



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

THURSDAY, 10 APRIL 2008
9:30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Simon Meisenberg
Ms Carolyn Buff

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis
Mr Mohamed A Bangura
Mr Alain Werner
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Terry Munyard
Mr Morris Anyah

1 Thursday, 10 April 2008

2 [Open session]

3 [The accused present]

4 [Upon commencing at 9.30 a.m.]

09:30:08 5 PRESIDING JUDGE: Good morning. No, there are no changes
6 on the Defence bar and no changes on the Prosecution Bar and so
7 if there are no other matters I will remind the witness of his
8 oath and we will proceed. Ms Hollis, you are on your feet.

9 MS HOLLIS: Yes, Madam President, we would note this
09:30:25 10 morning Kirsten Keith is not with the Prosecution and Maja
11 Dimitrova is.

12 PRESIDING JUDGE: Sorry, you're quite right. I overlooked
13 that. I will note that accordingly.

14 Mr Witness, I again remind you as I have done on previous
09:30:39 15 occasions that you are under oath, having sworn to tell the
16 truth, the oath is still binding on you and you must answer
17 questions truthfully. Do you understand?

18 THE WITNESS: Okay.

19 WITNESS: TFI-516 [On former oath]

09:30:50 20 PRESIDING JUDGE: Please proceed, Mr Bangura.

21 MR BANGURA: Good morning, Madam President. Good morning,
22 your Honours.

23 EXAMINATION-IN-CHIEF BY MR BANGURA: [Continued]

24 Q. Good morning, Mr Witness.

09:31:00 25 A. Good morning, sir.

26 Q. We shall continue with your testimony this morning and
27 before we continue from where we left off yesterday, I am going
28 to go back to a few issues on matters that we have already dealt
29 with, okay?

1 A. Yes, sir.

2 Q. Now in the course of your testimony we have introduced into
3 evidence a code chart which you said was in use during the period
4 that Issa Sesay was the leader of the RUF. Is that correct?

09:31:46 5 A. Yes, sir.

6 Q. Now how does that chart compare with the period that
7 Sam Bockarie was the leader of the RUF? Was there a different
8 chart that was used when Bockarie was there?

9 A. Yes, sir.

09:32:09 10 Q. How does the chart which we have introduced in evidence,
11 which is MFI-18 - how does it compare with the one that was in
12 use at the time that Sam Bockarie was leader?

13 A. The promotions in the ranks given to certain top ranking
14 officers.

09:32:36 15 Q. What about them?

16 A. At the time Sam Bockarie was in power when he was the
17 leader of the RUF certain officers whose names I stated in the
18 code chart were not bearing or carrying those ranks as we have in
19 the code for the time General Issa Sesay was in power.

09:33:02 20 Q. Now apart from that indication, the chart which we
21 introduced in court, was it in any way different from the chart
22 which had been in use when Sam Bockarie was leader?

23 A. Yes, sir.

24 Q. How different?

09:33:23 25 A. Some of the phrases - some of the phrases in the code chart
26 displayed yesterday were not in the previous code chart at the
27 time Sam Bockarie was in power of the RUF.

28 Q. Would you like to indicate those that were not in
29 operation, that were not in use at the time Sam Bockarie was in

1 power?

2 A. Yes, sir.

3 MR BANGURA: Your Honours, may I ask that the witness be
4 shown MFI-18:

09:34:22 5 Q. Mr Witness, if you wish to refer us to a page can you just
6 read the seven or eight digit number that is on the page. Eight
7 digits.

8 A. Okay, go to 0001008.

9 Q. Yes.

09:35:09 10 A. Part 6A.

11 Q. Yes.

12 A. Line 2, beginning with General IH Sesay himself. At the
13 time Sam Bockarie was in the RUF Issa Sesay was not a general.

14 Q. Yes, thank you, Mr Witness. We have gone through this
09:35:33 15 before and you have made this indication to the Court. The
16 question which I asked you a short while ago was whether this
17 code chart was different from that which existed in the time of
18 Sam Bockarie and you said some phrases. Could you just lead us
19 to the part of the code chart where those phrases are?

09:36:09 20 A. Yes, sir.

21 Q. Yes. Which page would that be?

22 A. 00009993. That is the beginning.

23 Q. Yes?

24 A. Line 1, 2, 3, 4.

09:36:40 25 Q. And what about those lines?

26 A. For example, "I have".

27 Q. Yes?

28 A. "I will".

29 Q. Yes?

- 1 A. "I am".
- 2 Q. Yes?
- 3 A. "Were".
- 4 Q. What about them?
- 09:37:02 5 A. Before this time there had been no indication like this in
6 the code.
- 7 Q. So these are new phrases that got introduced in the code.
8 Is that what you're saying?
- 9 A. Yes, sir.
- 09:37:19 10 JUDGE SEBUTINDE: Mr Bangura, they were introduced during
11 whose regime?
- 12 MR BANGURA:
- 13 Q. During whose regime were these codes introduced?
- 14 A. General Issa Sesay's regime.
- 09:37:31 15 Q. Thank you. Do you note any part of this code chart that is
16 different from what obtained in Sam Bockarie's leadership?
- 17 A. I have come across some other words here again.
- 18 Q. Which ones? What page?
- 19 A. 0001004.
- 09:38:11 20 Q. Yes?
- 21 A. Like beginning from line 15.
- 22 Q. Yes?
- 23 A. Downwards.
- 24 Q. Right, up to what point?
- 09:38:35 25 A. Up to where you had D-I-D.
- 26 Q. To "did"?
- 27 A. Yes, sir.
- 28 Q. Now these words, what do you have to say about them?
- 29 A. They were not introduced into the code before. They came

1 into the code and when we realised that - and when the commander,
2 the signal unit commander, realised that using two word letters
3 was creating some kind of exposure of the code to the outsiders.

4 Q. Can you explain that again, please?

09:39:14 5 MR ANYAH: Madam President, I am sorry to interrupt. The
6 witness said in respect of this page, "Beginning from line 15."
7 I have counted and I know what my 15 is. I just want to be sure
8 we are on the same line.

9 PRESIDING JUDGE: I understood the witness to say "did" and
09:39:31 10 that's the penultimate line, but I think it would be wise to
11 clarify it to make sure we are all talking about the same word,
12 Mr Bangura, please.

13 MR BANGURA: I will get the witness, your Honour, to say:

14 Q. The area that you wish to show us, Mr Witness, where does
09:39:45 15 it start? You said line 15. What word is at line 15?

16 A. It is A-S.

17 Q. "As" and then it ends where?

18 A. Where you have D-I-D.

19 MR BANGURA: Madam President is right. It is the
09:40:03 20 penultimate line on that page. I don't know whether my learned
21 friend agrees with me.

22 MR ANYAH: I wasn't referring to the last line, 15. I was
23 referring to the first one. He said counting from the top down
24 to line 15 and that corresponded with my "as" and I wanted him to
09:40:19 25 say A-S on the record. That's what my point was.

26 PRESIDING JUDGE: Yes, he has said that now so we have it
27 correctly recorded. Please proceed, Mr Bangura.

28 MR BANGURA:

29 Q. So, for clarity, Mr Witness, we are dealing with the line

1 that has the word "as"?

2 A. Yes, sir.

3 Q. And right down to the line that has the word "did", is that
4 correct?

09:40:40 5 A. Yes, sir.

6 Q. You say these words, two letter words, were introduced for
7 what reason?

8 A. Two letter words and three letter words and certain phrases
9 came into being when the commander of the overall - the overall
09:40:55 10 commander of the signal unit realised that using code to codify
11 some of these two or three letter words was creating some kind of
12 insecurity, or was exposing the code of the RUF.

13 Q. Now, other than these, do you --

14 JUDGE SEBUTINDE: Does this mean that this was also one of
09:41:18 15 the changes from the Bockarie to the Sesay regime?

16 MR BANGURA: That is my understanding.

17 JUDGE SEBUTINDE: Or not necessarily?

18 MR BANGURA: That is my understanding, but I will get the
19 witness to clarify:

09:41:29 20 Q. Now, these two letter words which you have just indicated,
21 what did you say they are? What do you have to say about them?

22 A. The two or three letter words, I am saying that we had
23 representations given to these words because to use code to
24 codify two or three letter words could easily be understood by
09:41:58 25 the opponent and so this came into being really supplying four
26 digits, or four numbers, for just two letters and sometimes four
27 for three letter words.

28 Q. Now, was this the first time that these words came into the
29 chart? These ones that you are referring to? Was this the first

1 time that they were introduced into the chart, the code chart?

2 A. This was not the only code and, of course, codes used were
3 many. In fact, we referred to codes as testament. The code that
4 was in use at the particular time was referred to as the new
09:42:46 5 testament and when that was condemned it was then referred to as
6 the old testament and codes used to be changed.

7 JUDGE SEBUTINDE: Mr Witness, all I really asked to
8 understand is were these changes that you have just described, of
9 these last six words, were they introduced during the
09:43:07 10 Sam Bockarie regime, or during the Issa Sesay regime?

11 THE WITNESS: During Issa Sesay's regime.

12 MR BANGURA:

13 Q. Thank you. Now, do you know when this code came into
14 effect?

09:43:22 15 A. Let me make that part clear, please. Really the
16 introduction of this code like this came into being when we, I
17 mean the RUF, united with the AFRC. When we moved out, the radio
18 operators, we were assigned to the radio stations, to the SLAs,
19 and they showed us a good number of some of the messages we used
09:43:59 20 to transmit during the time we were in the jungle. So, okay,
21 when we retreated to Buedu the commander thought it wise that
22 instead of just using codes to codify two or three letter words,
23 he then instructed us another method to have those two or three
24 letter words codified.

09:44:24 25 Q. Thank you. Now, this code chart which we have, did it keep
26 some of the old codes that you had before?

27 A. Yes, sir.

28 Q. Thank you.

29 A. The military terminologies remained untouched. They were

1 still intact. What had changed was the representation. Let's
2 take for example here you talk about in code here "enemy", let us
3 take for example, or you talk about "launching sound". In some
4 other code it was not 525 as you have in this other code, but
09:45:07 5 another word. It was a different number written against this
6 particular "launching sound".

7 MR ANYAH: I am not sure what page we are on at this point.

8 PRESIDING JUDGE: No, neither am I.

9 MR BANGURA: I will get the witness to say.

09:45:26 10 PRESIDING JUDGE: Mr Bangura will bring in that evidence.

11 MR BANGURA:

12 Q. Mr witness, you have just referred us to an example. You
13 referred us to a page, which page?

14 A. 00010000.

09:45:46 15 Q. And you talked about a code representing the word
16 "launching sound", is that right?

17 A. Yes, sir, line 5.

18 Q. And what did you say again about this code?

19 A. Okay, I said in the previous code chart these military

09:46:07 20 terminologies remained the same. What used to be changed was the
21 representation of these terminologies and sometimes these
22 phrases, these military terminologies. For example, in this code
23 chart you have "525" meaning "launching sound", but in the
24 previous code you still had "launching sound" in the code, but
09:46:37 25 the representation used to be something different from this "525"
26 you have in this code.

27 Q. So, what changed were the codes. Is that what you are
28 saying?

29 A. Yes, sir.

1 Q. Did any codes remain the same in this new chart from what
2 they were before?

3 A. No. No, sir.

09:47:31

4 Q. Thank you. Now, you pointed earlier to page 00010008. Can
5 we go there?

6 A. Yes, sir, I am there.

7 Q. You were going to say something about the leader and the
8 code for the leader. Do you see that?

9 A. Yes, sir.

09:47:43

10 Q. That is under part 6A.

11 A. Yes, sir.

12 Q. Now, the three letters for the leader there, was that the
13 same as before?

14 A. No, sir.

09:47:56

15 Q. And the three letter code for the names of the commanders
16 that you have listed, were they the same as before?

17 A. No, sir.

18 Q. Were they changed in this code?

19 A. Yes, sir.

09:48:09

20 Q. Thank you. Mr Witness, let me take you away from the code
21 now, please. Now, yesterday in your testimony you mentioned the
22 name of a person who you said was a chief at Foya, Pa Taylor. Do
23 you recall that?

24 A. Yes, sir.

09:48:45

25 Q. Now, when you say he was a chief at Foya, what do you mean
26 by chief?

27 A. No, he was a local chief. I was just trying to explain the
28 particular house that 50 was residing when I arrived in Foya.

29 Q. Yes, but what do you mean when you say he was a local

1 chief? What is a local chief, or a chief?

2 A. He was the chief of Foya. He was the chief of Foya.

3 Q. Now, in that situation, or in that area where we are
4 talking of, when you say chief what did you mean? Who was a
09:49:23 5 chief?

6 A. This is no code.

7 Q. No, I am not talking about a code. Just generally, when
8 they refer to somebody as a chief in that area, what do they
9 mean? What did they mean by that person being called a chief?

09:49:42 10 A. That he was a noble man on that land and he had authority
11 over the people of that land.

12 Q. Thank you. Now, yesterday in talking about mining during
13 the 1995/1996 period at Weima, I asked you the following
14 questions and this was your answer. I will just read what you
09:50:18 15 gave us an answer, The question and then the answer.

16 A. Yes, sir.

17 Q. I asked you about mining generally and you said, "The AFRC
18 - there was mining going on in Weima, that was in Tongo district
19 around Paema, or the Paema axis, yes", and I said, "How did you
09:50:54 20 know that there was mining going on in that area?" You said you
21 knew about this, but you did not give any specific response to
22 how you got to know. Do you recall that?

23 A. Yes, sir. 1995/1996 mining was going on around Weima and
24 that was Paema axis and Sam Bockarie was in control - was in
09:51:29 25 power. But Corporal Sankoh was, I mean, based in Zogoda and
26 Sam Bockarie used to report to Corporal Sankoh, the leader of the
27 RUF at that time.

28 Q. Now, how do you know this? That is the question. How did
29 you know this?

1 A. I monitored this information from the radio and
2 Sam Bockarie used to prepare messages concerning mining and those
3 messages were transmitted to Corporal Sankoh in Zogoda.

09:52:10 4 Q. Now, where were you at this time when you monitored the
5 messages that you talk about?

6 A. In Zogoda.

7 Q. And who did you work with at that time?

8 A. It was Zedman who was the station commander and Sergeant
9 Zedman was reporting to Corporal Sankoh, the leader of the RUF.

09:52:36 10 Q. Now, in that period you talk about the AFRC. Were they in
11 office at the time?

12 A. No. No, sir. No, sir.

13 Q. Thank you.

09:52:58 14 A. I spoke of mining during the time of the AFRC and I said it
15 was Captain Moriba who was appointed by Sam Bockarie and Issa
16 Sesay to be in charge of mining in Kono.

17 Q. Yes, I shall come to that shortly. Let's just finish up
18 with mining in Weima.

19 A. Yes.

09:53:24 20 Q. Also I asked you, I said, "Now, during the time the mining
21 itself was going on did you have any information about the
22 activities going on there at Weima?"

23 PRESIDING JUDGE: Mr Anyah.

09:53:45 24 MR ANYAH: I am sorry to interrupt. I have a copy of the
25 transcript. I would be grateful if counsel could point me to the
26 page from yesterday's transcript so I could follow the questions
27 and the responses as well.

28 PRESIDING JUDGE: I see. Are you able to do that
29 practically, Mr Bangura?

1 MR BANGURA: [Microphone not activated].

2 PRESIDING JUDGE: Mr Bangura, your microphone is not on.

3 Can you please repeat for the purpose of the record.

09:54:14

4 MR BANGURA: I can, your Honour, but the numbering I have
5 here may not necessarily coincide.

6 PRESIDING JUDGE: We will give it a try.

7 MR BANGURA: I have got page 7117.

8 MR ANYAH: I have the official transcript. We should have
9 the same page numbers.

09:54:31

10 MR BANGURA: Yes, I believe so. Can you try 7117 and see
11 if we are - and I am reading from line 10.

12 MR ANYAH: Yes, that is fine. I have it.

13 MR BANGURA: Thank you:

09:54:57

14 Q. I read again, Mr Witness. The question was I said, "Now,
15 during the time that mining itself was going on did you have any
16 information about the activities going on there in Weima?" And
17 your answer, "Civilians were captured. The captured civilians
18 were taken to Weima and they were forced to mine." You continue,
19 "They were placed under the armed control. There were armed men
20 providing security for those miners", and I asked you, "Who was
21 organising the mining there at Weima at this time?" You said,
22 "It was Sam Bockarie. Sam Bockarie was the overall commander in
23 Paema at that time."

09:55:19

24 Now the question I want to ask you is how did you know that
25 the civilians were captured and taken to Weima and forced to
26 mine? How did you know this?

09:55:37

27 A. They used to make a report. Sam Bockarie used to make
28 report that at certain point in time that all the civilians had
29 escaped.

1 Q. And who did Sam Bockarie make these reports to?

2 A. To Corporal Sankoh.

3 Q. And how did you know that he made these reports?

4 A. Through the radio and during the time the mining was going
09:56:10 5 on Corporal Sankoh had much attention paid to that particular
6 station. He would come to the station in the morning to find out
7 if the station had resumed.

8 Q. Now, did you yourself - were you yourself privy to this
9 message or communication that Sam Bockarie had with Corporal
09:56:34 10 Sankoh at the time?

11 A. Yes, sir.

12 Q. How were you privy to that communication?

13 A. I used to serve duty and those were stations I communicated
14 with when I was in Zogoda.

09:56:48 15 Q. And so when you were on duty did you see any such message?

16 A. Yes, sir.

17 Q. I refer you next to - I am going to ask you some more
18 questions on mining, this time in Kono, and I am reading this
19 time, for the benefit of my learned friend, from page 7119, line
09:57:25 20 18. Now here you were talking about mining in Kono and this is
21 what I asked you and these are your answers. The question was:
22 "Now during the AFRC period you yourself then went to Kono" and
23 you said, "Yes, sir". I asked, "What sort of mining activity was
24 going on there? What sort of mining was going on there organised
09:57:54 25 by the RUF?" You answer:

26 "There was a man called Captain Moriba who was in charge of
27 mining activities. He was assigned by Sam Bockarie and General
28 Issa Sesay. He was sent to Kono to represent the RUF. There
29 were certain demarcated pits referred to as government pits. In

1 those pits civilians were forced to mine."

2 Do you recall that?

3 A. Yes, sir.

09:58:27

4 Q. Now, first of all, starting with Captain Moriba, how did
5 you know that he was assigned to Kono by General Issa Sesay and
6 Sam Bockarie? How did you know this?

7 A. Several times he prepared a message relating to mining
8 which I transmitted.

9 Q. Who?

09:58:44

10 A. Captain Moriba.

11 Q. He prepared a message relating to mining to be sent to who?

12 A. To General Sam Bockarie.

13 Q. Saying what?

09:59:03

14 A. At one time he had some diamonds and he wanted Sam Bockarie
15 to be informed about it, so he prepared a message to the effect
16 that he had a parcel and he was instructed to move to Kenema to
17 meet him with the parcel he spoke about in his message.

18 Q. Who instructed him to move to Kenema?

19 A. Sam Bockarie. General Sam Bockarie.

09:59:22

20 Q. Now you also mentioned that Issa Sesay - that his
21 appointment was by both Sam Bockarie and Issa Sesay. How did you
22 know that Issa Sesay had a hand in his appointment to Kono?

23 A. At one time before the deployment of Captain Moriba there
24 was a trip made to Kono together with - I mean that was
09:59:47 25 Sam Bockarie together with General Issa Sesay and from that -
26 from there Captain Moriba was assigned and it was clearly known
27 to us that he was representing the RUF in the mining exercise.

28 Q. Now when you say it was clearly made known to you, how was
29 it made known to you?

1 A. He was referred to as the mining commander, Captain Moriba
2 was the mining commander, and in preparing his messages that was
3 to be transmitted that was what we heard in the preamble.

10:00:26

4 Q. Yes, but does that say that you knew that he was appointed
5 in that capacity?

6 A. Yes, sir.

7 Q. How did you know that that was an appointment that he had?

10:00:45

8 A. He said it himself and he was the man we knew who was
9 posted to take care of mining on behalf of RUF. He was the
10 mining commander during that period.

11 Q. Thank you. And then you said also that there were
12 demarcated pits which were referred to as government pits and to
13 which civilians were forced to mine. First of all, how do you
14 know that there were these pits demarcated as government pits?

10:01:06

15 A. In Bakundu where we carried out private mining, myself,
16 King Perry and Moses, there was also another pit just aside of
17 our pit and that was overseen by the mining unit soldiers and
18 Captain Moriba himself used to pay regular visit to that pit.

10:01:32

19 Q. And then you said that civilians were forced to mine in
20 that pit?

21 A. Yes, sir.

22 Q. How did you know that?

10:01:46

23 A. I used to see civilians taken from the street by those
24 armed men who were taking care of that pit and sent into the pit
25 to mine.

26 Q. When you say those armed men, which armed men are you
27 referring to?

28 A. Those who were assigned to work with Captain Moriba.

29 Captain Moriba was not on operating in that unit alone. He had

1 some other armed men operating with him.

2 Q. Thank you. Your Honours, I am moving to page 7120. You
3 were continuing on mining in Kono. I asked you about the - or
4 your answer continued actually - the answer which you started
10:02:48 5 giving that I read from before, it continued and I will just read
6 from the top of page 7120 and you said:

7 "So when the gravel is extracted you enter into a share.
8 That is two equal portions, one for the labour and one for the
9 expenditure. But that was unlike the type of mining that was
10:03:08 10 going on wherein Captain Moriba was in control."

11 Then I asked you: "Now where Captain Moriba was in control
12 what happened in that?" Then you say "Those were government
13 pits. In those pits civilians were forced to mine." And I asked
14 you, "Did they share from the proceeds of the mining?" You said,
10:03:29 15 "No, it was going into one single pot." Now what did you mean
16 when you said, "It was going into one single pot"?

17 A. It was Moriba who was collecting everything. Gravel
18 extracted from the government pit or a pit referred to as the
19 government pit was not to be shared in any way whatever.

10:03:52 20 Q. And what did Moriba do with what he collected?

21 A. He collected diamonds and those diamonds were reported to
22 Sam Bockarie.

23 Q. Now how did you know that he collected the diamonds from
24 these pits?

10:04:08 25 A. A number of times Moriba met us in the station. I am
26 saying us, myself and the other radio operator Moses, had to
27 communicate with Sam Bockarie, at that time he was in Kenema, to
28 tell him that he had got some stones and he was going to move to
29 his location with that parcel.

1 Q. And did he say where the stones came from?

2 A. From the mining he was undertaking. He was assigned in
3 Kono to mine purely.

4 Q. Now if I may refer my learned friend to page 7121 and again
10:04:58 5 on mining in Kono. Mr Witness, I am reading from line 9. The
6 question I asked you here was, "Now what about the mining that
7 went on for the government as you call it?" Then your answer
8 was, "Civilians were collected from all angles to mine in that
9 pit willy-nilly." Then I asked you, "And when you say

10:05:25 10 'willy-nilly' what do you mean?" Then you say, "Whether you like
11 it or not you must work." Now how did you know this?

12 A. Sometimes miners were doing minings, they were mining in
13 their private pits, and the soldiers who were taking care of the
14 mining would go to those private mining pits and take them from
10:05:48 15 their private pit and remove them from their private pit and take
16 them to the government pit.

17 Q. How did you know this?

18 A. I saw it myself.

19 Q. Where did you see this?

10:05:59 20 A. In Bakundu.

21 Q. What did you see in Bakundu?

22 A. The taking of civilians from their private pit into the
23 government pit.

24 Q. Were you present there yourself when this happened?

10:06:15 25 A. This is something I saw myself.

26 Q. Now, I refer you to - your Honours, I refer to page 7122,
27 again reading from the top of that page. Now you answer a
28 question there saying, "You will be thrashed. They will flog you
29 mercilessly" and I asked you, "Who would flog you?" You said,

1 "Those who were placed in the mining sector who were in charge of
2 mining" and I ask, "And who were they?" You said, "The
3 authorities, the miners, those who were in the mining unit." I
4 asked, "You have mentioned Captain Moriba" and then you answer,
10:07:08 5 "Captain Moriba was the head, but he had some other securities
6 assigned with him and those were completely armed and they
7 enforced whatever instructions issued by the head."

8 I tried to get you to say whether you yourself witnessed
9 somebody being thrashed yesterday, but it was not clear from your
10:07:38 10 answer whether you did witness this event yourself or such an
11 event yourself. Can you tell us how you knew that miners were
12 thrashed by the members of the mining unit if they refused to
13 mine? How did you know this?

14 A. This is something that happened, I saw for myself.

10:08:05 15 Q. Where?

16 A. In Kono.

17 Q. Yes, where in Kono?

18 A. I did not go to any other mining in - I mean any other
19 mining area I can remember, but in Kono.

10:08:15 20 Q. Yes, but Kono, are you talking of the district or are you
21 talking of a particular area?

22 A. Koidu.

23 Q. In Koidu?

24 A. The axis of Koidu. Koidu is the district headquarter town
10:08:29 25 of Kono.

26 Q. You mentioned in your testimony already about different
27 mining pits in Koidu. Now which one of these pits did you see
28 this happen?

29 A. In Bakundu and sometimes I paid visit to Number 11. Number

1 11, Lebanon, Small Sefadu and even Ngaiya.

2 Q. Now what was the situation that you observed at Bakundu
3 with the thrashing of a miner? What did you observe exactly?

4 A. They spent the rest of the day mining in their private pit.

10:09:05 5 They were about to go home.

6 Q. Who, when you say they?

7 A. The miners. There were a certain group of armed men, those
8 were the RUF who were assigned with Captain Moriba.

9 Q. Yes?

10:09:18 10 A. And those armed men would go to the pit, the private pits,
11 to collect the civilians.

12 Q. Yes, you were saying that they spent the rest of the day
13 mining. Could you continue with what you were saying?

14 A. They spent the rest of the day mining in their private pit,
10:09:37 15 so they decided to go home and whilst going the armed men
16 interrupted their movement and they told them they should join
17 them to work in the government pit.

18 Q. And then what happened?

19 A. They were beaten. They were forced to move into the
10:09:53 20 government pit.

21 Q. You just said they. You are talking of two different
22 groups here. Please be clear?

23 A. The armed men, the security - the armed men who were
24 providing security for that government pit, those were some of
10:10:09 25 their responsibilities, to move in search of manpower to bring
26 them to work in that government pit.

27 Q. Right. And so the armed men, they did what?

28 A. They moved around to get manpower, civilians, to take them
29 from wherever they met them in their private pit and brought them

1 to the government pit to mine.

2 Q. In this particular situation is what I am talking about.

3 You were giving us a description of what happened at Bakundu on a
4 particular occasion. These men had mined and they were leaving -
10:10:49 5 they had mined in their private pits and they were leaving to go
6 home and they were asked by the mining unit personnel to mine for
7 them in the government pit. What happened at that point? That
8 is the question?

9 A. They were forced and they were taken to the government pit
10:11:07 10 to mine.

11 Q. When you say they were forced, how were they forced?

12 A. They were commanded, placed under gunpoint, "move". The
13 civilians were already in panic, so when they saw those armed
14 men, whatever they told them you must have to abide by it. You
10:11:28 15 like it or not. You would see it in their faces really that they
16 were not happy implementing those instructions.

17 Q. Thank you. I move next, for the benefit of my learned
18 friend, to page --

19 JUDGE SEBUTINDE: Mr Bangura, sorry to interrupt, but the
10:11:47 20 record reflects the witness's answer rather incorrectly. I
21 thought I heard him say "they were commanded under gun and told
22 to move", but the record says "they were commanded 'please
23 move'".

24 THE WITNESS: No, I have never used the word "please", no.

10:12:03 25 MR BANGURA: Okay:

26 Q. Mr Witness, you said they were commanded. How were they
27 commanded?

28 A. They told them "move". I didn't soft word like that.

29 Q. Sorry?

1 A. They never used the word "please". "Move" and they took
2 them to the pit. They commanded them to the pit.

3 Q. And in commanding them, what was used to ensure that they
4 obeyed the command? How did they ensure that the miners obeyed
10:12:41 5 the command?

6 A. They were afraid of the gun.

7 Q. But that does not explain it. How did they ensure that the
8 miners obeyed the command?

9 A. The securities used the arm. They used the arm to create
10:13:00 10 panic in them to obey their instructions.

11 Q. Thank you. Now, I was going to go to page 7125 and reading
12 from line 19. Sorry, I will read from line 17. Mr Witness, I
13 asked you this question and these were the answers that came up
14 from you, "Now, my question is what you have just explained

10:13:29 15 about" - sorry, I read again, "Now, my question is what you have
16 just explained about, how mining was organised at Bakundu in
17 relation to government pits, was it different when in Small
18 Sefadu? Was the situation in Small Sefadu any different?" And
19 you answer, "I was in Bakundu really, but what I knew about

10:13:53 20 mining as far, as the government pit was concerned, was that
21 civilians were taken to mine in those pits." I asked you, "Do
22 you know whether the mining unit had representatives in other
23 mining areas?" Your answer, "Yes, sir. Wherever they had
24 government pit there were representatives sent to oversee mining
10:14:16 25 in those areas." Now, how did you know this?

26 A. This man, Captain Mori ba, who was assigned to oversee
27 mining or in charge of mining for the RUF, was not alone. He had
28 so many other RUF soldiers assigned with him and purely to ensure
29 that the mining operation was carried out. The situation I

1 explained about mining in Bakundu was the same kind of situation.
2 The RUF - at that time Moriba did not go to Kono with a single
3 manpower. He relied on the civilians to do the mining.

4 Q. Now, you were at Bakundu, is that correct?

10:15:12 5 A. Yes, sir.

6 Q. Now, the question was how you knew that in other areas
7 where mining was going on the same system which operated in
8 Bakundu also operated in those areas. How did you know this?
9 You were in Bakundu.

10:15:33 10 A. Yes.

11 Q. How did you know that at Small Sefadu, where there was a
12 mining pit, a government mining pit, the same situation occurred:
13 That civilians were forced to mine? How did you know this?

14 A. I have told you before that I also used to - I visited
10:15:52 15 mining places, not only Bakundu. Of course, I was mining in
16 Bakundu, but I was not all throughout in Bakundu. I used to pay
17 visit to the other mining areas like the Number 11 I spoke about,
18 Bakundu, Small Sefadu and at some point in time Ndomahina Street.

19 Q. So when you visited these locations what did you gather
10:16:21 20 from the situation there?

21 A. In the government pits the civilians were forced and they
22 were taken into those pits to mine.

23 Q. Who did you learn this from?

24 A. In all those areas I have named there were deployment of
10:16:38 25 the mining unit personnel.

26 Q. Yes, but then you have not said how you knew about this?
27 You visited those locations, there were mining personnel assigned
28 to those locations, but how did you know it was going on?

29 A. I met them taking civilians to those pits to mine.

1 Q. In which location did you meet this happening?

2 A. Like at Number 11, Small Sefadu.

3 JUDGE SEBUTINDE: There was a name of a street that has not
4 been written in the record.

10:17:19 5 THE WITNESS: Ndomahina.

6 MR BANGURA: Your Honours, Ndomahina is N-D-O-M-A-H-I-N-A:

7 Q. Now, also reading from page 7126, from line 2, I asked you
8 yesterday, Mr Witness, "Now, what happened to the diamonds that
9 were found in the government mining pits, do you know?" You

10:18:08 10 said, "The diamonds were to be reported to the overall mining
11 commander at that time." "And who was the overall mining
12 commander?", I asked. You said, "During the AFRC/RUF regime it
13 was colonel", then you say, "I am sorry, Captain Moriba." Then I
14 asked, "After they reported to him do you know what happened?"

10:18:32 15 Then there was overlapping of speakers and then you answer, "He
16 was to report to General Sam Bockarie." "How do you know this?"
17 You said, "That was the routine. He was appointed by General
18 Sam Bockarie. Whatever appointment you had was made by the head
19 and any proceeds, let us say, realised from that venture must
10:19:00 20 have to be reported to the head." Now, when you said that was
21 the routine, what do you mean?

22 A. That was why he was assigned in Kono: To oversee mining,
23 collect diamonds and take it to General Sam Bockarie.

24 Q. So the routine - what do you understand when you said the
10:19:21 25 routine? What do you mean? What do you understand from routine?

26 A. At the time he was assigned there his duty was to trip,
27 extract gravel, wash it, collect diamonds and take it to
28 Sam Bockarie.

29 Q. How do you know that these were specifically the

1 responsibilities that he had in that position?

2 A. He was given the responsibility. He was assigned to mine
3 and I have said that a number of times he met me to communicate,
4 to transmit message that he had got some stones and the parcel
10:20:00 5 was to be taken to Sam Bockarie. I was a radio operator. I used
6 to communicate messages more for the officers and that was my
7 duty.

8 Q. Right. Now, I referred to page 7131 and reading from line
9 12. Now, we further discussed mining after the intervention
10:20:29 10 period in Kono and these were the questions I asked and these are
11 your answers. The question here is, "So when next was mining
12 organised again in Kono after you had retreated?" Your answer
13 was, "When ECOMOG was removed from Koidu and Kono." "When was
14 this?" You said, "This was some time in 1998", and I ask,
10:20:58 15 "Early?", and you say, "Late, late 1998." "Now, what was the
16 state of mining at this time?" And you answer, "The mining unit
17 that was in Kailahun was evacuated and sent back to Kono and this
18 time around it was Captain Kennedy, one Captain Kennedy, who was
19 the overall mining commander of the RUF."

10:21:21 20 Further down from line 26 I asked, "Who actually ordered
21 them to go to Kono?", and you said, "It was Sam Bockarie. He was
22 the head. Sam Bockarie instructed Captain Kennedy to cross the
23 Moa River and to go to Kono and establish that mining unit."

24 Over to the next page I ask again, "Do you know which areas
10:21:43 25 of the district, Kono District, that the mining activity was
26 going on at this time?" You answered, "The mining unit was based
27 in a section of Kono that was in the township of Koidu Town
28 itself. There is a section there called Kokui ma."

29 Now, coming back to the appointment of Kennedy, how did you

1 know that he was appointed to go to Kono as a mining commander?

2 A. He had a particular radio set.

3 Q. Who?

4 A. Captain Kennedy.

10:22:20 5 Q. Right.

6 A. He had a particular radio set assigned to him and he made
7 so many calls on that radio reporting about mining that --

8 Q. Now, who was manning the radio for him?

9 A. One operator Augustine.

10:22:41 10 Q. At this time where were you? This was post-intervention.

11 Where were you?

12 A. I have said I spent some time in Sengema before going to
13 Buedu.

14 Q. Okay. Yes, continue?

10:22:55 15 A. I spent some time in Buedu before - I am sorry, in Sengema
16 before going to Buedu, but from Buedu, I used to communicate with
17 Augustine from Buedu.

18 Q. Right. What did the communication you had with Augustine
19 indicate about the position of Kennedy? What did you learn from
10:23:21 20 his communications?

21 A. Not only his communications about diamonds, but
22 Sam Bockarie several times ordered Kennedy to report to his
23 location upon his messages. I mean Kennedy's messages about
24 diamonds, that he had got some diamonds. Sam Bockarie would
10:23:41 25 order Kennedy to report to his location with the diamonds.

26 Q. How did Bockarie order Kennedy to report to his location?

27 A. Through the radio.

28 Q. When you say his location, which location are you referring
29 to?

1 A. That was Buedu. That was Buedu. That happened until a
2 certain time in 1998 when Kennedy involved in malpractices and he
3 was mercilessly beaten and removed from the mining unit.

10:24:23 4 Q. How did you know this? You said Kennedy was involved in
5 malpractices and he was mercilessly beaten and removed. How did
6 you know this?

7 A. The report was sent against him.

8 Q. By who?

10:24:40 9 A. There were IOs, Intelligence Officers, and Captain Kennedy
10 was accused of taking diamonds in his personal coffer, so he was
11 prosecuted and turned over to the MP. There was he flogged by
12 the Military Police.

13 Q. How do you know this?

14 A. The Intelligence Officers sent information about Kennedy.

10:25:03 15 Q. Who did they send the information to?

16 A. To Sam Bockarie.

17 Q. How did you get this information yourself? How did you
18 access this information yourself?

10:25:18 19 A. Through the radio. The message came and it was recorded.
20 We went through this message in the incoming message book.

21 Q. What time was it that Kennedy you say was involved in some
22 malpractice, do you recall?

23 A. I think some time in 1999.

10:26:08 24 Q. Okay. Now during the mining period, during the post
25 intervention period of mining, you have said that you were not in
26 Kono. Is that right?

27 A. During the time of --

28 Q. After the intervention the mining that went on in Kono, you
29 were not there?

1 A. No. No, sir.

2 Q. Now how did you follow what was going on in Kono during
3 that period regarding mining generally?

10:26:46

4 A. Through the radio we heard people coming from Kono to
5 Kailahun buying materials and back, gave us information, we
6 collected information on the radio. And there was an operator
7 Augustine, like I said, who was giving us detailed information
8 about activities as far as mining was concerned.

10:27:11

9 Q. Okay, thank you. Now I refer finally to page 7132 and this
10 is mainly for purposes of clarification. I refer to lines 11 and
11 12. I asked you, Mr Witness, yesterday the question, "And where
12 was mining going on within the district?" Your answer was, "All
13 over Kono, the township of Koindu"?

14 A. Koindu. It should be K-O-I-D-U, Koindu.

10:27:41

15 Q. Okay, not Koindu?

16 A. Not Koindu.

17 Q. Thank you?

10:27:53

18 A. Koindu is in Kailahun District. Koindu which is the
19 headquarter town of the district of Kono is what I am referring
20 to here, Koindu.

21 Q. Now you say further down on page 7132, I am reading from
22 line 27, I asked you, "First of all how was mining organised at
23 this time?" Your answer was, "During that time mining was
24 centralised. It was only the mining unit that had the authority
25 to mine." What did you mean by this?

10:28:19

26 A. At this time it was only government mining that was taking
27 place.

28 Q. What do you mean by government mining? Can you be clear?

29 A. Mining that was only organised by the RUF was the type of

1 mining that was going on at that time.

2 Q. And what did that mining entail? How was it organised?

3 A. That mining unit was the only unit at that time doing
4 mining in Kono. I used to ask Augustine, because this Augustine
10:28:58 5 I am talking about once lived in Kono, we were there in Kono, I
6 used to ask him to tell me the situation. He said to even find
7 civilians around is difficult. He said but they were mining -
8 they were controlling the civilians who were placed under the
9 mining unit to mine, to mine diamonds.

10:29:19 10 Q. How different was this system from what was there during
11 the AFRC period that you were also in Kono?

12 A. During AFRC period civilians were scattered about. They
13 were everywhere. So they would be grabbed from other pits to
14 come and mine in the government pit, but after the incursion, or
10:29:45 15 let's say the invasion of Kono by the ECOMOG, a good number of
16 civilians fled Kono. So when the RUF took Kono again those
17 civilians were not there. So here now those who were taken from
18 Kailahun and sent to Kono to mine were provided security by the
19 RUF mining unit.

10:30:13 20 Q. Now you just mentioned that when the ECOMOG - just let me
21 get your exact words. You said, "When the invasion of Kono by
22 ECOMOG a good number of civilians fled", when was this?

23 A. That was in 1998.

24 Q. About what time in '98?

10:30:45 25 A. It was in early 1998. I think some time in March or April.

26 Q. Okay. Then you talk about the - you said Kono was taken,
27 the RUF took Kono again. Do you know when this was?

28 A. Yes, sir.

29 Q. When was this?

1 A. That was in 1998. Late 1998.

2 Q. And you say it was after this period that mining became
3 organised in the form that you have described?

4 A. Yes, sir.

10:31:34 5 Q. Now you talk about - you talk about people being brought
6 from Kailahun and were provided with security. Who were these
7 people that were brought from Kailahun?

8 A. Before this time there was already - I mean there was a
9 mining unit in Kailahun. In fact, it was alleged that mining was
10:31:57 10 going on in Giema, but I did not go there, I heard of it, and
11 that the mining unit was taken to Giema.

12 Q. Right. Now talking about these people that you say were
13 brought from Kailahun, who were they?

14 A. It was the same mining unit that was in Kailahun that were
10:32:24 15 evacuated from Kailahun to Kono.

16 Q. What was the reason for them being brought to Kono?

17 A. To mine diamonds.

18 Q. Now were they themselves doing the mining?

19 A. They were commanded by the RUF to mine.

10:32:38 20 Q. Now can we be clear. These people that you say were
21 brought from Kono, what was their status? From Kailahun, I'm
22 sorry. What was their status? Were they part of the RUF?

23 A. They were in the mining unit of the RUF.

24 Q. When you say they were in the mining unit, what do you
10:33:02 25 mean?

26 A. The mining unit comprises RUF soldiers with arms and some
27 civilians. Those were not soldiers, but purely tasked with the
28 responsibility to mine.

29 Q. And so these people who were brought over, were they

1 considered members of the RUF, the ones who were not the armed -
2 who were not the RUF personnel providing security, were they
3 considered members of the RUF?

4 A. They were civilians.

10:33:36 5 Q. Thank you. You have said that Kennedy was the mining
6 commander in Kono and he would report to Issa Sesay - I'm sorry,
7 Sam Bockarie the proceeds of the mining that went on in Kono.
8 How often was this? How often would he report to Sam Bockarie?

9 A. When gravel was extracted and washed he would inform
10:34:22 10 Sam Bockarie about diamonds and Sam Bockarie in response would
11 tell him to report to his location at Buedu.

12 Q. Yes, but how often did this happen?

13 A. Sometimes after a month, sometimes after two weeks.

14 Q. How did you know this?

10:34:48 15 A. In fact, Kennedy used to come to Buedu.

16 Q. Did you see him in Buedu?

17 A. Yes, sir, I knew him very well and he knows me very well.

18 He used to come from Kono and we met in Buedu. And there was a
19 man there called Eddie Kanneh. When Kennedy came from Kono with
10:35:13 20 diamonds and reported to Sam Bockarie - in fact before his
21 arrival he would inform Sam Bockarie that he was on the way
22 coming with some parcels and --

23 Q. But how would you know this?

24 A. Through the radio.

10:35:25 25 Q. Right.

26 A. The message was transmitted from Kennedy's radio about
27 diamonds and that he was on the way to Sam Bockarie's location up
28 in Buedu with diamonds.

29 Q. And when he came to Buedu what would happen?

1 A. After that Sam Bockarie would call Base 1 and inform the
2 radio operator about - Sam Bockarie would talk to 50 from Base 1
3 and inform 50 about the movement of Eddie Kanneh to his location;
4 that Eddie Kanneh was travelling to meet him with the parcel and
10:36:04 5 "parcel" means diamonds.

6 Q. Now before we talk about communications between
7 Sam Bockarie and Base 1 and parcels going across to 50, when
8 Kanneh - when Kennedy came on these - when he came from Kono how
9 do you know that he brought diamonds to Sam Bockarie? Were you
10:36:33 10 there when those diamonds were handed to Bockarie?

11 A. He had already sent a message to the effect, so when we saw
12 him in Buedu we deduced the fact that he was there with the
13 diamonds he spoke about.

14 Q. And then you said that the diamonds which were brought to
10:36:49 15 Sam Bockarie were - what happened to those diamonds? What did he
16 do with them?

17 A. There was a man called Eddie Kanneh. He was the one
18 Bockarie used to instruct to go to Liberia and before his
19 departure Bockarie would inform Base 1 and sometimes 020 about
10:37:12 20 the movement of Eddie Kanneh with the parcel.

21 Q. How did you know this?

22 A. At that time in fact we had diamond in the code and Eddie
23 Kanneh's name was in the code and the message would be prepared
24 to that effect and transmitted before his departure. And then
10:37:33 25 when Eddie Kanneh arrived in Monrovia he would acknowledge that
26 he had arrived.

27 Q. Who would acknowledge?

28 A. Eddie Kanneh himself.

29 Q. How would he acknowledge?

1 A. He sometimes called from Base 1 and sometimes from 020.

2 Q. What would he say when he called?

3 A. That he had arrived, but at times he had not yet seen with
4 the chief.

10:38:04 5 Q. Did you yourself send any of those messages to either
6 Base 1 or 020 about the movement of Eddie Kanneh?

7 A. Yes, sir.

8 Q. How many times did you send any of those messages?

9 A. I cannot really say five times or two times or so. I
10:38:26 10 cannot be precise on that, but I can remember sending messages
11 relating to the movement of Eddie Kanneh to Monrovia.

12 Q. And to which radio did you send such a message?

13 A. To call sign 020 and to Base 1.

14 Q. And what did you state in - if you recall just one of those
10:38:48 15 messages what did you state in the message?

16 A. That Eddie Kanneh was en route with parcels to meet the
17 chief, because that was what Sam Bockarie would say; that Eddie
18 Kanneh, he had a code name, was en route with the parcel and
19 thereafter upon his arrival we would be informed that he was in
10:39:13 20 Monrovia.

21 Q. Do you know who Eddie Kanneh went to see when he went to
22 Monrovia with the parcel?

23 A. Sam Bockarie stated or told us that Eddie Kanneh was moving
24 to see with his chief, Charles Taylor.

10:39:31 25 Q. Who told you that?

26 A. Sam Bockarie.

27 Q. When did Bockarie say that to you?

28 A. In Buedu. Bockarie did not hide any secret from us, the
29 radio operators.

1 Q. How many times did Bockarie tell you that?

2 A. So many times.

3 Q. When you say so many times, on which particular occasion?

10:39:55

4 A. When Eddie Kanneh was about to travel the message would be
5 transmitted and when he went to Monrovia Sam Bockarie would
6 coordinate his movement. He enquired persistently to know how
7 far he had stopped.

8 Q. Who would enquire?

9 A. Sam Bockarie.

10:40:12

10 Q. Enquire from who?

11 A. From 020, from Base 1.

12 Q. About the movement of?

13 A. Of Sam Bockarie - I'm sorry, of Eddie Kanneh.

10:40:26

14 Q. And about what period are we talking of? What time period
15 are we talking of here?

16 A. I would say 1999.

17 Q. Now, was it only Eddie Kanneh who went with diamonds to
18 Liberia?

10:40:54

19 A. At some point in time he travelled together with Captain
20 Kennedy himself. When Captain Kennedy reported that he had got
21 some diamonds from Kono, Sam Bockarie ordered him to meet him in
22 Buedu and when he arrived at Buedu the two of them proceeded to
23 Liberia. They arrived at Monrovia and they contacted us in Buedu
24 that they were in Monrovia.

10:41:17

25 Q. Say again, which two went to Monrovia together?

26 A. Captain Kennedy, the overall mining commander of the RUF at
27 that time, and Sam Bockarie.

28 Q. How did you know this?

29 A. I was on the ground, I mean to Sam Bockarie's residence

1 there in Buedu, when they took off.

2 Q. How did you know that they went to Liberia?

3 A. When they arrived at call sign 020 the station in Buedu was
4 contacted and we knew they had arrived in Buedu - I am sorry, in
10:41:55 5 Monrovia.

6 Q. How do you know that at this time they were taking diamonds
7 with them?

8 A. Kennedy had informed Sam Bockarie that he had got some
9 diamonds and Sam Bockarie ordered him to report to his location
10:42:13 10 in Buedu. When Kennedy came to Buedu, together with
11 Sam Bockarie, they left for Monrovia.

12 Q. Now, on this occasion do you know who they went to see in
13 Monrovia? Were you informed?

14 A. Sam Bockarie stated that he was going to talk to his chief,
10:42:34 15 his chief, Charles Taylor.

16 Q. Now, apart from Bockarie going with Kennedy on this
17 occasion, did he go with anybody else to Monrovia with diamonds,
18 do you recall?

19 A. Eddie Kanneh and Kennedy at that time.

10:42:57 20 Q. Well, when you say Eddie Kanneh and Kennedy, you have told
21 us about Sam Bockarie and Kennedy, but not Sam Bockarie and Eddie
22 Kanneh. Is that what you are saying?

23 A. Sam Bockarie would travel to Monrovia with Kennedy and
24 Eddie Kanneh.

10:43:20 25 Q. Now, how often did Bockarie travel to Monrovia with Eddie
26 Kanneh?

27 A. That was not often - I mean happening as often as Eddie
28 Kanneh alone travelling to Monrovia.

29 Q. So of the three, Sam Bockarie, Eddie Kanneh and Kennedy,

1 who travelled the most to Monrovia with diamonds?

2 A. Eddie Kanneh.

3 Q. Do you recall how often he would travel to Monrovia with
4 diamonds?

10:44:05 5 A. He moved to Monrovia following the report made by Captain
6 Kennedy and when Captain Kennedy came to Buedu that would affect
7 the movement of Eddie Kanneh to Monrovia.

8 Q. So how often then did Kennedy come and that would trigger a
9 trip to Monrovia by Kanneh?

10:44:37 10 A. I have said this one, that when gravel was extracted - in
11 fact, Sam Bockarie was making a follow up, asking Kennedy to tell
12 him if a tripping is in progress and when that was done he would
13 again ask to know whether the gravel was extracted and how the
14 washing of the gravel was going on. Thereafter Bockarie would, I
10:45:08 15 mean, instruct Kennedy to report to his location in Buedu with
16 the diamonds, because he first reported about the diamonds he
17 collected from the mining and that would now give cause to
18 Sam Bockarie to order him to move from --

19 PRESIDING JUDGE: Mr Witness, you were asked how often?

10:45:32 20 THE WITNESS: I said sometimes after two weeks, sometimes
21 after one month.

22 MR BANGURA:

23 Q. Now, you said you left Buedu in about mid-1999 for an
24 assignment in Liberia. Is that right?

10:45:51 25 A. Yes, sir.

26 Q. Now, while you were in Liberia on this assignment, did you
27 monitor what was going on in the mining sector? What was going
28 on in Kono in mining?

29 A. Still in Liberia I would get information about mining,

1 because I was still operating on the same frequency. I had the
2 same frequency. I used to get in - I mean I used to talk with
3 the same operators there across there.

10:46:30

4 Q. Who did you communicate with on mining activity by the RUF
5 at this time?

6 A. In the year 2000 it was operator Elevation. Operator
7 Elevation.

8 Q. At this time who was Elevation working with?

9 A. Elevation was working with General Issa Sesay.

10:46:50

10 Q. Now, you have already testified that Sam Bockarie left
11 Sierra Leone in 1999. Is that right?

12 A. Yes.

13 Q. End of 1999?

14 A. Yes, sir.

10:47:07

15 Q. After he left did mining continue?

16 A. Yes, sir.

17 Q. Who was in charge of mining after he left?

18 A. General Issa Sesay at that time was the overall mining
19 commander, but the mining commander the operator used to refer to
20 at that time was one Amara Peleto.

10:47:26

21 Q. Where was Issa Sesay based when he took over after
22 Sam Bockarie left?

23 A. He was based in Kono, Koidu. There was a section called
24 Lebanon.

10:47:45

25 Q. What was the state of mining in Kono at this time after
26 Sam Bockarie had left?

27 A. I really was not based in Kono. It was information I was
28 getting from the radio that at that time mining was going on all
29 over the district of Kono, but that miners were deployed all over

1 those mining sites.

2 Q. When you say it was information that you got from the
3 radio, who did you get this information from?

4 A. From operator Elevation.

10:48:27 5 Q. And you say Elevation was working at this time with?

6 A. General Issa Sesay.

7 Q. And where was he based himself, Elevation?

8 A. Elevation was based in a section called Lebanon in Koidu,
9 Koidu Town.

10:48:45 10 Q. What more did you learn about the mining situation at the
11 time?

12 A. In fact, during that time mining and activities was more
13 intensified comparatively.

14 Q. How do you know this?

10:49:07 15 A. They were making reference - operators were giving
16 informations more regularly about, in fact, big, big diamonds.
17 There was a time that one Olso he was promoted to the rank of
18 colonel. Colonel Olso got diamonds almost 50 carat then that
19 Peleto took diamonds that was up to 400 carat, 30 carat, 50
10:49:35 20 carats, just like that.

21 Q. How did you know this?

22 A. I was informed.

23 Q. By who?

24 A. By operator Elevation.

10:49:43 25 Q. Now, when you say by operator Elevation, what sort of
26 communication did you have with Elevation?

27 A. The radio. I got my information through the radio.
28 Somebody talking in the distance and the message is transmitted
29 through the radio and I, operating the radio, would get this -

1 would hear this information.

2 Q. Did Elevation call you to talk to you about diamonds, or
3 was this information which you monitored? Did you get the
4 question?

10:50:24 5 A. No, come up with that again, sir.

6 Q. When you say you learnt much of what was going on in Kono
7 at this time through Elevation, who was a radio operator with
8 Issa Sesay, the question is: Did he talk to you directly, call
9 you and talk to you directly about the mining situation in Kono,
10:50:47 10 or did you simply monitor messages that he was sending?

11 A. I enquired to know about the activity. I was interested in
12 the activity of mining that was going on, so I used to ask him to
13 tell me. Then I said, "I have been authorised to come to this
14 place and you are there. Tell me about the situation." He would
10:51:12 15 explain what was going on.

16 Q. Now, do you know, when Issa Sesay took over, whether
17 diamonds continued to be sent to Monrovia?

18 A. Yes, sir.

19 Q. How did you know that diamonds continued to be sent to
10:51:28 20 Monrovia?

21 A. Eddie Kanneh still used to go to Monrovia and he used to
22 make reference to his movement and he got to Monrovia and
23 reported and told me to inform General Issa Sesay that he was in
24 Monrovia. In fact, at some point in time, I think in Foya, I was
10:51:52 25 in Foya when Eddie Kanneh came together with some white men and
26 he told me to inform General Issa Sesay that he was in Foya and
27 that a team was to collect him from a particular point to General
28 Issa's location.

29 Q. When you say he came with some white men, what did you

1 understand from Eddie Kanneh, or did you learn anything from
2 Eddie Kanneh about what these people came to do?

3 A. According to him the white men were going to talk to
4 General Issa, that they were traders. They were traders. They
10:52:32 5 traded in diamonds.

6 Q. Now, when Eddie Kanneh came to Monrovia at this time, who
7 was he coming to see?

8 A. Eddie Kanneh travelling to Monrovia?

9 Q. Under the leadership of Issa Sesay, you said he continued
10:52:56 10 to come to Monrovia and he would bring diamonds. Who was he
11 coming to see?

12 A. To see the chief, Charles Taylor.

13 Q. How did you know that he continued to come and see the
14 chief?

10:53:07 15 A. Before his movement we received information, or I used to
16 get a message from General Issa's station that Eddie Kanneh was
17 travelling with a parcel to see with the chief.

18 Q. Now, up to what time would you say that diamonds continued
19 to come from Sierra Leone into Liberia?

10:53:31 20 A. Messages about diamonds remained coming.

21 Q. Up until when? Do you recall that those messages --

22 A. Until the last day that I left Vahun.

23 Q. When you say the last day you left Vahun, when was this
24 again?

10:53:51 25 A. That was late 2001.

26 Q. Up until this date that you left Vahun, what was the
27 movement of Eddie Kanneh regarding diamonds to Liberia? What was
28 his movement up until that date, as far as you recall?

29 A. When Foya was captured by the LURD, Eddie Kanneh was using

1 the route of Vahun to go to Monrovia.

2 Q. About what time was this?

3 A. That was during the rainy season of 2001.

10:54:37

4 Q. How did you know that he was using that route, the route of
5 Vahun? How did you know this?

6 A. I spent some time in Vahun. At one point in time he met me
7 in Vahun.

8 Q. What happened there when he met you there?

9 A. In Vahun he was to proceed to Monrovia.

10:54:54

10 Q. Yes, and then how did you know that he was travelling with
11 diamonds at that time?

12 A. Eddie Kanneh, we all knew that that was his own
13 appointment. It was not a secret. This was not any secret.

10:55:17

14 Sam Bockarie used to talk about the movement of Eddie Kanneh,
15 that he was moving with the diamonds to see with the chief and
16 after the movement of Eddie Kanneh then Sam Bockarie sometimes
17 would be called to report to call sign 020 and thereafter he
18 would come with the materials into Buedu. At that time he was
19 there in power.

10:55:39

20 Q. Now on this occasion that you saw Eddie Kanneh at Vahun,
21 did you know beforehand that he was travelling to Monrovia with
22 diamonds?

23 A. Yes, sir.

24 Q. How did you know?

10:55:53

25 A. When we all retreated from Saadu we came to Foya. In Foya
26 - Eddie Kanneh travelled to Foya, but before he could get to Foya
27 we had already got the information that he was en route.
28 Superman was in control. So when he came Superman authorised his
29 men to arrest Eddie Kanneh. He took some diamonds from Eddie

1 Kanneh and Eddie Kanneh grew annoyed. He said, "Okay, if that is
2 what you have done then I will prepare myself to the effect."

3 Eddie Kanneh met me in the radio room and told me to have General
4 Issa Sesay informed that the parcel, the diamonds he gave him
10:56:43 5 were intercepted and taken from him by Superman. So whilst
6 preparing this message Superman heard the conversation in the
7 radio room, he rushed in and intercepted and Superman authorised
8 me to leave the radio and that in fact Eddie Kanneh should not
9 transmit any message on his radio and then I left the radio room.

10 I got up there to the SOD base in Foya.

11 Eddie Kanneh travelled with some of his bodyguards on board
12 Superman's vehicle. Then he left those boys to move to Koindu
13 from Foya with a note telling General Issa that the diamonds had
14 been taken from him by Superman. So when General Issa the got
10:57:31 15 the message in Kono he moved to get to Foya. So when he came to
16 Foya I had to escape because Eddie Kanneh told General Issa that
17 I refused to transmit the message.

18 Q. And do you know what happened when Issa came to Foya after
19 he got this message about the seizure of the diamonds by
10:57:56 20 Superman? When Issa Sesay came to Foya, do you know what
21 happened?

22 A. He came with some other authorities. They were on a
23 meeting. Those were higher ranking officers in the RUF. When I
24 saw General Issa Sesay I decided to conceal, because I was
10:58:18 25 accused. Eddie Kanneh told General Issa that he gave me the
26 message to be transmitted regardless of the situation I have
27 found myself in. If I had forced to transmit that message there
28 was that tendency that I was going to be harmed by Superman
29 before the arrival of General Issa. And from that time he asked

1 me to leave the radio I had no alternative but to leave and that
2 was just what I did.

3 Q. Right. Now you have said that during this period, during
4 the period that Issa was leader, the mining activity in Kono
10:58:56 5 intensified. Is that right?

6 A. Yes, sir.

7 Q. Now I haven't asked you what sort of mining was going on at
8 the time? How was mining organised at the time under Issa?

9 A. What the operators stated, and even those who were coming,
10:59:17 10 when in Liberia we had RUF soldiers crossing into Liberia, Lofa,
11 talking to us and getting back. Even myself, I can remember
12 coming back and returning to Liberia. I used to pay visits.

13 Q. To where?

14 A. To Sierra Leone.

10:59:38 15 Q. Which part [overlapping speakers]?

16 A. I think I had stated this one before that whilst in Liberia
17 I still used to come to Sierra Leone sometimes and return. I can
18 remember at some point in time myself and General 50 travelling
19 to the ferry to meet with General Issa Sesay.

10:59:57 20 Q. Now you said RUF men would come across from Sierra Leone
21 into Lofa. Is that right?

22 A. Yes, sir.

23 Q. And what did you learn from them when they came across
24 about mining in Kono, how was it organised?

11:00:15 25 A. That they were doing mining all over Kono. They had what
26 they called a two pile system. That was one for the government,
27 the RUF deployed all the mining unit personnel in almost every
28 part of Kono. So wherever there was mining they had those
29 personnels deployed. So when gravel was extracted they had one

1 pile for the government and one for the labour. But then the
2 government pile was first to be washed and whatever proceeds was
3 to be collected by the mining unit personnel, if there is
4 something attractive in the government pile there was that
11:01:02 5 tendency for your own personal pile to be confiscated in the
6 interests of the government of the RUF.
7 Q. Now how did you know this?
8 A. Those men who were unfortunate to be in Kono at that time
9 explained the situation to me. I was in constant touch with them
11:01:23 10 getting detailed information about what was going on.
11 Q. And you got this information while you were?
12 A. In Liberia.
13 Q. Specifically where?
14 A. In Foya, in Kolahun, some times in Voijnama.
11:01:45 15 Q. Now you said that there was this two pile system. Now who
16 was actually doing the mining? Who was actually doing the
17 extraction of gravels from the pits?
18 A. It was open. Whoever had the ability to support and
19 extract gravel was given the authority to do so, or was given the
11:02:08 20 chance to do so. But when the gravel was extracted you have to
21 be reminded then that the gravel was to be shared into two
22 portions, one for the RUF and the other for you the organiser.
23 Like I said, there was that tendency that when diamond was found
24 in the government pile your own pile would be taken from you and
11:02:37 25 then allowed to do another tripping.
26 Q. Now earlier you mentioned that there was - in the days of
27 Sam Bockarie you mentioned that they had a government pit which
28 was exclusively mined for the interests of the RUF. Now did this
29 same system operate in the days of Issa Sesay? Do you understand

1 the question?

2 A. Once again.

3 Q. When we talked about mining earlier in the period that
4 Sam Bockarie was leader and Kennedy was in Kono, you talked about
11:03:20 5 mining pits which were government pits. Do you recall that?

6 A. Yes, sir.

7 Q. And you said that mining in those pits was exclusively for
8 the benefit of the RUF. Do you recall that?

9 A. Yes, sir.

11:03:36 10 Q. Now after Issa Sesay became leader and you said that mining
11 intensified, and you have just talked about the two pile system,
12 did they maintain that system of mining or keeping government
13 mining pits? Did they still maintain that?

14 A. The overall commander had a personal pit that was Amara
11:04:03 15 Peleto. I talk about intensification of mining. At that time
16 mining was not just taking place in Kono, but Tongo as well.
17 Messages would be transmitted from Tongo as well. At that time
18 it was one SK or KS Banya who was the mining officer in Tongo.

19 PRESIDING JUDGE: Just a minute. Mr Witness, the question
11:04:30 20 was did the system remain the same after Issa Sesay took over,
21 but you have talked about it being intensified, but was it the
22 same system?

23 THE WITNESS: No, no.

24 MR BANGURA:

11:04:45 25 Q. So now in the previous system which you explained you
26 talked about civilians being forced to mine in government pits,
27 do you recall?

28 A. Yes, sir.

29 Q. Now under the new system which Issa Sesay introduced, the

1 two pile system, what was the situation with civilians being -
2 the involvement of civilians in mining?

3 A. Like the system I had just explained was existing also, but
4 there was a man called Amara Peleto who was the overall RUF
11:05:21 5 mining commander who still had certain pits and in those pits
6 civilians were still forced to mine.

7 Q. And those pits, what were they called?

8 A. Government pit, the RUF pit. At that time when they said
9 the government pit they were referring to the RUF government.

11:05:36 10 Q. So in effect even under Issa Sesay they still had
11 government pits?

12 A. Yes, sir.

13 Q. Which civilians mined?

14 A. Yes, sir.

11:05:44 15 Q. How did you know this?

16 A. I got this information from the radio. It was an open
17 secret.

18 Q. When you say from the radio, how was this sort of message
19 transmitted on the radio, or this sort of information transmitted
11:06:03 20 on the radio?

21 A. In code.

22 Q. To who?

23 A. Our messages --

24 Q. Who would transmit this information to who on the radio?

11:06:12 25 A. Sometimes 50 enquired to know about the operation, mining
26 operation, in Kono.

27 Q. When you say 50, you are talking of?

28 A. Benjamin D Yeaten.

29 Q. Right.

1 A. Whatever was happening in Sierra Leone, reports would be
2 prepared to the effect and transmitted and that report would then
3 be handed over to General 50 and he responded.

11:06:46 4 Q. And so what would he send? What would he enquire about,
5 50?

6 A. I can remember at one time there was a fighting going
7 around Kono, around Kono, that civilians were killed. I drafted
8 that message and handed it over to General 50 and he responded by
9 saying that his brother is on the ground and would take care of
11:07:09 10 the situation, that he was referring to General Issa Sesay, that
11 General Issa Sesay was on the ground and that he would take care
12 of the situation.

13 Q. Now when you said there was a message, who did the message
14 come from?

11:07:26 15 A. There was a station in Kono, I think in Tombodu. There was
16 a radio station in Tombodu that reported about fighting around
17 and civilians got killed in that fight.

18 Q. Do you know who was operating that radio at Tombodu?

19 A. There was one Ibrahim. Ibrahim was the radio operator.

11:07:53 20 Q. And do you know when was this, what year?

21 A. That was in the year 2000.

22 Q. And what did Ibrahim report?

23 A. That the Kamajors attacked their location and they came
24 with some civilians and the civilians were killed during the
11:08:18 25 confrontation.

26 Q. And when you got this, who was he actually sending the
27 report to?

28 A. He was sending the message to General Issa's station in
29 Koidu, but Tombodu of course, it is found in Kono District, but

1 there is a distance between Tombodu and Koidu where General Issa
2 was based. So whilst transmitting that message I remained in
3 Liberia and got the message. I received the message in the code,
4 transcribed it and then handed it over to General 50 and he
11:08:57 5 responded by saying I should not worry about that, it is
6 happening in Sierra Leone and that his brothers will take care of
7 that situation.

8 Q. Now apart from that message did you monitor any other
9 messages about the mining situation relating to civilians in Kono
11:09:17 10 at that time?

11 A. That is what I have explained, sir. The one I have just
12 explained.

13 Q. And when you received such messages, was it normal to
14 record them and show them to General 50?

11:09:39 15 A. Yes, sir.

16 Q. Now you said that General 50 would send a message sometimes
17 enquiring about the mining. What sort of enquiries would he
18 actually make when he sent such messages?

19 A. At times he communicated himself on set, he could say, "My
11:10:26 20 brother, advise me on operation" and then he would be told to
21 stay put, that message was going to be prepared to the effect.

22 Q. And whose radio would he call and ask for such advice?

23 A. General Issa Sesay.

24 Q. And normally what sort of advice would he get?

11:10:47 25 A. About how mining operation was going on, the front line.

26 Q. And did the fact that civilians were involved and being
27 forced to mine feature in such messages?

28 A. The mining involving civilians, this was not anything
29 hidden. Operators would pass this information.

1 PRESIDING JUDGE: Mr Witness, please answer the question in
2 a straightforward manner and don't comment.

3 THE WITNESS: Okay.

4 MR BANGURA:

11:11:22 5 Q. Now you said that 50 would call on the radio and ask to be
6 advised about the situation and then I asked you whether in
7 responses that were sent back to him the fact that civilians were
8 involved in mining or were forced to mine would also be
9 communicated to him. Do you know?

11:11:52 10 A. That was not officially communicated to him, that we were
11 here forcing civilians to mine, no.

12 Q. If that was not officially communicated do you know whether
13 he had knowledge of this?

14 A. I cannot tell.

11:12:10 15 MR BANGURA: Your Honours, may I ask for a moment to
16 confer?

17 PRESIDING JUDGE: Yes. Are you going to be moving off the
18 subject of the mining, Mr Bangura, because there was one answer I
19 wish to have clarification on.

11:12:44 20 MR BANGURA: That is a decision I shall take very shortly.
21 I just need to confer.

22 PRESIDING JUDGE: Please do. Yes, Mr Witness?

23 THE WITNESS: There was a statement yesterday which I would
24 like to talk about, because I thought of it throughout and
11:13:08 25 something came to my mind.

26 PRESIDING JUDGE: Just pause whilst Mr Bangura tells us
27 what his situation is and then we will revert to you on this.

28 THE WITNESS: Okay.

29 MR BANGURA: Your Honours, this round-up on mining, I will

1 probably just mop up on a few more things and should be rounding
2 up.

3 PRESIDING JUDGE: Concerning mining?

4 MR BANGURA: Yes, on mining.

11:13:28 5 PRESIDING JUDGE: Very well. Please proceed.

6 MR BANGURA: Your Honours, I'm sorry, may I confer?

7 PRESIDING JUDGE: Yes, please do so.

8 MR BANGURA: I actually did not complete that. Yes, your
9 Honour, subject to the clarification you wish to make I --

11:14:10 10 PRESIDING JUDGE: Yes, this was in answer to a question
11 that arose, according to my notes, on page 21, line 11. You
12 asked the witness about civilians being thrashed or flogged and
13 in his answer the description he gave was of them being forced to
14 work rather than being thrashed and I am therefore unclear if he
11:14:35 15 saw thrashing or what exactly occurred, or that he recalls
16 thrashing.

17 MR BANGURA: Thank you, your Honour:

18 Q. Mr Witness, you will recall that I asked you to indicate a
19 specific instance where you actually saw civilians being
11:14:57 20 thrashed. Do you recall?

21 A. Really I am referring to a massive beating. Beating
22 somebody not just for two or three minutes, but completely five
23 minutes, six minutes, beating continuously. That was what I was
24 really trying to put across.

11:15:14 25 PRESIDING JUDGE: Have you seen it?

26 THE WITNESS: Yes.

27 PRESIDING JUDGE: Okay, that is the answer to my question.

28 MR BANGURA:

29 Q. Where did you see it, was the question?

1 A. In Kono.

2 Q. Where in Kono?

3 A. In Bakundu.

4 Q. What did they use to thrash or beat these people?

11:15:29 5 A. The belt that was on the arm. The belt. Sometimes with
6 shovel. The arm contains a belt, it's a very solid string that
7 was being used to flog people.

8 Q. When you say the arm, which arm?

9 A. Weapon.

11:15:46 10 Q. The weapon. Which kind of weapon would contain the belt?

11 A. The AK rifle had a string, a solid string. Sometimes the
12 belt that could be on the waist of the soldiers.

13 MR BANGURA: Your Honours --

14 PRESIDING JUDGE: Please proceed. That was my only point,
11:16:08 15 Mr Bangura. Please proceed with your examination-in-chief.

16 MR BANGURA: Thank you:

17 Q. Now, Mr Witness, you have testified that since 1999, middle
18 of 1999, you moved over to Liberia and worked under Benjamin
19 Yeaten until late 2001 when you returned back to Sierra Leone,
11:16:59 20 correct?

21 A. Yes, sir.

22 Q. Now during that period what did you consider yourself as?
23 Which group did you consider yourself belonging?

24 A. In Sierra Leone? Back to Sierra Leone?

11:17:16 25 Q. No, during the period you served under Benjamin Yeaten in
26 Liberia, what did you consider yourself as? Which group did you
27 consider yourself belonging to?

28 A. I was still in captivity in the hands of the RUF.

29 Q. Now when you say captivity, what do you mean?

1 A. I was captured, trained as a part of the RUF and I remained
2 with them. I had no other way to go.

3 Q. So you considered yourself throughout that period as being
4 part of the RUF?

11:17:57 5 A. Yes, sir.

6 Q. Thank you. Now I should just ask you a few names to
7 clarify for me. Earlier you mentioned the name High Command. Do
8 you recall in your testimony you said that this was somebody who
9 had been introduced to 50 by Superman and Superman took him on as
10 one of his bodyguards. Is that right?

11 A. Yes, sir.

12 Q. Now, do you know whether he had another name? Was this
13 High Command his normal name?

14 A. That is the name we called him by, High Command.

11:18:39 15 Q. Do you know whether he went by any other name?

16 A. No, I cannot recall, sir.

17 Q. You also mentioned one of your operators called Ebony. Do
18 you recall that name?

19 A. Yes, sir.

11:18:55 20 Q. And his actual name you said was?

21 A. Sam Lamboi.

22 Q. Samuel Lamboi. Now do you know how he got that name, the
23 Ebony name? Ebony was - what was that name? Was it --

24 PRESIDING JUDGE: You are asking three questions now,

11:19:11 25 Mr Bangura. Stop at the first one, please.

26 MR BANGURA: I'm sorry, your Honour.

27 PRESIDING JUDGE: The question, Mr Witness, was --

28 MR BANGURA: I need to go back, your Honour, and get the
29 witness to be focused on one question:

1 Q. Now the name Ebony, what was it? This same person called
2 Samuel Lamboi was called Ebony. Ebony was what? What kind of
3 name was that?

4 A. It was just a nickname.

11:19:41 5 Q. Do you know how he got that name?

6 A. Before I joined the signal unit Ebony was already on the
7 radio operating, that is across the Moa River.

8 JUDGE LUSSICK: So that answer is no. Is that correct?

9 THE WITNESS: No, sir.

11:20:08 10 MR BANGURA: Thank you, your Honour:

11 Q. Do you recall the name Senegalese?

12 A. Yes, sir.

13 Q. Who was that person?

14 A. Senegalese at one time was a member of the RUF. That was
11:20:29 15 the time ECOMOG intervention took place. I think he met me in
16 Sengema and he was to travel to Kono. He was once a member of
17 the ULIMO fighters. According to report we gathered when RUF
18 joined their forces with AFRC was that that Senegalese was one of
19 the soldiers who were fighting alongside the government forces,
11:21:02 20 the SLAs. So when ECOMOG intervention took place he also
21 retreated to Buedu. So he was commanded by Sam Bockarie to move
22 to Kono on assignment.

23 MR BANGURA: Thank you. Your Honours, that will be all for
24 this witness. Thank you, Mr Witness.

11:21:26 25 PRESIDING JUDGE: Thank you, Mr Bangura. The witness has
26 his hand up. What's the problem, Mr Witness?

27 THE WITNESS: I just want to make a clarification
28 somewhere. Yesterday there was a question and so I thought of it
29 and I really want to put it clear.

1 PRESIDING JUDGE: When you say a clarification, do you mean
2 a clarification of an answer you gave?

3 THE WITNESS: Yes, sir.

4 PRESIDING JUDGE: Mr Bangura, please clarify this.

11:21:48 5 MR BANGURA:

6 Q. Yes, what is it you wish to clarify?

7 A. I was asked a question to state the number of times I went
8 to the mansion and I spoke of handing over a code chart to
9 operator Sky 1. Operator Sky 1 was not assigned at Base 1. He

11:22:08 10 was at 020 and it was at 020 that I gave him the code chart. I
11 gave the code chart to Sunlight at Base 1 and if that is the case
12 then the number of times I went to the Executive Mansion ground
13 is supposed to be two, but not one.

14 PRESIDING JUDGE: Thank you for that clarification.

11:22:30 15 MR BANGURA: Thank you, your Honour.

16 PRESIDING JUDGE: Yes, Mr Bangura. Mr Anyah, I understand
17 you are taking the cross-examination of the witness?

18 MR ANYAH: Yes, Madam President, thank you.

19 PRESIDING JUDGE: Please proceed.

11:22:41 20 MR ANYAH: We have some documents to hand out, bundles for
21 the parties and the Chamber as well. Madam President, I seek the
22 Chamber's indulgence for a few seconds just to organise myself.
23 Thank you. May I proceed?

24 PRESIDING JUDGE: Certainly, Mr Anyah. Please proceed.

11:24:33 25 MR ANYAH: Thank you.

26 CROSS-EXAMINATION BY MR ANYAH:

27 Q. Mr Witness, good morning.

28 A. Good morning, sir.

29 Q. Can I ask you where were you on 29 March 2006?

- 1 A. I was in Kailahun.
- 2 Q. You were in Kailahun?
- 3 A. Yes, sir.
- 4 Q. In Sierra Leone of course, right?
- 11:24:56 5 A. Yes, sir.
- 6 Q. Where were you on 20 June 2006?
- 7 A. I cannot recall the particular point I was regarding the
- 8 date.
- 9 Q. Were you in Sierra Leone also?
- 11:25:15 10 A. In 2006, yes, I was in Sierra Leone.
- 11 Q. Were you aware in March of 2006 that Charles Taylor, seated
- 12 behind me, had been taken into custody by the Special Court?
- 13 A. I was not aware.
- 14 Q. You were in Sierra Leone and your evidence before this
- 11:25:35 15 Court is that you were not aware, true?
- 16 A. No, sir.
- 17 Q. In the year 2006 at any point in time did you become aware
- 18 of the fact that Charles Taylor was in the custody of the Special
- 19 Court?
- 11:25:51 20 A. March 2006?
- 21 Q. Listen to the question, Mr Witness. The question is this:
- 22 In that year 2006, during the course of that year did you become
- 23 aware of the fact that Charles Taylor was in the custody of the
- 24 Special Court for Sierra Leone?
- 11:26:18 25 A. The date you are showing I cannot really recall.
- 26 Q. The date is a year, the year 2006. That's where I am at
- 27 right now.
- 28 A. Okay.
- 29 Q. That entire year, 12 months of it, do you recall finding

1 out whether or not Charles Taylor was in the custody of the
2 Special Court?

3 A. Some time in the year 2006, I think that was --

4 PRESIDING JUDGE: Do you understand the question,

11:26:52 5 Mr Witness?

6 THE WITNESS: I am thinking where I was.

7 PRESIDING JUDGE: Very well.

8 THE WITNESS: In 2006 I was in Kailahun. In fact what I
9 want to make clear here is that --

11:27:03 10 MR ANYAH:

11 Q. Mr Witness, the question was simple. You have told us you
12 were in Kailahun. We know you were there in March?

13 A. In 2006, yes, I was in Kailahun.

14 Q. There are 11 other months in the year 2006, okay? Now can
11:27:16 15 you tell us whether in the 12 month period of that year you knew
16 or became aware of the fact that Charles Taylor was in the
17 custody of the Special Court?

18 A. Some time I think in the rainy season of 2006 in Sierra
19 Leone, yes.

11:27:31 20 Q. Now you have mentioned the rainy season a couple of times
21 during your evidence-in-chief and I know what it is, but can you
22 tell us what you believe the rainy season in Sierra Leone to be?

23 A. It begins - the rainy season begins in April.

24 Q. And when does it end?

11:27:58 25 A. September.

26 Q. So some time between April and September of 2006 you knew
27 Charles Taylor was in the custody of the Special Court, true?

28 A. I said the rainy season. It may not have been April, the
29 month of April itself.

1 Q. Did you listen to the question? I am speaking of a period
2 now between April and September. You said that's what
3 corresponds to the rainy season?

4 A. Yes.

11:28:42 5 Q. The question is this: During that period in 2006 you knew
6 that Charles Taylor was in the custody of the Special Court,
7 right?

8 A. I was not following what was happening. I came to know
9 that Mr Taylor was under the custody of the RUF at the time one
11:29:19 10 Kolot, he identified himself to me as a member of the Special
11 Court in Sierra Leone and that he was in Kailahun in search of
12 me.

13 Q. And that was during the period between April and September,
14 is that correct, of 2006?

11:29:40 15 A. Yes.

16 PRESIDING JUDGE: Just pause, Mr Anyah. I note the time,
17 first of all, and I think the record may need a review and - yes,
18 Mr Witness?

19 THE WITNESS: The day I got in touch with Chuck Kolot, that
11:29:57 20 was the day I knew that Mr Taylor was under the custody of the
21 Special Court.

22 PRESIDING JUDGE: Thank you. That's the clarification I
23 needed.

24 THE WITNESS: And that day we met, I think the date is
11:30:07 25 supposed to be on record, because he spoke to me and he asked me
26 questions and I gave him answers.

27 PRESIDING JUDGE: Very well. Thank you for that
28 clarification, Mr Witness. We are now going to take the
29 mid-morning break, because the time is running out and we will

1 resume court at 12 o'clock. Thank you. Please adjourn court.

2 [Break taken at 11.30 a.m.]

3 [Upon resuming at 12.00 p.m.]

4 PRESIDING JUDGE: Yes, please proceed, Mr Anyah.

12:00:40 5 MR ANYAH: Thank you, Madam President:

6 Q. Mr Witness, before we took the break I asked you a question
7 and you gave a response that I would like to clarify and I think
8 this is what the Chamber had in mind when Her Honour, the
9 Presiding Judge, said I should take a look at the record. (Your
10 Honours, for the record I am reading from I will call it page 66
11 and I think I am using 12 point font and it starts at line 8 on
12 my screen.) The question was:

13 "Q. The question is this. During that period in 2006 you
14 knew that Charles Taylor was in the custody of the Special Court,
12:01:26 15 right?"

16 And the answer was:

17 "I was not following what was happening. I came to know
18 that Mr Taylor was under the custody of the RUF at the time one
19 Kolot, he identified himself to me as a member of the Special
12:01:42 20 Court in Sierra Leone and that he was in Kailahun in search of
21 me."

22 Mr Witness, the transcript says you referred to
23 Charles Taylor being under the custody of the RUF. Did you mean
24 something else?

12:01:52 25 A. No, the Special Court. I am talking about the Special
26 Court. I knew he was under the custody of the Special Court when
27 one Kolot met me in Kailahun.

28 Q. Thank you, Mr Witness.

29 A. Thank you, sir.

1 Q. Now did Kolot meet you alone in Kailahun, or did he meet
2 you with someone else?

3 A. Kolot met me with someone else.

4 Q. Male, or female?

12:02:23 5 A. Male.

6 Q. And do you know his name?

7 A. I can remember Magnus.

8 Q. Lamin? Was his last name Lamin?

9 A. Magnus is what I can recall. I know it.

12:02:41 10 Q. You also referred to Kolot as Chuck, correct?

11 A. Yes, sir.

12 Q. And would it be fair to say you have met him on several
13 occasions since the day you first met him - since the day he met
14 you in Kailahun?

12:02:55 15 A. I had met with Chuck I think three times.

16 Q. Are you sure of that?

17 A. I am saying one in Kailahun, two to the Special Court,
18 I spent about a week with him, and one in Bo. I think that is
19 about three times.

12:03:32 20 Q. The time you spent about a week with him, was that the time
21 you were with him at the Special Court?

22 A. I used to come to the Special Court, talk to him and return
23 to the guesthouse where I was lodged.

24 Q. But the question is this. You said on one of the three
12:03:51 25 locations where you met Kolot, as to one of them you spent an
26 entire week with him. The question is which location?

27 A. In Freetown.

28 Q. In Freetown?

29 A. Yes, sir.

1 Q. And that is where the Special Court is located at, correct?

2 A. Yes, sir.

3 MR ANYAH: Madam Court Officer, could you kindly display
4 what is in tab 13. Perhaps give the witness a copy and kindly
12:04:20 5 display one.

6 PRESIDING JUDGE: That will not make any problems on his
7 security - his protective measures - Mr Anyah, will it?

8 MR ANYAH: No, and for purposes of my examination for the
9 benefit of the AV booth I would say this is the only document
12:04:34 10 that could be transmitted out. The rest I would prefer that they
11 not transmit at all, or even perhaps place it on the overhead.
12 I would just indicate this is a document we have created from
13 discovery given to us by the Prosecution pertaining to the dates
14 of meetings and interviews with this witness by the Office of the
12:05:40 15 Prosecutor:

16 Q. Mr Witness, the document you are looking at delineates all
17 the times the Defence knows, or has been told by the Prosecution,
18 that they have met with you. On the left-hand column you have
19 the number of times, the column to the right of that says the
12:05:58 20 date of interview and the meeting with the OTP, the next column
21 says the time and when you see incomplete entries it is because
22 we were not - we don't have an indication of how much time was
23 spent with you, and then the last column refers to tab and
24 page numbers in the Defence set of documents where the relevant
12:06:24 25 documents or interview notes can be found. Do you see entry
26 number 1? It says 7 July 2006. Do you see that, Mr Witness?

27 A. Yes, sir, clearly. Clearly seen.

28 Q. Was that the date on which you met Chuck Kolot in Kailahun?

29 A. I can remember meeting Chuck Kolot in Kailahun, but

1 I cannot recall the actual date.

2 Q. But the date on which you met him you told us before was
3 during the rainy season between April and September, yes?

4 A. I said rainy season begins from April and ends in
12:07:12 5 September.

6 Q. Yes, we know that is what you said.

7 A. Yes, sir.

8 Q. The question is your meeting with Chuck Kolot fell between
9 those two months, or that period of time, right?

12:07:23 10 A. Yes, sir.

11 Q. Was there someone else with Chuck Kolot besides Magnus when
12 you first met him?

13 A. Yes, but I cannot recall his name.

14 Q. Does the name Koroma ring a bell to you?

12:07:42 15 A. I have to think about that.

16 Q. Now, you said you weren't following events around this time
17 to know that Charles Taylor was in the custody of the Special
18 Court. Did you read the newspapers back in 2006 during the rainy
19 season?

12:08:02 20 A. No. In fact, I am reading the sciences. I spent almost
21 much of my time in the lab - in the laboratory - doing some
22 research exercises.

23 Q. When you say you are reading the sciences are you reading
24 it now, or were you reading it in 2006?

12:08:23 25 A. When I say I am reading, it doesn't mean as I am speaking
26 I am reading now.

27 Q. Okay. Are you reading the sciences in the year 2008, or
28 were you reading the sciences in the year 2006?

29 A. I have been reading it. I continue to read it. What I am

1 saying is that I really do not have time to read newspapers.

2 Q. Well, did you listen to the radio in 2006?

3 A. I cannot recall, anyway.

4 Q. You cannot recall ever listening to the radio in 2006?

12:09:00 5 A. No. No, sir.

6 Q. Do you ever listen to the radio, Mr Witness?

7 A. I have told you I spent my --

8 Q. Yes or no?

9 A. No.

12:09:08 10 Q. Do you ever listen to the radio?

11 A. No.

12 Q. You never, ever listen to the radio. Is that your
13 evidence?

14 A. I only listened to the radio at the time I was in the RUF
12:09:16 15 assigned to the signal unit. At that time I used to listen to
16 the radio and I was obliged. That was my duty. I was tasked
17 with the responsibility of listening to radio.

18 Q. Perhaps I need to clarify the question on the basis of your
19 response. Please permit me to finish my questions and then you
12:09:37 20 give your answers so that it can be recorded properly.

21 A. Okay.

22 Q. When I am saying radio at this point I am not referring to
23 monitoring communications, or RUF radio transmissions.

24 A. Okay.

12:09:48 25 Q. I am referring to public radio where news, information and
26 other programmes are broadcast to citizens. My question is this.
27 Do you ever listen to public radio in the manner in which I have
28 described?

29 A. I do not have that time.

1 Q. You have never listened to the radio? Is that your
2 evidence?

3 A. I am saying I do not have that time.

4 Q. It is a yes or no question, Mr Witness. Have you ever
12:10:20 5 listened to the radio, yes or no?

6 PRESIDING JUDGE: Mr Anyah, if you are saying "ever" that
7 means his whole life. It is a bit wide. You are honing in on
8 2006.

9 MR ANYAH: I have done that. I will proceed as directed,
12:10:37 10 your Honour:

11 Q. Mr Witness, yes or no, did you listen, or did you ever
12 listen, to the radio in the year 2006?

13 A. I cannot recall, anyway.

14 Q. Thank you. Your second meeting with the Office of the
12:11:01 15 Prosecutor took place in Freetown, yes?

16 A. Yes.

17 Q. And you were interviewed again by Chuck Kolot, correct?

18 A. Yes, sir.

19 Q. And this person Magnus was also present, true?

12:11:28 20 A. Yes, sir.

21 MR ANYAH: Madam Court Officer, I would refer the Chamber
22 to tab 2 and you don't need to place this on the overhead. It is
23 page 1, tab 2, the first page. Your Honours, the ERN number of
24 the page in question is 00022014 and I will just indicate we have
12:11:58 25 paginated each page on the bottom right-hand corner in all sets
26 in the various tabs:

27 Q. Mr Witness, these are notes we received from the Office of
28 the Prosecution, or Prosecutor, about a meeting they had with
29 you. (Madam Court Officer, could you show him tab 2, please.

1 Thank you.) Mr Witness, are you at tab 2?

2 A. Yes, sir.

3 Q. I was explaining these are notes from the Prosecution of an
4 interview they had with you on 17 July 2006, and you will see
12:12:45 5 there that it says the "Interview of" such and such and it says
6 the location "at OTP Interview Room by" and it says "K. R. Kolot
7 and Magnus Lamin". Do you see that, Mr Witness?

8 A. I have seen "K. R. Kolot". Which one are you referring to?

9 Q. I am reading from the top of the page going downwards. At
12:13:19 10 the top of the page you have a date. Do you see the date,
11 Mr Witness?

12 A. Yes, sir.

13 Q. Then below that it has "Interview of" somebody and that is
14 you and don't say your name, but then it gives the location. It
12:13:32 15 says "at OTP Interview Room by K. R. Kolot and Magnus Lamin". Do
16 you see that, Mr Witness?

17 A. Yes, sir.

18 Q. Those were the two people who interviewed you on 17 July
19 2006, right?

12:13:48 20 A. Yes, sir.

21 Q. When you go down to the second full paragraph it reads:
22 "Went through the Charles Taylor indictment with [witness]
23 to explain the various counts and to give [witness] an idea of
24 scope of the prosecution and explain concept of 'those most
12:14:15 25 responsible', etc."

26 Do you see that, Mr Witness?

27 A. Which line are you referring to?

28 Q. I am reading from the second full paragraph. If you go up
29 on the page, after you see the words or the line that starts,

1 "Completed Witness data and Risk Assessment ...", there is a
2 paragraph right below that first paragraph that starts with,
3 "Went through the Charles Taylor Indictment ..." Do you see it?
4 Mr Witness, you are a school teacher, are you not?

12:14:55 5 A. I am.

6 Q. And yesterday you were using words like "rendezvous" and
7 "willy-nilly", were you not?

8 A. Yes.

9 Q. Well you can read, Mr Witness, can you not?

12:15:08 10 A. Let me check through where you are referring to.

11 PRESIDING JUDGE: Mr Witness, have you got a page in front
12 of you that has got a heading "Special Court for Sierra Leone"
13 and a number "00022014"?

14 THE WITNESS: Yes, sir. Yes.

12:15:27 15 PRESIDING JUDGE: Right. If you look underneath the heavy
16 print to the lighter print and counsel is referring to the second
17 paragraph starting with the word "went".

18 THE WITNESS: Yes, I have seen it.

19 MR ANYAH:

12:15:44 20 Q. Now I will read it again. It says:

21 "Went through the Charles Taylor indictment with witness to
22 explain the various counts and to give witness an idea of the
23 scope of the Prosecution and explain concept of (those most
24 responsible, et cetera)."

12:16:04 25 Do you see that, Mr Witness?

26 A. Yes, sir.

27 Q. That says they went through the indictment against
28 Mr Taylor with you. Do you recall that happening?

29 A. I can recall.

1 Q. What did they tell you was the scope of the Prosecution
2 when you met with them and as they went through the indictment?

3 A. They analysed crimes committed during the period of the
4 war.

12:16:47 5 Q. And what did they tell you was meant by the concept of
6 "those most responsible"?

7 A. Yes, that they had - those responsible had been already
8 indicted.

9 Q. Did they tell you that Charles Taylor was one of those most
12:17:22 10 responsible?

11 A. They only told me that those most responsible had already
12 been indicted.

13 Q. Who else did they tell you had been indicted?

14 A. They did not name a name to me apart from the one
12:17:42 15 mentioned.

16 Q. So he was the only person they mentioned in connection with
17 this phrase "those most responsible", yes? Do you understand the
18 question?

19 A. From this word "those most responsible" meaning he is not
12:18:06 20 the only person and that those who were responsible had been
21 indicted.

22 Q. But they did not mention the names of any other persons who
23 had been indicted except Charles Taylor, true?

24 A. They made mention of General Issa Sesay, Sam Bockarie and
12:18:29 25 some others.

26 Q. And when they went through the charges with you they did so
27 in detail, correct?

28 A. They were calling charges which really I did not understand
29 because I am not a lawyer.

1 Q. But they also referred to places and events, for example
2 the invasion of Freetown. Correct?

3 A. They made mention of that.

4 Q. And we are speaking of the 6 January invasion of Freetown,
12:19:10 5 yes?

6 A. Yes, sir.

7 Q. And they also made mention to the junta period when the
8 AFRC coup occurred from May 1997 through February 1998, yes?

9 A. They made mention of the war throughout.

12:19:31 10 Q. And of atrocities committed against the people of Sierra
11 Leone, yes?

12 A. That was explained.

13 Q. So at this point you knew, did you not, that the reason why
14 they wanted to speak to you was to speak to you about

12:19:53 15 Charles Taylor. Correct?

16 A. Not only for Charles Taylor, but what I knew about the war.

17 Q. They told you that?

18 A. What I knew about the war and that I was to be fair to
19 explain exactly.

12:20:17 20 Q. But at this point you knew that Charles Taylor was the
21 person they were focused on, yes?

22 A. I cannot tell their intention.

23 Q. Mr Witness, that period of time, July 2006, you were not
24 working, were you?

12:20:47 25 A. I was not working anyway.

26 Q. In fact you had just completed secondary school, true?

27 A. Yes, sir.

28 Q. You had no means of income, yes?

29 A. Correct.

1 Q. I said you had just completed secondary school and I was
2 trying to recall your date of birth and you told us on Monday 7th
3 you had two dates of birth, right? Is that a yes, Mr Witness?

4 A. Yes.

12:21:25 5 Q. And, one of them, your actual date of birth you gave us as
6 being on 26 December 1973, yes?

7 A. Yes.

8 Q. And the second one you gave us was 26 November 1982, yes?

9 A. Yes, true.

12:22:00 10 MR BANGURA: Your Honours, the information which counsel is
11 seeking to establish is one which clearly could go to identifying
12 the witness and that is coming in the public record. Could we --

13 PRESIDING JUDGE: I thought that was on public record when
14 you led the witness, Mr Bangura? I don't recall that being in

12:22:31 15 closed session, or written down.

16 MR BANGURA: I do now, your Honour, I do.

17 MR ANYAH:

18 Q. Mr Witness, what this means is that when you met with the
19 Prosecution in 2006, having just completed secondary school, you
12:22:57 20 were somewhere in the vicinity of 32 years of age, right?

21 A. I have to work that mathematics, counting from 26 December
22 1973 and I should be given that chance to work that mathematics
23 from 26 December 1973 until the date you are referring to.

24 Q. Yes, you are in the sciences and we will give you the time.

12:23:21 25 I am sure you can do the math.

26 A. I ask you that you help me with paper so that I can do that
27 work easily and get you the exact answer.

28 Q. Well, let me ask you this: Would it be fair to say that
29 from 1973 to 2003 is 30 years?

1 A. 1973 to?

2 Q. 2003. Would it be fair to say that that is 30 years?

3 A. Yes, sir. '73 to '83 is 10 years and '83 to '93 is 20
4 years, '93 to 2003, 30 years. Correct.

12:24:01 5 Q. Would it be fair to say that there are three years between
6 2006 and 2003?

7 A. From '73 to 1983 is 10 years. From --

8 PRESIDING JUDGE: Mr Witness, counsel has said 2003 to
9 2006, that's three years. Do you agree?

12:24:27 10 THE WITNESS: 2003 to 2006? Okay, allow me, please.

11 MR ANYAH:

12 Q. Mr Witness, are you having difficulty adding three years?

13 A. Allow me. 33.

14 PRESIDING JUDGE: Thank you.

12:25:15 15 THE WITNESS: Wait, please. It should be 32 to 33.

16 MR ANYAH:

17 Q. Exactly and I said around 33 years of age when we began
18 this series of questions. So you would agree with me now, having
19 done the math, that in July 2006 you were about 33 years of age,
12:25:34 20 yes?

21 A. 32 to 33. 32 years of age.

22 Q. Okay, let's say 32 years of age for the sake of argument
23 and you were unemployed, yes

24 A. Yes, sir.

12:25:47 25 Q. And you had just been in a meeting with the Prosecution
26 going over the Charles Taylor indictment, yes?

27 A. They made me to understand that there was something
28 referred to as indictment. They explained that to me.

29 Q. Was it after this meeting that you met with them for an

1 entire week in Freetown?

2 A. The first day they met me they had some interview with me
3 and invited me to go to Freetown. They gave me my transport and
4 what to eat on the road to travel down to Freetown.

12:26:25 5 Q. Did you understand the question? The question was not
6 about the first time they met you. It was about this time, 17
7 July 2006, at the Special Court in the Office of the Prosecution.
8 The question is this: When they met you this time was this the
9 period during which you spent an entire week with them?

12:26:50 10 A. I don't want to be precise since I did not take note of
11 this date, but I can remember talking to Kolot in the first place
12 in Kailahun and the second time in Freetown and spent some time
13 with them.

14 Q. But you also told us when you came to Freetown you gave us
12:27:09 15 three places where you met with them. You said Freetown, you
16 said Kailahun and what was the first place you said?

17 A. First in Kailahun, second was in Freetown and the third
18 meeting was in Bo.

19 Q. Exactly. And in respect of the Freetown location you said
12:27:26 20 you spent an entire week with them. You said it, yes?

21 A. Yes, sir.

22 Q. And I am asking you whether that week falls in July 2006?

23 A. I don't want to be precise on dates inasmuch as I did not
24 take record of those dates I met with them.

12:27:51 25 Q. Have you ever met with them in Freetown other than the
26 month of July 2006?

27 A. I met with personnel from the Special Court even getting to
28 December --

29 Q. I am not --

1 A. -- Last year.

2 Q. Yes, we know that. We can see it in the chart. I am not
3 asking if you ever met with personnel from the Special Court at
4 any other periods of time. I am asking about July 2006.

12:28:21 5 A. I'm saying I cannot --

6 Q. Let me finish my question, sir. The location in question
7 is the Special Court of Sierra Leone on Jomo Kenyatta Road in New
8 England, Freetown. The question is other than this time in July
9 2006 have you ever met with them in that location, that facility?

12:28:45 10 A. Yes, sir.

11 Q. What other time did you meet with them in that facility?

12 A. This was around some time in December last year, that was
13 2007.

14 Q. Was that the period during which you spent an entire week
12:29:28 15 with them?

16 A. That was not the period.

17 Q. When was the period during which you spent an entire week
18 with them?

19 A. That was the second time meeting with them.

12:29:41 20 Q. Can you give us an approximate date for that?

21 A. I cannot tell. I cannot give any precise duration of the
22 time we met.

23 Q. How long did this first interview last?

24 A. The first day we met?

12:30:01 25 Q. Yes.

26 A. I did not take record of it.

27 Q. How long did the interview on 17 July last?

28 A. I did not take record of it, so as such I cannot ascertain.

29 Q. Well, the records the Prosecution has disclosed to us, and

1 I am referring to line 2 from the document in tab 13 -

2 Mr Witness, if you were to turn to tab 13 in your bundle.

3 A. Yes, I'm there.

4 Q. If you look at entry 2, row 2 mor line 2 it says 17 July

12:30:51 5 2006 and it shows that your meeting with them started at 10.20 in
6 the morning and you were there all day until 5.02 p.m. Do you see
7 that?

8 A. Clearly seen, yes, sir.

9 Q. So on the day they read you the Charles Taylor indictment
12:31:08 10 you spent six hours and 42 minutes with them, yes?

11 A. This is what I can see stated.

12 Q. Does that sound right to you, Mr Witness?

13 A. What I am saying is that I did not really take record of
14 the hour, the minute I spent with them. But what I am saying

12:31:24 15 here is that I can remember undergoing interview with personnels
16 from the Special Court.

17 Q. On this day in question was it a short or long interview?

18 A. I had interview with them and I had some break, came back
19 and they had interview just like that.

12:31:46 20 Q. You know a fellow by the name of Zedman, yes?

21 A. Yes, sir.

22 Q. Zedman's full name is Sahr James, S-H-A-R [sic] James, yes?

23 A. Yes, sir.

24 Q. This is the same Zedman who was a radio operator with you
12:32:06 25 at various places, correct?

26 A. Yes, sir. Let me make that part clear. Not at various
27 places, but at certain places during the time of the revolution.

28 Q. He was a radio operator with you at Zogoda, yes?

29 A. Yes, sir.

1 Q. He was a radio operator with you in Buedu?

2 A. Yes, sir.

3 Q. And this is the same Zedman I recall you saying had the
4 codes for the Liberian radio communications systems, right?

12:32:44 5 A. He had knowledge, but he was not the only operator having
6 knowledge in the Liberian code system.

7 Q. But you would agree with me that he was one of those you
8 said had knowledge of that system?

9 A. Yes, sir.

12:32:57 10 Q. Could you look at tab - that same tab you are in,
11 Mr Witness, the first entry, line 1. Tab 13, Mr Witness. You
12 don't have to close the bundle.

13 A. Yes, I am at tab 13.

14 Q. The first entry says 7 July 2006. Would that be the first
12:33:27 15 date that you met with Chuck Kolot in Kailahun?

16 A. I am saying I cannot remember - recall the exact date.

17 Q. Before you met with Chuck Kolot, before he ever approached
18 you, Zedman approached you, yes?

19 A. Yes.

12:33:48 20 Q. And Zedman, when you and him were in the RUF, was, from
21 what you have told us, a trainer of you at some point, yes?

22 A. I did not get the last word.

23 Q. Did he train you while you were in the RUF in radio
24 communications?

12:34:07 25 A. I had never made mention of Zedman being somebody training
26 me.

27 Q. I stand corrected, but he was superior to you as in he
28 had - may I finish my question? He had been a radio operator
29 before you became a radio operator, yes?

1 A. That is true, yes, sir.

2 Q. And he was viewed as a more senior radio operator, yes?

3 A. He was not the most senior. There were some other
4 operators superior to him.

12:34:37 5 Q. But he was senior to you?

6 A. Yes, sir.

7 Q. What was his rank in the RUF?

8 A. I cannot recall the exact rank he attained.

9 Q. What was the highest rank you attained in the RUF?

12:35:00 10 A. I was a sergeant and when I crossed into Liberia Benjamin
11 Yeaten used to call me the captain for the signal unit.

12 Q. But while you were with the RUF you were a sergeant, yes?

13 A. While I was in Sierra Leone. I was only given a document,
14 my name written on it and that was what I had written on - I mean

12:35:32 15 against my name, but nobody gave me anything to actually prove
16 that I was a sergeant.

17 Q. But you also told us that in the early parts of the war
18 there were no uniforms and insignia of that nature, right?

19 That's what you told us on Monday?

12:35:54 20 A. Yes.

21 Q. So it's not unusual that they didn't give you any stripes
22 to where on your shoulder, right?

23 A. Not at the early stage. Even at the point I saw people
24 with insignia of ranks, military ranks, I was never given any
12:36:11 25 sort of thing.

26 Q. Let's go back to Zedman. Yesterday in passing, and
27 I believe on Tuesday 8th, you referred to a sergeant approaching
28 you and taking a code book from you, yes?

29 A. Yes, sir.

1 MR ANYAH: Madam Court Officer, may we go to tab 1, please.

2 Page 2, tab 1. Actually I will start with page 1 if it please
3 the Court, just at the top and then I will go to page 2:

12:37:09

4 Q. Mr Witness, on the first page of the first tab it says
5 interview of you and then it says, if you look closely, by M
6 Koroma - I'm sorry, I will skip back a bit. It says interview of
7 you and then it gives the time, 1.57 p.m., gives the date, 7 July
8 2006, it says by M Koroma, M Lamin and K Kolot. Do you see that,
9 Mr Witness?

12:37:43

10 A. Yes, sir.

11 Q. This Koroma that is mentioned there, do you recall how that
12 person looks?

13 A. He is somebody black and I can say fat a little bit.

12:38:03

14 Q. Is that the third person who accompanied Chuck Kolot to
15 Kailahun to meet with you for the first time?

16 A. Yes, sir.

17 Q. So the three interviewers were Kolot, Lamin or Magnus as
18 you know him?

19 A. Yes, sir.

12:38:12

20 Q. And Koroma?

21 A. Yes, sir.

22 Q. If you flip to the next page, page 2, ERN number 00020300.
23 You go down to where you see your name it says:

12:38:38

24 "Witness was approached by 'Zedman' about a month ago (late
25 May?) Then after that he has never spoken to anyone or been
26 approached by anyone about testifying at the Special Court for
27 Sierra Leone."

28 Do you see that, Mr Witness?

29 A. Yes, sir.

1 Q. Mr Witness, can we go to tab 2, please, page 16. Are you
2 there, Mr Witness?

3 A. Yes, sir.

4 Q. For the record the ERN number of this page is 00022029. If
12:39:39 5 you look in the middle of the page, Mr Witness, in brackets it
6 says, "Refer to 'composition book' made as exhibit and stamped on
7 front page in red ink as", it gives the ERN number, "00019148."
8 Then look at the paragraph right below it, Mr Witness. It starts
9 with your name. It says: "Witness acknowledges the notebook as
12:40:13 10 his. He tore out some pages which he felt were unimportant just
11 before he gave this notebook to Sahr James in May. He calls it
12 his 'operational book'."

13 Do you see that, Mr Witness?

14 A. Yes, sir.

12:40:29 15 Q. Sahr James is the same as Zedman, yes?

16 A. Yes, sir.

17 Q. And before we are to be shown Prosecution exhibit I believe
18 it's 17 - MFI-17, and Mr Bangura will correct me if I am wrong,
19 it has the ERN number of 00019148 as the first page's ERN number,
12:41:01 20 the cover page. Madam Court Officer, could you show him - yes,
21 please, MFI-17.

22 A. Yes, sir.

23 Q. You told us on Tuesday 8th that this was your code book,
24 yes?

12:41:36 25 A. I did not say this was the code book.

26 Q. Well, we will get to Rebecca. I am coming to Rebecca.

27 A. This is not a code book.

28 Q. Well, this is a book that you adopted as yours, yes?

29 Mr Witness?

1 A. I did not adopt it. It is my book. It has been my book.
2 It was with me during the time of - some time during the war.

3 Q. So it is your book?

4 A. Yes, sir.

12:42:16 5 Q. Okay, that is established. You gave this book to Zedman in
6 May 2006, yes?

7 A. I cannot recall the exact date giving these books to
8 Zedman, but these books were collected by Zedman before Kolot and
9 others met me.

12:42:42 10 Q. Exactly. And when you met with Kolot and others you told
11 them May. That's why it's written in what I have just read that
12 you gave it to Zedman in May, yes?

13 A. I cannot recall the exact date, but the fact of the matter
14 is the books were handed over to Zedman before Kolot and others
12:43:06 15 met me and when the books were handed over to Zedman I had spent
16 some time - of course it was Zedman who met me and asked for
17 document, my document, and I handed over --

18 Q. Mr Witness, I am trying to get at the month at least.
19 There is a difference between a date and a month. The first
12:43:27 20 interview notes from tab 1 says you told them that Zedman
21 approached you in May. They were interviewing you in July. My
22 question is: Did Zedman approach you in May of that same year,
23 2006?

24 JUDGE SEBUTINDE: To be fair to the witness the notes do
12:43:45 25 not say he told them it was in May. He said he told them it was
26 about a month ago and in brackets they put "Late May" with a
27 question mark.

28 MR ANYAH: But, your Honour Justice Sebutinde, in tab 2,
29 page 16 where I have just read it says, "Witness acknowledges the

1 notebook as his. He tore out some pages which he felt were
2 unimportant just before he gave this notebook to Sahr James in
3 May."

4 THE WITNESS: I was not precise in giving a date. I have
12:44:26 5 never been precise in giving date since I did not take record,
6 I did not write.

7 MR ANYAH:

8 Q. But you were quite precise in several dates and instances
9 you gave us during direct examination. You knew about the
12:44:40 10 Freetown invasion. You remembered the date, did you not?

11 A. It was the investigators who put that date to me to be able
12 to remember. In fact at one time I can remember I told them
13 I was not aware of the particular attack in Freetown they were
14 referring to because we talk about attack in Freetown, for
12:45:02 15 example it happened on that date they tried to refer me to -
16 I mean to remind me about. And there was another attack that
17 occurred wherein Corporal Sankoh was shot in his leg and captured
18 and I thought that was the attack. I even told them I was not in
19 Sierra Leone again at that time.

12:45:20 20 Q. I see. You are not familiar with dates and you told them
21 you were not in Sierra Leone at the time of the Freetown
22 invasion. Is that your evidence, Mr Witness?

23 A. Not until it was made explicit to me. I thought - I sat
24 for some time, you know, pondered over it and then said, "Okay.
12:45:43 25 Oh, I was in Buedu". I recalled and knew I was in Buedu.

26 Q. I see. I go back to the month in which you gave Zedman
27 what is now MFI-17. When the Office of the Prosecution, Kolot,
28 Chuck Kolot, Magnus Lamin, have written down that you told them
29 you gave Zedman that book in May 2006, are you saying that is an

1 error? It is a mistake?

2 A. I cannot remember saying in May. I told them some time
3 before the arrival, about a month. That was what I stated.

4 Q. So, it was a month. It was perhaps a month before July of
12:46:38 5 2006, yes? Are you looking for the date of the interviews at the
6 top? 17 July 2006, that is tab 2.

7 A. I have seen it.

8 Q. And tab 1 is 7 July 2006, the same month. So it was about
9 the month before July 2006 you gave Zedman that book, yes?

12:47:09 10 A. I don't want to be precise stating really the exact number
11 of days, weeks or months, but what I am saying is that Zedman met
12 me and collected those exercise books from me before getting in
13 touch with the Kolot and others.

14 Q. I see. I see. Just for clarification, was it Zedman who
12:47:39 15 got in touch with Kolot and others? Is that what you are saying?

16 A. No, Zedman got in touch with me. At that time I cannot
17 tell whether Zedman had spoken to Kolot and others.

18 Q. I see. I see. And when he got in touch with you this was
19 certainly within the rainy season, as you know the rainy season
12:48:02 20 to be, yes?

21 A. When I got in touch with Kolot, yes.

22 Q. No, with Zedman. When Zedman got in touch with you and
23 took this exercise book, or this operational book as you call it,
24 it was during the rainy season of 2006, yes?

12:48:18 25 A. Not in the rainy season the time these books were collected
26 from me by Zedman.

27 Q. Then why did you tell the Prosecution it was in May?
28 I will rephrase that, to be fair to you. Why did they have it
29 written down that you told them it was in May 2006?

1 A. I am saying I cannot recall stating a particular date, but
2 what I am saying here is that Zedman collected those materials
3 from me before talking to Chuck Kolot and others.

12:49:00 4 Q. And you also told us he collected them from you about a
5 month before you spoke to Kolot and others, yes?

6 A. Yes.

7 Q. So after Mr Taylor's indictment in March, or Mr Taylor's
8 detention in March 2006, Zedman comes to you and collects your
9 code book, yes?

12:49:24 10 A. Not my code book.

11 Q. Well your operational book, yes?

12 A. Yes.

13 Q. I see.

14 A. And not only my operational book, but some other personal
12:49:34 15 notebooks I had. These materials were with me during the time
16 I was operating in the station. There I did almost all my
17 writings. I took jottings, rough works and things.

18 Q. When you say "station", do you mean RUF station?

19 A. Yes, sir.

12:49:55 20 Q. I see. So the war finished, or disarmament took place you
21 told us in 2002 or late 2001. Which is it?

22 A. It was in late 2001.

23 Q. And you had retained these books since 2001 after the war
24 until 2006 when Zedman came to get them, yes?

12:50:32 25 A. Yes, sir, together with even a scrapped radio which is up
26 to now in possession of Sahr James.

27 Q. Did you hand over the books to Zedman in Freetown, or in
28 Kai lahun?

29 A. In Kai lahun.

1 Q. Was he living in Kailahun at the time?

2 A. Yes, sir.

3 Q. Zedman was living in Kailahun at the time?

4 A. Yes, sir.

12:51:00 5 Q. Who was present when you gave him these books, or this
6 book?

7 A. I cannot remember who was present.

8 Q. What did Zedman tell you he needed the book for?

9 A. He did not tell me anything. He only asked me if I had my
12:51:26 10 notebooks of operations. I told him, "Let me check", but before
11 that time one other senior operator had met me and collected the
12 other notebook from me.

13 Q. I see. What is that operator's name?

14 A. His name is Liberty. Moijueh Koroma, alias Liberty.

12:51:52 15 Q. Can you spell the first name for us, Mr Witness

16 A. Moijueh, M-O-I-J-U-E-H, the other one is K-O-R-O-M-A,
17 Koroma, and Liberty of course is L-I-B-E-R-T-Y.

18 Q. Liberty first came before Zedman, yes? Is that what you
19 are telling us?

12:52:13 20 A. Yes, sir.

21 Q. When did Liberty come to get a code book from you, or an
22 operational book from you?

23 A. I think that was in 2003 when I was preparing for the basic
24 certificate examinations. He had wanted to work with one IMC.

12:52:37 25 It is an international NGO providing medical services for the
26 people in Sierra Leone.

27 Q. Who wanted to work with the NGO, you or Liberty?

28 A. Liberty. Liberty. So, he met me and asked for my
29 notebook. He took the notebook that had some messages and some

1 other documents in it.

2 Q. And essentially you have told us Zedman just came, told you
3 he wanted the operational book from the war and you gave it to
4 him, yes?

12:53:05 5 A. From the war he knew I am an operator, so he asked me if
6 I had my notebooks - those signal documents. I told him, "Yes",
7 and even the scrapped radio which I handed over to him. He
8 had --

9 Q. This book - this operational book - having saved it from
12:53:33 10 the end of the war until 2006 it would be fair to say that book
11 was important to you, correct?

12 A. Important to me otherwise I would not have kept it.

13 Q. Exactly. Precisely. So, how is it that you did not ask
14 Zedman for what purpose he wanted your book?

12:53:57 15 PRESIDING JUDGE: Has that been established?

16 MR ANYAH: He had said Zedman did not tell him - well,
17 I will rephrase the question to be fair to the witness:

18 Q. Did you ask Zedman why he wanted this book that was of
19 importance to you?

12:54:15 20 A. I did not tell him.

21 Q. You simply gave him the book. That is your evidence,
22 Mr Witness?

23 A. Yes, sir.

24 Q. How long after you gave Zedman the book were you contacted
12:54:29 25 by Chuck Kolot?

26 A. It spent some time, over a month.

27 Q. How did Chuck Kolot contact you?

28 A. I saw Zedman on board one vehicle and he met me on the
29 methodist secondary school campus and he told me they wanted to

1 talk to me. I refused. I told Zedman I was not in any position
2 to talk to them. But he later on explained to me that they were
3 not there for any other purpose, but just there to have an
4 interview with me, so I joined them up to a place there called
12:55:19 5 Daru trading centre in Kailahun Town.

6 Q. You first met them at Methodist secondary school, you said?

7 A. It was Zedman who met me on the campus, Methodist secondary
8 school, and I drove with them to the place I have just named, a
9 house called Daru trading centre, or Daru trading company, there
12:55:44 10 in Kailahun.

11 Q. When you say "Zedman and them" --

12 A. And the team.

13 Q. Yes, may I finish my question, Mr Witness. When you say
14 "Zedman and them" you are referring to Zedman in the company of
12:56:03 15 Chuck Kolot, the person you now say is Koroma and the person you
16 know as Magnus, yes?

17 A. Yes.

18 Q. So four men, one of whom you knew, Zedman, picked you up
19 and put you in a car and took you from Methodist secondary school
12:56:23 20 to this Daru trading centre, yes?

21 A. Yes, sir.

22 Q. And Zedman was your superior officer when you served in the
23 RUF, yes?

24 A. Yes, sir.

12:56:39 25 Q. Now, when you went to this trading centre you told us that
26 they explained what they wanted to discuss with you. Can you
27 tell me what they told you their purpose in meeting with you was?

28 A. It was to get information from me about activities about
29 the war and more especially that Zedman worked at some point in

1 time together with me.

2 Q. Would it be fair to say that within ten days of that first
3 meeting with them you went to Freetown to meet with them again?

12:57:38

4 A. After the first meeting we had some appointment and they
5 gave me a transport to travel to Freetown from Kailahun, but
6 I cannot recall the actual number of days from the time we met in
7 Kailahun until the time I proceeded to Freetown.

8 Q. But you see the interview dates in tab 1, 7 July, and then
9 tab 2 it says 17 July. Does that sound about right to you?

12:58:04

10 A. Taking that date into account, it should be ten days.

11 Q. Now you told us when you testified on Tuesday 8th, you said
12 that you kept all your books with you until the last day of
13 disarmament. Do you recall saying that?

12:58:57

14 A. These books requested for by Sahr James was the one I was
15 referring to that were with me until disarmament and even after
16 disarmament they were with me.

17 Q. I want to be precise. I recall you telling us that you
18 kept all - let me read to you what you said on Tuesday, to be
19 fair to you.

12:59:28

20 A. Okay.

21 MR ANYAH: Your Honours, for the record I am reading from
22 the transcript of 8 April from page 6864, starting at the
23 question at line 4 through the completion of the witness's answer
24 at line 11. The question was:

12:59:54

25 "During the course of your training, both at Kangari Hills
26 and Zogoda, did you keep notes of the instructions that were
27 given to you?"

28 The answer:

29 "Yes, sir. I had my notebook until the last day of

1 disarmament, the note that I was given during the training
2 exercise. I kept it with me until the last day. At some point
3 in time my former sergeant requested those materials and they
4 were handed over to him."

13:00:22 5 Do you recall being asked that question and giving that
6 response?

7 PRESIDING JUDGE: Mr Witness, have you heard the question?

8 THE WITNESS: No, I did not understand his question anyway.

9 PRESIDING JUDGE: Counsel is quoting an answer you gave on
13:00:44 10 8 April. Maybe just the quotation alone would be enough,
11 Mr Anyah, if you would please repeat it.

12 MR ANYAH: Is your Honour suggesting I phrase it only in
13 the form of the answer given?

14 PRESIDING JUDGE: Let's see --

13:01:03 15 MR ANYAH: I can ask it this way:

16 Q. Mr Witness, did you say this on Tuesday last:

17 "Yes, sir. I had my notebook until the last day of
18 disarmament. The note that I was given during the training
19 exercise, I kept it with me until the last day. At some point in
13:01:20 20 time my former sergeant requested those materials and they were
21 handed over to him"?

22 A. I said my note, the note that I had which later I stated
23 was reproduced, a girl who had wanted to be trained in signal
24 copied the notebook and the old one I said was discarded.

13:01:49 25 Q. Did you, as a general matter, retain all your books
26 relative to radio communications through disarmament?

27 A. Not all my books, but the particular note that I was given
28 during the time of the training, I was able to maintain it. It
29 was later reproduced and I kept it. It remained with me until

1 after disarmament.

2 Q. The book was reproduced by Rebecca, you told us, yes?

3 A. Yes, sir. That I said.

4 MR ANYAH: Does he have MFI-17?

13:03:06 5 Q. Mr Witness, did you tear out some pages from this book?

6 A. Yes, sir, I did.

7 Q. If you look at the cover of the book where it says
8 "composition book", in the middle of all the handwritten
9 scribbles it says 96 pages. Do you see that?

13:03:28 10 A. Yes, sir.

11 Q. That means ordinarily this sort of book would contain 96
12 pages, yes?

13 A. Yes, sir.

14 Q. Well, we have counted how many pages we have and Mr Bangura
13:03:43 15 I believe gave an indication to the Court when this exhibit was
16 presented, it came from the Case Manager in the back, that there
17 were 46 pages cover to cover, yes? Mr Witness, do you know if
18 what you have before you contains 46 pages?

19 A. You will have to give me a chance to count. 42.

13:05:27 20 Q. If you add the two covers, the back and front cover, it
21 comes up by your count to about 44. Would that be fair to say?

22 A. Yes, sir.

23 Q. Well, we counted 96 but you are the witness, so 44 pages.

24 PRESIDING JUDGE: No, you said you counted 46 pages.

13:05:43 25 MR ANYAH: 46, yes, I'm sorry.

26 Q. We counted 46 but you say it's 44. Mr Witness, what
27 happened to 52 pages from this book? The cover says it's a 96
28 page exercise book and you have counted 44 pages. What happened
29 to 52 pages?

1 A. The messages you had there had long been written on some
2 pages, two pages in this book. That was written in the code and
3 those messages were transcribed. I am saying here you had the
4 message written in proper English and you had the code word
13:06:28 5 written against each of the military terminologies. So the
6 prescription was done in this book and left there for quite some
7 time. It was later on replicated. It was reproduced just
8 exactly as it was in the code and - I mean transcribed. So the
9 one I had in the code which was transcribed on the paper, let's
13:06:58 10 say a page in this book, that is you are having the code word and
11 the actual word written here. Then I took my time and I had it
12 properly written and discarded the coded message. Then I had
13 this one written in simple English that anybody else can read and
14 understand.

13:07:21 15 Q. Are you saying you discarded more than half of the book?

16 A. I am not talking about half of the book, but some other
17 pages of course, papers from this book, I had --

18 Q. Mr Witness - well, finish your response?

19 A. This message - I am saying these two messages were
13:07:42 20 replicated. They had long been received and transcribed. They
21 were on the paper somewhere within this other side of the book.
22 These messages were received in code, transcribed, you had the
23 code words written and the normal English words written. So to
24 take it out of the code, so I had it written here in common
13:08:08 25 English.

26 Q. We know you wrote it in common English and we know of the
27 transcription by Rebecca - well, I will rephrase that. We know
28 Rebecca copied the original into this book for you. The question
29 is how come it is that pages are missing and my question is

1 this - may I finish my question. You have counted about 44
2 pages of the book and you agree with me it should contain 96
3 pages. What happened to the balance, the 52 pages that are
4 missing?

13:08:46 5 A. This is my explanation. In fact Rebecca only wrote -
6 recopied this radio note that - these pro signs. She only copied
7 these ones. She reproduced this note, that is correct. These
8 other messages I spoke about here were received in this
9 particular book, the message received was to be relayed and that
13:09:20 10 is I was not to decode the message. I haven't recorded in any of
11 either the incoming or the outgoing book since it was not to -
12 I mean addressed to the immediate commander at the point I was.
13 It was received in this book and transcribed. That is you had
14 the code word written and then you look out for the simple
13:09:44 15 English and write it opposite, had the code word written, had it
16 at the opposite. So it remained in that form for so many years.
17 Then it was later on replicated. That is look at the correct
18 English, that is forgetting about the code word, and have it
19 copied in this book.

13:10:10 20 Q. May I ask you this, Mr Witness - Mr Witness, I let you
21 finish, so let me ask my question. When did Rebecca help you
22 rewrite the operational book, when?

23 A. That was in 2001. That was in the year 2001.

24 Q. Were you still with the RUF when she did this for you?

13:10:50 25 A. Yes, sir.

26 Q. What month in 2001 did this take place?

27 A. I cannot state the exact month, but I can recall during the
28 rainy season. I can recall this happened during the rainy
29 season.

1 Q. I thought you were in Liberia during the rainy season of
2 2001?

3 A. 2001 I stated that during that time whilst in Foya we were
4 beaten back by the L-A-U-R-D forces and we had to make a hasty
13:11:34 5 retreat to Buedu through Koindu and indeed I spent some time in
6 Buedu together with one General Matthew Barbue.

7 Q. We will come back to that. Who is Rebecca, Mr Witness?

8 A. Rebecca was a girl staying with me who had wanted to be
9 trained in the signal communication.

13:11:56 10 Q. Let's open the first page, Mr Witness. I will go by the
11 ERN numbers. When you flip over the top cover the ERN number on
12 the first page is 00019149. Mr Witness, at the top part of that
13 page certain words are written, words like "exact", "conduct",
14 "perhaps", "precious", "independence", "glorious", "read",
13:12:41 15 "opportunity", "ancestor", et cetera. Do you see that,

16 Mr Witness? Top of the page?

17 A. Yes, sir.

18 Q. Then you go down a little bit towards the right-hand side
19 of the page, more words are written. Words like "sophism",
13:13:01 20 "sophist", "spacious", "merit" and the like. Do you see that
21 Mr Witness?

22 A. Yes, sir.

23 Q. The handwritings in those two - the handwritings between
24 the right-hand side of the page and the top of the page are
13:13:17 25 different. Would you agree?

26 A. They are.

27 Q. Made by two different people, yes?

28 A. This one is quite different from this one. The content --

29 Q. Well, here's my question: You have said the handwritings

1 are different, correct?

2 A. Yes, sir.

3 Q. So two different people made entries at least on this first
4 page. Do you agree?

13:13:43 5 A. Yes, sir.

6 Q. Shall we go to what I have as page 37, but I will give you
7 the ERN number. It's towards the end of the book. The ERN
8 number is 00019183.

9 A. Yes, sir.

13:14:39 10 Q. Do you see that page? Do not read anything from it, I will
11 just direct you. Do you see that page, Mr Witness?

12 A. Yes, sir.

13 Q. Do you see the number I am referring to?

14 A. 0019183.

13:14:52 15 Q. Yes.

16 A. Yes, sir.

17 Q. At the top it has a date, 28 November 2001, yes?

18 A. Yes, sir.

19 Q. It has your name, it has your date of birth, place of
13:15:09 20 birth, level of education and other particulars about you, yes?

21 A. Yes, sir.

22 Q. And when you go further down there is a sentence that says,
23 "Intended course - mass communication." Do you see that?

24 A. Yes, sir.

13:15:30 25 Q. And there is the word beneath that, "Transmitted". Do you
26 see that?

27 A. Yes, sir.

28 Q. And it is signed and then your name appears again. Did you
29 write all of this, Mr Witness? Don't - let me suggest this to

1 you. If there is a part that you did not write, you could answer
2 yes or no whether you wrote all of this?

3 A. Yes, I wrote this one. That is my handwriting.

4 Q. Were you with the RUF when you wrote this?

13:16:06 5 A. This would have been somewhere around Pendembu, or Buedu.
6 I will give information about this.

7 Q. Well, I don't want you to give information that will
8 disclose your identity. I need to know whether you were with the
9 RUF when you wrote that?

13:17:23 10 A. I cannot recall, really.

11 Q. Was this before or after disarmament?

12 A. This might have been after disarmament - no, the date here
13 is not what I am looking at, but the time this was written is
14 what I am really looking at. Allow me to explain.

13:17:53 15 Q. What do you mean that the date is not what you are looking
16 at?

17 A. Fine.

18 Q. It is you that wrote that date, is it not?

19 A. Yes, sir.

13:18:01 20 Q. The date is accurate, is it not?

21 A. What I want to say here is that --

22 Q. Mr Witness, the date is accurate, is it not? The text that
23 appears beneath that date was written on the date in question,
24 true or false?

13:18:32 25 A. Allow me to explain.

26 Q. Again, Mr Witness, please just answer my question. Did you
27 write that text before or after disarmament?

28 A. It must have been reproduced written after disarmament, but
29 I had taken from the other book, the one I said was discarded,

1 and still bearing this date that this particular particulars,
2 this one written here about me, at some point in time I was asked
3 to send my particulars and --

13:19:13 4 Q. Mr Witness, it was taken from the other book we know, but
5 the information that was taken from the other book as it appears
6 on this page is accurate, true?

7 A. I cannot ascertain this, really.

8 Q. You cannot ascertain what? What about it can you not
9 ascertain?

13:19:35 10 A. I had transferred the notes from some other book into this
11 particular notebook.

12 Q. And the notes were transcribed, or transferred, accurately
13 you told us, yes?

14 A. Yes, bearing this date, but not necessarily this had been
13:19:57 15 copied on the same date, but just reproducing document from other
16 book it carries the same date.

17 Q. Okay.

18 A. This has been transmitted on a particular date, so
19 reproducing it it must carry that date.

13:20:14 20 Q. Well, let me make the distinction you are making. I am not
21 asking you about the date on which the transfer was done from
22 book number 1 to book number 2. That is not the date I am asking
23 you about. You told us "Rebecca did it in 2001". I am asking
24 you about the information on the page. You told Mr Bangura when
13:20:37 25 this book was shown to you on Tuesday, you said it is identical
26 in every respect to the former book that had been worn out, true
27 or false?

28 A. Yes, that is the information. The writings I had in the
29 other book which I discarded was just exactly what I had copied

1 in this other book. That is if I had written this one, these
2 particular pieces of information about me on this particular date
3 in the other book, discarding that book and writing this one
4 I must indicate this date.

13:21:19 5 Q. That would mean that you are disputing the date in
6 question. You are saying that a different date appeared in the
7 discarded book. Is that your evidence?

8 A. The date that was on the discarded book is the same date
9 that had to be transferred here, okay? Let us take, for example,
13:21:42 10 in let us say yesterday. Yesterday was say the 7th. In the
11 other book I had the 7th. On the 7th I wrote something about
12 myself. On the 7th, yesterday, I wrote something about myself
13 with the date. Let us say this book has worn out. Transferring
14 these pieces of information here I have every right to put that
13:22:07 15 date in this particular book on which that information was
16 supplied about me.

17 Q. Okay, let me ask you this then. Let us take the example
18 you have given. Let us say you did the transfer - Mr Witness --

19 A. Yes, sir.

13:22:23 20 Q. -- please listen to my question. Let us take your
21 approach. Let us say you did the transfer of information on
22 Tuesday this week, the 8th.

23 A. Yes, sir.

24 Q. Okay?

13:22:33 25 A. Yes, sir.

26 Q. Are you saying that you are obliged to put the date of
27 Tuesday 8th at the top of the page of the new book?

28 A. If the information in this book that is to be transferred
29 in this book, that is just looking at what is in here and passing

1 it into this book. I am doing it today, but today bears its own
2 date and these pieces of information were written yesterday it
3 must bear its own date.

13:23:11 4 Q. So do you put - Mr Witness, listen to the question. Is it
5 your practice to put the date of transcription, or transfer, as
6 the date of events in the new book?

7 JUDGE SEBUTINDE: That is not what the witness is saying,
8 Mr Anyah, at all. That is not what the witness is saying. He is
9 saying he accurately transcribed. Whatever date he found in the
13:23:31 10 old book was translated into the new book.

11 THE WITNESS: Fine.

12 JUDGE SEBUTINDE: This is what he is saying.

13 MR ANYAH: Thank you. Thank you, Justice Sebutinde:

14 Q. Mr Witness, so that means that this page I have just read
13:23:46 15 to you - first of all, do you agree with the Justice's remarks?
16 Do you agree with Justice Sebutinde?

17 A. Yes.

18 Q. That means that the information in this page was accurately
19 transcribed from the old book to this book, yes?

13:23:57 20 A. Yes.

21 Q. And this information is accurate, yes?

22 PRESIDING JUDGE: Do you mean an accurate transcription, or
23 an accurate content?

24 MR ANYAH: I will break the questions in two:

13:24:12 25 Q. Mr Witness --

26 A. Yes, sir.

27 Q. -- the transcription - I am going back to what you
28 testified to when the Prosecution asked you about this book. The
29 transcription of information, or transfer of information, from

1 your former book to this one was accurately done, yes?

2 A. Yes, sir.

3 Q. And when you read what is on this page the information on
4 this page is as you recall it being in the old book, yes?

13:24:44 5 A. Information being in this old book? Like here in this
6 particular situation information is supplied about me. The date
7 stated here that was the date I was asked to supply this
8 information about me, so transferring these pieces of information
9 from any other book into a new book that date must be recorded
13:25:15 10 because it was on that date that I had this one prepared.

11 Q. When you told us you turned over I think you said some
12 weapons, but correct me if I am correct [sic], what did you do at
13 disarmament? Who did you surrender to or disarm to? Who was it?

14 A. I never said I surrendered weapons to anybody.

13:25:38 15 Q. No, I said I withdraw that.

16 A. Okay.

17 Q. How were you disarmed?

18 A. I have told this Court that during the time of the
19 disarmament I hadn't any single weapon.

13:25:52 20 Q. How were you disarmed, Mr Witness?

21 A. I spoke to one Major Tilley [phon], a British personnel who
22 was part of the disarmament team. I spoke to him and put my
23 situation clear that I was just an ordinary operator. Then he
24 asked me to give him detailed information about myself and that
13:26:11 25 I did, then he wrote my name and told me to join the group.

26 Q. And which organisation was this Major Tilley with?

27 A. UNAMSIL.

28 Q. Okay. And when did you have this exchange with him in
29 2001?

1 A. During the time of the disarmament period.

2 Q. And that was in 2001?

3 A. Late 2001, I suppose.

13:26:41

4 Q. And you do not know if this date, 20 November 2001, is
5 before or after disarmament?

6 A. I really cannot tell the exact date I entered into
7 disarmament, because I returned from Vahun late. In fact, we
8 were the last batch to go through the process of disarmament. In
9 fact, there was a time stated that whoever does not join the DDR
10 was going to be - was not going to be allowed to be incorporated
11 into DDR and so I had to rush up.

13:27:06

12 Q. Now this page I just showed is that your handwriting,
13 Mr Witness, ERN ending in 9183? It is the one with your personal
14 information. Is that your handwriting, Mr Witness?

13:27:40

15 A. Yes, sir.

16 Q. And that is your signature at the bottom?

17 A. Yes, sir.

18 Q. Can you flip to the very next page, the ERN ending in 9184.

19 A. Yes, sir.

13:27:53

20 Q. That is not your handwriting, right?

21 A. It is not at all.

22 Q. In fact this refers to biblical passages, true?

23 A. Yes, sir. That was the work of Rebecca.

13:28:12

24 Q. And there is there quoted "Deep reverence: The fear of the
25 Lord is the beginning of wisdom", and Psalm 111, verse 10 is
26 cited, yes?

27 A. Yes, sir.

28 Q. And this was your operational book, true? Rebecca was
29 writing religious passages in your RUF operational book, yes?

1 A. Using the facilities of this particular book to write.

2 Q. Okay, Mr Witness, but you see biblical passages and they
3 were written by Rebecca in your RUF operational book, yes?

4 A. Yes.

13:29:01 5 Q. Can you flip to a page you were shown yesterday, two
6 pages back, the ERN number ends in 9181?

7 A. Yes, sir.

8 Q. At the top of that page is the sentence, or the phrases,
9 "Hello mother ... How are you there? How my ground father the
10 young". Do you see that, Mr Witness?

11 A. Yes, sir.

12 Q. That is not your handwriting, true?

13 A. It is not.

14 Q. And right beneath it --

13:29:45 15 PRESIDING JUDGE: Sorry to have to interrupt you, Mr Anyah,
16 but you will see the time has caught up with us and so if we
17 could maybe complete that question after the lunchtime
18 adjournment.

19 MR ANYAH: Yes, Madam President.

13:29:57 20 PRESIDING JUDGE: Mr Witness, it is again 1.30 and we are
21 taking the lunchtime break.

22 THE WITNESS: Yes, sir.

23 PRESIDING JUDGE: We will resume court at 2.30. Please
24 adjourn.

13:30:07 25 [Lunch break taken at 1.30 p.m.]

26 [Upon resuming at 2.35 p.m.]

27 PRESIDING JUDGE: My apologies for being a little late, but
28 we were dealing with how to handle an urgent application that has
29 been filed this morning and the decision of the Bench is that

1 there should be an expedited filing. I will outline the decision
2 and it will be published in due course. It's in relation to an
3 urgent Defence motion to rescind or vary protective measures for
4 Prosecution witness TF1-334, document number 462.

14:35:41 5 In the light of the content we order an expedited filing as
6 follows: Any response to the motion shall be filed not later
7 than 4 p.m. on Friday, 11 April 2008. Any reply to the Defence
8 shall be filed not later than 9.05 on Monday, 14 April 2008. CMS
9 should ensure immediate hard copy distribution to the parties and
14:36:25 10 the Trial Chamber of all submissions in relation to the motion.

11 A proper reasoned decision will be rendered in due course.
12 That was the preliminary matter and Mr Bangura I noted that you
13 were on your feet.

14 MR BANGURA: Yes, your Honour. Your Honour, it's a short
14:36:44 15 application I wish to make. It's in relation to the transcript
16 which came out this morning. I wish to apply that a certain
17 portion of the transcript be redacted, your Honour, for reasons
18 that those portions will have the effect of revealing the
19 identity of this witness from the names that have been mentioned
14:37:08 20 in those portions of the transcript by the witness. The position
21 is that persons who may have been associated with the witness, or
22 with that person named, may easily be able to identify who the
23 witness is. Your Honours, the relevant portions: Page 87, lines
24 19 to 25, through to page 95, line 22.

14:37:49 25 PRESIDING JUDGE: I will just have them before me before I
26 invite Mr Anyah's reply. Incidentally, Mr Bangura, whilst I'm
27 waiting for my machine to go upwards, was this in chief, or in
28 cross-examination?

29 MR BANGURA: This came out in cross-examination, your

1 Honour.

2 PRESIDING JUDGE: Thank you.

3 JUDGE SEBUTINDE: Are you saying the whole eight pages?

14:39:00

4 MR BANGURA: All of the portions that I have referred to,
5 your Honour.

6 JUDGE SEBUTINDE: Which constitute about eight pages, yes?

7 MR BANGURA: Indeed, your Honour.

14:39:28

8 PRESIDING JUDGE: Mr Anyah, I'm just quickly going through
9 it before I invite your reply. Mr Bangura, I haven't invited
10 Mr Anyah to reply yet. I note this as I flick through it quickly
11 and refresh my memory, but some of it refers to evidence that
12 came out in chief. Could you perhaps give us a little more
13 detail why these particular parts are --

14 MR BANGURA: Yes, your Honour.

14:39:51

15 JUDGE LUSSICK: Just pause one minute, please.

16 PRESIDING JUDGE: Sorry, Mr Bangura, as I said, in looking
17 at this it appears to me that some of this stuff has come out in
18 chief, so perhaps you could elaborate a little on the concerns
19 you raise. I note in particular a lot of information that is
20 contained in evidence contained in these pages, by my calculation
21 seven and a half.

14:40:46

22 MR BANGURA: In trying to address the situation that we
23 have at hand now we may fall deeper into the problem we are
24 seeking to avoid. I wonder whether we could have this whole
25 matter discussed in a private session, your Honour, so that if
26 there is indeed some concern, we do not exacerbate the problem.

14:41:06

27 PRESIDING JUDGE: We will have the submissions in private
28 session. Is there any comment on the continued presence of the
29 witness?

1 MR ANYAH: I would take the lead from the Chamber. I don't
2 think it's appropriate for him to be present, if it pleases the
3 Court. I think he should be excused, your Honours.

14:41:56

4 MR BANGURA: Your Honours, we are indifferent to the
5 presence of the witness in this situation.

6 PRESIDING JUDGE: Well, it relates to matters that he's
7 said and so in the circumstances I think the witness can safely
8 remain.

9 MR BANGURA: Thank you.

14:42:19

10 PRESIDING JUDGE: I'm not sure if there are members of the
11 public present in the gallery, but we are now going into private
12 session to deal with a procedural matter relating to the record.
13 It will not take very long and the Court will appear silent. It
14 will only be a few minutes when there's no sound.

14:42:48

15
16 [At this point in the proceedings, a portion of
17 the transcript, pages 7233 to 7238, was
18 extracted and sealed under separate cover, as
19 the proceeding was heard in private session.]

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1 [Open session]

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

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

4 MR ANYAH: Thank you, Madam President:

14:55:50 5 Q. Mr Witness, before we broke for lunch I was asking you
6 questions about MFI-17. (Madam Court Officer, could the witness
7 kindly be shown MFI-17 again.) Well, we looked at the record
8 during the break and I would like to get an answer to a question
9 I posed previously about the missing pages from this document.

14:56:42 10 You counted 44 pages, you told us, in the document. We agreed
11 that a number of pages are missing. The cover page of the
12 document says it should have 96 pages. Mr Witness, did you tear
13 out the missing pages from this document, yes or no?

14 A. Yes.

14:57:09 15 Q. Were they up to 50 in number, Mr Witness?

16 A. Some pages have been removed - had been removed and those
17 pages contained messages that were in code and transcribed.

18 Q. We know some pages have been removed. More than half of
19 the book has been removed is what I'm saying. Do you agree?

14:57:44 20 A. Yes, sir.

21 Q. What were the contents of what has been removed from that
22 book?

23 A. Those were - some were used, the plain sheets were used.
24 That is one. Some contained messages received in code and
14:58:04 25 transcribed. Some were some personal messages.

26 Q. So there were RUF messages that have been torn out from
27 that book, yes?

28 A. Messages are transmitted during the time of the RUF.

29 Q. That's not what I asked you. Of the more than half of the

1 book that has been ripped out, torn out, some of them pertain to
2 messages about the RUF, yes?

3 A. Yes, sir.

4 Q. Why did you tear out those pages?

14:58:50 5 A. The pages that were taken out did not all contain messages
6 of the RUF. Of course messages of the RUF that were taken out
7 were received in code. Those were in code.

8 Q. That's not my question. Why did you tear out the pages you
9 tore out?

14:59:22 10 A. They were of no use.

11 Q. They were of no use, but you left two pages pertaining to
12 messages from Benjamin Yeaten, yes? Shall we go to ERN page
13 ending in 9181.

14 A. Yes, sir.

14:59:42 15 Q. And then the next one, 9182.

16 A. Yes, sir.

17 Q. Are you at 9181, Mr Witness?

18 A. Yes, sir.

19 Q. Mr Bangura asked you questions about this message
14:59:58 20 yesterday, true?

21 A. Yes, sir.

22 Q. This you said was from Benjamin Yeaten, correct?

23 A. Yes, sir.

24 Q. On the next page is another message at 9182, yes?

15:00:12 25 A. Yes, sir.

26 Q. That is also said to be from General 50, true?

27 A. Yes, sir.

28 Q. These are the only two messages from General 50 in all of
29 this book, yes?

1 A. Yes, sir.

2 Q. You can look through the book if you want, Mr Witness, but
3 those are the only two messages.

15:00:46

4 A. There were other messages in this book handed over to Sahr
5 James.

6 Q. That's what I'm asking you about. Why did you save these
7 two and not tear these two messages?

8 A. I was not the one who removed all the pages from this book.

15:01:02

9 Q. You just told us a few minutes ago that you tore out the
10 pages.

11 A. I removed the pages, that is correct. The pages that were
12 removed were not all containing messages, but certain pages
13 removed were plain sheets and those plain sheets were used and
14 some of the pages removed had messages given to Sahr James.

15:01:25

15 Q. Are you saying that the book has fewer pages than it had
16 when you gave it to Zedman?

17 A. Yes, sir.

18 Q. But before you gave it to Zedman you had torn out some
19 pages yourself, true?

15:01:45

20 A. Yes, sir. Some pages I used plain sheets and some sheets I
21 used during copying this message, the one that had already been
22 transcribed.

23 Q. I understand. So you are telling this Court that from when
24 you handed the book to Zedman until now, somebody has torn out
15:02:07 25 some pages from this book, yes?

26 A. Yes, sir.

27 Q. In addition to the pages that you tore out, true?

28 A. Yes, sir.

29 Q. Let me ask you this: When you gave this book to Zedman,

1 did it have pages with more messages from General 50, more than
2 two messages from General 50? Mr Witness, do you understand my
3 question?

15:02:51 4 A. I am clear. Really I cannot recall the content of some of
5 those messages, but I want to believe, at that time operating
6 with General 50, messages must have been of that nature directed
7 - or originated from Benjamin D Yeaten.

8 Q. I'm not asking you now about the nature of the messages.
9 I'm just asking you whether in your recollection there were more
15:03:15 10 than two messages --

11 A. Yes, sir.

12 Q. -- relative to Yeaten in this book?

13 A. Yes.

14 Q. And Zedman had more messages in this book from Yeaten when
15:03:25 15 he took it from you, correct?

16 A. I cannot recall all the messages that were in this book.

17 Q. I'm not asking you to recall, Mr Witness. I'm focusing now
18 on messages from General 50, numerically, in terms of number.
19 How many messages would you say, in the 96 pages of this book,
15:03:55 20 were from General 50 when you had all pages together?

21 A. I was not just receiving messages from General 50. There
22 were some other commanders on the ground during that time I was
23 using this book, taking papers, using it as rough works and of
24 course doing rough works in the book itself.

15:04:16 25 Q. Well, let me ask you two questions.

26 A. Okay.

27 Q. How many pages in this book comprised the pages about other
28 commanders when you had the full book with you?

29 A. I cannot really be precise on the number of messages, but I

1 can recall some other messages transmitted from White Flower and
2 that was referring to --

3 Q. I am not asking you to recall what was transmitted. We're
4 trying to figure out what is missing from the book, not adding to
15:05:04 5 it now at this point. Let me ask you in percentages. How many
6 per cent of that book, when you had all pages together, related
7 to the RUF? What percentage?

8 A. About 10 per cent.

9 Q. Only 10 per cent of your operational book pertained to the
15:05:30 10 RUF. Is that your evidence?

11 A. Yes. If I talk about operational book it doesn't mean just
12 messages but all activities relating to the revolution at that
13 time and of course the signal unit at that time I meant
14 operational. When I talk about operational I'm not just

15:05:53 15 referring to issues relating to fighting. It could as well be -
16 or it is also relating to knowledge in communication from the
17 time I joined the unit, keeping of these notes and some other
18 relevant information that was communicated, or transmitted on the
19 radio.

15:06:18 20 Q. You're making the distinction between messages that
21 pertained to radio communication and information that pertains
22 to, for example, codes and other RUF information. Are you making
23 that distinction, Mr Witness?

24 A. Other RUF information concerning messages.

15:06:47 25 Q. Okay.

26 A. Okay?

27 Q. For example, they would tell you how messages ought to be
28 coded, correct?

29 A. Yes, sir.

1 Q. And they would tell you the different kind of messages,
2 true? For example, there is something called a collective call,
3 is there not?

4 A. It is there. I know that very well.

15:07:11 5 Q. And those are the types of information you would write in
6 that book as well, right?

7 A. Yes. I had written it in this book and besides I used this
8 one - I was not supplied stationery at that time. I used this
9 same book to do what - I mean to write whatever I heard on the
10 radio.

15:07:32

11 Q. Okay. Let me now ask the question. We now know that you
12 said 10 per cent, but I do not know in relation to what and I
13 want to seek clarification. Are you saying the book, the 10 per
14 cent to which you referred, was made up of radio communications?

15:07:54

15 Is that what you are saying?

16 A. Yes, sir.

17 Q. And the 90 per cent of the book was made up of other RUF
18 related information. Would that be fair to say?

19 A. Other pieces of information relating to our communications.

15:08:08

20 Q. Exactly.

21 A. Yes.

22 Q. There is also part of the book that contains personal
23 information, yes?

24 A. Yes.

15:08:19

25 Q. Now, going back to my question, 10 per cent of the book
26 pertained to radio communications. We see two pages here, two
27 messages from General 50. How many other pages concerning radio
28 communications are missing from that book?

29 A. I have counted the number of pages present in this book.

1 Q. Did you understand my question?

2 A. And I have again said some other messages were - some other
3 pages containing messages were taken out from this book.

4 Q. Mr Witness, you have testified for three days you were an
15:09:21 5 RUF operator. You have testified that you had operational books.
6 You have indicated that this was your operational book. This
7 book contains only two messages, two messages regarding radio
8 transmissions. So I ask you: How many more pages from this book
9 contained radio transmittal information?

15:09:49 10 A. I cannot state the exact number of messages that were taken
11 out of this book, but I can tell you truly that this particular
12 book contained other pieces of information. It was not all like
13 this. Of course I removed some pages and those were the two
14 other pages I had the transcribed code on, which was copied in
15:10:17 15 these two pages and those pages were removed. Besides that,
16 there were some other pages that were removed that hadn't any
17 writing. We used the plain sheets from this book and wrote on
18 those pages. Zedman also removed certain parts from this book,
19 so he can really give a clear explanation about the pages that he
15:10:47 20 removed.

21 Q. Yes, but it was your book and you should know the book,
22 true?

23 A. Yes, it is my book. It belongs to me.

24 Q. It's a simple question and you answered it before, but I
15:10:56 25 want to be sure. That book had more than two messages --

26 A. Yes.

27 Q. -- pertaining to radio communications, yes?

28 A. Yes.

29 Q. You have suggested, but please clarify if I'm mistaken,

1 that there were more messages pertaining to General 50 in that
2 book than the two that remain in it, yes?

3 A. Not just pertaining to General 50.

4 Q. I understand that. The question is as to General 50.

15:11:27 5 Forget the other commanders for the time being. There were more
6 than two messages pertaining to General 50 in that book when you
7 gave it to Zedman, true or false?

8 A. I have not really memorised all the writings in this book,
9 so as such I cannot really say the number of messages that were
10 transmitted by General 50 and was recorded in this book.

11 Q. Was it more than two?

12 A. I'm saying I cannot recall the total number of messages
13 that were recorded in this book, but I can remember some other
14 messages being received and written in this book.

15:12:15 15 Q. And they are not there right now, are they? How do you
16 account for the fact that in a book that originally has 96 pages,
17 a radio operator's operational book, there are only two messages
18 regarding radio transmittals? Please tell us why that's the
19 case, Mr Witness?

15:12:49 20 A. This message in fact here in this book, I used this
21 particular book as a source to receive the message in code and
22 have it transcribed. Otherwise, it would have been discarded
23 long before. The message was not directly stated, or let's say
24 was to be transmitted to me directly, but that I was used as a
15:13:17 25 means to receive this message and have it relayed to another
26 station.

27 Q. Are you trying to minimise the importance of this book?

28 A. I used this book in the station when I was in Buedu and I
29 was not limited in any kind of way to use this book.

1 Q. I'm not asking you if you were limited. I'm not asking you
2 about restrictions on what you could or could not write. You've
3 admitted that you retained this book from 2001 until 2006. You
4 have admitted that it was a book that you found to be important
15:13:56 5 to you. I am trying to ascertain why there are only two messages
6 in a radio operator's book pertaining to radio transmissions.
7 Can you tell us why?

8 A. These were the two messages that really remained here when
9 the other messages were discarded, and the paper - the reduction
15:14:18 10 of this paper - it's not necessarily the papers were containing
11 some other information. This book was used to receive messages
12 and have them transcribed. Some of the pages absent were used in
13 that process to receive and sometimes prepare messages.

14 Q. Okay. So you are saying that someone has ripped out
15:14:45 15 messages or pages containing information about radio
16 transmissions from this book, right? Well, let me ask you this.

17 A. Okay.

18 PRESIDING JUDGE: Mr Anyah, you haven't allowed him to
19 answer the question. Did you understand the question,
15:15:10 20 Mr Witness?

21 THE WITNESS: Let him come back with that.

22 PRESIDING JUDGE: Put the question again, please.

23 MR ANYAH:

24 Q. The question was this, "So you are saying that somebody has
15:15:19 25 ripped out messages or pages containing information about radio
26 transmissions from this book, right?"?

27 A. Yes.

28 Q. And that person you say is Zedman, correct?

29 A. He's the one I gave the book to.

1 Q. How many pages did the book contain, if you recall, when
2 you gave it to Zedman?

3 A. I did not count the pages, but there were some other
4 messages I can still recall. Messages like the one I received
15:15:52 5 from Massaquoi, it was in this book.

6 Q. But that is no longer there, right?

7 A. It is not there.

8 Q. Okay. There are also messages from 50 that are no longer
9 in this book, yes?

15:16:16 10 A. I cannot really recall.

11 Q. Looking at the first page, that page ending ERN number
12 9181, the date of the message is 30 September 2001.

13 A. Yes.

14 Q. You told us you were in Buedu when you recorded that
15:16:52 15 message, yes?

16 A. Yes.

17 Q. I'll ask you this about this message and I'll also ask you
18 it about the book in general and that has to do with the
19 accuracy. You have your hand up, Mr Witness.

15:17:08 20 A. Yes, in the first place I want you to understand the
21 situation in which this particular message was received and today
22 found in this book.

23 Q. Well you told us during direct examination how you came to
24 get the message and I remember it and I will ask you if I need to
15:17:27 25 recall it, but I don't at this point.

26 A. Okay.

27 Q. So, I want to ask you about the accuracy of the message.

28 You told us that Rebecca transferred the contents of a prior book
29 to this book, yes?

1 A. Yes, a prior content of a particular book and that was just
2 the signal note.

3 Q. That's not what you said before the break, Mr Witness.
4 That was not what you said in direct examination.

15:18:01 5 A. I spoke about the note of the signal training, that it was
6 transferred into this book by Rebecca. That was what I stated.

7 Q. Mr Witness, you told us I believe yesterday that Rebecca
8 transferred the contents of your prior book to this book. Do you
9 agree?

15:18:25 10 A. I said the note. The signal notebook. The note. The note
11 in the signal note - I mean, the note I received during the
12 signal training was the one Rebecca transferred into this book.

13 MR ANYAH: Madam President, may I have a moment, please?

14 PRESIDING JUDGE: Yes, Mr Anyah.

15:19:10 15 MR ANYAH: Thank you:

16 Q. Mr Witness, yesterday, 8 April 2008, Wednesday, you were
17 asked this question and this is the response you gave. (For the
18 benefit of the Chamber, as well as counsel opposite, I will be
19 reading from page 6877 from yesterday's transcript.)

15:19:35 20 MR BANGURA: I wonder, your Honours, whether my learned
21 friend wishes to refer to the 9th, rather than the 8th?

22 MR ANYAH: Yes, counsel. Actually - yes, I understand what
23 counsel is saying. I just have my dates mixed up. Today is the
24 10th and yesterday was the 9th, but I actually meant Tuesday, the
15:20:02 25 8th. Apologies. And the page I've just referred to is where I
26 shall be reading from, page 6877, the date of the transcript is 8
27 April 2008 and I will start at line 23:

28 Q. The question:

29 "Q. Thank you. Now talking about your notebook which we

1 have already tendered for identification in court, you said that
2 this notebook was not the initial original that you had and that
3 what you have just tendered in court was one which was reproduced
4 from the original by a girl. Is that correct?"

15:20:45 5 The witness answers:

6 "Yes, sir, it's just a replica of what I copied myself.
7 The book was worn out, some of the pages in the book worn out, so
8 I had to change it."

9 PRESIDING JUDGE: Just pause, Mr Anyah, to see what the
15:21:04 10 problem with the witness is. Mr Witness, you had your hand up.

11 THE WITNESS: [Microphone not activated].

12 PRESIDING JUDGE: Counsel is reading, Mr Witness, from the
13 transcript so - counsel is reading from the transcript. Let him
14 continue and if you have some comment --

15:21:27 15 THE WITNESS: Okay, okay.

16 PRESIDING JUDGE: Continue, Mr Anyah.

17 MR ANYAH:

18 Q. And you said, starting back at line 28:

19 "Yes, sir, it's just a replica of what I copied myself.

15:21:40 20 The book is worn out, some of the pages in the book worn out, so
21 I had to change it.

22 Q. And you say the person who copied this, who helped you
23 to reproduce it, was?

24 A. A girl.

15:21:50 25 Q. And this girl was called?

26 A. Rebecca."

27 I am sorry, "And this girl was called?", that was the
28 question, and you answered, "Rebecca. She had wanted to be
29 trained in signal communication." That was the response you gave

1 on Tuesday. You said it was a replica.

2 A. Yes, sir.

3 Q. Right?

4 A. Yes, sir.

15:22:08 5 Q. You did not make any distinctions or limitations about what
6 Rebecca transferred from one book to the other, true?

7 A. First, I did make distinction. First it was the
8 communication note that was displayed and the question came about
9 the note that was displayed, the communication note, which I said
10 that it was copied by Rebecca and the previous book in which this
11 communication note was written in worn out so it had to be
12 reproduced and the note was reproduced by Rebecca. That was what
13 I stated. It was at first this signal note that was displayed on
14 the screen and that was what I was questioned about.

15:23:00 15 Q. So, now you are saying that Rebecca copied only the signal
16 notes from one book to another. Is that what you are saying?

17 A. The signal notebook - I mean the signal note it was in
18 another book, that is true, but this note was reproduced by a
19 girl called Rebecca who had wanted to be trained in signal. That
15:23:22 20 was what I stated. And indeed at first it was this note, the
21 signal note, that was displayed and I was asked to talk about.
22 It was later that this message was displayed and I was asked. In
23 fact, that was at the latter part of my testimony. Almost at the
24 latter part of my testimony.

15:24:03 25 Q. In any event you told us that you were in Buedu when you
26 received this note, or this particular message ending with page
27 number 9181, correct?

28 A. Yes, sir. I was in Buedu station when operator Life - it
29 was operator Life who contacted me and said he had a message and

1 I told him "Wait", but the message was to be relayed to General
2 Issa's station. And during my interview at one point in time I
3 can recall I was asked to explain how the signal communication
4 went on, and in my explanation I stated that just in case a
15:24:47 5 particular station has a message for another station and it
6 happens that that station is not on the air, the other station
7 having the message for the station that is not at present
8 available on the net had every right to relay that message to any
9 other station who could later on transmit the message on behalf
15:25:08 10 of that station.

11 Q. Why could not this radio operator, you said Life, why could
12 he not send the message directly to General Issa?

13 A. That is in my profession. When another message - I mean
14 another station is not on the air I have every right to receive
15:25:28 15 the message on behalf of the other station that is not on the air
16 and later on transmit that message and state the time and of
17 course the date exactly on which that message was received and
18 transmit it. That was what I was trained in, because in one of
19 the interviews I can remember the investigator asked me to
15:25:53 20 explain about the course of the signal training and I made
21 mention of relaying of information. And if a message is relayed
22 there's no need registering or putting that particular message
23 into your own message book that you had already in the station,
24 since the message is not directed to you exactly. The message is
15:26:15 25 not asking you to implement any instruction, or any other
26 whatever.

27 Q. Are you saying that you only recorded that message in your
28 own personal notebook? Is that what you are saying?

29 A. I received this message in this book - in this particular

1 book - which was with me in the station. I had every right to
2 write everywhere, receive this message in code which was to be
3 relayed to another station, okay? When I received this message I
4 had really to find out the content of the message. It was
15:26:45 5 transcribed in this book and it remained there in this book for
6 so long. It was late that it was replicated. It was transcribed
7 initially, it remained in this book and these are some of the
8 pages you are seeing excised.

9 Q. Mr Witness, we understand you had every right to record the
15:27:09 10 message. You made some responses to questions posed and I'm
11 trying to get clarification. You said in the context of a
12 relayed message, a message that you get for example from Life
13 that you are going to relay to Issa Sesay, and you told us before
14 his radio operation was Elevation, correct?

15:27:27 15 A. Whose radio operator was Elevation?

16 Q. Issa Sesay's radio operator was Elevation?

17 A. I received this message from operator Life.

18 Q. I understand that.

19 A. Okay. Operator Life at some point in time was with General
15:27:43 20 50 operating the radio set for General 50. I received this
21 particular communication from operator Life and the message was
22 to be relayed. The message did not come to me directly. If the
23 message - let's take, for example, at that point in Buedu --

24 Q. Mr Witness, I'm not disputing that you received this from
15:28:04 25 Life.

26 A. Okay.

27 Q. Are we clear?

28 A. Yes, sir.

29 Q. I want to know whether Elevation was Issa Sesay's radio

1 operator at the time you received, or transferred this message.

2 Was he, or was he not?

3 A. Operator Elevation was in charge of General Issa's radio in
4 Kono.

15:28:30 5 Q. Is that a yes to my question?

6 A. Yes, he was the operator.

7 Q. He was the operator to whom you forwarded this message,
8 yes?

9 A. I transmitted this message to General Issa's station.

15:28:46 10 Q. To which operator did you forward this message, Mr Witness?

11 A. I have to think because Elevation was not the only
12 operator. Of course he was in charge, but there were some other
13 operators and my responsibility was to transmit the message to
14 General Issa's radio station, which I did.

15:29:16 15 Q. Have you thought about the name of the operator?

16 A. I can remember receiving the message from operator Life and
17 the message was transmitted to General Issa's radio station. It
18 was relayed. I received the message from one point in the same -
19 in that code form and had it relayed to General Issa's station.

15:29:46 20 That was what I was trained in. I was trained with the procedure
21 of the RUF and it happened --

22 Q. Mr Witness.

23 A. Yes, sir.

24 Q. I want to go back to the response you gave as to how this
15:30:05 25 message ends up in your own operational notebook. In responding
26 to questions you said that in the context of a relayed message, a
27 message from another station that you relay, you receive from
28 another station, for example Base 1, for the sake of argument,
29 and you are relaying it to General Issa Sesay, you said in that

1 context you as the operator did not have to record the message
2 you were receiving in your radio station's main radio log book.
3 True or false?

15:30:58 4 A. In fact, you've made mention of log book. Log book, I said
5 earlier, is different from the message book.

6 Q. Well, message book. When it's a relayed message do you or
7 do you not record it in the radio station's message book?

8 A. I have no right to put the message among another
9 commander's message.

15:31:17 10 Q. Okay.

11 A. Let me explain a bit.

12 Q. Go ahead.

13 A. In any particular station there was a book assigned to the
14 commander and whatever message coming to that station for that
15:31:34 15 particular commander had to be recorded in that book: Here is a
16 message received to be relayed.

17 Q. So it means --

18 A. I had no right to put it into another commander's message
19 book because it was not addressed to him to act upon in any way
15:31:54 20 whatever.

21 Q. Mr Witness, I understand. From what you're saying - for
22 example when you worked with Sam Bockarie in Buedu, what you are
23 saying amounts to this: Only messages pertaining to Sam Bockarie
24 were recorded in the message book for his base location, Planet
15:32:24 25 1, for example.

26 A. Yes, sir.

27 Q. So there would be no point in putting messages that did not
28 pertain to Sam Bockarie in that general's message book, true?

29 A. In General Sam Bockarie's message book.

1 Q. Yes. Then, Mr Witness, let's take Buedu, for example, when
2 you were there, off and on. Any operator who was not at the
3 radio, who did not transmit messages, that is receive and relay
4 messages, or who did not monitor the frequencies on the radio,
15:33:10 5 would only be able to know what has happened when he was not at
6 the station - well, I strike that. I withdraw that, Madam
7 President. Sorry, I withdraw the question.

8 My question is this, Mr Witness: If a radio operator in
9 Buedu was not at work, or he was not working at a particular
15:33:32 10 time, let's say he had 12 hours off from listening to
11 communications, or from monitoring communications, or from
12 transmitting communications, and he came back to the base, or he
13 came back to a mobile station, if that radio operator read the
14 message book for Sam Bockarie he would only read messages
15:33:56 15 pertaining to Sam Bockarie, correct? Yes?

16 A. This message for Sam Bockarie, are you talking about his
17 station?

18 Q. Yes.

19 A. If a message came for Sam Bockarie and it was received by
15:34:25 20 another operator and recorded, another operator came, he had
21 every right to read the message.

22 Q. Of course he had every right to read it. The issue now
23 deals with the contents of the message. Messages going to
24 General Issa Sesay, by then colonel, or whatever his rank was,
15:34:40 25 would not be recorded in the message book for Sam Bockarie's
26 station, right?

27 A. Let me make that part clear.

28 Q. Mr Witness, it's a yes or no question. In Sam Bockarie's
29 message book - the battlefield commander, the highest person in

1 the RUF at the time after Foday Sankoh went to Abidjan. You have
2 told us that only messages pertaining to a commander would be
3 recorded in the commander's message book. Now, in Sam Bockarie's
4 message book, when he became commander of the RUF, you would not
15:35:23 5 find messages that were directed to Issa Sesay, for example, in
6 Sam Bockarie's message book, yes?

7 A. If they were together - let's say for example this is
8 General Issa - I mean General Sam Bockarie's station and General
9 Issa Sesay, or let's say Colonel Issa Sesay also is on that
15:35:44 10 ground, the message would be received by the operator in another
11 message book and handed over to General Issa, or Colonel Issa.

12 Q. But it would not be put into Sam Bockarie's message book,
13 right? It was a relayed message. It would be received in
14 another message book, correct?

15:36:11 15 A. Let me explain what we mean by relayed message.

16 Q. No, I understand it. Mr Witness, you have explained this
17 particular message ending with ERN number 9181 as a relayed
18 message. We understand it. You have also said that this
19 message, being the case that it was a relayed message --

15:36:33 20 PRESIDING JUDGE: Just a minute, Mr Anyah. What's the
21 problem, Mr Witness? You've got your hand up.

22 THE WITNESS: Okay, when we talk about a relayed message,
23 let's say you have three positions --

24 PRESIDING JUDGE: Just a minute. Are you going to give an
15:36:46 25 explanation of something that has not been asked yet?

26 THE WITNESS: It has not been asked. Of course it has been
27 spoken about, but it appears the concept of relay procedure is
28 not known to Mr Anyah.

29 PRESIDING JUDGE: Just wait and let the question come and

1 if I'm not clear, I'll ask you.

2 MR ANYAH:

3 Q. Mr Witness, let's look at this message. Let's not talk in
4 the abstract. Let's look at the message ending in 9181, that
15:37:26 5 page number. You told us in direct examination that that message
6 came from Base 1, correct?

7 A. From 50's radio station, from operator Life. Not all the
8 time 50 called from Base 1. 50 was not stationed in any
9 particular radio station. He could move to Monrovia, call from
15:37:48 10 Base 1, he could move to Voinjama and call from the radio
11 station, move to Vahun and call from that radio station. But the
12 operator I can recall receiving this message from was operator
13 Life. Let me go further to explain the concept of relay
14 procedure.

15:38:09 15 Q. No, Mr Witness, I understood your response.

16 A. The concept of relay procedure --

17 Q. Mr Witness --

18 PRESIDING JUDGE: Mr Witness, please answer the questions
19 asked.

15:38:21 20 MR ANYAH:

21 Q. Let's assume for the sake of argument that you received
22 this message from operator Life. The message was to Issa Sesay,
23 right?

24 A. Yes, sir, and Issa Sesay --

15:38:38 25 Q. May I finish my question?

26 A. Okay.

27 Q. Issa Sesay was not present at the location where you were
28 at when you received the message, true?

29 A. At all not. He was not.

1 Q. Now, I asked you before and you did not answer it: You
2 were in Buedu, at least you told us that you were in Buedu when
3 you received this message, correct?

4 A. Yes, sir.

15:38:59 5 Q. Now, you then transmitted this message to Issa Sesay's
6 radio station, correct?

7 A. Yes, sir.

8 Q. The person in charge of that radio station was radio
9 operator Elevation, true?

15:39:18 10 A. He was the station sergeant, but he was not the only radio
11 operator in General Issa's radio station.

12 Q. I didn't ask you if he was the only radio operator in
13 General Issa's radio station. You answered the question a few
14 minutes ago. You said he was the head, or commanding operator,

15:39:44 15 right?

16 A. Yes, sir, but it doesn't mean all messages coming for that
17 station should be received by him alone.

18 Q. A few minutes ago you told us that when you received such
19 messages, which are not directed to the commander at the location
15:40:04 20 where you are based, in respect of this message that would be Sam
21 Bockarie, you told us that you would not have to record such
22 messages in Sam Bockarie's message book, correct?

23 A. The time I'm talking about in Buedu, Sam Bockarie had long
24 left for Liberia. He was not in Buedu any longer. It was
15:40:35 25 General Barbue, Matthew Barbue, who was assigned in Buedu and at
26 that time all messages for General Barbue was what I was to
27 receive and deliver to him directly. But this message I'm
28 referring to, a relay message, was a sort of service rendered to
29 a fellow operator. Let's say you have three radio stations in

1 three different locations. It is probable, or it is likely that
2 communication link between station A and B is not clear, will not
3 be clear, but a communication link is open between station A and
4 C. Since link between A and B is not clear, if A has message for
15:41:23 5 B, A can pass this message to C and C will later relay the
6 message to B.

7 Q. Okay, I stand corrected. Sam Bockarie had left at that
8 point, but nonetheless General Matthew Barbue, to whom you
9 reported - you would not in the ordinary scheme of things record
15:41:54 10 this message in his message book, correct?

11 A. At all not, since it was not for him.

12 Q. Thank you, Mr Witness. That being the case, Mr Witness, I
13 go back to the question I raised before. If somebody picked up
14 Matthew Barbue's radio book, or message book, they would only see
15:42:19 15 messages that pertained to him, true?

16 A. That would be to the operator maybe to have written another
17 person's - another commander's - message in Barbue's book.

18 Q. You said the one time or one possible occasion when another
19 general's message would be received - I'm sorry, I withdraw that.
15:42:52 20 You gave an example of when two generals are in the same place,
21 not generals but commanding officers are in the same location,
22 and you said, "If for example Issa Sesay was in the same location
23 with Sam Bockarie and a message came for Issa Sesay to Sam
24 Bockarie's radio operator, Sam Bockarie's radio operator would
15:43:12 25 record Issa Sesay's message in a separate book". Yes?

26 A. Yes.

27 Q. Okay. Then I go back to my question. Under what
28 circumstances would you find the messages of one commander in
29 another commander's message book?

1 A. Let's take for example in some occasions senior officers
2 were called from various targets to report to Buedu, where
3 General Sam Bockarie was based. Whilst in Buedu messages came
4 from their respective operational stations. Those messages were
15:43:57 5 to be recorded in the book that was at the control station at
6 General Sam Bockarie's station; recorded in that book and handed
7 over to them.

8 Q. Let's look at this message. 9181, that's the page number.
9 When you read the contents of this message, Mr Witness, does it
15:44:25 10 accurately reflect how you recall this message being in your
11 first operation book, the one that was worn out?

12 A. When it was transmitted in code form?

13 Q. No.

14 PRESIDING JUDGE: Let me - I'm just not clear. Are you
15:44:51 15 saying that this message was in an old book and then transferred
16 into a new book? Is that what you are asking?

17 MR ANYAH: Well, the witness has told us he had two
18 notebooks and I can clarify the question. I recall him telling
19 us that he had two. He had an old one that was worn out and
15:45:11 20 Rebecca copied or transferred the information.

21 PRESIDING JUDGE: No, I understood her to have copied the
22 codes.

23 THE WITNESS: Let me make that part explicit.

24 JUDGE SEBUTINDE: Mr Anyah --

15:45:28 25 MR ANYAH: Yes, Justice Sebutinde.

26 JUDGE SEBUTINDE: -- to agree with the Presiding Judge I
27 think what the witness has laboured to put across is he did have
28 two books, but this book that we're looking at is not entirely a
29 new book. Parts of it were rewritten by Rebecca, whilst parts of

1 it are in the original form that he wrote it. That is how I
2 understand it. One of the parts that is in its original form is
3 this message we're looking at. This message was not rewritten by
4 Rebecca. This message is in its original form as the witness
15:46:00 5 wrote it. Now the parts where Rebecca's handwriting appear were
6 the parts that were rewritten, copied from the old book that
7 disappeared, or that got worn out. Am I correct, Mr Witness?

8 THE WITNESS: Correct. And talking about again this
9 message, this message did not come in plain form as it is written
15:46:20 10 now. Messages transmitted from one station to another has to be
11 put into code. And help me with the code. Let me demonstrate
12 that.

13 MR ANYAH:

14 Q. Mr Witness, I understand.

15:46:30 15 PRESIDING JUDGE: We understand that.

16 THE WITNESS: Yes.

17 MR ANYAH:

18 Q. I understand you told the Prosecution as much, it's in tab
19 6, page 23, that this is a coded message. I know that and the
15:46:47 20 record will speak for itself about what you said about this
21 message on direct examination. Does this message accurately
22 reflect what you wrote down about the message from Benjamin
23 Yeaten to Issa Sesay as it appears in this notebook? Does it
24 reflect what you wrote down?

15:47:09 25 A. Let me explain that part again.

26 Q. It's a yes or no question. Is it accurate?

27 A. There's a slight difference here.

28 Q. Okay, please tell us.

29 A. Allow me to explain.

1 Q. Yes, tell us the difference, Mr Witness.

2 A. Fine. This message is dated this 30 September. This was
3 the date in which the message was received in code, is that
4 clear? This message was received on this date. It was in code -
15:47:46 5 in code form - received on this date. And it was not written on
6 this particular page, but some other page in this book. It was
7 received in here and transcribed, which was later on copied in
8 clear form.

9 Q. We understand. This is a decoded message. You said it was
15:48:10 10 initially written on another page in that book, yes?

11 A. Yes.

12 Q. Mr Witness, can you keep --

13 A. Not copied in this form, but --

14 Q. Mr Witness, may you listen to the questions so that
15:48:23 15 everybody is heard and understood and we progress in an orderly
16 way.

17 A. Okay.

18 Q. You have told us that this message when it was first
19 recorded in this book was recorded on a different page, yes?

15:48:39 20 A. Received when it was in the code, yes. When it was
21 received in the code, yes.

22 Q. Okay, I understand the distinction. The message comes in
23 as a coded message, right?

24 A. Yes, sir.

15:48:50 25 Q. It's in code, true?

26 A. It came in code.

27 Q. When this message - let's talk about this message. When
28 that message came you said from Life, correct?

29 A. Yes, sir.

1 Q. The coded version of the message with the RUF code was
2 written on a different page in this notebook, yes?

3 A. Yes, sir.

4 Q. Please let me finish my questions.

15:49:17 5 A. Okay.

6 Q. Somebody then decoded the message and that person was you,
7 correct?

8 A. Yes, sir, myself.

9 Q. And when you decoded the message you decoded it or wrote
10 the decoded version in the same notebook, correct? Yes?

11 A. When the message was - it was transcribed. The message
12 received in code on another page was transcribed on that page.
13 It remained there for so long, the transcribed message on this
14 page. It was later that it was reproduced on this page. That is
15 taking it now from the transcribed form on another page.

15:50:00 16 Q. Well, let me ask you this. We're now in three steps now.
17 When you say "transcribed form", are you referring to a coded
18 form or decoded form? When you use the word "transcribed", are
19 you saying it's coded or decoded?

15:50:17 20 A. It is decoded.

21 Q. Decoded, okay. Then, Mr Witness, what you are telling us,
22 we've agreed on step one. You recorded a coded message from Life
23 in a page in this book, yes?

24 A. Yes, sir.

15:50:33 25 Q. To use your phrase you transcribed it to a decoded version,
26 correct?

27 A. Yes, sir.

28 Q. And that decoded version you also recorded in this book,
29 yes? True, or false?

1 A. The decoded version is what you have here now.

2 Q. Okay.

3 A. It was received in code on another page and transcribed on
4 that particular page. It was the transcribed message that was

15:51:05 5 now transferred here and written in normal form.

6 Q. I understand. So only two pages were involved in this,

7 Mr Witness? The page on which - may I finish my question?

8 A. Okay.

9 Q. The page on which the coded message came, on that same page

15:51:22 10 was a transcription and then we get to this page which is the

11 decoded version, true?

12 A. Yes, sir.

13 Q. Okay. This decoded version, is it accurate? Does it

14 accurately reflect the other page on which were the coded version

15:51:45 15 and the transcribed version? The content, look at it,

16 Mr Witness.

17 A. What sort of content?

18 Q. Well, read the message. It talks about a telephone

19 conversation yesterday. Does that accurately reflect what you

15:52:12 20 transcribed?

21 A. Just what you have written here was what exactly was

22 received and transcribed and this is what you have recorded here,

23 and what again I would like to help you with is the meaning of

24 transcription in communication.

15:52:27 25 Q. Well, we'll get to that, Mr Witness.

26 A. No, I --

27 Q. Mr Witness, I pose the questions, with respect. The next

28 page, the message on the next page, you also decoded that

29 message, is that fair to say? The page ending in ERN 9182, yes?

1 A. Yes.

2 Q. Are there any other messages in this book that you yourself
3 decoded?

4 A. I spoke of one other message that was transmitted by Gibri I
15:53:18 5 Massaquoi that I recall was in this book when it was handed over
6 to Sahr James.

7 Q. No, I'm not asking about missing pages. I'm asking you
8 about what you're looking at now. Are there any other messages
9 that you transcribed, or decoded rather?

15:53:34 10 A. As far as this book is concerned?

11 Q. Yes, as what you're looking at now?

12 A. These two messages were transcribed and written by me.

13 Q. Yes, we understand that. The question is are there any
14 other messages in this book, besides those two, that you decoded?

15:54:02 15 A. They are not - I am not seeing any of such now, but I can
16 still recall one other message which I sent about my personal
17 well being, okay?

18 Q. Okay, thank you, Mr Witness.

19 A. The message is here.

15:54:13 20 Q. Thank you, Mr Witness. The next message after the page
21 we've been looking at, the page ending in 9182, also to Issa
22 Sesay, bears the date of 22 October 2001, right?

23 A. Yes, sir.

24 Q. Where were you on 22 October 2001?

15:55:09 25 A. I'm saying in Buedu.

26 Q. You were in Buedu?

27 A. Yes, sir.

28 Q. Have you told the Office of the Prosecution before that you
29 left Liberia in November of 2001?

1 A. Yes, I said it, but I have again told you - I again said to
2 this Court during my testimony that I retreated from Foya
3 together with Superman when he got wounded and when I retreated
4 to Buedu I was assigned to General Barbue. I remained in Buedu
15:56:00 5 during this period until a certain time late I was again called
6 to Vahun, but I did not stay long in Vahun and I came back to
7 Sierra Leone.

8 Q. But from Vahun you went - did you go to Monrovia from
9 Vahun?

15:56:20 10 A. Yes, I flew from Vahun to Monrovia. I did not even spend
11 72 hours, I came back to Vahun. From Vahun not even one week, I
12 escaped to Sierra Leone, to Buedu, and even when I left Buedu
13 going to Vahun I still was travelling with Amphibian Father and I
14 stated that yesterday coming back to Buedu, returning to Vahun,
15:56:43 15 crossing into Liberia by way of the custom, Dawa custom post.

16 Q. Mr Witness, let's try and track where you were at different
17 times and what you've said about this. Actually the witness -
18 does he have his bundle of documents before him? Mr Witness,
19 could you go to tab 6, page 7. The ERN number ends in 5018.

15:58:03 20 Your Honours, on the bottom right-hand corner the page number is
21 page 7 and that's tab 6.

22 Mr Witness, if you look at paragraph 13, it's numbered
23 paragraph 13, it says, "The witness reports that he remained in
24 Liberia with Yeaten until late 2001. He was still there at the
15:58:24 25 time of the 11 September attack in New York." Paragraph 14, "He
26 left Liberia when forced to retreat to Buedu after a LURD
27 attack."

28 Mr Witness, on 11 September 2001 you are saying you were in
29 Liberia, correct? That's what you told the Prosecution during

1 this interview, yes?

2 A. This is what --

3 Q. Yes or no?

4 A. This is what I am seeing stated.

15:58:50 5 Q. Mr Witness, did you or did you not tell the Prosecution
6 that on 11 September 2001 you were in Liberia, yes or no?

7 A. That was in Vahun. That was in Vahun and it was --

8 Q. Mr Witness, are you saying on 11 September 2001 you were in
9 Vahun? Is that your evidence?

15:59:21 10 A. Yes, but let me make that point clear.

11 Q. Okay, go ahead.

12 A. I have said that after the retreat from Foya, Liberia, back
13 to Buedu I was still moving into Liberia and back. I was still
14 moving into Liberia and back. So many times General Barbue was

15:59:44 15 instructed by General Issa Sesay to join forces with Amphibian
16 Father and the other commanders to attack Liberia. I went with
17 the radio, the operation - I mean the mobile radio. But that
18 doesn't mean I was just throughout in one particular location. I
19 have stated this one. Even the question of asking - I mean the
16:00:05 20 question of saying "how long were you there?", and "where were
21 you when this incident occurred?", I was a mobile radio operator.
22 Today I am in Liberia, the other day I'm back to Sierra Leone.

23 Q. I see.

24 A. More especially when fighting was going on along the
16:00:21 25 border.

26 Q. I see, but when you testified on direct examination you
27 indicated, as far as your radio operations work was concerned,
28 that at one point you were assigned to Buedu, Buedu, you gave us
29 that impression, and at another point you were assigned to

1 General 50. You called him Unit 50, right?

2 A. Yes, sir.

3 Q. And you and Unit 50, during a particular period of time,
4 essentially went everywhere together. You went to Gbarnga,

16:00:53 5 correct, for example, yes?

6 A. Yes, sir.

7 Q. You went from Gbarnga to Monrovia, yes?

8 A. Yes.

9 Q. And he took you on helicopter rides to Vahun, correct?

16:01:11 10 A. Yes.

11 Q. How many times did you go to Sierra Leone when you left on
12 this assignment by Issa Sesay after you had left - I'll rephrase
13 that. Issa Sesay assigns you in June of 1999 to go and serve as
14 a radio operator in Liberia and you go to Foya, correct?

16:01:30 15 A. Yes, sir.

16 Q. After June of 1999, once you land in Foya, how many times
17 did you go back to Sierra Leone between June of 1999 and the end
18 of the year 2001, disarmament?

19 A. Let me explain.

16:01:50 20 Q. Mr Witness, here is the question: When you landed in Foya
21 with instructions from Issa Sesay to go and serve as a radio
22 operator to ensure smooth communications, to use your term,
23 between Liberia and Sierra Leone, from June 1999 how many times
24 between then and disarmament did you go to Sierra Leone?

16:02:19 25 A. So many times. I cannot give you any specific number.

26 Q. Well, let's try an approximate number. Would it be up to
27 ten times, Mr Witness?

28 A. I don't want to tell lies.

29 Q. I'm not asking you to tell lies. From June 1999 up until

1 the end of 2001 it's 18 months, would you agree? From June 1999
2 to December 2001 it's 18 months, correct?

3 A. I will calculate and know.

4 Q. It's a year and a half.

16:03:02 5 A. Okay, about that.

6 Q. How many times in the span of a year and a half, bearing in
7 mind you told us how you moved - you were very specific about how
8 you sustained your injury at Gbaima, how you went from there to
9 Pendembu, how you went from Pendembu and eventually ended up in
10 your village Dodo Kortuma. You knew the periods then. So I'm
11 asking you now: In this year and a half period, once you landed
12 in Liberia in June 1999, how many times did you return back to
13 Sierra Leone?

14 A. I've said I cannot give any specific number, but allow me
15 to explain the instances I returned to Sierra Leone from Liberia.
16 Maybe that will help us to estimate the number of times I
17 returned to Sierra Leone from Liberia.

18 Q. Well, you have already explained those instances in direct
19 examination and I am looking for an approximate number.

16:04:12 20 A. I don't really want to give number that may not go in line
21 with the number of times I paid visit to Sierra Leone. Whilst in
22 Lofa, when the Guinea operation was going on in Foya, I can
23 remember twice crossing into Koindu and back and that was in
24 Sierra Leone, and again when we came under attack in Foya I
16:04:38 25 retreated to Buedu, I spent some time there. Back to Vahun, I
26 was sent with one Christopher Varmoh, that was a Mosquito, the
27 Liberian Mosquito, to the ferry crossing point. I came again
28 with General 50 himself to the ferry. He came to the ferry and
29 met with General Issa Sesay and left some boxes of ammunition.

1 Those boxes of ammunition got drowned in the river. Those
2 assigned at that point to the ferry were Sam Kolléh and some
3 other men. So many instances, so many times I crossed back into
4 Sierra Leone and some of the times they were moving with
16:05:25 5 materials. He would tell me to join them to be given
6 informations. When we got to Buedu - I mean first to Koindu, I
7 would enter to the radio room and inform him that we were at
8 Koindu. Then moving from Koindu again to Buedu I would enter to
9 the radio room in Buedu and just using my call sign and tell him
16:05:47 10 that we were in Buedu. So also in Kailahun. I would remain
11 giving him information about our movement until to a particular
12 designated point before I was authorised to return. In some
13 cases we travelled by vehicle to get to the ferry and I had to
14 walk to return because the materials were brought to the ferry
16:06:15 15 and I was told to stay to the ferry to give information from
16 Pendembu and the vehicles were just to get to the ferry and
17 return. Then after collecting the materials I would now have the
18 responsibility to walk back to Foya.

19 Q. Mr Witness, can we go to tab number 1, your very first
16:06:45 20 interview with the Office of the Prosecution. That's the very
21 first document in the set that you have, Mr Witness. Are you at
22 tab 1, Mr Witness?

23 A. Yes, sir.

24 Q. Mr Witness, these are notes from your first interview with
16:07:13 25 the Office of the Prosecution, 7 July 2006. If you go down about
26 a quarter of the page there is a sentence that starts with, "Sent
27 messages to and from Liberia". Do you see that, Mr Witness?

28 A. Which of the lines?

29 Q. If you go down about a quarter of a page to where the

1 sentence starts, "Sent messages to and from Liberia". Do you see
2 it?

3 A. Yes.

4 Q. I will read it and if you could follow me. It says:

16:08:04 5 "Sent messages to and from Liberia. Knew that because of
6 codes used, call signs. He was sent to Liberia to Monrovia to
7 work as radio operator at Base 1 at Congo Town, White Flower. In
8 June 1999 he crossed into Liberia on 'temporary duty' to assist
9 Charles Taylor's troops. By mid-December 1999 to Monrovia.

16:08:45 10 Assigned to Benjamin Yeaten by Issa Sesay to work at Base 1 as
11 radio operator. RUF needed someone in Liberia who spoke their
12 codes, etc, because of the language barrier."

13 The next line:

14 "Was there for about a year but was often in the field in
16:09:08 15 Liberia because he always went with 50."

16 Do you see that, Mr Witness?

17 A. Yes, sir.

18 Q. This says that you were in Liberia for about a year. Do
19 you agree?

16:09:21 20 A. From the time I --

21 Q. Do you agree, yes or no?

22 A. Allow me to read this part of the statement, please. More
23 than one year. More than one year. This statement - with
24 reference to the time I entered into Liberia and from the time I
16:10:27 25 left back for Sierra Leone --

26 Q. When you say with reference to the time you entered into
27 Liberia you are not disputing that it correctly states you
28 entered Liberia in June of 1999, are you?

29 A. That is the time I entered Liberia.

1 Q. You are disputing the part that says you were in Liberia
2 for only a year. Is that your evidence, Mr Witness?

3 A. Not only a year. What I said - what I want to really say
4 here is that, still under the control of General Issa in Liberia,
16:11:01 5 at some point in time our position, I mean Foya, came under
6 attack. I was then forced to cross into Sierra Leone and spend
7 some months in Buedu.

8 Q. The question is how long did you spend in Liberia. The
9 notes by the Prosecution say you were there for about a year.
16:11:20 10 What do you say, Mr Witness?

11 A. I was not taking note, I was not writing records of the
12 number of days I spent in Monrovia. Say today is Tuesday, I
13 write Tuesday, tomorrow is Wednesday, I write Wednesday, until
14 the last day I left there. I cannot give any clear - or a
16:11:49 15 precise number of days, months, or weeks that I spent in Liberia,
16 but some of the instances I was in Liberia I can give you clear
17 information about those instances.

18 Q. This paragraph I've also read refers to Charles Taylor's
19 troops. Did you hear that and do you see it on the page,
16:12:12 20 Mr Witness?

21 A. Yes, sir.

22 Q. What troops are being referred to in that paragraph?

23 A. I was instructed to meet General 50 and General 50 was a
24 soldier for Charles Taylor.

16:12:30 25 Q. So, when it refers to troops there you mean General 50?

26 A. He was not the only person I met on the ground in Liberia,
27 but some other soldiers. In fact, different groups. Armed
28 groups. I met the SSS, of which General Benjamin D Yeaten was
29 the director and he was the top most for that division. I met

1 the SOD, that is the Special Operational Division, the AFL and
2 other divisions.

3 Q. Mr Witness --

4 PRESIDING JUDGE: Just pause, Mr Anyah. Mr Anyah, I have
16:13:08 5 in mind the fact that we've still got to deal with the
6 application and Mr Bangura's revised retraction application -
7 redaction application, I am sorry, not retraction - and I would
8 like to allow a few minutes. So, if you could put this question
9 and we will record the answer and then we will deal with the -
16:13:31 10 finish the question you're asking.

11 MR ANYAH: Yes, Madam President. I'm in the Court's hands:

12 Q. Mr Witness, in the paragraph I've just read it says you
13 crossed into Liberia on "temporary duty". Do you see that?

14 A. Yes, sir.

16:13:48 15 Q. When you testified about the circumstances under which you
16 went to Liberia you said Issa Sesay asked you to go and you did
17 not know exactly why, correct?

18 A. I did not know exactly why he told me to go to Liberia. I
19 was told that I was going on a temporary duty per year. We talk
16:14:13 20 about TDY. Since I was not a Liberian I was not any member of
21 the armed divisions in Liberia. Crossing from Sierra Leone into
22 Liberia, meaning I was going on a temporary assignment.

23 Q. So, that is what is meant by "temporary"?

24 A. Temporary duty per year.

16:14:34 25 Q. Did they tell you when you would have to return back to
26 Sierra Leone?

27 A. That was not spelled out to me at all.

28 Q. So, you did not know when exactly you would return back to
29 Sierra Leone?

1 A. That was not spelled to me.

2 MR ANYAH: Madam President, I think this is sufficient.

3 PRESIDING JUDGE: Thank you. Please pause, Mr Witness.

4 We're going to deal with Mr Bangura's application.

16:14:59 5 Mr Bangura?

6 MR BANGURA: Thank you, your Honour. Your Honours, I just
7 wish to again ask that this matter be dealt with in a private
8 session so that we are freely able to --

9 PRESIDING JUDGE: Madam Court Attendant, if we could have a
16:15:28 10 private session, please. If there are persons in the public
11 gallery the next part of the proceedings will be silent because
12 of reasons of security of the witness, but you will be able to
13 see the proceedings.

14

15 [At this point in the proceedings, a portion of
16 the transcript, pages 7276 to 7283, was
17 extracted and sealed under separate cover, as
18 the proceeding was heard in private session.]

19

16:51:11 20 [Whereupon the hearing adjourned at 4.50 p.m.
21 to be reconvened on Friday, 11 April 2008 at
22 9.30 a.m.]

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I N D E X

WITNESSES FOR THE PROSECUTION:

TFI -516	7134
EXAMINATION-IN-CHIEF BY MR BANGURA	7134
CROSS-EXAMINATION BY MR ANYAH	7186