: That's precisely my point. She didn't
16 say she overheard. You are saying she overheard. That,
17 Mr Bangura, is what we refer to when we say foundation.

18 MR BANGURA:

19 Q. Madam Witness, you said that Sam Bockarie and Eddie Kanneh
13:10:55 20 were having a meal together and, as I understand you, they were
21 discussing. Is that correct?

22 A. That was what I said. Yes, I heard him telling Eddie
23 Kanneh about the instruction that he just received from 50. I
24 was there. I heard it.

13:11:14 25 Q. Thank you. Did anything flow from this information that
26 you heard being passed on to Eddie Kanneh?

27 A. Yes, after they had completed - they had finished their
28 meal, he went to the radio room --

29 Q. When you say "he", who are you referring to?

1 A. It was then that Sam Bockarie went to the radio room and
2 instructed Superman. He told Eddie Kanneh that he was going to
3 instruct Superman for Superman to bring Eddie Kanneh - I mean,
4 sorry, Johnny Paul Koroma, and immediately after he told him that
13:12:11 5 he went to the radio room and gave the instruction to Superman
6 that he should bring Johnny Paul Koroma to Buedu with all due
7 respect.

8 Q. Madam Witness, if you would just simply try and call the
9 names of the persons you are referring to, especially where you
13:12:29 10 have two people, that helps. If you just go over this and give
11 the names of who said what that would be helpful.

12 A. Sam Bockarie was talking to Eddie Kanneh concerning the
13 bringing of Johnny Paul Koroma to Buedu and he, Sam Bockarie,
14 also told Eddie Kanneh that immediately after they finished their
13:12:59 15 meal he was going to instruct Superman for Superman to bring
16 Johnny Paul Koroma in Buedu.

17 Q. Did Sam Bockarie do - did he do as he said?

18 A. Yes.

19 Q. The question was did Sam Bockarie do as he said? He said
13:13:26 20 he was going to instruct Superman. Did he do that?

21 A. Yes.

22 Q. How did he do that? How did Sam Bockarie do that?

23 A. Well, Superman brought him. Johnny Paul came to Buedu.

24 MR BANGURA: Your Honours, I have got to apologise. I am
13:14:00 25 still new to the idea of switching on and off.

26 PRESIDING JUDGE: I appreciate that. I don't always catch
27 your eye, Mr Bangura, but try and get into the way of the swing
28 of it, please.

29 MR BANGURA: I will try.

1 PRESIDING JUDGE: Please continue.

2 MR BANGURA:

3 Q. Do you recall what happened when Johnny Paul came to Buedu?

13:14:39

4 A. Yes, when Johnny Paul came they held a meeting. And when I
5 say meeting, three meetings took place in Buedu even before we
6 left for Monrovia. At first a meeting took place and immediately
7 after that meeting Operation Spare No Soul took effect and after
8 that --

13:15:02

9 Q. Madam Witness, can I just pause you. You started by saying
10 that when Johnny Paul came there was a meeting in Buedu and then
11 you went on to say there were three meetings. Now if you want to
12 deal with the meeting that you said was held when Johnny Paul
13 came first, please.

13:15:30

14 A. Yes, Sam Bockarie held a meeting in Buedu where he invited
15 both the AFRC and the RUF and at that meeting they were to
16 rearrange both parties, that is the RUF and the AFRC, and to
17 coordinate their operations so that all of them will work under
18 the same umbrella and then with one aim and that JPK was the
19 current leader since Sankoh was not present. He said that was
20 the instruct that he had received. He said JPK should be
21 respected and that everybody should honour him as the RUF leader
22 in the absence of Sankoh.

13:16:06

23 Q. Madam Witness, at this time just before Johnny Paul came do
24 you know whether Sam Bockarie carried a rank?

13:16:37

25 A. Well, at that time when we went to Buedu anew, he travelled
26 to Liberia, he had got the rank even before Johnny Paul went to
27 Buedu.

28 Q. Do you know what rank - you have said that at that time -
29 you talk about travelling to Liberia. Can you explain that

1 further, please?

2 A. Well, he travelled to Liberia together with Sampson. It
3 was Sampson, Junior and Jungle who came first at Buedu. When
4 they came they were there for two days and the third day they
13:17:27 5 left Buedu at night and they went to Liberia. So on his return,
6 that was the time he brought with him a tactical jeep and a
7 combat suit with the rank of a general.

8 Q. Madam witness, you have been referring to "he, he, he", all
9 along. Who is this person that you are referring to?

13:17:55 10 A. Sam Bockarie.

11 Q. Did Sam Bockarie say how he got the rank of general?

12 A. Well, he told us that it was the Pa who promoted him, that
13 is Charles Taylor, and he said - he, Sam Bockarie, said there
14 were documents to the effect, but what he showed us was the
13:18:29 15 combat suit, the tactical jeep, green coloured, and we saw him
16 come with some new arms.

17 Q. Madam Witness, you said that Sam Bockarie did go to Liberia
18 with Jungle. Do you recall when they went to Liberia?

19 A. Well, I do not recall the time any more, but it was in the
13:18:57 20 same 1998.

21 Q. Now you have mentioned that Johnny Paul came at some point.
22 Was this visit before Johnny Paul came to Buedu, or was it after?

23 PRESIDING JUDGE: Which visit are you referring to,
24 Mr Bangura?

13:19:18 25 MR BANGURA: The visit to Liberia.

26 PRESIDING JUDGE: What the witness referred to as a travel?

27 MR BANGURA: Travel, I am sorry:

28 Q. You said Sam Bockarie travelled to Liberia in the company
29 of Jungle?

1 MR ANYAH: Well, Madam President, the witness's original
2 testimony was that Sam Bockarie travelled to Liberia with
3 Sampson, Jungle and I think Junior. Counsel a few minutes ago
4 phrased the question in the nature of when Sam Bockarie went with
13:19:47 5 just Jungle excluding other two. That leaves open the
6 possibility of perhaps a different visit being narrated by the
7 witness, although I suspect counsel is referring to the one visit
8 where she referred to the three individuals accompanying
9 Sam Bockarie to Monrovia - I mean to Liberia. Now the last
13:20:06 10 question posed by counsel limits those in the company of
11 Sam Bockarie to just Jungle.

12 PRESIDING JUDGE: That is correct, Mr Bangura.

13 MR BANGURA: Your Honours, I take the point. I will try to
14 be more accurate:

13:20:22 15 Q. The visit that you - the travel that you referred to that
16 Sam Bockarie made with Jungle and others, do you recall whether
17 it was before Johnny Paul came to Buedu, or was it after Johnny
18 Paul came to Buedu?

19 A. Before Johnny Paul's arrival in Buedu.

13:20:46 20 Q. And do you recall how long you had been in Buedu before
21 Sam Bockarie travelled to Liberia?

22 A. I did not get you clearly.

23 Q. Do you recall how long you had been in Buedu? When you
24 came to Buedu from Kenema Do you recall how long you had been
13:21:05 25 there before Sam Bockarie and Jungle and others went to Liberia?

26 A. Well, when we came it did not take too long when he went to
27 Liberia. At that time in fact he used to go there frequently and
28 return.

29 Q. You have mentioned that Sam Bockarie came with a tactical

1 jeep. What are you referring to? What is a tactical jeep?

2 A. It was a small, open van, a van like something, green
3 coloured, which maybe can accommodate up to four to five people.

4 Q. And you also mentioned that he came with a new uniform.

13:22:11 5 What kind of uniform was this?

6 A. Well, it was an army uniform. A combat suit. A military
7 uniform.

8 Q. And do you recall whether the uniform had any particular -
9 can you describe the uniform? Apart from being an ordinary

13:22:38 10 uniform, did it carry the rank that Sam Bockarie said he had?

11 A. Well, it was a combat with the rank of a general.

12 Q. Did you at that time recognise this rank as the rank of a
13 general? Did you know it was the rank of a general?

14 MR ANYAH: Madam President --

13:23:04 15 THE WITNESS: At that time I did not know up until the time
16 we went to Monrovia.

17 PRESIDING JUDGE: Please pause, Madam Witness.

18 MR ANYAH: Perhaps I am missing something, but is the
19 inference that on the suit was written the word "General"?

13:23:21 20 Because there has to be some basis for the witness to know what
21 an insignia, if that's what the reference is to, on a military
22 uniform that it has the connotation of general.

23 PRESIDING JUDGE: I was waiting for that clarification, but
24 I note the witness's answer, "I did not know up until the time we
13:23:40 25 went to Monrovia". So it would appear that the witness has
26 actually answered.

27 MR BANGURA: Your Honour is right. The witness has
28 clarified because the witness --

29 PRESIDING JUDGE: You need to clarify if she knew and then

1 we then go into the detail that Mr Anyah's objection and
2 observation requires.

3 MR BANGURA: Your Honours, I am not particularly clear
4 about further - what the point that my learned friend has made,
13:24:11 5 because --

6 PRESIDING JUDGE: Well, I think it's a valid point. The
7 witness has said that he came in a combat uniform with the rank
8 of a general. That is her answer. I don't know how a combat
9 uniform can signify the rank of a general. There must be
13:24:31 10 something that connotes it having that special rank and that is
11 what we have not ascertained; (a) how did she know and (b) what
12 was it on this combat uniform.

13 MR BANGURA:

14 Q. Madam Witness, when you saw this uniform, did it have
13:24:51 15 something that you recognised?

16 A. Yes, it had something on the shirt. It had something like
17 a crown or a badge that connotes the general.

18 Q. Now how did you know that that connoted the general, the
19 rank of general?

13:25:22 20 A. Well, at that time I did not know. He was the one who
21 showed us the badge, because it was a whole suit including the
22 beret. Because at that time I did not have any idea about that
23 in fact and it was my first time to see that kind of rank or to
24 see the kind of combat suit that he had on. That was my first
13:25:41 25 time seeing it. And he in fact told us that there was a document
26 to the effect and at that time I did not know much about how
27 military affairs went.

28 Q. Thank you. You also talked about weapons - arms. Is that
29 correct?

1 A. Yes.

2 Q. Can you describe what you saw Sam Bockarie come with, the
3 arms that he brought?

4 A. Well, he brought a series of AK-47, brand new ones that
13:26:29 5 were not even being used with new AK rounds. They were in
6 something like sardine tins with rockets. I saw those with him
7 and Jungle, because he came in the company of Jungle.

8 MR BANGURA: Your Honours, I am going to be going into a
9 big new area. I see we have got a couple of minutes. I could
13:26:57 10 start, but it would be --

11 PRESIDING JUDGE: Mr Bangura, possibly in the circumstances
12 it might be more prudent to start a new field of evidence when we
13 resume.

14 Madam Witness, today is Friday and on Friday afternoons we
13:27:18 15 don't sit in court, we do other work. Therefore, we are going to
16 adjourn now and we will be starting court again on Monday
17 morning. Now that you have taken the oath, I must inform you
18 that you are not to discuss your testimony, your evidence, with
19 any other person until all of your testimony is finished. Do you
13:27:40 20 understand this?

21 THE WITNESS: Okay.

22 PRESIDING JUDGE: Please adjourn court until Monday morning
23 at 9.30.

24 [Whereupon the hearing adjourned at 1.30 p.m.
13:28:02 25 to be reconvened on Monday, 8 September 2008 at
26 9.30 a.m.]

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