



Case No. SCSL-2003-01-T

THE PROSECUTOR OF  
THE SPECIAL COURT  
V.  
CHARLES GHANKAY TAYLOR

FRIDAY, 6 JUNE 2008  
9.30 A.M.  
TRIAL

TRIAL CHAMBER II

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Before the Judges:

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

For Chambers:

Mr Simon Meisenberg  
Ms Doreen Kiggundu

For the Registry:

Ms Rachel Irura

For the Prosecution:

Ms Brenda J Hollis  
Mr Alain Werner  
Ms Maja Dimitrova

For the accused Charles Ghankay  
Taylor:

Mr Terry Munyard  
Mr Morris Anyah

1 Friday, 6 June 2008

2 [The accused present]

3 [Open session]

4 [Upon commencing at 9.30 a.m.]

09:32:33 5 PRESIDING JUDGE: Good morning, counsel. It would appear  
6 the Prosecution Bar is as before, Mr Werner?

7 MR WERNER: Yes, your Honours, Madam President, good  
8 morning. For the Prosecution this morning: Brenda J Hollis;  
9 myself, Alain Werner; and Maja Dimitrova.

09:32:50 10 MR ANYAH: Good morning Madam President, good morning your  
11 Honours. For the Defence we have: Mr Terry Munyard; myself,  
12 Morris Anyah; and Ms Emena Efeotor.

13 PRESIDING JUDGE: Thank you, Mr Anyah. Unless there are  
14 some preliminary matters I will remind the witness of his oath.

09:33:05 15 Mr Anyah, you are on your feet.

16 MR ANYAH: Yes, Madam President, there is one preliminary  
17 matter. I have called it to the attention of the Office of the  
18 Prosecutor. Last night while reviewing additional documents in  
19 my file I came upon handwritten notes from the other case that we  
09:33:23 20 referred to and copies are on the Bench in front of your Honours  
21 and I emailed copies to counsel opposite early this morning and  
22 I don't know if they have any objection to having received it  
23 late, but if they do not then I will be ready to proceed.

24 PRESIDING JUDGE: Mr Werner?

09:33:44 25 MR WERNER: Your Honour, we received that early this  
26 morning. We do not have any objection. We are grateful for that  
27 email. Thank you.

28 MR ANYAH: Thank you, counsel.

29 PRESIDING JUDGE: Proceed, Mr Anyah, please. Sorry, pause

1 Mr Anyah.

2 WITNESS: TF1-577 [on former oath]

3 Oh, I am sorry. Mr Witness, I remind you again this  
4 morning, as I did before, that you have taken the oath to tell  
09:34:06 5 the truth. I remind you that you are still bound by that oath  
6 and you must answer questions truthfully. Do you understand?

7 THE WITNESS: Thank you, my Lord.

8 PRESIDING JUDGE: Please proceed, Mr Anyah.

9 MR ANYAH: Thank you, your Honour.

09:34:24 10 CROSS-EXAMINATION BY MR ANYAH: [Continued]

11 Q. Good morning, Mr Witness.

12 A. Good morning, sir.

13 Q. I would like to revisit some of the matters that we did not  
14 conclude yesterday afternoon before the time expired. When we  
09:34:38 15 left off yesterday we were considering your remark that you had  
16 told members of the Office of the Prosecutor, including  
17 Mr Werner, counsel opposite, that you had already been selected  
18 as a witness in the Issa Sesay case. Well, rather you had  
19 already been selected as a witness by the Issa Sesay Defence and  
09:35:10 20 I will read from the transcript.

21 MR WERNER: Sorry, your Honour, but I do not recall that he  
22 said exactly that yesterday.

23 PRESIDING JUDGE: I don't recall the word "selected",  
24 Mr Anyah, but I am waiting for you to read from the transcript.

09:35:24 25 MR ANYAH: Yes, I will read from the transcript and the  
26 word appears in the transcript. I will be reading from  
27 yesterday's transcript. The relevant page is 11155, lines 1  
28 through 6:

29 Q. Mr Witness, I asked you this question late yesterday

1 afternoon and you gave the following response.

2 "Q. When you met with Mr Werner, who is sitting over  
3 there, and Kevin Bennett late last year, October/November,  
4 did you tell them that you had met in June with James Hyatt  
09:36:15 5 of Issa Sesay's team?

6 A. Yes, I told them in Freetown that they had selected me  
7 to serve as a witness in the Issa Sesay case."

8 You recall that exchange yesterday, Mr Witness?

9 A. I said they met me for Issa Sesay's case. I did not talk  
09:36:40 10 about select. I said they met me.

11 Q. Well, the record uses the word "selected". Do you remember  
12 using the word "selected" yesterday, Mr Witness?

13 A. No, sir.

14 Q. Well, I asked you another question late yesterday and  
09:37:00 15 I used the word "selected" and you confirmed in your response  
16 that you had been selected. That is on the next page, but the  
17 question starts on the page we are on, that is 11155, starting at  
18 line 28 and 29, and then on to the next page that ends in 56.

19 The question was:

09:37:24 20 "Mr Witness, I am not going back to March 2007. We are not  
21 in March. We are back in November and what you say you said in  
22 the presence of Mr Werner. My question is this. Did you say to  
23 Mr Werner that you had already been selected as a witness for  
24 Issa Sesay in October/November last year?"

09:37:51 25 Your answer:

26 "Yes, sir. I told him that when I met with them in  
27 Freetown."

28 You recall that exchange yesterday, Mr Witness, yes?

29 A. I can recall, but I did not talk about select. I said the

1 Issa Sesay Defence met me. I told the Prosecution. I said that  
2 the Issa Sesay Defence had met me.

3 Q. But you are absolutely sure, as you sit there now, that you  
4 said in the presence of Mr Werner that the Issa Sesay Defence had  
09:38:29 5 met you, yes?

6 A. Yes.

7 Q. And Kevin Bennett was also present when you said this, yes?

8 A. Yes, sir.

9 Q. Mr Witness, we went through your statement, and I am  
09:38:55 10 referring to the Defence bundle of documents from the interview  
11 in question, your last interview in Freetown, and the statement  
12 we covered yesterday was in tab 2 of the Defence bundle. To be  
13 fair to you I will clarify whether that was exactly the last time  
14 you met them in Freetown, because it appears that there is some  
09:39:23 15 error in the Prosecution's records about dates and meetings in  
16 The Hague. No, Mr Witness, it is true, is it not - and you told  
17 us yesterday - the last time you met with the Prosecution in  
18 Freetown was in October/November last year?

19 A. Yes, sir.

09:39:44 20 Q. The next time you meet with them is in the month of May  
21 this year, 2008, yes?

22 A. Yes, sir.

23 MR ANYAH: And I ask that question merely to note that in  
24 tab 4 the date on the Prosecution's notes for the next series of  
09:40:05 25 interviews has the year 2007, but it should be 2008.

26 MR WERNER: Yes, your Honours, just a word about that.  
27 That was indeed a mistake and at the time we sent on the cover  
28 letter - one of the cover letters we sent to the Defence was  
29 correcting that typo on two of the interview notes.

1 PRESIDING JUDGE: This is tab 4?

2 MR ANYAH: Tab 4 and as well in tab 5. I am fairly certain  
3 that they did send the letter but I obviously did not read it and  
4 so it would be my error, but I point out the mistake in the  
09:40:40 5 record for purposes of proceeding smoothly:

6 Q. Now, Mr Witness, we have gone through these notes and there  
7 is no indication in any of the Prosecution's notes that you  
8 mentioned having been interviewed by the Sesay Defence team. Are  
9 you saying they forgot - well, are you saying they did not write  
09:41:07 10 down what you told them?

11 A. Well, even my lawyer knows. Maybe they don't write it, but  
12 I told them in Freetown. I told Chuck. I told them in Freetown.  
13 I told the lawyer in Freetown, who met me together with Mr Kevin,  
14 that Defence had met me. I told them that over two occasions.  
09:41:32 15 Even when they were taking statement from me, they told me that  
16 they were going to the Sesay Defence to clarify what I had said.  
17 They said that to me in Freetown.

18 MR ANYAH: Your Honours, we do not have disclosed to us any  
19 handwritten notes about this particular series of meetings.  
09:41:48 20 I would make a disclosure request. If there are any other notes  
21 beyond what we have about this meeting, if the Prosecution did  
22 take down this information that the witness has mentioned in  
23 court, we would like it disclosed to us, Madam President, your  
24 Honours.

09:42:07 25 PRESIDING JUDGE: Mr Werner?

26 MR WERNER: Yes, your Honours. We have disclosed  
27 everything we have. We have disclosed everything we have.

28 MR ANYAH:

29 Q. Mr Witness, we have some additional documents from your

1 conversation with the Sesay Defence team. In particular, we have  
2 now some handwritten notes that they took during one of your  
3 meetings with them.

09:42:38 4 Your Honours, these are the new sets of documents handed  
5 out this morning and I will try and explain the one to which  
6 I refer. The one to which I will be referring just has on top of  
7 it the numbers 072, although they both have that number but  
8 I will focus first on the one with 072. The second one has  
9 additional names at the top of the page. I will be referring to  
09:43:10 10 these in conjunction with the document in tab 10, the type  
11 written document in tab 10 of the Defence bundle that we looked  
12 over yesterday afternoon.

13 Mr Witness, these are notes taken by a Sesay Defence team  
14 member of one of your meetings with them. These notes have at  
09:43:41 15 the top a number 072. If you look at the typed version of the  
16 compilation statement we looked at yesterday, you will see that  
17 there is a number that has specifically been assigned to you and  
18 that number is the number 072. That is one source of means by  
19 which we know these remarks were made by you.

09:44:11 20 Now, the handwritten notes - and I want to revisit some  
21 issues we talked about yesterday, because I recall Justice  
22 Sebutinde asking you a question about SBUs yesterday, seeking  
23 some clarification. On page 2 of the handwritten notes are  
24 comments attributable to you about SBUs. Yesterday, when I read  
09:44:37 25 you the typed version of the statement which spoke about SBUs -  
26 your Honours, may I be of assistance?

27 PRESIDING JUDGE: Just to make sure we are - as you  
28 correctly said, Mr Anyah, there are two sets and both have 072 on  
29 the top.

1 MR ANYAH: Yes, your Honour.

2 PRESIDING JUDGE: You referred to the set that I understood  
3 to have the big 072 and not the names, is that correct?

4 MR ANYAH: That is correct, Madam President, yes, and the  
09:45:17 5 first sentence reads, "Called for cadet training." That is the  
6 one to which I will be referring, because the second one is  
7 really a summary of Prosecution statements.

8 Q. Now, Mr Witness, yesterday I read you a paragraph --

9 JUDGE SEBUTINDE: These are Defence notes?

09:45:41 10 MR ANYAH: Yes, Justice Sebutinde.

11 JUDGE SEBUTINDE: Both bunches?

12 MR ANYAH: What they have done --

13 JUDGE SEBUTINDE: Because you just said the second is  
14 Prosecution statements.

09:45:51 15 MR ANYAH: Yes. What happened was the Sesay Defence team  
16 was not disclosed - was permitted to inspect Prosecution  
17 statements from the Taylor case and the investigator made a  
18 summary. In the next document, if you look at the next document  
19 with the small 072, it is a summary of what is in tab 2 disclosed  
09:46:15 20 to us. The Sesay Defence investigators were shown a document and  
21 they were allowed to take handwritten notes of Prosecution  
22 witness statements in the Taylor case and that is why you have  
23 the dates there 31 October through 1, 2 and 6 November. It is an  
24 identical summary - handwritten summary - of what is in tab 2  
09:46:41 25 disclosed to us.

26 JUDGE SEBUTINDE: I understand now.

27 MR ANYAH: Thank you, your Honours:

28 Q. Now, Mr Witness, yesterday I read you a statement about  
29 SBUs and Justice Sebutinde asked you a question about what



1 appeared to be your definition of SBUs and I will first read that  
2 paragraph and then come back to this handwritten statement. It  
3 says:

09:47:10 4 "Children without their parents captured in the front line  
5 had to be taken care of. They were called the SBUs."

6 Justice Sebutinde asked you about that and you said you did  
7 not in this paragraph include SBUs that were sent for training,  
8 or children that were sent for training.

09:47:38 9 Now, we go to these handwritten notes and we see what you  
10 said about SBUs. On page 2, in the middle of the page, after you  
11 had given the various units in the RUF at that time, if you go  
12 further down right in the middle of the page the Sesay team has  
13 you as saying:

09:48:12 14 "SBU falls under G2. G2 has connection between military  
15 and civilians. When children are left G2 screens them and passes  
16 them to G5 for protection (fear of harassment or labour). They  
17 were not used to fight. There was no unit of small boys to  
18 fight."

09:48:43 19 Mr Witness, when you told us in court that at the training  
20 base in Pendembu you saw young children, both boys and girls,  
21 that they were trained and that after the training was over the  
22 boys also took part in fighting, that was an error, right?

23 A. No.

09:49:13 24 Q. Why does the Sesay team have you saying here that, "There  
25 was no unit of small boys to fight"?

26 A. I don't know how they managed to get that one, but there  
27 was SBU unit in the Revolutionary United Front who were at the  
28 training base training. It was only the children who were very  
29 young that did not go to the training base that the G5 took care

1 of, but as long as you are a child and fit enough and you were  
2 sent to the training base the G5 was not responsible for you. So  
3 I am surprised to see it here that there was no unit called SB  
4 unit. If you go anywhere and ask if there was SB unit in the  
09:50:00 5 revolution they will say yes. This one is not my word.

6 Q. Well, let's be clear. You said a number of things but  
7 there are three different issues you are speaking about there.  
8 One, you say there was nothing called SBUs. That is, shall I put  
9 it this way, you maintain there was something called SBUs. I am  
09:50:21 10 not doubting you about that. The question is this: One aspect  
11 is were they trained and then, second part, did they fight? The  
12 Sesay team has you here saying, "They were not used to fight."  
13 What do you say, Mr Witness? Were these people you call SBUs  
14 used to fight or not?

09:50:47 15 A. Some of them, particularly the ones who were at the  
16 training base who had been trained, that the front line  
17 commanders took. They will be at the front line fighting. They  
18 had arms behind the commanders. When it came to fight they will  
19 fight as long as you had been trained at the training base.

09:51:09 20 Q. Then why do they have you here saying, "They were not used  
21 to fight. There was no unit of small boys to fight." Tell us  
22 why they have that?

23 A. I did not say that.

24 Q. So these notes are in error, yes?

09:51:33 25 A. It could be an error on their part, but I did not say so.

26 Q. When the notes were transcribed, including notes from  
27 another interview with you, and we go back to the paragraph  
28 I read previously about SBUs, which is in tab 10, page 11, and  
29 which ends with the sentence, "Children were not forced to be

1 anywhere, or do anything", that is also a mistake, yes? When  
2 Sesay's team says you told them that about children that is also  
3 a mistake?

09:52:33

4 A. Generally children who were in the revolution, those who  
5 were trained at the base as SB unit, or those who were not  
6 trained who were either under the G2 or the G5, commanders will  
7 go and take them to be with them at home, because they will not  
8 be at the front line. But those who were trained at the training  
9 base, front line commanders would take them and go with them.

09:52:55

10 They would be with them wherever they were. If it was to fight  
11 then they will fight.

12 Q. My question was specific. I read you something from the  
13 notes taken by the investigators of the Sesay team. The last  
14 sentence says you told them this, "Children were not forced to be  
15 anywhere or do anything." Did you tell them that, Mr Witness?

09:53:12

16 A. I can't recall telling them that.

17 Q. There was another issue we talked about yesterday that you  
18 told us on the one hand something in court and I would like to  
19 compare that to what you told the Sesay Defence team. This is  
20 the meeting, or what you call the secret forum that took place in  
21 early 1998, about April or thereabouts - well, you said in court  
22 October/November but we will look at some documents.

09:53:40

23 MR WERNER: Sorry, your Honours, I would be grateful if we  
24 can have - on that particular issue specifically if we can have  
25 some reference to the transcript.

09:54:04

26 MR ANYAH: The page in question from yesterday's transcript  
27 is 11054 from line 9 onwards, but I don't start with the  
28 transcript yet, I will start with something else:

29 Q. Mr Witness, yesterday I asked you questions about this

1 meeting and at the time I didn't have the handwritten notes and  
2 perhaps we could consider what you told the Sesay Defence team.  
3 In the handwritten notes it's on page 4. When you look at page 4  
4 of those notes and you go down to the page where it says

09:55:35

5 "Pendembu?", this is what they have you telling them about  
6 Pendembu and I will paraphrase the early part of the page which  
7 speaks of you meeting Issa Sesay or visiting Issa Sesay and how  
8 Issa Sesay was based in Buedu, how he stayed in Buedu for a long  
9 time before going to Kono. Then at the end of the page you get  
10 to "Pendembu" and question marks and the brackets are significant  
11 because we will see that this particular note taker has a unique  
12 way of taking notes and segueing into issues. Next to "Pendembu"  
13 it says:

09:56:08

14 "I heard it over the radio. It was a punishment. He  
15 didn't stay there for up to a week. The combatants pleaded on  
16 his behalf to withdraw him from the front line."

09:56:33

17 Then the interviewer puts in parentheses: "(Koindu visit  
18 to Buedu) From 2/1998 to 3/1999 visited Buedu twice a month.  
19 I didn't visit every time. IS was in Buedu all of those."

09:57:19

20 The Prosecution can correct me if I am wrong, IS means Issa  
21 Sesay in this context. It reads: "IS in Buedu for only about a  
22 week."

23 MR WERNER: Your Honour, it's "Pendembu".

24 MR ANYAH: Sorry, Pendembu. Thank you, counsel.

09:57:37

25 Q. "IS in Pendembu for only about a week." This is referring  
26 to Issa Sesay's punishment by Sam Bockarie, yes, Mr Witness?

27 A. Yes.

28 Q. Over to the next page and it reads: "Maybe the order was  
29 for IS to be punished for six months. IS was only in Pendembu

1 for up to a week." Then the interviewer puts in parentheses  
2 "diamonds" and now they speak of what you said: "I was in  
3 Koindu. I don't really know what the problem was." Did you tell  
4 them that, Mr Witness?

09:58:38 5 A. I told them that I heard that Issa Sesay was punished but  
6 I didn't know why he was punished and I did not know, but not  
7 according to that meeting, or that diamond thing. It was an RUF  
8 issue, not just between him and Sam Bockarie.

09:59:02 9 Q. You remember the first page, page 4 I just read. It  
10 started out with saying, "I heard it over the radio" and on  
11 page 5 it confirms you saying you were in Koindu, yes?

12 A. I was in Koindu, yes.

09:59:42 13 Q. Well, let's look at the transcript from yesterday that  
14 I referred to. This is page 11054, starting at line 9. The  
15 issue arose about this secret forum and a high table you spoke of  
16 when counsel was speaking to you about Jungle and the next time  
17 you saw Jungle. That page of the transcript reads, question at  
18 line 9:

10:00:07 19 "Q. And can you remember when you saw Jungle the next  
20 time?

21 A. I saw Jungle on another occasion during a meeting that  
22 was convened - that Sam Bockarie convened for all  
23 commanders in a secret location between Buedu and Dawa.  
24 That was where I saw Colonel Jungle again.

10:00:26 25 Q. And when did this meeting take place, to your  
26 knowledge?

27 A. The meeting took place in 1998. That was the time the  
28 meeting took place.

29 Q. Could you explain to us what happened when you went to

1 this meeting?

2 A. Well, we received a radio message from Sam Bockarie, on  
3 our grounds in Koindu, that the battalion commander and the  
4 adjutants, including two representatives, should report in  
10:01:06 5 Buedu headquarters for a meeting, or a forum, because that  
6 was how we used to refer to it. We never used to refer to  
7 it as a meeting. We said forum. So we went there, but we  
8 did not know actually that the message had gone - had  
9 spread all over. So those who were in the jungles and the  
10:01:27 10 others from the other battalions, Pendembu and other areas,  
11 they also came. So we went to that meeting and it was  
12 during that meeting that I saw Colonel Jungle. It was a  
13 meeting concerning Issa Sesay and the agenda was around  
14 Issa Sesay and the pressure on the RUF/AFRC by the ECOMOG  
10:01:54 15 and the CDF and the way forward and how we would try and  
16 have nice things. That was the agenda."

17 This was what you told us yesterday, yes?

18 A. Yes.

19 Q. Mr Witness, this is the meeting, and your testimony  
10:02:11 20 yesterday all on page 11055 - this is the meeting where you spoke  
21 about the high table being present, where there was a delegation  
22 from Liberia, including Colonel Jungle and General Ibrahim, yes?

23 A. Yes.

24 Q. But you are quoted as telling the Issa Sesay team you were  
10:02:38 25 in Koindu when this meeting supposedly took place, yes?

26 A. It was not for this meeting that I was in Koindu. That  
27 Issa Sesay's punishment I was sent to Koindu, that was where  
28 I was, but this meeting was a general meeting that all of us  
29 attended. Issa Sesay's punishment, I don't know if there was a

1 meeting for that. I only heard that he had been sent to the  
2 front line.

3 MR WERNER: Sorry to interrupt your Honours, but I clearly  
4 heard in Krio the witness saying "Pendembu". He said something  
10:03:22 5 about Pendembu and there is nothing on Pendembu in the  
6 translation. Could he be asked to repeat, please.

7 PRESIDING JUDGE: I will ask for this to be clarified by  
8 the witness. Mr Witness, at any point in your answer did you  
9 refer to Pendembu?

10:03:46 10 THE WITNESS: It was the time Issa Sesay was sent to  
11 Pendembu at the front line.

12 PRESIDING JUDGE: Is that satisfactory, Mr Werner? It's a  
13 reference to the last couple of lines.

14 MR WERNER: I would be grateful if the witness could repeat  
10:04:05 15 his entire answer.

16 PRESIDING JUDGE: Very well. Please repeat all your  
17 answer, Mr Witness. Mr Anyah?

18 MR ANYAH: Well, I am in the Chamber's hands. I was going  
19 to make the observation though that it is my examination and  
10:04:19 20 unless the Chamber instructs I don't think counsel should be  
21 suggesting how I conduct, or how the --

22 PRESIDING JUDGE: I am not interfering with your conduct of  
23 the questions, Mr Anyah, nor do I intend to. However, I too  
24 heard the witness use the word "Pendembu" and it is not in the  
10:04:38 25 record. I am merely trying to ensure that the record is correct.  
26 I am not seeking to have the witness change, or in any other way  
27 interfere with his answer.

28 JUDGE SEBUTINDE: Mr Witness, if you could speak slowly,  
29 please, because I think the interpreter is struggling to keep up

1 with you with the result that he misses out certain words. If  
2 you spoke slowly, the way counsel is speaking slowly, then the  
3 interpreter will keep up with you, please.

4 THE WITNESS: Thank you, my Lord.

10:05:15 5 PRESIDING JUDGE: Please repeat your answer, Mr Witness, as  
6 you said it before when you answered counsel's question.

7 THE WITNESS: I said I was in Koindu when I heard that they  
8 had sent Issa Sesay to Pendembu at the front line.

9 PRESIDING JUDGE: That is not a variation, Mr Anyah, and  
10:05:39 10 I don't think it has interfered with the answer given and so  
11 please proceed with your line of cross-examination.

12 MR ANYAH:

13 Q. Mr Witness, if I understand you correctly, you are  
14 suggesting to us that you are talking about two different  
10:05:55 15 meetings. Is that what you are saying? That there was a meeting  
16 at Pendembu regarding punishment of Issa Sesay when he was sent  
17 to the front line and that meeting is different from this meeting  
18 you claim you were present at that you saw Colonel Jungle and  
19 General Ibrahim, yes?

10:06:10 20 A. No, I have told you that I don't know if there was a  
21 meeting held for Issa Sesay's punishment that he was sent to  
22 Pendembu. I only heard that Sam Bockarie had sent Issa Sesay to  
23 the front line in Pendembu, but I did not talk about a meeting.  
24 If they held any meeting in Pendembu for him, I don't know.

10:06:32 25 Q. I am not asking you about a meeting in Pendembu. The  
26 meeting you told us of yesterday you said was between Dawa and  
27 Buedu. It was a secret forum. The front lines were at Pendembu  
28 and Issa Sesay was sent to the front lines as punishment. That  
29 is what we are discussing. Do you understand that, Mr Witness?



1 A. I did not conclude from that meeting that after the meeting  
2 that was the resolve that Issa Sesay was sent to the front line  
3 in Pendembu. That is not what I said from that meeting in the  
4 secret location. I only said that Issa Sesay was an agenda item  
10:07:13 5 on that meeting in the secret location, but I did not say that  
6 after the meeting that was when he was sent, no.

7 Q. Mr Witness, we will have to go over this unfortunately  
8 because the record has to be clear. I will read to you from tab  
9 10 what I read yesterday and it is page 9, tab 10. On page 9,  
10:08:13 10 tab 10, there is the title there "Issa", or underlined on the  
11 page is "Issa in Pendembu", and here is what Sesay [sic] has you  
12 as saying in their typed notes:

13 "I do not know what the problem was but after the ECOMOG  
14 intervention Issa Sesay and Sam Bockarie had a problem in Buedu.  
10:08:34 15 Because of this Issa was punished by Bockarie who wanted to send  
16 him to the front line. Issa went and based in Pendembu. He was  
17 hiding from Sam Bockarie in Pendembu though. Sam Bockarie wanted  
18 Issa to be at the combat camps right on the front line like  
19 Baiima, Levuma, Mobai, but when Issa went there at the start of  
10:09:04 20 his punishment the commanders of the front line told him to go to  
21 Pendembu where it was safer and they will keep him informed."

22 This is saying you told the Issa Sesay team that there was  
23 a problem between Sam Bockarie and Issa Sesay in Buedu and Sam  
24 Bockarie punished Issa Sesay by sending him to the front lines  
10:09:26 25 and he ended up at Pendembu, yes?

26 A. Yes, exactly and --

27 Q. Now, Mr Witness, we have established that Pendembu is where  
28 the vicinity of the front lines was, yes?

29 A. Yes.

1 Q. And Issa Sesay was sent there as punishment, yes?

2 A. Yes.

3 Q. Now, we go to the handwritten notes that I just read. It  
4 is on page 4. It has "Pendembu?" and it has you saying:

10:10:13 5 "I heard it over the radio. It was a punishment. He  
6 didn't stay there for up to a week. The combatants pleaded on  
7 his behalf to withdraw him from the front line."

8 Over to the fifth page, page 5:

9 "Maybe the order was for IS to be punished for 6 months.

10:10:34 10 IS was only in Pendembu for up to a week. (Diamonds) I was in  
11 Koindu. I don't really know what the problem was."

12 This again confirms that Pendembu was where Issa Sesay was  
13 being sent as punishment, yes?

14 A. Yes.

10:10:57 15 Q. This again confirms that that was what was considered the  
16 vicinity of the front lines, yes?

17 A. Yes.

18 Q. This confirms that you did not know what the problem was or  
19 what the problem between Sam Bockarie and Issa Sesay was, yes?

10:11:14 20 A. Yes.

21 Q. This confirms that you were in Koindu when this happened  
22 and you heard it over the radio, yes?

23 A. Yes.

24 Q. Now what you told us in court. You told us in court  
10:11:33 25 yesterday about a meeting between Buedu and Dawa and the presence  
26 of the Liberians, yes?

27 A. Yes.

28 Q. And today in court you are trying to tell us that that  
29 meeting was not the same meeting where Issa was punished and sent

1 to the front lines. Is that your evidence, Mr Witness?

2 A. Yes.

3 Q. Well, let's look at tab 2 and your statement to the Office  
4 of the Prosecutor. Your Honours, this is the same statement from  
10:12:07 5 late last year and I will be referring to page 7. Mr Witness,  
6 these are notes the Prosecution took, disclosed to us. On  
7 page 7, paragraph 32, it reads:

8 "The witness attended shortly after his birthday in April  
9 1998 a secret meeting that was held in the bush between Buedu and  
10:12:48 10 Dawa. There was approximately 100 officers present in this  
11 meeting and most of the RUF vanguards were there. Sam Bockarie,  
12 Harris Momoh, Eldred Collins, Sam Colley, Superman, Issa Sesay,  
13 Morris Kallon, Augustine Gbao, SYB Rogers, CO Isaac, Peter Vandj,  
14 Karmoh Kanneh, Ebony, Zedman, Amara Peleto and CO Rashid were all  
10:13:34 15 there. Some AFRC were also there like JPK and Gullit. Jungle  
16 was there with another very important Liberian general who was  
17 there with some bodyguards. The witness cannot remember the name  
18 of the Liberian general."

19 Next paragraph, paragraph 33:

10:13:58 20 "During this meeting the situation of Issa Sesay who had  
21 dropped diamonds in Liberia was discussed and it was decided to  
22 send him to the front lines as a result."

23 Do you see that, Mr Witness?

24 A. Yes.

10:14:16 25 Q. You told this Court yesterday of a meeting where you were  
26 present concerning Issa Sesay in the jungle between Buedu and  
27 Dawa and you spoke of seeing Jungle there. You spoke of seeing  
28 General Ibrahim there, yes?

29 A. Yes.

1 Q. You told the Prosecution last October/November that you  
2 were present at this same meeting and that that was the meeting  
3 where Issa Sesay was punished by being sent to the front lines,  
4 yes?

10:14:57 5 A. Yes.

6 Q. You told the Prosecution that the reason for Issa Sesay's  
7 punishment was diamonds. He had dropped some diamonds in  
8 Liberia, yes?

9 A. No, I did not say so.

10:15:21 10 Q. Why did you tell us that you were at this meeting and yet  
11 you told the Issa Sesay investigators that you were in Koindu and  
12 you heard about this over the radio? Tell us why.

13 A. The punishment that was meted out to Issa at the front  
14 line, that was what I was referring to when I said I was in  
10:15:47 15 Koindu when I heard it over the radio. That is what I am talking  
16 about. But this other one when he dropped the diamonds, I was  
17 not in Koindu. I was at the meeting.

18 Q. The Prosecution's interview notes clearly say that it was  
19 at this meeting that the decision was made to send Issa Sesay to  
10:16:12 20 the front lines and it is consistent with what you told us in  
21 court. Do you agree, Mr Witness?

22 A. Well, it was - that error was made by the Prosecutor.  
23 I did not tell them so, because I clearly spelt it out. Even in  
24 the last statement it is there and even to Issa Sesay's Defence  
10:16:35 25 it is there. There were two different issues.

26 Q. Why did you tell the Issa Sesay Defence team you did not  
27 know what the problem was and yet in court the notes have you  
28 saying this was about diamonds?

29 A. There was a problem between Issa and Sam Bockarie. I did

1 not know what the problem was. This other problem is different  
2 from that other problem that existed between Issa and Sam  
3 Bockarie. It was between them. It was an individual problem  
4 between them. This was a general problem for the entire RUF.

10:17:13 5 That was why everybody went to that meeting.

6 Q. Yes, and that was the meeting, as the Prosecution's notes  
7 say, you told them when Issa Sesay was sent to the front lines,  
8 yes?

9 A. Not to my knowledge.

10:17:34 10 Q. What is not to your knowledge? The Prosecution's notes are  
11 not to your knowledge that you have just seen?

12 A. The sending of Issa from this meeting, because from this  
13 meeting it was a front line arrangement after Issa Sesay's  
14 discussion. We weren't on a front line arrangement. I did not  
10:17:59 15 hear them send Issa from this meeting. It was only when I was in  
16 Koindu that they sent Issa to the front line, which I heard.  
17 That was as a result of a problem between him and Sam Bockarie,  
18 but this was a general problem for the revolution.

19 JUDGE SEBUTINDE: Mr Witness, are you saying that what is  
10:18:20 20 written in paragraph 33 is an error? Namely when it says,  
21 "During the meeting the situation of Issa Sesay who had dropped  
22 the diamonds in Liberia was discussed and it was decided to send  
23 him to the front line as a result", you are saying that that is a  
24 mistake?

10:18:39 25 THE WITNESS: It could be a mistake on the part of the  
26 Prosecution, yes, my Lord.

27 JUDGE SEBUTINDE: You are saying that it is not true, it  
28 didn't happen in the meeting, or that you weren't in the meeting?  
29 I don't understand. What are you saying?

1 THE WITNESS: After the meeting - during this meeting - to  
2 say that after this meeting - at that meeting we discussed  
3 sending Issa Sesay at the front line. That's what I'm talking  
4 about. It was not at that meeting. The front line which Issa  
10:19:13 5 went to when Sam Bockarie sent him there, that was an issue  
6 between Sam Bockarie and Issa. But here I am seeing the  
7 Prosecution - I am seeing that the Prosecution has written it  
8 there so that's what I'm saying, that it might be a mistake on  
9 the part of the Prosecution.

10:19:29 10 MR ANYAH:

11 Q. Mr Witness, I am putting it to you that you are lying when  
12 you try to suggest you're speaking about two different incidents.  
13 What do you say?

14 A. I am not telling lies. I am saying the truth, because  
10:19:46 15 I was there. What I saw happen is what I am talking about.

16 Q. I am putting it to you that when you spoke with the Issa  
17 Sesay Defence team and you did not mention Colonel Jungle and you  
18 did not mention General Ibrahim and you did not mention any of  
19 these names, Superman and the like, because you said to them you  
10:20:13 20 were not at the meeting, that was the more accurate story.

21 That's what I'm putting to you. What do you have to say?

22 A. I did not tell Issa Sesay Defence that I went to a meeting  
23 and that Colonel Jungle and others were there and they never  
24 asked me about Colonel Jungle's business. It was Issa Sesay's  
10:20:34 25 business that they were asking me about. They did not ask me  
26 about any outsider. It was Issa Sesay's personal business that  
27 they were asking me about. What they were asking me about was  
28 the answer I was rendering.

29 Q. And I am putting it to you that when you come into this

1 Court and you start talking about Colonel Jungle and a Liberian  
2 delegation sent by Charles Taylor you are lying. What do you  
3 have to say?

10:21:10 4 A. I am not lying, because I myself saw it and I went at the  
5 meeting and it was in Buedu where the meeting took place.  
6 Colonel Jungle was there. I am not lying.

7 Q. And when you say you were at this meeting, when you say  
8 there were over 100 officers there, including vanguards, that is  
9 a bald-faced lie. What do you have to say?

10:21:37 10 A. It's not a lie. All officers ranking from second  
11 lieutenant - in fact NCOs were officers, like staff sergeants.  
12 There were senior officers. All of them were at that meeting.  
13 Many officers from many battalions and many - and different  
14 brigades, we all met there at this meeting because it was an RUF  
10:21:59 15 problem. It was not an individual problem. Many officers were  
16 there because it was diamonds that could take the revolution  
17 forward, so it was a serious issue.

18 Q. But you were not at that meeting. Do you agree,  
19 Mr Witness?

10:22:19 20 A. I was there.

21 Q. Now yesterday you were attempting to make the distinction  
22 between Issa Sesay's case and this case. You said the  
23 investigators told you - after you told them that you had spoken  
24 with the Sesay Defence team, they told you, "Well, that's the  
10:22:48 25 Sesay case", they wanted to talk to you about the Charles Taylor  
26 case. Do you remember telling us that?

27 A. Yes, that was what they said, because I told them that Issa  
28 Sesay's Defence had met me, because when they met me I told them  
29 that I had nothing to do with the Special Court any more because

1 I had integrated into society. They said no. They said that  
2 they'd heard that I have got information and they pleaded for me  
3 to give them the information and they said that if I did not give  
4 them and the Court realises that I have information that I am  
10:23:23 5 withholding they said the Court will hold me responsible.

6 Q. But, Mr Witness, whether it's the Taylor case, or whether  
7 it's the Sesay case, the information you were giving was still  
8 about the same Revolutionary United Front, yes?

9 A. It is connected to outside, from Liberia to Sierra Leone.

10:23:50 10 Liberia, Charles Taylor's interference into the RUF war. That  
11 was what the Prosecution told me; that that was the information  
12 that they wanted, that they have got information that I know  
13 about the interference of Charles Taylor into the RUF war. They  
14 said those were two different cases. Issa Sesay's case is an  
10:24:14 15 internal case that was dealing with RUF and Charles Taylor is an  
16 outsider and that one was dealing with another country, from  
17 another country to another country. That was what they told me  
18 and they gave this me their assurance.

19 Even when I gave them my brief statement I told them and  
10:24:34 20 they said they will consult the Defence, the Issa Sesay Defence.  
21 They went there, I was in Freetown. Over the weekend they called  
22 me again and I went there and they confirmed it to me that they  
23 have met the Issa Sesay Defence and they have finalised it and  
24 that I shouldn't worry, they will take care.

10:24:50 25 Q. Are you saying the Prosecution called you after your  
26 meeting with them late last year and they told you they had met  
27 with the Sesay Defence and that they had finalised it, to use  
28 your words? Is that what you're telling us?

29 A. I did not say they finalised it to use me. When they



1 called me after they interviewed me, after they had taken  
2 statements, it was on a Friday, it was on the weekend. They said  
3 they will meet me again on a Monday. They said they will try to  
4 meet the Issa Sesay Defence team to show them the statement I had  
10:25:28 5 given to them.

6 So on Monday they called me again in the interview room and  
7 they told me that they have taken the statement to the Issa Sesay  
8 Defence. They had shown it to them and they said it's not a  
9 problem. Since then - since that time that I met last met with  
10:25:45 10 the - I last met with the Issa Sesay Defence they never met with  
11 me again, they never called me until Issa Sesay's case has gone  
12 through and now there is another person there. So they did not  
13 give me any number. They did not call me to testify in court for  
14 Issa Sesay. It was only the Prosecution. I was sitting down one  
10:26:04 15 day when they called me and gave me a TF number and told me that  
16 they have taken me to come and testify against Charles Taylor.  
17 So I am surprised that Issa Sesay's file has come out here.

18 Q. Yes, you didn't expect it to come out, right?

19 A. Yes, because according to them they said they were two  
10:26:30 20 different cases. Issa Sesay's case had nothing to do with  
21 Charles Taylor's case. Charles Taylor was an outsider, Issa  
22 Sesay an insider.

23 Q. Well, let's set aside for a moment what the Prosecution had  
24 to say about them being different cases. I want to know what you  
10:26:46 25 have to say. When you speak to both the Prosecution and you  
26 speak to both Issa Sesay's team you are speaking about the same  
27 Revolutionary United Front, yes?

28 A. The same Revolutionary United Front and NPFL. There were  
29 two forces that I was talking for in Charles Taylor's case. It's

1 not one. Issa Sesay's case is one, only Revolutionary United  
2 Front. Charles Taylor's - the Prosecution's case there is NPFL  
3 and RUF.

10:27:26 4 Q. May I put it this way: The RUF you spoke about -  
5 Revolutionary United Front you spoke about in respect of the  
6 Charles Taylor case is the same RUF you spoke about in the  
7 context of the Sesay case, yes?

8 A. Yes, but it was purely on internal basis.

10:27:51 9 Q. Whether it's internal or external basis you were speaking  
10 about the same RUF, yes?

11 A. Yes, but --

12 Q. And you were speaking about your experiences with the RUF  
13 when you spoke to both sets of investigators, yes?

10:28:21 14 A. My experience that I had about Issa Sesay in the RUF and my  
15 experience that I had about Charles Taylor to the RUF, these were  
16 two different issues.

17 Q. That is not my question, Mr Witness. Let me break it down.  
18 When you spoke with Issa Sesay's Defence team you were speaking  
19 about your experiences in the RUF, yes?

10:28:41 20 A. Yes.

21 Q. And when you spoke to the Charles Taylor team you were  
22 speaking about your experiences in the RUF, yes?

23 A. The RUF and the NPFL, yes.

10:29:03 24 Q. The source of your knowledge base for what you told both  
25 the Sesay team and the Taylor team are the ten years, or  
26 thereabouts, experiences you had with the RUF, yes?

27 A. To the Sesay team, yes.

28 Q. And to the Taylor team as well. What you told them, that  
29 information you obtained when you were a member of the RUF

1 between 1991 and 2000, correct?

2 A. Yes, all that I saw that the NPFL did, the activities, the  
3 role that they played into the RUF war, that was what I told  
4 them, yes.

10:29:42 5 Q. And yesterday when I read to you from the Sesay Defence  
6 team statement, their notes that you told them, that Augustine  
7 Gbao was a harmless man, you never saw him with a gun, that  
8 derived from your experience with the same Revolutionary United  
9 Front, correct?

10:30:09 10 A. Yes, because Augustine Gbao was dealing with civilians and  
11 I did not see him. Where I was operating when he came there  
12 I never saw him with a gun. That was why I said so.

13 Q. And what you told the Issa Sesay team about you loving Issa  
14 Sesay and how he took care of civilians, that derived from your  
10:30:34 15 experiences with the RUF, yes?

16 A. Yes, just like how the two of us met, how he operated in  
17 the RUF, yes.

18 Q. And in particular his care for other people and the concern  
19 he showed, that derived from what you observed or heard while in  
10:31:02 20 the RUF, yes?

21 A. Yes.

22 Q. When I read you portions of the statement from the Sesay  
23 team where you described how civilians were treated, in your view  
24 they were treated fairly well, there was no mistreatment of  
10:31:26 25 civilians, "Nobody was forced in all the time I was in Kailahun",  
26 they have you saying that on page 11, "There was no forced labour  
27 for anything in Kailahun", all of that derived from your  
28 experiences with the RUF, yes?

29 A. The Issa Sesay issue concerning civilians, the way he

1 treated civilians, that was what I told them about. It was not  
2 generally about the RUF, or the NPFL. It was how Issa Sesay was  
3 dealing with the civilians.

10:32:12 4 Q. When you are quoted as saying on page 11, "We were  
5 operating in a self-reliant struggle", you were speaking of the  
6 RUF there, were you not?

7 A. Yes, RUF in terms of farming. That was what I was saying,  
8 that we were cultivating our own farms by ourselves and we were  
9 using civilians to cultivate farms for us.

10:32:37 10 Q. When you say, "RUF used to reserve rice in bushels for next  
11 year. Civilians would volunteer to make government farming in  
12 various areas, farming was very serious", you were speaking of  
13 the RUF, right?

10:32:57 14 A. Yes, because it was an instruction to all towns under the  
15 control of the RUF through the G5 that all towns should make RUF  
16 farms. So they just had to make it. Whether you like it or not  
17 you will make it because you were under the RUF.

18 Q. On page 4, again speaking of the RUF in respect of Kailahun  
19 you told them:

10:33:18 20 "RUF control was working perfectly in Kailahun when I was  
21 there. People were living normal lives. There was no harassment  
22 of civilians. RUF discipline was paramount."

23 When you told them all of that you were speaking of the  
24 RUF, right?

10:33:37 25 A. Yes, at the time that the RUF and the AFRC joined together  
26 in the Kailahun District because that was where the war started.  
27 The civilians had got used to the system. When the war started  
28 nothing - there was no harassment any more. They were not  
29 forcing anybody. They were doing things by themselves. When the

1 AFRC took over and everybody had gone inside, yes.

2 Q. Mr Witness, do you see that there is a stark contradiction  
3 between the picture of the RUF that is painted in these notes by  
4 the Issa Sesay investigators and what you have told us in court  
10:34:19 5 on Tuesday and Wednesday this week? Do you see that there is a  
6 difference, Mr Witness?

7 A. The Issa Sesay Defence, I have said it. They were mainly  
8 particular about Issa Sesay as an individual. They were not  
9 concerned about the entire RUF. They were concerned about what  
10:34:42 10 Issa Sesay was doing. That was what they were asking me about  
11 and that was the statement I was giving them, what Issa Sesay's  
12 activities were.

13 Q. That was not my question. I have read you paragraphs that  
14 you confirm pertain not just to Issa Sesay but pertain to the RUF  
10:35:03 15 as a whole, and I am asking you if you don't see any  
16 inconsistency between how you have portrayed the RUF here in  
17 court on Tuesday and Wednesday and how you are written down as  
18 portraying them when you spoke to the Issa Sesay team. Do you  
19 see a difference between the two pictures, Mr Witness?

10:35:29 20 A. There should be a difference because the Prosecution was  
21 trying to ask me generally about RUF activities together with  
22 NPFL, what their behaviours were. The Issa Sesay investigation  
23 team were asking me about Issa Sesay's attitude in the RUF.

24 Q. But both the Prosecution and the Issa Sesay team were  
10:35:53 25 asking you about one and the same RUF, right?

26 A. No, they were not asking me about Issa Sesay as an  
27 individual. Issa Sesay's talk only came in when it was  
28 necessary, but Issa Sesay's investigators asked me particularly  
29 about Issa Sesay's behaviour in the RUF.

1 Q. And while you spoke with them about Issa Sesay's behaviour  
2 in the RUF you told them about RUF practices generally, yes? We  
3 have just been through that, yes?

4 A. The way Issa was behaving to the RUF. The way Issa was  
10:36:53 5 behaving to the RUF, that was what I told them about. I did not  
6 tell them about the general activities of the RUF to Issa Sesay.

7 Q. That was not my question. You spoke about RUF policy,  
8 practices, procedure, treatment of civilians generally and not  
9 just limited to Issa Sesay when you spoke with his investigators,  
10:37:21 10 yes?

11 A. Fine. I spoke about RUF's policies to the Prosecutor, how  
12 RUF was behaving to the civilians and how the civilians were  
13 reacting. Then I spoke to the Issa Sesay's team how Issa Sesay  
14 was behaving to the RUF.

10:37:43 15 Q. You recall we went over the notes from your interviews with  
16 the Prosecution. Do you see a difference between saying women  
17 were raped to the Prosecution, that they were raped by the RUF,  
18 and saying to Issa Sesay's team that people were living normal  
19 lives and civilians were not harmed? Do you see a difference  
10:38:05 20 between those two, Mr Witness?

21 A. There should be a difference, because the Prosecution team  
22 their own question was different and so the answer should be  
23 different.

24 Q. But it is still about the conduct of the same RUF, right?  
10:38:23 25 Both sets of investigators, or teams, were asking you questions  
26 about the conduct of the RUF towards civilians. Do you see an  
27 inconsistency between what you said with the Prosecution about  
28 the RUF and what you said to the Issa Sesay Defence team?

29 A. Yes, because Sesay is not RUF. He is not RUF. He was not

1 the only person who made up RUF. RUF activities was not Sesay's  
2 activities alone. It was a combination of so many people, all of  
3 us who were there, individual people. People used to rape.

4 I never saw Sesay rape and so that was why I said it. At the  
10:39:15 5 time that Sesay was there where he was he did not allow that, but  
6 if he was not there it was a war situation. People raped.

7 Q. We will leave that for now, Mr Witness.

8 JUDGE SEBUTINDE: Mr Anyah, I just want to pursue this a  
9 little further just to satisfy myself that the witness  
10:39:36 10 understands.

11 MR ANYAH: Yes, your Honour.

12 JUDGE SEBUTINDE: Mr Witness, when you spoke to the Sesay  
13 Defence team you knew that Mr Sesay was being indicted, or being  
14 held responsible for crimes committed by the RUF, not crimes  
10:39:53 15 committed by him as a person, did you not?

16 THE WITNESS: Yes, my Lord.

17 JUDGE SEBUTINDE: In other words, whatever statement you  
18 were giving in his defence was not defending him as a person, but  
19 you were defending him in answer to the charges for the RUF. Did  
10:40:18 20 you understand that?

21 THE WITNESS: They were asking me questions relating to  
22 Issa's behaviour to RUF, but not how RUF was behaving. At that  
23 time the questions about Issa, he was not the command. He was  
24 not heading the entire RUF. There were other people ahead of  
10:40:44 25 him. It was only in this 2001 to 2002 that he stayed on to the  
26 general election when he became an interim leader when the RUF  
27 was transformed into a party. At that time it was not a force.  
28 It was a party, RUF. We were not calling it RUF any more. It  
29 was RUF, Revolutionary United Front Party, because we too went

1 into politics. We contested for the presidency.

2 JUDGE SEBUTINDE: Thank you. You have answered the  
3 question I was seeking.

4 MR ANYAH:

10:41:18 5 Q. Mr Witness, following up on that question, let's take  
6 Augustine Gbao for example. Is Augustine Gbao unfairly being  
7 held by the Special Court, Mr Witness?

8 A. I wouldn't say Special Court is holding him fairly. It is  
9 up to them. They know why they are holding him. I would not say  
10:41:45 10 whether they are holding him fairly, or unfairly. I cannot judge  
11 for the Court.

12 Q. But you can judge for yourself and Augustine Gbao,  
13 according to you, is a harmless man. Is it unfair that a  
14 harmless man is being held in custody, Mr Witness?

10:42:02 15 A. Well if the Court was going around asking individuals who  
16 to arrest, maybe it wouldn't have called Augustine Gbao's name  
17 because there are people who were more dangerous than Augustine  
18 Gbao. They would have called their names. They were the ones  
19 whom they caught and the international community knew that  
10:42:27 20 because he was dealing with the civilians he was G2. Maybe that  
21 was why they arrested him. Civilians were raping - they were  
22 raping civilians and doing other things to them, so he should go  
23 and explain himself. If the Court was asking individuals, they  
24 would have called other people's names rather than Augustine  
10:42:43 25 Gbao.

26 Q. Are you saying Augustine Gbao was both harmless and at the  
27 same time could be held responsible for something?

28 A. The Court said it was investigating Augustine Gbao.

29 Q. I am asking for your opinion. You were in the RUF for over



1 ten years. You told the Sesay team Augustine Gbao is a harmless  
2 man. You never saw him with a gun. I am asking you this  
3 harmless man has been in custody since 2003. In your opinion is  
4 that unfair? Tell us.

10:43:27 5 A. I cannot judge for the Court, I have told you. If they had  
6 asked me before they arrested Augustine Gbao or they asked us  
7 individually we would have known what to say, but I cannot judge  
8 anything for Augustine Gbao at this time because he is under  
9 investigation. Let the Court decide.

10:43:46 10 Q. You withhold your opinion because he is before a court.  
11 You don't want to pass judgment. Is that your evidence,  
12 Mr Witness?

13 A. I don't have any opinion for Augustine Gbao. It is the  
14 Court that has opinion for him.

10:44:02 15 Q. Yes, but you did have an opinion in 2007 when you spoke  
16 with the Sesay team. You said he was harmless, right? That was  
17 an opinion.

18 A. I don't have an opinion for Augustine Gbao.

19 MR ANYAH: I see. I withdraw that, Madam President. Could  
10:44:30 20 the witness be shown Defence exhibit D-1, please:

21 Q. Mr Witness, do you know somebody by the name of Varmuyan  
22 Sheriff?

23 A. No.

24 Q. You never heard that name?

10:45:18 25 A. No.

26 Q. You are the same person who went to Liberia you said over  
27 three times, yes, while you were with the RUF?

28 A. Three times, not over.

29 Q. Three times?

1 A. Yes.

2 Q. You are absolutely sure it is three times?

3 A. Yes.

4 Q. Well, you are looking at a diagram that was created in  
10:45:49 5 court here when Varmuyan Sherif testified - well, not created.  
6 It was marked up with the highlighters in court when Varmuyan  
7 Sherif testified before this court in January of this year  
8 between 9 January and 14 January. Do you see the portion of that  
9 map that is encircled by a highlighter, Mr Witness?

10:46:18 10 A. Yes.

11 Q. That is a map of Liberia, yes?

12 A. Yes, because I am seeing Liberian towns there, but I have  
13 never seen a Liberian map before.

14 Q. You have never seen a Liberian map before? Is that your  
10:46:48 15 evidence, Mr Witness?

16 A. Yes, I am not familiar with it and I have never seen it.

17 Q. Liberia is the country next door to your country, Sierra  
18 Leone, yes?

19 A. Yes.

10:47:06 20 Q. You are the same person who has gone through primary school  
21 in West Africa, secondary school in West Africa and gone through  
22 the Bunumbu Teachers College, yes?

23 A. Yes.

24 Q. And you told us you just graduated in 2007 from SAIDAC,  
10:47:30 25 yes?

26 A. Yes.

27 Q. And as part of your education in West Africa you consider  
28 the map of West Africa, do you not?

29 A. I did not study geography in school. I am not familiar

1 with maps.

2 Q. Did you study history, Mr Witness?

3 A. I studied history from my early secondary school days, yes.

4 Q. You were a senior RUF officer, yes?

10:47:56 5 A. Yes.

6 Q. You frequented the vicinity of Buedu, Dawa crossing point,  
7 Koindu, yes?

8 A. Not frequently to Dawa crossing point. Koindu and Buedu,  
9 yes.

10:48:16 10 Q. How many miles from the Sierra Leone/Liberia border is  
11 Buedu?

12 A. Some parts like that Dawa area I understand that it is  
13 three miles. Three also miles, yes.

14 Q. Are you saying Buedu is three miles --

10:48:42 15 A. Dawa.

16 Q. -- from the Dawa crossing point?

17 A. That was what I used to hear but I do not know the exact  
18 mileage from Buedu to Dawa, but it is not far off. It is not a  
19 far distance.

10:48:57 20 Q. What if I told you it was approximately 15 miles, would you  
21 agree?

22 A. Well, maybe it could be right. Maybe you know it, but  
23 I don't know exactly how many miles it is from there to there.

24 Q. Do you know how many miles it is from Dawa crossing point  
10:49:18 25 to Foya in Liberia?

26 A. Which of the Foyas?

27 Q. You testified about Foya Tengbeh, yes?

28 MR WERNER: Sorry, just a clarification, it is Foya Tenga.

29 MR ANYAH:

1 Q. Sorry, Foya Tenga, yes?

2 A. Yes, Sam Bockarie told me that from Dawa to Foya Tenga it's  
3 about three miles. That was what he told me.

4 Q. What if I told you it's about seven miles, would you agree?

10:49:54 5 A. Well, you could be right, but I don't know. That was what  
6 Sam told me.

7 THE INTERPRETER: Your Honours, can he repeat this last  
8 bit.

9 PRESIDING JUDGE: Mr Witness, the interpreter didn't get  
10:50:11 10 the last part of your answer. Please repeat the last part of  
11 your answer, the part that starts, "That was what Sam told me".  
12 Continue from there.

13 THE WITNESS: Sam told me that from Dawa to Foya Tenga,  
14 where I should meet Colonel Jungle, was about three miles. That  
10:50:31 15 was what he said.

16 MR ANYAH:

17 Q. But you were the one who made the trip, yes?

18 A. Yes.

19 Q. You told us that persons like Morris Kallon and others were  
10:50:44 20 not as educated as you were, yes?

21 A. Yes.

22 Q. You told us that because you were educated they used to  
23 rely on you to serve in administrative capacities as an adjutant,  
24 yes?

10:51:02 25 A. Yes.

26 Q. You told us you considered yourself to be a senior RUF  
27 officer in the transcript of yesterday, page 11047. "I refer to  
28 myself as high command because I was also a senior officer."  
29 That is what you told us yesterday, yes?

1 A. I was not a high command. I was a senior officer in the  
2 RUF.

3 Q. Why did you say yesterday, "I refer to myself as high  
4 command"? Shall I show you the transcript, Mr Witness?

10:51:44 5 A. Maybe the translator might have put high command there, but  
6 I even said it in this Court. You asked me a question about high  
7 command. I said no, I was not a high command, I was a senior  
8 officer.

9 Q. Well, let's go back to why we started this exercise. Do  
10:52:03 10 you stand by your position that you are not familiar with the map  
11 of Liberia, Mr Witness?

12 A. Yes.

13 Q. Let's look at the map nonetheless. It is on the screen.  
14 Varmuyan Sherif was here. Varmuyan Sherif circled that portion  
10:52:26 15 of the map. You told us of how you went to Gbarnga from Bunumbu,  
16 yes?

17 A. From Kailahun. We took off from Kailahun.

18 Q. I am referring to the trip in 1992 when you went with CO  
19 Lion and CO Ben, or is it Captain Ben? Do you remember telling  
10:52:52 20 us about that trip?

21 A. Yes.

22 Q. Where did you start that trip from, Mr Witness? Where did  
23 you start it from?

24 A. We met in Kailahun. We met Foday Sankoh in Kailahun  
10:53:08 25 together with Captain Ben. We came from Bunumbu as escorts and  
26 they had selected us to serve as escorts. We went and met  
27 Captain Ben and Foday Sankoh in Kailahun. It was from Kailahun  
28 that we took off and we went.

29 Q. When I said you started from Bunumbu I was correct. That's

1 where you started that trip from, yes?

2 A. Well, from Bunumbu they did not tell me whether I was going  
3 directly to Gbarnga. They said I should report in Kailahun at  
4 the Mansion Ground where Foday Sankoh was and when we went - when  
10:53:50 5 I went Captain Ben told me that we were going to be on the trip  
6 as escorts to go to Gbarnga.

7 Q. Mr Witness, I will ask you that question again. Where you,  
8 not others - where you started out when you went to Gbarnga in  
9 1992 as you told us in court. You told us you started in  
10:54:30 10 Bunumbu, yes?

11 A. I was at the Bunumbu target. That was my assignment. That  
12 was where I was when I got the call that I should go to Kailahun  
13 and when we got to Kailahun Captain Ben, who was the Executive  
14 Mansion Guard to Foday Sankoh, told us, "Are you the ones who  
10:54:53 15 came?" We said yes. He said we were going to Gbarnga and that  
16 we were going to serve as escorts.

17 Q. The fact is you left Bunumbu and you went to Kailahun and  
18 eventually you went to Gbarnga yes?

19 A. Yes.

10:55:09 20 Q. But in going to Gbarnga you told us you went through  
21 Voinjama, correct?

22 A. Yes, that was where we passed because as we went along  
23 Captain Ben was showing us the name of the towns, yes.

24 Q. When you look at the screen you see Voinjama at the top  
10:55:29 25 portion of the encircled part of the map of Liberia, yes?

26 A. Yes.

27 Q. You told us on the way to Gbarnga you passed through  
28 Zorzor, right?

29 A. We passed through Zorzor according to Ben, yes.

1 Q. Do you see Zorzor on that map you're looking at going  
2 towards Gbarnga?

3 A. Yes.

10:56:10

4 Q. And when you follow the trail where Zorzor is, going down  
5 to the right of the encircled portion you do see Gbarnga in that  
6 map, in the middle of Liberia, yes?

7 A. Yes.

8 MR ANYAH: Madam Court Officer, if you can zoom out again  
9 I want to focus on the circled portion of the map:

10:56:31

10 Q. Now, Mr Witness, do you see that that circled portion  
11 canvasses the entire Liberian-Sierra Leonean border?

12 A. Yes.

13 Q. Do you see in the middle of that circled portion Lofa  
14 there?

10:57:03

15 A. Yes.

16 Q. And in the bottom left-hand corner you see Grand Cape Mount  
17 County, yes?

18 A. Yes.

10:57:23

19 Q. And to the south-east of the circled portion you see Bomi  
20 County, yes? At the bottom to the right before Montserrado  
21 County do you see Bomi?

22 A. Yes.

23 Q. You have heard of ULIMO, have you not?

24 A. Yes.

10:57:46

25 Q. You testified about ULIMO when you spoke to us on Tuesday,  
26 or Wednesday, I believe, yes?

27 A. Yes, that they were - they occupied the area along the  
28 Sierra Leone-Liberian border.

29 Q. Yes. Indeed, ULIMO occupied the entire encircled portion

1 of this map. Would you agree, Mr Witness?

2 A. Well, I don't know. All I know is that they were along the  
3 Sierra Leone border, around Koindu coming towards Buedu area.

4 I didn't know whether they occupied the whole area as it is

10:58:42 5 encircled here. I don't know.

6 Q. But the important point is between 1992 and 1996 you will  
7 agree that ULIMO occupied the entire Liberian-Sierra Leonean  
8 border, yes?

9 A. Yes, they were along the Sierra Leone-Liberian border.

10:59:12 10 Q. They made it impossible for any supplies or materials as  
11 you call them, arms and ammunition, to pass through that border,  
12 yes?

13 A. Yes, at the time they occupied the border.

14 Q. In fact, that is why you told us Morris Kallon went missing  
10:59:33 15 at some point. Not missing, but he could not return easily back  
16 into Sierra Leone, yes?

17 A. Yes.

18 Q. When you spoke with the Prosecution in your pre-trial  
19 interviews you confirmed to them the years 1992 through 1996.

10:59:56 20 You said ULIMO occupied that border, yes?

21 A. I did not clearly state that it was since 1992 or up to  
22 1996. I knew that they were along the border for a long time up  
23 to that particular time, but I did not say that it was in 1992,  
24 or the exact months that they occupied it, but they were there,  
11:00:26 25 yes.

26 Q. I am saying you told them 1992 to 1996?

27 MR WERNER: Your Honours, I would object. First we would  
28 like a reference and the witness in a statement 31 October 2007,  
29 November, page 3 said from, "Late 1992 to 1996", not 1992 to



1 1996.

2 MR ANYAH: I see. Shall we go to page 1 of the same  
3 statement, paragraph 3.

4 PRESIDING JUDGE: [Microphone not activated].

11:01:09 5 MR ANYAH: I see that. It says "late 1992", but it is 1992  
6 to 1996.

7 PRESIDING JUDGE: In fairness to the witness, the question  
8 that you are putting, Mr Anyah, does it emanate from these notes  
9 or from something in the transcript?

11:01:31 10 MR ANYAH: From the notes.

11 PRESIDING JUDGE: In that case in fairness I think you  
12 should put '92.

13 MR ANYAH: Late 1992. I said 1992.

14 PRESIDING JUDGE: Late '92, excuse me. Late '92.

11:01:46 15 MR ANYAH:

16 Q. Counsel has shown us one indication of what you told the  
17 Prosecution about the period of time during which ULIMO occupied  
18 the Liberian-Sierra Leone border and I have shown a similar  
19 indication. Do you agree that you told the Prosecution that  
11:02:02 20 ULIMO occupied this border from late 1992 through 1996?

21 A. They started the invasion from late 1992 up to that time,  
22 yes.

23 Q. Yes, that is the point. ULIMO was there. Varmuyan Sherif  
24 says they were there. Do you know somebody named --

11:02:30 25 MR WERNER: Sorry, your Honour. I would object.

26 MR ANYAH: I can phrase it as a question:

27 Q. Varmuyan Sherif says they were there, Mr Witness, do you  
28 agree?

29 MR WERNER: Sorry, I object again. Varmuyan Sherif, to our

1 recollection, didn't say 1992. He did not say 1992.

2 PRESIDING JUDGE: When do you say he said it, Mr Werner?  
3 What dates do you say he put before the Court?

4 MR WERNER: Our recollection, your Honour, is that for Lofa  
11:03:04 5 County he said 1993 in court.

6 PRESIDING JUDGE: Can we have a reference, please?

7 MR WERNER: It's not up to us. We would ask for reference.  
8 If counsel is going to put what Varmuyan Sheriff said then we  
9 would ask for reference.

11:03:22 10 MR ANYAH: Well, the witness has confirmed - I don't mind.  
11 I have the dates Sheriff testified. I don't have the  
12 page reference in front of me. The Court is aware of the  
13 evidence. The issue is what the witness says and so I am willing  
14 to forego the re-affirmation of what Sheriff says and let the  
11:03:41 15 record speak as to what he says.

16 PRESIDING JUDGE: Very well.

17 JUDGE SEBUTINDE: I am just wondering what is written at  
18 the top of exhibit D-1. Do we have some inscription at the top  
19 of D-1, nothing? No indication of dates? Sorry, there appears  
11:04:11 20 to be no date. It is okay. Please proceed.

21 MR ANYAH:

22 Q. Mr Witness, do you know somebody called Suwandi Camara,  
23 Mr Witness?

24 A. No.

11:04:32 25 Q. Suwandi Camara was before this Court on 12 February this  
26 year and he was shown that same map and Suwandi Camara said,  
27 "ULIMO-K controlled part of the border between 1992 and 1996."  
28 Do you agree with that, Mr Witness?

29 A. I was not in Liberia. I don't know, but what I know is at

1 the time NPRC pushed us towards the border at that time the ULIMO  
2 activities had started in Liberia. So I can say I don't know  
3 when they entered Liberia, because I was not in Liberia. I can't  
4 confirm that one.

11:05:19 5 Q. The former President of Liberia, Moses Blah, was here. He  
6 was here on 19 May. Moses Blah spoke about ULIMO's occupation of  
7 the border. On page 10193 of the transcript of 19 May 2008 Moses  
8 Blah said that from 1992 until June 1997, the elections, ULIMO  
9 occupied that border. Do you agree, Mr Witness, with that?

11:06:13 10 A. I am still saying no, I don't know, because they were  
11 there. They fought the war. They know best when they occupied  
12 the border. I don't know. The time I knew about ULIMO occupying  
13 that border was around late 1992 to 1993 when we were pushed by  
14 the Sierra Leone government towards the border. I don't know  
11:06:40 15 when they entered Liberia.

16 Q. But the point is, Mr Witness, that border was cut off from  
17 the RUF in terms of getting any materials or supplies from  
18 Liberia, yes?

19 A. Later on, yes.

11:07:04 20 Q. You mean later in 1992, yes?

21 A. Late 1992 to 1993 ULIMO activities had started in Liberia.

22 Q. I am not asking you when they were started, Mr Witness.

23 You told us that the --

24 PRESIDING JUDGE: I am sorry, Mr Anyah. I am not clear on  
11:07:36 25 this answer. The question you put to the witness was that in  
26 terms of getting any materials or supplies from Liberia the  
27 border was cut off. He says, "Late 1992 to 1993 ULIMO activities  
28 had started in Liberia." Was it the border was cut off late 1992  
29 to 1993, or was it the activities had started at those dates?

1 MR ANYAH:

2 Q. Mr Witness, you told us a few minutes ago that as of late  
3 1992 ULIMO had occupied the border between Liberia and Sierra  
4 Leone, yes?

11:08:09 5 A. Yes.

6 Q. And in order for them to have occupied the border in late  
7 1992 ULIMO activities would have started before that period of  
8 time, yes?

9 A. Well I can't tell, but it was at that time that we saw them  
11:08:32 10 occupying the border. I can't tell when they started the  
11 activities in Liberia because I was not in Liberia. I was in  
12 Sierra Leone.

13 Q. But you are a trained RUF fighter, yes?

14 A. Yes.

11:08:45 15 Q. And you were a fighter for over ten years with the RUF,  
16 yes?

17 A. Yes.

18 Q. And you know from fighting with the RUF that an insurgent  
19 group doesn't just stand up one day and take control of the  
11:09:04 20 border. The fighting activity starts before they gain the upper  
21 hand, yes?

22 A. Yes.

23 Q. So if in late 1992 they have occupied the border it means,  
24 your experience should tell you, that they started fighting  
11:09:19 25 before late 1992, yes?

26 A. Well it could have been possible that their first target  
27 was to get the border area and so I can't just say "Yes", because  
28 in guerilla fighting you will have to have a target. It would  
29 have been possible that the border was their first target that

1 they attacked and so I can't say "Yes" to that. I don't know  
2 when they started their first offensive and I don't even know  
3 when they started it.

11:09:55 4 Q. Well let me suggest to you that their first offensive  
5 started in August 1992, do you agree?

6 A. I don't know. I don't know. I have told you I don't know  
7 when they started. I don't know.

8 Q. In this period of time, late 1992 through 1996, you told us  
9 it was just once - just once - the RUF succeeded in crossing that  
11:10:21 10 border, yes?

11 A. I don't know. I don't know because I was not there. At  
12 that time I had moved off the border area. I don't know.

13 Q. Mr Witness, this was just yesterday, the transcript. It is  
14 on page 11035, Mr Witness, starting at the last line, line 29 of  
11:11:05 15 yesterday's transcript. The page is 11035, rather. I think  
16 I said 39. Mr Werner asked you the question:

17 "So to your knowledge, Mr Witness, were these bypasses  
18 found or located?"

19 Over to the next page ending 36:

11:11:31 20 "A. From what I heard, when we were in Kailahun they tried  
21 to locate the bypasses. They entered once. The RUF  
22 entered once into Liberia and they went, but on their  
23 way coming back they were not successful. They fell into  
24 an ambush. In fact, that was the only time they attempted.  
11:11:59 25 They went and returned and they were never able to go  
26 back."

27 This is what you told us yesterday about crossing that  
28 border, yes?

29 A. In 1996, after we had gone on the crack force mission in

1 Kailahun. That was when we were now in Kailahun in 1996.

2 I still recall when the Prosecution asked me the question. It  
3 was in 1996 and not 1992.

4 Q. But you know that this issue arose the previous day, on  
11:12:39 5 Wednesday 4th, and Mr Werner was merely trying to clarify answers  
6 you gave on the previous day when he was asking you this question  
7 yesterday?

8 A. He asked me questions about 1996. He said whether RUF ever  
9 tried to reenter Liberia and I said:

11:13:06 10 "We were in Kailahun and the RUF tried to locate bypasses  
11 through which they could enter and they entered and on their way  
12 coming they fell into an ambush and that was in 1996."

13 That was what I said yesterday and that is what we have in  
14 the transcript.

11:13:21 15 Q. So, are you suggesting to us that at some point before 1996  
16 the RUF crossed that border? Is that what you are trying to say  
17 to us, Mr Witness?

18 A. I did not say that here, that before 1996 the RUF crossed  
19 the border.

11:13:47 20 Q. So, I ask you again. It was just that once that the RUF  
21 tried to cross that border, yes?

22 A. In 1996, after the border had been already closed since  
23 this one by late 1992 up to 1996 and when we came from Peyama  
24 jungle we came on an attack during the crack force mission in  
11:14:20 25 1996, that was the time the RUF attempted on that border that  
26 I know about.

27 Q. That is the only --

28 JUDGE SEBUTINDE: Mr Anyah, it has just been brought to my  
29 attention by our Legal Officer that in the transcript of 9

1 January at page 805, line 19, Sheriff is recorded as having  
2 testified that from late 1993 ULIMO had total control over Lofa  
3 County.

4 MR ANYAH: There is another indication in the transcript  
11:15:05 5 beyond this, I am sure of that, with a closing date, a start date  
6 and an end date, for the occupation of Lofa County and the border  
7 by ULIMO.

8 JUDGE SEBUTINDE: Perhaps we will look into that again with  
9 the assistance of our Legal Officer.

11:15:24 10 MR ANYAH: Because Mr Griffiths took care to have that map  
11 marked and exhibited:

12 Q. Mr Witness, I just read to you what - well, I paraphrased  
13 it, what the President of Liberia said about that border, Moses  
14 Blah. He actually puts ULIMO occupation of the border through  
11:15:50 15 the Liberian presidential elections of June 1997. I think that  
16 transcript was pulled from 19 May 2008. Are you aware that ULIMO  
17 occupied that border through June 1997?

18 A. In June 1997 I was not in the Kailahun area. That was the  
19 time the AFRC took over. I had gone somewhere else, so I cannot  
11:16:24 20 tell you anything about that.

21 Q. Do you know what was happening at the Liberian Sierra  
22 Leonean border in late 1998 through 1999, Mr Witness?

23 A. Yes.

24 Q. What was happening at that border?

11:16:50 25 A. We heard about LURD rebels. It was another insurgent group  
26 that were fighting against Charles Taylor's government in the  
27 Lofa County.

28 Q. Yes, LURD. LURD also occupied that border, yes?

29 A. Well I don't know whether they occupied the whole border

1 area, but they were within the Lofa area.

2 Q. Are you aware, Mr Witness, that President Charles Taylor  
3 closed the Liberian/Sierra Leonean border between December 1998  
4 through 2 October 1999? Are you aware of that, Mr Witness?

11:17:48 5 A. No.

6 Q. Well let me read to you what President Moses Blah, former  
7 President of Liberia, said in court on 20 May 2008. It is from  
8 the transcript of 20 May 2008 and the page in question is 10314,  
9 lines 4 through 10. Moses Blah said:

11:18:33 10 "Q. Do you recall that in December 1998, also as part of  
11 this process, President Taylor closed the border with  
12 Sierra Leone?

13 A. Yes, I remember.

14 Q. And do you recall that that border remained closed up  
11:18:50 15 until 2 October 1999 as a measure to put pressure on the  
16 RUF to begin discussions that would lead to peace? Do you  
17 remember that?

18 A. I remember that."

19 Mr Witness, that border was closed by two presidents of  
11:19:13 20 Liberia - well, President Blah of Liberia - between December 1998  
21 and October 1992. Do you agree, Mr Witness?

22 JUDGE SEBUTINDE: Please go over those dates again.

23 MR ANYAH: Yes, your Honours:

24 Q. Mr Witness, between December 1998 and 2 October 1999 the  
11:19:41 25 former President of Liberia, Moses Blah, says that that border  
26 was closed by President Charles Taylor. Have you seen it on the  
27 transcript, Mr Witness?

28 A. I have seen it in the transcript, yes.

29 Q. Do you agree with that, Mr Witness, that the border was



1 closed?

2 A. It was not to my knowledge and I disagree.

3 Q. You disagree with President Blah, yes?

4 A. It was not to my knowledge that the border between Sierra  
11:20:26 5 Leone and Liberia was closed from 1998 to 1999, no, I never heard  
6 about that.

7 Q. Mr Witness, you see the problem that all these border  
8 closings pose, do you not? How could arms and ammunition be  
9 moving from one place to another when the border is closed  
11:20:55 10 between late 1992 and, you say, 1996? Do you see a problem with  
11 that, Mr Witness?

12 A. I don't see any problem in that, because in 1999 you are  
13 talking about, Sam Bockarie left the RUF territory in 1999 and if  
14 the border was closed at that time how would he have managed to  
11:21:23 15 enter into Liberia? So I disagree with that.

16 PRESIDING JUDGE: Mr Witness, counsel is putting late 1992  
17 to 1996. You are answering 1999. Address your mind to the  
18 question.

19 THE WITNESS: From late 1992 when we went into the jungle,  
11:21:54 20 up to 1994 when we finally established the jungles Peyama,  
21 Zogoda, the north and other areas, it was in 1996 that I came  
22 back to Kailahun under the crack force mission and it was during  
23 that 1996, that I said here yesterday, that the RUF tried to  
24 locate bypasses on the border, which they could use to enter and  
11:22:22 25 indeed they tried it once, they entered, they went, but on their  
26 way coming they fell into an ambush. That was the time that  
27 I actually know about that the ULIMO indeed occupied the border.  
28 But that time he is talking about, 1998 to 1999, like he said the  
29 Vice-President of Liberia came here and said that they closed the

1 border at that time, that was the reason why I also said that in  
2 1999 Sam Bockarie left Sierra Leone, RUF territory, and entered  
3 into Liberia and went to Charles Taylor. What route did he use  
4 to enter to go and meet him if the border was indeed closed?

11:23:02 5 That was why I asked that question, because in 1998 and 1999  
6 there were still movements going on between the RUF and  
7 Charles Taylor Liberian Government. There were still movements  
8 going on, because that is a big example: The movement of Sam  
9 Bockarie from the RUF zone, which happened in 1999. That was the  
11:23:26 10 time he went.

11 MR ANYAH:

12 Q. I suggest to you that you were in error yesterday when you  
13 told us, in respect of MFI-17, the document showing your  
14 promotion, with the date 19 November 1998, when you told us by  
11:23:44 15 then Sam Bockarie had left Sierra Leone, yes, that was a mistake?

16 A. It is not a mistake. He left Sierra Leone, but it was not  
17 that he finally left. He went to bring us materials, but when he  
18 went Issa Sesay was in charge and that was the time I got my  
19 promotion and on his return there was a meeting. That was when  
11:24:11 20 the general attacks took place. He returned with a lot of

21 materials. That is also another example for me to tell you that  
22 the border was still open for RUF to enter and by then he had  
23 left and there was the acting CDS and that was Colonel Issa. He  
24 was acting in the absence of CO Mosquito, and it was in 1999 that  
11:24:39 25 Sam Bockarie again finally left the RUF territory, when he took  
26 along with him his wife and his whole family and so many other  
27 soldiers, vehicles and a lot of properties. He left the RUF  
28 territory from Buedu. He passed through Foya and he went. So  
29 that is what I am saying. If the border was actually closed

1 tightly, Sam Bockarie wouldn't have been able to enter Liberia  
2 and go where he went at that time.

3 Q. Can I suggest to you that Sam Bockarie entered Liberia  
4 finally in December 1999 and that does not fall within the time  
11:25:16 5 period I am referring to which ends in October, specifically 2  
6 October 1999. Do you agree Bockarie went to Liberia for the  
7 final time in December 1999?

8 A. I don't know the month, but it was in 1999 that Sam  
9 Bockarie left. Okay, what about 1998 when Issa Sesay signed my  
11:25:46 10 document as acting? He had gone to Liberia also at that time and  
11 that was November 1998. At that time was the border still open,  
12 or it was closed as you are now referring to your time frame?

13 Q. Mr Witness, I ask the questions and let me take you back to  
14 the transcript of 4 June and what you said about ULIMO and the  
11:26:12 15 border. I will read from page 10935, transcript of 4 June,  
16 Wednesday this week.

17 PRESIDING JUDGE: Continue, Mr Anyah.

18 MR ANYAH:

19 Q. Line 2:  
11:26:43 20 "Q. And what, if anything, happened in the border later to  
21 your knowledge?

22 A. Well, later on when NPRC took over we lost Kono and  
23 they pushed us until we went back to the border, the Koindu  
24 border. At that time the ULIMO had taken over the border  
11:27:07 25 there. The ULIMO had been there."

26 NPRC, Valentine Strasser, they took over when? Was it 29  
27 April 1992, thereabouts? Yes, 29 April 1992. Do you agree,  
28 Mr Witness?

29 A. Strasser King took over on 29 April 1992, but RUF was not

1 pushed out of their territory on that particular date. It was  
2 later that the RUF were pushed up to the border area.

3 Q. I am not asking about the RUF being pushed. We are talking  
4 about ULIMO. Your statement to the Court, in trying to set a  
11:28:00 5 time frame for when ULIMO took over the border, you said, "When  
6 NPRC took over we lost Kono", and then in line 6, "At that time  
7 ULIMO had taken over the border there. The ULIMO had been  
8 there." That is 29 April 1992, Valentine Strasser, yes?

9 A. No, it was not 29 April that ULIMO occupied the border. It  
11:28:34 10 was 29 April that Valentine took over. It was later, when we  
11 were pushed to the border, that we met ULIMO there. It was later  
12 in 1992. It was not in the April of 1992 that they occupied  
13 there. It was later, when the RUF were pushed to the border,  
14 that we met the ULIMO there. They occupied the border at that  
11:28:59 15 time.

16 Q. Then why does the transcript say what it does? You are  
17 looking at it on the screen, Mr Witness. Why does it say what it  
18 says? It has you saying that, "At that time the ULIMO had taken  
19 over the border there. The ULIMO had been there." Then counsel  
11:29:20 20 asks you, "What is the ULIMO, Mr Witness?" Why didn't you tell  
21 him when he asked you, "Oh, no, at that time the ULIMO hadn't  
22 taken over the border"?

23 A. It might be the interpreter, because what I said is what  
24 I am still saying here. It was not in April that we went to the  
11:29:42 25 border, it was late 1992 that ULIMO pushed us and when we went,  
26 we met ULIMO on the border and even as I am talking, most times  
27 the interpreter will tell me that I am talking too fast for him  
28 and he will ask me to repeat. So it was not possible for NPRC to  
29 just take over and that moment we will be pushed to the border.

1 It was late 1992 that we were pushed to the border. At that time  
2 when we went to the Koiindu jungle, we saw that ULIMO were on the  
3 border. I am not saying that it was in that April. When we went  
4 to the Koiindu jungle, we met the ULIMO were now on the border.

11:30:25 5 That was what I said in my answer.

6 PRESIDING JUDGE: Mr Anyah, we are up to our time limit.  
7 Mr Witness, this is now the time for the mid-morning break. The  
8 tape has run out. We will be taking a break of 30 minutes and  
9 resuming court at 12 o'clock. Please resume court at 12.

11:30:43 10 [Break taken at 11.30 a.m.]

11 [Upon resuming at 12.00 p.m.]

12 PRESIDING JUDGE: Mr Anyah, please proceed.

13 MR ANYAH: Thank you, Madam President:

14 Q. Mr Witness, before we go back to the issue of ULIMO, there  
11:59:34 15 is one matter that I would like to ask you a question about that  
16 arose from this morning's evidence and I will read you the draft  
17 transcript that we have. The portion I will be referring to is  
18 on page 25 and this is a 14 point font, starting at line 17. I  
19 posed to you this question this morning, Mr Witness. It was:

12:00:06 20 "Q. Now, yesterday you were attempting to make the  
21 distinction between Issa Sesay's case and this case. You  
22 said the investigators told you - after you told them that  
23 you had spoken with the Sesay Defence team, they told you,  
24 "Well, that's the Sesay case", they wanted to talk to you  
12:00:17 25 about the Charles Taylor case. Do you remember telling us  
26 that?"

27 Then here is your response and this is what I want to ask  
28 you about, Mr Witness. Your answer was:

29 "A. Yes, that was what they said, because I told them that

1 Issa Sesay's Defence had met me, because when they met me I  
2 told them that I had nothing to do with the Special Court  
3 any more because I had integrated into society. They said  
4 no, they heard I have got information and they pleaded for  
12:01:25 5 me to give them the information and they said if I did not  
6 give them and the Court realised that I have information I  
7 am withholding, they said the Court will hold me  
8 responsible."

9 That is what you said this morning in response to a  
12:01:50 10 question I posed and I want to ask you about that. You are  
11 recounting your meeting with investigators from the Office of the  
12 Prosecutor and you said you told them that you had nothing to  
13 say, yes?

14 A. No.

12:02:12 15 Q. Mr Witness, I just read you your words. It says you told  
16 them you had nothing to say, "Because I had integrated into  
17 society." You used those words, "integrated into society". What  
18 did you mean when you said that to them?

19 A. It was the Issa Sesay Defence that I told that. It was not  
12:02:39 20 the Prosecution. You said the Prosecution asked me. Issa Sesay  
21 Defence asked me and I told them earlier on when they met me and  
22 that is what I told them. I did not tell the Prosecution that,  
23 that I did not have anything to tell them.

24 Q. Was it the Issa Sesay Defence team that said if the Court  
12:02:58 25 found out you had information and that you were withholding  
26 information, you would be held responsible, or was it the  
27 Prosecution investigators that told you that?

28 A. The Issa Sesay Defence it was, because I told them that I  
29 had reintegrated into the society and I had nothing to do with

1 the Special Court any more.

2 Q. But do you see the question I read and how the question was  
3 phrased?

4 A. Yes.

12:03:33 5 Q. The question was relating to Prosecution investigators and  
6 the relevant part said, "You said the investigators told you -  
7 after you told them that you had spoken with the Sesay Defence  
8 team, they told you, 'Well, that is the Sesay case', they wanted  
9 to talk to you about the Charles Taylor case." That's the  
12:04:03 10 context in which your answer evolved. You were referring to what  
11 Prosecution investigators told you. They said they wanted to  
12 talk to you about the Charles Taylor case, right?

13 A. No, the Prosecutors met me and they told me that somebody  
14 had directed them to me and they wanted information from me and I  
12:04:36 15 told them that the Issa Sesay Defence had met me, so I would not  
16 have told the Prosecution again that I had nothing to do with the  
17 Special Court, because the Issa Sesay Defence had met me. So  
18 when they too met me I told them, because I didn't want to mix  
19 things up, that the Issa Defence had met me and you too have  
12:04:56 20 come. So I told them that and they said that was no problem,  
21 that was the case about Charles Taylor and the RUF, not Issa  
22 Sesay. That was what the Prosecution told me, like Chuck, the  
23 first man who met me.

24 Q. Do you see the words "any more" there in the context of  
12:05:17 25 "They met me, I told them that I had nothing to do with the  
26 Special Court any more." Do you see those words there,  
27 Mr Witness, yes?

28 A. It was the Issa Sesay Defence that I told that. I told  
29 them that, yes.

1 Q. My question is not about what you told them. I'm now  
2 asking you about what's on the screen. Do you see the words "any  
3 more" there?

4 A. It is not on the screen to me.

12:05:52 5 Q. Madam Court Officer will soon publish it for you on the  
6 screen, Mr Witness.

7 A. Which line?

8 Q. Well, I don't know what line it is on your screen. Let me  
9 see if I can look at it.

12:07:11 10 PRESIDING JUDGE: Mr Anyah, have you got a precise line  
11 you're citing?

12 MR ANYAH: Yes, I have found it now:

13 Q. Mr Witness, the question starts at line 17 and your answer  
14 starts at - well, it's page 25, line 17, when the question starts  
12:07:34 15 and your answer starts at page 25, line 23, and here is your  
16 answer:

17 "Yes, that was what they said because I told them that Issa  
18 Sesay's Defence had met me, because when they met me I told them  
19 that I had nothing to do with the Special Court any more because  
12:07:55 20 I had integrated into society. They said no, they heard I have  
21 got information and they pleaded for me to give them the  
22 information and they said if I did not give them and the Court  
23 realised that I have information I am withholding, they said the  
24 Court will hold me responsible."

12:08:17 25 Your evidence is this paragraph refers to what you told  
26 Sesay's investigators, yes?

27 A. Yes, I told the Sesay Defence team this.

28 MR ANYAH: Madam President, may I have a moment, please?

29 PRESIDING JUDGE: Yes.



1 MR ANYAH:

2 Q. Mr Witness, the words there "any more" suggest you had  
3 nothing to do with the Special Court at that particular point in  
4 time when you met with a particular set of investigators. Which  
12:09:27 5 investigators met you at a point in time when you had nothing to  
6 do with the Special Court?

7 A. It was the Sesay investigation team, the very first time  
8 that they met me while I was at school. In fact, they went and  
9 met me on campus. They said they wanted to see me and they told  
12:09:56 10 me where they were. I went there and they told me that that was  
11 what they had gone for and that was my answer to them: That I  
12 had reintegrated into the society and I had nothing to do the  
13 Special Court again, or anything about that.

14 Q. Would you agree that the words "any more" suggest that  
12:10:13 15 before that first meeting with Issa Sesay's investigators, you  
16 indeed had something to do with the Special Court? That first  
17 meeting between 13 July 2005.

18 A. I didn't have anything to do with the Special Court because  
19 I didn't know anything about the Special Court business.

12:10:44 20 Q. But you told us you knew Issa Sesay had been indicted, yes?

21 A. Yes, they announced it on the radio, but I was not named  
22 there, that's why I said I had nothing to do there any more,  
23 because it was they who had something to do with it, not me.

24 Q. Issa Sesay was indicted in 2003 in March, yes?

12:11:14 25 A. No, I don't know the date. I don't know when, but I know  
26 that he - I knew that he had been indicted.

27 Q. But you said they had announced it. Did you hear that  
28 announcement, Mr Witness?

29 A. Yes.

1 Q. That was before his investigators ever met with you, right?

2 A. Yes.

3 Q. Why did you say you didn't have anything to do with the  
4 Special Court any more when they met with you for the first time?

12:11:45 5 What business did you have with the Special Court before that?

6 A. I did not have any business with the Special Court before  
7 that. I did not want to associate myself with them, with Special  
8 Court, relating to cases. That's what I meant when I told them  
9 that.

12:12:10 10 Q. Do you remember I asked you a question yesterday whether  
11 you were shopping to be a witness for the Special Court and you  
12 said yes?

13 A. I said - they said they met me, they did not say I was to  
14 be a witness for them. If they had told me that I was to be a  
12:12:32 15 witness I would have testified in the Issa Sesay case and the  
16 case has gone through, I was not invited to testify. I don't  
17 know anything.

18 PRESIDING JUDGE: Just pause. The question was do you  
19 recall being asked that question yesterday and your answer: Yes.  
12:12:47 20 Do you recall it?

21 THE WITNESS: I said they met me.

22 PRESIDING JUDGE: Mr Witness, answer the question as put.  
23 Do you wish it to be put again?

24 THE WITNESS: Yes, my Lord.

12:13:08 25 PRESIDING JUDGE: Please repeat your question, Mr Anyah.

26 MR ANYAH: Yes, Madam President:

27 Q. Mr Witness, I asked you yesterday a question whether you  
28 had been shopping to be a witness before the Special Court and  
29 your answer was yes. Do you recall that?

1 A. No, I was not shopping. I was not willing to be a witness  
2 for the Special Court. That's why I told them that I had nothing  
3 to do with them and they said I should be a witness for the  
4 Special Court after they had spoken to me, but it was not that I  
12:13:44 5 went there voluntarily asking to be a witness.

6 Q. On page 11154 of yesterday's transcript, starting at line  
7 9, I posed this question to you, Mr Witness:

8 "Q. When you met with Sesay's investigators first and then  
9 met with Chuck Kolot in March of 2007 and then met again  
12:14:45 10 with Sesay's investigators in June 2007, Mr Witness, can I  
11 ask you were you shopping to be a witness in one of the  
12 Special Court cases?

13 A. Yes."

14 Line 14:

12:15:06 15 "Q. You wanted to be a witness in some proceeding before  
16 these courts, right?

17 A. Yes."

18 That's what you told us yesterday, Mr Witness, correct?

19 A. It is correct. After the Sesay Defence had spoken to me,  
12:15:25 20 they said they wanted me to be a witness because they had met me  
21 and they had spoken to me and they had obtained statement from  
22 me. So I was expecting that they would invite me to be a  
23 witness, but I was not invited, right up until the time the  
24 Prosecution spoke to me and they were talking to me and even gave  
12:15:47 25 me a number.

26 THE INTERPRETER: Your Honours, can the witness repeat the  
27 last bit.

28 PRESIDING JUDGE: Mr Witness, the interpreter needs the  
29 last part of your answer repeated. You said the following,

1 "Right up until the time Prosecution spoke to me and they were  
2 talking to me and even gave me a number." Continue from there,  
3 please.

4 THE WITNESS: It was only the Prosecution then that was  
12:16:12 5 talking to me from the last time that we ever spoke to the Sesay  
6 team. It was then the Prosecution that was talking to me and  
7 they even gave me a number. Until the Defence trial went  
8 through, they did not invite me, they did not give me a number  
9 even. So when the Prosecution gave me a number, that meant that  
12:16:36 10 I had been a witness in this case, yes.

11 MR ANYAH:

12 Q. Let me ask you directly, Mr Witness: Did anyone from the  
13 Office of the Prosecutor tell you that if you did not provide the  
14 information they felt you had, you would be held responsible by  
12:16:54 15 the Special Court?

16 A. No.

17 MR ANYAH: Fair enough. Back to ULIMO. Your Honours,  
18 during the break we were handed a transcript via the legal  
19 officers of the Bench and we are grateful and I would like to  
12:17:17 20 refer to that transcript. I believe the Prosecution is in  
21 possession of the same transcript I am. It's from 10 January  
22 2008 and it concerns the testimony of Varmuyan Sherif, starting  
23 at page 976 and for my purposes the relevant page being 978, but  
24 I will start from parts of 976:

12:17:54 25 Q. Mr Witness, this is what Varmuyan Sherif said to this Court  
26 on 10 January 2008 about ULIMO's control of the Liberian-Sierra  
27 Leonean border. The question posed on line 24:

28 "Q. Very well. Let us move on to another subject of this  
29 then. The area you have drawn on the map as the extent of

1 ULIMO control, for how long, tell us, did ULIMO exercise  
2 control, with whatever caveats, of the area you have drawn  
3 on that map? For how long? From 1992, when you invaded,  
4 until when?"

12:18:53 5 Now, the map to which this refers, Mr Witness, is Defence  
6 exhibit 1, the map that was exhibited on the overhead. Sheriff's  
7 answer was:

8 "A. ULIMO had total control of that area in 1993 and in  
9 1994 ULIMO had a rift within the rank and file of ULIMO, so  
12:19:22 10 ULIMO was divided into two. So in Bomi County and at Grand  
11 Cape Mount County was now controlled by ULIMO-J and then  
12 from Lofa Bridge area to Vahun, Foya, Kolahun, Voinjama,  
13 Zorzor were now controlled by ULIMO-K."

14 Then you go over a number of pages to page 978, starting at  
12:20:01 15 line 7, the question was posed to Varmuyan Sheriff:

16 "Q. So putting all of that together then we can say that  
17 that area, marked by the pink line, between 1992 and 1996  
18 was controlled by ULIMO, whether as a unified force or as a  
19 split force J and K, would you agree?"

12:20:37 20 A. Yes, yes."

21 Mr Witness, Varmuyan Sheriff is saying that the entire pink  
22 area of Defence exhibit 1, that map that you can see on the  
23 overhead projector and on your screen, the circled area was  
24 controlled by ULIMO, whether J or K, irrespective of that  
12:21:04 25 distinction, between 1992 and 1996. Do you agree with that,  
26 Mr Witness?

27 A. Well, I have told you I was not in Liberia and I don't know  
28 all the areas that ULIMO occupied. It was only where the NPRC  
29 pushed us late 1992, when they went to the Koindu border around

1 Liberia, that was where we met ULIMO, whether it was J or K I  
2 don't know, and they were tormenting us there. I don't know all  
3 the areas they occupied in Liberia. I cannot answer that  
4 question. They were there, they knew where they occupied.

12:21:46 5 Q. But you can, and you have, answered the question about the  
6 Liberian-Sierra Leonean border and you said from late 1992 to  
7 1996, correct?

8 A. Yes, yes, it's correct, on the Sierra Leone-Liberian  
9 border.

12:22:10 10 Q. And around 1993 Morris Kallon crossed over and entered into  
11 Liberia and he did not come back until almost 1995, yes?

12 A. No, it was not around 1993 that Morris Kallon entered.  
13 Morris Kallon entered, he was in Liberia when we were pushed and  
14 we went to the border, he was in Liberia then. He could not

12:22:38 15 return. At that time the border had been closed. Late 1992 to  
16 1993, he was already there.

17 Q. I said around 1993. You're saying late 1992. Which is it?  
18 Is it late 1992, or is it 1993?

19 A. Morris Kallon entered Liberia before we were pushed to the  
12:23:02 20 border. When we were pushed to the border he was not with the  
21 RUF then. He was in Liberia. That's what I am saying. He was  
22 in Liberia already. That was late 1992. When we met ULIMO on  
23 the border, he had been inside.

24 Q. Well, do you agree he was cut off and unable to return  
12:23:25 25 until 1994/1995?

26 A. Yes.

27 Q. That means the border was not easily transversed or crossed  
28 during that period of time, correct?

29 A. Yes.

1 Q. And the reason for that was ULIMO, yes?

2 A. Yes.

3 Q. You told us before the break that once in 1996 the RUF  
4 managed to cross the border, yes?

12:24:00 5 A. Yes.

6 Q. But it was not a successful border crossing, correct?

7 A. Yes.

8 Q. You also mentioned LURD. You recall that, yes?

9 A. Yes.

12:24:18 10 Q. And do you know what LURD stands for?

11 A. No.

12 Q. Is it Liberians United For Reconciliation and Democracy?

13 A. I don't know.

14 Q. But LURD was anti-Charles Taylor, yes?

12:24:44 15 A. What do you mean by anti-Charles Taylor?

16 Q. Well, the LURD forces were fighting against the government  
17 of Charles Taylor, correct?

18 A. Yes.

19 Q. And LURD occupied the border between Liberia and Sierra  
12:25:01 20 Leone in 1999, yes?

21 A. They did not occupy all of the borders in Sierra Leone in  
22 1999. It was not all over the border that they occupied.

23 Q. Well, you see the map, it's still on the overhead screen.  
24 Can you tell us what portions of that border LURD occupied in  
12:25:32 25 1999?

26 A. I cannot tell you the areas that LURD occupied because I  
27 was not in Liberia and I did not know where they were. All I  
28 know is that LURD was in Liberia in Lofa County, but I cannot  
29 tell you the towns and villages, or the areas that they occupied,

1 no.

2 Q. Are you saying because you were not physically in Liberia  
3 you cannot tell us what was going on in Liberia in 1999?

4 A. Yes.

12:26:07 5 Q. But you were able to tell us of other activities that you  
6 said were coming from Liberia while you were in Sierra Leone in  
7 1999, like arms and supplies, yes?

8 A. Yes, because I saw it when it came to us in Sierra Leone  
9 and in the RUF territory.

12:26:31 10 Q. Is it only things that you see that you think are necessary  
11 to tell this Court, that you yourself saw?

12 A. The one that I saw happen between Liberia and Sierra Leone,  
13 from the Charles Taylor government to RUF, is what I spoke about  
14 in this Court.

12:27:00 15 Q. So do you know the entire period of time that LURD was at  
16 the border? Before the break you said it started in 1998,  
17 correct?

18 A. I have said that they did not occupy all over the border.  
19 What I know is that they were in Liberia in Lofa County. I  
20 cannot tell you the exact towns and villages.

12:27:29 21 Q. What time frame were you at Komende, Mr Witness?

22 A. 1999 to 2000.

23 Q. And during that time frame it is correct that LURD occupied  
24 Lofa County, yes?

12:28:10 25 A. They occupied some towns and villages in Lofa County. It  
26 was not all of the Lofa County, but I did not know the exact  
27 towns or villages, but they were there in some part of Lofa  
28 County.

29 Q. And LURD was cutting off supplies between the RUF and



1 Liberia, you say, right?

2 MR WERNER: I object. I have no recollection of the  
3 witness saying that.

12:28:49

4 MR ANYAH: Well, LURD was trying. Did I use the word  
5 "trying"?

6 PRESIDING JUDGE: You said "LURD was cutting off". Are you  
7 putting that to him as --

8 MR ANYAH: I can rephrase it. He did say they were trying  
9 to cut off the supplies:

12:29:01

10 Q. Mr Witness, you told us yesterday that LURD was trying to  
11 cut off the supply, or the supply line between the RUF and the  
12 Liberian government, yes?

12:29:25

13 A. No. LURD never attacked RUF supplies that came from  
14 Liberia into Sierra Leone like how ULIMO did, like when I know  
15 that Morris Kallon was cut off. I knew that LURD was in Lofa  
16 County, but they did occupied there, not like how ULIMO did and  
17 they never attacked our materials, or manpower, that either  
18 entered or went out. I did not say that and that did not happen.  
19 I did not hear that happen.

12:29:48

20 Q. I'm not asking you if LURD attacked your supplies. I'm  
21 asking you if LURD tried to cut off your supply line with  
22 Liberia. You told us yesterday LURD was trying to cut off the  
23 RUF supply line with the Liberian government, yes?

12:30:18

24 A. No. If they tried to cut off the supply that was they  
25 would attack our entrance and exits, they would attack RUF  
26 entrance and exits from Liberia, but they did not cut off any  
27 supply that came here. All we knew was that they were in Liberia  
28 and they were fighting against Charles Taylor. That's what I  
29 said here.

1 Q. Well, let's take a look at yesterday's transcript at page  
2 11099 and this is what you said about LURD yesterday. Starting  
3 at line 20 there was a question posed, counsel opposite asked  
4 you:

12:31:05 5 "Q. When you were in Komende - I will rephrase. When you  
6 were in Komende what, if anything, did you hear about what  
7 was going on in Lofa County?

8 A. Well, I heard that rebels had starting attacking Lofa  
9 County. They called them LURD rebels; that they have  
10 started attacking Lofa County area in Liberia.

11 Q. And what else, if anything, did you hear about the LURD  
12 rebels?

13 A. Well, I heard that they were trying to cut out the  
14 supply line that was between the RUF and the Liberian  
15 government in that Lofa County area. That was the fighting  
16 they were on.

17 Q. After you heard about the LURD rebels in Lofa County  
18 what else, if anything, did you hear about Lofa County?

19 A. The next thing I heard about was that Sam Bockarie was  
12:32:14 20 trying to send some manpower from the RUF to help the  
21 Liberian government fight against LURD."

22 Do you recall giving those responses to questions posed  
23 yesterday, Mr Witness?

24 A. Yes.

12:32:36 25 Q. Then why did you say no when I asked you a few minutes ago  
26 whether you told us about LURD trying to cut off your supply  
27 lines?

28 A. I said - you said they attacked our borderline and cut off  
29 our supply. I said no. I said they were in Lofa County and they

1 did not, at any time, attack our men or our items and they were  
2 there and that was why in fact Sam Bockarie decided to send  
3 manpower there to fight alongside the Charles Taylor government.

12:33:25

4 Q. So, Mr Witness, we have gone through from late 1992 through  
5 1996 and ULIMO's occupation of the border. You remember those  
6 questions and the answers, Mr Witness?

7 A. Yes.

12:33:45

8 Q. Do you recall what I read to you that was said in this  
9 Court by the former President of Liberia, Moses Blah, that  
10 between December 1998 and 2 October 1999 the border between  
11 Liberia and Sierra Leone was closed? Do you recall that series  
12 of questions, Mr Witness?

13 A. Yes, I recall the question that you asked and I gave you an  
14 answer for it.

12:34:06

15 Q. And do you now realise our discussion about LURD and Lofa  
16 County during the period when you were in Komende, between 1999  
17 and 2000, in the context of the border between Liberia and Sierra  
18 Leone, yes?

12:34:30

19 A. Yes, I was in Komende when I started hearing about the LURD  
20 rebels.

12:35:13

21 Q. Mr Witness, do you agree that between the NPRC regime,  
22 1992, through the year 2000, crossing the border between Liberia  
23 and Sierra Leone was impeded significantly at various times  
24 because of ULIMO, LURD and the closure of the border by  
25 Charles Taylor?

26 MR WERNER: Your Honours, sorry to interrupt, that is a  
27 compound and cumulative question. There are three questions in  
28 that question.

29 MR ANYAH: If I may respond. Ordinarily it would be, but

1 the foundation was laid with the separate components of the  
2 questions asked and the witness could agree or disagree to the  
3 question.

12:35:44 4 PRESIDING JUDGE: I allow the question in the form it was  
5 put. Put it again, please.

6 MR ANYAH: Yes:

7 Q. Mr Witness, do you agree that between the time of the NPRC  
8 regime of Valentine Strasser in 1992, through the year 2000,  
9 crossing the border between Liberia and Sierra Leone with  
10 materials, what you refer to as arms and ammunition, was severely  
11 impeded at various times by ULIMO, LURD and because of the  
12 closure of the border by Charles Taylor?

13 A. The only time that our materials were blocked and things  
14 were made difficult for us was when ULIMO permanently occupied  
12:36:48 15 the border from late 1992 up to 1996, but the LURD rebels did not  
16 block us permanently and Charles Taylor's announcement that you  
17 are talking about, just as you said, it was the Vice-President  
18 who said it, they would have said that to satisfy the  
19 international community, but movement between RUF and the  
12:37:15 20 Charles Taylor government still continued from 1998 up to 2001,  
21 up to the time of the final peace. We used to enter and then  
22 come back with our materials. It was only when ULIMO blocked the  
23 way before us at that time that I would refer to as permanent.

24 Q. So when Moses Blah says the border was blocked through June  
12:37:43 25 1997, he being a Prosecution witness in this case, he was  
26 mistaken, yes?

27 A. No, I wouldn't say he made a mistake. He might have said  
28 it. You know, sometimes you can say something but you will not  
29 do the action. But here I am telling you that I did not hear

1 that. It is here that I have heard it from you that they said it  
2 and even if they said it they might have been trying to please  
3 the international community, but up to 1998/1999 the RUF used to  
4 enter and come out and even 2000 the RUF used to enter and come  
12:38:29 5 out. That was what I said.

6 Q. So when Moses Blah, former President of Liberia, tells this  
7 Court that the border between Liberia and Sierra Leone was closed  
8 from December 1998 until 2 October 1999 he should have added that  
9 it was merely symbolic for the international community and it was  
12:38:58 10 not really closed, yes?

11 A. I don't know. I can't tell his mind. They made their  
12 announcement. They were in power. They knew the reason why they  
13 said that. I cannot say for him. You are supposed to refer the  
14 question to him, because I don't know and I have only heard it  
12:39:20 15 from you that he said that. But I did not hear that over the  
16 radio and I still continue to say it. I did not hear it. I have  
17 only heard it from you here.

18 Q. The Court heard it from Moses Blah as well, Mr Witness.

19 A. Okay, that was from Moses Blah, not from me, and I did not  
12:39:44 20 hear it. I still continue defend that. I did not hear that and  
21 I still continue to say that we used to enter and exit, so I  
22 don't know.

23 MR ANYAH:

24 Q. I will hopefully find the exhibit that was introduced about  
12:39:59 25 this when Mr Blah testified, but we can move on. Mr Witness,  
26 have you ever heard of something called Top 20, Mr Witness?

27 A. Yes.

28 Q. You've heard of Top 40, right, as well?

29 A. Yes.

1 Q. You've heard of Top Final, yes?

2 A. Yes.

3 Q. Yesterday, or perhaps on Wednesday, you defined for us what  
4 Special Forces were, yes?

12:40:42 5 A. Yes.

6 Q. You defined for us what vanguards were, correct?

7 A. Yes.

8 Q. And you also defined for us what junior commandos were,  
9 correct?

12:41:01 10 A. Yes.

11 Q. You were a junior commando, yes?

12 A. Yes.

13 Q. Now in 1991/1992 you told us starting from your experience  
14 at Pendembu training base there were Liberian Special Forces

12:41:26 15 fighting alongside the RUF, yes?

16 A. Yes.

17 Q. What is Top 20, Mr Witness?

18 A. Top 20 was a mission in which the NPFL, who were within the  
19 RUF, run both the RUF and senior commandos and during that time  
20 they used to kill people in the RUF territories.

12:42:02

21 Q. You said it was a mission that they ran and they used to  
22 kill people in the RUF territories. Are you speaking of a  
23 particular mission, or are you speaking of a fighting practice of  
24 the Special Forces?

12:42:25

25 A. It was a mission that they ran. It was not a fighting  
26 practice. It was something they did within the RUF territory.

27 Q. When did this mission take place, Mr Witness?

28 A. I can't recall the exact date, but it was the early times  
29 of the war. By then the war was now in existence and they were

1 with us. That was the time.

2 Q. And what is Top 40, Mr Witness?

3 A. Top 40 also was something of the same nature and it was  
4 when the NPFL forces were killing both civilians and junior  
12:43:19 5 forces in the RUF territory.

6 Q. And what is Top Final, Mr Witness?

7 A. Top Final was a mission that the junior commandos decided  
8 to undertake in which they struck against the NPFL forces and  
9 they chased them out of RUF territory.

12:43:50 10 Q. Who was chased out of RUF territory, Mr Witness?

11 A. Some of the Special Forces that ran the Top 20 and the Top  
12 40 mission, the junior commandos also decided to chase them.  
13 They chased the Special Forces that had run the Top 20 and Top  
14 40. So, they chased them out of RUF territory.

12:44:21 15 Q. Yes. Are you aware that others have come before this Court  
16 who have said Top 20 was not as you've described it, as in a  
17 mission by Liberians or NPFL fighters, but more so a reaction by  
18 the RUF members against the NPFL fighters in Sierra Leone?

19 A. No.

12:44:57 20 Q. Are you aware of the fact that there was friction between  
21 the Special Forces in 1991/1992 and the Sierra Leonean vanguards?

22 A. Yes, I knew that there was some conflict between them.

23 Q. Indeed the Special Forces felt superior, as in better  
24 trained and professional, than the RUF vanguards, correct?

12:45:38 25 A. Yes, that was their opinion that I heard about.

26 Q. And the two groups could not get along, yes?

27 A. Yes, during the time they ran the mission.

28 Q. Sam Tuah, the name you mentioned, one of the commanders or  
29 you say the commander of the Bunumbu training base, overall

1 commander who frequented there, was a Special Force, right?

2 A. Yes.

3 Q. Have you heard the name Anthony Menquenagbeh, Mr Witness?

4 A. No.

12:46:28 5 Q. You never heard the name Anthony Menquenagbeh, Mr Witness,  
6 and you told us you crossed the Liberian border through Voinjama  
7 to go to Gbarnga in 1992?

8 A. No.

9 Q. Have you heard of General Dry Pepe, Mr Witness?

12:46:53 10 A. No. General Dry Pepe, no.

11 Q. You never heard of a Liberian general named Dry Pepe?

12 A. No, I have never heard about a Liberian general that was  
13 called Dry Pepe. There were Liberians who used to take the name  
14 Dry Pepe, but the general, no.

12:47:19 15 Q. Have you ever heard of Dopoe Menkarzon, Mr Witness?

16 A. I heard about General Dopoe. I don't know if Menkarzon is  
17 added there, but I heard about General Dopoe, yes.

18 Q. Did you ever see or meet General Dopoe, as you call him?

19 A. At one time and that was during the early periods of the  
12:47:52 20 war, yes.

21 Q. Was it that you saw him, or you met him?

22 A. I saw him.

23 Q. Where did you see General Dopoe?

24 A. When I was at the training base in Pendembu.

12:48:10 25 Q. Did he come to the training base, Mr Witness?

26 A. Yes, at one time he came to the training base and I saw  
27 him. They told us he's General Dopoe.

28 Q. You told us you stayed at that base for three months, yes?

29 A. Yes.



1 Q. This was in 1991, yes?

2 A. Yes.

3 Q. And you saw General Dopoe at that base? You insist on  
4 that, yes?

12:48:48 5 A. Yes.

6 Q. In May of 1992 where were you, Mr Witness?

7 A. I can't tell where I was in that particular month in May  
8 1992.

9 Q. You see, that is something that the record does not  
12:49:15 10 disclose and let us try and figure out where you were, because  
11 you told us you were captured on 2 May 1991, correct?

12 A. Yes.

13 Q. After you had spent perhaps a week in the bush, yes?

14 A. Yes.

12:49:37 15 Q. Your capture took place in Bunumbu, correct?

16 A. Yes.

17 Q. You were then taken - and bearing in mind the date 2 May,  
18 you were taken to Pendembu, correct?

19 A. Yes.

12:49:56 20 Q. And that is where you underwent your training, yes?

21 A. Yes.

22 Q. When you add three months from early May 1991, the time  
23 period you say you spent at Pendembu, you add three months you  
24 get to August 1991. Would you agree, Mr Witness?

12:50:21 25 A. Yes.

26 Q. And you said when you graduated from the training base you  
27 were sent back to the front lines at Bunumbu in Peje West  
28 chieftdom. That's the Bunumbu you were sent to, yes?

29 A. Yes.

1 Q. So, around August 1991 you're now back at Bunumbu where it  
2 all started. How long did you stay at Bunumbu, Mr Witness?

3 A. Repeat the question.

12:51:01

4 Q. For how long did you stay at target C, Bunumbu, at the  
5 front lines?

6 A. I was at target C since '91 to '92 because sometimes they  
7 used to move us to somewhere else and then we would come back, so  
8 I was there within that area, around target C.

12:51:32

9 Q. You agree with me you went to target C in August 1991 and  
10 you say you stayed there through 1992. How many months exactly  
11 did you stay at target C?

12 A. I can't recall the exact months, but I stayed there for a  
13 long time. My Lord, I want to use the gents.

14 PRESIDING JUDGE: Yes, please assist the witness.

12:51:57

15 Mr Anyah, if you wish to have a seat.

16 MR ANYAH: Yes, your Honour.

17 May I proceed, your Honour?

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

19 MR ANYAH:

12:56:55

20 Q. Mr Witness, we agree that you were at target C in August  
21 1991 and I asked you how many months you spent there and you said  
22 you could not remember. Is that fair to say, Mr Witness?

23 A. I can't recall the exact months, but I told you I stayed  
24 there for a long time because sometimes the Sierra Leone

12:57:23

25 government would move us, we would go across the Moa River and  
26 later we would come back, we would recapture the place and we  
27 would settle there again. So that was how it used to happen, but  
28 I took a long time residing at that target but I cannot recall  
29 the exact number of months for which I was there.

1 Q. Well when you met with the Prosecution on 28 March 2007 -  
2 and this is in tab 1 - you said you were at target C for about  
3 seven months. Is that fair to say, Mr Witness?

4 A. Well, if that was what I said then I - it's an estimate.

12:58:10 5 That was why I said about. I was not exact. I did not tell the  
6 exact time that I spent there. It was an estimated number of  
7 months. I cannot tell how many days or how many months I spent  
8 there. And seven months is not seven days, it's a very long  
9 period, and it's not seven minutes either.

12:58:33 10 Q. Well let's go to tab 1 and page 1, because this might help  
11 clarify some things. Mr Witness, these are notes from your  
12 interviews with the Prosecution and I'm just trying to find out  
13 where you were at certain periods of time. Tab 1, page 1 - I'm  
14 sorry, your Honours, it's actually page 2. It should be page 2.

12:58:59 15 Yes, page 2. It says, "The witness was captured by RUF rebels at  
16 Bunumbu, Kailahun District on 2 May 1991." The next paragraph  
17 speaks about your time at Pendembu for guerilla training and the  
18 second full sentence of that paragraph says:

19 "He was there for two months and then he was sent to the  
12:59:31 20 front lines at Bunumbu as a fighter. He was in target C unit,  
21 under Captain Morris Kallon."

22 The last sentence of that paragraph:

23 "The witness was there for about seven months and then they  
24 had to repeat back across the river to Pendembu."

12:59:53 25 Mr Witness, you see that, yes?

26 A. I've seen it.

27 Q. So, it says from Bunumbu target C about seven months to  
28 Pendembu. If you add seven months to August, which is three  
29 months removed from 2 May 1991, you get to about March 1992. Do

1 you agree, Mr Witness?

2 A. I can't tell. I have said that it's an estimate. I  
3 wouldn't know exactly, but I stayed long at target C. That is  
4 what I am still saying. I stayed long at target C. That was  
13:00:31 5 where I was assigned. I used to go on and off.

6 Q. Well if you look at the next paragraph - and recalling our  
7 discussion about the date the NPRC took over, 29 April 1992 - you  
8 told the Prosecution that:

9 "[Around the time] ... the NPRC took over. There was a  
13:00:52 10 massive RUF retreat to Koindu and Buedu, almost to the Liberian  
11 border. The RUF then reorganised and took to the jungle?"

12 It says:

13 "The Witness went to Tongo jungle, now under 'Captain Papa'  
14 (a Sierra Leonean who was killed in 1996 in Zogoda by CDF forces  
13:01:22 15 during the time of the Abidjan peace talks)."

16 Then it says you served under Captain Papa for two years.  
17 Do you see that, Mr Witness?

18 A. I have seen it. This statement is what I told you that it  
19 was a brief summary that I gave to Chuck when he first met me for  
13:01:48 20 the Prosecution. It's not a detailed statement. Afterwards I  
21 had another call and it was then that I started giving a detailed  
22 statement. This is just a brief for him to know that I was part  
23 of the RUF.

24 Q. Well, Mr Witness, do you see that at the bottom right-hand  
13:02:12 25 corner about six months after you took this statement on 31  
26 October 2007 they read everything back to you and you signed each  
27 page, making a few corrections on selected pages. Let me show  
28 you the pages you made corrections on. You made corrections on  
29 page 6 - this was six months later when they showed you the

1 statement - you made corrections on page 8 and also on page 10.

2 And each time you made a correction, for example on page 6, if we  
3 look at the last line on page 6, Madam Court Officer if you could  
4 publish it, when they read you your statement given in March, 28  
13:03:13 5 March 2007, they read it to you in October 2007, you scratched  
6 off something. It says:

7 "The Witness also saw Issa Sesay with diamonds, which Sesay  
8 said he was taking to Charles Taylor."

9 You crossed that off and put your signature next to it as  
13:03:32 10 being a mistake, yes?

11 A. Yes, this statement, it's the lawyer who is over there who  
12 showed it to me asking that if it was the statement that I gave  
13 to Chuck as a brief statement the first time we met. That was  
14 the mistake, some of the things that I was scratching off. This  
13:03:57 15 was for them to confirm that indeed I met with Chuck, but it was  
16 a brief statement.

17 Q. The statement is 14 pages long and you have signed each and  
18 every page, it was read back to you six months after you took it,  
19 you confirmed everything in the statement by signature and when  
13:04:17 20 appropriate you made corrections on three pages. Now, let's go  
21 back to page 1. Page 1 suggests, what I read, that when you left  
22 target C you went to Tongo jungle and served under Captain Papa.  
23 Is that fair to say that that's what page 1 suggests, Mr Witness?

24 A. That was why I said it's a brief. I did not leave target C  
13:04:52 25 and go straightaway to Tongo jungle. That was just a summary.  
26 When we left target C, NPRC pushed us to the border and we went  
27 to Koindu border, the jungle. It was in 1994 that I went to  
28 Peyama. I was just summarising it for him. The way he was  
29 asking me was the way I summarised it. That is what I'm still

1 saying. The Prosecution - the lawyer who is there - just wanted  
2 to know if I actually met with Chuck and gave him this summary.  
3 That was what I was saying. When I got to a point that was not  
4 necessary, I would scratch it off and sign. I gave them the  
13:05:31 5 details that they needed.

6 Q. So there is missing from the records of the Prosecution  
7 during your first interview the entire period of 1993/'94 when  
8 you told us you were a member of the Action Force in Kailahun  
9 jungle, yes?

13:05:52 10 A. Yes, yes, it's not in this summary. It's not there,  
11 because they did not ask me in details what my movements were.  
12 From here where I went, from there where I went, it's not there.  
13 But what I gave the Prosecution when they were asking me in  
14 details from crack force to Peyama, this and that, those were  
13:06:17 15 detailed questions and followed by detailed answers and there  
16 were some of them. These were events. They happened a long  
17 time. There were some events that they didn't ask me about, but  
18 they are still in my mind.

19 Q. But when you reread this statement, or had it read back to  
13:06:33 20 you, you did not add the additional information. Is that fair to  
21 say, Mr Witness?

22 A. I gave the Prosecution the additional statements that I had  
23 in mind. They have them.

24 Q. Mr Witness, even assuming that in 1993 you had gone into  
13:06:55 25 the jungle because of the NPRC regime and pressure the RUF was  
26 facing, where were you in May of 1992, Mr Witness? If you did  
27 only seven months at target C that takes us to March 1990 [sic].  
28 Where were you in the summer or what you would call the rainy  
29 season of 1992, Mr Witness?

1 A. I was in Kailahun District in RUF territory. In Kailahun  
2 District, RUF jungle. That was where I was. In Kailahun  
3 District.

4 Q. Who were you serving under, Mr Witness?

13:07:45 5 A. 1993 - 1992 ending to 1993 I was with CO Mohamed with the  
6 Action Force. I gave that detail to the Prosecution. They know  
7 about it.

8 Q. Well, the record says 1993 to 1992 ending. I am not asking  
9 you about your time with CO Mohamed and the Action Force. We  
13:08:12 10 know when that was. You said '93 to '94, yes?

11 A. Yes.

12 Q. I'm asking you about the raining season of 1992. Where  
13 were you in the raining season of 1992? And the raining season,  
14 correct me, starts around May and it goes through until September  
13:08:40 15 in Sierra Leone, yes?

16 A. I was in the Kailahun jungle. Kailahun District jungle.

17 Q. Have you ever heard the name Francis Menwon before,  
18 Mr Witness?

19 A. No.

13:08:58 20 Q. Have you ever heard the name Isaac Musa, Mr Witness?

21 A. We had one Isaac Musa in RUF. I don't know if he's the  
22 same one you're talking about, but we had Isaac Musa in the RUF  
23 who was in the RUF movement. I don't know if he is the one you  
24 are talking about. I don't know if he was a general or what, but  
13:09:28 25 there was one whom we called CO Isaac Musa. In fact, he was a  
26 vanguard.

27 Q. Was he Liberian or - he was a vanguard, you said, so he was  
28 Sierra Leonean, yes?

29 A. He was - it was not all vanguards that were Sierra

1 Leoneans. There were vanguards who were Liberians.

2 Q. Was he Sierra Leonean, or Liberian, this Isaac Musa that  
3 you heard of?

4 A. Well, he was speaking Liberian language. He was Liberian.

13:10:00 5 Q. Have you heard of Isaac Mongor, Mr Witness?

6 A. Yes.

7 Q. Have you seen Isaac Mongor before?

8 A. Yes. Isaac Mongor was an RUF vanguard, the one I knew.

9 Q. When was the first time you saw Isaac Mongor in your life?

13:10:26 10 A. During phase 1. '91 ending to '92, that phase 1, that was  
11 what we called phase 1. It was during phase 1 that I saw Isaac -  
12 that I started seeing Isaac Mongor.

13 Q. Phase 1 is a period of time you say between 1991 and '92,  
14 yes?

13:10:52 15 A. Up to the time they pushed us to the border when we were in  
16 the Koindu jungle. Well 1994 when we joined, when we had new  
17 jungles like Zogoda, Peyama and the north, that was what we  
18 called phase 2. But 1991 up to that time we called phase 1, so  
19 that was the time I saw Isaac Mongor - CO Isaac.

13:11:17 20 Q. Were you ever trained by Isaac Mongor?

21 A. He did not train me personally like instructors were at the  
22 base permanently that were assigned there to train. He did not  
23 train me personally.

24 Q. Mr Witness, let's get down to specifics. At your Pendembu  
13:11:43 25 training base, was Isaac Mongor ever there?

26 A. Vanguards used to go to that base. They will go and put us  
27 on formation, drill us and disappear. We won't see them any  
28 more. Sometimes we would not see them --

29 PRESIDING JUDGE: Mr Witness, pause. Your question was



1 directed at Isaac Mongor, did you see him, not vanguards  
2 generally. Answer the question.

3 THE WITNESS: Isaac Mongor did not train me personally,  
4 I've said so.

13:12:17 5 MR ANYAH:

6 Q. Mr Witness --

7 PRESIDING JUDGE: You weren't asked about - sorry,  
8 Mr Anyah, please put the question again.

9 MR ANYAH:

13:12:22 10 Q. Mr Witness, when you were at Pendembu receiving training in  
11 1991, did you see Isaac Mongor there?

12 A. I did not see him at the training base during my time when  
13 I was training there.

14 Q. Now in May of 1992, when you say you were in the Kailahun  
13:12:48 15 jungle, are you aware that all NPFL Special Forces were recalled  
16 back to Liberia from Sierra Leone?

17 A. I hadn't that information that they've recalled all NPFL  
18 Special Forces to go back, because I did not see them all return.  
19 They were still with us. Even after 1992 they were still with us  
13:13:19 20 - some were still with us.

21 Q. Are you aware of the fact that other witnesses have come  
22 before this Court and told this Court that Top Final pertained to  
23 the removal of all NPFL Special Forces, or the recall of those  
24 Special Forces back to Liberia from Sierra Leone? Are you aware  
13:13:42 25 of that?

26 A. I am aware of Top Final that I told you that that was the  
27 time that we chased the NPFL - some NPFL Special Forces out of  
28 Sierra Leone, out of RUF territory, but some were still with us.  
29 Like the Isaac, he was still with us. Other Liberians were still

1 with us who were not even vanguards, but they were still there.

2 Q. Mr Witness, besides this Isaac you have said, who else that  
3 you consider a Special Force remained in Sierra Leone after the  
4 Top Final?

13:14:26 5 A. I cannot recall their names now, but they were still with  
6 us. Liberians were still with us.

7 Q. You cannot recall any names, or is it just the one name you  
8 can recall?

9 A. You called Isaac Mongor. That was why I recalled his name,  
13:14:47 10 but I had forgotten his name, but I cannot recall names now at  
11 this present time for me to recall.

12 Q. A witness by the name of C0 Nya, also known as Foday K  
13 Lansana, also known as Nya Korto Nissar, but possibly known to  
14 you as C0 Nya, a radio operator from Liberia, was here before  
13:15:18 15 this Court and he spoke about the Top Final and how the NPFL  
16 Special Forces retreated back into Sierra Leone. Are you aware  
17 of that, Mr Witness?

18 A. I know C0 Nya. I never knew he had come to this Court and  
19 spoken, but I know C0 Nya. The Nya that I knew was the overall  
13:15:46 20 radio commander in the RUF. The one whom I knew he was Liberian  
21 and I knew him personally, but I do not know whether he has ever  
22 come to this Court to talk.

23 Q. Are you aware that another witness - the Court knows the  
24 witness as TF1-362 - confirmed what C0 Nya said in this Court  
13:16:09 25 when that witness testified before this Court?

26 A. Well, I do not know the witness you are talking about.  
27 Someone can come and say his own opinion about what he knows  
28 about the RUF; the movement in the RUF. I wouldn't know every  
29 movement, or all the events in the RUF. If I knew - if I know -

1 if I knew some, but I can forget some. Like you are mentioning  
2 some names now and I'm recalling, like the CO Nya. These are  
3 people I have forgotten about for a long time now, but I used to  
4 know him during the war as a radio commander in the RUF. So if  
13:16:52 5 another person comes and speaks, there were events which took  
6 place when I was not there, he has a right to talk about it. I  
7 wouldn't say he told lies, or did not tell lies, because I did  
8 not see everything.

9 Q. Mr Witness, when you went to Gbarnga you said it was in  
13:17:16 10 1992. Is that what you said, Mr Witness, when you testified?

11 A. Yes.

12 Q. And you said you went with Foday Sankoh, yes?

13 A. Yes.

14 Q. Were there any women in the group that went to Gbarnga with  
13:17:44 15 you?

16 A. No. I can't remember seeing a woman among us, no.

17 Q. But you left from Bunumbu to Pendembu and it was from  
18 Pendembu you left with Captain Ben and CO Lion and Foday Sankoh,  
19 yes?

13:18:14 20 A. No, it was not Pendembu. It was Kailahun, Kailahun Town.  
21 That was where we left together with CO Ben and CO Lion. It was  
22 not Pendembu.

23 Q. Foday Sankoh's base at that time was Pendembu, is that fair  
24 to say, Mr Witness?

13:18:34 25 A. Foday Sankoh had a base in Pendembu. He had a base in  
26 Kailahun. At the time that we went, I met them in Kailahun at  
27 the Mansion Ground. He had another base in Kailahun. It was not  
28 Pendembu. The time that I met Foday Sankoh in Pendembu it was I  
29 and Morris Kallon who came there.

1 Q. Let's talk about your trips to Liberia. You said there  
2 were three of them. Let's start with the first one.

3 JUDGE SEBUTINDE: Sorry, Mr Anyah, to interrupt.

4 Mr Witness, did you say that on this trip to Liberia, to Gbarnga,  
13:19:15 5 you went with Captain Ben, CO Lion and Foday Sankoh?

6 THE WITNESS: Yes, my Lord.

7 JUDGE SEBUTINDE: Thank you.

8 MR ANYAH:

9 Q. Yes, that's what you told us. Mr Witness, you told us you  
13:19:33 10 were friends with Captain Ben as well as Jackson Swarray, who  
11 were Executive Mansion Guards or from the Executive Mansion  
12 Guards of Foday Sankoh, yes?

13 A. Yes.

14 Q. You also told us that you trained at Bunumbu with the same  
13:20:07 15 Captain Ben, yes?

16 A. Yes, Captain Ben was a senior to us. We met them at the  
17 base. They graduated before us, yes.

18 Q. That clarifies something. He graduated before you. You  
19 said when you were in Bunumbu and he would come and visit you in  
13:20:29 20 Bunumbu, you would often tell him of your wish to accompany him  
21 and Foday Sankoh on one of the trips to Gbarnga, yes?

22 A. It was - he was not coming to visit me. When RUF captured  
23 Kono in phase 1, when he was leaving Kono he would pass through  
24 Bunumbu. That was where he used to meet us, so the two of us  
13:20:58 25 used to talk. He was not coming to visit me personally in  
26 Bunumbu.

27 Q. Well we appreciate that, Mr Witness. Forget about whether  
28 he was visiting. You and him spoke and the question is you  
29 voiced a wish to accompany him to Gbarnga on one of his trips

1 with Foday Sankoh, correct?

2 A. Correct.

3 Q. And at some point in the year 1992 he indeed obliged and  
4 asked you to join him and Captain Lion, or CO Lion, and Foday  
13:21:35 5 Sankoh on this trip to Gbarnga, yes?

6 A. Yes, all of us went to Gbarnga on that trip that I'm  
7 talking about. Captain Ben and CO Lion.

8 Q. Was that the only trip you ever made to Gbarnga while you  
9 were with the RUF?

13:21:58 10 A. Yes, that was the only trip that I went farther into  
11 Liberia itself. It was not only to get to Gbarnga. To even  
12 enter into Liberia that distance, yes, up to Gbarnga, yes.

13 Q. Well, let's just focus on Gbarnga. Forget other parts of  
14 Liberia. It's a specific question. Was that the only trip you  
13:22:22 15 ever took to Gbarnga while with the RUF?

16 A. Yes.

17 Q. And you went with the high command, Foday Sankoh?

18 A. Yes, as an escort.

19 Q. And this was 1992, you say?

13:22:41 20 A. Yes.

21 Q. But you tell us you did not enter the compound completely,  
22 that's the compound of Charles Taylor, yes?

23 A. Well, I do not know it was Charles Taylor's compound. I  
24 said we got at a gate. When we reached Gbarnga it was Ben who  
13:23:07 25 told me, "This is Gbarnga." We met a checkpoint and we stopped -  
26 they stopped the vehicle. Then we climbed down and we went as an  
27 escort. That was where we stopped and they entered. I did not  
28 see the house where they went where Charles Taylor was, or they  
29 did not even point to say, "That is where Charles Taylor is." We

1 stopped at the gate, they disarmed us and there was a house close  
2 by. That was where we stayed. We did not enter. We stopped at  
3 the gate. I cannot say that there was a house there which was  
4 Charles Taylor's house.

13:23:45 5 Q. And just to be clear about your other two trips to Liberia,  
6 the second one was you took a letter to Foya for Colonel Jungle.  
7 Is that fair to say, Mr Witness?

8 A. Yes, at Foya Tenga. That was where I went to Colonel  
9 Jungle with a letter that was given to me by Sam Bockarie.

13:24:06 10 Q. And what year was that, Mr Witness?

11 A. '98, when I was in Koindu.

12 Q. And your last trip, the third one you say, was after Lome,  
13 around July 2000, to Vahun and that's when you went with the  
14 letter from Issa Sesay to General 50, yes?

13:24:31 15 A. I do not know. I did not say it was around July. I said I  
16 went to Vahun in the year 2000 to General 50. I did not say it  
17 was around July.

18 Q. We will come back to it and I will read you what is in the  
19 transcript at page 1105 but that will be for Monday, but we now  
13:24:55 20 know that those are your three trips to Gbarnga, right? I mean  
21 to Liberia, yes?

22 A. Yes.

23 Q. And you claim not to know whether the compound where you  
24 arrived at in Gbarnga was Charles Taylor's compound, yes?

13:25:13 25 A. It was not a compound that we got to. I said a gate, a  
26 security checkpoint. It was not a compound as such. It was a  
27 security checkpoint on the road. There was a house close by. It  
28 was not a compound. We did not enter into a compound.

29 MR ANYAH: Madam Court Officer, could you assist me and put

1 page 4 of tab 2 to the witness. I'm sorry, your Honours, it's  
2 actually tab 1. I have my tabs somehow not in order. It's page  
3 4:

13:26:17 4 Q. Mr Witness, these are notes the Prosecution took of your  
5 meetings, or your meeting, with them on 28 March 2007. It speaks  
6 about your three trips to Liberia and we see in the second full  
7 paragraph on that page it is there written, Mr Witness, that you  
8 told them this:

13:26:44 9 "The witness never met Charles Taylor face to face but the  
10 witness saw him at Gbarnga, Liberia. The witness was then  
11 escorting Sam Bockarie to Gbarnga. The witness saw  
12 Charles Taylor outside a building there that they called the  
13 presidential lodge. This was probably in 1996 or 1997 because  
14 the witness says it was before the AFRC coup. The witness thinks  
13:27:18 15 that Charles Taylor had just become the President then. The  
16 witness went to Liberia three times."

17 Mr Witness, do you see on the screen the paragraph I have  
18 just pointed you to?

19 A. Yes.

13:27:36 20 Q. The Prosecution has you telling them that you went to  
21 Gbarnga with Sam Bockarie not even close to 1992, but in 1996 or  
22 1997. Do you agree with that, Mr Witness?

23 A. I disagree because even when he was asking me questions  
24 here, I do not know if it was Tuesday or Wednesday, I said before  
13:28:08 25 this Court that I went with Foday Sankoh. I and Sam Bockarie  
26 never went to Liberia. He gave me a letter to take along, but I  
27 and him - he never went there. I can stand on it, it could be  
28 their error, so it was not Sam Bockarie. It's in my statement  
29 that I said before this Court that I and Foday Sankoh and Captain

1 Ben went to Liberia in Gbarnga and returned. It was not Sam  
2 Bockarie. Maybe they missed it and wrote Sam Bockarie's name.  
3 It was not in that year. In 1996 I was engaged with the crack  
4 force in Peyama to Kailahun up to 1997 when AFRC took over, so  
13:28:50 5 it's not possible. It's not me.

6 Q. So there are, shall we say, three mistakes in this  
7 paragraph? One, it says Sam Bockarie. That's a mistake, yes?

8 A. Yes, it's the Prosecution.

9 Q. Two, it says the year 1996 or 1997. Mr Witness, that's a  
13:29:13 10 mistake, right?

11 A. Yes, 1996 I did not go out of Sierra Leone.

12 Q. And, three, it says Gbarnga and you told us you only went  
13 to Gbarnga once. That's a mistake, Mr Witness, yes?

14 A. Yes, I said so. Only once, the early days. I, Captain  
13:29:41 15 Ben, CO Lion, I remember when we were sitting at the back of the  
16 pick-up and we entered and we returned with materials. I and Sam  
17 Bockarie never went to Liberia, not a day.

18 MR ANYAH: Your Honour, I see the time.

19 PRESIDING JUDGE: Yes, thank you, Mr Anyah. As you  
13:29:59 20 correctly say, we are now up to our time limit.

21 Mr Witness, it's now 1.30 and as you know this is the time  
22 we normally adjourn for lunch. Today is Friday and on Friday  
23 afternoons we all have other work commitments and we will not be  
24 resuming court until Monday morning at 9.30. I again remind you,  
13:30:18 25 as I've done yesterday and the day before, that you are under  
26 oath and you should not discuss your evidence with anyone else  
27 until all your evidence is finished. Do you understand?

28 THE WITNESS: Yes, my Lord.

29 PRESIDING JUDGE: Thank you. Please adjourn court until



1 Monday at 9.30.

2 [Whereupon the hearing adjourned at 1.30 p.m.  
3 to be reconvened on Monday, 9 June 2008 at  
4 9.30 a.m.]

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WITNESSES FOR THE PROSECUTION:

TF1-577 11159

CROSS-EXAMINATION BY MR ANYAH 11159