



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 7 FEBRUARY 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr William Romans
Ms Sidney Thompson
Ms Doreen Kiggundu

For the Registry:

Ms Rachel Irura

For the Prosecution:

Mr Mohamed A Bangura
Mr Alain Werner
Mr Nicholas Koumjian
Mr Christopher Santora
Ms Kirsten Keith

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Andrew Cayley
Mr Morris Anyah

1 Thursday, 7 February 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:29:24 5 MS IRURA: The Special Court for Sierra Leone is sitting
6 for an open session in the case of the Prosecutor v Charles
7 Ghankay Taylor, Justice Teresa Doherty presiding.

8 PRESIDING JUDGE: Good morning. I note some changes in
9 appearance. Mr Bangura?

09:29:43 10 MR BANGURA: Good morning, your Honours. Your Honour, this
11 morning for the Prosecution: Nick Koumjian; myself, Mohamed A
12 Bangura; Chris Santora; and Kirsten Keith. Thank you.

13 PRESIDING JUDGE: Thank you, Mr Bangura.
14 Mr Cayley?

09:30:00 15 MR CAYLEY: May it please your Honours, Andrew Cayley and
16 Morris Anyah for the Defence. Thank you.

17 PRESIDING JUDGE: Thank you. If there are no preliminary
18 matters, I will remind the witness of his oath.

19 MR BANGURA: Your Honours, just before we proceed with this
09:30:15 20 witness, I need to bring to the attention of the Court a matter
21 that came up yesterday regarding pending witnesses, particularly
22 the question of waiving the 42 day disclosure. We had requested
23 from the Defence that certain witnesses - for certain witnesses
24 the period for disclosure of 42 days be waived so that they can
09:30:45 25 be called earlier, short of that period, and I am to inform the
26 Court this morning that we did in fact receive correspondence
27 from the Defence yesterday indicating that they are willing to
28 waive this rule in respect of four witnesses. Those witnesses,
29 if I may your Honours, it is TF1-101, TF1-192, TF1-330 and

1 TF1-337. Thank you your Honours.

2 PRESIDING JUDGE: Thank you, Mr Bangura. I have noted that
3 and obviously it is pleasing that the parties are able to resolve
4 these matters between themselves.

09:31:38 5 MR BANGURA: We are most grateful to the Defence. Thank
6 you.

7 PRESIDING JUDGE: Thank you, Mr Cayley.

8 I will remind the witness of his oath and we will proceed
9 with the cross-examination. Mr Witness, I remind you that you
09:31:47 10 have taken the oath to tell the truth. That oath is still
11 binding on you and you must answer questions truthfully. Do you
12 understand?

13 THE WITNESS: Yes.

14 PRESIDING JUDGE: Mr Cayley, please proceed.

09:32:01 15 MR CAYLEY: Thank you, Madam President.

16 WITNESS: TF1-360 [On former oath]

17 CROSS-EXAMINATION BY MR CAYLEY [Continued]:

18 Q. Witness, yesterday we had begun discussing the use of radio
19 communications, do you recall that? Can you concentrate on that
09:32:14 20 area again?

21 A. Yes.

22 Q. Now, I would like to get a few facts straight with you in
23 terms of your evidence what you are saying. Is it right from
24 what you are saying that you heard Charles Taylor and Foday
09:32:32 25 Sankoh speaking in English, in plain language, over the radio on
26 occasions after 1992? Is that your evidence?

27 A. Yes, from 1996 - 1992 onwards.

28 Q. [Overlapping speakers] occasions you heard these two
29 individuals speaking in code with each other, is that your

1 evidence?

2 JUDGE SEBUTINDE: Mr Cayley, are you on the English
3 channel, I hope, because you are definitely overlapping with the
4 witness?

09:33:05 5 MR CAYLEY: Let me check. Can I be heard now? Am I on the
6 right channel?

7 JUDGE SEBUTINDE: I suppose you are on the right channel.
8 The problem is are you - do you have the right channel?

9 MR CAYLEY: Well, I don't think I can - I can't set my
09:33:23 10 microphone, can I, on the right channel? I can only set what I
11 hear by choice.

12 JUDGE SEBUTINDE: Can you hear the translation?

13 MR CAYLEY: Yes, I can hear what he is saying. Yes.

14 JUDGE SEBUTINDE: What the translator is saying? Not the
09:33:31 15 witness, but the translator?

16 MR CAYLEY: Yes, exactly. I can hear the translation of
17 what he is saying.

18 JUDGE SEBUTINDE: Because if you overlap, like you did, we
19 won't get the record.

09:33:40 20 MR CAYLEY: I will check, Judge, to make sure:

21 Q. Witness, can you hear me?

22 A. Yes, I am getting you clearly.

23 MR CAYLEY: I think that is fine now, your Honour, thank
24 you:

09:33:51 25 Q. Did you hear these two individuals that we just mentioned
26 speaking in code with each other? Is that your evidence?

27 A. Yes, some military words were coded. They used code words
28 whilst they were talking together, Charles Taylor and Mr Sankoh.
29 They had some military words that they did not just call like

1 that. Like ammunition they don't just refer to it as
2 "ammunition", they had a coded form of calling it, and there were
3 some other words that they did not just call on the radio.

4 Q. What was the code for ammunition?

09:34:33 5 A. Well, the short code for ammunition during their
6 conversation were they used the first two words. They say "Alpha
7 Mike".

8 Q. They used the words "Alpha Mike" to describe ammunition and
9 that was the code that was used, is that what you are saying?

09:34:56 10 A. Yes, during their conversation and as time went on they
11 used to change it.

12 Q. What did they change ammunition to? Because, you see, I
13 don't think you are telling the truth about this, are you?

14 Because frankly to encrypt the word "ammunition" into "AM" is
09:35:16 15 rather obvious, isn't it, to anybody that is listening on a radio
16 net that that is probably referring to ammunition, isn't it?

17 A. Not everybody would know that. As long as you are not a
18 radio man you will not be able to understand that they are
19 talking about ammunition and these were words that they changed

09:35:40 20 at any time. They didn't use it every day. The coded form of
21 ammunition was not a fixed thing that they used. They could
22 change it at any time accordingly and sometimes they called
23 numbers. That is not to say because I have said "Alpha Mike"

24 then you will understand it to be ammunition. "Alpha Mike" will
09:36:01 25 refer to so many things. It could be "I am", but the coded
26 arrangements like if I say "I am" that is "AM" I am referring to
27 a code and codes are arrangements between two people. It was not
28 a general arrangement for everybody that went to the knowledge of
29 everybody.

1 Q. Did they speak in uncoded language? In plain English? You
2 said they did. You said they did yesterday, yes?

3 A. What I said whilst they were speaking English they were big
4 men. When they got to a military area, they will not say it
09:36:42 5 loudly. They will use the coded form of the word depending on
6 the code that we used at that moment.

7 Q. How often did they speak in code on the radio in 1992? Did
8 they speak more often in code than in English, plain English, or
9 did they speak more often in plain English than in code?

09:37:06 10 A. They spoke both plain English and coded form. I am still
11 repeating this. For example, if they discussed with regards
12 ambush they will easily use - for instance, if they talk about
13 ambush between Makeni or Freetown they will refer to a grid
14 reference. For instance, if they say "Bravo 7" that means ambush
09:37:32 15 and in the coded form. So, if I say "Grid reference 233 Bravo
16 7", you will not be able to understand as long as you are not a
17 member of the society. If Mr Taylor told Sankoh, "Why can't you
18 go and arrange Bravo 7, grid reference 2333", something like that
19 for an example, Mr Sankoh will understand directly that he should
09:38:04 20 set an ambush between Makeni and Freetown, but you who is not a
21 member of that society will not be able to understand anything.
22 So, the coded form of the words will come into the English and
23 they will understand each other.

24 Q. Can you encrypt this for us? Can you put this into code
09:38:26 25 for me now, "The ammunition will arrive at Buedu on Thursday"?
26 Encrypt that now into code.

27 A. Well, in that way except you give me chance to allow to
28 arrange a code for myself. For instance, if ammunition came to
29 Buedu on Thursday I will convert it into in my own knowledge I

1 will say "232419632" and that will mean that ammunition is coming
2 to Buedu on Thursday.

09:39:04 3 Q. Would it interest you to know, witness, that we have spoken
4 to a number of radio operators who never heard Charles Taylor
5 speaking on the radio net with Foday Sankoh? Other RUF radio
6 operators?

7 A. Well, I don't know. If you have spoken to any witness to
8 give that statement, I cannot conclude that it is yes or no.

09:39:28 9 Q. Well, I am putting it to you that you are lying and that
10 you did not hear Foday Sankoh and Charles Taylor speaking either
11 in English or in code on the radio during 1992, or any time
12 thereafter?

13 A. Well I will also tell you that I am not lying, because I
14 was a radio man and I used to monitor all the nets and all the
09:39:51 15 activities and now I am telling you that it was from Liberia that
16 Foday Sankoh entered with the war and so they had radio
17 communications throughout.

18 Q. Now you are well aware, are you not, that Foday Sankoh and
19 Charles Taylor had a disagreement with each other in 1993, aren't
09:40:12 20 you?

21 A. Not at all. Charles Taylor is a very close friend or
22 brother to Foday Sankoh, every day Foday Sankoh used to tell us,
23 and we heard them always say that they were friends and brothers.

24 Q. That is not the question I put to you and so I will put it
09:40:34 25 to you again. Are you aware that Charles Taylor and Foday Sankoh
26 had a serious falling out, or disagreement, in 1993? Are you
27 aware of that?

28 A. I don't know about that and I will not say that it is true
29 and I know that they never had problem. I don't know about that

1 you are saying.

2 Q. And are you aware that they did not communicate with each
3 other again until the Lome peace agreement in 1999? Are you
4 aware of that fact?

09:41:07 5 A. No, I am not aware of that fact. I know that they used to
6 talk to each other until the Lome Peace Accord.

7 Q. Now you state that all conversations were logged in a
8 communications register, right?

9 A. Yes.

09:41:29 10 Q. Where are the logbooks which contain the conversations of
11 Mr Sankoh and Mr Taylor? Where are those logbooks?

12 A. In fact, let me make it clear to you. We can - it is not
13 all the logbooks that you will be able to get and not all the
14 informations that you can get from the logbooks. Charles Taylor
09:41:50 15 and Foday Sankoh, the messages between them were written in a
16 special logbook.

17 Q. Ah, so for those conversations they didn't go into a normal
18 logbook. They went into a special logbook, the conversations
19 between Foday Sankoh and Charles Taylor. Is that what you are
09:42:06 20 saying?

21 A. It is the message that I am referring to. The
22 conversations were not written in logbook, but the messages that
23 Sankoh sent to Taylor and the messages Sankoh received from
24 Taylor they were entered in special logbooks. The radio
09:42:24 25 operators entered them in special logbooks.

26 Q. You said in your evidence yesterday that the logbooks for
27 all of the communications in the RUF were kept forever. They
28 were not destroyed. Do you recall that evidence?

29 A. Oh, yes. During the time of the RUF military operation

1 these were books that we kept safely, but at the end of the war
2 when everybody was worried to disarm some of the logbooks were
3 burnt down and any message from Charles Taylor, or that went to
4 Charles Taylor, this was a message that was transmitted into a
09:43:06 5 different logbook. Besides the RUF in Sierra Leone, besides the
6 messages that we got in Sierra Leone, that was how we used to
7 keep the logbooks.

8 Q. So, are you saying that these special logbooks were the
9 logbooks that were burnt? The special logbooks containing the
09:43:26 10 conversations of Charles Taylor and Foday Sankoh, they were
11 burnt?

12 A. Conversations on the radio is quite different from radio
13 messages. Conversations I have always repeated that they were
14 not things that were written in the logbook. These were things
09:43:48 15 that they said and messages were things that they wrote in the
16 logbooks.

17 Q. Let me break it down and put it in very simple language for
18 you. The conversations between Foday Sankoh and Charles Taylor,
19 be they in plain language, be they in code, were they recorded in
09:44:09 20 a special logbook? Is that your evidence?

21 A. The conversation besides the message were not things that
22 were recorded in special logbook. It was only the messages that
23 were recorded in special logbooks.

24 Q. And the messages you are saying are messages that were sent
09:44:37 25 by signallers, as opposed to Foday Sankoh or Charles Taylor?

26 A. I don't understand your question.

27 Q. You are making a distinction between conversations and
28 messages, yes?

29 A. Oh, yes, radio conversation in the RUF was different from

1 radio messages.

2 Q. And you are saying that the radio conversations between
3 Foday Sankoh and Charles Taylor were never recorded in any kind
4 of register?

09:45:15 5 A. Not - not at all. That cannot be recorded in any register.
6 They were only radio messages.

7 Q. The messages they were recorded? The radio messages
8 between Sankoh and Taylor they were recorded and they were
9 recorded in a special logbook, correct?

09:45:33 10 A. Yes.

11 Q. Where are those logbooks?

12 A. Well, these were things that we were not asked to keep.

13 Q. You said in your evidence yesterday that all logbooks were
14 kept, that they were maintained by the RUF, didn't you?

09:45:56 15 A. Yes, during the period of the RUF exercises we used to
16 maintain all of them.

17 Q. It is normal military practice, isn't it, to keep signals
18 logbooks?

19 A. Yes, during the time the RUF was in action, but when the
09:46:17 20 RUF lost power, or I can say when the RUF dissolved, all of those
21 things most of them were destroyed. That is the logbooks.

22 Q. So the logbooks pertaining to Charles Taylor and Foday
23 Sankoh, they were destroyed?

24 A. Yes, that is what I can say.

09:46:38 25 Q. [Overlapping speakers] Witness, when were they destroyed?

26 A. Well, most of those logbooks got missing since 1996 when
27 Foday Sankoh left Zogoda. When Kamajors came and attacked Zogoda
28 most of those documents got missing, and then any time sometimes
29 Kamajors or government forces attacked our positions we were

1 unable to take the logbooks and we changed the codes
2 automatically and we created new logbooks.

09:47:18 3 Q. Now you have just said that they went missing, as opposed
4 to being destroyed. Is it your evidence that those logbooks were
5 destroyed, or did they go missing?

6 A. I am talking about two things. Sometimes they got missing
7 during attacks and at the same time sometimes we destroyed them,
8 most times whilst we were about to disarm, because at the time
9 the RUF disarmed there was almost a problem about to occur in
09:47:44 10 case of the communication equipment between communication
11 commanders and so as a result most of the people who had those
12 documents destroyed them.

13 Q. Now, let us talk specifically about the logbooks pertaining
14 to Mr Foday Sankoh and Mr Taylor. Did they go missing, or were
09:48:03 15 they destroyed?

16 A. Well, during the attack they got missing.

17 Q. What attack are we talking about?

18 A. I am talking about 1996 Kamajor attack on Zogoda.

09:48:26 19 Q. So the logbooks pertaining to Sankoh and Taylor, the
20 conversations that they had, now you are saying they weren't
21 destroyed, but they went missing in 1996. Is that what you are
22 saying?

23 A. Yes, I am not - only those areas that Sankoh and Taylor's
24 messages were copied. Most of the RUF operational stations had
09:48:52 25 those logbooks, but during the periods of attacks, or during the
26 period of disarmament, we destroyed most of those documents.

27 Q. Now, witness, you will notice in your evidence - and I am
28 certainly noticing it - that you are switching this between
29 saying that the documents went missing and that they were

1 destroyed, and I am putting it to you that you are confused and
2 you are lying about this issue because there were no logbooks,
3 were there, pertaining to Mr Taylor and Mr Sankoh? There were no
4 logbooks with messages in between those two individuals, were
09:49:30 5 there?

6 A. No, there was a logbook in existence between Sankoh and
7 Taylor.

8 Q. Now you have just said in your evidence that all of the
9 stations had these logbooks, yes?

09:49:45 10 A. Yes.

11 Q. All the radio stations?

12 A. Yes.

13 Q. And all of the stations recorded all of the messages,
14 right?

09:49:57 15 A. Yes.

16 Q. So all of the stations would have received the messages
17 pertaining to Sankoh and Taylor, correct?

18 A. Yes, because they all used to monitor the net.

19 Q. Now I don't know off the top of my head and my learned
09:50:16 20 friend will correct me because I don't have the diagram in front
21 of me, but I think you identified at least five radio stations on
22 those two exhibits. Is that right?

23 A. Yes.

24 Q. So, your evidence is that at all five of these radio
09:50:35 25 stations that the logbooks pertaining to Sankoh and Taylor went
26 missing. Is that your evidence?

27 A. Yes.

28 Q. Well, witness, I am putting it to you that that is utterly
29 ridiculous and that you are lying about this issue?

1 A. Well, I am also standing strongly to say that I am not
2 lying.

3 Q. So, you expect this Court to seriously believe that at all
4 of these separate radio stations the logbooks pertaining only to
09:51:08 5 Sankoh and Taylor at five different radio stations all went
6 missing during the war. Is that your evidence?

7 A. I am also making it clear to you that those five stations
8 that were indicated on the map yesterday, those were not the
9 times of Foday Sankoh. That was not the time for Foday Sankoh's
09:51:36 10 administration. That was under the regime of Sam Bockarie.

11 Q. During 1992, how many radio stations were there in Sierra
12 Leone pertaining to the RUF?

13 A. During 1992 we had over 20 radio stations that dealt with
14 the RUF issues. As we extended the RUF operations, that was how
09:52:01 15 we had more radio stations.

16 Q. So, your evidence is that at 20 different radio stations
17 across Sierra Leone messages from Foday Sankoh and Charles Taylor
18 were being recorded in 1992. Is that right?

19 A. Yes, it used to get missing and if --

09:52:23 20 Q. No, pause there, witness. And you are saying that at those
21 20 radio stations there were 20 logbooks in which all of those
22 messages were recorded. Is that right?

23 A. Yes.

24 Q. Your evidence is now before the Court that all 20 of those
09:52:40 25 logbooks went missing at some stage during the war in which the
26 messages from Charles Taylor and Foday Sankoh were recorded. Is
27 that right?

28 A. Yes, this is what I am trying to say. You see, sometimes
29 when we used to pack the logbooks when we had attacks by the

1 Kamajors we will not be able to take all of them. And then at
2 the same time we will not be able to even collect all the codes
3 that we had, except we went and changed the codes and we will go
4 back and sit down and try to rewrite the messages about what
09:53:22 5 Sankoh and Taylor said because they had got missing during the
6 times of the attacks from Kamajors, or from the government
7 troops, in Sierra Leone.

8 Q. Witness, I am putting it to you for a final time and then I
9 will move on. You are lying about this and this is why you are
09:53:36 10 coming out with this nonsense about 20 books disappearing. It
11 did not happen, did it, witness?

12 A. Well, I am also standing strong to say that it happened and
13 I am still telling you that we were guerillas. We don't mostly
14 keep documents to that level and sometimes we were attacked and
09:54:01 15 we will do away with the documents and forget about that.

16 Q. Now, witness, I am right in saying, aren't I, that no two
17 people on the radio network would ever have the same code name,
18 would they?

19 A. Say again?

09:54:20 20 Q. On a military radio network no two individuals
21 communicating on that network would have the same code name,
22 would they?

23 A. Well, it depends on the type of people that you deal with.
24 The people they could have the same name, but if I am talking and
09:54:45 25 the next person is talking he might call the commander "Father"
26 and I can as well call him "Father" and then they will carry the
27 same name, but I will understand and he also will understand what
28 I mean.

29 Q. So you and I could be on radio network together and you

1 could be called "Father" and I could be called "Father". Is that
2 what you are saying?

09:55:18 3 A. No. What I said I am a radio operator and if you are a
4 radio operator and if you are working under the High Command, or
5 you are working under Mr Taylor whilst I am working under
6 Mr Sankoh, I will ask you for instance, "Where is the father?",
7 and then you ask me, "Who wants to talk to him?", and then we
8 will say, "The father wants to talk to him", and then you will
9 know straight that Sankoh wants to talk to Taylor.

09:55:34 10 Q. Now, witness, on a military communications network would it
11 not create complete confusion if people had the same code names?

12 A. Not at all, because a code is an agreement or arrangement
13 between two people. As far as that is the agreement you have
14 taken, then it will not cause any problem.

09:56:01 15 Q. Let us say, for example, we have five different radio
16 stations and at four of the radio stations all of the radio
17 operators call themselves Alpha and at the fifth radio station
18 the radio operator calls himself Bravo, how does Bravo know which
19 Alpha he is actually speaking to if four people all have the same
09:56:19 20 code name? Do you follow me?

21 A. I didn't follow your statement well. Say it again.

22 Q. Five radio stations - five separate radio stations - do you
23 follow me?

24 A. Yes.

09:56:40 25 Q. At four of the radio stations the radio operators all call
26 themselves by the same code, let us say Alpha, do you follow me?

27 A. I am following.

28 Q. At the fifth radio station the radio operator calls himself
29 Bravo, do you follow me?

1 A. Yes.

2 Q. And all of the radio stations are in different places, do
3 you follow me?

4 A. Yes.

09:57:04 5 Q. How does Bravo know which Alpha he is speaking to if there
6 are four different Alphas?

7 A. Well, this example does not match with what I have been
8 saying. I have not spoken about four or five people. I spoke
9 about two people and two operators.

09:57:29 10 Q. So, you are saying that it was normal for there to be two
11 operators with the same code name within the RUF?

12 A. It is possible.

13 Q. Now, you have stated in your evidence that Mr Taylor was
14 known by which code name?

09:57:49 15 A. Mr Taylor we knew him as Ebony. We knew him as Father.

16 Q. But you stated previously to the OTP that he was also known
17 as Chief, right?

18 A. Oh, yes. One thing in using code names, or in guerilla
19 operations, they will refer to you according to your area of
09:58:18 20 exercise as a leader, and when I say "Chief" you will understand
21 that I am referring to the Commander In Chief and if I say
22 "Father" you will know that I am talking to Taylor.

23 Q. Let me put to you for a moment the evidence of another
24 Prosecution witness who has already given evidence, by the name
09:58:34 25 of Abu Keita, and these were the questions that were put to him
26 and then I have got some questions for you afterwards. And the
27 evidence goes like this:

28 "Q. Sometimes Bockarie would say they had spoken to 'The
29 Chief', correct?

1 A. Yes.

2 Q. And 'The Chief' had a particular meaning at that time,
3 did it not?"

4 THE INTERPRETER: Your Honours, can I learned counsel please
09:58:55 5 take this slowly?

6 MR CAYLEY:

7 Q. "Q. And 'The Chief' had a particular meaning at that time,
8 did it not?"

9 A. Yes.

09:59:01 10 Q. Sometimes Bockarie would say they had spoken with 'The
11 Director', true?

12 A. Yes.

13 Q. And 'The Director' had a particular meaning at that
14 time, correct? Direct name?

09:59:13 15 A. Yes, I mean Director.

16 Q. Did the use of the word 'Director' mean Benjamin Yeaten
17 when you were in Buedu?

18 A. Yes.

19 Q. And sometimes they would say they had spoken with
09:59:22 20 somebody named 'Pa' or 'Papay', correct?

21 A. Yes.

22 Q. And those words also had a meaning regarding whom - to
23 whom they referred, correct?

24 A. Yes.

09:59:34 25 Q. Can you tell the Court when you heard the phrase 'The
26 Chief' whom you knew that to mean?

27 A. Chief Benjamin Yeaten".

28 Now, Abu Keita gave evidence that "The Chief" meant Ben
29 Yeaten. Now it is a fact, isn't it, that "The Chief" was never -

1 that Taylor was never referred to as "The Chief"? That is a
2 fact, isn't it.

3 A. No, that is not the fact. The statement that you have just
4 issued that was Abu Taylor's[sic] own statement, and you are now
10:00:18 5 talking about 1991, 1992 up to 1996 and I told you that the code
6 words used to change and some other person will carry the next
7 name that some other person had carried before.

8 Q. Are you aware that Benjamin Yeaten was referred to as "The
9 Chief" on the radio net? Were you aware that Ben Yeaten was
10:00:43 10 referred to as "The Chief" on the RUF radio net?

11 A. Well, Benjamin Yeaten I never knew him as "Chief" for the
12 RUF.

13 Q. Are you saying that you never heard Benjamin Yeaten
14 referred to on the radio net as "The Chief"? Is that your
10:01:11 15 evidence?

16 A. What I said I have never made mention of Benjamin Yeaten.
17 I said if you bring me towards the Sam Bockarie issues, I told
18 you that any time Sam Bockarie called from Liberia he will inform
19 our stations about issues discussed.

10:01:30 20 Q. Can you pause there, because I am not actually asking you
21 about Sam Bockarie and I think that my question was quite
22 straightforward. Are you saying that you never heard Benjamin
23 Yeaten referred to on the RUF network as "The Chief"? Is that
24 your evidence?

10:01:46 25 A. Yes, this time that we are talking about you are asking me
26 questions, from 1996 that was Foday Sankoh's regime, I never
27 heard somebody refer to Benjamin Yeaten as "Chief" on the radio.
28 This is Foday Sankoh's regime that we are talking about.

29 Q. You have just referred to 1996. I am not sure whether that

1 was a misinterpretation. What year did you mean?

2 A. I said during this time that we are talking about I never
3 in fact knew Benjamin Yeaten during this period that we are
4 talking about as "Chief", "Subject", "Ebony" and etc.

10:02:31 5 Q. And can you give us the period in years that you are
6 speaking about?

7 A. Well, I will tell you that since 1996 up to 1997 that was
8 the time Foday Sankoh went on peace talk to Abidjan.

9 Q. And you are saying that during this period you never heard
10:03:00 10 Benjamin Yeaten referred to as "The Chief" in 1996 and 1997? You
11 never heard Ben Yeaten referred to as "The Chief" on the RUF
12 network?

13 A. Yes.

14 Q. And prior to that period?

10:03:16 15 MR BANGURA: May it please your Honours, I believe my
16 learned friend may be misstating Keita's testimony in this
17 context. The records as we have them indicates that Keita was
18 referring to "The Chief" and in referring to "The Chief" in this
19 case is not referring to Benjamin Yeaten as "The Chief".

10:03:29 20 PRESIDING JUDGE: [Microphone not activated] Have you got
21 the dates of the evidence, Mr Bangura?

22 MR BANGURA: I will look. And this was not on the radio,
23 not by radio on a radio communication, as my learned friend seems
24 to be suggesting to the witness.

10:03:51 25 PRESIDING JUDGE: Mr Cayley, we will try and find the -
26 have you a date of the transcript to which you are referring?

27 MR CAYLEY: I don't, because I have a draft transcript, but
28 I certainly have here that:

29 "Yeaten was speaking to Bockarie and Sesay over these

1 radi os.

2 Q. Was what you heard correct?

3 A. Yes.

4 Q. So, they were speaking over the radio".

5 Then it goes on from there with the transcript that I read
6 out to you.

7 PRESIDING JUDGE: Well, the transcript appears to be in
8 dispute and so let's get the transcript, if we can.

9 Mr Bangura, can you identify a date so we can --

10 JUDGE LUSSICK: Look, I think this all should be going down
11 on record and it does not appear as though LiveNote is recording
12 anything at the moment.

13 MS IRURA: Your Honour, there appears to be a problem with
14 LiveNote. We will check it out.

15 PRESIDING JUDGE: Madam Court Attendant, is what has
16 already been said been recorded somewhere so that it can be
17 subsequently transcribed?

18 MS IRURA: It should be, your Honour. It should be. I
19 will confirm that, your Honour.

10:04:56 20 PRESIDING JUDGE: There are two questions that arise. We
21 need to get this transcript and we also need to know when
22 LiveNote will be rectified and record.

23 MS IRURA: Your Honour, I am informed that the audio of
24 that exists and it can be transcribed if it is not available, but
10:05:11 25 I will check what the problem is.

26 PRESIDING JUDGE: Now, Mr Bangura, we are looking for
27 dates. As you are challenging the Defence questions, can you
28 refer us to appropriate dates and we will try and get the record?

29 MR BANGURA: Your Honour, we are just trying to get the

1 actual portion of the transcript that this evidence relates to.

2 PRESIDING JUDGE: I have some notes of my own here, if it
3 will help, where the witness, Abu Keita, referred to, "A
4 satellite phone in a handbag. It was with Sam Bockarie and he
5 told me it was given to him by Chief Benjamin Yeaten". That is
6 not necessarily a conversation, but if it is of assistance it was
7 on 22 January at around 10 o'clock.

8 MR BANGURA: Your Honours, the situation as we understand
9 it, the evidence as we understand it, is that Bockarie would
10 speak on the radio with Taylor and in subsequent discussion with
11 Keita said that he had spoken to "The Chief" and those references
12 to "The Chief" I believe is what my learned friend is making
13 reference to here.

14 PRESIDING JUDGE: We still need the transcript, Mr Bangura.

15 MR BANGURA: I appreciate that, your Honour.

16 MS IRURA: Your Honour, there was a technical problem, but
17 it seems to have been rectified.

18 PRESIDING JUDGE: This looks like old - earlier questions
19 earlier this morning that are now coming up again.

20 MR BANGURA: Your Honour, I do have a reference here. It
21 is evidence of 24 January, pages 2134 to 2135.

22 MS IRURA: Your Honour, the reason the old transcript is
23 appearing is because the machines were restarted and so it all
24 backed up, the old information, but it should be working shortly.

25 PRESIDING JUDGE: Madam Court Attendant, if you can assist
26 us further. Is it possible to get --

27 JUDGE SEBUTINDE: So, when are we going to get the current
28 transcription? We can't follow.

29 MS IRURA: Your Honour, the machine is being restarted. It

1 should happen shortly.

2 MS IRURA: Your Honours, I believe the service has been
3 restored.

4 PRESIDING JUDGE: Counsel, we now have some transcripts.

10:11:26 5 Maybe it would assist both counsel if we got extra copies and
6 passed one to each of the counsel and then we will deal with this
7 objection. It would appear the objection has not been recorded
8 on LiveNote and so I will note there has been an objection.

9 Mr Bangura, if you would repeat the gist of your objection for
10:12:58 10 purposes of record, please.

11 MR BANGURA: Your Honour, the basis of the objection is
12 that counsel was misstating the evidence when he attributed
13 certain statements made by Keita, who was a witness in this
14 Court, as saying that he referred to Benjamin Yeaten as "Chief".

10:13:26 15 The position is that he was misstating the record.

16 JUDGE SEBUTINDE: It appears to me that even what Mr Cayley
17 said with regards to this issue is not recorded. It has just
18 disappeared.

19 PRESIDING JUDGE: Yes, I am going to ask - now that
10:13:45 20 Mr Bangura has stated his objection for the purpose of the record
21 I will ask Mr Cayley to record his reply again for purposes of
22 record.

23 JUDGE SEBUTINDE: Not the reply. The whole issue is not
24 recorded.

10:13:58 25 PRESIDING JUDGE: Oh, I see.

26 MR CAYLEY: The witness?

27 PRESIDING JUDGE: Yes, the whole --

28 JUDGE SEBUTINDE: The questions that were put by Mr Cayley
29 to the witness for the last seven minutes are missing.

1 PRESIDING JUDGE: Madam Court Attendant, again we would
2 request if you can check what has happened to that missing
3 dialogue.

10:14:23 4 MS IRURA: Your Honour, if it would assist the Court those
5 minutes will be available on the final transcript, because the
6 system has been restarted and I think the technicians have done
7 their utmost best.

8 MR CAYLEY: Do you want me to respond? Sorry, your Honour,
9 do you want me to respond?

10:14:46 10 PRESIDING JUDGE: If you could just briefly respond again,
11 Mr Cayley.

12 MR CAYLEY: The evidence, as I read it in the transcript,
13 is that Abu Keita was asked about radio communications between
14 Bockarie and Yeaten, and my learned friend, Mr Anyah, put to him
10:15:02 15 the issue of these code names and he was asked the question. So
16 I mean in essence he was not on the radio himself, but he heard
17 these conversations and it was put to him and I mean I will read
18 to you so that there is no misunderstanding exactly what was
19 said:

10:15:21 20 "Q. I meant 'Director'. Did the use of the word
21 'Director' mean Benjamin Yeaten when you were in Buedu?

22 A. Yes.

23 Q. And sometimes they would say they had spoken with
24 somebody named 'Pa', or 'Papay', correct?

10:15:35 25 A. Yes.

26 Q. And those words also had a meaning regarding to whom
27 they referred?

28 A. Correct, yes.

29 Q. Can you tell the Court when you heard the phrase 'The

1 Chief' whom you knew that to mean?

2 A. Chief Benjamin Yeaten".

3 So, to me it is clear here at least that in conversations
4 between Bockarie and Yeaten that Yeaten was referred to as "The
10:16:04 5 Chief" on the radio network.

6 JUDGE LUSSICK: Well, Mr Bangura, why do you say that
7 Mr Cayley has misstated the evidence?

8 MR BANGURA: Your Honours, the position is that counsel was
9 putting to the witness that Keita, who was a witness in this
10:16:20 10 Court, had on a radio communication referred to Yeaten as "Chief"
11 and that is not the position here. Your Honours, if we go back
12 to page 2134, starting from line 6, where it reads where the
13 witness answers "Yes", and then the question which follows is:

14 "Q. And on some other occasions you knew that they had
10:16:43 15 been speaking with somebody from Monrovia because of what
16 either Bockarie or Sesay told you, correct?

17 A. Yes.

18 Q. Sometimes Bockarie would say they had spoken to 'The
19 Chief', correct?

10:16:58 20 A. Yes".

21 The position is that he, Keita, was talking about what
22 Bockarie had discussed on the radio and had told him, and that
23 was the issue that the witness was questioned on and that was the
24 basis on which he was questioned about who he knew was referred
10:17:20 25 to as "Chief" and he said "Yeaten". It is a different situation
26 from the way counsel was putting it to the witness as though
27 Keita himself had on the radio been speaking and referring to
28 Yeaten as "Chief". Thank you, your Honours.

29 PRESIDING JUDGE: Mr Cayley, it appears to the Bench that

1 this is a dispute about context, rather than what was actually
2 recorded by and attributed to the witness, Abu Keita, so if you
3 could reword your question to avoid any misunderstanding.

4 MR CAYLEY: Your Honour, I think the objection has
10:18:24 5 successfully done away with the cross-examination here and so I
6 will actually move on. Thank you:

7 Q. Witness, you will recall in your evidence on Monday you
8 said that in 1994 Mr Sankoh and Mr Taylor had a conversation
9 where Mr Taylor was giving military advice to Foday Sankoh. Do
10:19:11 10 you recall that evidence?

11 A. Repeat your question.

12 Q. On Monday, when you commenced your evidence, you said that
13 in 1994 Mr Taylor - Charles Taylor - was giving Foday Sankoh
14 military advice. Do you recall that evidence? I will quote it
10:19:36 15 to you so that you can recall it. You said that:

16 "Charles Taylor advised Mr Sankoh, 'You should stop
17 attacking'. He said, 'You should use guerilla tactics at this
18 point so you will be able to gain from the government troops'.
19 He said, 'You should make sure you set an ambush and secondly you
10:19:56 20 should avoid towns', and indeed that was how it happened".

21 Do you recall that evidence?

22 A. Yes.

23 Q. Now Foday Sankoh was a professional soldier, wasn't he?

24 A. Yes.

10:20:12 25 Q. And you know that Charles Taylor is by profession an
26 economist? You know that, don't you?

27 A. Well, I don't know Charles Taylor's profession as an
28 economist. I don't know.

29 Q. You know that Charles Taylor is not a professional soldier,

1 don't you, witness?

2 A. I don't know whether Charles Taylor is a professional
3 soldier. I don't know about that.

4 Q. Charles Taylor never served in the army, did he?

10:20:50 5 A. I don't know whether Charles Taylor ever served in the
6 military.

7 Q. Foday Sankoh -- [overlapping speakers]

8 A. Before he only served as a military man during the war as a
9 gun carrier during the war that I know about, but that he joined
10:21:14 10 any national army I don't know.

11 Q. But Foday Sankoh had done service in the army, hadn't he,
12 before this war?

13 A. Yes, Foday Sankoh was a Sierra Leone army Corporal before
14 the war.

10:21:32 15 Q. Is your evidence that Charles Taylor was a military adviser
16 to Foday Sankoh?

17 A. Yes, that is my evidence and it is possible.

18 MR CAYLEY: Could we please get out Prosecution exhibit
19 MFI-21, which I think is part of the [Redacted].

10:22:00 20 PRESIDING JUDGE: I think a name has been mentioned and it
21 will have to be redacted. Mr Cayley, we are in open session and
22 you are to avoid.

23 MR CAYLEY: I apologise, your Honours.

24 PRESIDING JUDGE: For purposes of persons in the public
10:22:13 25 gallery, the name that has just been mentioned is not to be
26 repeated.

27 MR CAYLEY: I will refer to it as I think it is witness
28 371. It is actually this diagram. It is MFI-17. It does not
29 have the name of the witness marked on it in any way. Can I just

1 check the document to make sure it has not been marked by the
2 witness in any way? Yes, that is fine. Thank you.

3 MR BANGURA: Your Honour, just before my learned friend
4 moves on with this, can we just clarify that that piece of
10:23:09 5 evidence will be cut from the tape?

6 PRESIDING JUDGE: I have already ordered it be redacted.
7 The order is being drafted as you speak, Mr Bangura.

8 MR BANGURA: Thank you.

9 MR CAYLEY: My apologies, your Honour. It was a slip, I am
10:23:24 10 sorry.

11 JUDGE SEBUTINDE: Mr Cayley, that will be MFI-21, not 17.

12 MR CAYLEY: I am sorry, I apologise. It is MFI-17. I
13 apologise, your Honour. You are quite right:

14 Q. Now, witness, can you take a look at this document, please.

10:23:54 15 Do you see that in front of you?

16 A. [Microphone not activated] Yes, I am seeing it.

17 THE INTERPRETER: Your Honour, could the witness put on his
18 mic, please?

19 PRESIDING JUDGE: [Microphone not activated]

10:24:13 20 MR CAYLEY: I have checked it, your Honour, but I mean you
21 are welcome to take a look at it if you wish.

22 PRESIDING JUDGE: [Microphone not activated]

23 MR CAYLEY:

24 Q. Now, this is the NPFL command structure in 1990/1991 and

10:24:31 25 you see Charles Taylor and do you see there that the military
26 advisers included Foday Sankoh and Dr Manneh? Do you see that?

27 Do you need your spectacles? Can you see?

28 A. No, no.

29 MR BANGURA: Your Honour, may --

1 THE WITNESS: I have seen. I have seen. Military adviser
2 I have seen.

10:25:15

3 MR BANGURA: We actually are disadvantaged that we don't
4 have a copy of this document at the moment. If there is a copy
5 around that --

6 PRESIDING JUDGE: It is on the screen, Mr Bangura.

7 MR BANGURA: We may want to take a closer look at it.

8 MR CAYLEY: It is a Prosecution exhibit, your Honour.

10:25:26

9 MR BANGURA: It is, as I understand it, marked for
10 identification at the moment. We don't have it. I don't have it
11 handy actually.

12 PRESIDING JUDGE: It is on the screen and you will have to
13 work as we are all working here, Mr Bangura.

14 MR BANGURA: All right. I will go along with that.

10:25:42

15 MR CAYLEY: I mean, if they want I can give them a Defence
16 copy. I can work off the screen.

17 PRESIDING JUDGE: Justice Sebutinde has a spare copy. Her
18 own copy.

19 MR CAYLEY:

10:25:58

20 Q. Now, witness, you can see here that the Prosecution,
21 through this witness 371, are representing that Foday Sankoh was
22 a military adviser to Charles Taylor. Do you see that?

23 A. [Microphone not activated] I have seen it on the paper.

10:26:23

24 THE INTERPRETER: Your Honours, the witness's mic is still
25 not on.

26 MR CAYLEY:

27 Q. Can you turn your mic on?

28 A. Yes, I am seeing it on the paper. I see Foday Sankoh as
29 adviser and another, Dr Manneh.

1 Q. Now it would make sense, wouldn't it, that Sankoh during
2 this time period would be giving military advice to Charles
3 Taylor because he was a professional soldier, correct?

10:27:02

4 A. Well this diagram is indicating about Liberia, not Sierra
5 Leone, so I cannot say that this is correct, or that Foday Sankoh
6 was adviser to Charles Taylor.

7 Q. So, you believe this diagram incorrectly represents the
8 situation in 1991. Is that what you are saying?

9 A. Say again.

10:27:21

10 Q. This diagram in front of you does not correctly represent
11 the situation in 1990 and 1991 in Liberia. Is that your
12 evidence?

13 PRESIDING JUDGE: Mr Cayley, I thought the witness said, "I
14 cannot say".

10:27:45

15 THE WITNESS: I don't know about this diagram, because
16 there is no indication about RUF.

17 MR CAYLEY:

10:28:03

18 Q. Witness, would you not accept that it would seem very odd
19 indeed for a man like Mr Taylor, with no military experience at
20 all, giving military advice to a professional soldier?

21 A. Say again.

22 Q. Would you accept that it would seem very odd indeed for a
23 man with no military experience like Mr Taylor giving military
24 advice to a professional soldier like Foday Sankoh?

10:28:31

25 A. Well this can happen, because if Mr Taylor never had
26 military advice he wouldn't have brought war into Liberia and he
27 wouldn't have involved Mr Sankoh. This can happen. This man
28 could be a civilian today, but then having more experience in
29 having one or two years' training getting more experience than an

1 old man who had been in the military.

2 Q. And how long had Foday Sankoh been in the military for?

3 A. Well, this is a story that I cannot narrate how long he was
4 in the military. If you ask me how long Foday Sankoh was in
10:29:17 5 Sierra Leone fighting as an RUF, maybe I would be able to tell
6 you that.

7 Q. But it would be right, wouldn't it, that Foday Sankoh had
8 done more than five years' service in the Sierra Leonean army,
9 hadn't he?

10:29:30 10 A. Well, I said that I don't know. Whether he served a year,
11 one month or one year, I don't know.

12 Q. Well I am putting it to you, witness, that that
13 conversation between Foday Sankoh and Charles Taylor, with
14 Charles Taylor giving Foday Sankoh military advice, it never took
10:29:48 15 place. It is untrue, isn't it, that statement that you made?

16 A. Well I am also defending that it is true and this diagram
17 that you are showing to me, where it is written Foday Sankoh as
18 military adviser, this was the NPFL action time.

19 Q. Now, let us move on and let us move on to your evidence
10:30:15 20 that you gave on 5 February. Now, you stated in your evidence
21 that all messages on the net should be monitored by the operator
22 and written down even if not addressed to his commander. Do you
23 recall that evidence?

24 A. Yes.

10:30:41 25 Q. That is right, isn't it?

26 A. Yes.

27 Q. And messages were written down in a logbook, weren't they?

28 A. Yes.

29 Q. And you said on Tuesday, contrary to your evidence today,

1 that logbooks were kept forever. Do you want me to read that
2 evidence back to you from my notes?

3 A. Yes, read it.

4 Q. You were asked a question by Mr Bangura:

10:31:11 5 "Q. Witness, you mentioned that when the message is
6 received it is first noted. It is first written down in the
7 rough book and when you say rough book what do you mean?"

8 Then this is your answer:

9 "A. Well, I said rough book. It is on the paper or on
10:31:27 10 exercise book when you get an encoded message. That book we will
11 even burn at any time, but when we transfer it from rough book
12 the book into which it is transferred is what we call logbook.
13 That is a document we will keep forever".

14 Is that true, that statement?

10:31:43 15 A. Yes, but in case you kept this document and government
16 troops or Kamajors attacked you, you definitely will have to lose
17 it, and during the time of disarmament we never used to keep
18 those things. Some people destroyed them by burning.

19 Q. Let us move on, witness, because we have dealt with that
10:32:08 20 issue now. Now Bockarie had a satellite telephone, didn't he, in
21 1998/1999? You said that on Tuesday. Do you recall that
22 evidence?

23 A. Yes, I said it.

24 Q. And whenever he received a message on that telephone that
10:32:23 25 message would be transmitted to all RUF stations, wouldn't it?

26 A. Yes, of course.

27 Q. And all the movement between Sam Bockarie and Charles
28 Taylor, those movements were also transmitted over the RUF
29 stations, weren't they?

1 A. Yes.

2 Q. You amongst yourselves, the radio operators, you did not
3 hide anything from each other, did you?

4 A. Yes.

10:33:00 5 Q. And --

6 JUDGE SEBUTINDE: Yes you did hide or, no, you didn't hide?
7 What does the "yes" mean?

8 MR CAYLEY:

9 Q. Witness, I am sorry, my question was not a very good one.

10:33:20 10 Amongst the radio operators nothing was hidden from each other?
11 You did not hide anything from each other, did you, in terms of
12 communications?

13 A. Yes, we never used to hide anything from each other in
14 terms of communication.

10:33:37 15 Q. And messages from Sam Bockarie about mining diamonds in
16 order to secure supplies from Charles Taylor were almost
17 continuous, weren't they, on the radio net? That is your
18 evidence, isn't it?

19 A. Yes, that is my evidence.

10:33:58 20 Q. And that was from 1990 when? What was the period? 1995
21 through to disarmament?

22 A. It was from 1998.

23 Q. Through to disarmament?

24 A. Yes.

10:34:21 25 MR CAYLEY: Could the witness please be shown tab 25 and I
26 will just find out what the MFI number is.

27 JUDGE SEBUTINDE: Tab 25 in where?

28 MR CAYLEY: In the bundle of evidence for this particular
29 witness. The OTP evidence, your Honour.

1 JUDGE SEBUTINDE: Okay.

2 MR CAYLEY: I don't have an MFI number for it. I wonder if
3 my learned friend can help me?

4 MR BANGURA: [Microphone not activated]

10:35:02 5 MR CAYLEY: Yes, do you know what the MFI number is?

6 JUDGE SEBUTINDE: We have only two pages, which was MFI-P42
7 and P43.

8 MR CAYLEY: Yes, that is correct. The two pages, yes.
9 This was the problem that I raised. I would like to refer to the
10:35:21 10 rest of the document now. I think the Court Manager has gone to
11 actually get the document.

12 PRESIDING JUDGE: Madam Court Attendant, we need your
13 assistance to get a marked for identification document. Can you
14 give us the number again, please, Mr Cayley.

10:36:34 15 MR CAYLEY: Yes, it is as Judge Sebutinde stated, your
16 Honour. It is only two pages which are MFI-42, that is ERN
17 number 8738, and MFI-43 which is 8764. Actually, let me just ask
18 him some questions about the whole document to start with and
19 then in fact the first page that I want to look at is 8732:

10:37:28 20 Q. Witness, this logbook is one of those that was not
21 destroyed or went missing, correct? Witness, do you hear me?

22 A. Yes, yes, I am getting you clear.

23 Q. This logbook is one of those that did not go missing or get
24 destroyed, right?

10:37:54 25 A. Yes, this is one of the logbooks.

26 Q. Do you know which station this logbook relates to?

27 A. Yes.

28 Q. Which station?

29 A. This is from Buedu, Sam Bockarie's radio station.

1 Q. And this message book will contain all of the information
2 that we have just referred to, wouldn't it? It would contain all
3 the messages about mining in order to get supplies from Charles
4 Taylor, wouldn't it?

10:38:47 5 A. I said it in my statement. You asked me a question and I
6 said most of the messages were by categories. There were
7 messages for the RUF logbook and there were messages that were
8 there for Sam Bockarie, Foday Sankoh, or Charles Taylor. These
9 were separate books, but this was a logbook from Sam Bockarie's
10:39:07 10 radio station.

11 Q. And you have stated that the messages from Sam Bockarie
12 about mining diamonds in order to get supplies from Charles
13 Taylor were continuous and this message book will at least refer
14 to some of those messages, wouldn't it?

10:39:23 15 A. Yes, this message book will refer to some of the messages
16 from the RUF, but I don't know if it is - they are in here
17 because I haven't gone through the message book.

18 Q. Let's go through it and have a look, and it is quite easy
19 to do with this particular book because as you know Sam Bockarie
10:39:46 20 gives his letter of resignation at the end of 1999 and so what I
21 want to do is to travel through that section of the message book
22 with you and see if indeed this continuous stream of messages
23 about mining diamonds for Charles Taylor are contained in the
24 book. Shall we do that together, yes?

10:40:08 25 A. Yes, let's check through and then if - when you look at the
26 date of this message this logbook is even from 1991, not even at
27 the start of 1998. This was late 1991 - I mean, 1999 - the one
28 that I am having now, according to the dates above the messages.

29 Q. And 1999 comes after 1998, doesn't it?

1 A. Say again?

2 Q. The year 1999 comes after 1998, doesn't it?

3 A. This is 1999. It is not even 1998 and this is late 1999
4 logbook.

10:41:01 5 Q. You stated in your evidence earlier that the messages about
6 mining and Charles Taylor commenced in 1998. That is what you
7 said earlier today, didn't you?

8 A. Yes.

9 Q. And this logbook is from 1999, isn't it?

10:41:19 10 A. Yes, I want you to say that this is from late 1999.

11 Q. Well we will give a date to each of the messages, witness.
12 Now can you please first of all turn to page 8732, that is the
13 last four digits of the ERN number, and there is a message on
14 this page: [This document was not supplied]

10:41:46 15 "To - Concord

16 Info - Smile

17 From - SSS

18 Subject - suggestion.

19 Sir, I suggest that the first thing you are to inform the
10:41:58 20 leader is that the materials captured from the Guineans should be
21 the first thing to hand over. According to information the AK
22 rounds is more than 50 boxes, more than 35 boxes of RPG bombs and
23 more than 35 boxes of grenades with many weapons".

24 Now that particular message refers to capturing arms and
10:42:28 25 ammunition from Guineans, doesn't it?

26 A. Yes.

27 Q. It is dated 14 October 1999, correct?

28 A. Yes, it is correct.

29 Q. Now, let's turn to 8735. And what I am doing here,

1 witness, is limiting the messages that we look at to supplies
2 only, but my learned friend across the well is welcome to cover
3 any ground with you on re-examination on the other messages. So,
4 that is how I am selecting messages. Now, this message is dated
10:43:10 5 21 October 1999, it is to Smile from Colonel Nya, who you have
6 mentioned, and this message (and I will only read part of it):

7 [This document was not supplied]

8 "Sir, I am in possession of one Land Cruiser which planted
9 with one codan set. Same was not commandeered by me but a
10:43:32 10 bodyguard commander of Superman.

11 Equally so, Superman is also in possession of 2 NGO
12 vehicles, one Land Cruiser in which he has planted BMG and one
13 other from Catholic mission presently controlled by his
14 secretary".

10:43:51 15 The message then goes on the deal with the handing over of
16 the vehicles, but you would agree with me that this particular
17 message concerns in essence the possession of motor vehicles by
18 the RUF that appeared to have been commandeered from NGOs, yes?

19 A. Yes, this message concerns that property.

10:44:13 20 Q. Now let us go to 8739, top of the page: [This document was
21 not supplied]

22 "To - Black Moses

23 From - Survival

24 28/10/1999

10:44:31 25 Sir, we are totally lack of food. Soldiers are grumbling.
26 Sir, I suggest that if the food can proceed to Rogbane Junction I
27 will make it possible to collect it to my point".

28 Let us now go to 8741. Are you on 8741, witness? Do you
29 see that?

1 A. Yes.

2 Q. The message at the bottom of the page: [This document was
3 not supplied]

4 "To - Smile
10:45:06 5 From - Gaffa.
6 Sub - Respond.
7 Date - 2/11/19 ..." --

8 A. Please hold on.

9 Q. Do you have it, witness?

10:45:19 10 A. Yes, go ahead.

11 Q. "To - Smile
12 From - Gaffa
13 Sub - Respond
14 Sir, your instruction was well received and content well
10:45:30 15 understood. I am now awaiting Colonel ..." --

16 THE INTERPRETER: Your Honours, can I learned counsel slow
17 down please.

18 MR CAYLEY:

19 Q. "I am now awaiting Colonel Isaac, who is now en route from
10:45:40 20 Kamabai ..." [K-A-M-A-B-A-I] "... so as to move very fast to the
21 mentioned location where we will be picked up for your location.

22 Sir, on the issue of the NGO's looted vehicles I want to
23 make it very clear to you that I never commandeered any".

24 Then he goes on to explain what happened and I won't read
10:46:01 25 the rest of it and that message is from 2 November 1999.

26 If you could go over the page, witness, to 8742, message at
27 the bottom of the page dated 4 November 1999: [This document was
28 not supplied]

29 "To - Smile

1 From - Survival

2 Subject - Infos

3 Sir, I have received Colonel Eagle and others, but Superman
4 refused to hand over the material. I issued them during the
10:46:37 5 incursion at Lunsar. It includes 14 RPG bombs and 7 boxes of AK
6 rounds. Sir, accept for your info".

7 Now we are going to go well ahead to 8754, top of the page
8 dated 25 November 1999: [This document was not supplied]

9 "To - Smile

10:47:14 10 From - Log

11 Sir, be informed that I have received series of messages
12 from various call signs in respect of food, drugs, salt and
13 [indiscernible] shortage and I have completely run out of fund.

14 Sir, with regards to this your assistance is highly
10:47:35 15 needed".

16 And then if we can go to 8764 and that is MFI-43 and that
17 is the letter of resignation from Sam Bockarie, correct?

18 A. Yes.

19 Q. Now, this is a radio logbook - a period of a radio logbook
10:48:00 20 that I have been through - that covers the time between 23
21 September 1999 and 19 December 1999, correct?

22 A. Yes.

23 Q. And it refers to the provision of ammunition and food
24 within the RUF, doesn't it?

10:48:25 25 A. This message?

26 Q. The messages that we have just read out some of them refer
27 to the provision of ammunition and the provision of food, or a
28 request for food and a request for ammunition. They concern the
29 subject - let me start again. Some of the messages that I read

1 out the subject matter was ammunition and in other ones the
2 subject matter is food. Is that correct?

3 A. Yes.

4 Q. And none of these messages refer to Charles Taylor, do
10:48:54 5 they? None of them refer to Charles Taylor providing ammunition
6 over this period, do they?

7 A. Yes, in this message logbook there is not - the ones that
8 we have read there is none that talks about Charles Taylor.

9 Q. Now, witness, I have been through this logbook, we don't
10:49:15 10 have time to do it, and there aren't any messages in there that
11 refer to Charles Taylor. Witness, you are lying, aren't you,
12 when you say that Charles Taylor and Sam Bockarie were in
13 communication with each other concerning the provision of
14 ammunition by Charles Taylor to Sam Bockarie and the RUF? You
10:49:38 15 are lying, aren't you?

16 A. Well, I am also defending that I am not telling a lie. If
17 you are talking about this message it is not a lie, because the
18 date on the message at that time there was no fighting and in my
19 testimony before when Foday Sankoh was released that was the time
10:49:57 20 those messages were coming out. At that time there was no
21 fighting and I said the time Foday Sankoh was released he was in
22 Freetown with UN. At that time the diamonds that Issa was
23 collecting he used to take them straight to Freetown, Gibril
24 Massaquoi used to do that, so at this time Charles Taylor was not
10:50:18 25 concerned during this time.

26 Q. There are no messages within this logbook concerning the
27 supply of diamonds from the RUF to Charles Taylor, are there,
28 witness, of the ones that we have read?

29 A. I have not gone through all the messages in this book and

1 this is not the only logbook for Sam Bockarie.

2 Q. So, you are saying that messages between Charles Taylor and
3 Sam Bockarie are contained in another logbook. Is that your
4 evidence now?

10:50:47 5 A. Yes, I would say so.

6 Q. And which logbook would that be, witness?

7 A. Well, I will tell you that one station would have one or
8 two logbooks. It depends on the messages they received. Charles
9 Taylor's messages were separate messages and they were kept in
10:51:08 10 different logbooks.

11 Q. You are lying on this issue and you know you are lying and
12 now you are making this account up, aren't you, about a separate
13 logbook for Charles Taylor and Sam Bockarie's communications?

14 A. No, that is not correct.

10:51:36 15 Q. Now, witness, you stated yesterday - and I have a note of
16 this - that from 1993 the overland supply route from Liberia into
17 Sierra Leone was blocked. That is correct, isn't it?

18 A. Yes, it was blocked.

19 Q. And it was blocked by ULIMO forces, wasn't it?

10:52:01 20 A. Yes, it was the ULIMO forces who blocked the road.

21 Q. And that supply route was still blocked until at least
22 March of 1997, wasn't it?

23 A. Yes, from 1997 the route was not cleared.

24 Q. And how far into 1997, in your recollection, was the route
10:52:29 25 blocked?

26 A. Well during 1997 ULIMO occupied the border, but it got to a
27 point when after Mr Taylor had become President they were not
28 there any more.

29 Q. So, in August 1997 is it your evidence that the route

1 opened up again? The overland route from Liberia into Sierra
2 Leone?

3 A. I cannot state any date or time that the road was opened
4 from Liberia to Sierra Leone.

10:53:12 5 Q. But to the best of your recollection it was when Charles
6 Taylor became President of Liberia, is that right?

7 A. Yes.

8 MR CAYLEY: If the witness please could be shown MFI-38,
9 which is the salute report document, tab 24 I think for this
10:53:39 10 witness, although it has already been exhibited in respect of
11 371. Could you please give it to the witness actually to take a
12 look at:

13 Q. Witness, have you seen this document before?

14 A. Yes, I have seen it.

10:54:25 15 Q. When was the first time that you saw this document?

16 A. Please allow me to go through it.

17 Q. Take all the time that you need, witness. Witness, can I
18 make a suggestion and I will certainly let you read the relevant
19 pages in full so that I am not accused of taking things out of
10:56:22 20 context. Do you want to look at the signature at the back of the
21 document and see if you recognise that? It is on the last page,
22 witness. Is that Sam Bockarie's signature?

23 A. Yes.

24 Q. When was the first time that you saw this document?

10:56:58 25 A. I saw this at the [Redacted].

26 MR CAYLEY: Your Honour --

27 PRESIDING JUDGE: Also that reference to that trial - I am
28 sorry, Mr Bangura.

29 MR BANGURA: Your Honour, I was going to address the issue.

1 PRESIDING JUDGE: The reference by the witness to a
2 previous trial is to be redacted, and again I address the people
3 in the public gallery that that is not to be recorded or
4 repeated.

10:57:32 5 MR CAYLEY: I apologise for that, your Honour.

6 PRESIDING JUDGE: That wasn't you.

7 MR CAYLEY: It was inadvertent. I thought that Mr Bangura
8 had showed it to him, but clearly not:

9 Q. So, witness, without referring to the time that you
10:57:45 10 actually saw this document, you have seen it before?

11 A. Yes.

12 Q. It is signed by Sam Bockarie?

13 A. Yes, Sam Bockarie signed this document.

14 Q. Now, I want to briefly refresh your memory on some issues
10:58:08 15 that you spoke about yesterday before we actually look at the
16 document and I want you to direct your mind to the episode in
17 Kono, do you recall that, in terms of this is the time - it is
18 1998 and you have come back from Freetown? Do you recall that
19 time? This is when you gave evidence to the effect that Charles
10:58:44 20 Taylor instructed Sam Bockarie to take the Kono diamond mining
21 area and he provided weapons for that particular attack. Do you
22 recall that evidence?

23 A. Yes.

24 Q. Now in your evidence, when you gave evidence on this I
10:59:11 25 think it was yesterday, it may have been the day before, my
26 learned friend can correct me, you stated that Sam Bockarie gave
27 specific instructions that the Kono mining diamond area should be
28 secured, right?

29 A. Yes, that is correct. To secure Kono mining area from

1 Sam Bockarie.

2 Q. And that Charles Taylor had given the order to do that and
3 had provided weapons for that purpose, is that right? Weapons
4 and ammunition?

10:59:49 5 A. Yes, that is correct that Charles Taylor did that.

6 Q. Let's have a look at this document again, if it can be put
7 on the ELMO screen, and I will read to you from about halfway
8 down the page. If it could be moved up. (Sorry, it is 9662,
9 Madam Court Manager. I apologise). Let me read it:

11:01:01 10 "Back at headquarters I renewed my contact with ULIMO and
11 tried to secure materials from them. It was out of these
12 materials that I gave Superman a good quantity to attack and
13 capture Kono. This move I thought would pressure the government
14 into abandoning their mock trial against you and provide us with
11:01:22 15 the ground necessary to move the war and the movement forward.

16 Superman used the materials to attack Kono and was able to
17 control parts of Koidu Town. Though they were able to raise the
18 ammo dump, they then concentrated on looting and later withdrew
19 leaving the enemy to reoccupy the town. Even prior to that, all
11:01:46 20 instructions to maintain the ground were not implemented".

21 Now, witness, you see here what is happening. Sam Bockarie
22 is saying that the weapons for that attack on Kono in 1998 came
23 from ULIMO. You see that, don't you?

24 A. I have seen it written.

11:02:11 25 Q. Now you were lying, weren't you, when you said that it was
26 Charles Taylor who provided the weapons for this attack? Weren't
27 you?

28 A. I did not tell a lie. Charles Taylor supplied those
29 weapons for that attack.

1 Q. So, is your evidence that Sam Bockarie is lying in a report
2 to Foday Sankoh in 1999 about who provided the weapons for the
3 attack on Kono? Is that your evidence? Did you hear the
4 question, witness, that I put to you?

11:02:51 5 A. Please repeat.

6 Q. Is it your evidence that Sam Bockarie is lying about the
7 identity of the people who provided the weapons for the attack on
8 Kono? Is that your evidence?

9 A. Yes.

11:03:14 10 Q. So you are saying that Sam Bockarie in a report to Foday
11 Sankoh is lying when he says that ULIMO provided those weapons.
12 Is that what your evidence is?

13 A. That is the evidence I am giving. ULIMO did not give
14 weapons to Sam Bockarie to attack Kono.

11:03:38 15 Q. Now, witness, let's have a look at another issue. Now this
16 is about the time coming up to the attack on Freetown, and you
17 recall that with that particular attack you also said that
18 Sam Bockarie came back from Liberia and said that Charles Taylor
19 had ordered an attack to take place into Sierra Leone and that he
11:04:19 20 had provided the weapons for that attack going towards Freetown.
21 Do you recall that evidence? I can refresh your memory as to
22 what you said.

23 A. Go ahead, sir.

24 Q. What you said was:

11:04:34 25 "When Sam Bockarie returned from Liberia, he sent a general
26 message saying that the mission that was planned he has brought
27 the materials. Rosos got their own arms and ammunition for this
28 message that we had gone to Buedu to plan. What happened was
29 that ours arrived in Kono, after which Kono was supposed to take

1 them to Koinadugu, but after the arrival ..." --

2 THE INTERPRETER: Your Honours, I am asking counsel to go
3 slowly.

4 MR CAYLEY:

11:05:05 5 Q. "What happened was that ours arrived in Kono, after which
6 Kono was supposed to have taken them to Koinadugu, but after the
7 arrival of the ammunition in Koinadugu which was designed for
8 Koinadugu and Rosos it was at a time that a serious problem
9 erupted between Superman and SMG Musa".

11:05:27 10 Do you remember that evidence, witness?

11 A. Yes.

12 MR CAYLEY: Now if you would just give me a moment, your
13 Honour, please:

14 Q. Now, referring to the same attack you gave this evidence
11:05:59 15 and this is Superman giving instructions about the Freetown
16 attack. Question from Mr Bangura:

17 "Q. Did Sam Bockarie discuss any other matters?

18 A. Yes, he also told Superman that he should go and join
19 SAJ Musa in Koinadugu District for a fast and smooth
11:06:19 20 operation because SAJ Musa was not so good at jungle
21 operations. That was also discussed and ammunition was
22 given to plan for the location. In fact there was a
23 message to that effect that he had gone and got
24 instructions from Mr Taylor in Liberia", referring to
11:06:36 25 Sam Bockarie.

26 There is then a question put by my learned friend,

27 Mr Bangura:

28 "This proposed move for Superman to join SAJ Musa in
29 Koinadugu, was it part of the plan that had been discussed

1 in Buedu by Sam Bockarie?"

2 Then your answer (and this is important, witness, so listen
3 carefully):

4 "Yes, I had said this earlier that it was a plan for SAJ

11:07:00

5 Musa and Superman to join together and that they were
6 responsible for Kabala and Makeni and that was part of the
7 plan".

8 Now that is your evidence, isn't it, that you gave on this
9 subject?

11:07:11

10 A. Yes.

11 Q. Let us take a look at the document again on the same page
12 and I will read to you from the paragraph:

13 "With the captured materials from Kono, Superman went to
14 the Kabala axis to join SAJ Musa. I instructed him to send some
15 materials to which he agreed. Later he refused to dispatch the
16 materials and refused to grant permission to the receiving offer
17 to return to me".

11:07:35

18 Now the report is referring, isn't it, to the materials
19 that Superman never delivered to who he should have delivered it
20 to, isn't it? It tracks your evidence, doesn't it?

11:07:56

21 A. Yes.

22 Q. But the difference - the difference, witness - is that
23 unlike your evidence Sam Bockarie is saying that the weapons that
24 were being used were weapons that had been captured in Kono. Do
25 you see that?

11:08:20

26 A. Yes, that is what the letter says.

27 Q. He doesn't say, does he, "Oh, we were following up on a
28 plan from Charles Taylor to attack Freetown and Charles Taylor
29 has given us all this arms and ammunition", does he?

1 A. No, this document does not follow any plan of such.

2 Q. So you were lying, weren't you, when you gave evidence and
3 when you said that the arms and ammunition for this particular
4 mission came from Charles Taylor? You were lying about that,
11:08:54 5 weren't you?

6 A. I am not telling a lie.

7 Q. And you were lying about the fact that Charles Taylor was
8 the one that came up with the plan to attack Freetown, weren't
9 you?

11:09:09 10 A. It is not a lie. He came up with the plan to attack
11 Freetown.

12 Q. Very well. Now we have been over this a little bit before,
13 but let us go over it again. Now, you said that Sam Bockarie
14 regularly stated over the radio network that he was going to
11:09:38 15 Sierra Leone to collect arms and ammunition from Charles Taylor.

16 PRESIDING JUDGE: Are you sure it was Sierra Leone,
17 Mr Cayley?

18 MR CAYLEY: I am sorry, from Liberia. I apologise, your
19 Honour. A slip:

11:09:53 20 Q. Let me repeat the question for you, witness. You stated in
21 your evidence, didn't you, that Sam Bockarie regularly
22 transmitted over the radio network that he was going to Liberia
23 to collect arms and ammunition from Charles Taylor, didn't you?

24 A. Yes, it is so.

11:10:15 25 MR CAYLEY: Can the witness be shown the bundle, please,
26 that I put together of the Prosecution statements, and if your
27 Honours we could go to tab 12, please:

28 Q. Now, witness, these are interview notes that were taken on
29 30 October 2006 from you. Do you recall this interview?

1 A. Yes.

2 Q. Now, I am going to read from the bottom of the page where
3 it begins "KAMARA" and I guess that is referring to you, isn't
4 it?

11:11:36 5 A. Yes.

6 Q. "KAMARA knows that arms and ammunition came from Liberia
7 because that was their supply route. He also knows it because he
8 heard Sam BOCKARIE tell Denis MINGO ... to wait for the arms and
9 ammunition coming from Liberia. Troops took a vehicle from Buedu
10 to Foya to collect the arms and ammunition. KAMARA doesn't know
11 exactly who sent the arms and ammunition. He cannot recall
12 Sam BOCKARIE saying anyone in particular. He says they all know
13 the arms were coming from Charles TAYLOR".

14 Did you say that, witness, on 30 October 2006?

11:12:28 15 A. Yes, I said that all of us knew that any arms or ammunition
16 that came from Liberia it was from Charles Taylor.

17 Q. But you also said, didn't you, witness, that you didn't
18 exactly know who was actually sending those arms and ammunition,
19 didn't you? Witness, you said, didn't you, in this interview,
11:12:55 20 that you did not know exactly who sent the arms and ammunition?
21 Witness, can you hear me?

22 A. Yes, I can hear you clearly.

23 Q. You said, didn't you, during this interview, that you did
24 not know exactly who sent the arms and ammunition? Are you going
11:13:23 25 to answer this question, witness?

26 PRESIDING JUDGE: Mr Witness, did you understand the
27 question?

28 THE WITNESS: Let him repeat the question.

29 PRESIDING JUDGE: You have the document that counsel is

1 referring to in front of you. You are able to read what is
2 written there?

3 THE WITNESS: I have 24972.

4 PRESIDING JUDGE: Well, it is the last part of that and the
11:13:58 5 beginning of 24973.

6 Please put your question again, Mr Cayley.

7 MR CAYLEY: Thank you, Madam President:

8 Q. Witness, in this interview --

9 A. Yes, okay.

11:14:15 10 Q. Let me know when you have read the statement, witness. It
11 is the top paragraph, 4973, the first six lines. Do you have it?

12 A. Yes, I have seen it now. I have seen it.

13 Q. You read English well, don't you?

14 A. Yes.

11:15:10 15 Q. You have read it witness, yes?

16 A. Yes, I have read the first paragraph. Yes, I have read it.

17 Q. You said on 30 October of 2006 that you didn't know exactly
18 who sent the arms and ammunition, referring to arms and
19 ammunition coming from Liberia? You said that, didn't you?

11:15:28 20 A. Yes.

21 Q. And it is a fact, isn't it, that in essence you assumed
22 that anything that was coming from Liberia was coming from
23 Charles Taylor, didn't you?

24 A. No, I did not just assume. I knew that any supply that
11:15:51 25 came from Liberia it was from Charles Taylor, and during this
26 period Charles Taylor sent this particular ammunition for Denis
27 Mingo.

28 Q. Let us be clear, witness. You said in this interview,
29 obviously when asked specifically who was sending the arms and

1 ammunition from Liberia, you didn't know, did you?

2 A. This I knew. I knew who sent those ammunition.

3 Q. If you knew, why did you tell the Office of the Prosecutor
4 that you didn't exactly know who sent the ammunition? Why?

11:16:58 5 PRESIDING JUDGE: Your answer, Mr Witness?

6 THE WITNESS: From according to this statement, that is not
7 what I told the Prosecution.

8 MR CAYLEY:

9 Q. Do you want me to read the sentence again for you, witness,
11:17:17 10 if it is not clear?

11 A. Yes, read it again.

12 Q. "KAMARA doesn't know exactly who sent the arms and
13 ammunition. He cannot recall Sam BOCKARIE saying anyone in
14 particular". You said that, didn't you?

11:17:35 15 A. I cannot remember much of this really, this statement. I
16 cannot remember much of this that I said Sam Bockarie never told
17 anybody who he took this ammunition from. I cannot recall saying
18 this.

19 Q. Your recollection fades, doesn't it, when the questions get
11:18:00 20 difficult to answer?

21 A. No.

22 Q. Now, witness, you were never present, were you, when
23 Sam Bockarie was supposedly meeting with Charles Taylor? You
24 were never present personally in Liberia, were you?

11:18:22 25 A. No, I was not in Liberia.

26 Q. So in terms of your own experience, in terms of your own
27 physical presence, you cannot say whether Sam Bockarie and
28 Charles Taylor ever met at all, can you?

29 A. I was not in Liberia, but radio messages proved that

1 Sam Bockarie and Charles used to meet.

2 Q. That was not the question I asked you and I will put the
3 question to you again. You cannot say truthfully, can you, that
4 Charles Taylor and Sam Bockarie ever met, because you were never
11:19:09 5 there, were you?

6 A. I was not there when they met, but I knew that they met,
7 but I was not there in person when Charles Taylor and Bockarie
8 met together.

9 Q. Let's move on and I want to now discuss with you - (if I
11:19:37 10 could just have a moment, your Honour, to put this file back).
11 Thank you. Witness, I want to refresh your memory about some
12 evidence that you gave on Tuesday, the day before yesterday, and
13 this concerns Magburaka. This was when you were based at Makeni.
14 Do you recall that evidence?

11:20:29 15 A. Yes.

16 Q. Let me just read it to refresh your memory so that you can
17 focus your mind:

18 "They constructed an airstrip two or three miles off
19 Magburaka. That is where the plane landed at night and dropped
11:20:46 20 the arms and ammunition at one time I was given order together
21 with Mr Alpha. Mr Alpha was an administrator in Makeni under the
22 RUF. Both of us moved with his Land Rover and, according to the
23 order which came from Issa Sesay, he said the RUF who were based
24 in Makeni they should go and receive their own ammunition at the
11:21:08 25 Magburaka airstrip. Very early in the morning, at about 5 to 6
26 a.m., we went there with the Land Rover and when we got there we
27 saw different vehicles from various areas, Kenema, Freetown, Bo,
28 who came to collect their own ammunition. But this plane landed
29 at night. It was at night that it landed. When it took off, we

1 reached there. We just met that all the arms and ammunition were
2 in boxes and they were distributed by groups. As we got there we
3 went straight towards our own ammunition, we loaded them into the
4 Land Rover and then we moved. And this happened not just one
11:21:47 5 time, but myself I only went there once to collect ammunition".

6 Is that right?

7 A. Yes.

8 Q. And am I right in saying that that event took place towards
9 the end of 1997? Can you recall?

11:22:05 10 A. Yes, this event was happening around the end of 1997.

11 Q. And this was an arms shipment from Charles Taylor, right?

12 A. I don't know, because I didn't know if these arms at this
13 time were coming from Charles Taylor.

14 Q. You don't know, do you, where this arms shipment came from?

11:22:37 15 A. I didn't know. I didn't know where that arms shipment came
16 from.

17 Q. This is the only arms shipment which you personally
18 experienced, didn't you? The arrival of arms, it is the only one
19 that you personally experienced? In other words, what I am
11:22:54 20 saying is this is the only one where you were present at or
21 around the time the arms and ammunition were delivered, right?

22 A. Yes, it was the only time that I went to collect arms and
23 ammunition. When I saw the airfield when we went to collect arms
24 from Makeni, that was the only time I went there.

11:23:16 25 Q. And the only time that you were ever involved in the
26 collection of arms and ammunition you have no clue, do you, who
27 supplied those arms and ammunition?

28 A. At that time, yes, I didn't know who supplied that
29 particular set of ammunitions. I didn't know.

1 Q. Very well, let's move on. I want to now address with you
2 the issue of the bank.

3 (Actually, your Honour, this will go on a while. I can go
4 on until 11.30 or we can take an early break, but it is a new
11:24:03 5 subject area. Whatever you wish, your Honour.

6 PRESIDING JUDGE: I think in the circumstances, Mr Cayley,
7 I think it would be neat to break now. We will take the 30
8 minute break and resume at 10.55.

9 MR CAYLEY: Thank you, your Honour.

11:24:22 10 PRESIDING JUDGE: Madam Court Attendant, please - did I get
11 that time wrong? 11.55 should I have said? Yes.

12 [Break taken at 11.25 a.m.]

13 [Upon resuming at 11.55 a.m.]

14 PRESIDING JUDGE: I note Mr Koumjian has left your Bar,
11:55:15 15 Mr Bangura.

16 MR BANGURA: Indeed, your Honour.

17 PRESIDING JUDGE: Thank you. If there's no other matters,
18 Mr Cayley please proceed.

19 MR CAYLEY: Thank you, your Honour.

11:55:25 20 Q. Witness, I'd like to move to a new area now and I'd like
21 you to direct your mind, please, to the robbery that took place
22 at the Commercial Bank in Koidu Town. Do you recall that event?

23 A. Yes, I can remember.

24 Q. And I think your evidence on Tuesday was that Sam Bockarie
11:56:02 25 had come to an arrangement with Mr Taylor to destroy the bank in
26 Koidu and take the money from the bank. That's right, isn't it?

27 A. Yes.

28 Q. And your evidence was, I think, based on my note, that Sam
29 Bockarie issued orders to Superman to destroy the bank and take

1 the money that was inside. Right?

2 A. Yes, that was what Sam Bockarie said.

3 Q. And I think you then explained to the judges that you saw a
4 big cup - after the breaking in to the bank you saw a big cup

11:56:48 5 which had diamonds and money within it. Yes?

6 A. Yes, that was what I said.

7 Q. And that cup was in Superman's possession at the time that
8 you saw it. Right?

9 A. Yes.

11:57:07 10 JUDGE SEBUTINDE: Mr Cayley, there was only diamonds in the
11 cup, not diamonds and money.

12 MR CAYLEY: I apologise, your Honour. Can I just clarify
13 that with the witness:

14 Q. There were only diamonds in the cup, correct, witness?

11:57:22 15 A. Yes, you're correct, only diamonds were in the cup.

16 Q. Did you see money as well, cash?

17 A. Yes, I saw money in a bag, in a plastic bag.

18 Q. So the diamonds were in the cup and the money was in a bag?

19 A. Yes. The diamond was in a cup and the Sierra Leone
11:57:47 20 currency was in a travelling bag and the other currency was in a
21 plastic bag.

22 MR CAYLEY: Thank you, your Honour, for the correction:

23 Q. Now, Witness, what I'd like to do now is to go into closed
24 session and I'll make an application and I'll explain to you why.

11:58:07 25 Your Honours, can we go into closed session, please, and I can
26 explain to you why once we've gone into closed session?

27 PRESIDING JUDGE: Could we do the application in a private
28 session so --

29 MR CAYLEY: Yes.

1 PRESIDING JUDGE: So the voices aren't heard.

2 MR CAYLEY: Yes.

3 PRESIDING JUDGE: Can that be implemented, Madam Court
4 Attendant?

11:58:45 5 MR BANGURA: Your Honours, while this is being dealt with I
6 was just wondering whether my learned friend intends to continue
7 for the rest of his cross-examination in closed session or does
8 he have a considerable chunk of it to be dealt with, so that all
9 that could be --

11:59:03 10 [At this point in the proceedings, a portion of
11 the transcript, pages 3357 to 3391, was
12 extracted and sealed under separate cover, as
13 the proceeding was heard in private session.]

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

1 [Open session]

2 [Upon resuming at 2.28 p.m.]

3 PRESIDING JUDGE: Just before I deal with the open private
4 session business, I just note changes of appearances. Mr Santora
14:28:49 5 is here, is that correct, Mr Bangura? No, Mr Werner.

6 MR BANGURA: Your Honours, Alain Werner joins the
7 Prosecution.

8 MR CAYLEY: And we welcome back Mr Terry Munyard, your
9 Honour.

14:29:00 10 PRESIDING JUDGE: Thank you, Mr Cayley. Now, I understand
11 that the private session questions are now complete and we can
12 safely revert to open session and I understand that has been
13 implemented.

14 MS IRURA: That is correct, your Honour.

14:29:15 15 PRESIDING JUDGE: Very well. We are ready to proceed.
16 I did say that I would record publicly that, in accordance with
17 the rules, we had to go into private session for the purposes of
18 security of the witness and I put that on public record.

19 Please proceed, Mr Cayley.

14:29:33 20 MR CAYLEY: May it please the Court:
21 Q. Witness, when did the disarmament process commence for you
22 in Sierra Leone?

23 A. The disarmament process that I can remember was in 2001.

24 Q. And I am right in saying that the requirement for you
14:30:05 25 within that disarmament process was to hand over your weapons and
26 ammunition to representatives of the international community, is
27 that right?

28 A. Yes.

29 Q. And did you hand over all your weapons and ammunition, you

1 personally?

2 A. Yes, the one I had I handed it over to the people who
3 disarmed us.

14:30:42

4 Q. And it is fair to say that during that time period all of
5 the RUF handed over their weapons, right? Their weapons and
6 ammunition, right?

7 A. Yes, the RUF who were in Sierra Leone handed over their
8 weapons.

14:31:02

9 Q. So by the time the disarmament process was completed nobody
10 within the RUF had any weapons or ammunition, right?

11 A. No. In Sierra Leone, yes, but we had RUF groups in
12 Liberia.

14:31:27

13 Q. But within Sierra Leone itself, at the end of the
14 disarmament process none of the RUF members had any weapons or
15 ammunition, right?

16 A. Yes.

17 Q. Now you are aware, aren't you, that the same process of
18 disarmament went on in 1996, aren't you?

19 A. Please repeat.

14:31:47

20 Q. You are aware, aren't you, that the same process that you
21 have just described, this same disarmament process, went on in
22 Liberia in 1996, didn't it?

23 A. Yes, I heard it over the radio, but I was not there then.

14:32:12

24 Q. And you are aware that the NPFL forces of Mr Taylor were
25 required to disarm, the LPC was required to disarm and the LDC
26 were required to disarm. You know that, don't you?

27 A. Say again?

28 Q. You are aware that during the disarmament process in
29 Liberia the LPC were required to disarm, the LDC were required to

1 disarm and the NPFL were required to disarm, weren't they?

2 A. Well that was what I learnt, but I was not there for their
3 disarmament.

14:32:51

4 Q. But you learnt that in essence the armed forces that had
5 been present in Liberia had been disarmed in 1996, right?

6 A. Yes.

7 Q. And you see as a result of that disarmament process,
8 Mr Taylor and the NPFL they didn't have any weapons, did they?

9 A. I didn't know if they had weapons.

14:33:15

10 Q. But you would accept, wouldn't you, that if they disarmed,
11 as you have agreed, as you did in Sierra Leone, the NPFL and
12 Mr Taylor wouldn't have any weapons if they had handed them all
13 to the international community, would they? It is logical, isn't
14 it?

14:33:34

15 A. No, I cannot conclude like that, because I know in Sierra
16 Leone we disarmed, but for Liberia I don't know about them. I
17 don't know if they disarmed completely and so I cannot tell you
18 that they disarmed. I heard over the BBC that they were
19 disarming in Liberia, but I didn't know if Mr Taylor's men
20 disarmed completely.

14:33:53

21 Q. Because the point is this. Mr Taylor and the NPFL had
22 disarmed and if they had disarmed Mr Taylor would not have any
23 weapons to send to the RUF, would he, after 1996, if he didn't
24 have any weapons of his own, would he?

14:34:17

25 A. That is why I told you that I don't know if Mr Taylor's men
26 disarmed completely, I don't know about that, and Mr Taylor never
27 came out in the open and said that he disarmed to ECOMOG.
28 I don't know.

29 Q. I want to ask you a few questions about evidence that you

1 gave yesterday concerning the UN peacekeepers and I want you to
2 direct your mind to May of 2000. Can you do that for me?

3 A. Yes, I will do that for you.

14:34:59

4 Q. To recap on your evidence, I think I am right in saying
5 that you stated to the Court that in May of 2000 the RUF arrested
6 and detained a number of UN peacekeepers in Sierra Leone. Is
7 that right?

8 A. Yes.

14:35:20

9 Q. And you stated that Issa Sesay was asked by Mr Taylor to
10 hand over those UN peacekeepers to him in Monrovia. Do you
11 recall that evidence?

12 A. Yes, I recall the evidence.

13 Q. And you explained how these UN peacekeepers were stripped
14 naked and eventually taken to Foya, do you recall that?

14:35:40

15 A. Yes, that is what I said.

16 Q. And I think you then explained that a helicopter came from
17 Monrovia and you say it dropped off ammunition, then picked up
18 the UN peacekeepers and returned to Monrovia. Do you recall that
19 evidence?

14:35:57

20 A. Yes, I recall the evidence and it is true.

21 Q. Now, witness, were you aware that the Secretary General of
22 the United Nations, Mr Kofi Annan, personally requested Mr Taylor
23 to intervene in the arrest of these UN peacekeepers? Were you
24 aware of that?

14:36:21

25 A. No, I was not aware of that.

26 Q. Were you aware that Mr Taylor personally worked with ECOWAS
27 to secure the release of these UN peacekeepers? Were you aware
28 of that fact?

29 A. Repeat.

1 Q. Were you aware that Mr Taylor worked personally with ECOWAS
2 in order to secure the release of these individuals?

3 A. No, I was not aware personally that Mr Taylor worked with
4 other authorities for the release of the UN. I didn't know about
14:37:02 5 that.

6 Q. And you were not aware, were you, either that resulting
7 from international requests Mr Taylor sent a former Foreign
8 Minister, Mr Cooper, a former Foreign Minister of Liberia, to
9 Freetown to negotiate the release of these UN peacekeepers? You
14:37:22 10 were not aware of that fact either, were you?

11 A. No.

12 Q. And I think finally on this point you were not aware
13 either, were you, that the helicopter that was sent to pick up
14 these individuals in Foya was a UN helicopter? You were not
14:37:36 15 aware of that fact, were you?

16 A. No, it was not a UN helicopter. I was not aware that it
17 was a UN helicopter. It was Mr Taylor's helicopter that they
18 used to collect those people.

19 Q. Witness, you are lying when you say that. It was a UN
14:37:55 20 helicopter and it didn't contain ammunition, did it?

21 A. I am not telling lies. It was Charles Taylor's helicopter
22 that came and received those people from Foya.

23 MR CAYLEY: Now, finally, if the witness could be shown the
24 bundle again:

14:38:39 25 Q. Just a final question on the UN peacekeepers. Can you tell
26 the Court where you were when the men in Foya - the UN
27 peacekeepers - were picked up by the helicopter? Where were you
28 at the time?

29 A. I was not in Foya. I was in Makeni.

1 Q. So you were very far away, weren't you, from the site where
2 these UN peacekeepers were picked up from?

3 A. Yes, I was far from them where they were taken to, that was
4 Foya, but all the information that led to their release I had it
14:39:17 5 in my file.

6 Q. You personally did not witness the helicopter coming to
7 Foya and picking up these UN peacekeepers, did you?

8 A. No, I was not there.

9 Q. Now --

14:39:31 10 A. But there was a message to the effect that the helicopter
11 had come to Foya to receive them. To receive the UN peacekeeping
12 force.

13 Q. If you could please turn to tab 20. Now, witness, when you
14 get to the document I will explain to you what it is. Now, if
14:40:10 15 you could turn to page 4 of 12 you will see the numbers in the
16 bottom right-hand corner. Now, what this document is it is a
17 record of all of the payments made to you by the Office of the
18 Prosecutor. Do you understand that?

19 A. I have not seen it clearly.

14:40:51 20 Q. Well, let me just explain to you what it is. It is a
21 record of all of the payments that have been made to you by the
22 Office of the Prosecutor?

23 A. I am seeing the document.

24 Q. It is a record of all of the payments made to you by the
14:41:24 25 OTP. Do you understand what I am saying?

26 A. This is not a payment to me. It is transportation that
27 I am seeing, or other things that I would use to come. It was
28 not a payment made to me directly.

29 Q. I don't dispute that at all, the money you were paid for

1 transport and subsistence while you were giving statements. I am
2 not disputing that, witness. Do you understand? I accept that.
3 Do you hear me, witness?

4 A. Yes, I heard that. Go over the question. What is this?

14:42:06 5 Q. Can you look at paragraph 15, number 15?

6 A. I am seeing it.

7 Q. "... January 26, 2006 ... Accommodation, meals, assistance,
8 and top up card for the next two days that this witness is
9 assisting us", and you were paid 100,000 Leones. Now, on this

14:42:29 10 day you were not giving a statement to the OTP. Can you explain
11 what you were doing to assist the OTP on that day?

12 A. I can't remember this date and so I can't recall what I was
13 doing that I did not give statement on this day. I can't
14 remember now.

14:42:57 15 Q. Next one down, 16:

16 "Accommodation, meals, repairs to motor vehicle and to top
17 up phone card for two days that this witness is assisting us".

18 On February 3, 2006, you are not giving a statement,
19 Mr Witness, and I don't believe you were prepping for any
14:43:17 20 evidence that you were going to give. Do you know what this
21 particular payment was for?

22 A. Yes, I know, because where I was it is far from Freetown
23 and so if I came to Freetown, if I moved with a vehicle to come
24 to Freetown, or if I used my personal motorcycle, if anything was
14:43:40 25 wrong with it they will take the responsibility, feeding and
26 other things for me.

27 Q. But the first time you gave a statement to the OTP in 2006
28 was in October. Did it take you from February to October of 2006
29 to travel to Freetown from where you live?

1 A. Are you talking from this document?

2 Q. From this document.

3 A. Which part of this document?

14:44:25

4 Q. 16. You were paid 250,000 Leones on February 3, 2006. Do
5 you see that?

6 A. Yes, I see.

14:44:50

7 Q. From my understanding - and I can be corrected on this if
8 I am wrong - there was no statement taken in 2006 until October
9 of that year, so why did the OTP make this payment to you in
10 February? What were you doing with the OTP in February?

14:45:16

11 A. Most of these payments I cannot say I remember the dates or
12 times that I came to Freetown, but I used to come to Freetown
13 frequently. Any time I was called I would come and they were
14 responsible for my transport fare, feeding and other things. So
15 I don't know the dates and times that they took statements from
16 me and so I cannot confirm this to you, whether this time they
17 failed to take statement from me or not, I don't know.

14:45:47

18 Q. Let us look at paragraph 17, the next page, a payment made
19 on 6 February 2006 of 500,000 Leones, "50,000 [Leones] to cover
20 meals and transport. 450,000 [Leones] to cover source
21 information in assisting locating witness for Prosecutors
22 Office". Do you recall which witness you were finding on
23 behalf of the Prosecutor's Office on this occasion?

24 A. Well, I can remember --

14:46:10

25 MR BANGURA: Your Honours, just before the witness answers
26 the question, I don't know what answer he may give, but I am just
27 concerned about him giving an answer which may reveal a name of a
28 witness that is protected. That is my concern.

29 PRESIDING JUDGE: When you give your answer, Mr Witness,

1 whatever it will be, do not name any other people.

2 MR CAYLEY: Your Honour, there is actually a solution I can
3 offer to the Prosecution which was what was done at the ICTY for
4 years in this situation. If we just give him a piece of paper
14:46:47 5 and he writes the name down and then he can show it to us.

6 MR BANGURA: Very well.

7 PRESIDING JUDGE: If you need to mention a name, Mr
8 witness, we will get some paper and have you write it.

9 MR CAYLEY:

14:47:22 10 Q. Could you write down, please, witness, the name of the
11 witness you were finding on behalf of the OTP? Don't mention the
12 name. Don't mention the name. Can you write it down?

13 A. Before ever I can write this name, I don't know if they
14 were looking for a witness. They asked me if I knew this person
14:47:45 15 and I said, yes, I could find the person and I could locate the
16 person, where the person was, but I didn't know whether the
17 person was a witness.

18 Q. Did you locate this person for the OTP?

19 A. This person, I located this person over a week. I could
14:48:08 20 not locate this person, but I could recall the name.

21 Q. So you looked for him but you couldn't find him, or her?

22 A. No, I couldn't see the person because this person they
23 said he - the person was elsewhere and that was out of the
24 country.

14:48:31 25 Q. If you can write it down for us that would be helpful,
26 thank you. (Thank you, Madam President). Now, witness, the next
27 entry at 18, 7 February 2006, "1 night accommodation plus
28 transport and meal to subject whilst assisting us with
29 investigational matters". Now the investigational matters that

1 you were helping the OTP with, was that concerning locating this
2 person whose name you have written on the piece of paper?

3 A. What did you say? I did not get that clearly.

14:50:02

4 Q. The payment at 18, do you see that? 50,000 leones,
5 accommodation, transport and meal, do you see that?

6 A. Yes.

7 Q. Paid to you on 7 February 2006 and I am trying to help you
8 here. Was this money paid to you at the time - the
9 investigational matters that this refers to, are we talking

14:50:22

10 simply about trying to locate this person whose name you have
11 written on the piece of paper?

12 A. This one, I cannot recall this one. This figure, no,
13 I cannot recall. I did not come to Freetown only once and so
14 most of the times I cannot recall now.

14:50:43

15 Q. So, you do not recall what investigational matter you were
16 assisting the OTP with at the time?

17 A. Yes, I can recall that.

18 Q. What was the matter? Can you tell us what the
19 investigational matter was on this date, 7 February?

14:51:15

20 A. Well, this 7 February I cannot recall what I was doing with
21 OTP this 7 February.

22 Q. Let us go to 20. Do you see 20? It is at the bottom of
23 the page.

24 A. Yes.

14:51:38

25 Q. Here again you were given payment for three nights'
26 accommodation, three days meal, transport and three days top up
27 card, again assisting with an investigational matter. Again you
28 were not giving a statement to the OTP on this day, as far as
29 I know from the statements that have been disclosed to me, so can

1 you explain to the Court what you were doing with the OTP in
2 April 2006 in order to be paid 150,000 Leones?

3 A. This is not a payment. You yourself have mentioned
4 accommodation, feeding, transport. I don't think I will refer to
14:52:26 5 this as payment for me, no.

6 Q. What I am asking you is what were you doing at this time?
7 I don't dispute what the payments were made for, but what I am
8 asking is what were you doing because you were not giving a
9 statement to anybody on this day? If you can't recall, we can
14:52:54 10 move on. Do you not recall?

11 A. I can't recall.

12 Q. If we could now, please, go to paragraph 37 and that is on
13 page 10 of 12, Wednesday 10 October 2007, "Top up card and
14 repairs to small generator 30,000 plus 30,000", 60,000 Leones.

14:53:39 15 What is the generator that was repaired for you? Is that your
16 generator?

17 A. Well, yes, it was the generator I was using where I was in
18 Freetown.

19 Q. Why did the OTP need to give you money to repair it?

14:54:02 20 A. They used to call me and when they called me if I had
21 anything that needed repair at home they will send a mechanic to
22 go and repair the generator at home, so they will give the money
23 and I will give the money to the mechanic to do the work.

24 Q. Again you were not giving a statement on this date, or
14:54:23 25 anywhere near this date. Was that a regular practice that the
26 OTP would come and repair household items where you were staying
27 in Freetown?

28 A. All the times when they did that they would not just call
29 me to give me money. They will call me to take a statement from

1 me, they will call and ask me if I know this person, if I can
2 show where this person is. Sometimes if I am sick I will be in
3 the hospital, or I will be at the OTP giving them statements.
4 They will not just invite me and give me money because they
14:55:01 5 wanted to give me money.

6 Q. And if you go to the final page you can see the total
7 amount paid to you, the very final page. I think you need to
8 turn - do you see that? It is just one entry, do you see it? Do
9 you have that witness, yes?

14:55:24 10 A. Yes.

11 Q. And I think the OTP alone has paid you 2,615,025 leones in
12 41 payments. Does that sound right to you?

13 A. Yes.

14 Q. And I think aside from this sum - and I unfortunately don't
14:55:47 15 have the figures with me - you have also been paid expenses for
16 your transport and accommodation by the Victims and Witnesses
17 Unit, haven't you?

18 A. Yes, they have been taking care of me. If I was sick they
19 will take care of me, they will feed and accommodate me.

14:56:13 20 MR CAYLEY: May I just turn my back on the Court, your
21 Honour, for a moment? Thank you. I don't have any further
22 questions for the witness, thank you, your Honour.

23 PRESIDING JUDGE: Thank you, Mr Cayley. Mr Bangura,
24 re-examination?

14:56:28 25 MR BANGURA: Yes, your Honour, there will be a few
26 questions in re-examination.

27 PRESIDING JUDGE: Just before you start, Mr Bangura, we
28 have this name. This was adduced by you, Mr Cayley. It will be
29 kept under seal and recorded?

1 MR CAYLEY: Yes, your Honour. I think, yes.

2 PRESIDING JUDGE: You have seen the name, have you, Mr
3 Bangura?

4 MR BANGURA: The Prosecution have seen the name, your
14:57:01 5 Honour.

6 PRESIDING JUDGE: Is it a - I think we all recognise the
7 name, but is this a person who requires protection from the
8 Prosecution?

9 MR BANGURA: Yes, your Honour.

14:57:13 10 PRESIDING JUDGE: In that case this will be kept under
11 seal, Madam Court Attendant. Will we put it in as a defence
12 exhibit, Mr Cayley?

13 MR CAYLEY: Yes, your Honour, I think that is fine.

14 Perhaps, respectfully, might I suggest that we put it in an
14:57:34 15 envelope, seal the envelope and just give it an exhibit number
16 and then it can just remain on the Court file.

17 MS IRURA: Your Honour, I am confirming the Defence exhibit
18 number. Your Honour, it will be Defence exhibit D-2.

19 [Exhibit D-2 admitted]

14:58:29 20 PRESIDING JUDGE: One piece of paper with handwriting D-2,
21 Defence exhibit, to be kept confidentially under seal.

22 I am sorry, Mr Bangura. I interrupted you.

23 RE-EXAMINATION BY MR BANGURA:

24 MR BANGURA:

14:58:55 25 Q. Mr Witness, good afternoon again.

26 A. Good afternoon, sir.

27 Q. Now, in answer to questions from counsel for the Defence
28 you did say that the logbooks which were kept by the RUF were
29 destroyed at the end of the war. Is that correct? Or at least

1 some of the logbooks were destroyed at the end of the war, is
2 that correct?

3 A. Yes, that is what I said.

4 MR CAYLEY: Your Honour, I think that is a slight
14:59:34 5 mischaracterisation of the evidence. I think when you take it in
6 its totality he actually first of all said some were missing,
7 then he said they were destroyed and then he said they were
8 missing again. I think it would be safe to say destroyed and
9 missing would be a fairer way of actually presenting the
14:59:49 10 evidence.

11 MR BANGURA: I will not quarrel with that, your Honour:

12 Q. You said that some of the logbooks were destroyed and some
13 missing in the course of the - some were destroyed before the end
14 of the war - some were missing before the end of the war and some
15:00:07 15 were destroyed at the end of the war, is that correct? Was that
16 not your answer?

17 A. Yes.

18 Q. Now, let us focus on the ones which were destroyed. Why
19 were they destroyed at the end of the war?

15:00:29 20 A. Well first of all let me start with the ones that were
21 destroyed before the war, or in 1996. When the government troops
22 attacked us some of the logbooks got lost, particularly in
23 Zogoda, and those that remained with us during the time of
24 disarmament the RUF was panicked. In fact, we got the
15:01:01 25 information that if they saw people with any RUF document that
26 person would be in trouble. As a result, most of us destroyed
27 some of our logbooks.

28 Q. Now, you said you were panicked and as a result you
29 destroyed the logbooks. Why were you panicked?

1 A. Well, according to what we heard they said they had
2 disarmed already and so if they saw any document that was RUF
3 document they will arrest the person who had that document, so
4 that made most of us in the RUF to be panicked and so we started
15:01:43 5 destroying all the logs that we had. As for me personally,
6 I destroyed mine.

7 Q. Now when you said earlier in your testimony in which
8 counsel asked you questions, you said that logbooks were kept and
9 I believe you said forever, what did you mean?

15:02:10 10 A. It was not forever. I put it in my statement that during
11 the time of our operation we kept these documents for reference,
12 but when we were attacked at times the Kamajors, or government
13 troops, would take it away. Whatever we used we used to keep
14 them, but it got to a point where we could not keep them any
15:02:37 15 longer. Some of us could not keep them any longer up to around
16 this time.

17 Q. Now, counsel asked you questions about diamonds that were
18 taken from Johnny Paul Koroma and which you stated were lost by
19 Issa Sesay. Do you remember that?

15:03:00 20 A. Yes, I can remember.

21 Q. Now simply what was your - you were not there when all of
22 this happened, correct?

23 A. I was not there when all of this happened.

24 Q. What was your source of knowledge about these events?

15:03:23 25 A. Well, when this diamond issue came up Sam Bockarie wrote a
26 message to all RUF stations, that is one, and even when we went
27 to the meeting at Buedu I knew from them and when the delegation
28 came from Buedu to come to Kono I knew about that as well.

29 Q. Thank you. Now, counsel asked you questions about the

1 fighting in Freetown and amongst some of the points that came up
2 was the fact that before the fighters entered Freetown while they
3 were at Waterloo Sam Bockarie had advised them not to enter
4 Freetown. Is that correct?

15:04:24 5 A. Yes.

6 Q. And you gave the reason why he said you should not enter
7 Freetown, is that correct?

8 A. Yes, I gave a reason for that.

9 Q. And you stated that the reason was because your manpower
15:04:42 10 was not sufficient to enter Freetown at the time, is that
11 correct?

12 A. Yes.

13 Q. Did Sam Bockarie discuss any plans that he had about
14 addressing the manpower situation before you could enter
15:04:58 15 Freetown?

16 A. No, after the radio conversation Gullit never had to
17 contact Sam Bockarie again except when we entered Freetown. It
18 was only when we entered Freetown. That was the time he was
19 talking about manpower situation for them to reinforce the troops
15:05:20 20 in Freetown from Waterloo.

21 Q. Thank you. Now, you did say also that one of the reasons
22 why you moved was because ECOMOG was running after you and your
23 firepower had reduced. Is that correct?

24 A. Yes, I said that.

15:05:45 25 Q. Now, what do you mean by when you said ECOMOG was running
26 after you?

27 A. Well, the ECOMOG had more equipment than us. They had
28 armoured tanks, jets and other mortar bombs and so they had
29 heavier firepower than us. So, they chased us and attacked our

1 position. That was the reason why we pulled out of Freetown.

2 Q. Now once you were in Freetown, did Gullit take orders from
3 anybody?

4 A. Yes. Gullit took orders from somebody, who was Sam
15:06:34 5 Bockarie.

6 Q. Thank you. Now in answering questions about disarmament of
7 RUF forces, you stated a short while ago that apart from the -
8 you said that the RUF forces were disarmed at a certain point in
9 Sierra Leone. Is that correct?

15:07:12 10 A. Yes.

11 Q. And do you recall when that was?

12 A. It was in 2001.

13 Q. Any particular month?

14 A. No, I can't recall the month again.

15:07:29 15 Q. You also mentioned that you agreed with counsel that all
16 the RUF in Sierra Leone after the disarmament no longer had
17 weapons, is that not so?

18 A. Yes. Inside Sierra Leone I knew RUF never had weapons, no
19 RUF had weapons again after disarmament, but I told the lawyer
15:07:54 20 that some of the RUF had crossed into Liberia.

21 Q. Now, can you explain what you mean when you say that some
22 RUF in Liberia did have weapons? I know you said they crossed in
23 Liberia, but can you explain that?

24 A. Yes. During the time when we were giving our weapons to
15:08:24 25 the UN, part of these weapons were taken to Liberia by the RUF
26 High Command, together with manpower, and according to what he
27 told us he said, "Mr Taylor said at any time you were talking
28 about peace you should prepare yourself for war". Therefore he
29 said some manpower and some arms should cross over to Liberia to

1 be on standby, because he also had troops that were attacking him
2 day in day out and so they decided to take all the light weapons
3 across to Liberia and manpower. Later Superman and a good number
4 of - or most of all his bodyguards and other fighters were sent
15:09:10 5 to Liberia. That was how RUF managed to get some gunmen in
6 Liberia, but I cannot show the figure.

7 MR BANGURA: Thank you. That will be all for the witness,
8 your Honours.

9 PRESIDING JUDGE: Thank you, Mr Bangura. We have no
15:09:34 10 questions of the witness. Mr Witness, that is the end of your
11 evidence. We thank you for coming to the Court and giving your
12 evidence today and you are now at liberty to leave the Court.
13 I will ask the Court Attendant to assist you to leave.

14 MR BANGURA: Your Honours, may I make the point that some
15:09:49 15 documents were identified, or introduced?

16 PRESIDING JUDGE: Oh, indeed. You are quite right. Please
17 remain, Mr Witness.

18 MR BANGURA: The Prosecution will now move the Court to
19 have these documents marked for identification to be admitted.

15:10:04 20 PRESIDING JUDGE: I apologise. I overlooked that. Yes,
21 please proceed, Mr Bangura.

22 MR BANGURA: Your Honours, for tidiness, just before I make
23 the application to have the first two of the documents admitted,
24 there are the first two extracts from a book which was not itself
15:10:52 25 introduced in evidence by the Prosecution, but Defence counsel in
26 his cross-examination did introduce the book as a whole and,
27 unless I am wrong, it is my understanding that he intends to have
28 the book admitted in evidence which the Prosecution does not
29 object to. I don't know how your Honours would want us to

1 proceed in light of that situation, because --

2 PRESIDING JUDGE: You have marked two pages in particular
3 yourself.

4 MR BANGURA: Yes your Honour.

15:11:33 5 PRESIDING JUDGE: [Microphone not activated] to have those
6 as Prosecution exhibits?

7 MR BANGURA: The two pages, yes, your Honour.

8 PRESIDING JUDGE: That is MFI-42 and 43, I think.

9 MR CAYLEY: No objection, your Honour.

15:11:45 10 PRESIDING JUDGE: MFI-42, which is one page.

11 MS IRURA: MFI-42 is one page, your Honour, and MFI-43 is
12 also one page.

13 PRESIDING JUDGE: Yes, they are being tendered as
14 Prosecution exhibits, Madam Court Attendant. Could you remind me

15:12:09 15 --

16 MS IRURA: Your Honour, the last number was - the number
17 would be P-49.

18 PRESIDING JUDGE: MFI-42 will become P-49 and MFI-43 will
19 be P-50.

15:12:19 20 [Exhibit P-49 admitted]

21 [Exhibit P-50 admitted]

22 PRESIDING JUDGE: Yes, Mr Bangura?

23 MR BANGURA: Your Honours, may I respectfully ask that the
24 document marked MFI-44, which is a UNICEF exercise book, be

15:12:34 25 tendered in evidence.

26 MR CAYLEY: No objection, your Honour.

27 PRESIDING JUDGE: That is MFI-44, one exercise book, will
28 become exhibit P-51.

29 [Exhibit P-51 admitted]

1 MR BANGURA: Your Honours, the next document is a map which
2 was marked MFI-45, a map marked or entitled "AFRC/RUF Primary
3 Radio Locations Mid-1998". May I ask that that document be
4 admitted?

15:13:13 5 MR CAYLEY: No objection, your Honour.

6 PRESIDING JUDGE: MFI-45 a one page map headed "AFRC/RUF
7 Primary Radio Locations Mid-1998" becomes P-52.

8 [Exhibit P-52 admitted]

9 MR BANGURA: And finally, your Honour, the second of those
15:13:34 10 two maps, which is marked MFI-46 and is entitled "AFRC/RUF
11 Primary Radio Locations January 1999", may I ask that that
12 document be admitted?

13 PRESIDING JUDGE: Mr Cayley?

14 MR CAYLEY: No objection, your Honour.

15:13:50 15 PRESIDING JUDGE: MFI-46, a one page map "AFRC/RUF Primary
16 Radio Locations January 1999", becomes P-54. No, P-53. P-53.

17 [Exhibit P-53 admitted]

18 MR BANGURA: Thank you, your Honour. Your Honour, the
19 Prosecution has no other issues in relation to this witness's
15:14:14 20 testimony.

21 PRESIDING JUDGE: Thank you, Mr Bangura.

22 Mr Cayley, you did put some documents in.

23 MR CAYLEY: Yes, your Honour. First of all, we would like
24 the message book exhibited in the Court record in its entirety.
15:14:29 25 That is - I don't know how long it is, but it is a document which
26 begins with ERN numbers 8727 and ends - it doesn't seem to have
27 ERN numbers at the back. Ah, it seems to end with 8000, although
28 there are three more pages attached at the back which don't
29 appear to have ERN numbers on them. Ah, it ends with 8908 as the

1 final ERN number on the back sheet. So, it is 8727 to 8908 and
2 so we would like that exhibited.

3 In respect of the other documents that I used, your Honour,
4 I think it is probably simpler if I wait for Mr Griffiths to
15:15:29 5 return, because those were documents which were actually used
6 with Witness 371 and I think I will probably confuse the record
7 if I end up exhibiting them with this witness.

8 PRESIDING JUDGE: Yes, indeed. Mr Bangura, you have heard
9 the application by the Defence to exhibit this document.

15:15:42 10 MR BANGURA: Your Honour, the Prosecution does not object
11 to the document going in.

12 PRESIDING JUDGE: Thank you. A document, a green covered
13 collection of pages with a green backing numbered from 8727 to
14 8908, will become exhibit D-3.

15:15:59 15 [Exhibit D-3 admitted]

16 PRESIDING JUDGE: That is all matters relating to this
17 witness?

18 MR CAYLEY: Yes, your Honour, thank you.

19 PRESIDING JUDGE: Can I safely release the witness now?

15:16:20 20 Yes. Mr Witness, we thank you again for your evidence and time
21 and you are now free to leave the Court.

22 Yes, Mr Bangura?

23 MR BANGURA: Your Honours, the Prosecution's next witness -
24 I am not calling the witness as yet, but just intimating to the
15:17:21 25 Court - is TF1-548.

26 PRESIDING JUDGE: And what language will the witness use,
27 Mr Bangura?

28 MR BANGURA: Your Honours, may I - your Honours, the
29 witness will testify in Gambian Mandingo.

1 PRESIDING JUDGE: Very well. In that case I will have the
2 witness come. Bring the witness in, please.

3 WITNESS: TF1-548 [Sworn]

4 EXAMINATION-IN-CHIEF BY MR WERNER

15:23:42 5 MR WERNER: Good afternoon, Mr Witness. I am not getting
6 the translation.

7 PRESIDING JUDGE: Mr Interpreter, are you on the correct
8 channel?

9 THE INTERPRETER: Yes.

15:24:04 10 PRESIDING JUDGE: I have heard a reply from the
11 interpreter. Mr Interpreter, could you please interpret what the
12 witness has said in response to Mr Werner?

13 THE INTERPRETER: Your Honour, could the witness repeat his
14 statement again?

15:24:26 15 PRESIDING JUDGE: Please start from the very beginning,
16 Mr Werner, and make life easier.

17 MR WERNER:

18 Q. Good afternoon, Mr Witness.

19 A. I am also greeting you good afternoon.

15:24:41 20 Q. Mr Witness, could you state for the Court your name?

21 A. My name is Suwandi Camara.

22 Q. Are you able to spell your name in English?

23 A. Yes, I can.

24 Q. Please do so.

15:25:05 25 A. S-U-W-A-N-D-I C-A-M-A-R-A.

26 Q. And do you have a nickname?

27 A. Yes, I have.

28 Q. What is your nickname, Mr Witness?

29 A. Suwanzy.

1 Q. Are you able to spell it?

2 A. Yes, I can.

3 Q. Please do so.

4 A. S-U-W-A-N-Z-Y.

15:26:19 5 Q. Mr Witness, what is your date of birth?

6 A. I was born in 1964, 18 February.

7 Q. What is your place of birth?

8 A. I was born in the Gambia, Fondi Bondali.

9 MR WERNER: Fondi Bondali would be F-O-N-D-I B-O-N-D-A-L-I,

15:26:59 10 in the Gambia, as in the state:

11 Q. Do you belong to any tribe, Mr Witness?

12 A. I come from the Mandingo ethnic group.

13 Q. Did you receive any education in the Gambia?

14 A. Yes, I went through some formal education in the Gambia.

15:27:32 15 Q. Which one, Mr Witness?

16 A. I stop at high school.

17 Q. Did you finish high school?

18 A. Yes, I finished high school.

19 Q. What did you do after high school?

15:27:58 20 A. After I finished high school I started work as an
21 agricultural demonstrator. After I finished, four to five months
22 after, I joined the Gambian gendarmie in 1982.

23 MR WERNER: Your Honours, Gambian gendarmie is a French
24 word, gendarmie, G-E-N-D-A-R-M-I-E:

15:28:38 25 Q. Mr Witness, how long did you stay in the Gambian gendarmie?

26 A. I spent five years in the Gambia gendarmie. That is the
27 least amount of service I have in the Gambia then I can quit.

28 Q. And what kind of training did you receive in the Gambian
29 gendarmie?

1 A. In the Gambian gendarmie, police and military training
2 I obtained.

3 Q. For how long did you train?

15:29:37

4 A. I obtained police training for six months and I did army
5 training for six months, totally one year.

6 Q. What happened after that, Mr Witness? What did you do?

7 A. After I finish from gendarmie in 1986 --

8 THE INTERPRETER: Your Honour, the witness is going fast.

9 Can you tell him to slow down?

15:30:01

10 PRESIDING JUDGE: Mr Witness, could you speak a little
11 slower, please, so the interpreter can interpret what you are
12 saying and if you can start again with your answer.

13 THE WITNESS: I said when I left the gendarmie in 1987,

14 I decided to travel to look for greener pastures. I almost -

15:30:49

15 I travelled the whole of West Africa. I came back and went up to
16 central Africa, Cameroon Gabon, I did all those places. From
17 there I went to Libya.

18 MR WERNER:

19 Q. So Cameroon and Gabon are the countries and Libya. When
20 did you go to Libya?

15:31:16

21 A. I went to Libya in 1989.

22 Q. Can you remember the month?

23 A. No, I cannot remember the month, but I know it is the
24 beginning of the year.

15:31:45

25 Q. What did you do in Libya in the beginning of 1989?

26 A. When I went to Libya the first time I was working under one
27 agricultural company. I worked six or seven months in that
28 company. Then in 1989, end of 1989, I went to Tripoli. I did
29 that work at around Sabah area. At the end of 1989 I went to

1 Tripoli.

2 Q. Just pause there, Mr Witness.

3 MR WERNER: So, Sabah, S-A-B-A-H and Tripoli T-R-I-P-O-L-I:

4 Q. What happened, Mr Witness, when you went to Tripoli?

15:33:07 5 A. When I went to Tripoli the first place I stopped - the
6 first company I stopped is my father-in-law's, who was taking
7 care of me. This father-in-law was staying with one man in the
8 same compound. His name is Alhagi Sai kou Jai teh.

9 Q. Thank you, Mr Witness.

15:33:46 10 MR WERNER: Alhagi Sai kou Jai teh would be - the spelling we
11 have is A-L-H-A-G-I, Sai kou S-A-I-K-O-U, Jai teh J-A-I-T-E-H:

12 Q. What happened when you met Alhagi Sai kou Jai teh,
13 Mr Witness?

14 A. When I met Alhagi Sai kou Jai teh they said man was Kukoi's
15:34:26 15 contact man in Libya.

16 PRESIDING JUDGE: What was the name of the person, the
17 contact?

18 MR WERNER:

19 Q. You said that when you met Alhagi Sai kou Jai teh he was the
15:34:42 20 contact man of Kukoi, did you say Kukoi?

21 A. Kukoi Samba Sanyang.

22 MR WERNER: Kukoi Samba Sanyang is a name, so Kukoi
23 K-U-K-O-I, Samba S-A-M-B-A, Sanyang S-A-N-Y-A-N-G:

24 Q. And, Mr Witness, are you able to say when did you - when
15:35:22 25 did Alhagi Sai kou Jai teh tell you about Kukoi Samba Sanyang, when
26 was it?

27 A. Yes, he is one who informed me about Kukoi Samba Sanyang,
28 but his other name is called Dr Manneh.

29 MR WERNER: Dr Manneh would be M-A-N-N-E-H.

1 PRESIDING JUDGE: Which of the two gentlemen is Dr Manneh?

2 MR WERNER: I will clarify that with the witness:

3 Q. Mr Witness, you referred to a person as Dr Manneh. Who
4 are you - what is the other name of Dr Manneh?

15:36:08 5 A. He is Kukoi Samba Sanyang himself.

6 Q. And was it still in 1989 that Alhagi Sai kou Jai teh told you
7 about Kukoi Samba Sanyang?

8 A. Yes, that was the end of the year.

9 Q. What did he tell you about Kukoi Samba Sanyang?

15:36:53 10 A. [Microphone not activated] person who I knew before I came
11 to Libya.

12 Q. What do you mean when you say that you knew him before you
13 came to Libya?

14 A. Kukoi is a Gambian. In 1981 he was the leader of the 1981
15:37:31 15 coup d'etat, which was aborted. Also, he is a person who stood
16 as an MP in our area, national assembly in our area. He stood on
17 the party, my cousin was the leader of that particular party,
18 Sherri ff Mustapha Di ba, in 1970.

19 Q. Can you remember the name of the party?

15:38:15 20 A. The name of the party is NCP. When you are saying it, it
21 is National Convention Party.

22 JUDGE SEBUTINDE: And then the name of the cousin, please?

23 MR WERNER:

24 Q. Mr Witness, can you tell us the name of your cousin that
15:38:38 25 you mentioned?

26 A. His name is Sherri ff Mustapha Di ba.

27 MR WERNER: I have no spelling, but I can try. Sherri ff
28 S-H-E-R-I-F-F, Mustapha the common spelling with "PH", I guess,
29 and Di ba:

1 Q. Did you say Di ba, Mr Witness?

2 A. Di ba.

3 MR WERNER: I would guess D-I-B-A:

4 Q. When did you meet Kukoi Samba Sanyang for the first time?

15:39:34 5 A. Two weeks to three weeks before I saw him when I met in 19

6 --

7 THE INTERPRETER: Your Honour, can the witness repeat his
8 last statement.

9 PRESIDING JUDGE: Mr Witness, could you repeat the last
15:39:52 10 part of your answer, please. It wasn't heard clearly.

11 THE WITNESS: I said I met him in the end of 1989 when we
12 entered into 1990.

13 MR WERNER:

14 Q. Was it the first time, in Libya, that you saw Kukoi Samba
15:40:26 15 Sanyang in your life?

16 A. No, that was not my first time to see him. I said I know
17 him before I went to Libya, but in Libya that was the first time
18 I saw him that year.

19 Q. In your life, when was the first time that you met Kukoi
15:40:50 20 Samba Sanyang?

21 A. I first saw him in 1970s when he stood as an MP in our
22 area, NCP party. During that time when he came to our area he
23 used to [indiscernible] in our compound.

24 Q. To come back to the conversation you had with Alhagi Sai kou
15:41:23 25 Jai teh, what did Alhagi Sai kou Jai teh tell you about Kukoi Samba
26 Sanyang?

27 A. Well, when I talked to Alhagi Jai teh about Kukoi's affairs,
28 he said they were looking for people who will collaborate with
29 them because at that time the government of the day in the

1 Gambia, they want to --

2 THE INTERPRETER: Can the witness please repeat his
3 statement again.

4 MR WERNER:

15:42:15 5 Q. Mr Witness, can you go over that answer again, please.

6 A. I said they were looking for people to collaborate with
7 them. At that time they wanted to go back to our country to oust
8 the previous government.

9 Q. When you say "they" were looking for people to collaborate
10 with them at that time, who are "they"?

11 A. People to collaborate in their party, the party of which he
12 was the leader, by the name --

13 THE INTERPRETER: Can you repeat that, Mr Witness? Your
14 Honour, can the witness repeat the name of the party?

15:43:20 15 PRESIDING JUDGE: The name of the political party again,
16 Mr Witness, please.

17 A. It is not a political party, it is a revolutionary party.

18 PRESIDING JUDGE: Could I have the name of the party?

19 THE WITNESS: The name of the party is called SOFA.

15:43:45 20 MR WERNER: Your Honours, that will be S-O-F-A:

21 Q. Do you know whether SOFA stands for anything?

22 A. SOFA means - it is a Mandingo word: Somebody who succeed.
23 But the difference said it in English, the name is called Special
24 Operational Forces for Africa.

15:44:33 25 Q. At that time do you know who were the head of SOFA?

26 A. The name of the person I was mentioning, Kukoi Samba
27 Sanyang was the leader of the SOFA.

28 Q. So what happened after this conversation with Alhagi Sai kou
29 Jai teh?

1 A. After I talked with Alhagi Sai kou he showed me Kukoi Samba
2 Sanyang.

3 Q. Where did you meet in Libya? Where did you meet for the
4 first time Kukoi Samba Sanyang?

15:45:34 5 A. I met Kukoi the first time in a place called Mahtaba in
6 Tripoli.

7 MR WERNER: So Mahtaba would be M-A-H-T-A-B-A.

8 JUDGE SEBUTINDE: Mr Werner, I am not sure what the
9 interpreter said two questions back. Did he say, "Miss Alhagi
10 saw me Kukoi Sanyang", what did he say? Or introduced me, or
11 what did he mean?

12 MR WERNER:

13 Q. Mr Witness, did Alhagi Sai kou Jai teh introduce you to Kukoi
14 Samba Sanyang after the conversation with Mr Jai teh?

15:46:34 15 A. Yes, when I discussed with him, Alhagi Sai kou, he
16 introduced me to Kukoi Samba Sanyang.

17 Q. Now, you told us about Mahtaba in Tripoli. Can you explain
18 what is Mahtaba?

19 A. Mahtaba is a place that is the leader of the revolutionary
15:47:17 20 party in Libya at that time and anybody who is a terrorist, that
21 is their main office. That is their main office.

22 Q. What was exactly taking place in Mahtaba?

23 A. Mahtaba is a place just like a hotel. It is a lodge where
24 important people and people of the revolutionary and their

15:48:03 25 leaders do host.

26 Q. Can someone take training in Mahtaba?

27 A. Mahtaba, you can do training, but you cannot do it like in
28 a camp.

29 Q. Which kind of training can you do in Mahtaba then?

1 A. I can say - I can take example from my own self. When
2 I entered that place in the house, at that time if I go to Kukoi,
3 in the house, they take me in that house and they show me some
4 mini-guns there, but it is not like you can do combat or physical
15:49:17 5 training in that place because the place is a residence, or just
6 like a hotel.

7 Q. When you said that they can show you some mini-guns, what
8 do you mean?

9 A. Which can be trained inside the house.

15:49:58 10 Q. I will try to clarify.

11 MR MUNYARD: Madam President, I wonder if I heard correctly
12 because I thought I heard the translator say "many guns". It may
13 be that he said "mini", I just don't know, but could we have this
14 clarified from the witness. I don't know what mini-guns are, so
15:50:16 15 if it turns out to be mini-guns I would like that to be explored.

16 MR WERNER: The word does not appear on the screen, so
17 I will go over that again.

18 JUDGE SEBUTINDE: It does. The word on the screen is
19 "mini", M-I-N-I.

15:50:33 20 PRESIDING JUDGE: Please put the question again, Mr Werner.
21 Let us start from the beginning.

22 MR WERNER: I will:

23 Q. There is some confusion, Mr Witness, about your answer.
24 Can you go over that again and tell us which kind of training did
15:50:50 25 you undertake in Mahtaba?

26 A. I said I personally - I can talk about myself because
27 I have trained small guns in Mahtaba. The small guns I am
28 referring to those are the - for example, I was a soldier before,
29 okay? The small guns I was on in Mahtaba, which I train in that

1 place, those are the Chinese guns called AK-47, GMG and RPG.
2 Those are the guns I was shown, but that time. Before that
3 I know the guns before.

4 Q. Thank you, Mr Witness. You said --

15:51:54 5 PRESIDING JUDGE: For the purposes of record, Mr Werner,
6 can we work out what a GMG is, please?

7 MR WERNER:

8 Q. Can you explain to the Court what is a GMG, Mr Witness?

9 A. General Machine Gun.

15:52:30 10 Q. Mr Witness, you said that you met Mr Kukoi Samba Sanyang in
11 Mahtaba. What happened when you met him in Mahtaba?

12 A. When I met him in Mahtaba, Alhagi Saikou Jai teh told me,
13 some week he told me - he repeated the same thing, that is they
14 are looking for people to train them in Libya, that we should go
15:53:17 15 back to our country - the previous government, I am not talking
16 about the present government - to oust the previous government so
17 that we can take over. That was the main issue.

18 Q. Just to clarify because I am not sure it is clear: Who
19 told you that, who told you that?

15:53:41 20 A. I said Alhagi Saikou Jai teh, he was the first person who
21 told me about Kukoi. I came and I met Kukoi. Kukoi told me the
22 same thing.

23 Q. Then what happened after that conversation, Mr Witness?

24 A. During our discussion, after he saw me he want to use me as
15:54:20 25 his intelligence man.

26 Q. Who are you talking about? Who told you that, or told you
27 that --

28 A. Kukoi.

29 Q. Mr Witness, let me finish. Who told you that he wanted to

1 use you as his intelligence man?

2 A. Kukoi Samba Sanyang told me this, Dr Manneh.

3 Q. What happened afterwards?

4 A. I am talking about the same Kukoi man, I am not talking

15:55:00 5 about any other person. After, he told me I will do some
6 training in Libya, but I will do - I personally will do a formal
7 training. The formal training is not like everyday thing. It is
8 some time to time they take me to different soldier camps in
9 Tripoli itself to teach me other things.

15:55:55 10 Q. Before you got to this training, did you join SOFA at any
11 point? Mr Witness, did you hear my question?

12 PRESIDING JUDGE: Mr Interpreter, did you put the question
13 to the witness? Madam Court Attendant, I don't hear anything.
14 Could you please check what is happening?

15:56:51 15 MS IRURA: Your Honour, I will check what is going on.

16 THE INTERPRETER: Yes, I can hear.

17 MR WERNER: Shall I proceed, your Honour?

18 PRESIDING JUDGE: Yes, if you can, Mr Werner. Mr Witness,
19 can you hear the interpreter?

15:57:50 20 THE WITNESS: Yes, I can hear.

21 PRESIDING JUDGE: Please proceed, Mr Werner.

22 MR WERNER:

23 Q. Mr Witness, before you undertook any training in Libya did
24 you join SOFA at any point in time?

15:58:23 25 A. Yes, I was - I accepted SOFA and that was why I did the
26 training because at that time the previous government in our
27 country, I don't like that government. That gave me the energy
28 to put myself in this group.

29 Q. And in Libya, Mr Witness, where did you train?

1 A. I did my training in Tripoli in a camp. I did some
2 training in Benghazi. The other training I went up to Sabah.

3 MR WERNER: I will spell that. Benghazi would be
4 B-E-N-G-H-A-Z-I and Sabah, I believe it was already spelt:

15:59:31 5 Q. Any other locations, Mr Witness, in Libya where you were
6 taught your training?

7 A. Because I did some training for four places, but right now
8 I cannot remember the name of those places.

9 Q. Were you the only one undertaking training at that point?

16:00:04 10 A. My training is a special one because I am the one who was
11 selected - because I have found there are some members in SOFA
12 who have done their training already in Libya itself. Because
13 I was an experienced soldier before, that was why I was given
14 this facility.

16:00:52 15 Q. Mr Witness, who were your instructors?

16 A. My instructors are Libyans, they are Arabs.

17 Q. How did you communicate with them?

18 A. At that time I was already able to speak some Arabic
19 language and also these are people who can try to communicate
16:01:33 20 with me in English.

21 Q. Mr Witness, you said that there were people who had been
22 trained before. Who are you referring to?

23 A. I am referring to the members of my group, called SOFA, who
24 were under Dr Manneh.

16:02:09 25 Q. When did these people undertake training in Libya?

26 A. I heard these people's training they have done it before
27 I came to the place, so I cannot say the actual time factor that
28 is the time they did the training, but I have found that they
29 have done the training already.

1 Q. Did you meet any of them in Libya?

2 A. At that time these members of this group they are all in
3 Libya. They did not go out from Libya.

4 Q. So did you meet any of them in Libya?

16:03:11 5 A. Yes, I have seen some people who are in Libya.

6 Q. Do you remember their names, Mr Witness?

7 A. I can name some people to make it short.

8 Q. Please do so, Mr Witness.

9 A. Jokuday Nyassi, but alias Jackson, Mustafa Jallow, Domingo
16:04:01 10 Ramos was also a member. Musang Yai [phon] was also a member.
11 Yankuba Samateh, alias Yanks Smith, Lamin Campaore and other
12 people.

13 MR WERNER: So Jackson, common spelling:

14 Q. The Gambian name, Mr Witness, can you go over the Gambian
16:04:54 15 name of Jackson?

16 A. The Gambian name is Jokuday Nyassi.

17 MR WERNER: I have no spelling for Jokuday. Nyassi would
18 be N-Y-A-S-S-Y.

19 JUDGE SEBUTINDE: Can the witness spell some of these names
16:05:21 20 if you asked him to.

21 MR WERNER: Yes, your Honour:

22 Q. Mr Witness, are you able to assist us and spell for us
23 Jokuday Nyassi?

24 A. I can try to make it easy for you, J-0-K-U-D-A-Y.

16:05:59 25 Q. Thank you, Mr Witness. Then there was Mustapha Jallow.
26 I am able to assist --

27 JUDGE SEBUTINDE: No, there was a second name apart from
28 Jokuday. Nyassi, how do you spell Nyassi?

29 THE WITNESS: N-Y-A-S-S-I.

1 MR WERNER: The second name was Mustapha Jallow, Mustapha
2 M-U-S-T-A-P-H-A and Jallow J-A-L-L-O-W, sometimes spelt
3 J-A-L-L-O-H. Now, I believe that the witness gave the name of
4 Domingo Ramos: Domingo D-O-M-I-N-G-O, Ramos R-A-M-O-S. He gave
16:07:24 5 the name of Yanks Smith: Yanks is Y-A-N-K-S, Smith S-M-I-T-H.
6 Then he gave the name of Lamin Campaore: Lamin L-A-M-I-N,
7 Campaore is C-A-M-P-A-O-R-E. He may have given some Gambian
8 names:

9 Q. Could you, Mr Witness - I am assisted by my learned friend.

16:08:05 10 Could you help us with the Gambian names of Yanks Smith?

11 A. Gambia name is Yankuba Samateh.

12 Q. Could you spell that name?

13 A. Yes, I can.

14 Q. Please do so, Mr Witness.

16:08:32 15 A. Y-A-N-K-U-B-A, Yankuba. Samateh, S-A-M-A-T-E-H.

16 Q. Thank you, Mr Witness. Mr Witness, did you meet these
17 people, these people you have just named, in Libya, did you meet
18 them?

19 A. I met all these people in Libya.

16:09:42 20 Q. And did they tell you whether they undertook training with
21 some other people?

22 MR MUNYARD: I would like him to be restricted - I would
23 like Mr Werner to be restricted, I mean - to non-leading
24 questions, please. He it was who first introduced in a question
16:10:04 25 some time ago the idea of training. I didn't object then because
26 it was at the beginning of the examination-in-chief and everybody
27 has to get into their stride, but I think now we really have to
28 have a limit on it.

29 PRESIDING JUDGE: Mr Werner, we have been through this

1 leading question matter before. There has not been an objection
2 up to now, but now it has been objected to I will uphold that
3 objection. You are not to lead the witness.

4 MR WERNER: Very well, your Honours:

16:10:33 5 Q. So, Mr Witness, when you met Mustafa Jallow, Musang Yai,
6 General Jackson, Domingo Ramos, Yanks Smith and Lamin Campaore,
7 what did you talk about?

8 A. They told me that they have done some - they have done
9 their training already.

16:10:57 10 Q. And what were they doing in Libya then?

11 A. At that time, I can say they were just waiting to have
12 command to go. They were just waiting.

13 Q. And what happened after that, Mr Witness, in Libya, after
14 you met these people?

16:11:30 15 PRESIDING JUDGE: Strictly, Mr Werner, that is leading as
16 was the previous question, or the one before last.

17 MR WERNER: I am sorry, I just asked the witness what
18 happened after that.

19 PRESIDING JUDGE: It assumes something did happen.

16:11:44 20 MR WERNER: Very well, your Honours:

21 Q. So, did anything happen after you met the people you have
22 mentioned?

23 THE INTERPRETER: He wants you to repeat yourself again.

24 MR WERNER:

16:12:06 25 Q. You said that you met these people and you talked about the
26 conversation you had with them and I asked you did anything
27 happen after that?

28 A. After that I was with these people, but they are the first
29 people who left the place to come to Burkina.

1 Q. Do you know when they left the place to go to Burkina - I
2 am sorry, Burkina. Mr Witness, what are you talking about when
3 you say Burkina?

4 A. I mean they left in 1990, the beginning of the year. That
16:12:57 5 is the time they left to go to Burkina Faso. Burkina Faso is a
6 country which is different from Libya.

7 MR WERNER: It is the spelling of the country, your
8 Honours:

9 Q. Do you know when they left to go to Burkina Faso?

16:13:18 10 A. I cannot remember the month but it was in 1990 year, the
11 beginning of the year, maybe the third or fourth month of the
12 year. Maybe at the beginning of the year.

13 Q. Now, Mr Witness, you told us about Mahtaba and you told us
14 that you met Kukoi Samba Sanyang in Mahtaba. Did you see anyone
16:13:53 15 else in Mahtaba?

16 A. Yes, I saw some people in Mahtaba.

17 Q. Who did you see?

18 A. The man who is sitting who is facing the trial,
19 Charles Taylor. That was the first time I saw him. Kukoi was
16:14:23 20 the person who introduced him to me. I also met Foday. That was
21 my first time to see him before he left Libya, Foday Sankoh. But
22 these are people who I did not greet one another, but because of
23 the relationship they have with my leader, my leader told me
24 these are --

16:15:08 25 PRESIDING JUDGE: Please complete the interpretation,
26 Mr Interpreter.

27 THE INTERPRETER: Your Honour, can the witness repeat his
28 last statement?

29 PRESIDING JUDGE: Mr Witness, can you repeat the last part

1 of your answer, please.

2 THE WITNESS: I said I used to go to Kukoi in Mahtaba.
3 I used to go to Kukoi in Mahtaba. That was the first time - that
4 was the first time for me to see the guy, the man who is facing
16:15:52 5 trial here, Charles Taylor. That was the first time for me to
6 see him. That was also my first time to see Foday Sankoh with my
7 naked eyes.

8 MR WERNER:

9 Q. And do you remember when did you see for the first time
16:16:13 10 Charles Taylor in Mahtaba?

11 A. It was in the beginning of 1990. That was my second time
12 in 1990 when I saw this man.

13 Q. Do you remember when did you see Foday Sankoh in Mahtaba?

14 A. That was also in the beginning of 1990.

16:16:49 15 JUDGE SEBUTINDE: Mr Werner, the question you asked this
16 witness was, "When did you see for the first time Charles Taylor
17 in Mahtaba?", and the answer he gave, "I saw him in the beginning
18 of 1990 for the second time". Are you satisfied with that
19 answer?

16:17:06 20 MR WERNER: I will attempt to clarify:

21 Q. So, Mr Witness, again when was the first time - not the
22 second time, the first time - that you saw Charles Taylor in
23 Mahtaba, if you can remember?

24 A. I said to see him the first time was my second time when
16:17:23 25 I visited Kukoi in 1990. The beginning of 1990.

26 MR MUNYARD: I am sorry, it may just be me, but I am
27 confused by that answer when you set it against the first answer
28 that Justice Sebutinde referred to a moment ago. I wonder could
29 we try, please, to have some clarification?

1 MR WERNER:

2 Q. Mr Witness, you said that you saw Charles Taylor for the
3 first time the second time you visited Kukoi Samba Sanyang. Is
4 that correct?

16:18:22 5 A. Yes, that is what I said.

6 Q. Could you explain what you mean when you said that?

7 A. I said he came and he greeted my leader, Kukoi Samba
8 Sanyang. After he left, when he was going my leader Kukoi Samba
9 Sanyang told me, "This man is Charles Taylor".

16:19:08 10 Q. Thank you, Mr Witness. Now did your leader, Kukoi Samba
11 Sanyang, tell you anything about Charles Taylor in Mahtaba?

12 A. What he told me about him that the group in Liberia, which
13 are in Libya with the training, he is their leader.

14 Q. I am not sure about the sense of that. When you say he
16:20:03 15 told me about him that he is in Liberia which are in Libya with
16 this training, what do you mean? Please go over that again.

17 JUDGE LUSSICK: I think the whole answer was not
18 translated. He said the group that was in Liberia, he was their
19 leader. That is what was said, but that is not what appears on
16:20:26 20 LiveNote.

21 THE WITNESS: I said - I don't say a group in Liberia. A
22 Liberian group in Libya. A Liberian group in Libya. He was
23 their leader. The Liberian group in Libya, he was their leader.

24 MR WERNER:

16:20:49 25 Q. And who is he? Who was the leader of the Liberian group in
26 Libya?

27 A. Charles Taylor.

28 Q. Thank you. Now did your leader, Kukoi Samba Sanyang, tell
29 you anything about Foday Sankoh?

1 A. What did he tell me? What he told me was this
2 Charles Taylor, the Liberian group in Libya he was their leader.
3 That is what he said.

4 Q. So, I will go over the question again.

16:21:38 5 PRESIDING JUDGE: Mr Interpreter, what question did you put
6 to the witness? What name did you put to the witness?
7 Mr Interpreter, did you hear me?

8 MS IRURA: Your Honour, I will confirm. Your Honour, the
9 interpreters are not able to respond from their booth, but they
16:23:40 10 ask counsel to please repeat the question and for the witness to
11 answer again.

12 MR WERNER:

13 Q. Mr Witness, the question was did your leader, Kukoi Samba
14 Sanyang, tell you anything about Foday Sankoh in Libya?

16:24:14 15 A. What he told me about Foday is he is the leader of the
16 Sierra Leone group in Libya who was doing the leadership, but he
17 was not the leader. The first leader was --

18 THE INTERPRETER: Your Honour, can the witness repeat
19 himself again?

16:24:47 20 MR WERNER:

21 Q. Again, please?

22 A. I said Foday Sankoh, at that time he was acting as a leader
23 of the Sierra Leonean group in Libya because Sierra Leoneans they
24 also have a group in Libya. But what my leader told me, who is
16:25:24 25 Kukoi Samba Sanyang, that is Foday Sankoh is a person who is -
26 who was acting as a leader, but he was not the leader. The right
27 leader was Ali Kabbah.

28 MR WERNER: Ali Kabbah. Ali A-L-I Kabbah K-A-B-B-A-H:

29 Q. You were going to - had you finished your answer,

1 Mr Witness?

2 A. No, I am not finished.

3 Q. Please go on.

4 A. This Ali Kabbah he was the leader of the Sierra Leonean
16:26:22 5 group in Libya, but he took some money from the Libyan government
6 which money was given to him for the purpose of the group; the
7 Sierra Leonean group in Libya. He came to Burkina Faso, but when
8 he came to Burkina that was the last time they hear from him.

9 What they heard was he ran away. That time was the time I met
16:27:07 10 Foday. By that time he was not considered as the leader, but he
11 was the coordinator of the Sierra Leoneans in Libya.

12 Q. Thank you, Mr Witness. Now, you said that you saw

13 Charles Taylor in Mahtaba. Now, did you see him again in Libya?

14 A. Yes, after I saw him two times in Libya before they left to
16:27:43 15 come to Burkina.

16 Q. Who left to come to Burkina?

17 A. Charles Taylor and his people left Libya to come to
18 Burkina. Likewise, our people leave Libya to come to Burkina.

19 MR WERNER: I think I heard the witness say "Foday Sankoh":

16:28:14 20 Q. Did you say anything about Foday Sankoh in your answer?

21 A. I said Charles Taylor and his people left Libya to Burkina.
22 He left with Liberians to Burkina. Foday Sankoh also left with
23 the Sierra Leoneans group to Burkina. We also, Dr Manneh, his
24 group - Dr Manneh and his group also left Libya to Burkina, but
16:29:02 25 the first group I was not among.

26 Q. Thank you very much, Mr Witness.

27 PRESIDING JUDGE: Is this a convenient point to adjourn?

28 MR WERNER: It is as convenient as any other time.

29 PRESIDING JUDGE: Thank you, Mr Werner.

1 Mr Witness, we normally adjourn the Court in the afternoon
2 at this time and we start again at 9.30 tomorrow morning. As you
3 have now taken the oath, between now and the time all your
4 evidence is finished you should not discuss your evidence with
16:29:33 5 anyone. Do you understand this?

6 THE WITNESS: Uh-huh.

7 PRESIDING JUDGE: Thank you.

8 THE WITNESS: Thank you very much.

9 PRESIDING JUDGE: Thank you. Court is adjourned.

16:29:44 10 [Whereupon the Court adjourned at 4.30 p.m. to
11 be reconvened at 9.30 am on Friday, 8 February
12 2008]

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-360	3304
CROSS-EXAMINATION BY MR CAYLEY [Continued]	3304
RE-EXAMINATION BY MR BANGURA	3404
TF1-548	3414
EXAMINATION-IN-CHIEF BY MR WERNER	3414

EXHIBITS:

Exhibit D-2 admitted	3404
Exhibit P-49 admitted	3410
Exhibit P-50 admitted	3410
Exhibit P-51 admitted	3410
Exhibit P-52 admitted	3411
Exhibit P-53 admitted	3411
Exhibit D-3 admitted	3412