



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 6 SEPTEMBER 2010
9.00 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Ms Doreen Kiggundu

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Ms Maja Dimitrova

**For the accused Charles Ghankay
Taylor:**

Mr Morris Anyah
Mr Simon Chapman

1 Monday, 6 September 2010

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.02 a.m.]

09:02:44 5 PRESIDING JUDGE: Good morning, I will take appearances
6 first, please.

7 MS HOLLIS: Good morning, Madam President, your Honours,
8 opposing counsel. This morning for the Prosecution, Mohamed A
9 Bangura, Maja Dimitrova and Brenda J Hollis.

09:03:01 10 MR ANYAH: Good morning, Madam President. Good morning,
11 your Honours. Good morning, counsel opposite. Appearing for the
12 Defence this morning are myself, Morris Anyah, and Mr Simon
13 Chapman. Thank you.

14 PRESIDING JUDGE: Thank you.

09:03:15 15 Good morning, Mr Witness. This morning before you continue
16 with your testimony in cross-examination, I remind you of your
17 solemn declaration to tell the truth. It's still binding on you
18 today.

19 Ms Hollis, please continue.

09:03:38 20 MS HOLLIS: Thank you, Madam President.

21 WITNESS: DCT-008 [On former affirmation]

22 CROSS-EXAMINATION BY MS HOLLIS: [Continued]

23 Q. Good morning, Mr Witness.

24 A. Good morning, Ms Hollis.

09:03:46 25 Q. Mr Witness, I would like to remind you of a question and
26 answer from last Friday. And last Friday at page 47930 I asked
27 you the following: "Now, you mentioned Varmuyan Sherif and you
28 said that Sam Bockarie told and, in your words, you said us,
29 about getting ammunition from Varmuyan Sherif. You remember

1 telling the judges about that?" And Mr Witness, you answered,
2 "That's not correct. I did not say Sam Bockarie told us." Do
3 you remember saying that last Friday, Mr Witness?

4 A. Yes.

09:04:30 5 Q. Mr Witness, let's look back to what you said on 27 August,
6 and if we could please have page 47389.

7 MS IRURA: Your Honours, my computer seems to have frozen
8 and I need to restart it.

9 PRESIDING JUDGE: Ms Hollis, we will take a moment, please.

09:11:57 10 MS IRURA: Your Honours, we are ready to proceed. We do
11 apologise.

12 PRESIDING JUDGE: Very well, Ms Hollis, please continue.

13 Yes, Mr Witness?

14 THE WITNESS: Yes, excuse me. I want to make a correction
09:12:20 15 on my testimony regarding Varmuyan Sheriff's position and also a
16 little clarification about the fifth floor.

17 MS HOLLIS:

18 Q. Mr Witness, I am not asking you for clarifications. If
19 Defence counsel wants to pursue that, he may.

09:12:42 20 PRESIDING JUDGE: Ms Hollis, just give us a moment, please.

21 [Trial Chamber conferred]

22 Mr Witness, whatever you have to clarify will be picked up
23 by counsel opposite when the time comes. You will have an
24 opportunity to do that. Ms Hollis, please continue.

09:13:59 25 MS HOLLIS: Thank you, Madam President.

26 Q. Mr Witness, do you have notes with you in your room where
27 you're staying?

28 A. No.

29 Q. Because this is the second time you've come back to court

1 on a different day and told them you wanted to make a correction
2 to something you had said. Do you go back and study notes when
3 you go back to your room at night?

4 A. I do not have a note with me.

09:14:30 5 Q. And when you realise maybe you've deviated from your
6 script, or you have to explain away something, then you want to
7 come in and make corrections. Is that correct?

8 PRESIDING JUDGE: Mr Anyah.

9 MR ANYAH: Madam President, with respect, counsel is
09:14:45 10 entitled to put propositions to the witness on cross-examination
11 going to the witness's credibility, but, when it gets to the
12 degree which, in my submission, it has now reached, where counsel
13 is essentially alleging that the witness rehearses his evidence,
14 there has to be more of a factual basis for the allegation. If,
09:15:06 15 for example, WVS had notified the Court that they have found a
16 witness with notes or something to that effect, that might
17 provide more of a factual basis for this type of questioning of
18 the witness.

19 PRESIDING JUDGE: Ms Hollis, you have put before the
09:15:24 20 witness a question as to whether he has notes. He has answered
21 that question. Please move on to a different area.

22 MS HOLLIS: Well, Madam President, we do not have to accept
23 his answer, with all due respect.

24 PRESIDING JUDGE: Yes, but I have asked you please to move
09:15:38 25 on, because when you go on with the same proposition, where the
26 witness has said he doesn't have notes, it's not something that I
27 accept as Presiding Judge. We have recorded his answer. That's
28 what he said. Unless you have evidence to the contrary, I would
29 like to hear it.

1 MS HOLLIS: Well, our position is we don't have to have
2 evidence to the contrary and we can put it to him - I understand
3 your ruling.

09:16:07 4 Q. Mr Witness, you come back and make clarifications because
5 you realise you have deviated from your script and you have to
6 explain away --

7 PRESIDING JUDGE: Ms Hollis, I have overruled that
8 question. Please move on.

09:16:21 9 MS HOLLIS: Madam President, I made no reference to notes.
10 Is your Honour not allowing that question either?

11 PRESIDING JUDGE: It is the same question put in a
12 different way, Ms Hollis. Please move on.

13 MS HOLLIS:

09:17:00 14 Q. If we could please look at 27 August, page 47389, and if we
15 could please go to line 12 on that page.

16 Mr Witness, here's what you told these judges on 27 August:

17 "At one time Sam lectured us, explained this to us, that
18 this fellow, Varmuyan Sherif of ULIMO, sold arms to him - let me
19 say, ammunition to him."

09:17:29 20 So, Mr Witness, on 27 August you indeed told these judges
21 that Sam lectured you and explained to you that Varmuyan
22 Sherif --

23 PRESIDING JUDGE: Ms Hollis, Mr Anyah is on his feet.

09:17:50 24 MR ANYAH: Madam President, I rise because this is unfair
25 to the witness. There is no inconsistency in the witness's
26 evidence. In that same day's transcript, about ten pages down --

27 JUDGE LUSSICK: Well, are you going to give him the answer
28 to that question or let Ms Hollis finish her question, Mr Anyah?

29 MR ANYAH: Very well. I will let Ms Hollis finish the

1 question.

2 PRESIDING JUDGE: But also, Mr Anyah, if there is something
3 else in the text that you think is not inconsistent, that's a
4 matter for re-examination.

09:18:15 5 MR ANYAH: But, Madam President, I have heard your Honours
6 and I will take my seat, but what is important is the witness
7 gave a long rambling answer on this page. Later on, this same
8 sentence is put to the witness, as in who told him what, a few
9 lines down on the same transcript, asking him, "Mr Witness, let's
09:18:33 10 clarify the answer you have given." A few lines down it appears
11 on the text the same phrase is read to the witness and it is
12 unfair to put only one part of the transcript to the witness, but
13 I'll take my seat.

14 MS HOLLIS: In our view it's not only not unfair, it's
09:18:52 15 inappropriate. And, besides, we didn't have a chance to even go
16 through this series of questions.

17 Q. Now, let's go back to what I was reading to you. It is
18 correct, is it not, that on 27 August you told these judges that
19 Sam lectured us, explained to us, about Varmuyan Sheriff selling
09:19:15 20 ammunition to him. You told the judges that, didn't you?

21 A. It was correct that I said that, but a correction was made.
22 And even though I used the pronoun "us", but later on I told the
23 judges that - except that maybe it was not recorded, but I told
24 the judges that it was not Sam Bockarie who told me but, rather,
09:19:40 25 Sam Bockarie gave Jungle this information and it was Jungle who
26 gave me the information, but it was not Sam Bockarie who gave it
27 to me. I made that correction, except if it was not recorded.

28 Q. Well, in fact it was recorded, Mr Witness. But let's stick
29 with this "us". You told the judges "us" because in fact

1 Sam Bockarie did tell you and others about his transaction with
2 Varmuyan Sherif. Isn't that correct?

3 A. I made the correction that it is not so. I said - I said
4 that it was a mistake and I corrected it and I --

09:20:21 5 Q. Mr Witness --

6 A. -- used the word --

7 Q. Let's deal with my questions to you, all right. Now, you
8 told the judges "us" because indeed Sam Bockarie did tell it to
9 you and others, and Sam Bockarie told it to you and others

09:20:40 10 because, among those of Charles Taylor's subordinates who dealt
11 with Sam Bockarie, that wasn't a secret, was it; this dealing
12 with Varmuyan Sherif. That wasn't a secret, was it?

13 A. It was a secret. It was a secret. I told you that this
14 was a secret that even the President or the government was not
09:21:06 15 aware of. And I did not say that Sam Bockarie told us. I made
16 that correction, except if it is not recorded. I said
17 Sam Bockarie told Jungle and then I got the information from
18 Jungle.

19 Q. And that's when you went back, after being reminded by
09:21:23 20 Defence counsel that you had said "us" - that's when you went
21 back and said, "Oh, I didn't mean us. I meant he told Jungle and
22 Jungle told me." Correct? You told that to the judges?

23 A. I was not reminded by Defence counsel. I think I made this
24 correction within this place. I don't think I went on before
09:21:45 25 making that correction. But what I remembered was that I used
26 the pronoun "us" but it was wrong and I told the judges the
27 source of the information that I got which was Jungle, he was the
28 source of this information.

29 MR ANYAH: Madam President, [microphone not activated].

1 PRESIDING JUDGE: Yes, Mr Anyah.

2 MR ANYAH: In the past, the practice before your Honours in
3 re-examination has been I have been - at least some of us have
4 been precluded from reading transcripts from the
09:22:16 5 examination-in-chief. I am always told that is improper
6 procedure to try and rehabilitate a witness in re-examination by
7 reading transcripts from examination-in-chief.

8 The transcript about this issue is not complicated at all
9 and the witness is being treated unfairly.

09:22:32 10 At page 47394, that's 47394 of 27 August, between lines 13
11 and 22, the witness was asked what he said before, that --

12 PRESIDING JUDGE: Mr Anyah, I have said before that this is
13 a matter for re-examination. I believe it is a matter for
14 re-examination, and when the time comes to re-examine this
09:22:54 15 witness you can put the full transcript to him.

16 MR ANYAH: Very well. Thank you, Madam President.

17 MS HOLLIS:

18 Q. And in fact, Mr Witness, it was after Defence counsel asked
19 you about this statement containing the word "us" that you
09:23:11 20 clarified. Now, if we could indeed look at page 47394 and if we
21 could go to line 13. This is what Defence counsel asked you:

22 "Q. You went on to say that at one time Sam lectured
23 us, explained this to us, that this fellow, Varmuyan
24 Sherif of ULIMO, sold arms to him - let me say ammunition
09:23:43 25 to him. Who lectured you, was it Sam that lectured you?"

26 And then, Mr Witness, after that question from Defence
27 counsel, you go on to say:

28 "A. I'm sorry if I mentioned the word 'us'."

29 And then you explained about Jungle. So it was after

1 Defence counsel had reminded you of what you said that you went
2 on to correct it. That's the way it happened, yes, Mr Witness?

3 A. When Defence counsel asked me this question I made a
4 correction that even though I had made mention of the word "us",
09:24:24 5 but Sam Bockarie was not my source of this information. He was
6 not the source of this information given to me but, rather, the
7 source of this information was Jungle.

8 Q. Mr Witness, you have told this Court many times about what
9 Charles Taylor knew or didn't know. You have just said that
09:24:44 10 Charles Taylor didn't know about this ammunition transaction.

11 Mr Witness, did you talk to Charles Taylor about Varmuyan
12 Sheriff providing ammunition to Sam Bockarie?

13 A. I never met Mr Taylor, but what I know was that --

14 Q. Mr Witness, my question was whether you talked to him about
09:25:08 15 this transaction.

16 A. No.

17 Q. Did you send a message to him saying, "Mr Taylor, were you
18 aware that Varmuyan Sheriff had provided ammunition to
19 Sam Bockarie?"

09:25:24 20 A. How can I do this when I did not have close proximity to
21 the President?

22 Q. Mr Witness, were you aware that Varmuyan Sheriff provided
23 ammunition to Sam Bockarie on the instructions of Charles Taylor?
24 Were you aware of that?

09:25:46 25 A. I don't know that, and it did not happen that way according
26 to the story.

27 Q. According to your story you're telling the judges here in
28 court?

29 A. According to the story or the information I got from Daniel

1 Tamba.

2 Q. By the way, Mr Witness, how many Daniel Tambas did you
3 know?

4 A. Only one Daniel Tamba, that is, Jungle.

09:26:15 5 Q. Mr Witness, you have said that Sunlight had been told by
6 previous NPFL operators that in 1991 and '92 the RUF had a call
7 sign 35B. Do you remember telling the judges that?

8 A. I remember telling the judges that between '91 - '91, '92
9 {redacted} - I mean, Sunlight was told by previous operators
09:26:50 10 that there was a call sign for the RUF called 35B, or 35 Bravo.

11 Q. Who were these operators --

12 PRESIDING JUDGE: Please pause.

13 Madam Court Manager, we need to redact a sentence just
14 before the words - the words just before "Sunlight was told",
09:27:13 15 three words just before that, please redact them.

16 MS HOLLIS: Thank you, Madam President.

17 Q. Who were these operators who told Sunlight about this
18 frequency code, 35B?

19 A. They were operators that were within the system before
09:27:40 20 Sunlight. I did not know them and at this time I cannot recall
21 their names.

22 Q. So NPFL operators who had been working in these early
23 years, 1991 and 1992, knew this call sign, correct?

24 A. That's correct.

09:28:01 25 Q. And it would be unusual if a senior NPFL radio operator who
26 had worked in 1991 and 1992 had never heard of this call sign,
27 that would be unusual, wouldn't it?

28 A. I don't know what you mean but this call sign, I don't know
29 whether it was a call sign that was circulated within the NPFL

1 communications section, but those few operators told Sunlight
2 that this was the code or a call sign for a certain radio in the
3 RUF or in Sierra Leone, so I don't know whether this call sign
4 was a call sign that was part of the NPFL communications section.

09:28:51 5 Q. Now, Mr Witness, Charles Taylor has admitted to this Court
6 that during a period of time between about August of 1991 and May
7 of 1992, he indeed was providing various forms of assistance and
8 involvement with the RUF. Are you aware of that?

9 A. I don't know. I never heard that.

09:29:16 10 Q. And that there were also radio communications during that
11 time. Are you aware of that?

12 A. I am not aware. It could be, because those radio operators
13 told Sunlight, but I am not aware. It could be but I am not
14 aware whether there was communication between RUF and NPFL at
09:29:40 15 that time. I am not aware of it.

16 Q. Given that Charles Taylor has admitted there were radio
17 communications during this time, it would be unusual if his radio
18 operator was unaware of the call sign 35B, wouldn't that be
19 unusual?

09:30:04 20 A. Please come again with your question.

21 Q. Given that Charles Taylor has admitted there were radio
22 communications during this time, it would be unusual if his radio
23 operator was unaware of the call sign 35B, wouldn't that be
24 unusual?

09:30:27 25 A. It depends on the operators that were working at that time
26 of the call sign 35B.

27 Q. Well, if Charles Taylor were aware of these radio
28 communications, his radio operator was also aware of them.
29 Wouldn't that be correct?

1 A. I don't know, but once the radio operator was not part of
2 that operation and he came some time later - after that time he -
3 or prior to that time he may be unaware about it.

09:31:10 4 Q. I am talking about his radio operator that was with him in
5 1991 and 1992.

6 A. It depends on their memories, if they do recall it then
7 that's it. But I cannot speak for them.

8 Q. Now, Mr Witness, on 31 August you told the judges that
9 during the time there was communication between Base 1 and Buedu,
09:31:39 10 and for counsel's reference I am referring to page 47544. During
11 the time there was communication between Base 1 and Buedu,
12 communication was sometimes made on the 6 megahertz, sometimes on
13 the 5 megahertz, and sometimes on the 7 or 8 megahertz. So you
14 were able to remember that communications operated on at least
09:32:07 15 four different levels of megahertz, correct?

16 A. Communication was made on the various megahertz, depending
17 on the transmission, like I said.

18 Q. And you were able to remember those four different levels
19 of megahertz because you had such frequent contact with Buedu,
09:32:37 20 isn't that correct?

21 A. This megahertz was not meant for Buedu. I made - I make
22 this clarification because one of the witnesses said that the RUF
23 was on a specific frequency. That was why I made these
24 clarifications and gave examples. These megahertz were not just
09:33:09 25 meant for Buedu.

26 Q. Let's go back to my question. You were able to remember
27 these four different megahertz that you say were used in
28 communications with Buedu because there was such frequent and
29 regular contact with Buedu. Isn't that correct?

1 A. Base 1 was not operating with Buedu on a regular basis.
2 Base 1 was the Government of Liberia station and it had its
3 obligation or duties to perform. But Base 1 was not there for
4 Buedu. Base 1's communication with Buedu was on a priority
09:33:55 5 basis.

6 Q. Mr Witness, while you were working at the Executive
7 Mansion, it is true, is it not, that in 1997 there were some
8 ECOMOGs still present in Liberia. Correct?

9 A. When?

09:34:14 10 Q. Sorry. 1997, after Charles Taylor assumed the presidency,
11 there were some ECOMOGs still present in Liberia, correct?

12 A. Yes. ECOMOG was in Liberia.

13 Q. And ECOMOG had radios, correct?

14 A. I believe so, because as military personnel, I believe they
09:34:41 15 had radios.

16 Q. And as ECOMOG was coordinating its withdrawal from Liberia,
17 ECOMOG was sometimes in radio contact with the Government of
18 Liberia, correct?

19 A. I don't know.

09:34:55 20 Q. And ECOMOG knew the call sign for the Executive Mansion,
21 correct?

22 A. I don't know.

23 Q. So it would make sense, would it not, that when operators
24 at the Executive Mansion were communicating with the rebels in
09:35:14 25 Sierra Leone, they would use a different call sign. Isn't that
26 correct?

27 A. There was no operator at the Executive Mansion that I knew
28 at the time that was in contact with Sierra Leone or with anybody
29 else outside of Liberia.

1 Q. And they would use a different call sign to reduce the
2 chance that ECOMOG would pick up on the fact that communications
3 were occurring with the rebels in Sierra Leone, isn't that
4 correct?

09:35:52 5 A. It never happened and I don't know.

6 Q. Now, Mr Witness, also on 31 August, it is correct, is it
7 not, that you told the judges that the term "Principal" would be
8 avoided in radio communications so that there would not be any
9 suspicion, correct?

09:36:16 10 A. Please come again and make it clear.

11 Q. Yes. On 31 August you also told the judges that in radio
12 communications the term "Principal" would be avoided, correct?

13 A. Communicating where? With the RUF or within the
14 government?

09:36:42 15 Q. Let's say with the RUF.

16 A. Yes, with the RUF. Base 1 was not using the term
17 "Principal".

18 Q. Now, you have also said that in some of the communications
19 the term "Master" was used, correct?

09:37:04 20 A. Yes, with the communication that Base 1 had with Sunlight,
21 Dew - they used the term "Master" because --

22 THE INTERPRETER: Your Honours, could the witness be asked
23 to repeat that area slowly and clearly.

24 PRESIDING JUDGE: Yes. Mr Witness, the interpreter did not
09:37:29 25 get your answer. Can you repeat what it is that you said.

26 THE WITNESS: I said Base 1 - in Base 1's operation with
27 the RUF, they used the code all the time "master", they used that
28 term "master".

29 MS HOLLIS:

1 Q. So the word "Principal" was avoided because it might raise
2 suspicion but the word "Master" would not raise suspicion, is
3 that what you're saying?

4 A. Yes, because the term "Principal" - the term "Principal"
09:38:08 5 was used even within the Government of Liberia's radio
6 communication and it also refers to somebody senior, most senior,
7 but the term "Master" was strange. So the government operators
8 of the Government of Liberia would not know when you are talking
9 about "master". Because for Master, even if - it may refer to
09:38:36 10 any other master or anything, so that was safe for the operator
11 at Base 1 to use it on the RUF.

12 Q. Well, Mr Witness, if it was an unusual expression "Master"
13 that would be all the more reason to avoid it, wouldn't it?
14 Wouldn't unusual expressions raise suspicion?

09:39:02 15 A. I am talking about communication on the RUF frequency.
16 This will not be suspicious. It will not create suspicion for
17 the Government of Liberia radio operators because it is not their
18 net. It is a strange net.

19 Q. Well, are you saying they wouldn't have been on that net?

09:39:28 20 A. I am saying that this term, "Master", was used on the RUF
21 net. It was not used on the Government of Liberia net. If you
22 use "Master" on the Government of Liberia communication net, that
23 is when it will create suspicion because it was uncommon there.

24 Q. So you're saying that the frequency you were using with the
09:39:55 25 RUF couldn't be monitored, is that correct?

26 A. I am not saying that. Somebody could monitor it, but I am
27 saying, in respect of the term "Master", whether it will create
28 suspicion and I said the term master will not create suspicion
29 for any operator who may be monitoring from the Government of

1 Liberian side. If you are a Government of Liberian operator,
2 then it will not create suspicion because this term is used on
3 the RUF net. It is not used on the Government of Liberia's net
4 so why should it create a suspicion?

09:40:38 5 Q. Well, Mr Witness, if they are monitoring this communication
6 and they hear the word "Master" and it's a communication coming
7 from Base 1, that might cause them to then be sure to monitor all
8 those communications. Isn't that correct?

9 A. Say that again.

09:41:02 10 Q. If indeed someone from the Government of Liberia, or even
11 ECOMOG, were monitoring this communication from Base 1 to Buedu
12 and they heard this unusual term "Master", that might cause them
13 to be sure to monitor all those communications. Isn't that
14 correct?

09:41:31 15 A. It did not happen that way, so I can't comment on that. It
16 did not happen, so I can't comment on that.

17 Q. Well, Mr Witness, how do you know that other stations
18 weren't monitoring Base 1?

19 A. If other stations from the Government of Liberia ever
09:41:53 20 monitored Base 1 on the RUF net they would have asked the Base 1
21 operator that, "We monitored you on so-and-so place," but such
22 did not happen.

23 Q. Well, if they thought that the radio operator at Base 1 was
24 engaged in unauthorised communications they might not alert that
09:42:12 25 operator. Isn't that correct?

26 A. If they monitored it they might raise alarm, yes.

27 Q. And so really it wouldn't matter if you said Principal or
28 Master, that might raise alarm, correct?

29 A. What are you saying? I'm not getting you.

1 PRESIDING JUDGE: I think stuff is being lost in
2 translation because the witness answered in the negative to what
3 you asked and then you just picked up where you had stopped and
4 continued with the sentence as if the witness had agreed with
09:42:55 5 your first proposition. I don't know if they are having problems
6 with the interpretation, because the witness keeps asking you to
7 repeat yourself.

8 MS HOLLIS: And I look at my line 13 and I see the answer,
9 "If they monitored it they might raise alarm, yes."

09:43:17 10 Q. Let me ask my question again, Mr Witness. You said, "If
11 they monitored it they might raise alarm, yes," and then I asked
12 you, "So really it would not matter if you said Principal or
13 Master, that might raise alarm, correct?"

14 A. It will matter if I said Principal and somebody who might
09:43:49 15 have been monitoring the RUF net whilst Base 1 is in contact with
16 the RUF and then if someone from Base 1 said Principal it will
17 matter, but the issue there is that the word Principal - I mean
18 Master is being used on the RUF net and it was used on secret
19 frequency. So if - had there been anyone who monitored Base 1,
09:44:21 20 that person could have called Base 1 and said that, "We monitored
21 you on so-and-so net whilst were you there," but nothing like
22 that happened.

23 Q. And that didn't happen because Charles Taylor's radio
24 operators were fully aware of this interaction with the RUF in
09:44:39 25 Buedu. Isn't that correct?

26 A. It did not happen because Charles Taylor's radio operator -
27 I mean, the radio operator of the Government of Liberia did not
28 monitor this person communicating with Buedu. It doesn't mean
29 that they were not aware.

1 Q. Now, Mr Witness, you told the judges about a universal
2 police code. Do you remember talking to them about that?

3 A. That's correct.

09:45:17

4 Q. And that's also referred to as a 10 code. Isn't that
5 correct?

6 A. Yes, I referred to it as a code that begins with 10.

7 Q. And the reason is that 10 is the prefix for all of the
8 code, correct?

9 A. Yes, 10 was the prefix for all of the codes.

09:45:36

10 Q. And the number that follows the 10 is what tells the
11 receiver what the message is about, correct?

12 A. Correct.

13 Q. So, for example, in this universal police code what is
14 10-4?

09:45:58

15 A. In the universal police code, the word 10-4 - 10-4 means
16 transmission is clear, or you can go ahead. Well received as
17 well.

18 Q. And it is the 4 that conveys that particular message,
19 correct?

09:46:21

20 A. Yes, it is the 4 that carries the message or that explains
21 what we are trying to say.

22 Q. And with 10-21 it is actually the number 21 that means
23 telephone, correct?

24 A. It is - the last number or the preceding number alone does
09:46:53 25 not convey message. It must be used along with the prefix. That
26 is 10-21. But when you say 21 it does not convey a message
27 except if it's used with the prefix 10.

28 Q. Now let's go back to my question. It's 21 that conveys the
29 message "telephone", correct, the number 2-1, correct?

1 A. It is 10-21 that conveys the message "telephone", and not
2 21 all by itself.

3 Q. Mr Witness, we're talking about the 10 code. You know
4 that. Now, in the 10 code it is the number 21 that conveys the
09:47:38 5 message "telephone", correct?

6 A. In the 10 code it is the number 10-21 that carries the
7 message "telephone". But 21 all by itself does not carry the
8 message. It creates a doubt.

9 Q. Now, Mr Witness, earlier I asked you this. "In the
09:48:02 10 universal police code the word 10-4 - 10-4 means transmission is
11 clear or you can go ahead." That was your answer about what 10-4
12 means, correct? Just answer yes or no, please. "10-4 means
13 transmission is clear, or you can go ahead. Well received as
14 well." That's 10-4. Correct?

09:48:27 15 A. Not just that. It also means thank you.

16 Q. And then I asked you: "And it is the 4 that conveys that
17 particular message, correct?" And here's what you answered:
18 "Yes, it is the 4 that carries the message or that explains what
19 we are trying to say."

09:48:52 20 Now you told the judges that about the 4. Why are you not
21 willing to admit to these judges that in the 10 code it is the
22 number 21 which means telephone? Why are you not willing to
23 admit that to these judges?

24 A. Because 10-21 carries the message "telephone". That is
09:49:21 25 also as 10-4 carrying the message "thank you", or "well
26 received".

27 Q. Mr Witness, those who are familiar with the 10 code would
28 sometimes use short-cuts. Isn't that right?

29 A. There is no short-cut in communication, the way I know it.

1 No short-cut.

2 Q. And when they were explaining to someone about a message
3 that was received they would say that the message was, "Go to the
4 21." Everyone familiar with the 10 code would know that meant,

09:49:57 5 "Go to the telephone", correct?

6 A. No. No. Except if you are told to go on the 10-2-1 or
7 10-21, but without 10 it does not convey any message.

8 Q. Now, Mr Witness, let's look at what you told the judges on
9 31 August about operators disseminating information to Buedu. I

09:50:31 10 am talking here about pages 47585 and 586. If we could please
11 have - starting with page 47585 on the screen, please. If we
12 could please go down to line 27 on that page.

13 Now, Mr Witness, here is what you told them beginning at
14 line 37:

09:51:17 15 "But what I want to make clear here is that when I was at
16 Base 1, whenever the operators wanted to disseminate information
17 to Buedu, telling Sam Bockarie" - then we go over the page -
18 "they will say 50 wants to get to him on the telephone, or that
19 he should get to 50 on the telephone. What they will simply say
09:51:44 20 is that the Subject here wants Master or your Subject to get him
21 on the other side, because they wanted to avoid this well-known
22 code, 2-1 or 10-2-1."

23 Do you remember telling the judges that, Mr Witness?

24 A. I remember telling the judges that because the operators at
09:52:09 25 Base 1 wanted to avoid the code 10-2-1.

26 Q. So, let's look at that a little bit more closely. 10-2-1
27 or 21 means telephone, correct?

28 A. 10-2-1 means telephone.

29 Q. So you are saying that, in order to avoid using this

1 well-known code 21, they would simply use the word "telephone".

2 Is that right?

3 A. I am saying in order to avoid this well-known code 10-2-1
4 we will simply use --

09:52:58 5 THE INTERPRETER: Your Honours, the witness was not very
6 clear in the tail of this testimony.

7 PRESIDING JUDGE: Can you repeat what you just said,
8 Mr Witness? In order to avoid what?

9 THE WITNESS: I said in order to avoid the well-known code
09:53:15 10 10-2-1, we will simply say that you should get the Subject on the
11 other side.

12 PRESIDING JUDGE: Mr Witness, can you face the microphone
13 when you're speaking, please. Not that way, but this way.

14 MS HOLLIS:

09:53:35 15 Q. But, Mr Witness, you said, the last two words on page
16 47585: "They will say 50 wants to get him on the telephone or
17 that they should get to 50 on the telephone." So these operators
18 would say that in their communications to Buedu, correct?

19 A. I did not use the code 50. They did not use the code 50.
09:54:13 20 You just say, "Subject at my end", or, "Victor Oscar". That was
21 the word representing 50, Subject or Victor Oscar.

22 Q. But, Mr Witness, on 31 August you said to disseminate
23 information, "They will say 50 wants to get him on the telephone,
24 or that he should get to 50 on the telephone." So, Mr Witness,
09:54:43 25 when they communicated with Buedu they would refer to 50 in those
26 communications. Isn't that correct?

27 A. No. They did not use the code 50 on the communication with
28 Buedu but, rather, Subject or Victor Oscar.

29 Q. You also talked to the judges about communications with

1 three - what you say are three main operators in Buedu; Sellay,
2 Daf, Mortiga. Do you remember that?

3 A. I did not get it clearly. I did not get you well.

4 Q. Well, I am trying to speak clearly. Let me try harder.

09:55:43 5 Mr Witness, you also talked to the judges about communications
6 with what you say are three main operators in Buedu: Sellay,
7 Daf, Mortiga. Do you remember that?

8 A. Yes.

9 Q. And you said that if other operators came onto the line

09:56:07 10 {redacted} - Base 1 would tell them that they
11 wanted to speak with one of those three operators, correct?

12 A. Correct.

13 Q. And, Madam President, if I could ask for a redaction on my
14 line 20. And it would be up to Base 1. It would be four words

09:56:45 15 "Would tell them" is the last three. It is my line 20 on 26 but
16 it is in 18 font, page 26.

17 PRESIDING JUDGE: You mean the word before "Would tell them
18 in"?

19 MS HOLLIS: Actually --

09:57:14 20 PRESIDING JUDGE: Including.

21 MS HOLLIS: It would make sense if that word up to "That"
22 were redacted. So that it would read "Base 1."

23 PRESIDING JUDGE: Very well.

24 Madam Court Manager, I hope that you have seen the words.

09:57:33 25 If you look at the question which says, "And you said that if
26 other operators came on the line" now, from there up to the words
27 "Base 1" should be redacted, excluding the words "Base 1".

28 MS HOLLIS: Thank you, Madam President.

29 Q. You have told the Court that {redacted} the voices of

1 Daf, Sellay and Mortiga, correct?

2 A. Yes.

3 Q. If Sellay, Daf or Mortiga told Sunlight that certain
4 persons were RUF operators at Buedu, Sunlight would accept that,
09:58:22 5 correct?

6 A. Sunlight was satisfied with those three operators and he
7 was sure of them being operators for Sam Bockarie.

8 Q. Mr Witness, let's go back to my question. If Sellay, Daf
9 or Mortiga told Sunlight that certain persons were RUF operators
09:58:56 10 at Buedu, Sunlight would have accepted that, yes?

11 A. Sunlight would accept if Daf, Sellay or Mortiga named
12 another operator as being an operator assigned to Sam Bockarie
13 who could receive information from Base 1 to Sam Bockarie. He
14 would have accepted it.

09:59:27 15 Q. And once accepted, then Base 1 would have communicated with
16 these other individuals as well, correct?

17 A. Once accepted, Base 1 would have communicated with each of
18 those operators.

19 Q. Now, we have talked about Memunatu Deen, an RUF radio
09:59:57 20 operator, correct?

21 A. Yes.

22 Q. And Memunatu Deen was also known as Memuna, correct?

23 PRESIDING JUDGE: Let's pause. Yes, Mr Anyah?

24 MR ANYAH: Madam President, I rise to apply for a redaction
10:00:12 25 as well. I use a 14 point font. Page 27, my LiveNote lines
26 17-19. And this is in juxtaposition with the transcript of 2
27 September, page 47794. What I am complaining about is the
28 question regarding recognition of certain voices and the answer
29 "Yes."

1 And if your Honours go to the transcript of 2 September at
2 page 47794 when that evidence was heard.

3 PRESIDING JUDGE: Yes, I think I have got your drift.
4 Thank you.

10:01:00 5 Madam Court Manager, if you look at page 27 - yes, at page
6 27, the question asked by Ms Hollis, where she says, "You have
7 told the Court that." Now, you may redact the two words that
8 follow from that. I think that should be sufficient. Please go
9 ahead.

10:01:37 10 MS HOLLIS: Thank you, Madam President.

11 Q. Memunatu Deen was also referred to as Memuna, isn't that
12 correct?

13 A. She was referred to as Memunatu Deen.

14 Q. She was also referred to as Memuna, isn't that correct?

10:02:01 15 A. She was called Memunatu Deen.

16 PRESIDING JUDGE: Mr Witness, a person can be called
17 several things. Counsel is not disputing that she was called
18 Memunatu Deen. She is simply asking was she also then as Memuna.
19 The answer is yes or no or you don't know.

10:02:27 20 THE WITNESS: Yes, Ms Hollis. She was also call - she was
21 also known as Memuna, without the Deen.

22 MS HOLLIS:

23 Q. And Memunatu Deen remained in Monrovia throughout
24 Charles Taylor's presidency, correct?

10:02:50 25 A. I can't tell because - I can't tell.

26 Q. And she was one of those who acted as a liaison between
27 Charles Taylor, his subordinates, and the AFRC and RUF in Sierra
28 Leone, correct?

29 A. No.

1 Q. And she was a very loyal supporter of Charles Taylor, isn't
2 that correct?

3 A. Not correct.

10:03:23

4 Q. And she continues to be a strong supporter of
5 Charles Taylor today, isn't that correct?

6 A. No.

7 Q. Mr Witness, are you aware that Charles Taylor has told the
8 Court that he worked late at night, sometimes until 3 or 4 in the
9 morning. Are you aware of that?

10:03:52

10 A. I am not aware of that.

11 Q. And Charles Taylor told the judges that if we had worked
12 until 3 or 4 in the morning and he would sometimes get a few
13 hours sleep and be in the office at 10 a.m., and the reference
14 here for counsel's benefit is 29 July 2009, page 25542.

10:04:20

15 Mr Witness, are you aware that Charles Taylor told the
16 judges that if we had worked until 3 or 4 a.m. he would then get
17 a few hours sleep and thus might be in the office at 10 a.m. Are
18 you aware of that?

19 A. I do not know about that.

10:04:40

20 Q. And meetings would have been part of that work, would you
21 agree?

22 A. I don't know.

23 Q. Did Sunlight live in Benjamin Yeaten's house?

24 A. Sunlight, no.

10:04:58

25 Q. So Sunlight would not know, or be aware of late night
26 meetings between Benjamin Yeaten and Charles Taylor, would he?

27 A. I don't know whether Sunlight knew or not, but Sunlight was
28 not living in Benjamin Yeaten's house, so he did not know what
29 Benjamin did at night or after Sunlight had left his workplace.

1 Q. In the year 2000 was Sunlight still Benjamin Yeaten's radio
2 operator?

3 A. Which year?

4 Q. In the year 2000.

10:05:46 5 A. Yes.

6 Q. And was Base 1 still Benjamin Yeaten's radio station at his
7 home?

8 A. Yes.

9 Q. Are you aware then in about August of 2000, Issa Sesay
10:06:05 10 became the interim leader of the RUF?

11 A. I don't know which month Issa became the leader of the RUF
12 but I know that when Sam Bockarie left, I heard that Issa Sesay
13 was the next person who was in command.

14 Q. Did you ever hear that he actually became the interim
10:06:30 15 leader of the RUF?

16 A. I heard that he succeeded Sam Bockarie as the general
17 commander. So whether he was interim or what, I don't know.

18 Q. Now, the interim leader of the RUF, when that person
19 visited Liberia he would be treated as a VIP, correct?

10:07:00 20 A. I don't know.

21 Q. Well, the SSS was responsible for the security of VIPs in a
22 country, yes?

23 A. Yes. The SSS was responsible for VIPs in a country. So
24 your question is if the interim leader of the RUF came to

10:07:24 25 Liberia, went to Liberia, on a well-known deal or in relation to
26 the peace deal that was recognised by both the ECOWAS or any
27 other organisation implementing the peace process, he would be
28 treated as a VIP.

29 Q. Mr Witness, for whatever reason, if Charles Taylor invited

1 the interim leader of the RUF to Liberia, he would be treated as
2 a VIP, isn't that correct?

3 A. Whenever that leader entered Liberia under the peace deal
4 he would be treated as a VIP.

10:08:12 5 Q. Mr Witness, are you refusing to answer my questions or do
6 you simply not understand them? Which is the case?

7 A. I am not understanding it, because you have to be specific.
8 When he enters, by what means? How did he enter? You have to
9 make it specific.

10:08:31 10 Q. Actually, it was very specific. Let me do it again, and
11 please listen carefully.

12 Mr Witness, for whatever reason, if Charles Taylor invited
13 the interim leader of the RUF to Liberia, he, and I mean the
14 interim leader, would be treated as a VIP. Isn't that correct?

10:09:05 15 A. Based on - based on the reason, whenever that leader is
16 invited, on the legal reasons, he will be treated as a VIP.

17 Q. Well, would the SSS question the President as to whether
18 the reason he was bringing the interim leader to Liberia was
19 legal or not? Would the SSS question the President about that?

10:09:38 20 A. Let me just make it known that --

21 Q. No, Mr Witness. Answer my question: Would the SSS
22 question the President about whether the reason he was inviting
23 the interim leader to Liberia was legal, would the SSS question
24 the President about that?

10:10:00 25 A. The President cannot question President.

26 Q. The President cannot question the President? What are you
27 saying?

28 A. I am saying that the SSS will not question the President on
29 his decision.

1 Q. So if Charles Taylor invited the interim leader of the RUF
2 to Liberia, he would be treated as a VIP. Isn't that correct?

3 A. The SSS was trained to give protection to every VIP.

4 Q. That's not my question. If the President of Liberia,
10:10:42 5 Charles Taylor, invited the interim leader of the RUF to Liberia,
6 the interim leader would be treated as a VIP. Isn't that
7 correct?

8 A. I don't know what you're talking about, but actually the
9 SSS was meant to provide security for every VIP.

10:11:13 10 PRESIDING JUDGE: Mr Witness, can you please answer the
11 question asked which is this: "If the President of Liberia,
12 Charles Taylor, invited the interim leader of the RUF to Liberia,
13 then the interim leader would be treated as a VIP. Isn't that
14 correct?" Your answer is either yes or no.

10:11:43 15 THE WITNESS: Okay. Ms Hollis, if the President of Liberia
16 invited the interim leader of the RUF, that interim leader will
17 be treated as a VIP.

18 MS HOLLIS:

19 Q. And as a VIP the SSS would be responsible for the person's
10:12:04 20 entry into the country, protection while they were in the
21 country, and exit from the country. Correct?

22 A. While that VIP was in the country, the SSS was responsible
23 for providing security and VIP protection for that individual
24 until he or she leaves the country.

10:12:29 25 Q. And they would also be responsible for security in relation
26 to that person's entry into the country and their exit from the
27 country, correct?

28 A. They will be responsible for that person's security as long
29 as that person had entered the country and until he leaves.

1 Q. And Benjamin Yeaten, as the director of the SSS, would be
2 involved in preparing for that security, correct?

3 A. Yes, because it was from him that the SSS would take
4 instructions.

10:13:15 5 Q. And Benjamin Yeaten would have associated with that VIP
6 while he was in the country, in terms of security, yes?

7 A. No. He would just assign men to that VIP and ensure that
8 the VIP was under a good protective cover, but he would not
9 associate himself with that VIP.

10:13:42 10 Q. Well, he certainly could associate himself with that VIP,
11 couldn't he?

12 A. He will not associate himself. He was just a security. He
13 was a servant to that VIP. He would not associate himself with
14 him.

10:13:59 15 Q. And he may very well have been present in meetings between
16 the President of Liberia and the interim leader of the RUF.
17 Isn't that correct?

18 A. I don't know that.

19 Q. And Benjamin Yeaten's radio station would have been
10:14:20 20 involved in preparations for these trips by this interim leader
21 as well. Isn't that correct?

22 A. A radio would not be involved because the radio was not
23 involved for such.

24 Q. Benjamin Yeaten's radio would have been involved in setting
10:14:43 25 up the logistics for the security to be provided to this VIP.
26 Isn't that correct?

27 A. That's not correct.

28 Q. And Benjamin Yeaten's radio would have been involved in
29 coordinating the trip with the RUF and Sierra Leone. Isn't that

1 correct?

2 A. That's not correct.

3 Q. And Sunlight would have been aware of these trips of this
4 VIP to Liberia. Isn't that correct?

10:15:15 5 A. Totally incorrect.

6 Q. So Benjamin Yeaten's radio operator would not have been
7 aware of these VIP trips, even though Benjamin Yeaten was aware
8 of them. Is that what you're saying?

9 A. I am saying that Benjamin Yeaten's operation - operator
10:15:36 10 would not be aware of that trip.

11 Q. So Benjamin Yeaten's radio operator Sunlight seems to have
12 been aware of many, many things involving Benjamin Yeaten but
13 would not have been aware of these trips. Is that what you're
14 saying?

10:15:56 15 A. What I'm saying is that Benjamin Yeaten's operator Sunlight
16 would not be aware of this trip.

17 Q. Now, in 1997 and 1998 - and in '97 I'm talking about after
18 Charles Taylor was inaugurated as President - during that period
19 the radio at the Executive Mansion in Monrovia would have
10:16:28 20 received communications for whom?

21 A. Would have received communication from its sister radios
22 around the country.

23 Q. And would have received communication for whom?

24 A. What do you mean "for whom"? They would receive
10:17:00 25 communication from the various border points that I stated here
26 for the government.

27 Q. For who in the government would they have received
28 messages?

29 A. For the leadership of the government.

1 Q. And is the President included in the leadership of the
2 government?

3 A. Whatever information that comes from the border points
4 that the radio operator receives, they would turn - they would
10:17:34 5 submit that information to their bosses and their bosses would in
6 turn give it to the SSS director and the SSS director would send
7 it to whosoever was concerned.

8 Q. Let's go back to my question. The President of Liberia -
9 the President of Liberia is included in the leadership of the
10:17:52 10 government, correct?

11 A. Yes.

12 Q. And some of the messages coming into the Executive Mansion
13 would have been for the President, Charles Taylor, correct?

14 A. If any message from - that comes from the border points
10:18:11 15 that needed to be consumed by the President, he would get that
16 through that channel that I've explained. He needed to be
17 informed of what was happening around the border or within the
18 country.

19 Q. So the answer to that is that some of those messages would
10:18:31 20 have eventually gone to Charles Taylor, correct?

21 A. Yes.

22 Q. So it is correct, is it not, that that radio station in the
23 Executive Mansion could be said to have been Charles Taylor's
24 radio station?

10:18:52 25 A. It was not his radio station. It was the radio of the SSS.

26 Q. And the SSS was part of the Executive branch, correct?

27 A. The SSS was part of the Executive Mansion security. Let's
28 say the SSS was in charge of the Executive Mansion security
29 provision.

1 Q. The SSS was part of the Executive branch of government,
2 correct?

3 A. The SSS falls under - it was not part of the Executive
4 Mansion government. It served the Executive branch of
10:19:39 5 government.

6 Q. And Charles Taylor was the head of the Executive branch of
7 government when he was President, correct?

8 A. Yes.

9 Q. When messages came to Base 1, to whom would those messages
10:19:57 10 be given?

11 A. From where?

12 Q. It doesn't matter from where. To whom would those messages
13 be given, messages to Base 1?

14 A. You have to - you have to clarify the question. There were
10:20:20 15 some messages that were just messages for ordinary people around.
16 They would say, "Please tell my brother this or that." So you
17 have to be specific. That was why I said from where?

18 Q. Well, no. You have told me that at least some of those
19 messages went to ordinary people. In addition to ordinary
10:20:37 20 people, who else were given the messages that came to Base 1?

21 A. If a message came from out, within Liberia, it will go to
22 whosoever the message was pertaining to. If the message had to
23 do with the director, it would be delivered to the director. If
24 it had to do with ordinary people, it would be delivered to those
10:21:09 25 people.

26 Q. So, in addition to the director and ordinary people, did
27 the radio operators at Base 1 deliver messages to anyone else?

28 A. The radio - let me make it clear, the radio operator of
29 Base 1 was directly under the command of Benjamin Yeaten. They

1 reported to Benjamin Yeaten.

2 Q. In addition to Benjamin Yeaten and ordinary people, did the
3 radio operators at Base 1 deliver those messages to anyone else?

10:21:57

4 A. Every message - every message that Base 1 received, or in
5 particular a message for the security operation like what
6 happened at the borderline, is directly intended for the SSS
7 director under whom they worked.

8 Q. And the SSS director reported to the President,
9 Charles Taylor, correct?

10:22:17

10 A. I don't know what he did with his information, but their
11 duty was to give him the information. He knew what to do with
12 the information. They did not know what he did with the
13 information.

14 Q. In the chain of command --

10:22:36

15 JUDGE DOHERTY: Ms Hollis, can I just clarify in the answer
16 to the previous question, Mr Witness, are you saying that
17 messages that came to Base 1 were exclusively for Benjamin Yeaten
18 and not for anyone else. For example, not for one of his wives
19 or not for one of the operators?

10:22:56

20 THE WITNESS: Your Honour, this is why I told the
21 counsellor to make it clear. I said some messages come which are
22 probably related to family issues and those messages will be
23 delivered to those families or friends. But messages in
24 connection with security information were delivered only to
25 Benjamin Yeaten.

10:23:16

26 MS HOLLIS:

27 Q. And in terms of chain of command, Benjamin Yeaten reported
28 to the President, correct?

29 A. I don't know that.

1 Q. You don't know that?

2 JUDGE LUSSICK: Ms Hollis, before we leave this particular
3 area, I just want to get this clear.

4 Mr Witness, who decides what messages go to Benjamin Yeaten
10:23:43 5 and what messages go directly to the people they were addressed
6 to?

7 THE WITNESS: It is the operator. The operator decides
8 which messages are for Benjamin Yeaten and which messages are for
9 ordinary people.

10 JUDGE LUSSICK: And who actually delivers the message to,
10:24:00 11 say, Benjamin Yeaten or to ordinary people? Is it the operators
12 themselves or a delegate?

13 THE WITNESS: No, the operator directly delivers the
14 message to Benjamin Yeaten directly.

10:24:20 15 JUDGE LUSSICK: What about messages to other people?

16 THE WITNESS: Messages to other people, if the recipient of
17 the message was not around, if anyone was around who was related
18 to that person, or who can find that person, they give it to him.
19 For instance, "Tell John Brown that his sister said this or her
10:24:47 20 brother said that." That was how it worked.

21 MS HOLLIS:

22 Q. Mr Witness who, is Jabaty Jaward?

23 A. I don't know Jibaty Jawara.

24 Q. Do you know anyone called Jabaty?

10:25:09 25 A. I knew someone called Jabaty, not Jibaty. That's the name
26 I know. I do not know Jibaty but Jabaty.

27 Q. You do not know Jabaty but Jabaty?

28 A. Yes.

29 Q. Mr Witness, think about that. You do not know Jabaty but

1 you do know Jabaty? Is that what you're saying?

2 A. I said I know one Jabaty. It may be it is mispronunciation
3 but I pronounced it as Jabaty, that was how I heard it. I know
4 Jabaty, not Jibaty or Jibaty Jawara.

10:25:54 5 Q. Well, that was interpreted for you, so this time I don't
6 have to apologise for my pronunciation perhaps. But who was this
7 Jabaty that you knew?

8 A. Jabaty was one of those RUF personnel who came with
9 Sam Bockarie in late 1999 when Sam Bockarie finally came to
10:26:23 10 Liberia to stay, and having granted them citizenship by the
11 government, Jabaty became a member of the Anti-Terrorist Unit,
12 the ATU.

13 Q. And how did it happen that you met Jabaty?

14 A. I saw Jabaty before he became a member of the ATU. I saw
10:26:59 15 him with Sam Bockarie and afterwards I saw him in the ATU at the
16 Executive Mansion.

17 Q. And what other people came with Sam Bockarie when he
18 finally came to Liberia in December of 1998?

19 A. I don't know their distinction but the little distinction
10:27:25 20 that I knew was that he came with his mother, Sam Bockarie came
21 with his mother, his sister-in-law, his wife, his children and
22 other - and many other RUF personnel whom I cannot distinguish or
23 categorise.

24 Q. And can you remember the names of any of these other people
10:27:53 25 who came with him?

26 A. I do not remember all but a few, just a few, like the
27 Jabaty that I've just mentioned.

28 Q. And who else do you remember?

29 A. Just to name a few, I remember one Dr Magona, Salame, but

1 I do not know his last name, I remember a fellow called Martin,
2 but I do not know his last name, among others, even Seibatu Jusu.

10:28:41 3 Q. And Dr Magona, after he came to Liberia with Sam Bockarie,
4 was involved in providing medical treatment to people who had
5 been wounded in fighting, isn't that correct?

6 A. Dr Magona was a member of the Special Security Service and
7 he was providing medical treatment for the Special Security
8 Service and ATU.

10:29:04 9 Q. And he provided medical treatment for people who were
10 wounded in fighting, correct?

11 A. Those ATU personnel who got wounded in fighting, he
12 provided treatment for them because he was their medic.

13 Q. And how did you know this person that you call Salamié?

14 A. I knew him because he came with Sam Bockarie.

10:29:29 15 Q. And where did you see him when he came with Sam Bockarie?

16 A. I saw him many times with Sam Bockarie when he was in
17 Monrovia.

18 Q. And this person Martin, what did he do, do you know, after
19 he came to Liberia?

10:30:00 20 A. Martin was also a member of the ATU.

21 Q. Now, if we could look at the transcript for 30 August, at
22 page 47498, please, and if we could start at line 1.

23 "And Seibatu Jusu was also placed on than the SSS allowance
24 payroll, this same Seibatu who was earlier rejected in 1999 by
10:30:57 25 Yeaten as a radio operator who came to assist Memunatu."

26 When you told the judges that, what did you mean that
27 "Seibatu was earlier rejected in 1999 by Yeaten as a radio
28 operator who came to assist Memunatu."

29 What did you mean, "As a radio operator who came to assist

1 Memunatu"?

2 A. That is Seibatu Jusu was brought by Jungle to Base 1 and he
3 said he had brought Seibatu to assist Memunatu as an RUF radio
4 operator - to assist Memunatu on RUF affairs but she was rejected
10:32:00 5 by Benjamin Yeaten. This is what I mean. She came as an RUF
6 operator who had come to assist Memunatu on RUF affairs as
7 Memunatu was doing but she was rejected by Benjamin Yeaten.

8 Q. In fact, Mr Witness, in 1999 Seibatu did work as a radio
9 operator for Charles Taylor's subordinates, didn't she?

10:32:30 10 A. She never did.

11 Q. Mr Witness, you have told the judges that Christopher
12 Varmoh was a member of the AFL and he was not a member of the
13 NPFL. Do you recall telling the judges that?

14 A. I remember telling the judges that Christopher Varmoh was,
10:32:57 15 in 1998 to '99, a member of the Armed Forces of Liberia assigned
16 to Lofa County. At this time there was no NPFL, so he was not a
17 member of the NPFL at this time.

18 Q. But he had been a member of the NPFL, isn't that correct?

19 A. Correct.

10:33:19 20 Q. And his alias was Liberian Mosquito, correct?

21 A. Yes. He was Mosquito.

22 Q. Now, you talked a bit about butterfly. And butterfly was
23 the code name for Charles Taylor's radio operator, correct?

24 A. Yes.

10:33:44 25 Q. And two people used that code name, correct?

26 A. Yes.

27 Q. Yanks Smythe and Oretha Gweh, correct?

28 A. Correct?

29 Q. And both of those people worked as a radio operator for

1 Charles Taylor during the same time period, isn't that correct?

2 A. Yes.

3 Q. And do you know what that time period was?

10:34:28

4 A. It was - I didn't work with them but I believe it was in
5 1990 to '91, '92 but it was prior to my being a part of the radio
6 communication.

7 Q. It is correct, is it not, actually, that Oretha Gweh worked
8 as Charles Taylor's radio operator from 1990 to 1994?

9 A. I can't tell.

10:35:00

10 Q. You don't know?

11 A. I don't know.

12 Q. And it is correct, is it not, that after Yanks Smythe
13 ceased to be Charles Taylor's radio operator, he continued to
14 have the code name Butterfly, isn't that correct?

10:35:27

15 A. Yanks Smythe did not continue being referred to as
16 Butterfly because after he had succeeded Varmuyan Sherif he had a
17 code.

18 THE INTERPRETER: Your Honour, can he kindly repeat the
19 code again.

10:35:46

20 PRESIDING JUDGE: Can you please repeat the code.

21 THE WITNESS: The code is Unit 56, Unit 56, 5-6. That is
22 the assistant director for operations within the Special Security
23 Service.

24 MS HOLLIS:

10:36:08

25 Q. But even at that time he continued to have the code name
26 Butterfly, isn't that correct?

27 A. At that time he was not a radio operator. We never
28 referred to him - this was the long-range code name anyway, but
29 we were not dealing with him, so I can't remember calling him

1 Butterfly. That notwithstanding, he was Butterfly.

2 Q. So he still had the code name Butterfly even when he was
3 with the SSS, correct?

10:36:49

4 A. Not correct. When he was with the SSS he had the code name
5 5-6.

6 Q. And, in fact, he retained this code name, Butterfly, until
7 2000, correct?

8 A. He had the code name Unit 5-6 until 2000.

10:37:17

9 Q. So you're saying that he did not also have the code name
10 Butterfly?

11 A. The code name Butterfly was not withdrawn but what mattered
12 was that he was not being referred to by the operators on the
13 long-range radio. Rather, he was referred to by the operators on
14 the SSS net. And on the SSS net he was not referred to as

10:37:44

15 Butterfly, even though he owned the code Butterfly but it was not
16 used.

17 Q. So Mr Witness he still had the code name Butterfly until
18 2000, correct?

10:38:03

19 A. I don't know that. What I know is that up to 2000 he had
20 the code name Unit 5-6.

21 Q. But if he told these judges that he kept the code name
22 Butterfly until 2000 you would not dispute that, would you?

10:38:33

23 A. If he said that, then that's it. But what I'm saying is
24 that up to 2000 he was using the code name on the SSS net, that
25 is the short-range Unit 5-6.

26 Q. Mr Witness, you told the judges that in 1992 NPFL fighters
27 came to town and said they were from Kuwait. Do you recall
28 telling the judges that?

29 A. Yes.

1 Q. And when you said they came to town, you meant that they
2 came to Gbarnga, correct?

3 A. Yes.

4 Q. And you said that they had goods with them, correct?

10:39:06 5 A. Yes.

6 Q. When they referred to Kuwait, they were referring to Sierra
7 Leone, isn't that right?

8 A. They said Kuwait.

9 Q. When they referred to Kuwait they were referring to Sierra
10:39:25 10 Leone, isn't that correct?

11 A. I do not remember whether they defined Kuwait but they said
12 Kuwait - Kuwait.

13 Q. Well, Mr Witness, you knew that Kuwait referred to Sierra
14 Leone, didn't you?

10:39:40 15 A. Yeah, at that time they said they were from Kuwait.

16 Q. That's not my question. Mr Witness, you knew that Kuwait
17 referred to Sierra Leone, didn't you?

18 A. Yes, at that time I knew later that it was Sierra Leone but
19 before then I did not know.

10:40:02 20 Q. And it was referred to as Kuwait because there was so much
21 property there for the NPFL to loot, isn't that correct?

22 A. They said Kuwait because, according to them, they used to
23 buy - they used to take along and buy goods and sell them in
24 exchange for goods, like in the barter system.

10:40:26 25 Q. In fact, Mr Witness, they were very open about the fact
26 that they looting in Sierra Leone, isn't that correct?

27 A. I don't know whether they were looting because I was not
28 there. I am telling you a story of what they told me.

29 Q. And, Mr Witness, you were aware that they were bringing

1 Looted goods back to Gbarnga, weren't you?

2 A. I don't know whether they looted it, but what they told me
3 was that they were exchanging goods for goods.

4 Q. Mr Witness, did you buy any of these goods that these
10:41:04 5 fighters brought back from Kuwait?

6 A. No.

7 Q. Looting of civilian property, that wasn't something new in
8 the NPFL, was it? The NPFL fighters did that throughout the war
9 in Liberia, didn't they?

10:41:27 10 A. The NPFL fighters were warned seriously and very strongly
11 by the NPFL leadership that anyone caught looting would be
12 executed.

13 Q. And looting was a very common activity for NPFL fighters,
14 wasn't it?

10:41:47 15 A. It was not a common activity. It was not a common
16 activity.

17 Q. And that is how NPFL fighters survived. Isn't that
18 correct?

19 A. It's not correct.

10:41:59 20 Q. NPFL fighters were not paid a salary, were they?

21 A. They were not paid a salary.

22 Q. And the way that they survived was to steal from the
23 civilians. Isn't that right?

24 A. The only way they survived was through rations distributed
10:42:26 25 by the NPFL. That was what they were surviving on. And also
26 their own things that they bought, that is food. Some cultivated
27 farms. They cultivated farms and they used to go back to their
28 home villages to invest in farming and then return to town, more
29 especially when there was the sanction that was imposed on the

1 NPFL. Most of us used to go back home, we cultivated farms, rice
2 farms and cassava farms, as sources for survival and at the same
3 time the NPFL was providing monthly rations.

4 Q. Mr Witness, do you remember telling the judges about the
10:43:16 5 time that then President Doe made a radio broadcast telling the
6 parents of Nimba County to tell children to put down their guns.
7 Do you remember telling the judges about that?

8 A. Exactly so, yes.

9 Q. Now, at the time of that warning did you have a gun?

10:43:41 10 A. I never had a gun. I was not even in the NPFL at the time.

11 Q. So that warning did not apply to your parents, correct?

12 A. It applied to my parents and it applied to my very self,
13 because he was referring to Nimba County as a whole. You cannot
14 exclude my parents from Nimba County and you cannot exclude me
10:44:10 15 from Nimba County.

16 Q. But if you didn't have a gun you had no gun to put down,
17 correct?

18 A. If I did not have a gun I did not have any gun to put down,
19 and Nimba County was not at war with the government. So, when he
10:44:30 20 said this, he meant to just kill innocent Nimbadians. Nimba was
21 not at war with the government.

22 Q. And killing innocent Nimbadians, killing civilians, that
23 would have been a crime, yes?

24 A. Of course.

10:44:54 25 Q. The Quiwonkpa coup, Quiwonkpa was from Nimba County,
26 correct?

27 A. Yes, he was from Nimba County.

28 Q. Like Benjamin Yeaten?

29 A. Yes.

1 Q. Like Sampson?

2 A. Yes.

3 Q. Also like Joe Tuah, correct?

4 A. Yes.

10:45:20 5 Q. When General Quiwonkpa attempted his coup, most of his
6 followers were from Nimba County. Correct?

7 A. I don't know his followers. I don't know. But what I
8 remember was that one of them was a Sierra Leonean whom they said
9 released Doe and he escaped. And that was it. I did not know
10 the composition of Quiwonkpa's men actually.

10:45:59

11 Q. Well, actually most of them were Gio and Mano, correct?

12 A. I don't know.

13 Q. Many of the people who joined the NPFL were also from Nimba
14 County, correct?

10:46:20

15 A. They were from - many of them were from Nimba. They were
16 from all over Liberia. They were from across Liberia.

17 Q. And many people from Nimba County joined the NPFL, correct?

18 A. When - I don't know what you're thinking, but what I'm
19 saying is that many people from Nimba and many other people from
20 other counties joined the NPFL.

10:46:51

21 Q. And many Gio and Mano join the NPFL, correct?

22 A. Yes.

23 Q. The atrocities that were committed by the Doe government,
24 everyone was aware of those crimes that were committed against
25 civilians, yes?

10:47:11

26 A. The crimes that were committed by Doe's government against
27 the Nimbadians, everybody in Liberia was aware of that.

28 Q. And many of the people that were targeted by Doe in Nimba
29 County were Gio and Mano, correct?

1 A. Yes.

2 Q. And many of the people who joined Charles Taylor's NPFL
3 wanted revenge for those crimes against civilians, correct?

10:47:56

4 A. They never wanted revenge, but many of those who joined
5 joined because they wanted to protect themselves at this time.

6 Q. They wanted to do the same to Krahn and Mandingo as had
7 been done to Gio and Mano, correct?

10:48:26

8 A. They were not fighting a war of vendetta. They were
9 protecting themselves - they were not taking revenge. The NPFL
10 had Krahns with them and also Mandingos. They were not targeting
11 - those Nimbadians who joined the NPFL were not targeting any
12 tribe; they were targeting the government.

13 Q. Indeed, Mr Witness, throughout the conflict in Liberia the
14 NPFL targeted Krahn and Mandingo civilians. Isn't that right?

10:48:53

15 A. The NPFL did not target Mandingos and Krahns, but the NPFL
16 targeted the government of Samuel Doe.

17 Q. You told the judges about this massacre that occurred in
18 the Lutheran compound, correct?

19 A. Yes.

10:49:12

20 Q. And that was a terrible crime, wasn't it?

21 A. Very terrible.

22 Q. It was the slaughter of hundreds of civilians, correct?

23 A. Yes.

10:49:30

24 Q. Are you aware that this massacre occurred after the NPFL
25 massacred Mandingo civilians in Bakedu in Lofa County. Are you
26 aware of that?

27 A. It never happened that way. Even when that Lutheran
28 compound massacre took place, the NPFL was not in Lofa.

29 Q. Indeed, Mr Witness, are you aware that the Liberian TRC

1 found that the NPFL massacred 500 ethnic Mandingos, including an
2 Imam in Bakedu, Lofa County?

3 A. I don't know. I don't know about what you're saying.

10:50:24

4 Q. And are you aware that the Liberian TRC found that this
5 massacre in Bakedu occurred in early July of 1990. Are you aware
6 of that?

7 A. I am not aware of that.

10:50:51

8 Q. And that the Liberian TRC found that it was later in July,
9 29 July, that this equally terrible massacre of over 500 Gio and
10 Mano civilians, including children, occurred at St Peter's
11 Lutheran church. Are you aware of that?

12 A. No.

13 PRESIDING JUDGE: Ms Hollis, do we have a spelling of
14 Bakedu on the record? I don't reckon so.

10:51:08

15 MS HOLLIS: We may, but let me give another, B-A-K-E-D-U.

16 Q. Mr Witness, your relatives fled to the Ivory Coast when the
17 Doe forces started killing civilians in Liberia, correct?

18 A. They ran away to the Ivory Coast when the Doe forces
19 started killing civilians in Nimba.

10:51:39

20 Q. And, Mr Witness, you joined the NPFL because close
21 relatives of yours were killed by Doe forces, correct?

22 A. No. I joined the NPFL because I wanted to defend the
23 remaining relatives of mine and myself against the Samuel Doe
24 government.

10:52:07

25 Q. You wanted to revenge the killing of your close relatives
26 and you did that by joining the NPFL, correct?

27 A. No.

28 Q. And you blamed the Krahn for those killings and you wanted
29 revenge against them. Isn't that right?

1 A. No. I blamed the government of Samuel Doe for the killing
2 of my relatives, not the Krahn in particular.

3 Q. And joining the NPFL would give you the opportunity to
4 revenge the killing of your relatives, correct?

10:52:47 5 A. Joining the NPFL would give me the opportunity to defend
6 the remaining members of the family and to defend Nimba County at
7 large against Samuel Doe's government.

8 Q. And indeed, Mr Witness, on 24 August you told the Court
9 that you had join the NPFL because you felt insecure with the
10:53:13 10 government, because you wanted to protect what was left of your
11 family, and you wanted to protect the people of Nimba County.
12 Correct?

13 A. Exactly so. This is what I'm saying.

14 Q. But, Mr Witness, up until 12 May of this year that wasn't
10:53:33 15 your story about why you joined the NPFL, was it?

16 A. The reason I joined the NPFL is what I've just told you and
17 I've been telling you.

18 Q. Mr Witness, up until 12 May of this year what you told the
19 Defence about why you joined the NPFL was that you had lost close
10:54:01 20 relatives, they had been killed by the Doe government, so you
21 decided to join the NPFL. That's what you told the Defence up
22 until 12 May of this year. Isn't that right?

23 A. That is like the Defence did not write all of my statements
24 in relation to that, but what I told them was that the Doe
10:54:30 25 government had killed some of my relatives and the Doe government
26 had threatened to burn down Nimba County and turn it into either
27 a cassava or rice farm, so I was insecure. So in order to
28 protect the remaining members of the family and the Nimba County
29 at large, I decided to join the NPFL.

1 MS HOLLIS: Your Honours, opposing counsel, when the
2 Prosecution made its application you all were given a package
3 that had summaries of this witness, six of them, yes?

4 Now we did have a copy for the Defence. Of course they
10:55:19 5 should have their own summaries but we are happy to give them a
6 copy if that would assist.

7 MR ANYAH: I have every summary. Thank you.

8 MS HOLLIS: And for very apparent reasons, I do not wish
9 any of these summaries displayed on the screen so I will refer
10:55:39 10 your Honours and counsel to what I am referring to in the
11 summaries.

12 You will have noticed that summaries 3, 4 and 5 are exactly
13 the same. So, I will be making my references to summary number
14 5, which is tab 5 in your binders. And this particular reference
10:55:58 15 is to CMS page number 28696. That will be the first page of that
16 summary and I will be referring to what is written on the second
17 and third lines of the first paragraph.

18 Q. Mr Witness, it is correct, is it not, that up until 12 May
19 of this year you told the Defence that your close relatives were
10:56:34 20 killed by the Doe army so you decided to join the NPFL. That's
21 what you told the Defence up until 12 May of this year. Isn't
22 that correct?

23 A. It's not correct that it was because my family - my
24 families were killed, that is why I joined the NPFL. It is
10:56:57 25 correct that because I wanted to protect the rest of my family
26 members and also to protect my mother county. That is why I
27 joined the NPFL.

28 Q. Mr Witness, things it will go much more smoothly if you
29 will listen very carefully to my question and answer my question.

1 It is correct, is it not, that up until 12 May of this year
2 your story to the Defence was that your close relatives were
3 killed by the Doe army so you decided to join the NPFL. That was
4 your story to the Defence up to 12 May of this year. Isn't that
10:57:39 5 correct?

6 A. Yes, that's my statement. It's correct.

7 Q. And you wanted to revenge those killings, that's why you
8 join the NPFL. Isn't that correct?

9 A. It's not correct.

10:57:58 10 Q. When Charles Taylor and Benjamin Yeaten left Liberia in
11 2003 they both knew there was an indictment against
12 Charles Taylor for crimes in Sierra Leone. Correct?

13 A. I don't know.

14 Q. Are you saying that you don't know about that?

10:58:30 15 A. I don't know whether it was because of an indictment on
16 them that was the reason they left; I don't know that.

17 Q. Again, perhaps it is an interpretation, problem but listen
18 very carefully to my question: When Charles Taylor and Benjamin
19 Yeaten left Liberia in 2003 they both knew there was an
10:58:54 20 indictment against Charles Taylor for crimes in Sierra Leone.

21 Correct?

22 A. Before they left, the indictment had been pronounced, so I
23 believe that the President knew.

24 Q. And Benjamin Yeaten was also aware of that indictment.

10:59:18 25 Correct?

26 A. I believe so.

27 Q. And they were aware that in that indictment
28 Charles Taylor's relationship with the AFRC and the RUF were
29 cited as a basis for his criminal responsibility. They knew

1 that. Correct?

2 A. Well, I can't answer for them, but the indictment was
3 pronounced, so I believe that they knew that an indictment had
4 been pronounced against the President.

10:59:57 5 Q. Fair enough. Now, you told the judges that messages for or
6 from the Government of Liberia were recorded in notebooks by
7 Base 1. Correct?

8 A. Yes. There were messages from the government of --

9 THE INTERPRETER: Your Honour, can he kindly take this
11:00:23 10 answer more clearly.

11 PRESIDING JUDGE: Mr Witness, can you repeat your answer
12 please.

13 THE WITNESS: Yes. To make it simple, I told the judges
14 that messages for the Government of Liberia to Base 1 were
11:00:39 15 recorded in the notebook.

16 MS HOLLIS:

17 Q. And you indicated that messages for the Government of
18 Liberia from Base 1 were recorded and messages from the
19 Government of Liberia to Base 1 were recorded. Correct?

11:01:02 20 A. I don't know what you mean by messages from Liberia.
21 Base 1 is a radio of the Government of Liberia, so every messages
22 received by Base 1 for the Government of Liberia, from within
23 Liberia, was recorded.

24 PRESIDING JUDGE: Ms Hollis, I think we will pick this up
11:01:32 25 after the break. We will break now and reconvene at half past
26 11.

27 [Break taken at 11.01 a.m.]

28 [Upon resuming at 11.31 a.m.]

29 PRESIDING JUDGE: Ms Hollis, please continue.

1 MS HOLLIS: Thank you, Madam President.

2 Q. Are you all right, Mr Witness? Are you all right,
3 Mr Witness?

4 A. Yes, I'm okay. I'm okay.

11:31:46 5 Q. Mr Witness, before the break we were talking about
6 notebooks that were kept at Base 1, and you had explained that
7 every message received by Base 1 for the Government of Liberia
8 from within Liberia was recorded in these notebooks, correct?

9 A. Yes.

11:32:14 10 Q. And every message sent by Base 1 to other Government of
11 Liberia radio stations was also recorded in the notebooks,
12 correct?

13 A. Yes.

14 Q. Now, you told the judges that these notebooks were burned
11:32:36 15 after Charles Taylor and Benjamin Yeaten left Liberia in 2003.
16 Do you telling them that?

17 A. Yes.

18 Q. And that the radio was taken away and everything was
19 destroyed. Do you remember saying that?

11:32:56 20 A. Yes.

21 Q. Now, actually, Mr Witness, these notebooks at Base 1 also
22 contained messages to and from the rebels in Sierra Leone. Isn't
23 that correct?

24 A. No.

11:33:16 25 Q. And these notebooks contained messages to other Government
26 of Liberia radio stations, messages that concerned the rebels in
27 Sierra Leone. Correct?

28 A. No.

29 Q. And the reason that these notebooks were burned around the

1 time that Charles Taylor and Benjamin Yeaten left was that these
2 notebooks would have incriminated them. Isn't that correct?

3 A. No.

11:33:57

4 Q. And these notebooks would also have incriminated Sunlight
5 in dealings with the rebels in Sierra Leone. Isn't that correct?

6 A. No.

7 Q. And these notebooks were actually destroyed by Sunlight on
8 the orders of Benjamin Yeaten. Isn't that right?

9 A. Not so.

11:34:13

10 Q. During the time period 1994 up to the election in 1997, how
11 was the NPFL signal unit organised?

12 A. The NPFL signal unit was organised based on the various
13 units or divisions that the NPFL had.

11:35:00

14 Q. Well, as far as the signal unit or the signal
15 organisation itself, how was it organised? Was it a separate
16 unit within the NPFL?

17 A. The signal unit was arranged according to the various
18 divisions and then at last it had one head. In fact, not at
19 last, it had one head, which was Mark Kushin at last at the time
20 I was serving.

11:35:37

21 Q. You said it had one head. What was the level of this head?
22 Was it battalion, was it brigade, what was the level where the
23 head of the signal unit was?

24 A. The head of the signal unit was called the signal
25 commander, the general signal commander.

11:35:58

26 Q. And was the signal unit or organisation was the highest
27 command level, a battalion level, a brigade level? What was the
28 level of the headquarters of the signal organisation?

29 A. The signal organisation, like I said, was headed by one

1 commander who supervised the various signals units and he was
2 responsible - his office was responsible to produce goods and
3 call signs.

11:36:40 4 Q. Mr Witness, you were trained in the NPFL. You served in
5 the Government of Liberia. You understand that organisations,
6 military organisations, paramilitary organisations, have certain
7 breakdowns or units within them, correct? So you would have a
8 division, you would have a brigade, you would have a battalion,
9 you would have a company. You understand all of that, yes?

11:37:09 10 A. Yes.

11 Q. So the signals organisation within the NPFL, was it
12 structured in that way?

13 A. The signals organisation within the NPFL, what I knew was
14 that, like I said, every division of the NPFL had its own signals
11:37:36 15 unit. But this signals unit were supervised by one commander,
16 who was Mark Kushin, during the time I was serving.

17 Q. And this commander, was he a battalion commander, a brigade
18 commander, at what level was his command?

19 A. He was referred to as General Signals Commander.

11:38:02 20 Q. Well, I think we're talking at cross purposes here, but
21 I'll move on.

22 The fourth signal battalion, where was that located?

23 A. The signals battalion --

24 Q. I don't know if it's me or what, but what I said was the
11:38:27 25 fourth - fourth - signal battalion, where was that located?

26 A. I don't know about fourth signals battalion.

27 Q. Well, did you ever hear anyone say that the fourth signal
28 battalion was co-located with the Executive Mansion Presidential
29 Guard Force in Gbarnga? Did you ever hear that?

1 A. No.

2 Q. Who was the deputy commander of the NPFL signals
3 organisation?

4 A. I know about Dare Face, one Dare Face, whose full name I do
11:39:27 5 not remember. But I recall the name "Dare Face".

6 PRESIDING JUDGE: Sorry, what are you saying,
7 Mr Interpreter, what face?

8 THE INTERPRETER: "Dare Face". "Dare Face". I think I've
9 mentioned this name before but I don't know what the real name
11:39:46 10 is, but it was referred on the radio as Dare Face. That was the
11 code.

12 PRESIDING JUDGE: Can you please spell that for us,
13 Mr Witness?

14 THE WITNESS: Let me try that. D-A-R-E F-A-C-E. Dare Face.

11:40:12 15 MS HOLLIS:

16 Q. Mr Witness, who was William Jensen [phon], or Gensehn?

17 A. William Gensehn was one of the NPFL's Special Forces.

18 Q. And what position did he hold in the NPFL?

19 A. I do not recall now. I do not recall it.

11:40:43 20 Q. He was - he was actually the overall NPFL signal commander,
21 isn't that correct?

22 A. I don't know. When I was in the signal, I did not hear
23 that he was the overall signals commander.

24 Q. But you would have heard about that, wouldn't you? You
11:41:14 25 would have heard who was the NPFL signals commander?

26 A. I never heard that.

27 Q. And there was a person by the name of Galakpala or
28 Galakpai who was the deputy signals commander, isn't that right?

29 A. I heard that one Galakpai once headed the signals unit but

1 it was not during my administration or my time of service within
2 the signals unit, so I can't tell much about him. I don't know
3 much about him.

11:42:23 4 Q. And it was actually Galakpalah or Galakpai who trained
5 Sunlight, isn't that correct?

6 A. That is not correct.

7 Q. So if a witness came before this Court and said that
8 Galakpalah or Galakpai trained Sunlight, are you saying that that
9 witness would be wrong?

11:42:35 10 A. If a witness came and said that, I would say that I know
11 that Sunlight was trained by - by another person, Mission 5, but
12 not Galakpai. But if that witness said that, then that might
13 have been what he observed. But what I observed is what I am
14 telling this Court.

11:42:57 15 Q. Well, Mr Witness, we're not talking about observations.
16 Sunlight perhaps was trained by both these people, is that
17 possible, Mission 5 and Galakpai?

18 A. To my knowledge, Sunlight was trained by Mission 5. I
19 don't know whether Sunlight was trained by Galakpai, but Sunlight
11:43:26 20 was trained by Mission 5.

21 MS HOLLIS: Madam President, could I ask for a very, very
22 short private session.

23 PRESIDING JUDGE: The reasons?

24 MS HOLLIS: I want to clarify something and a procedure and
11:43:48 25 it will be necessary to do it in private session to protect the
26 identity of the witness.

27 PRESIDING JUDGE: Very well. Madam Court Manager, for
28 those reasons we'll go into a private session.

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[At this point in the proceedings, a portion of the transcript, pages 47994 to 47996, was extracted and sealed under separate cover, as the proceeding was heard in private session.]

1 [Open session]

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

3 MS HOLLIS:

4 Q. Mr Witness, we talked earlier about people coming to
11:48:47 5 Gbarnga, NPFL fighters, and saying they had been in Kuwait. That
6 information was not in any of your summaries, including the
7 summary dated 12 May of this year, was it?

8 Well, that's not fair to you. Let me phrase it
9 differently, Mr Witness. You never told the Defence about Kuwait
11:49:17 10 until after 12 May of this year. Isn't that right?

11 A. I do not recall what you are saying, but I believe I told
12 the Defence about how I got information from some NPFL personnel
13 in Gbarnga about Kuwait and about Sierra Leone. That's all.

14 Q. So you are saying that the Defence simply failed to put
11:49:49 15 that in the summary. Is that what you're saying?

16 A. What I'm saying is that I remember saying that.

17 Q. Mr Witness, you told the Court about Benjamin Yeaten's
18 reaction, supposed reaction, upon learning that Jungle had been
19 killed. Do you remember telling the Court about that?

11:50:16 20 A. Yes, I do.

21 Q. And you said that, according to you, Benjamin Yeaten had
22 cried when learning that Jungle had been killed. Do you remember
23 telling them that?

24 A. Yes.

11:50:35 25 Q. Do you know, Mr Witness, did Benjamin Yeaten cry when
26 Sam Bockarie was killed?

27 A. I don't know.

28 Q. Do you know if Benjamin Yeaten cried when Sam Bockarie's
29 wife and children were executed?

1 A. I don't know Sam Bockarie being executed. I heard that
2 Sam Bockarie was killed in a fire exchange at the border.

3 Q. Do you know if Benjamin Yeaten cried when Sam Bockarie's
4 wife and children were executed? Do you know?

11:51:15 5 A. I don't know whether Sam Bockarie's death was by means of
6 execution. I know that Sam Bockarie's death - I heard that he
7 died in a fire exchange --

8 PRESIDING JUDGE: Mr Witness, I don't know if the
9 interpreter hasn't interpreted to you properly. We are not
11:51:36 10 talking about Sam Bockarie's death. We are talking about the
11 death of his wife and children.

12 Madam Prosecutor, please ask the question again. And I'm
13 sure the witness - the interpreter is interpreting to you fine.
14 So please answer the question that's being asked of you, not some
11:51:55 15 other question that's not asked of you.

16 MS HOLLIS:

17 Q. Mr Witness, do you know if Benjamin Yeaten cried when
18 Sam Bockarie's wife and children were executed? Do you know?

19 A. I don't know whether Sam Bockarie's wife was executed or
11:52:18 20 killed.

21 Q. Do you know if Benjamin Yeaten cried about their deaths?

22 A. I don't know whether Benjamin Yeaten - I don't know whether
23 Sam Bockarie's wife and children were executed.

24 Q. Mr Witness, you speak English, regular English, correct?

11:52:47 25 A. Yes, I try.

26 Q. And, in fact, Mr Witness, throughout your testimony you
27 have, indeed, been answering in regular English, haven't you?

28 A. I've been answering in the same English that I am speaking.

29 Q. And that has been regular English, not Liberian English,

1 correct?

2 A. If you tell me that way, then that's it.

3 Q. So Mr Witness, are you saying you don't know the difference
4 between Liberian English and regular English?

11:53:27 5 A. What I'm saying is that I have been answering questions and
6 explaining in this very English that I'm speaking now, and I have
7 told you that I do try with the regular English.

8 Q. And, Mr Witness, you understand regular English, don't you?

9 A. I understand some.

11:53:52 10 Q. And perhaps, Mr Witness, that has been the confusion,
11 because you have been listening to me speaking in regular English
12 and at the same time trying to listen to the interpretation. Is
13 that the reason that you are sometimes confused about these
14 questions?

11:54:11 15 A. It's not so. Sometimes you will say something and the
16 interpreter will say another, so I will want to get what you are
17 saying in particular so that I will be able to answer
18 accordingly.

19 Q. So you are listening to me in regular English and then
11:54:35 20 comparing what the interpreter is telling you. Is that what's
21 happening?

22 A. When you are speaking, I hear you. And when the
23 interpreter interprets, I hear him also.

24 Q. Mr Witness, do you recall telling these judges that the
11:54:54 25 only languages that you spoke were Liberian English and Gio?

26 A. I think you asked me once whether I do speak Liberian
27 English when we spoke about - okay - and I said yes. And also I
28 do try the regular English.

29 Q. Actually, Mr Witness, it was Defence counsel who asked you

1 very early on in your testimony if you spoke any languages other
2 than Liberian English and Gio and you indicated those were the
3 only two languages that you spoke. So why didn't you tell these
4 judges at that time that you also spoke regular English?

11:55:49 5 A. This is what I'm saying. I do not speak regular English
6 perfectly. That is why I said I preferred the Liberian English.

7 Q. Mr Witness, Benjamin Yeaten, to your knowledge, did he cry
8 when Sam Dokie and his wife were killed?

9 A. I don't know.

11:56:22 10 Q. Did he cry when Isaac Vaye and John Yormie were killed?

11 A. I saw him sitting, you know. He did not cry but he was
12 kind of - I don't know how to term that. He was so sad about the
13 event that his Nimba brother - that he heard about the death of
14 his Nimba brother, a brother, his kinsman.

11:57:00 15 Q. Who was that?

16 A. Benjamin Yeaten.

17 Q. Which relative - or brother, I'm sorry. Which brother was
18 he sad about?

19 A. His kinsman. That is when he heard about Isaac Vaye, the
11:57:21 20 death of Isaac Vaye.

21 Q. Was he sad because he had been ordered to kill one of his
22 kinsman? Is that what he was sad about?

23 A. He was sad because he had heard that this man had been
24 killed by an unknown person.

11:57:37 25 Q. Well, he never heard that, he did, because he ordered the
26 execution of that man, didn't he?

27 A. I don't know. But what I saw tells me that the death of
28 that man was a kind of a surprise to him. But I don't know
29 whether he ordered the execution.

1 Q. Did Benjamin Yeaten cry when Baby Girl was killed?

2 A. I don't know whether a baby girl was killed or whether
3 someone by the name of Baby Girl was killed. I don't know about
4 that.

11:58:24 5 Q. Baby Girl was his girlfriend or wife, wasn't she?

6 A. Oh, do you mean his wife Baby Girl? I don't know whether
7 his wife was killed - any of his wives, in particular Baby Girl,
8 I don't know.

9 Q. Well, Mr Witness, you know that in fact --

11:58:44 10 A. Excuse me. What I know about Baby Girl is that before
11 Benjamin Yeaten left Liberia in 2003, Baby Girl, along with
12 Benjamin Yeaten's children, okay, left for Ghana. That was where
13 they were. And before Ben left, or the day that Benjamin Yeaten
14 left for Ghana, he said that he was going to Ghana to visit his
11:59:10 15 wife and his children. So I don't know whether Baby Girl was
16 killed.

17 Q. Well, in fact, Mr Witness, you know that Benjamin Yeaten
18 killed Baby Girl before he left Liberia. You know that, don't
19 you?

11:59:25 20 A. I don't know whether Baby Girl was killed by anybody. I
21 did not hear about the death of Baby Girl.

22 Q. Now, you told the judges that at one point in time Benjamin
23 Yeaten had three wives; Baby Girl was one of them. What were the
24 names of his other two wives?

11:59:47 25 A. The other two wives, one is called Fibi [phon] and the
26 other was called Jestina.

27 PRESIDING JUDGE: Please pause. Yes, Mr Anyah?

28 MR ANYAH: I just rise to question whether it is necessary
29 that the witness give these names in open session.

1 PRESIDING JUDGE: Why? What is wrong with that?

2 MR ANYAH: Well, I might require a private session to
3 elaborate further, but in open session I can say that Benjamin
4 Yeaten is a notorious figure in these proceedings.

12:00:52 5 PRESIDING JUDGE: Why are you objecting to the names of
6 these people that are - I don't know, they are not witnesses in
7 this trial. Nor is Benjamin Yeaten to the best of my knowledge.

8 MR ANYAH: I am not necessarily objecting. I am seeking
9 guidance from the Court.

12:01:19 10 I am wondering whether it is necessary that those names be
11 mentioned, I mean in public session, that is, because of the
12 notoriety of Benjamin Yeaten's name in this case and the evidence
13 presented about his character. And if these persons are still
14 alive, wherever they may be, who knows whether they still

12:01:43 15 maintain a relationship with him. And also who knows what
16 consequences might inure to the current witness for disclosing
17 these names, I don't know. I just raise it as a suggestion to
18 the Court or something that the Court might wish to take into
19 consideration.

12:02:09 20 PRESIDING JUDGE: Yes, but the witness has discounted any
21 knowledge of the propositions put by counsel opposite, so I don't
22 see what danger that would put him in. So please go ahead.

23 MS HOLLIS:

24 Q. Mr Witness, since 2006, have you had any contacts with
12:02:39 25 former NPFL individuals?

26 A. The question is so bulky, because I don't know what you
27 mean.

28 Q. Well, have you had any contacts with individuals who were
29 previously in the NPFL since 2006?

1 A. But I recall that immediately - I mean, 1997, after the
2 election, there was no longer NPFL. The NPFL had been dissolved.
3 So after 2006, if you asked me whether I have seen a Government
4 of Liberian personnel or security personnel, then I can answer
12:03:38 5 the question. But I was no longer dealing with NPFL since -
6 after 1997.

7 Q. Mr Witness, the question was if you had contact with any
8 former - former, do you understand that - former NPFL
9 individuals, ex-NPFL individuals?

12:04:01 10 A. Yes.

11 Q. Since 2006, have you had any contact with a person by the
12 name of JT Richardson?

13 A. Oh, no. No. And, again, even before 2006, I have never
14 had contact with John T Richardson.

12:04:40 15 Q. So you know his first name is John - John T Richardson?

16 A. I know John T Richardson.

17 Q. And John T Richardson had been a member of the NPFL,
18 correct?

19 A. Yes.

12:05:03 20 Q. And he had been a commander in the NPFL, correct?

21 A. I heard the name, that was why I said yes, but he was part
22 of the NPFL but I did not know which position he ever had. So I
23 cannot speak on that.

24 Q. And since 2006, have you had any contact with the person by
12:05:29 25 the name of Cyril Allen?

26 A. No.

27 Q. Any contact with a person by the name of Benoni Urey?

28 A. No.

29 Q. Were you aware of an organisation in Liberia called the

1 Association for the Legal Defence of Charles Taylor?

2 A. No.

3 Q. Have you spoken with Charles Taylor since he has been in
4 detention at the Special Court for Sierra Leone?

12:06:10 5 A. Totally, no.

6 Q. Who is Dopee Menkarzon?

7 A. Dopee Menkarzon is a former Special Forces of the NPFL.
8 He's a member of the former Special Forces of the NPFL.

9 Q. And he was a commander of the NPFL, correct?

12:06:41 10 A. Yes.

11 Q. And he currently resides in Liberia, correct?

12 A. Yes.

13 Q. Mr Witness, do you know a person by the name of Laval i
14 Supuwood?

12:07:12 15 A. Yes, I know Laval i Supuwood.

16 Q. He was at one time a senior member of the NPFL, yes?

17 A. Yes, Supuwood was a member of the NPFL.

18 Q. And do you know that he is now a member of Mr Taylor's
19 Defence team?

12:07:44 20 A. Yes, I heard that but I have not met with him anyway. I
21 heard that.

22 Q. So you have had no contact with him since 2006?

23 A. Yes.

24 Q. What does that mean?

12:08:02 25 A. I have not seen him since 2006. In fact, let me say this,
26 even before 2006, since we entered in the government in 1997, I
27 have never seen Supuwood actually. I have not seen him.

28 Q. A person by the name of John Gray, have you had any contact
29 with a person by the name of John Gray?

1 A. Yes.

2 Q. Are you aware that he is also a member of Mr Taylor's
3 Defence team?

4 A. No.

12:08:39 5 Q. And since 2006, what contact have you had with John Gray?

6 A. Since 2006, I only had contact with Mr Gray during this
7 exercise. That was in June - June 1990 - I mean, 2008. No,
8 2009, not 8. No, no, no, let me be correct. 2008, June, last
9 year. Last year. I thought we were in another year. Last year,
10 2008.

12:09:24

11 Q. Okay, Mr Witness, this year is 2010. So --

12 A. Okay --

13 Q. So, according to you, did you first have contact in 2008 or
14 2009?

12:09:42 15 A. No. 2009, June. 2009, June. Yes, thank you for the
16 correction. 2009, June.

17 Q. And you had this contact in what city or town?

18 A. In Monrovia.

19 Q. And without revealing anything that would reveal your
12:10:09 20 identity, can you tell us where this contact occurred?

21 A. In Monrovia. And he took me to - I don't know where
22 appropriately, to other lawyers, other Defence lawyers in
23 Monrovia at Mamba Point, around the American embassy.

24 Q. Do you remember the name of those other Defence lawyers
12:10:44 25 that he took you to?

26 A. Yes.

27 Q. Who?

28 A. One Silas and Ms Logan.

29 Q. And did he explain to you why he was taking you there?

1 A. Yes.

2 Q. And what did he tell you?

3 A. Okay. Before meeting with him, I did not know him before
4 anyway. I did not know him in person before, even though I had

12:11:20 5 heard his name. But a friend of mine gave my number to him, who
6 told me that Mr Gray wanted to see me because my name - my name
7 had been mentioned in the Special Court, that they wanted me to
8 come and give testimony about what I knew in relation to the
9 ongoing trial. So Mr Gray called me on my number, and he showed
12:11:56 10 me an area where he can pick me up and then he picked me up.

11 That was how we went and met with Silas and Ms Logan.

12 Q. And this first meeting that you had with Silas and
13 Ms Logan, do you remember how long that meeting lasted?

14 A. It lasted I think from 9 o'clock to 2.

12:12:22 15 Q. And during that meeting, were they asking you questions?

16 A. They asked me whether I knew about the ongoing trial, they
17 asked me what I knew. So those were questions that they asked
18 me.

19 Q. And were they taking notes when you gave your answers?

12:12:45 20 A. Yes.

21 Q. Do you know if they were recording these answers in any
22 other way, for example, by videotape or audio recording, do you
23 know if they were doing that?

24 A. I don't know.

12:13:04 25 Q. At the end of this meeting, did they go back over these
26 notes with you?

27 A. No, I do not remember that.

28 Q. Now, after this first meeting in June of 2009, did you have
29 occasion to meet again with John Gray?

1 A. Yes.

2 Q. And when was that?

3 A. It was in - it was this year. I can't remember the month,
4 but I think it was early this year, when he called me and told me
12:13:54 5 that the lawyers were in town, in Monrovia, again, and that they
6 wanted to see me.

7 Q. And then did you go and see these lawyers?

8 A. Yes.

9 Q. And how long - and who did you meet at this time?

12:14:18 10 A. The same, Silas and Ms Logan; but at this time it was Silas
11 who dealt with me more than Ms Logan.

12 Q. And did they also ask you questions during this time that
13 you met with them?

14 A. Yes, they asked me questions.

12:14:52 15 Q. For how long did you meet with them on this occasion?

16 A. It was not for a whole day actually. I do not recall the
17 length of time, but it was not a whole day process.

18 Q. And when they were asking you questions on this occasion,
19 were they taking notes of what you were saying?

12:15:18 20 A. Yes.

21 Q. Did they record it in any other way, such as an audio
22 recording or video recording?

23 A. I don't know.

24 Q. Did you meet with the Defence at any other time before
12:15:44 25 travelling here to The Hague after this meeting with Silas and
26 Logan sometime in 2010?

27 A. After - no, with the exception of John Gray who called me
28 and informed me that I am about to travel here.

29 Q. So your statement is that you have had, up to the time you

1 travelled here, you had two meetings with members of the Defence
2 team, is that correct?

3 A. Okay. Let me say something. Besides that, I met Silas for
4 a third time but at this time there was no interpreter, there
12:16:44 5 were no questionings, he told me that they were now ready for me.
6 We did not discuss anything further until he left. That was why
7 I said two times - two times basically with questions and
8 answers, but the last time he just told me that he was not
9 prepared for me, so there was nothing discussed.

12:17:06 10 Q. Now, you said initially that Silas met with you this third
11 time and said that the Defence was now - or they were now ready
12 for you, correct?

13 A. No. He said he was not ready to meet me - to see me; he
14 was not ready for me.

12:17:29 15 Q. Do you remember when this third meeting occurred? Were you
16 met with Silas alone and he said he wasn't ready to meet with
17 you?

18 A. I do not recall the month, but it was this year.

19 Q. And did he explain to you what he meant when he said he
12:17:53 20 wasn't ready to meet with you?

21 A. I don't know. He just told me that when "I'm ready I would
22 tell them to call you". He said he would tell Gray to call me.

23 Q. So before June of 2009, no one from the Defence had
24 approached you, is that correct?

12:18:16 25 A. Yes.

26 Q. Now, since you have been here in The Hague, and you arrived
27 here in The Hague on 27 July, correct?

28 A. Yes.

29 Q. Since you have been here in The Hague, how many times have

1 you met with members of Mr Taylor's Defence team?

12:19:14 2 A. When I got here, I met with them on 28 July and I do not
3 recall but I think for about - maybe two weeks or so, we were on
4 a proof reading exercise, but I do not recall the number of times
5 - actually, I do not recall it.

6 Q. So during this two week period, you were meeting and
7 basically going over what your evidence would be, is that right?

8 A. Yes, we were reviewing my evidence.

12:19:42 9 Q. And during these times that you were meeting in this two
10 week period, the person or persons you were meeting with, were
11 they taking notes?

12 A. Yes.

13 Q. Now, you continued to meet with a member or members of the
14 Defence team, going over your evidence, until just before you
12:20:05 15 started your testimony on 24 August. Isn't that correct?

16 A. Yes, I met with them before starting my evidence on
17 24 August.

18 Q. And from 27 July until you began your evidence on
19 24 August, you met with them almost daily. Isn't that right?

12:20:30 20 A. With the exceptions of Saturdays and Sundays.

21 Q. Now, Mr Witness, are you sure that you didn't meet with
22 members of the Defence team in May of 2009?

23 A. I am not sure, but I am sure that I met them three times,
24 but the third one there was no discussion, we did not sit and
12:21:17 25 talk. But in June of last year, we met two times and in this
26 year we met once, that is, the first day I met them and I went
27 again the following day in June and that was it until lastly in
28 this year, early this year.

29 Q. So your meeting in June of last year, you met with them two

1 days in a row?

2 A. Yes.

3 Q. And that was with Silas and Logan. Is that correct?

4 A. Correct.

12:21:56 5 Q. Now, Mr Witness, after you came here to The Hague and began
6 meeting with Defence counsel here, you have basically re-invented
7 your story. Isn't that right?

8 A. Yes, I changed some parts of my story.

9 Q. And, in fact, Mr Witness, you have changed the most
12:22:25 10 important parts of your story, haven't you?

11 A. I changed some of my stories that I gave to them, I changed
12 them.

13 Q. Indeed, Mr Witness, most of the important things you have
14 told this Court are new since 12 May of this year. Isn't that
12:22:48 15 correct?

16 A. I don't know what you mean. But I changed some parts of my
17 testimony that I had given in Monrovia - when I got here, I
18 changed it.

19 MS HOLLIS: Madam President, if we could go into private
12:23:14 20 session, and this is protect the identity of the witness.

21 PRESIDING JUDGE: Very well. For that reason, we will go
22 into a brief private session, please.

23 [At this point in the proceedings, a portion of
24 the transcript, pages 48011 to 48035, was
25 extracted and sealed under separate cover, as
26 the proceeding was heard in private session.]

27

28

29

1 [Open session]

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

3 PRESIDING JUDGE: The document entitled "Republic of
4 Liberia, Special Security Service", and this is the complete
13:25:37 5 roster --

6 MS HOLLIS: No, Madam President, it is not. It is select
7 pages. A complete roster was provided to the Defence at earlier
8 disclosure but we are only using certain pages from the roster.

9 PRESIDING JUDGE: I'm citing the title of the document.

10 MS HOLLIS: I'm sorry, madam.

11 PRESIDING JUDGE: I'm just citing the title of the
12 document, which is "Complete roster for the SSS, ATU and the
13 border patrol unit". Now, this document consists of six pages,
14 the pages ending in 801, 802, 803, 804, 807 and 809. This is
13:26:26 15 going to be marked collectively as MFI-7.

16 MS HOLLIS: Thank you, Madam President.

17 And we are in open session now, correct?

18 MS IRURA: Yes.

19 MS HOLLIS: Thank you.

13:26:56 20 Q. Mr Witness, you told the judges about the execution of Sam
21 Larto by the NPFL, correct?

22 A. Yes.

23 Q. That is new information from you since 12 May of this year,
24 correct?

13:27:11 25 A. Yes.

26 Q. You never told the Defence about that prior to 12 May of
27 this year. Isn't that right?

28 A. I did not tell them.

29 Q. So this is part of the story you have decided to tell the

1 judges now. Is that right?

2 A. Yes.

3 Q. Mr Witness, you also talked to the judges for the first
4 time about SBUs, children in the NPFL. Do you recall telling the
13:27:46 5 judges about that?

6 A. I did not tell the judges that the NPFL had SBUs.

7 Q. Indeed, you told the judges there were no children below
8 17 years of age in the NPFL, correct?

9 A. Yes.

13:28:06 10 Q. You told them that children below 17 years were not part of
11 the NPFL. Do you remember telling them that?

12 A. Yes.

13 Q. And you told them that the NPFL had no SBU unit. Do you
14 remember telling them that?

13:28:25 15 A. Yes, I said the NPFL had no unit called the SBU.

16 Q. And you said that children never went to the front lines
17 but were kept far away. Do you recall that?

18 A. Yes.

19 Q. Mr Witness, when you were in the NPFL, did you check the
13:28:44 20 birth certificates of every member of the NPFL?

21 A. I did not check the birth certificates but I observed - I
22 was on the base during the recruitment and I saw how the
23 recruitment was like.

24 Q. So you're telling the judges you were aware of all of the
13:29:07 25 recruitment for the entire NPFL. Is that what you're telling the
26 judges?

27 A. I am telling the judges that it was strictly ordered by the
28 NPFL authorities that no children should be recruited as
29 soldiers. Children under 17 should not be recruited as soldiers.

1 Q. Indeed, the reality, Mr Witness, is that children were
2 members of the NPFL, weren't they?

3 A. Children were not members of the NPFL.

13:29:48

4 Q. And there was a bodyguard unit in the children - in the
5 NPFL that was manned by children. Isn't that right?

6 A. It's not right.

7 Q. And small children were armed and used as bodyguards for
8 commanders. Isn't that correct?

13:30:13

9 A. I did not see any children being armed or used by a
10 commander as a bodyguard.

11 Q. And they were also used at NPFL checkpoints, weren't they?

12 A. They were not used at NPFL checkpoints.

13 Q. And they were armed at those checkpoints and you know that.
14 Isn't that right?

13:30:30

15 A. Children were not armed at checkpoints and children never
16 manned checkpoints by the NPFL.

17 Q. And indeed, there was a unit - I'll stop there, Madam
18 President.

13:30:48

19 PRESIDING JUDGE: Okay. We'll continue this after the
20 luncheon break. We'll reconvene at 2.30.

21 [Lunch break taken at 1.30 p.m.]

22 [Upon resuming at 2.32 p.m.]

23 PRESIDING JUDGE: Good afternoon.

24 Ms Hollis, please continue.

14:32:23

25 MS HOLLIS: Thank you, Madam President, and your Honours
26 Let me apologise in advance. I seem to have a seasonal cold and
27 in the afternoon my voice gets even more hoarse, so as we go on
28 and my voice gets even more hoarse I apologise to your Honours.

29 Q. Mr Witness, we were talking about the NPFL and SBUs. It is

1 true, is it not, that the NPFL did, indeed, have a unit that it
2 called Small Boy Unit?

3 A. No.

14:33:13

4 Q. And this Small Boy Unit personnel were used at checkpoints,
5 isn't that right?

6 A. No.

7 Q. And, indeed, they were used at a checkpoint at Gbarnga,
8 isn't that correct?

9 A. No.

14:33:25

10 Q. And it is also correct that the commander of this Small Boy
11 Unit in the NPFL was Zubon Johnson, isn't that right?

12 A. I don't know. I don't know Zupon Johnson.

13 Q. Mr Witness, is it your testimony to the Court that, indeed,
14 there was no Small Boy Unit or is it your testimony that you

14:33:50

15 don't know if there was a Small Boy Unit in the NPFL?

16 A. My testimony is that the NPFL did not have any unit called
17 the Small Boys Unit or SBU. The SBU was a name given to those
18 young boys who were with their senior brothers and sisters. And

14:34:28

19 it was not a part of the NPFL. And like I gave example earlier,
20 if an individual had a little boy or a girl with him, he or she
21 refers to that person as "my SBU". And this had nothing to do
22 with the NPFL. They were not soldiers. They were not gun
23 carriers.

24 Q. Mr Witness, let's take a look at what Yanks Smythe told the
25 Defence attorneys about the SBU and the NPFL.

14:34:50

26 And if we could please look at exhibit D-114B.

27 And we are going to look at page 13 of that exhibit. If
28 that could be, please, placed on the overhead. At the bottom of
29 that page it will say page 13 of 26. And if we could move so

1 that it shows paragraph 85.

2 Mr Witness, this is what Yanks Smythe told to the Defence
3 team in his statement that he gave them. And if we could look at
4 subpart F, please.

14:36:17 5 He says, first of all he had never heard of the Ghankay
6 Tigers. Mr Witness, had you ever heard of the Ghankay Tigers in
7 the NPFL?

8 A. No. I am just hearing that from you.

9 Q. Now, he goes on to say this: He, meaning Yanks Smythe,
14:36:39 10 "knows that SBUs are under age but part of the NPFL ranks." So
11 Yanks Smythe knew that SBUs were part of the NPFL and that they
12 were under age, and indeed, Mr Witness, you know that too, don't
13 you?

14 A. I don't know that. I don't know any unit of the NPFL that
14:37:13 15 was called SBU and there was no unit in the NPFL called SBU. I
16 don't know that.

17 Q. Let's see what else Yanks Smythe says. They, meaning the
18 SBUs, stayed around the Executive Mansion because Charles Taylor
19 did not want them to stray into harm's way. There was an SBU
14:37:40 20 gate with the instruction that no one could pass that gate
21 without his permission. So Yanks Smythe knew that there was an
22 SBU gate. You knew that too, didn't you, Mr Witness?

23 A. I don't know that.

24 Q. He goes on: "SBUs would bear arms to protect gates or
14:38:09 25 checkpoints but not to go and fight at the front lines." So
26 Yanks Smythe knew that NPFL SBUs bore arms and that they used
27 them to protect gates or checkpoints. You knew that too, didn't
28 you, Mr Witness?

29 A. I do not know that.

1 Q. And then he goes on to say that these SBUs joined the NPFL
2 because they were orphans or frustrated and Zubon Johnson was
3 head of the SBUs, his father had been killed.

4 So, Mr Witness, Yanks Smythe knew all of this about SBUs
14:38:55 5 and you knew all of that as well, isn't that true?

6 A. I don't know about it. What I know about orphans in
7 Gbarnga at the time was that those children who were displaced
8 from their parents, okay, were collected. They were collected
9 and then given to a lady called Mother Young. She had an office
14:39:23 10 in Gbarnga and then Mother Young who said those children and she
11 had hundreds of those children with her, boys and girls, but I
12 don't know of a unit or a Small Boys Unit. There was no Small
13 Boys Unit in the NPFL, not at all.

14 Q. Charles Taylor himself had SBUs, isn't that right?

14:39:50 15 A. I did not see SBUs with Mr Taylor.

16 Q. Mr Witness, are you aware that in 1994 Tom Woveiyu said:

17 "Those young children who fought in the NPFL and died were
18 not related to Taylor and did not even come from his background.
19 While his children, even in the midst of war, are in private
14:40:16 20 schools in Geneva and other parts of the world, he, meaning
21 Charles Taylor, takes pride in walking around with other people's
22 eight-year olds, dragging AK-47s behind him, but he knows that
23 those children belong to a group of people that he has no regard
24 for."

14:40:40 25 Were you aware that Tom Woveiyu said that about
26 Charles Taylor, Mr Witness?

27 A. I am just hearing that from you.

28 Q. But, indeed, Mr Witness, you know that it was the truth,
29 that Charles Taylor had SBUs around him in the NPFL, isn't that

1 right?

2 A. Mr Taylor, to my knowledge, never had SBUs around him. I
3 did not see that. And I never saw it, not at all.

4 Q. Mr Witness, are you aware that in 1994 John T Richardson
14:41:27 5 told Human Rights Watch that the NPFL used children as fighters
6 for their own protection and said that the NPFL never conscripted
7 children by force, the kids in the NPFL insisted that they wanted
8 to fight and would get into it, no matter what. Were you aware
9 of that, Mr Witness?

14:41:54 10 A. I am not aware of that.

11 Q. Mr Witness, have you heard of the journalist Baffour
12 Ankomah? Have you ever heard of that journalist?

13 A. No, I don't even know that name.

14 Q. Now, Mr Witness, the Defence put in an article that was
14:42:22 15 written by Baffour Ankomah, they put it into evidence, and part
16 of that evidence of that article talks about small children in
17 the NPFL. If we could please look at exhibit D-18, please -
18 D-118.

19 Mr Witness, this is an article that was published in the
14:44:02 20 New African in October of 1992 and you see the cover of the New
21 African publication "With Taylor inside Liberia". If we could go
22 to the next page, please. It indicates here in the little box
23 underneath the title "With Taylor inside Liberia", that, "Baffour
24 Ankomah spent a month behind the lines with Charles Taylor and
14:44:40 25 his forces in Liberia". And then please if we could look at the
26 far left-hand column of the first page beginning with the third
27 paragraph from the bottom. It starts with:

28 "Taylor's troops were in hot pursuit and seeing the
29 atrocities committed against their tribespeople by Doe's

1 soldiers, they vented their spleen on Krahn and Mandingo
2 civilians in a grotesque campaign of human destruction."

3 So, Mr Witness, Baffour Ankomah is saying that Mr Taylor's
4 NPFL vented their spleen on Krahn and Mandingo civilians, and
14:45:41 5 that's true, isn't it?

6 A. That is not true.

7 Q. Now, he goes on to say:

8 "Human beings were worth less than chicken those days. I
9 was told that some Krahn pregnant women had their stomachs slit
14:45:59 10 open in front of their husbands and their babies thrown into the
11 air and allowed to fall to their deaths in a sickening show of
12 human insensitivity."

13 And such atrocities were carried out by Mr Taylor's NPFL,
14 isn't that true?

14:46:20 15 A. It is not so. The NPFL was not targeting any tribe. The
16 NPFL's target was the government of Mr Doe, the late President
17 Doe. The NPFL was not targeting any tribe. It was not
18 tribalistic at all. NPFL had Krahns, it had Mandingos. The NPFL
19 had almost every tribe in Liberia.

14:46:49 20 Q. Now, this article goes on:

21 "Small boy soldiers, some as young as nine and ten years
22 old, would put a knife to the throat of some elderly Krahn man
23 and tell him, 'Popee, papa, don't worry, it won't hurt you.' In
24 another minute his head would not be his."

14:47:16 25 And that also happened in the NPFL, isn't that right,
26 Mr Witness?

27 A. That did not happen in the NPFL. I believe this man is
28 quoting someone. He was not there, and at no point did I see
29 NPFL soldiers, whether big or old, targeting any specific person

1 beside the government and the Armed Forces of Liberia who were in
2 combat against the NPFL.

3 Q. Let's see what else this journalist put in this article:

4 "Some teenage soldiers, both boys and girls, told me in
14:47:56 5 separate interviews that they just wanted to seek revenge for the
6 atrocities committed against their parents whose dismembered
7 bodies were left to rot in the open by Doe's soldiers. One boy,
8 who is now 14 years old, told me in a disarmament camp at Kwedin,
9 near Tappita, Nimba County, 'I returned to our village from
14:48:24 10 school in Monrovia to find I had no mother, no father. They had
11 been slaughtered like goats by Doe's men. What did you want me
12 to do? Sit down and cry? I joined President Taylor's army and
13 sought revenge'."

14 And many of the people who joined the NPFL sought revenge,
14:48:46 15 isn't that correct, Mr Witness?

16 A. It's not so.

17 Q. He goes on to say:

18 "More of such orphans now put together in a Small Boys Unit
19 joined Taylor's forces. Not only them. Villagers, men, women,
14:49:11 20 boys and girls who saw their lives threatened by Doe's retreating
21 soldiers hopped over to Taylor's side. They were given some few
22 weeks training before joining the war. Some, though, may have
23 been forced into Taylor's army but they no longer admit it."

24 Mr Witness, Baffour Ankomah's description that I have just
14:49:40 25 read to you was accurate. Isn't that right?

26 A. It was not correct.

27 Q. Your story about the absence of SBUs in the NPFL is simply
28 a lie, isn't it, Mr Witness?

29 A. My story about the SBUs, the absence of the SBUs in the

1 NPFL, is a very big truth.

2 Q. Mr Witness, you fashioned this lie after 12 May of this
3 year. Isn't that correct?

4 A. It is not correct.

14:50:23 5 Q. Because before 12 May of this year you had never told the
6 Defence about this topic of SBUs in the NPFL, had you?

7 A. The topic of the SBUs in the NPFL --

8 Q. You never told the Defence about that until after 12 May of
9 this year. Isn't that correct?

14:50:56 10 A. But, you know, I told the Defence what I was asked.

11 Q. My question is: You never told them about this story about
12 the NPFL not having SBUs until after 12 May this year. Isn't
13 that correct?

14 A. But I think I told the Defence about the issue of the SBUs,
14:51:24 15 so, if it was not mentioned there, it means they did not ask me.

16 Q. Well, are you saying you think you told the Defence about
17 this before 12 May of this year?

18 A. I believe I told the Defence about it, but if it was
19 omitted, then maybe I was not asked or there was some
14:51:53 20 typographical mistake that was oversighted.

21 Q. Well, Mr Witness, you told the judges an awful lot about
22 the NPFL not having SBUs. That would have been a very large
23 typographical error, wouldn't it?

24 A. Say that again.

14:52:15 25 Q. Certainly. You told these judges an awful lot about the
26 NPFL not having SBUs. That omission would have been a very large
27 typographical area - error, wouldn't it?

28 A. I told the judges the truth about the NPFL not having SBUs.

29 Q. Mr Witness, you also testified to the judges about Jungle

1 Fire being a name of a LURD operation. Do you remember telling
2 the judges about that?

3 A. I did not tell the judges that Jungle Fire was the name of
4 the LURD operators. I said Jungle Fire was the name of the LURD
14:53:07 5 operation. That was the operational code name, Operation Jungle
6 Fire. That was what they wrote on the wall. Please hear me
7 clear.

8 Q. We did hear you clear. This is also totally new
9 information from you, isn't it?

14:53:30 10 A. Yes, it's new because I was asked here about Jungle Fire
11 and I had to give the details about it.

12 Q. You never said anything about a LURD operation called
13 Jungle Fire before 12 May, did you?

14 A. I was not asked to go into details. The issues about which
14:53:55 15 I was asked were those that I addressed to.

16 Q. Now, Mr Witness, before 12 May of this year you told them
17 about Jungle Fire, but you told them that it was an NPFL unit
18 that was reactivated later. Correct?

19 A. Yes.

14:54:12 20 Q. So you talked about Jungle Fire but you never thought to
21 tell them, "Oh, by the way, that was also the name of a LURD
22 operation." You never told them that before 12 May, did you?

23 A. I never told them that.

24 Q. And, indeed, Mr Witness, you didn't even tell them that
14:54:33 25 before you came here to testify, did you?

26 A. I told them that before I came here to testify, here.

27 Q. Because, Mr Witness, the last summary that was given to the
28 Prosecution, the only mention of LURD was as an NPFL unit. Isn't
29 that correct?

1 A. LURD was not an NPFL unit.

2 PRESIDING JUDGE: Mr Anyah, please.

3 MR ANYAH: Our summary does not say that LURD was an NPFL
4 unit. At least that seems to be the language used by counsel
14:55:15 5 opposite, that we filed a summary saying that LURD was an NPFL
6 unit. Counsel's question was: "Because, Mr Witness, the last
7 summary that was given to the Prosecution, the only mention of
8 LURD was as an NPFL unit."

9 MS HOLLIS: Counsel is absolutely correct and I misspoke.
14:55:35 10 The only mention of Jungle Fire in the updated summary is as a
11 unit of the NPFL.

12 Q. So, Mr Witness, you did not even tell the Defence before
13 you came to testify that there was also a LURD operation called
14 Jungle Fire. Isn't that right?

14:55:58 15 A. I told the Defence that Jungle Fire of the NPFL was
16 reactivated in the Government of Liberia when LURD launched their
17 attack and they called it Operation Jungle Fire. That was why
18 Benjamin Yeaten reactivated his former Jungle Fire to combat the
19 Jungle Fire of LURD. I stated that here and I told the Defence.

14:56:29 20 Q. Well, Mr Witness, let's look at the last summary provided
21 by the Defence. This is behind tab 6. And the witness may look
22 at it, but please don't put it on the screen. And if we could
23 look at the very last paragraph of that updated summary. Very
24 last paragraph:

14:57:24 25 "W will also testify about Jungle Fire. It was set up by
26 Yeaten to retake Gbarnga in 1994 and that it was later
27 reactivated by Yeaten to fight LURD."

28 Mr Witness, there is nothing in there that talks about
29 Jungle Fire being the name of a LURD operation, is there.

1 A. But even in here in 1994, Jungle Fire was organised during
2 the ULIMO fight, not LURD. Because, according to what I am
3 reading here, please read this sentence, the last paragraph once
4 again.

14:58:14 5 Q. Mr Witness, the question is: There is nothing in this
6 sixth summary, updated summary, that talks about Jungle Fire
7 being the name of a LURD operation, is there?

8 A. It is not written here but in 1994 there was no LURD but
9 ULIMO. And, as I said, Jungle Fire was a unit organised by Ben
14:58:52 10 in the southeastern part of Liberia and he brought this unit down
11 and fought ULIMO in Gbarnga. And it was reactivated in 1999 when
12 LURD launched an attack on Liberia and referred to it Operation
13 Jungle Fire. That was the time that Benjamin Yeaten reorganised
14 the Jungle Fire to fight against the Jungle Fire of LURD. That
14:59:21 15 was what I said and this is what I continue to say.

16 Q. Mr Witness, you came up with this story about the LURD
17 having an operation named Jungle Fire after a Defence witness had
18 testified to this Court about the same thing. Isn't that right?

19 PRESIDING JUDGE: Please pause. Did the witness say that
14:59:52 20 the LURD came up with the operation or that Yeaten came up with
21 an operation to fight against LURD? In other words, Benjamin
22 Yeaten's men, Jungle Fire, were the ones fighting in the
23 operation called Jungle Fire against the LURD?

24 MS HOLLIS: Madam President, if we look at 30 August, we
15:00:24 25 see what the witness told your Honours on that date about this
26 matter. And it is at page 47434. If we could have that on the
27 screen, please. And if we could look at line 6:

28 "A. Benjamin Yeaten reactivated Jungle Fire in the year
29 1999 after LURD had attacked Liberia. They called the

1 operation - LURD called the operation Jungle Fire. When
2 Benjamin noticed - when Benjamin Yeaten noticed that this
3 operation of LURD was called Operation Jungle Fire, this
4 was the time that he reactivated his Jungle Fire to combat
15:01:46 5 the LURD Jungle Fire."

6 PRESIDING JUDGE: Right, you are correct.

7 MS HOLLIS:

8 Q. Now, Mr Witness, this story of yours came about after that
9 witness had come here and told the judges that, isn't that
15:02:02 10 correct?

11 A. I don't know which witness you are talking about and I have
12 never heard such a thing from any witness before. This is my own
13 story. This is what I know.

14 Q. And, Mr Witness, it is interesting to note that this
15:02:25 15 Defence witness had not previously told the Defence about the
16 LURD operation named Jungle Fire, at least not in his statements.
17 Now, I would like to refer to a confidential exhibit. And
18 the part that I am going to refer to would not disclose the
19 identity of the witness. It is exhibit P-556, a statement dated
15:03:02 20 21 October 2009.

21 MR ANYAH: Madam President, if I may inquire about the
22 portion that is to be referred to in the exhibit.

23 MS HOLLIS: Yes. And I will indicate the page and the
24 paragraph number, so that Defence counsel and your Honours have
15:03:33 25 an opportunity to look at that before I read that to the witness.
26 So if you could show that exhibit first to Defence counsel. And
27 I am referring to - to the Defence counsel please, not to the
28 witness - I am referring to page 14, paragraph 42. And also
29 please look at paragraph 43.

1 And do your Honours have access to that exhibit or would
2 you like to be shown that as well? Those are the two paragraphs
3 to which I wish to refer, and I do not wish that the statement be
4 shown to the witness, because there may be other material on the
15:04:43 5 statement that would identify the identity.

6 Q. So, Mr Witness.

7 A. Yes.

8 Q. This witness, in his statement to the Defence, said:

9 "A. Jungle Fire, I have heard of. We were told that this
15:05:04 10 was an experienced and highly trained unit commanded by
11 Chucky. We heard of Zigzag Marzah, who was with that unit.
12 LURD had the Wild Geese battalion. LURD would give names
13 to units for chase."

14 So, Mr Witness, like you, prior to coming into this Court
15:05:32 15 to testify, in his statements to the Defence, this witness had
16 made no mention of LURD having an operation named Jungle Fire.

17 Now, Mr Witness, have you reviewed or been told about the
18 testimony of this witness?

19 A. I have not been told about the testimony of any witness in
15:06:04 20 this manner.

21 Q. Mr Witness, the other witness made mention of Chucky being
22 a commander of this force called Jungle Fire, this Government of
23 Liberia force called Jungle Fire. Indeed, it is correct, is it
24 not, Mr Witness, that Charles Taylor's son, Chucky, did command
15:06:30 25 that unit at one time?

26 A. I do not know whether Chucky headed Jungle Fire. I don't
27 know. As I told you, the commander of Jungle Fire before, or the
28 leadership of Jungle Fire before, was a commander called Junior
29 Gbarjulu. If Chucky headed Jungle Fire before then it is not to

1 my knowl edge.

2 Q. This uni t, Jungl e Fi re, both during the NPFL times and
3 during Charles Taylor' s presidency it was known as a very brutal
4 uni t, wasn' t it?

15:07:24 5 A. It was known as a strong fighting force, a strong fighting
6 uni t.

7 Q. And it was known for committing crimes against civilians,
8 wasn' t it?

9 A. It is not so.

15:07:37 10 Q. Now, this witness said that they had heard of Zigzag
11 Marzah, who was with that Jungl e Fi re uni t, and, indeed, you have
12 told this Court that Zigzag Marzah was a member of Jungl e Fi re,
13 correct?

14 A. Yes.

15:07:56 15 Q. So, Mr Witness, have you come here to court now with this
16 story about a LURD operation called Jungl e Fi re to try to help
17 bolster the Defence evidence about that?

18 A. I have not come to bolster any previous witness' s
19 testimony. I came to testify before this honourable court what I
20 know that obtained during the times of the NPFL and during the
21 times of the Government of Liberia after the 1997 elections.

15:08:33 22 Q. Mr Witness, you talked about Gibri l Massaquoi coming to
23 Liberia with Sam Bockarie. Do you remember telling the Court
24 about that?

15:08:55 25 A. Yes. Yes.

26 Q. And you indicated that that was during one of Sam
27 Bockarie' s visits in 1998, correct?

28 A. Yes.

29 Q. Which visit was that in 1998 that you say Gibri l Massaquoi

1 came with Sam Bockarie to Liberia?

2 A. During Sam Bockarie's second visit in late 1998.

3 Q. Mr Witness, are you as sure of that as you are of the rest
4 of your testimony to these judges?

15:09:34 5 A. I am very sure that Gibril Massaquoi came during Sam
6 Bockarie's second visit to Liberia in 1998.

7 Q. Mr Witness, are you aware that Gibril Massaquoi was in the
8 Pademba Road Prison in Freetown, Sierra Leone, from October 1997
9 until 6 January 1999? Were you aware of that?

15:10:10 10 A. I don't know.

11 Q. Well, Gibril Massaquoi himself was a witness in another
12 trial, and in that trial, he testified that he was in Pademba
13 Road Prison from October 17, 1997, to January 6, 1999.

14 And, your Honours, we have a copy of that page of that
15:10:43 15 testimony. And this was 7 October of 2005, pages 110 to 112. I
16 would like to distribute that, please. If we could, please, put
17 that on the overhead, page 110. And we see at line 2:

18 "Q. How long did you remain in Pademba Road Prison after
19 that?

15:12:40 20 A. More than a year. Since October 17th to January 6.
21 October 17, 1997, to January 6, 1999.

22 Q. When you were in prison in Pademba Road, did anything
23 happen to you there in 1998?"

24 And then he indicates ECOMOG took over Freetown and then at
15:13:13 25 line 10: "They opened the prison and they came, they were
26 wearing their uniforms, ECOMOG uniforms."

27 And at line 13: "I was first taken out along with some
28 other people to Jui", and he says that ECOMOG took him out.

29 Then at line 20:

1 "Q. Did you remain there?

2 A. No, we were brought back to prison as one of their
3 commanders rightly put it, they met us in prison and they
4 should take us back. This was February 15, 16 of 1998."

15:13:55 5 Thank you, you can take that off.

6 Now, another witness has come before this Court and has
7 told this Court that Gibril Massaquoi was in Pademba Road Prison
8 from toward the end of 1997 until the January 1999 attack. And
9 for counsel and your Honours, this is testimony of 4 February
10 2008 at pages 3004, 3005 which may not be displayed as it was
11 closed testimony.

12 Mr Witness, it was impossible for Gibril Massaquoi to have
13 come to Liberia with Sam Bockarie in 1998. Now, were you
14 confused about when you saw Gibril Massaquoi in Liberia?

15:15:01 15 A. I was not confused. I never knew Gibril Massaquoi before
16 and I never heard the name Gibril Massaquoi before. But on that
17 day, Gibril Massaquoi and Eddie Kanneh - oh, yes, I was
18 introduced to Gibril Massaquoi and Eddie Kanneh by Sam Bockarie
19 and he said, "This is {redacted}, and, {redacted} this is Gibril
15:15:29 20 Massaquoi and this is Eddie Kanneh." I never knew him before.
21 So if they had two Gibril Massaquois, I don't know. But I
22 remember seeing Gibril Massaquoi during Sam Bockarie's second
23 visit in 1998 - late 1998.

24 PRESIDING JUDGE: Okay, please pause. We need to do some
15:15:48 25 redactions.

26 Madam Court Manager, if you look at line 19 of page 133, I
27 think we will redact all the names, save Eddie Kanneh and
28 Massaquoi.

29 MS HOLLIS:

1 Q. Mr Witness, when you are answering, think about what you
2 are saying so we don't have problems with identity being
3 revealed. Be cautious.

4 A. Thank you.

15:16:25 5 Q. Mr Witness, this testimony about Gibril Massaquoi coming
6 with Sam Bockarie in 1998, that's new evidence from you, isn't
7 it?

8 A. What do you mean by new evidence?

9 Q. Well, this is a story that you came up with after 12 May of
15:16:45 10 this year. Isn't that correct?

11 A. Oh, yes, I told you that there were many things I did not
12 disclose to the Defence in Monrovia and when I got here was when
13 I was able to disclose most of this information that we are going
14 through.

15:17:08 15 Q. Mr Witness, in relation to Gibril Massaquoi being in
16 Liberia in 1998, you are either confused or you're lying to the
17 Court. Isn't that correct?

18 A. I am not lying to the Court and I am not confused. I am
19 telling the Court what happened during Sam Bockarie's second
15:17:32 20 visit to Monrovia in late 1998. I am not confused and I am not
21 lying.

22 PRESIDING JUDGE: Mr Witness, are you suggesting that a man
23 left prison in Sierra Leone just to come and accompany
24 Sam Bockarie and then go back to prison? Are you suggesting that
15:17:52 25 Gibril Massaquoi could have been in two places at the same time;
26 in Pademba Road Prison in Freetown and also in Liberia at the
27 same time in 1998?

28 THE WITNESS: Your Honour, look at my point. I never knew
29 Gibril Massaquoi before and I never heard the name Gibril

1 Massaquoi. But those were the people who were introduced to
2 Sunlight on that day, that this is Gibriil Massaquoi and this is
3 Eddie Kanneh. And there was nothing that {redacted} knew about
4 Gibriil Massaquoi before. So, if anything, then the person who
15:18:31 5 made the introduction to {redacted} made false introductions.

6 PRESIDING JUDGE: Is it possible that you have got the
7 timing wrong?

8 THE WITNESS: I don't know, but this was the time that I
9 ever heard the name and saw the individuals Gibriil Massaquoi and
15:18:59 10 Eddie Kanneh.

11 MS HOLLIS:

12 Q. Eddie Kanneh, this is a new name that you have come up with
13 since 12 May of this year as well, correct?

14 A. Yes, counsel, these were the names and these were the
15:19:23 15 information that I did not disclose to the Defence in Monrovia.

16 Q. You have simply been altering your testimony to try to help
17 Charles Taylor. Isn't that correct?

18 A. I am not helping Charles Taylor. I am telling the truth
19 about what I know.

15:19:46 20 Q. {Redacted}

21

22 A. I said Sam Bockarie.

23 Q. So Sam Bockarie lied about who this person was?

24 A. I don't know whether he was lying, but that was the
15:20:12 25 introduction.

26 Q. So maybe Sam Bockarie was confused about who this person
27 was. Is that what you're saying?

28 A. Probably, but I don't know.

29 Q. Mr Witness, you are simply lying. Isn't that correct?

1 A. I am not lying. I am telling you what happened at that
2 time.

3 MS HOLLIS: Madam President, moving to the next topic,
4 there are several documents involved.

15:20:59 5 PRESIDING JUDGE: Ms Hollis, please pause. We are trying
6 to work out something. Ms Hollis, we are looking at page 136,
7 line 4, your question. We are wondering if any redactions are
8 necessary. Mr Anyah, you could help.

9 MS HOLLIS: That's page 134?

15:21:48 10 PRESIDING JUDGE: Page 136.

11 MS HOLLIS: Since we have vacillated back and forth, I
12 think it would be good to have a redaction there.

13 PRESIDING JUDGE: Okay. Madam Court Manager, I think we
14 will redact the entire question on page 136, line 4. We will
15:22:22 15 redact the whole question.

16 Ms Hollis, I think you can continue in the meantime.

17 MS HOLLIS: Thank you. Madam President, for this next
18 topic I will be relying on a series of documents and at this time
19 I would ask that a package of documents be provided. This
15:24:41 20 package that is being distributed is stapled together. It has
21 five tabs. And, Madam President, in addition to this package, I
22 will also be relying on exhibit D-3730 which is DP-168, and
23 D-373AI which is DP-188.

24 PRESIDING JUDGE: Ms Hollis, instead of just calling out
15:26:23 25 numbers could you say if these are Prosecution exhibits or
26 Defence exhibits or whether these are CMS numbers. What are
27 they?

28 MS HOLLIS: Certainly. I have just read out two exhibits,
29 D-3730 and D-373AI, are both Defence exhibits. And I will also

1 refer to MFI-2, I believe it is R, it was the photograph that was
2 behind tab 18 in the Defence packet. May I proceed, your Honour?

15:27:52 3 Q. Mr Witness, let's talk a bit about Charles Taylor's
4 residence and compound called White Flower. Inside that compound
5 of White Flower, in the front there was a circular drive,
6 correct?

7 A. Actually, I can't comment about the inside of White Flower
8 because I did not pay constant visits there, so I do not remember
9 most things there.

15:28:23 10 Q. Do you remember a fountain being in the front - in front of
11 the house, inside the compound?

12 A. I cannot picture anything in mind that was there because I
13 was not paying constant visits so I am not familiar with the
14 inside of White Flower. I am not familiar with it.

15:28:50 15 Q. Do you remember that there was a swimming pool in the back
16 behind the house?

17 A. Yes, I heard that there was a swimming pool but I did not
18 go there to see it.

19 Q. And also there was a tennis court in the back of the house,
15:29:08 20 correct?

21 A. Yes, I heard that.

22 Q. And if we were to be looking at White Flower from the
23 front, the road from Tubman Boulevard that leads to this
24 T-intersection, that road was on the right as we looked at White
15:29:36 25 Flower, correct?

26 A. Yes.

27 Q. And at the time Charles Taylor lived at the White Flower
28 compound he had an orchard between his wall, the wall of White
29 Flower, and that road that led to the T-intersection. Do you

1 remember that?

2 A. I do not understand that.

3 Q. While Mr Taylor was living at White Flower, between his
4 wall, or the fence of his compound, between that wall and the

15:30:08 5 road that led from Tubman Boulevard to the T-intersection,

6 between the wall and the road, Mr Taylor had an orchard. Do you
7 remember that?

8 A. Between the road that leads down to Yeaten's place, as we
9 call it a T-intersection, there were houses in between, so I

15:30:41 10 don't necessity whether there was a flower, but there were houses
11 in between the roads to that one towards White Flower.

12 Q. If we were looking at White Flower from the front, the SSS
13 building that you talked about would be on the left, just outside
14 the compound wall, correct?

15:31:03 15 A. Yes.

16 Q. And if we went to the back of Charles Taylor's White Flower
17 compound, there was a gate in the back fence of that compound.
18 Do you remember that?

19 A. I can't remember that now.

15:31:28 20 Q. Now, this road from Tubman Boulevard to this T-junction, at
21 the T-junction, immediately to the left, was Joseph Montgomery's
22 house, correct?

23 A. Yes?

24 Q. And immediately to the right was Benjamin Yeaten's house,
15:31:55 25 correct?

26 A. Yes, few metres to the right was Benjamin Yeaten's house.

27 Q. And from Benjamin Yeaten's house, you could actually see
28 the White Flower compound, correct?

29 A. From Benjamin Yeaten's house there were - there are trees,

1 there are houses. So - because of the trees and houses you
2 cannot see White Flower because you have trees and houses in
3 between.

15:32:34 4 Q. From White Flower you could actually see Benjamin Yeaten's
5 house, correct?

6 A. You cannot see because of the trees in between.

7 Q. At this time, if we could please look at --

8 A. Even though --

15:33:20 9 Q. If we could please look at D-3730. Now, Mr Witness, do you
10 recognise the white fence as part of the fence surrounding
11 Mr Taylor's compound, White Flower?

12 A. Yes.

13 Q. And if we look beyond the fence, to the top right portion
14 of the photograph, we see parts of Benjamin Yeaten's house,
15:33:52 15 correct?

16 A. Yes.

17 Q. And the parts that we see is a structure that is white with
18 a dark roof, correct?

19 A. There is a structure showing white - brown like roof.

15:34:18 20 Q. Now, Mr Witness, I have a clean copy of this photograph
21 that I would like you to be given. I would like you to be given
22 a copy of this exhibit.

23 Now, Mr Witness, if you could be given a pen. And if you
24 would draw a line from Benjamin Yeaten's house up into the white
15:35:06 25 part of that piece of paper and write "Benjamin Yeaten's house",
26 please. Thank you, Mr Witness. And if on the back of that
27 photograph you could please write "DCT-008" and today's date,
28 which I believe is 6 September 2010.

29 And, Madam President --

1 PRESIDING JUDGE: Let me see those markings again, please.
2 Yes, Mr Anyah.

3 MR ANYAH: Could the Court Officer just zoom out so we can
4 see all of the markings. I don't know whether it is only one
15:37:26 5 marking that the witness has put on the photograph.

6 MS HOLLIS:

7 Q. Mr Witness, you only marked Benjamin Yeaten's house,
8 correct? That's the only marking you put on the photograph?

9 A. Yes.

15:38:05 10 PRESIDING JUDGE: Did you ask me to mark this?

11 MS HOLLIS: I am about to do that, Madam President. If
12 that could be marked for identification, please.

13 PRESIDING JUDGE: A photograph that is a replica of exhibit
14 P-3730 as now marked by the witness, that will be MFI-8.

15:38:36 15 MS HOLLIS: And, Madam Court Officer, you can retrieve the
16 exhibit D-3730 as well. And at this time, Madam Court Officer,
17 if you could take the documents at tab 1 and 2 of the documents
18 which were handed out --

19 MR ANYAH: Madam President.

15:39:16 20 PRESIDING JUDGE: Sorry, Mr Anyah, yes?

21 MR ANYAH: I have an objection in respect of all these
22 documents, tab numbers 1 to 5.

23 PRESIDING JUDGE: Your objection being?

24 MR ANYAH: The objection being that although this is aimed
15:39:33 25 at getting these documents marked for identification, the source
26 of these documents are in question. The relevance of these
27 documents, vis-a-vis events that happened several years ago. If
28 you look at the bottom, these are from 2010. These are maps that
29 are downloaded from Google. We don't know if the latitude and

1 longitude reflected at the bottom of the document matches
2 Monrovia, Liberia. We don't know if this is a photo, for
3 example, of Southern California. But I suspect that the
4 Prosecution will propose that this is Liberia, that this is
15:40:15 5 Monrovia. The persons who authored or made the inscriptions
6 outside of the courtroom, by the which, as identified all
7 these different houses in tab number 2, we don't know who that
8 person is. This, as far as I know, is not an exhibit admitted
9 already in this case.

15:40:35 10 So we have the Prosecution preparing a document, whose
11 author, that is the person who is the source of the information
12 for the identification of these buildings, is not known. That
13 person is not before the Court, as far as we know, as of this
14 point. And they want to show this image from Google to a
15:40:55 15 witness, asking the witness to confirm or deny that such and such
16 is where a particular building was located. Let's bear in mind
17 the witness before the Court and let's bear in mind ordinary
18 folks' ability to understand satellite imagery. The witness
19 before the Court is not an expert. I certainly don't have an
15:41:19 20 understanding of latitudes and longitudes to know exactly what
21 this corresponds to.

22 And so this information, as I am proposing to your Honours,
23 is unreliable. It is unreliable because the Prosecution has
24 prepared it in a manner outside the courtroom and even at this
15:41:37 25 preliminary stage it should not even be considered by this Court.
26 And so I object to all of this, to show a witness something from
27 Google from 2008 when we are talking about distances and events
28 that happened between 1997 and 2003. It is not fair to the
29 witness.

1 JUDGE LUSSICK: Mr Anyah, are you objecting to all of them
2 or just to tabs 2 and 4 where it has some written information on
3 it?

4 MR ANYAH: Thank you, Justice Lussick, for the question. I
15:42:14 5 object strenuously to 2 and 4. This information should not even
6 be before this Court. That is tabs 2 and 4.

7 The Court has discretion to perhaps wait to hear what this
8 witness wants to - has to say in respect of tabs 1 and 3. But as
9 far as tabs 2, 4 and 5 are concerned, tab 5 is a diagram sketched
15:42:40 10 by who knows who. The Prosecution is bringing it for what
11 purpose? And it's an attempt to replicate information that's in
12 one of these Google satellite photos, and then to ask the witness
13 to speculate on which building is which when, even to someone who
14 has worked on the case for a long period of time is not
15 particularly clear what this is.

16 JUDGE LUSSICK: I just wanted to know which tabs you are
17 objecting to. It's 2, 4 and 5, is it, or is it all of them?

18 MR ANYAH: I am objecting to all of them; but with more
19 emphasis as to 2, 4 and 5.

15:43:21 20 PRESIDING JUDGE: Ms Hollis, there is writing on 2 and 4.
21 Could you explain to us what this writing is, or who put it
22 there?

23 MS HOLLIS: Of course. And, as I do that, I will respond
24 to the objection.

15:43:37 25 The writing that appears on 2 and 4, and the diagram, the
26 hand-drawn diagram, were prepared by my office. And it is
27 perfectly permissible for us to put this to this witness.

28 In terms of a diagram or writing that is done outside the
29 courtroom, I would remind your Honours that when Charles Taylor

1 was testifying, lead Defence counsel provided the Court with a
2 hand-drawn diagram of White Flower which he then used with the
3 witness. It was prepared by Defence counsel outside of court and
4 it was used in court.

15:44:22 5 PRESIDING JUDGE: But was that not on the instructions of
6 Mr Taylor as he was being interviewed? That's what I seem to
7 recall.

8 MS HOLLIS: Well, I don't recall that. Perhaps your Honour
9 is correct. But the point is something drawn out of court is not
15:44:40 10 - does not mean you cannot use it, in particular in
11 cross-examination when we are putting certain things to this
12 witness.

13 Now, in terms of where this is. We suggest that when you
14 look at this, you do not have to be an expert to know that what
15:44:55 15 is depicted in that is White Flower with the circular drive with
16 the fountain, with the tennis court, with the swimming pool, with
17 the T-junction road to the right and then at the T-junction,
18 immediately to the left, a house which we suggest is Joseph
19 Montgomery's house, based on what this witness has already said,
15:45:22 20 and, to the right, Benjamin Yeaten's house. And we think it is
21 perfectly proper for us to do this during cross-examination.

22 And we would also refer your Honours to photographs that
23 the Defence has produced that it has not said where they were
24 taken, when they were taken, by whom they were taken. Nor has
15:45:41 25 the witness, to whom those photographs have been shown, known
26 when they were taken, by whom they were taken, or any details
27 about the taking of those photographs.

28 So we suggest it is perfectly permissible for us to do this
29 in our cross-examination.

1 PRESIDING JUDGE: Okay. Permit me to consult, please.

2 MR ANYAH: Madam President.

3 PRESIDING JUDGE: Yes, Mr Anyah.

4 MR ANYAH: I wonder if your Honours would allow me to
15:46:13 5 respond just to one matter and that is on the record, the
6 witness's familiarity or lack thereof with the interior of White
7 Flower. The witness has said, regarding the swimming pool, "I
8 heard there was a swimming pool". Regarding the tennis court, "I
9 heard that". This is at page 138 of the transcript. Regarding
15:46:31 10 the gate at the back of White Flower, the witness said, "I cannot
11 remember now". So the witness heard of a swimming pool, heard of
12 a tennis court, and we are going to show this witness an area
13 satellite image of some premises.

14 [Trial Chamber conferred]

15:49:33 15 PRESIDING JUDGE: As I recall, last week, or the week
16 before that, there were several Google map photographs put before
17 the witness. Were these not photographs by the Defence? Not
18 this witness, probably another witness. I remember Jui Bridge.
19 These were photographs by which party?

15:49:59 20 MS HOLLIS: I believe, Madam President, these were
21 photographs by the Prosecution in the cross-examination of Issa
22 Sesay.

23 PRESIDING JUDGE: In any event, we cannot rule one way or
24 the other before we have heard the particular questions, but I
15:50:18 25 would propose, Ms Hollis, that you go tab by tab and then,
26 Mr Anyah, if you have an objection to a question raised, a tab,
27 we can hear that, depending on the answer that the witness gives,
28 and then we will be able to rule on each, whether you can use the
29 tab or not.

1 MS HOLLIS:

2 Q. Now, Mr Witness, we are going to start with tab 1. And
3 could I ask that the witness be given the opportunity to look at
4 that photograph for a moment.

15:51:30 5 Now, Mr Witness, as we look at that photograph - and we are
6 looking down on it, on to these buildings - you see a tennis
7 court, yes?

8 A. I am finding it difficult to identify pictures here. It is
9 confusing. I do not understand this.

15:52:03 10 PRESIDING JUDGE: Mr Witness, this is an aerial view. In
11 other words, the person is looking down on the rooftops of
12 buildings, like a bird would look down if it were flying. It's a
13 bird's eye view of a map. So you can see the streets. Imagine
14 yourself in a tall skyscraper, you are looking down on top of
15:52:27 15 buildings. Or in an airplane, for that matter, and you're
16 looking down on tops of buildings. This is a view - an aerial
17 view of this area.

18 MS HOLLIS:

19 Q. Mr Witness, if you look at the left half of that
15:52:45 20 photograph, as you are looking at it, you see a tennis court
21 surrounded by red, yes?

22 A. I am seeing an area surrounded by red. Actually I do not
23 understand this photograph that I will be able to give a
24 comprehensive explanation or anything.

15:53:10 25 Q. Mr Witness, is it correct that you do not understand the
26 photograph, or are you simply taking the lead from Defence
27 counsel's objection?

28 A. Even if he had not said that - even if he had not said
29 that, I do not understand the photograph.

1 Q. All right, then we will dispense with 1 and 2 and let's
2 move to tabs 3 and 4.

3 JUDGE LUSSICK: Just before you move off it. I am just
4 curious to know, Mr Witness, what don't you understand about the
15:53:43 5 photograph?

6 THE WITNESS: What I do not understand about the picture, I
7 do not know what is here. It is like I've not seen such an area
8 like this before.

9 JUDGE LUSSICK: I see, yes. Go ahead.

15:54:03 10 MS HOLLIS: Thank you.

11 Q. If we could please retrieve those and use tabs - go to tabs
12 3 and 4, please. Here we have a closer up view of the T-junction
13 and, Mr Witness, you see that tennis court, correct, inside that
14 fence?

15:54:51 15 A. The lady has just pointed at it but actually it's the same
16 as the first one. I do not understand anything here and I'm not
17 familiar with any structure that would - that I would be able to
18 give any explanation that you want me to give.

19 Q. Mr Witness, you see the T-junction that is portrayed in
15:55:09 20 that photograph, yes?

21 A. What is a T-junction?

22 Q. You see the road moving from the bottom of the photograph
23 toward the top of the photograph toward two buildings. Do you
24 see that, Mr Witness?

15:55:27 25 A. Okay. She just showed it to me. I've seen it right here.

26 Q. And you see the T-intersection, yes?

27 A. Yes. I am seeing a T-intersection here now.

28 Q. And immediately to the left you see a house with a bright
29 white roof, correct?

1 A. Yes. There are two houses here with bright white roofs.

2 Q. And if we look at the top of the photograph, immediately to
3 the left of the T-intersection you see a house with a bright
4 white roof, correct?

15:56:13 5 A. Yes.

6 Q. And to the right of the intersection, some metres away, you
7 see a house with a dark roof. Correct?

8 A. Yes.

9 Q. Mr Witness, you have told the judges that Benjamin - excuse
15:56:33 10 me, that Joseph Montgomery's house now has a roof that is a
11 bright white roof, correct?

12 A. Yes, from the photograph that was shown to me it was clear
13 that I could identify it. I saw it.

14 MR ANYAH: Madam President.

15:56:53 15 PRESIDING JUDGE: Yes, Mr Anyah?

16 MR ANYAH: My recollection of the witness's evidence -
17 incidentally the witness has answered yes, but with the
18 qualification from the photograph that was shown to him it was
19 clear that he could identify it. He didn't say the roof was
15:57:06 20 white. My recollection of the witness's evidence is that the
21 roofing on Joe Montgomery's house has changed to zinc. It was
22 not zinc, as currently pictured in the photographs we looked at.
23 It had, I believe the witness said, either asbestos or something
24 to that effect.

15:57:32 25 PRESIDING JUDGE: Yes. Ms Hollis, I seem to recall that
26 the photographs shown before, the actual photographs shown of
27 Montgomery's house had a white roof.

28 MS HOLLIS: A bright white roof, yes. And the witness
29 indicated that the roof had been changed to a bright white roof,

1 or a white roof, and it showed up in the photograph as very
2 bright.

3 PRESIDING JUDGE: Yes, that's correct.

4 MS HOLLIS:

15:58:09 5 Q. And, Mr Witness, Benjamin Yeaten's house, which was to the
6 right of the T-intersection, had a dark roof, correct?

7 A. It had a brown roof, and asbestos, zinc is brown, not dark.

8 Q. And in this photograph the house to the right of this
9 T-intersection has a brown roof, correct?

15:58:42 10 A. Yes, but, Ms Hollis, this particular photograph, I am not
11 seeing any structure or landmark that will give me the full
12 picture of where this is. Actually, I do not understand this
13 photograph and I'm not able to, you know, to explain anything
14 comprehensive about this photograph. I would be making a
15:59:09 15 mistake.

16 Q. Mr Witness, is it correct that you don't recognise
17 anything, or you simply are taking the lead from Defence counsel
18 when you say that you don't recognise anything?

19 A. If the Defence counsel had not brought this up, as soon as
15:59:26 20 this picture was displayed, I had been wondering where this is.

21 Q. If we could remove 3 and 4, and if we could show the
22 witness, 5 please.

23 Now, Mr Witness, 5 is a hand-drawn diagram and it depicts
24 the White Flower compound with the swimming pool, noted by a
16:00:02 25 rectangle with hatch marks on it. And up from that, the
26 rectangle with no hatch marks depicts the swimming pool. The
27 building below that depicts White Flower --

28 MR ANYAH: Madam President. I am sorry to interrupt
29 counsel but I think maybe counsel miss spoke.

1 In reference to the rectangle with the hatched marks in it,
2 counsel said that that was the swimming pool.

3 MS HOLLIS: That's correct. I apologise.

4 Q. Mr Witness, the rectangle with the hatch marks depict the
16:00:46 5 tennis court; the rectangle without hatch marks depict the
6 swimming pool; in front of that we have the house and, in front
7 of that, the circular drive and the fountain.

8 Now, Mr Witness, to the right of that compound we see the
9 road from Tubman Boulevard leading to the T-intersection. And
16:01:18 10 immediately to the left of that T-intersection, we see what is
11 depicted as Joseph Montgomery's house. And to the right we see
12 what is depicted as Benjamin Yeaten's house. Do you get the
13 orientation, Mr Witness?

14 A. Yes.

16:01:38 15 Q. Now, Mr Witness, on this diagram would you please show us,
16 if you can, where the house of Urias Taylor was located?

17 A. Okay. From this sketch, Urias Taylor's house would be on
18 the left of this photograph towards that T-junction, on the left
19 of this photograph.

16:02:14 20 Q. Mr Witness, if you could change chairs with the Court
21 Officer.

22 A. Okay.

23 Q. And if you could point to where you say Urias Taylor's
24 house was located.

16:02:43 25 A. According to this diagram, Urias Taylor's house might be
26 somewhere here. In this corner.

27 PRESIDING JUDGE: Yes, Mr Anyah.

28 MR ANYAH: Madam President, I am going object to this
29 document, and I object because this document has been prepared

1 outside of court. It is prepared by the Office of the
2 Prosecutor. There is no indication of the scale of this
3 document. The way it has been prepared, to ask this witness now
4 to start putting indications on it, so that it is as if this
16:03:23 5 witness is adopting it, would be misleading. This document is
6 not to scale. We don't know what the proportions are. A diagram
7 of something purporting to be White Flower has been described to
8 a witness who said he heard of a swimming pool in White Flower.
9 He heard of a tennis court and he is not sure if there is a back
16:03:44 10 gate. Now we are going to put the exhibit to the witness so that
11 the witness can add diagrams into a document that is not to scale
12 or proportion, all to be proposed as an exhibit before the Court.

13 I am saying that this will lead to unreliable information
14 to the Court. Of course your Honours can determine what weight
16:04:03 15 to give to it, but I think it is inappropriate that it is
16 prepared outside the Court by the Prosecution not to scale and it
17 is being fed to this witness as being identical or similar to the
18 layout of that particular area of Monrovia.

19 PRESIDING JUDGE: Mr Anyah, my own view is that, first of
16:04:23 20 all, this is cross-examination, and so these are propositions
21 being put to the witness. A sketch has been put to the witness.
22 He seems to recognise it, and like the Google maps put before
23 him, he seems to recognise the sketch. And in his view he even
24 knows or can go ahead without difficulty and mark where he thinks
16:04:47 25 the residence of Urias Taylor is. If the witness had difficulty,
26 I am sure he would have expressed it, just like he did for the
27 Google maps. And so I am going to override the objection and ask
28 the witness, go ahead and show us where, in his view - of course,
29 this is a sketch. Everybody knows it is a sketch. And I don't

1 think counsel has claimed that it is according to scale. But
2 what is important is what the witness thinks of this sketch, and
3 he certainly has not expressed any difficulties. So please
4 continue.

16:05:25 5 MS HOLLIS:

6 Q. So, Mr Witness, will you show us where Urias Taylor's house
7 was.

8 A. Yes, as I said, according to this sketch, and how it looks,
9 like, look at this T-junction, Urias Taylor's house should be
10 somewhere around here. Around here at this junction but behind
11 Joe Tuah's house.

12 Q. Now, would you please take a pen and put an X where you say
13 Urias Taylor's house was located. And would you draw a line from
14 that and write "Urias Taylor's house".

16:06:39 15 PRESIDING JUDGE: Mr Witness, did you say behind Joe Tuah's
16 house?

17 THE WITNESS: Yes, your Honour. Urias Taylor's is behind
18 Joe Tuah's house but in the same fence. Joe Tuah is before Urias
19 Taylor from this street. From this street, when you are standing
20 here - when you are on this street, that is going to --

21 THE INTERPRETER: Your Honour, the microphone, I am not
22 getting him clearly.

23 PRESIDING JUDGE: Would the witness speak into the
24 microphone if possible, please. Yes.

16:07:27 25 THE WITNESS: Once again, I said if one is standing on this
26 street, facing Urias Taylor's building, you will see that Joe
27 Tuah's house is before Urias Taylor's. So from Joe Tuah's house
28 you get to Urias Taylor's house but within the same fence and
29 almost close together.

1 MS HOLLIS:

2 Q. So they are two houses within the same compound, is that
3 correct?

4 A. Yes, yes.

16:08:09 5 Q. And the first house you would come to as you came into the
6 compound from the road would be Joe Tuah's house, is that right?

7 A. Yes. Yes.

8 Q. Then behind that, toward White Flower would be Urias
9 Taylor's house, is that correct?

16:08:29 10 A. Behind that, towards White Flower but far away from White
11 Flower.

12 Q. Well --

13 A. When you are here - when you are in Joe Tuah's house, you
14 do not see - and at Urias Taylor's house you do not see White

16:08:49 15 Flower because it is below the hill.

16 Q. Now, let's leave that X where it is. And having explained
17 that the first house you would see is Joe Tuah's, please take
18 that and show us where Urias Taylor's house would be. So the X
19 that is nearest the street would be Joe Tuah's house, is that
20 correct?

16:09:30 21 A. Yes.

22 Q. And the X that is behind it would be Urias Taylor's house,
23 correct?

24 A. Correct.

16:09:38 25 Q. And if you would draw a line from the X closest to the
26 street and write "Joe Tuah's house", please.

27 PRESIDING JUDGE: I am just wondering, could the witness
28 also point to Yeaten's house and to Montgomery's house.

29 MS HOLLIS:

1 Q. Now, Mr Witness, you have heard what Madam Justice asked.
2 And I would ask you, looking at the T-junction, can you show us
3 where Joseph Montgomery's house was.

4 A. Looking at this diagram, even though there is supposed to
16:10:59 5 be a fence here that divides Montgomery's house and Joe Tuah's
6 house, Montgomery's house and Joe Tuah's and --

7 THE INTERPRETER: Your Honour, can the witness slow down
8 and speak more clearly.

9 PRESIDING JUDGE: Mr Witness, are you able to show us where
16:11:26 10 Benjamin Yeaten's house would be on this diagram? And
11 Montgomery's house?

12 THE WITNESS: Yes.

13 PRESIDING JUDGE: Do that.

14 THE WITNESS: Okay. From this diagram, this would be
16:11:41 15 Joseph Montgomery's house and then this would be Benjamin
16 Yeaten's house. What I am seeing, two other structures there, I
17 don't know what they are.

18 MS HOLLIS:

19 Q. Mr Witness, that small rectangular structure to the right
16:11:59 20 of Benjamin Yeaten's house that, would be the radio building,
21 wouldn't it?

22 A. Also this would be the radio building, and not about this.

23 Q. You tell me was - when you were there, was there a building
24 across the road?

16:12:19 25 A. When I was there, there was no building here. But here
26 there was a small building where the radio was and from there
27 there is a fence dividing here, a low one, and then Benjamin
28 Yeaten's house. Then after Benjamin Yeaten's house there is a
29 division by the fence. Then Joseph Montgomery's house. But when

1 I was there, there was no other structure within this block like
2 this.

3 Q. Okay. Then if you would draw where that fence was between
4 the radio building and Benjamin Yeaten's house, that low fence.

16:13:04 5 JUDGE LUSSICK: While he is doing that, Ms Hollis, I just
6 notice he hasn't finished writing what you asked him to write in
7 the first place.

8 MS HOLLIS: I am going to get back to that, your Honour.

9 Q. And if you could also draw for us the fence - well, you
16:13:21 10 have drawn the fence between Joseph Montgomery's house and
11 Benjamin Yeaten's house, correct?

12 A. Yes.

13 Q. And if you could take that, please, and draw for us where
14 you say the low fence was between the radio building and Benjamin
16:13:37 15 Yeaten's house.

16 Now, before you put that back up, Mr Witness, I am going to
17 ask you to do several things. I am going to ask you, first of
18 all, to look back to that second X that you described as where
19 Urias Taylor's house would have been, and I am going to ask you
16:14:14 20 to draw a line from that X and write "Urias Taylor's house".

21 Then I am going to ask you to draw a line from Joseph
22 Montgomery's house and write "Joseph Montgomery's house".

23 A. This space is small.

24 Q. Then, Mr Witness, draw a line from Benjamin Yeaten's house,
16:16:00 25 and you can draw it to an area where you have room to write, and
26 write "Benjamin Yeaten's house". Then draw a line from that
27 radio building and write "radio building", please.

28 And just one final thing to be sure that we know what is
29 depicted on that diagram. Those two fences that you have drawn

1 in, for each of those just draw a short line from the fence and
2 put the letter F for each of those, okay? F meaning fence.

3 Thank you, Mr Witness. Now if we could look at this.

4 Mr Witness, from Benjamin Yeaten's house, how long would it
16:18:03 5 take you to walk to Urias Taylor's house?

6 A. From Benjamin Yeaten's house to Urias Taylor's house, at
7 least one minute and a half, or two minutes. It depends on how
8 you walk, so I don't want to be specific.

9 Q. And you told the Court that from Charles Taylor's White
16:18:36 10 Flower to Benjamin Yeaten was a four or five minute walk. Do you
11 remember telling the Court that?

12 A. Yes. I estimated that, but I am not sure of it. It could
13 be more than that.

14 Q. That's fair. Now, Mr Witness, if you would take that
16:18:57 15 document and, on the back of it, if you would write "DCT-008".

16 A. Yes.

17 Q. And today's date, which is 6 September 2010. Now if that
18 could be put back up on the overhead, please. So as we look at
19 this diagram, Mr Witness, Benjamin Yeaten's house was back of
16:19:55 20 White Flower. Isn't that correct?

21 A. Benjamin Yeaten's house is not directly at the back of
22 White Flower.

23 Q. Benjamin Yeaten's house is at the back of White Flower,
24 correct?

16:20:19 25 A. It is not at the back of White Flower from this. It is not
26 at the back of White Flower.

27 Q. It is behind White Flower. Isn't that correct?

28 A. It is not directly behind White Flower.

29 Q. It is behind White Flower, correct?

1 A. It is not behind White Flower.

2 Q. Mr Witness, up until 12 May of this year you have described
3 Benjamin Yeaten's house as directly behind White Flower. Isn't
4 that right?

16:21:06 5 A. Benjamin Yeaten's house is not directly behind White
6 Flower.

7 Q. Mr Witness, listen to my question: Up until 12 May of this
8 year you have described Benjamin Yeaten's house as directly
9 behind White Flower. Isn't that correct?

16:21:26 10 A. It is not correct. I said Benjamin Yeaten's house is a few
11 metres away from White Flower. And, Ms Hollis, look at the
12 street right here. Look at White Flower. According to your
13 diagram here. And look here. It is not behind this building.

14 Q. Mr Witness, you told the Defence in fact that Benjamin
16:21:52 15 Yeaten's house was directly behind White Flower. That was your
16 story to them up through 12 May of this year. Isn't that
17 correct?

18 A. I told the Defence, and even before this Court, that
19 Benjamin Yeaten's building is a few metres away from White
16:22:15 20 Flower.

21 Q. If we could please look at tab 5 --

22 A. So not directly.

23 Q. If we could look at tab 5, we are looking at CMS page
24 number 28697, beginning with the last line on that page?

16:22:39 25 PRESIDING JUDGE: This is tab 5 of which document?

26 MS HOLLIS: Tab 5 of this binder of summaries, the binder
27 with the six summaries provided to the Prosecution. And I would
28 not wish this to be shown on the overhead.

29 Q. Mr Witness, you can move back over to your seat?

1 A. Okay.

2 Q. Tab number 5, which is the fifth summary that was provided
3 by the Defence. And, if we look at the page CMS number 28697,
4 the last line on that page and the first line of the next page.

16:23:30 5 Mr Witness, in the summaries provided to the Prosecution,
6 summaries 3, 4 and 5, the summary indicates that you said that
7 BY, meaning Benjamin Yeaten, lived in a house directly behind
8 White Flower. Now, Mr Witness, up through 12 May that was your
9 statement to the Defence, isn't that correct? Benjamin Yeaten,
16:24:10 10 BY, lived in a house directly behind White Flower. Isn't that
11 right?

12 A. It's not right. I did not use the word "directly behind
13 White Flower".

14 Q. So the Defence just made that up?

16:24:31 15 A. It may have been a mistake by the Defence, but I did not
16 use "directly behind White Flower".

17 Q. You simply don't want to admit that in court today. Isn't
18 that right?

19 A. It's not that. I am speaking of reality.

16:24:53 20 Q. Because your job is to discredit the testimony of Daf when
21 he said that Benjamin Yeaten's house was at the back behind
22 Charles Taylor's place, White Flower. That's why you're not
23 agreeing to that, isn't that right, Mr Witness?

24 A. It's not so. I am speaking of reality. When you say
16:25:17 25 directly - when you say directly, looking at the diagram that we
26 have been looking at, you see the distance from Benjamin Yeaten's
27 House to the White Flower fence. So if I said directly behind
28 White Flower, then I must be lying. When I said directly, it
29 meant from White Flower you get to Benjamin Yeaten's house and

1 that is not true. So if I ever said that, then I would have been
2 lying. I did not say that.

3 Q. Mr Witness, you have come before these judges and lied
4 about a lot of things, haven't you?

16:25:54 5 A. I have not lied about anything.

6 MS HOLLIS: Madam Court Officer, perhaps you can lower the
7 overhead lights and, Madam President, if I could ask that this
8 diagram be marked for identification.

9 PRESIDING JUDGE: Do you want to describe this diagram,
16:26:16 10 Ms Hollis?

11 MS HOLLIS: Your Honour, I would describe this as a
12 hand-drawn diagram depicting the back portion of White Flower,
13 the T-junction, the houses of Urias Taylor, Joe Tuah, Joseph
14 Montgomery and Benjamin Yeaten and the small radio building.

16:26:50 15 MR ANYAH: May I ask permission to see the document,
16 please, because I have a proposition to put to the Court.

17 PRESIDING JUDGE: In marking it?

18 MR ANYAH: Yes, Madam President. Madam President, this is
19 my proposition. The witness has used a black felt tip pen to
16:27:25 20 draw the fence between Joseph Montgomery's house and what is said
21 to be Benjamin Yeaten's house. The witness has also used the
22 same type of pen to draw the lowered fence around Benjamin
23 Yeaten's house.

24 When you look at this diagram now it is impossible to tell
16:27:42 25 which were the original sketches by the office of the Prosecutor
26 vis-a-vis the fence between Yeaten and Montgomery's house and
27 what the witness has now drawn on to it, and the description
28 being proposed is "Hand-drawn diagram" not "Sketch by Office of
29 the Prosecutor" written on by the witness, which is a more

1 appropriate description.

2 A few months from now, it may be the case that someone
3 looking at this document will not know what portions were drawn
4 by this witness, because everything is in black. So our
16:28:17 5 proposition is that a copy of the sketch, the original sketch by
6 the Prosecution, be marked for identification, as A; and the part
7 that is drawn on to by the witness, be marked as B, of the same
8 exhibit. That way someone can know this was done by the
9 Prosecution office - the Prosecutor's Office and this is what the
16:28:40 10 witness has done. That's the proposition I have for the Court.

11 MS HOLLIS: We think that is fair and we would have no
12 problem with that, Madam President, so that we would have an MFI
13 with a number and an A and a B.

14 PRESIDING JUDGE: Then the sketch, the hand-written sketch
16:29:09 15 - the hand-drawn sketch by the Office of the Prosecution,
16 depicting a map of White Flower and neighbourhood, that will be
17 marked MFI-9A. And the counterpart with markings by the witness
18 will be MFI-9B.

19 MS HOLLIS: Thank you, Madam President. I think that we
16:29:42 20 have time to just finish up this topic, Madam President, if that
21 clock is accurate.

22 Q. Mr Witness, in 1998, Charles Taylor owned White Flower,
23 didn't he?

24 A. In 1998, whether Charles Taylor owned White Flower?

16:30:13 25 Q. In 1998 Charles Taylor did own White Flower, didn't he?

26 A. I don't know, but what I know is that in 1998, White Flower
27 was under construction by Mr Taylor as his residence.

28 Q. Mr Witness, that wasn't the question, but let's move on.

29 In fact, Mr Witness, Charles Taylor bought White Flower in the

1 beginning of 1997, didn't he?

2 A. I don't know when he bought it.

3 Q. Well, if Charles Taylor told the Court he bought White
4 Flower at the beginning of 1997, you wouldn't dispute that, would
16:30:53 5 you?

6 A. I don't know when he bought it, so I don't have - I don't
7 have quarrels with that. I don't know when he bought it.

8 MS HOLLIS: Now, how much time do we have, Madam President?

9 PRESIDING JUDGE: The CMS clock says it is 16.31.

16:31:18 10 MS HOLLIS: Then that is all I have today.

11 PRESIDING JUDGE: Mr Witness, we will continue tomorrow
12 with your testimony. In the meantime you are not to discuss your
13 evidence. The Court is adjourned at 9 o'clock.

14 THE WITNESS: Thank you Madam President.

16:32:08 15 [Whereupon the hearing adjourn at 4.31 p.m. to
16 be reconvened on Tuesday, 7 September 2010 at
17 9.00 a.m.]

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WITNESSES FOR THE DEFENCE:

DCT-008 47941

CROSS-EXAMINATION BY MS HOLLIS 47941