



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

MONDAY, 16 JUNE 2008
9.30 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr William Romans

For the Registry:

Ms Advera Nsiima Kamuzora
Ms Rachel Irura

For the Prosecution:

Mr Mohamed A Bangura
Mr Nicholas Koumjian
Ms Leigh Lawrie
Mr Christopher Santora

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Morris Anyah
Ms Megan Dorey

1 Monday, 16 June 2008

2 [The accused present]

3 [Open session]

4 [Upon commencing at 9.30 a.m.]

09:31:10 5 PRESIDING JUDGE: Good morning. I note some change of
6 appearance. Mr Bangura?

7 MR BANGURA: Yes, thank you. Good morning, your Honours.
8 Good morning counsel on the other side. Your Honours, for the
9 Prosecution this morning are Nicholas Koumjian, Mohamed A Bangura
09:31:28 10 and Leigh Lawrie. Thank you, your Honours.

11 PRESIDING JUDGE: Thank you, Mr Bangura. Mr Griffiths?

12 MR GRIFFITHS: Good morning, Madam President, your Honours,
13 counsel opposite. Representation today is: myself, Courtenay
14 Griffiths; my learned friend, Mr Morris Anyah; and also Ms Megan
09:31:46 15 Dorey, a member of the Bar of England and Wales.

16 PRESIDING JUDGE: Thank you, Mr Griffiths. I think
17 Ms Dorey is new to our Court?

18 MR GRIFFITHS: She is a legal assistant with our team.

19 PRESIDING JUDGE: But this is her first appearance?

09:32:03 20 MR GRIFFITHS: This is her first appearance in court, your
21 Honour.

22 PRESIDING JUDGE: So we will thank her and welcome her to
23 the Court.

24 Mr Bangura, I will remind the witness of his oath unless
09:32:11 25 there are other matters to be raised?

26 MR BANGURA: Indeed, your Honour, there is a matter that
27 the Prosecution wishes to raise before we recommence the
28 witness's testimony. Your Honour, it's to do with the witness
29 order regarding the witness to come after the present witness.

1 Your Honour, the order as it stands indicates that witness
2 TF1-168 is the next witness in court. Your Honour, the position
3 is that the 42 day disclosure rule would not have been met.
4 Assuming that the present witness's testimony is completed today
09:32:53 5 and another witness has to be called that rule would not have
6 been met in respect of the next witness, that is 168.

7 Your Honour, in the event that we get to that point the
8 Prosecution would be seeking leave first of all to call 584
9 instead of 168, but, your Honour, the Prosecution has a
09:33:22 10 difficulty in terms of the position of witness 168. He has got a
11 work commitment which requires him to have his testimony dealt
12 with as early as the Court can. In that vein the Prosecution
13 shall be asking the leave of this Court to interpose 168 after
14 the evidence of 584 would have begun. That is to say, if we get
09:33:59 15 584 today and the 42 day disclosure expires today for 168,
16 subject to the ruling that this Court might have to give relating
17 to the motion filed by Defence regarding 168, we might be seeking
18 to interpose 168, your Honour.

19 PRESIDING JUDGE: Yes, I was just going to ask you to
09:34:24 20 confirm that 168 is the witness subject to a motion by the
21 Defence for variation of protective orders.

22 MR BANGURA: That is correct, your Honour.

23 PRESIDING JUDGE: A recision rather.

24 MR BANGURA: Yes.

09:34:36 25 PRESIDING JUDGE: It is.

26 MR BANGURA: The Prosecution's intention to make this
27 request had been communicated to Defence already by a letter and
28 they are aware that we were going to raise this matter this
29 morning.

1 JUDGE SEBUTINDE: Mr Bangura, do you mean that the 42 days
2 expire today?

3 MR BANGURA: Yes, your Honour, in respect of 168.

4 JUDGE LUSSICK: Mr Bangura, this witness you are seeking to
09:35:03 5 interpose, 584, are there any problems with protective measures
6 on that witness?

7 MR BANGURA: Your Honours, let me just confirm. I am
8 informed there are no problems with protected measures regarding
9 584.

09:35:22 10 PRESIDING JUDGE: Is it 168 that is to be interposed?

11 MR BANGURA: The witness to be interposed will be -
12 assuming we get on to take a new witness today, will be 168.
13 Leave has been sought to get 584 called before 168, because 584
14 in the present orders comes after 168.

09:35:44 15 JUDGE LUSSICK: That's why I'm saying 584 is the one who is
16 being interposed, is that right?

17 MR BANGURA: Yes. Initially, yes, your Honour.

18 PRESIDING JUDGE: Mr Griffiths, you have heard the
19 application. Your reply, please.

09:36:10 20 MR GRIFFITHS: We have no observations to make regarding
21 the application, your Honour. It is a matter which was brought
22 to our attention last week.

23 [Trial Chamber conferred]

24 PRESIDING JUDGE: We note the application to vary the
09:40:21 25 witness list to call witness 584 is made without objection and
26 accordingly the variation is granted.

27 However, we also observe that witness 168 is the subject of
28 an application to rescind protective measures and the pleadings
29 in this particular application have just closed on Friday the

1 13th, i.e. the last working day. The Trial Chamber is obliged to
2 consult with Trial Chamber I in accordance with Rule 75(H) and a
3 decision cannot be made on that application until 75(H) is
4 complied with. We bring this to the attention of the parties.

09:41:07 5 MR BANGURA: Thank you, your Honour.

6 PRESIDING JUDGE: Mr Bangura, I will therefore now remind
7 the witness of his oath.

8 MR BANGURA: Very well, your Honour.

9 PRESIDING JUDGE: Mr Witness, I remind you that you have
09:41:17 10 taken the oath to tell the truth. The oath is still binding upon
11 you and you must answer questions truthfully. Do you understand?

12 THE WITNESS: Yes, ma'am, thank you.

13 WITNESS: TF1-590 [On former oath]

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

09:41:30 15 Q. Good morning, Mr Witness.

16 A. Good morning, sir.

17 Q. We shall continue with your testimony this morning.

18 A. Yes, sir.

19 Q. Before we --

09:41:38 20 JUDGE SEBUTINDE: Mr Bangura, I note the witness doesn't
21 have the list of names and numbers.

22 MR BANGURA: Yes, your Honour. May I respectfully ask that
23 the exhibit marked P-139 be provided to the witness, please:

24 Q. Mr Witness, before we continue from where we left off on
09:42:50 25 Friday I just wish to go back to a few matters that we've already
26 discussed just to clarify those matters. Okay?

27 A. Thank you, sir.

28 Q. Now, in your earlier testimony you said that on the day you
29 saw - the second time you saw Mosquito in Voinjama he was in the

1 company of Chucky Taylor, Campare and you mentioned two Arab
2 looking guys. Do you recall that?

3 A. Yes, sir.

09:43:30

4 Q. Did you learn anything about these two Arab looking guys
5 that you have mentioned?

6 A. Yes, sir, I did.

7 Q. What did you learn about them?

09:43:53

8 A. I learnt to understand that they were Mr Taylor's gem
9 buyers or diamond dealers and one of them was said to be a member
10 of the Saad Group in Freetown, Sierra Leone.

11 Q. When you say Saad Group is that the name of a particular
12 business?

13 A. Yes, sir, it was a family business organisation.

14 Q. How do you spell Saad?

09:44:06

15 A. S-A-A-D.

16 JUDGE SEBUTINDE: Mr Bangura, which Taylor would this be?
17 Which of the two Taylors would this be, when he says diamond
18 dealers for Taylor?

19 MR BANGURA:

09:44:21

20 Q. When you said you understood that they were Mr Taylor's gem
21 buyers or diamond dealers which Mr Taylor - in your evidence you
22 have mentioned two Taylors?

23 A. The President of Liberia, sir, then. The then President of
24 Liberia, Mr Charles Taylor.

09:44:40

25 Q. Thank you. Did you know where these two Arab looking guys
26 were heading for themselves?

27 A. They were part of the convoy that was going to Sierra
28 Leone, sir.

29 Q. Thank you. Now, you talked about the incident that

1 occurred at the St Paul's river bridge where the person named
2 number 2 was shot along with three other persons by Chucky
3 Taylor. Do you recall that?

4 A. Yes, sir.

09:45:20 5 Q. Now, are you able to recall the nationalities of those of
6 you who were held at that bridge after the killing of these four
7 persons, those of you who were held there and taken to Gbarnga?

8 A. Yes, sir. Most of us were Sierra Leonean, sir, but there
9 were Liberians too.

09:45:44 10 Q. Okay. Now, you told us that the Demon forces were a unit
11 within the ATU and they provided security for Chucky Taylor, is
12 that correct?

13 A. That is correct, sir.

14 Q. Are you able to tell if at all whether those, the Demon
09:46:16 15 forces and even the ATU forces generally belonged to any
16 particular ethnic group within Liberia?

17 A. No, sir, I could not tell that, but there were Sierra
18 Leoneans within that group, sir.

19 Q. Within which group?

09:46:32 20 A. The ATU.

21 Q. How did you know that there were Sierra Leoneans within
22 that group?

23 A. Well, they spoke Krio to me, sir. Some of them spoke
24 Temne, or Mende so they were definitely from Sierra Leone.

09:46:47 25 Q. When you say Krio, what do you mean?

26 A. Krio is the common language we speak in Sierra Leone.

27 Q. Thank you. Now, you said that in your shop security forces
28 would come there and they would discuss generally what was going
29 on, is that correct?

1 A. Yes, sir, that is correct.

2 Q. You also mentioned that they would discuss the fighting in
3 Sierra Leone, is that correct?

4 A. That's correct.

09:47:16 5 Q. Did you learn about where in Sierra Leone fighting was
6 going on at any particular time?

7 A. Yes, sir, the fighting in Kenema, Kono and other areas,
8 sir. Waterloo, all these areas.

9 Q. Are you able to tell or were you able to tell what times
09:47:43 10 fighting in these areas was going on?

11 A. It was around - it was around January to March.

12 Q. Of what year?

13 A. Of 1999, sir.

14 Q. Thank you. Now, you mentioned that Mosquito at one point -
09:48:18 15 you heard that Mosquito at one point was shot and wounded and he
16 came to Gbarnga to receive treatment. Do you recall that?

17 A. That is correct, sir.

18 Q. And you said at the time that he came there Chucky was in
19 Foya and he was delivering weapons for Sierra Leone and Guinea
09:48:35 20 operations, is that right?

21 A. That is correct, sir.

22 Q. How did you know this?

23 A. Well, as I have said before, before most of these things
24 happened we used to hear it from the security personnels who
09:48:50 25 usually come to my place and they will discuss this.

26 Q. And what specifically did you learn about the delivery in
27 this case? The delivery of weapons?

28 A. Well by then I was in Kolahun, sir, and in Kolahun -
29 Kolahun is very closer to Foya and there people usually go

1 around, do business, come around, so information was accessible,
2 sir. We could hear that.

3 Q. And about what time was this?

4 A. It was in March, sir.

09:49:32 5 Q. Of what year?

6 A. Of 1999.

7 Q. Now, you said that the RUF soldiers in Voinjama in good
8 numbers. Is that correct?

9 A. That is correct, sir.

09:49:55 10 Q. Did they carry anything around?

11 A. Yes, sir, they had their vehicles. On their vehicles there
12 was some guns - big guns. They carried weapons too, small
13 rifles, around.

14 Q. When you say they carry weapons, small rifles, is it on the
09:50:15 15 vehicle?

16 A. No, they hang it on themselves.

17 Q. Thank you. You talked about the fighting that - an attack
18 that took place on Voinjama and you said you were away in Kolahun
19 at the time. Is that correct?

09:50:34 20 A. That is correct, sir.

21 Q. And you said that the attack was repelled by security
22 forces in Liberia with some RUF. Is that correct?

23 A. That is correct, sir.

24 Q. How did you know this; that RUF forces were involved in
09:50:51 25 putting down the attack?

26 A. Well that day after we met - after I met my family, I was
27 told by my wife and before we could enter to Voinjama to go to
28 Monrovia we could see the securities, the soldiers including the
29 RUF, at the checkpoint.

1 Q. Now, you mentioned in your testimony that Voinjama was
2 divided into two groups on political lines as well as on ethnic
3 lines. Is that correct?

4 A. That is correct, sir.

09:51:34 5 Q. You mentioned the Mandingo and then ULIMO, is that right?

6 A. The Mandingos were in favour of the ULIMO-K, sir, and the
7 Loma people were mostly Christians and they were in support of
8 Mr Taylor, or NPFL.

9 Q. Now every time you mention Mr Taylor, bearing in mind now
09:52:05 10 that your testimony - in your testimony you have mentioned two
11 persons named Taylor, please specify which one of the Taylors you
12 are referring to?

13 A. The President, sir.

14 Q. Thank you. Now you mentioned one of the leaders of the
09:52:21 15 ULIMO faction to which - to whom you said the Mandingos were
16 loyal, is that right?

17 A. That is correct, sir.

18 Q. And that person is Alhaji Kromah, is that right?

19 A. That is correct, sir.

09:52:34 20 Q. Apart from Alhaji Kromah did you know of any other leader
21 of the ULIMO group, or the Mandingo people?

22 A. Yes, sir.

23 Q. Who do you --

24 A. In 1998, sir, there was an SSS commander whose name was
09:52:55 25 Varmuya Sherif. He was in Voinjama.

26 Q. In 1998. When in 1998, do you recall?

27 A. Maybe around August. I could not remember exactly the
28 particular month, but he was in Voinjama. He went to Sierra
29 Leone about a week and he came back to Voinjama. By then I was

1 at my place in Mandingo quarter, so there were a lot of Mandingo
2 people celebrating his presence there.

3 Q. How did you know this?

4 A. I saw him. He went --

09:53:28 5 Q. When - sorry, go on please.

6 A. I saw him. I was at the same area where he was with his
7 people that day. They came from the mosque and they were
8 talking. There was a very big celebration there, sir.

9 Q. When you say you saw him, you have mentioned that he came
09:53:49 10 and he went to Sierra Leone for a week and came back?

11 A. That is correct, sir.

12 Q. At what point did you see him?

13 A. When he came from Sierra Leone, after he came from Sierra
14 Leone, that was the time they had that welcome ceremony, or
09:54:06 15 party.

16 Q. You said that he was an SSS director. How did you know
17 this?

18 JUDGE SEBUTINDE: The word was commander, not director.

19 MR BANGURA: I am sorry, your Honour, I misstated the
09:54:20 20 evidence:

21 Q. You said he was an SSS commander. How did you know this?

22 A. There were a lot of SSS securities and we were the same
23 place. I was comfortable being around, there was no harassment,
24 the Mandingo people were very happy, so they explained
09:54:40 25 everything. We were standing looking at them while he was
26 talking to his people.

27 JUDGE SEBUTINDE: Could you please say the name of this
28 person again.

29 THE WITNESS: Varmuya Sherif, ma'am.

1 JUDGE SEBUTINDE: Varmuya?

2 THE WITNESS: Yes, ma'am.

3 MR BANGURA: Your Honours, I am not so sure whether we need
4 the witness to - I realise that he has pronounced a name which
09:55:12 5 perhaps is not particularly a name that we know here. Could
6 I get the witness to try and spell that name?

7 PRESIDING JUDGE: In view of the fact that we need to
8 confirm it is the - if you are saying it is the same person, it
9 would be wise to have him spell it.

09:55:31 10 MR BANGURA:

11 Q. Mr Witness, can you try and spell Varmuya for us, please.

12 A. I would have difficulty to spell it the right way probably,
13 but it could be V-A-R-M-U-Y-A or something. Varmuya.

14 Q. Thank you. Now, you mentioned that you were brought to the
09:56:07 15 residence of Mr Charles Taylor at Congo Town from Gbatala one
16 night. Is that correct?

17 A. That is correct, sir.

18 Q. And you said - how did you travel to Monrovia from Gbatala?

19 A. We were loaded in a jeep, sir, in vehicles.

09:56:31 20 Q. Now, in which part of the jeep were you and your
21 colleagues?

22 A. At the back. The open side of the jeep.

23 Q. And when you arrived at Congo Town at the residence of
24 Mr Taylor, did you remain in that position at the back of the
09:57:00 25 jeep where you had travelled?

26 A. Yes, sir, we were still at the back of the jeep.

27 Q. Now, you described your - the condition in which you were
28 before you left Gbatala. You were tied, you were blind folded
29 and Sellotape was put across your mouth. Apart from that can you

1 describe your physical conditions, the three of you, by the time
2 you arrived at Congo Town?

09:57:50 3 A. We had been subjected to beatings, sir. Our conditions
4 were very abnormal and we were tied the same way they tied us
5 from Gbarnga to Gbatala. We were tie-bayed in this form and our
6 feet were tied too so --

7 Q. Now when you say your conditions were abnormal, what do you
8 mean?

9 A. We had physical trauma.

09:58:17 10 Q. Now when you arrived at Congo Town at Mr Taylor's
11 residence, did you have to wait long before he came out to see
12 you?

13 A. Yes, sir, it took some time before he could come out.

14 Q. And during this time were you moved from the positions in
09:58:41 15 which you were in the vehicle that you had travelled?

16 A. We were still in the vehicle, sir, at the back of the
17 vehicle.

18 Q. You mentioned that the hood over your face had come off
19 during the journey?

09:58:58 20 A. Yes, sir, mine.

21 Q. And you also mentioned that the Sellotape was taken from
22 your mouth at some point when Mr Taylor came out, is that right?

23 A. That is correct, sir. It was when Mr Taylor came out and
24 asked the security - one of the security guards - to take the
09:59:12 25 Sellotape from our mouths. It was then they took them from our
26 mouths.

27 Q. Right. And what about the ropes? You said you were
28 tie-bayed. Were you still in that position?

29 A. Yes, sir, I was still in that position. I was still

1 tie-bayed.

2 Q. And all of you --

3 A. All of us, sir.

4 Q. -- were still tie-bayed when Mr Taylor spoke to you?

09:59:34 5 A. That is correct, sir. Three of us.

6 Q. You told this Court that you tried to answer one of the
7 questions that Mr Taylor asked you and that was whether you were
8 the Kamajors that had been sent to come and overthrow his
9 government and your answer was - what was your answer again?

09:59:55 10 A. We said we were registered refugees, sir, and we don't have
11 any idea of what Mr President was saying.

12 Q. Were you able to answer back freely to Mr Taylor when he
13 asked this question?

14 A. No, sir. I was hit with the gun on my chin here, on my
10:00:14 15 head, so I had a cut on my chin by one of the security that was
16 guarding us in the jeep, sir.

17 Q. So at the time that you were being spoken to by Mr Taylor,
18 are you saying that you were in the jeep, in the car, the back of
19 the jeep where you travelled?

10:00:36 20 A. Yes, sir, I was.

21 Q. And you got hit by the security guard as you tried to
22 answer?

23 A. That is correct, sir.

24 Q. What about your colleagues? Did any of them get hit at
10:00:45 25 all?

26 A. Yes, sir, all of us. We were beaten. The beating was
27 still in process.

28 Q. In the presence of Mr Taylor?

29 A. Yes, sir, that is correct.

1 Q. No, what about your colleagues? Did they get the Sellotape
2 across their mouths taken off before - when Mr Taylor arrived?

3 A. Yes, sir. When Mr Taylor asked the security to take off
4 the Sellotape from our mouths they do take the Sellotape from our
10:01:14 5 mouths, all of us, sir.

6 Q. Now just before you left Gbatata to come to Monrovia at a
7 point where Chucky Taylor received a message that you should be
8 brought down to Monrovia, you said that Chucky said Papay wanted
9 to see you and you said he was referring to Charles Taylor. This
10:01:42 10 is what you said in your evidence.

11 A. That is correct, sir.

12 Q. How did you know that "Papay" meant Mr Charles Taylor?

13 A. It was how they referred to him, sir. They called him -
14 everybody in Liberia called him Papay sometimes.

10:02:01 15 Q. And did you know him before this time? Before you were
16 brought to Monrovia that day and you were brought before him, did
17 you know him at all?

18 A. Mr Charles Taylor?

19 Q. Yes.

10:02:11 20 A. I have never seen him before.

21 Q. You mean you had never seen him before that day?

22 A. No, sir, that was my first day.

23 Q. And how was he dressed again? When you were brought how
24 was he dressed?

10:02:39 25 A. He was in - he was not dressed in a coat like form. He was
26 in a casual mode, like having pyjamas or something. He was not
27 officially dressed.

28 Q. Yourselves, you and your colleagues, were you dressed in
29 any way?

1 A. No, sir. We were naked. We had only ropes on us.

2 Q. Now, you mentioned that Mr Taylor - one of the questions he
3 asked was whether you were the Kamajors who had been sent to
4 come and overthrow his government. Do you know whether there
10:03:28 5 were Kamajors in Liberia? I withdraw that question, your Honour.

6 First of all, let me ask you do you know who the Kamajors were?

7 A. The Kamajors were members of a militia group in Sierra
8 Leone.

9 Q. What group did you say?

10:03:52 10 A. They were a militia group, sir.

11 Q. Do you mean to say militia?

12 A. Militia, sorry.

13 Q. Did you know whether they were there in Liberia?

14 A. No, sir.

10:04:07 15 Q. Thank you. Now, let's go back to where we left off.

16 JUDGE SEBUTINDE: No they were not, or no he doesn't know?

17 MR BANGURA: I will get the witness to clarify, your
18 Honour:

19 Q. Your answer was, "No, sir" and the question was did you
10:04:21 20 know whether there were Kamajors in Liberia. What do you mean
21 when you say no?

22 A. I mean there wasn't. I believe that impression was to
23 justify our arrest, our - the torture, all the punishment that
24 were given to us, because it was definite in Liberia, sir, if you
10:04:47 25 are told by - or asked by the security forces to do anything then
26 you refuse it means you are against them, so they will call you a
27 rebel or a Kamajor or something, something that could just - they
28 will just try to use to justify the punishment or whatsoever they
29 will do to you.

1 Q. Thank you. Now, let's go back to where we left off on
2 Friday and I believe we were at a point where the other
3 prisoners, the other persons locked up in the cell where you
4 were, had protested about your condition, is that right?

10:05:29 5 A. That's correct, sir.

6 Q. After this protest were you taken anywhere?

7 A. Yes, sir. The same day they took us to the hospital, BTC,
8 and it was then I saw a member of the AFL soldier that I knew
9 from Voinjama, sir, at my kiosk.

10:05:55 10 Q. Did that person render any assistance to you?

11 A. Yes, sir. People were looking at us, calling us rebels and
12 he saw me and he came closer. Then he called my name and
13 I shouted his name, so he wanted to come very much closer but he
14 was forced to go back so I told - I started crying. He was

10:06:21 15 telling the people that he knows me, I have a daughter and my
16 family is there. He knew me from Voinjama. So this argument was
17 on, then I told him to please go to Broad Street or somewhere
18 around there, my brother is there having a shop and he could see
19 my brother. So he did. Luckily for me he went there and saw my
10:06:46 20 brother and he explained my situation to my brother. The same
21 day my brother went to the Sierra Leone embassy and he complained
22 this report to the ambassador in Monrovia, sir.

23 Q. Did you eventually get assistance?

24 A. Yes, sir.

10:07:06 25 Q. From who did you get assistance?

26 A. Well, according to my brother, sir, the ambassador gave him
27 a letter. He took the letter to the high commission of refugees,
28 UNHCR, at the UNHCR office. So after some days the protection
29 officer and the staff came to the - to BTC. They came and saw

1 us.

2 Q. Did you eventually get released?

3 A. Yes, sir.

4 Q. Through the efforts of the UNHCR?

10:07:47 5 A. Yes, sir. When they came both Miss Van Buren and Mr Moriba
6 were standing in front of the gate, but Mr Moriba asked the guard
7 to open the gate.

8 Q. Now, you just mentioned two names, Van Buren and Moriba.

9 Can you spell - your Honours, Moriba comes up correctly as I see.

10:08:13 10 Van Buren, can you spell that?

11 A. Yes, she was Caroline Van Buren.

12 Q. Caroline is okay. Van Buren, can you spell it?

13 A. V-A-N B-U-R-E-N. It's two words.

14 Q. Okay. Van Buren?

10:08:26 15 A. Yes, sir.

16 Q. So you said they came and they stood - just continue your
17 testimony, please.

18 A. They were standing in front of the gate of the cell and
19 Mr Moriba asked the guard to let him inside. So he came inside
10:08:49 20 to us, inside the cell, and there he spoke with us. After he
21 observed our condition and asked us if we were refugees we said
22 yes. By then we could remember our token or coupon number.

23 There was a number that used to be distributed to refugees for
24 supplies, so those numbers you could have it, it was a form of
10:09:22 25 identification. Then we shouted our token numbers and it was

26 then Mr Moriba and Miss Van Buren told us that they will go and
27 confirm if we were refugees. So Mr Moriba promised us that they
28 will come and let us free, get us free.

29 Q. Did they come later?

1 A. Yes, sir, but it took after two weeks. It took two weeks
2 before we could see them.

3 Q. You don't have to go into all the detail, but did they
4 eventually come?

10:09:58 5 A. Yes, sir, they did.

6 PRESIDING JUDGE: Mr Bangura, the witness has said in front
7 of the gate of the cell, but earlier he talked about being at
8 BTC, the hospital. Where was he?

9 MR BANGURA:

10:10:14 10 Q. Mr Witness, can you clarify where the UNHCR officials came
11 and met you? Earlier you had talked about being taken out of the
12 cell for treatment at a clinic, is that right?

13 A. Yes, sir.

14 Q. And can you just clarify where the UNHCR officials met you
10:10:36 15 when you said outside the gate?

16 A. They met us at the cell, at the BTC cell. The day we went
17 to the hospital, it was then I saw one of the AFL soldier I know
18 and we have been - they have taken us back to the cell. We were
19 still at the cell now when Miss Van Buren and Mr Moriba came.

10:11:03 20 JUDGE SEBUTINDE: Is BTC a prison? He is talking of a BTC
21 cell.

22 MR BANGURA: Your Honour, I will get the witness to clarify
23 but I believe the earlier testimony on Friday gave us what BTC
24 was and where they were taken:

10:11:20 25 Q. Mr Witness, BTC, what did those letters stand for?

26 A. BTC was Barclay Training Centre. It was a military
27 garrison.

28 Q. And the cell where you were held, where was it?

29 A. It was in that particular garrison. It was a cell for that

1 particular prison - garri son.

2 Q. Thank you. We were getting on at where - how you got to be
3 released. You said the officials came, the UNHCR officials came
4 and they were going to come again and my question was whether

10:12:16 5 they came back?

6 A. Yes, si r, they di d.

7 Q. And did they come in the company of anybody else?

8 A. Yes, si r.

9 Q. Who did they come wi th?

10:12:25 10 A. That day before we could see- before I could see Miss Van
11 Buren or Mr Mori ba the defence mi ni ster and some other officers
12 came, Mr Dani el Chea i ntroduced hi msel f and they wanted the MPs
13 to clean our hair and our body before Mi ss Van Buren could see
14 us.

10:12:49 15 Q. Sorry, di d you fi ni sh what you were sayi ng?

16 A. He was a li ttle bi t worri ed about that.

17 Q. Thi s person whom you call ed - whom you j ust named Dani el
18 Chea, a defence mi ni ster, had you met hi m before?

19 A. Yes, si r.

10:13:03 20 Q. Where di d you meet hi m before?

21 A. He was one of the offi cers that were at Mr Taylor' s
22 residence that ni ght they took us there and he was the one who
23 said they shoul d take us to BTC and they shoul d have i nformation
24 from us. So when I saw hi m that day, that mor ni ng, si r, it was
10:13:27 25 then I coul d reali se he was Mr Dani el Chea, because he i ntroduced
26 hi msel f l ater that he was Dani el Chea.

27 Q. When you say i ntroduced hi msel f, who di d he i ntroduce
28 hi msel f to?

29 A. We, the three of us, si r.

1 Q. Where did this meeting - if it was a meeting, where did it
2 take place where he introduced himself to you?

3 A. He went directly to the cell and asked the MPs to take us
4 outside. It was the day that they freed us.

10:13:54 5 Q. Thank you. Did you get medical attention for your
6 condition?

7 A. After we were freed the UNHCR took us to Greystone clinic
8 at Kelly Street in Monrovia. We were there for some days.

9 Q. Can you help us with spellings? Greystone?

10:14:24 10 A. Grey, G-R-E-Y.

11 Q. And you said Carey Street. Can you spell Carey?

12 A. K-E-L-L-Y, Kelly Street.

13 Q. Kelly?

14 A. Yes, Kelly. K-E-R-L-L-Y, something like that.

10:14:42 15 Q. Okay. So after you were - you said you were there for some
16 days?

17 A. Yes, sir, that's correct.

18 Q. So what sort of conditions were you treated for yourself?

19 A. We had physical trauma. My hands were swollen. I could
10:15:00 20 not move my hands. I could not do anything for myself. It took
21 six months, I could not do anything for myself. So we were there
22 receiving this treatment in general for pain, wounds and we were
23 seriously tortured and all over my body was sore, so I could not
24 sit. I was just lying down. If I lie down on the bed, if I get
10:15:25 25 up my skin will leave on the bed or the cloth that was on the
26 bed. So we used to have this medicine and general medication,
27 sir.

28 Q. And you say how long were you on for treatment? Over what
29 period did you continue to take treatment?

1 A. I took treatment for more than six months, nearly a year.

2 Q. Now, do you bear those scars of the wounds and the rope
3 marks that you were tied with? Do you still bear them today?

4 A. I do, sir. I will have them for the rest of my life.

10:16:23 5 MR BANGURA: Your Honours, at this stage I would ask that
6 the witness be shown certain documents. Your Honours, the
7 photograph in tab 6 of the bundle provided if it could be put on
8 the projector, please:

9 Q. Mr Witness, the photograph has been shown to you?

10:17:43 10 A. Yes, sir.

11 Q. I would like you to observe it carefully and to indicate --

12 PRESIDING JUDGE: There is actually two, Mr Bangura, on the
13 tab 6 I have. Which one are you referring the witness to?

14 MR BANGURA:

10:17:57 15 Q. I am referring you to the first one, the one on top, the
16 one with many people. Do you see that?

17 A. Yes, sir.

18 Q. I would like you to if you recognise anybody there of those
19 that you have testified about in court - do you recognise anyone
10:18:21 20 there?

21 A. Yes, sir, I do.

22 Q. To indicate to - and who do you recognise there?

23 A. Yes, sir, I do.

24 Q. Who do you recognise?

10:18:39 25 A. Yes, I do.

26 Q. Who do you recognise there?

27 A. At the middle of this picture in front of me the man with
28 the white is Mr Charles Taylor, President of Liberia - the former
29 President of Liberia. By his side on the right, on his right, is

1 Mr Chucky Taylor.

2 MR BANGURA: Can the witness move to the projector and
3 point to the persons that he has identified:

4 Q. Who is the person you are pointing to now?

10:19:27 5 A. This is Mr Charles Taylor, the former President of Liberia.

6 Q. And who else do you recognise in that photograph?

7 A. This man, Mr Chucky Taylor.

8 Q. Who is Mr Chucky Taylor?

9 A. He was the one that tied us and he was the one that shot
10:19:50 10 the person named against number 2.

11 Q. Thank you. Can you put a circle around the head of each of
12 these when you get back to your seat and just write the name on -
13 no, not on the projector. The photograph will be given to you.

14 A. Yes, sir. A circle and their name?

10:20:17 15 PRESIDING JUDGE: Just pause, Mr Witness. It would appear
16 that the witness is working with a copy. Where is the original?

17 MR BANGURA: Your Honours, just a moment. Your Honours, we
18 are waiting to get to the Legal Officer to help us with some
19 information on the original.

10:21:46 20 JUDGE SEBUTINDE: Mr Bangura, I think what is pertinent
21 here is at least the copies that we have been given are not very
22 clear really. They are not clear at all. That is why as a
23 matter of principle always originals should be in court, at least
24 for the Court to see.

10:22:38 25 MR BANGURA: Your Honours, it is not entirely clear where
26 the originals are at this stage. We are still trying to get a
27 clear position. But, your Honours, may I respectfully ask that -
28 I don't know whether this prejudices the Defence, but we can move
29 on to have the witness merely identify these and perhaps have

1 them marked for identification and at some point maybe during the
2 break we will try and come up with the originals to support these
3 copies that we have provided before we might - if we seek to
4 tender before tendering these exhibits.

10:23:25 5 JUDGE SEBUTINDE: Were these photographs provided by this
6 witness originally?

7 MR BANGURA: No, your Honour, not by this witness.

8 JUDGE SEBUTINDE: Because if the pictures are not clear to
9 us there is some doubt as to whether they are clear to him,

10:23:43 10 but --

11 MR BANGURA: They may not be clear because, as
12 your Lordships will note, they have been copied from an original,
13 but --

14 PRESIDING JUDGE: Plus the witness has not given us any
10:23:56 15 information as to who took these photographs, or photograph, and
16 the circumstances of them being taken. You now tell me he is not
17 the person who took the photographs.

18 MR BANGURA: He is not, your Honour. He is not. He did
19 not provide the photographs to the Prosecution, I can say that.
10:24:16 20 He is merely being asked to see if he identifies - if he can
21 identify persons in the photograph.

22 MR GRIFFITHS: It would be helpful if the witness could -
23 had some knowledge of the source of this photograph to establish
24 some foundation for him being shown it.

10:25:45 25 [Trial Chamber conferred]

26 PRESIDING JUDGE: Mr Bangura, please proceed, but I note
27 that you are going to seek information about the original during
28 the break and I will await until after the break to hear from you
29 further.

1 MR BANGURA: Thank you, your Honour:

2 Q. Can you just put a circle around the head of the persons
3 you recognise and just write their names against it. Perhaps
4 draw a line from the circle so that you can have a space to write
10:26:21 5 the name. Can you put it on the projector, please. Mr Witness,
6 you have identified two persons in this photograph and written
7 their names against them. Do you recognise anyone of those
8 persons in the courtroom here today?

9 A. Yes, sir.

10:27:54 10 Q. Which one of these two do you recognise in the courtroom
11 here today?

12 A. The former President of Liberia, sir.

13 Q. Mr Charles Taylor?

14 A. Mr Charles Taylor.

10:28:04 15 Q. Where? Can you just say where he is in the courtroom?

16 A. He is sitting at the back of the court on the left with the
17 blue/black shirt.

18 Q. On the left? Which left?

19 A. The left of my side. Can I point?

10:28:34 20 Q. Yes, you are free to do so.

21 A. There.

22 MR BANGURA: Your Honours, for the record the witness has
23 identified the accused.

24 JUDGE LUSSICK: Well, he said it was somebody in a
10:28:47 25 blue/black shirt.

26 MR BANGURA:

27 Q. Mr Witness, can you give further description of the person
28 that you have pointed to? Is he wearing anything else
29 distinctive?

1 A. Yes, sir, he is wearing a pair of glasses looking at me
2 directly.

3 JUDGE LUSSICK: Well, on my observation Mr Taylor is not
4 wearing a blue/black shirt.

10:29:22 5 MR BANGURA:

6 Q. Mr Witness, the person who you say is Mr Taylor and is
7 wearing a pair of glasses, can you give further description of
8 how he can be identified in court? His sitting position,
9 perhaps?

10:29:39 10 A. He is having his hands on the table, sir.

11 JUDGE SEBUTINDE: What is the colour of his shirt?

12 THE WITNESS: White shirt.

13 JUDGE LUSSICK: Well, Mr Witness, when you were first asked
14 to identify Mr Taylor you said that he was wearing a blue/black
10:30:00 15 shirt. Now, why did you say that if you now say he has a white
16 shirt on?

17 THE WITNESS: I meant suit, sir. Jacket/coat.

18 MR BANGURA:

19 Q. Mr Witness, just for clarity, you have got two rows of
10:30:20 20 seats immediately to your left. You can describe the sitting
21 position of this person, either is he on the first row, is he on
22 the second row, is he sitting between or on the side?

23 A. The second row between the two security officers.

24 MR BANGURA: Thank you. Thank you, please sit. Your
10:30:50 25 Honours, may the record reflect that the witness has identified
26 the person sitting in the second row on the Defence side of the
27 court.

28 PRESIDING JUDGE: Yes, the record can indicate that the
29 witness identified the gentleman sitting at the back row of the

1 Defence side as a person sitting between two security officers.

2 MR BANGURA: Thank you. Can the witness be shown the
3 photograph in tab 1, please:

4 Q. Mr Witness, do you see that photograph?

10:32:03 5 A. Yes, sir, I do.

6 Q. Are you able to say who that person is?

7 A. Yes, sir.

8 PRESIDING JUDGE: Again before the witness answers,
9 Mr Bangura, I again say this appears to be a copy and I again ask
10:32:18 10 where is the original?

11 MR BANGURA: Your Honour, I ask that your Lordship --

12 PRESIDING JUDGE: Lordship?

13 MR BANGURA: Sorry, your Lordships. I'm sorry. My
14 apologies, your Honour. I again ask that your Lordships allow
10:32:39 15 the Prosecution - the witness to identify this photograph and it
16 be marked for identification until at the break the Prosecution
17 will endeavour to provide the original before this photograph can
18 be tendered.

19 PRESIDING JUDGE: Very well. Mr Griffiths, you are on your
10:32:57 20 feet.

21 MR GRIFFITHS: Your Honour, I would like to know the source
22 of this photograph, in particular whether this is a photograph
23 taken of Chucky Taylor whilst in federal custody in Florida and,
24 if so, how it came into the possession of the OTP. I would like
10:33:13 25 to know that.

26 PRESIDING JUDGE: You have heard the objection, Mr Bangura.

27 MR BANGURA: I have, your Honour. Your Honour, this copy
28 of a photograph was obtained from the US Department of Justice in
29 the United States.

1 MR GRIFFITHS: I would like to know when and how it came
2 into the possession of the OTP, please, because this material has
3 never been disclosed to us as to the source of the photograph.

10:33:46

4 PRESIDING JUDGE: Are you saying, Mr Griffiths, that you
5 have not seen this?

6 MR GRIFFITHS: I have seen it before but was not aware of
7 its provenance until now.

8 PRESIDING JUDGE: Mr Bangura?

10:34:06

9 MR BANGURA: Your Honours, I will probably not proceed with
10 this because at the moment I may not be in a position to give
11 your Lordships the very accurate information as to when and the
12 channel through which it was obtained by the Prosecution. I may
13 have to get back to the office to get some of that information.

10:34:32

14 PRESIDING JUDGE: Very well. I will instruct Madam Court
15 Attendant to remove it from the scanner.

10:34:51

16 MR GRIFFITHS: But, Madam President, the matter doesn't end
17 there. Now we having been informed that this photograph
18 originates from the justice department of the United States, we
19 would like to know whether or not the OTP were given the case
20 file in that case and if it's in their possession it seems to us
21 that it's a matter which should be disclosed if it contains any
22 exculpatory material.

10:35:11

23 MR BANGURA: Your Honours, the Prosecution would
24 categorically say no. The Prosecution did not receive any
25 material accompanying the photograph and there is nothing that
26 the Prosecution has to disclose relating to this witness which
27 has not been disclosed already.

28 PRESIDING JUDGE: Are you saying that just a bare photo
29 arrived in the mail?

1 MR BANGURA: Your Honours, I will not be in a position to
2 say exactly what description there might have been that came
3 along with the photograph, but nothing in the nature of what
4 my learned friend is alluding to. My learned friend referred to
10:35:46 5 a case file.

6 MR GRIFFITHS: Madam President, the matter doesn't end
7 there. It cannot be the case that this witness, who it now
8 appears from what we have been told may well be a witness in
9 proceedings in Florida, may well have given a statement in those
10:36:04 10 proceedings and we would like to see such a statement if it is in
11 existence.

12 MR BANGURA: Your Honours, the Prosecution is not aware
13 that the witness is a witness in proceedings anywhere else and
14 the Prosecution is not in possession of any material or statement
10:36:26 15 that the witness may have given elsewhere which my learned friend
16 might be referring to.

17 MR GRIFFITHS: Madam President, I cannot accept that as
18 being the true position. On 21 November 2007 this witness was
19 interviewed at length on tape by Mr Bangura and an investigator
10:36:51 20 and the witness had in attendance with him his own lawyer, which
21 appears to suggest that something else was going on in the
22 background and that can only be related to the proceedings in
23 Florida and it seems to us that at the very least it was
24 incumbent upon the OTP to make enquiries of any other statement
10:37:16 25 which may be in existence relating to this witness in order to
26 discharge their duties of disclosure towards us. And it seems to
27 us that it is a matter which ought to be properly investigated
28 and the Court ought to be given the full situation before we can
29 proceed to cross-examine this witness.

1 MR BANGURA: Your Honours, I stand to say again that the
2 Prosecution does not have in its possession any statement that
3 this witness may have given and we are not aware that this
4 witness has given a statement to other parties in relation to any
10:37:55 5 other matter. We are not aware of any statement that he has or
6 may have given in relation to any other matter.

7 MR GRIFFITHS: Madam President, there is a very simple way
8 of dealing with this.

9 PRESIDING JUDGE: Gentlemen, one at a time, please. Allow
10:38:12 10 counsel to finish. Mr Bangura, you have an obligation under Rule
11 68 to disclose to the Defence existence of evidence known. That
12 is what I am pursuing.

13 MR BANGURA: Thank you, your Honour, and I stand to say
14 again that the Prosecution does not have, nor is the Prosecution
10:38:33 15 aware at this stage of statements that the witness has given. If
16 there are such statements we haven't laid hands on any and they
17 are not to our knowledge.

18 MR GRIFFITHS: Madam President, it seems to us that the
19 matter can be dealt with quite simply by Mr Bangura asking the
10:39:01 20 witness on oath whether or not he has made a statement to
21 Prosecutors in the United States and the circumstances of the
22 making of that statement. We can deal with the matter and find
23 out the answer quite simply.

24 [Trial Chamber conferred]

10:40:26 25 PRESIDING JUDGE: We note counsel for the Prosecution's
26 statement concerning their awareness or possession of any
27 statements. Counsel for the Defence of course has a right to
28 cross-examine. Please proceed, Mr Bangura.

29 MR BANGURA: Thank you, your Honours. Can the witness be

1 shown a document in tab 2, please. Your Honours, just before we
2 proceed with having the witness look at the next document may
3 I ask that the previous document that he marked, the photograph,
4 be marked for identification.

10:41:47 5 PRESIDING JUDGE: Very well. This is a photograph which
6 shows several people of which the witness has identified two
7 persons. It is marked for identification MFI-16.

8 MR BANGURA:

9 Q. Mr Witness, you have been shown a document.

10:42:16 10 A. I saw a document, sir, papers.

11 Q. I am not going to ask you to read the whole document in
12 court. I will first of all just ask you to look at the title of
13 the document, the introductory note.

14 MR GRIFFITHS: Madam President, I hesitate once again to
10:42:40 15 interrupt. We can all see what this document is. I would like
16 there to be some foundation as to why this document is being
17 introduced through this particular witness.

18 PRESIDING JUDGE: I agree with that, Mr Bangura.

19 MR BANGURA:

10:43:02 20 Q. Mr Witness, during the experience that you went through are
21 you aware that some of these practices that were carried out were
22 published in any writings at all?

23 A. When I was in Liberia, sir?

24 Q. Yes, during that period and even after that?

10:43:32 25 A. I got the notice of this document when I had contact with
26 the prosecuting attorneys.

27 Q. And when was this specifically?

28 A. It was recently, since my stay here.

29 Q. Before you saw this document with the Prosecution were you

1 aware that the events that were occurring in Liberia at the time,
2 including what you suffered, were matters that were reported in
3 publications?

4 A. Yes, sir, most of the incident that happened in Liberia was
10:44:20 5 published, I believe, sir, but I saw this document very recently.

6 Q. Thank you. Do you see the title at the top of it?

7 A. I don't have it in front of me now.

8 MR GRIFFITHS: Your Honour, I'm sorry, it's totally
9 improper to use a proofing session to familiarise a witness with
10:44:57 10 a document in order to seek the admission of that document
11 through the witness. We can all see what the nature of this
12 document is. The idea that it can be shown by lawyers for the
13 OTP to a witness in a proofing session and then seek by that
14 means to introduces that document, that cannot be right.

10:45:21 15 MR BANGURA: May it please your Honours, the document which
16 the Prosecution seeks to have the witness speak on and possibly
17 tender is a document which is from a public source, in a sense,
18 and the matters which the Prosecution wishes to draw the
19 witness's attention to in that document are matters which are
10:45:44 20 relevant to what the witness has testified about in this Court.

21 Your Honours, granted there may be other methods, other
22 procedures by which public material can be introduced into
23 evidence, but, your Honours, the Prosecution's position is that
24 there is nothing improper in having the witness look at this
10:46:06 25 material which is of a public nature and say that the matters
26 described in that document are consistent with the experience
27 that he and his colleagues suffered during the period that they
28 were subjected to the ordeal they went through.

29 So, your Honours, the Prosecution's position is that on the

1 question of relevance it is right and proper that the witness be
2 shown - even if the witness had not seen this document before,
3 but the witness be shown material which is consistent with his
4 experiences and have the witness speak to those events reported
10:46:47 5 in that document and even tender the document, your Honour.

6 JUDGE LUSSICK: Mr Bangura, just to clarify things in my
7 mind, I obviously haven't read the document myself, but does it
8 relate to this witness's personal experiences, or are you going
9 to get him to say that because he had a certain experience it's
10:47:11 10 likely that the experiences that are recounted in this document
11 happened to other people as well?

12 MR BANGURA: Your Honours, the experiences recounted here
13 do not relate personally to the witness's own experience, but the
14 Prosecution's position is that they give a true reflection of the
10:47:36 15 treatment that the witness suffered at this material time that
16 the witness's testimony deals with and this report covers that
17 period.

18 JUDGE LUSSICK: I see, thank you.

19 [Trial Chamber conferred]

10:48:45 20 PRESIDING JUDGE: We are of the view that this document is
21 a document that should, if it is to be introduced - should be
22 introduced by way of a Rule 92 bis application and not through
23 this witness.

24 MR BANGURA: Thank you, your Honour. In that case may the
10:49:09 25 document be withdrawn from the witness. Can the witness be shown
26 a photograph which is not included in the binder, the documents
27 binder, because it was provided late. It is a single photograph.

28 PRESIDING JUDGE: Counsel for the Defence has a copy of the
29 photograph?

1 MR BANGURA: Yes, your Honour. All parties have been -
2 this is a photograph of the witness, I believe. May I caution
3 that this photograph should not be put on the projector overhead.

10:50:05

4 PRESIDING JUDGE: Again, Mr Bangura, this appears to be a
5 copy.

6 MR BANGURA: Yes, your Honour. In this case we do have the
7 original in court and can provide it.

8 PRESIDING JUDGE: It should be shown to the witness then.
9 Has the original been shown to the witness?

10:51:05

10 MS IRURA: Your Honour, it is before the witness.

11 PRESIDING JUDGE: Thank you. Please proceed, Mr Bangura.

12 MR BANGURA:

13 Q. Mr Witness, do you see the photograph that has been shown
14 to you?

10:51:14

15 A. Yes, sir, I do.

16 Q. And that is a photograph of --

17 A. That is a photograph of myself.

18 Q. When was this photograph taken?

10:51:27

19 A. This photograph was taken while I was in Samukai refugee
20 camp.

21 Q. Where were you?

22 A. Samukai refugee camp in Liberia.

23 Q. Can you spell Samukai, please.

24 A. Yes, sir. S-A-M-U-K-A-I C-A-M-P, refugee camp.

10:51:41

25 Q. And where was Samukai refugee camp?

26 A. It was off Caldwell, Monrovia.

27 Q. Off a place called Caldwell?

28 A. Yes, sir.

29 Q. Can you spell Caldwell?

1 A. C-A-L-D-W-E-L-L.

2 Q. Spell again, please, it's not clear?

3 A. C-A-L-D-W-E-L-L.

4 Q. When was this photograph taken?

10:52:07 5 A. This photograph was taken about three or four months after
6 my release from BTC. It could still show my disabled arm. By
7 then I was not able to do anything with my arm in that position
8 I was standing there.

9 Q. Can you say what - you talked about your disabled arm.

10:52:36 10 A. Yes, sir.

11 Q. What exactly do you have on your hands in the photograph?

12 A. I have some medical plaster on my hand. I was having this
13 sore. I could not able to do anything with my hands. My hands
14 were almost dead by then.

10:52:52 15 Q. How long was it before you could make use of your hands
16 again?

17 A. I still have that problem, sir, but it took more than a
18 year having this problem.

19 JUDGE SEBUTINDE: Sorry, Mr Bangura, but do we actually
10:53:07 20 have a time frame for his release? I can't remember.

21 MR BANGURA: I will get the witness to say:

22 Q. Mr Witness, in your earlier testimony you talked about the
23 events that led to your being released from the cell at BTC, is
24 that correct?

10:53:29 25 A. Yes, sir, that's correct.

26 Q. When were you released from BTC?

27 A. It was in May, sir, 20 May.

28 Q. What year?

29 A. 1999.

1 Q. Thank you. Now, would you like the Court to see this
2 photograph?

3 A. Pardon?

4 Q. Would you like the Court to see this photograph?

10:53:57 5 A. Yes, sir.

6 MR BANGURA: Your Honours, the Prosecution respectfully
7 requests that the photograph be marked for identification.

8 JUDGE SEBUTINDE: Could the judges at least see the
9 original, if that's okay with you?

10:54:20 10 MR BANGURA: Yes, your Honour.

11 JUDGE SEBUTINDE: Mr Bangura, on this photograph what is it
12 that you want the judges to take note of? The plaster on his
13 hands or what?

14 MR BANGURA: Yes, your Honour, but I will get the witness
10:55:22 15 to just say - I will get the witness to - I will lead the witness
16 on that. I asked him questions about that already, your Honour.

17 JUDGE SEBUTINDE: Yes, but anyway it's your case. If your
18 evidence is you want us to see the plaster on his hands that's
19 fine.

10:55:41 20 MR BANGURA: I will get the witness to --

21 PRESIDING JUDGE: Incidentally I can't see plaster on his
22 hands. I think maybe there is plaster on his arms, but could you
23 identify the plaster on his hands, please.

24 MR BANGURA:

10:56:00 25 Q. Mr Witness, at the time you took this photograph you had
26 plaster on your arms, right?

27 A. Yes, sir, it was.

28 Q. Those plasters, what were they covering?

29 A. They were covering the sore I had from the injury out of

1 the tie-bay. It was not just the plaster on my elbow, on my
2 arms, but if you could look keenly you could see some medicine on
3 my skin. As I have said before, all of my body was wounded,
4 stabbed and I was still under medication. And behind the picture
10:56:38 5 you can see UNHCR Mercy Refugee Clinic, Samukai Camp. I took
6 about two months in this particular clinic for intensive care
7 together with my two friends. So I was there.

8 Q. After those plasters were taken off your hands did you
9 continue to have any indications of the time - the tie-bay that
10:57:11 10 they tie-bayed you?

11 A. I did. Even when I travelled to the country where I am
12 staying now, I still have to undergo medical treatment pertaining
13 to my hands and I still suffer from that.

14 Q. Do you still have the scars, those marks on your hands?

10:57:26 15 A. I still have them.

16 Q. Would you like the Court to see them?

17 A. If I am allowed, yes, sir.

18 Q. If you are able to take off your jacket and just roll up
19 your sleeves.

10:58:01 20 A. May I take my shirt out?

21 PRESIDING JUDGE: Yes, please do so. Can counsel for the
22 Defence see?

23 MR GRIFFITHS: I can, your Honour, yes.

24 PRESIDING JUDGE: For the purposes of record I will try and
10:58:38 25 accurately reflect what we are being shown. The witness is
26 showing us his two arms. At the elbow or immediately above the
27 elbow on each arm is a black scarred band, I would estimate it to
28 be about one centimetre in width and the witness has also raised
29 his upper sleeves and indicated other markings. Can counsel for

1 the Defence see?

2 MR GRIFFITHS: I can't see.

3 PRESIDING JUDGE: Could you please move, but do not go
4 beyond the curtain, Mr Witness, but if you go a little closer so
10:59:22 5 counsel for the Defence can see. Is that record sufficient?

6 MR GRIFFITHS: For my purposes, yes, your Honour.

7 MR BANGURA: Yes, your Honour.

8 PRESIDING JUDGE: Thank you, Mr Witness. If you wish to
9 put your shirt and your jacket back on, please, we will proceed.

11:00:03 10 THE WITNESS: Thank you.

11 PRESIDING JUDGE: Mr Bangura.

12 MR BANGURA: Your Honour, I will need to get the witness to
13 answer a few questions. I will just wait.

14 JUDGE SEBUTINDE: Mr Bangura, we have heard evidence as to
11:00:14 15 how he got the scars around his elbows, but these other scars,
16 the shoulder he showed us, we don't yet know how those came
17 about.

18 MR BANGURA: I shall get the witness to - there has been
19 evidence before already about other forms of treatment that he
11:00:34 20 suffered. I will get the witness to say what those scars
21 represent on his body:

22 Q. Mr Witness, in addition to showing us your arms and the
23 scars on your arms, you also showed the Court part of your
24 shoulders and coming towards your chest, marks. What do those
11:01:11 25 marks represent, those scars that you have shown the Court in
26 your upper body? What do they represent?

27 A. As I told the Court before, I was tied on several
28 occasions, plastic was melted on me, candles, I was stabbed with
29 a bayonet, these are the scars from those injuries I received

1 while I was in detention.

2 Q. Now, you have before you an original photograph and
3 I believe there is another - there is a copy of that photograph
4 before you. There is a copy of a photograph before you?

11:01:54 5 PRESIDING JUDGE: Did counsel for the Defence see the
6 original?

7 MR GRIFFITHS: No, I didn't, your Honour, but I don't think
8 I need to.

9 PRESIDING JUDGE: Very well. Proceed, Mr Bangura.

11:02:13 10 Mr Bangura, counsel didn't require to see it, please proceed with
11 your questions.

12 MR BANGURA:

13 Q. Mr Witness, the copy of the photograph that you have before
14 you, is it one and the same as the original which you have been
11:02:37 15 discussing with the Court?

16 A. Yes, I am seeing two pictures in front of me and it is a
17 copy of the original, sir.

18 Q. Thank you.

19 A. One of them.

11:02:49 20 MR BANGURA: Thank you. Your Honours, the Prosecution
21 moves that the copy of this photograph be marked for
22 identification.

23 PRESIDING JUDGE: I am not quite sure why you are moving a
24 copy, but you have moved a copy and so the copy of a photograph
11:03:09 25 showing the - which the witness has identified as himself with a
26 writing behind "UNHCR/MERCI" is marked for identification MFI-17.

27 MS IRURA: That is correct, your Honour.

28 MR BANGURA: Your Honours, if your Honours wish I could go
29 on to move to mark the original, but the witness is the owner of

1 the original and very much wishes to keep the original. It is
2 not material which we can keep, or dispose of.

3 PRESIDING JUDGE: Any comment on that Mr Griffiths?

4 MR GRIFFITHS: No, your Honour.

11:03:54 5 PRESIDING JUDGE: In view of the fact that we have seen the
6 original and the witness has just stated that these are copies,
7 it can be returned to the witness.

8 MR BANGURA: Your Honours, I have no further questions for
9 the witness.

11:04:14 10 PRESIDING JUDGE: Thank you, Mr Bangura. Oh, before you
11 sit down, Mr Bangura, I note the witness said he was released
12 from BTC 28 May, but I do not have a year on record.

13 MR BANGURA:

14 Q. Mr Witness, can you help the Court with the year in which
11:04:30 15 you were released from BTC?

16 A. It was not 28 May. It was the 20th.

17 Q. The 20th?

18 A. 1999.

19 PRESIDING JUDGE: Thank you, Mr Witness.

11:04:41 20 MR BANGURA: Thank you, Mr Witness.

21 PRESIDING JUDGE: Mr Griffiths, counsel for the Prosecution
22 is closed on this witness. Please proceed.

23 CROSS-EXAMINATION BY MR GRIFFITHS:

24 Q. I want to make sure I understand your account. You left
11:05:07 25 Kenema in February 1998, is that right?

26 A. That is correct, sir.

27 Q. You were finally released from BTC on 20 May 1999?

28 A. That is correct, sir.

29 Q. So, the events that you have told us about occupy a period

1 of just over one year?

2 A. That is correct, sir.

3 Q. And all of the events you have told us about - apart from
4 your travel and journey from Kenema to Voinjama, all of the
11:05:47 5 events you have told us about took place within Liberia, is that
6 right?

7 A. Pardon?

8 Q. All of the events you have told us about, save for your
9 journey from Kenema to Voinjama, took place in Liberia?

11:06:07 10 A. No, sir, I travelled from Kenema and Kenema is in Sierra
11 Leone.

12 Q. Yes, I know. That is why I said apart from your journey
13 from Kenema to Voinjama, all of the events you have told us about
14 took place in Liberia?

11:06:23 15 A. Both Sierra Leone and Liberia, sir.

16 Q. Very well. In February 1998 because of approaching warfare
17 you fled from Sierra Leone?

18 A. That is correct, sir.

19 Q. You ended up in Voinjama in Liberia?

11:06:52 20 A. That is correct, sir.

21 Q. How long did the journey from Kenema to Voinjama take?

22 A. About two weeks, sir.

23 Q. So apart from that two week period, everything you have
24 told us about took place in Liberia?

11:07:09 25 A. That is correct, sir.

26 Q. Thank you. Apart from telling the Prosecutor in these
27 proceedings about those events, have you spoken to Prosecutors in
28 the United States?

29 A. That is correct, sir.

1 PRESIDING JUDGE: I am not clear on that answer. Have you
2 or have you not spoken to Prosecutors in the United States?

3 THE WITNESS: I have spoken with people from the United
4 States, ma'am.

11:07:41

5 MR GRIFFITHS:

6 Q. Now we know from material available to us that you, according to
7 the material we have got, first spoke to the Prosecutors in this
8 case in or about April 2007. Now, help me. Did you speak to
9 Prosecutors in the United States before or after that date?

11:08:13

10 A. Can you go over it once more, sir.

11 Q. We know from material in front of me that it would appear
12 that you first spoke to the Prosecutor in this case in April
13 2007. What I would like to know is did you speak to the
14 Prosecutors in the United States before or after April 2007?

11:08:43

15 A. After that, sir.

16 Q. Now, you arrived in Den Haag was it a couple of weeks ago?

17 A. A week ago, sir.

18 Q. A week ago. When you arrived in Den Haag you spent some
19 time with the lawyer sitting over there, didn't you?

11:09:10

20 A. Yes, I did.

21 Q. When you spent time with the lawyer sitting over there,
22 Mr Bangura, you had already spoken to Prosecutors in the United
23 States, hadn't you?

24 A. Yes, I did.

11:09:27

25 Q. On how many occasions have you spoken to Prosecutors in the
26 United States of America?

27 A. More than two times, sir.

28 Q. And on those occasions when you spoke to them, did you
29 speak to lawyers or to police officers?

1 A. Yes, I did.

2 Q. Was it to lawyers, or police officers?

3 A. At the present of the meeting, sir, they were - the country
4 where I live in, police of those countries were there with the
11:10:19 5 investigators from the United States, sir.

6 Q. Now I am anxious not to identify the country where you
7 live, but can we in general terms put it in this way. That
8 country is in Europe, is that right?

9 A. That is correct, sir.

11:10:45 10 Q. And do I understand your evidence to mean this; that
11 lawyers travelled from the United States to the country where you
12 live in order to interview you?

13 A. I understand they were prosecutors, sir. That is the only
14 people who came.

11:11:12 15 Q. Well, let me try my question again. Did lawyers from the
16 United States travel to the country where you are currently
17 living and interview you?

18 A. This is the differences I am having, sir. I don't know if
19 they are lawyers, but they said to be.

11:11:34 20 Q. Very well. Were people involved in the prosecution of
21 Chucky Taylor in the United States - did they travel to the
22 country where you currently live to interview you?

23 A. Yes, that is correct, sir.

24 Q. How many of them?

11:11:52 25 A. There would be more than two, sir.

26 Q. More than two. Help us, please. How many of them? Is
27 there a problem with my question?

28 A. No, sir, they were three in number.

29 Q. Thank you.

1 JUDGE SEBUTINDE: Mr Griffiths, I think your client is
2 trying to draw your attention.

3 MR GRIFFITHS: I am grateful, your Honour:

11:12:46

4 Q. Were those people who travelled from the United States
5 special agents, or were they from the FBI?

6 A. They were, sir. I heard the names.

7 Q. Were they from the FBI, or were they special agents?

8 A. One of them was said to be the assistant attorney.

9 Q. The assistant United States attorney, is that right?

11:13:18

10 A. That is correct, sir.

11 Q. Was there also an FBI agent?

12 A. That is correct, sir.

13 Q. Was there also a special agent, or a representative of the
14 CIA?

11:13:38

15 A. No, sir.

16 Q. How do you know?

17 A. I was not introduced by that name.

18 Q. Help us. What are the names of these three individuals,
19 please?

11:13:51

20 A. I cannot --

21 Q. Let's start with the assistant United States attorney.
22 What is his or her name?

23 A. Could I give that name, your Honour?

24 Q. Yes, please.

11:14:11

25 PRESIDING JUDGE: I don't see any reason why you should not
26 give that name, so you may give it.

27 MR GRIFFITHS:

28 Q. What is the name?

29 A. The attorney's name was Carolyn.

1 Q. Carolyn what?

2 A. I could not remember the surname now, sir.

3 Q. But it is a female assistant US attorney whose first name
4 is Carolyn, yes?

11:14:48 5 A. She is, yes, sir.

6 Q. What is the name of the FBI agent?

7 MR BANGURA: Your Honours, just for clarification here
8 I don't know whether we are talking of two names, or one name. I
9 probably heard the witness give two separate names, but it sounds
10 like counsel is giving one name as Carolyn.

11 MR GRIFFITHS: Let me clarify, your Honour:

12 Q. Is the witness's name Carol separate word Lin, or is the
13 witness's first name Carolyn, one word.

14 A. Carolyn I said, sir.

11:15:23 15 Q. So, it is one word?

16 A. Yes, sir.

17 Q. And that is the first name?

18 A. That is correct.

19 Q. And what is the surname, please?

11:15:30 20 A. I don't remember that name, sir, I am sorry.

21 Q. Is it that you don't remember, or is it that you don't want
22 to tell me?

23 A. It is that I don't remember, sir.

24 Q. Help me, then. What is the name of the FBI agent who came
25 to question you?

11:15:44 26 A. Would I answer to that question, ma'am?

27 PRESIDING JUDGE: Mr Witness, I have heard no objection and
28 I don't see why you should not say this name. However, tell me
29 why you are hesitant in answering the question.

1 THE WITNESS: Because this is a quite different court,
2 ma'am, and those people are very different people from the
3 Prosecution here.

4 PRESIDING JUDGE: I understand. There is no reason why you
11:16:30 5 cannot and you should answer - you cannot give the name and you
6 should answer counsel's question.

7 THE WITNESS: Thank you.

8 MR GRIFFITHS:

9 Q. What is his name?

11:16:39 10 A. John was from the FBI.

11 Q. What is his --

12 A. That was the only name I know. I don't know his surname,
13 I am sorry.

14 Q. And what is the name of the third person?

11:16:50 15 A. The third person was Matthew and that is the only name
16 I know.

17 Q. Now there were also, as I understand it, police officers
18 from the country where you now live present, is that right?

19 A. That is correct, sir.

11:17:07 20 Q. What are their names?

21 A. I don't know their names, sir, I am sorry.

22 Q. Was there anyone linked to this Prosecution present?

23 A. Yes, sir.

24 Q. Who was present from this Prosecution when you met with the
11:17:28 25 US attorney?

26 A. No, I am sorry, none of them. This Prosecution was not
27 there, but what I mean here is that every time this Prosecution,
28 Prosecutors or the people from the United States come to see me
29 there would be a - the country where I live in police or security

1 members who would be there together with my lawyer.

2 Q. Now, your lawyer was also present with you when you had a
3 lengthy interview with Chris Morris and Mohamed Bangura on 21
4 November 2007. That is right, isn't it?

11:18:10 5 A. He was, that is correct.

6 Q. And your lawyer's name is Mr Vattsjo, is that right?

7 A. That is correct, sir.

8 Q. Is he a lawyer from the country where you now live?

9 A. That is correct, sir.

11:18:28 10 Q. And was he present at all the meetings with the US
11 attorney?

12 A. That is correct, sir.

13 Q. Was he present on each occasion that you met prosecutors
14 from this Court?

11:18:39 15 A. That is correct, sir.

16 Q. Was he present when last week or the week before you met
17 with Mr Bangura on your arrival in The Hague?

18 A. He was not here then.

19 Q. Is he here today in the public gallery to protect your
11:18:56 20 interest?

21 A. That is correct, sir.

22 Q. And you knew that he would be here, did you?

23 A. He came. He is my lawyer. I have that right from the
24 country where I live in, sir.

11:19:10 25 Q. And you knew that he would be coming here today, did you?

26 A. That is correct, sir.

27 Q. Now was he here when you were being asked questions by
28 Mr Bangura, or has he only arrived today because you are going to
29 be cross-examined by me?

- 1 A. No, I am sorry, not because of that, sir.
- 2 Q. He wasn't here last week, was he?
- 3 A. No, he wasn't.
- 4 Q. He only arrived today, is that right?
- 11:19:44 5 A. That is correct, sir.
- 6 Q. How did he know to arrive today?
- 7 A. He is my personal lawyer, of course, sir.
- 8 Q. Have you spoken to him since you began giving evidence?
- 9 A. What do you mean, sir?
- 11:20:04 10 Q. It is a simple question. Have you spoken to Mr Vattsjo
11 since you began giving evidence last week, yes or no?
- 12 A. Yes, that is correct, sir.
- 13 Q. When did you speak to Mr Vattsjo?
- 14 A. I spoke with him before I could come here, sir. When
11:20:27 15 I came here we exchanged text messages, sir.
- 16 Q. Have you spoken to him, for example, over the last weekend?
- 17 A. We have seen - yes, sir, I saw him yesterday, sir.
- 18 Q. You were told on Friday when you left this Court that you
19 were not to discuss the evidence you are giving with anyone,
11:20:50 20 weren't you?
- 21 A. That is correct, sir.
- 22 Q. Did you discuss your evidence with Mr Vattsjo over the
23 weekend?
- 24 A. No, sir, I am sorry.
- 11:21:01 25 Q. What did you speak about then?
- 26 MR BANGURA: Your Honours, I would object here.
- 27 THE WITNESS: We talk about weather in [redacted].
- 28 MR BANGURA: Your Honours, we may be getting into areas
29 where the witness enjoys some privilege in communications with

1 his counsel - with his lawyer. My learned friend is seeking to
2 find out from the witness what matters he discussed with his
3 lawyer and I think that information might be privileged, your
4 Honour.

11:21:32 5 PRESIDING JUDGE: Mr Bangura, it would appear that the
6 witness is waiving that privilege by virtue of answering and, as
7 you are aware, Rule 71.1 permits the client to consent to such
8 disclosure.

9 MR BANGURA: Your Honours, as far as I am aware, the
11:21:49 10 witness has not waived that privilege. The witness has answered
11 questions surrounding his contact with his lawyer, when did they
12 meet, where did they meet, or questions of that nature, but not
13 as to the specific details of the meetings they had. I submit
14 that that is not a waiver of his privilege.

11:22:11 15 PRESIDING JUDGE: Mr Griffiths, I - sorry, Mr Bangura, you
16 have finished your --

17 MR BANGURA: Yes, your Honour.

18 PRESIDING JUDGE: Mr Griffiths, I made some remarks before
19 inviting your reply. What is your reply to the objection?

11:22:23 20 MR GRIFFITHS: Well, your Honour, at the end of the day any
21 privilege resides with the witness and it is for the witness to
22 decide whether he wants to waive that or not. It is his
23 decision.

24 PRESIDING JUDGE: Mr Witness, I should explain that you
11:22:47 25 have been asked questions concerning conversations between you
26 and your lawyer. Under the rules of this Court you may refuse to
27 answer that question because it may be privileged. You may also
28 consent to answer and disclose what you said to your lawyer. Do
29 you understand the information I have given you?

1 THE WITNESS: Yes, ma'am, I do.

2 MR GRIFFITHS:

3 Q. Do you want to tell me --

11:23:24

4 JUDGE SEBUTINDE: Mr Griffiths, before you go ahead there
5 was a name of a country that this witness named that I think
6 should be redacted.

7 THE WITNESS: Yes, ma'am, thank you.

8 JUDGE SEBUTINDE: Now I am doing the Prosecution's work.

9 MR BANGURA: Thank you, your Honour.

11:23:37

10 MR GRIFFITHS: I did notice it, your Honour.

11 PRESIDING JUDGE: Could that be noted and a redaction
12 implemented, please.

13 MR GRIFFITHS:

14 Q. Do you want to tell me what you spoke about with

11:23:50

15 Mr Vattsjo?

16 A. It was very personal, sir. Could I explain that to the
17 Court?

18 Q. If you want to, you can. Do you want to tell us?

19 A. I could. I can.

11:24:03

20 Q. Tell us, please?

21 A. We had a lot of fun talking about weather over there and
22 here, for example, and the food. As I said, it was very
23 personal.

24 Q. And how long did you spend in the company of your lawyer
11:24:26 25 over the weekend?

26 A. Well about an hour or two before I could go to bed, sir.

27 Q. About an hour or two. Now I am not being critical of the
28 Dutch, but you couldn't spend an hour discussing Dutch weather.
29 So, help me. What were you talking about for over an hour with

1 your lawyer? Can you help us?

2 A. We discussed about he is engaged in building and how it is
3 - he was trying to describe to me how the building work is going
4 on, the weather over there and here. These were some of the
11:25:22 5 issues we were discussing. I was quite well aware that I should
6 not discuss with anybody about my evidence in this Court, so it
7 was out of our discussion and our discussion was very
8 professional, sir.

9 Q. And is Mr Vattsjo staying in the same place as you are?

11:25:45 10 A. At the same hotel, sir.

11 Q. Thank you.

12 A. That is correct.

13 JUDGE SEBUTINDE: Can we have a spelling of this name?

14 MR GRIFFITHS: V-A-T-T-S-J-O, your Honour:

11:26:03 15 Q. Now, let's get back to a few more details about your
16 contact with attorneys from the United States. How many times
17 have you met them?

18 A. More than three times, sir.

19 Q. And have you - well, help me please. Let's try and be
11:26:25 20 precise. How many times have you met them?

21 A. Four times, sir.

22 Q. Thank you. When was the first time you met them? Month
23 and year will do.

24 A. It was in July, sir.

11:27:02 25 Q. July of which year?

26 A. Of 1997.

27 Q. Of '97?

28 A. In 2007, sorry. 2007.

29 Q. So when you met first in July 2007, that was prior to you

1 talking to prosecutors in this case in November 2007? That's
2 right, isn't it?

3 A. That is correct, sir.

11:27:33

4 Q. When you first spoke to prosecutors in this case in
5 November 2007, did you make them aware that you had already
6 spoken to the US attorney in July of the same year?

7 A. This was a very different case, sir. Different people.

11:28:00

8 Q. I am not interested in that. My question is very simple.
9 When you met with prosecutors and lawyers from this case, to wit
10 Mr Bangura who sits opposite and Mr Morris, on 21 November 2007,
11 did you tell them that you had already spoken to a US attorney in
12 July of the same year?

13 A. I don't think so, sir.

14 Q. Why not?

11:28:19

15 A. Because this was a very different case.

16 Q. You are saying, are you, that you meet with prosecutors in
17 this case and you didn't once mention to them, "Guess what, a few
18 months ago I spoke to the US attorney"? You didn't mention that
19 at all? Is that the truth, witness?

11:28:47

20 A. I am here to say the truth, sir.

21 Q. And you are telling us that in November you did not tell
22 Mr Bangura that you had already spoken to the US attorney?

23 A. As I have said, sir, this case are different cases.

11:29:12

24 Q. Let's try my question. Are you telling us that you did not
25 tell Mr Bangura in November that you had already spoken to the US
26 attorney? Try yes or no.

27 A. Yes, sir, that is correct.

28 Q. What is correct?

29 A. No.

1 Q. You didn't tell him?

2 A. No, I don't think so.

3 Q. Well, I don't want you to think about it. I want you to
4 try and be certain. It is a simple matter. Did you, or didn't
11:29:37 5 you?

6 A. I didn't.

7 PRESIDING JUDGE: Mr Griffiths, we have just been alerted
8 to the fact that we are up to our time limit.

9 MR GRIFFITHS: Very well, your Honour.

11:29:49 10 PRESIDING JUDGE: I hope this is a convenient time.

11 Mr Witness, as you know we take a break in the morning.

12 Now is the time for the break and we will be adjourning until

13 12 o'clock.

14 THE WITNESS: Thank you.

11:30:02 15 PRESIDING JUDGE: Please adjourn court until 12.

16 [Break taken at 11.30 a.m.]

17 [Upon resuming at 12.00 p.m.]

18 PRESIDING JUDGE: Please proceed, Mr Griffiths.

19 MR BANGURA: Your Honour, just as a matter of

12:01:11 20 representation, the Prosecution has been joined by Mr Christopher
21 Santora.

22 PRESIDING JUDGE: Thank you, Mr Bangura. I will note that
23 change in representation.

24 MR BANGURA: Thank you.

12:01:25 25 MR GRIFFITHS:

26 Q. Before we adjourned for our mid-morning break I was asking
27 you about meetings you had had with the assistant US attorney, do
28 you recall that?

29 A. That's correct, sir.

1 Q. Now you told us that your first meeting with them was in
2 July 2007, is that right?

3 A. That's correct, sir.

4 Q. Give us the date, please, of your second meeting with them?

12:02:01 5 A. The date of my second meeting?

6 Q. The second meeting with the assistant US attorney?

7 A. It was in 2007, sir.

8 Q. What month, please?

9 A. It was in December, I think so.

12:02:25 10 Q. And the third meeting, when was that? Was it this year?

11 A. I met with them this year too, sir.

12 Q. When this year?

13 A. Last month maybe in --

14 Q. In May 2008, yes?

12:03:08 15 A. That's correct.

16 Q. And before that when did you meet with them?

17 A. Before that?

18 Q. You've told us you met with them on four occasions?

19 A. That's correct.

12:03:21 20 Q. You've told us about July 2007, December 2007, you've now
21 told us May 2008. What's the date of the other meeting that you
22 had with them?

23 A. I told you about three to four times, sir.

24 Q. Right and then you firmed up and told us it was four times,
12:03:49 25 so please try and help us, what's the date of the fourth meeting?

26 A. I met with them in the United States, sir, in Miami.

27 Q. When?

28 A. It was last year.

29 Q. When last year?

1 A. In November/December, sir.

2 Q. Right. So let's just go through and get a bit more flesh
3 on the bones, please. When you met in July 2007, was that in the
4 European country where you currently reside?

12:04:47 5 A. That's correct.

6 Q. Then when next you met with them, that was in Miami,
7 Florida, was it?

8 A. That's correct, sir.

9 Q. And did you fly to Miami in Florida with the lawyer from
12:05:00 10 the country in which you currently reside?

11 A. That's correct, sir.

12 Q. Thereafter there was a further meeting, was there, in May
13 of this year?

14 A. That's correct, sir.

12:05:14 15 Q. Was that meeting in the United States of America, or was it
16 in the country where you currently reside?

17 A. The country where I currently reside, sir.

18 Q. So help us then, was it three or four meetings? Is there
19 another meeting you haven't told us about yet?

12:05:36 20 A. No, I don't think so, sir.

21 Q. So just to recap, you have met with these people on two
22 occasions in the country where you currently reside and on one
23 occasion in the United States of America, is that right?

24 A. Three occasions in the country I reside, sir.

12:05:57 25 Q. So three occasions in the country where you reside and one
26 occasion in the United States of America?

27 A. That's correct, sir.

28 Q. Right, so let's go back to the beginning, shall we. The
29 first meeting is July 2007 in the country where you reside. What

1 was the date of the next meeting in the country where you reside?

2 A. It was in 2007, sir.

3 Q. Yes, what's the month?

4 A. I usually wrote dates to remember.

12:06:40 5 Q. No, help us. Let me see if I can help you, shall I? The
6 very first date I have of you having contact with anyone is on 18
7 April 2007 and there is a document that I have before me headed,
8 "My Liberia Experience". Do you recall that document?

9 A. That's correct, sir. I wrote them.

12:07:09 10 Q. Now, that document is dated 18 April 2007. Do you recall
11 that?

12 A. That's correct, sir.

13 Q. How did that document come into being?

14 A. Well, I have been friendly to my attorney for quite a long
12:07:30 15 time before this case, these cases, and we've been discuss about
16 my experience in Liberia, so he was working on something I don't
17 know and he came across this - he came across hearing about these
18 procedures, so he called me and he asked me about the story I've
19 explained to him before and he asked me if I'm interested in
12:08:01 20 having contact with the Special Court of Sierra Leone and other
21 investigations. I gave him that authority and he continued. So
22 he was doing the job as my attorney.

23 Q. Now Anthony, remind us, is who?

24 PRESIDING JUDGE: I think the word was "attorney".

12:08:29 25 MR GRIFFITHS:

26 Q. Attorney?

27 A. Attorney.

28 Q. Your attorney?

29 A. Yes, sir, my lawyer.

1 Q. The lawyer in the country where you reside?

2 A. That's correct, sir.

3 Q. So this first document, "My Liberia Experience", was that
4 dictated by you to your attorney in the country where you reside?

12:08:52 5 A. I wrote that for myself.

6 Q. You wrote it for yourself --

7 A. Yes.

8 Q. -- and then gave it to your attorney?

9 A. I wrote that letter after I got contact from the Special
12:09:04 10 Court and they were - we spoke over telephone and after we spoke
11 on the telephone they asked me to give them my email address,
12 which I did. They sent me message trying to clarify what I have
13 said to them on telephone, so it was then I wrote this document
14 you are talking about, sir.

12:09:28 15 Q. Okay. I'm getting a clearer picture now, but it's still
16 somewhat hazy, so forgive me if I ask you for a few more details.
17 Who first got in touch with whom? Did the Special Court get in
18 touch with you, or did either you or your attorney get in touch
19 with the Special Court?

12:09:54 20 A. My attorney get in touch. He was coordinating my rights
21 and communication, because this was a very sensitive case and I
22 have been in the country where I have - where I am living now for
23 quite a long time and I have tried to go over this issue. So
24 after a long conversation, or a very long time we've discussed
12:10:20 25 about this issue, so when he started this it was then he told me
26 that people will talk with me and just after that I was contacted
27 by the Special Court.

28 Q. Right, so did you instruct your attorney to contact the
29 Special Court?

1 A. Yes, I did.

2 Q. And as a consequence of your attorney contacting the
3 Special Court, you created this document headed "My Liberia
4 Experience", did you?

12:10:55 5 A. That's correct, sir.

6 Q. And you did that with the assistance of your attorney in
7 the country where you currently reside?

8 A. No, I did it for myself. I wrote them by myself.

9 Q. You wrote it by yourself?

12:11:08 10 A. That's correct, sir.

11 Q. It was then submitted by you to the Prosecution in these
12 proceedings?

13 A. That's correct, sir.

14 Q. And it was submitted by you via email, was it?

12:11:22 15 A. That's correct, sir.

16 Q. And thereafter, you having written this document in April
17 2007, you were contacted by an assistant US attorney?

18 A. That's correct, sir.

19 Q. Did that contact with the assistant US attorney come like a
12:11:46 20 bolt of lightning out of the blue, or was that again as a result
21 of your lawyer contacting them on your behalf?

22 A. It was my lawyer who contacted them on my behalf, sir.

23 Q. And did your lawyer contact them, the US authorities, with
24 a view to you becoming a witness in proceedings in the United
12:12:12 25 States?

26 A. I was seeking justice, sir, for what had been done to me.

27 Q. Let's try my question, please. Did your lawyer contact the
28 authorities in the United States with a view to you becoming a
29 witness in proceedings there? Yes or no will do.

1 A. Yes, of course.

2 Q. Thank you. And as a consequence of that, you met with the
3 assistant US attorney for the first time in July 2007?

4 A. That's correct.

12:12:48 5 Q. When you met with them in July 2007 did you provide them
6 with a copy of "My Liberia Experience", which you had written in
7 April 2007?

8 A. That's correct, sir.

9 Q. So this document that I have before me, dated April 2007,
12:13:11 10 is in the possession of both the Prosecutors here and in the
11 United States, am I right?

12 A. That's correct, sir.

13 Q. So it would appear on the face of it, wouldn't it, that
14 there is a degree of contact between the Prosecutors here and the
12:13:32 15 Prosecutors in the United States? Would you agree?

16 A. As I've said, sir, these are different, separate cases, so
17 I don't think there is any link in this perspective.

18 Q. Mr Witness, let me ask you quite bluntly: Are you honestly
19 telling us that there is no contact between the Prosecutors in
12:13:56 20 this case and the Prosecutors of Chucky Taylor in the United
21 States? Are you telling us that?

22 A. I am under oath, sir, and I respect --

23 PRESIDING JUDGE: Just pause, Mr Witness.

24 MR BANGURA: This is a question that calls for speculation
12:14:12 25 on the part of the witness. The witness is not in a position to
26 tell whether the Prosecutors on both sides, in this case and in
27 the Chucky case, are in some form of communication.

28 PRESIDING JUDGE: Mr Bangura, this is cross-examination and
29 if the witness does not know, he can say so.

1 MR GRIFFITHS: I'm grateful, your Honour:

2 Q. Let me try once more. As far as you're aware, is there any
3 contact between the Prosecutors in this case and the Prosecutors
4 in the United States?

12:14:53 5 A. I'm sorry, sir, as I've said this, I may have different
6 knowledge of what you're saying, sir, and this is a quite
7 different case for me, so I don't know if there is any
8 communication between them. I only know the communications that
9 has been happening between me and the two different groups.

12:15:18 10 Q. Very well. Have a look at this photograph, please. When
11 was the first time you saw that photograph?

12 A. I saw this photograph last week.

13 Q. Who showed you that photograph?

14 A. Mr Bangura here, sir.

12:16:16 15 Q. When you were shown that photograph were you told that it
16 was a photograph taken of Chucky Taylor whilst in custody in the
17 United States of America?

18 A. No, I was not.

19 Q. Are you saying you were totally unaware of that fact?

12:16:37 20 A. Of course. I know this man very well. He has inflicted -
21 I could read his handiwork on my body every day. I have seen
22 him. He has done this to me, so I could always remember him just
23 as I could do his father.

24 Q. Now help us, are you honestly saying you didn't realise
12:17:01 25 that this was a photograph provided to the Prosecutors in this
26 case by the Prosecutors in the other case? Are you honestly
27 saying that?

28 A. Yeah, I'm honestly saying that.

29 Q. And so it therefore follows, does it, that you're asking us

1 to accept that you're totally unaware of contact between the two
2 sets of prosecutions? You're totally unaware of that?

3 A. I don't know, sir. I don't know.

12:17:44

4 Q. Now, before we come on to deal further with the chronology
5 of events, do you recall that one of the three persons present
6 from the United States was a representative of the immigration
7 and customs enforcement service?

8 A. Could you repeat the question, sir.

12:18:20

9 Q. One of the persons present from the United States when you
10 were questioned by them, do you recall now it was a
11 representative of the Immigration and Customs Enforcement
12 service?

13 A. That's correct, sir.

12:18:37

14 Q. Thank you. So what we now know then is this: There was an
15 assistant US attorney, a representative of the FBI and a
16 representative of the Immigration and Customs Enforcement
17 service. Is that right?

18 A. That's correct, sir.

12:18:56

19 Q. Thank you. And we also now know - and just so that we can
20 complete the chronology for everyone's assistance. We have you
21 creating this document on 18 April 2007, yes? The first
22 document, is that right?

23 A. That's correct, sir.

12:19:18

24 Q. We next have a meeting between you and the assistant US
25 attorney in the country where you now live in July 2007, is that
26 right?

27 A. I first met the US attorney in the United States, not in
28 the country where I'm residing, sir.

29 Q. Right. And when was that?

1 A. As I said, it was around - it was in 2007, sir.

2 Q. Give me the month, please.

3 A. In November or December.

12:20:04

4 Q. No, no, no. According to you, there's a meeting in July
5 2007. Was there a meeting with the assistant US attorney before
6 that date?

7 A. She was not on the meeting in July.

12:20:31

8 Q. All right. The first time you met with anyone from the
9 United States linked to the Prosecution of Chucky Taylor, when
10 was that?

11 A. It was in July I first have contact with them, sir.

12 Q. So let's go back to the sequence, shall we? You create a
13 document called "My Liberian Experience" in April 2007, yes? Is
14 that right?

12:20:51

15 A. That's correct, sir.

16 Q. The next thing of importance which occurs is you meeting
17 with representatives of the Prosecution in the United States in
18 July 2007, is that right?

19 A. Yes, sir.

12:21:09

20 Q. And that was in the United States of America, is that
21 right? Why are you having difficulty?

22 A. I want to give the correct answer, sir, and I could - I
23 should think of it before giving you any answer.

24 Q. Right, so was that in the United States of America?

12:21:36

25 A. No, sir.

26 Q. That was in the country where you live, yes?

27 A. Yes, that's correct, sir.

28 Q. Now the next important date is 21 November 2007 when you
29 meet with Mr Bangura and an investigator in this case, is that

1 right?

2 A. That's correct, sir.

3 Q. And that meeting was in the country where you currently
4 live?

12:22:03 5 A. That's correct, sir.

6 Q. Thereafter in November/December 2007 you meet with the
7 assistant US attorney, is that right?

8 A. That's correct, sir.

9 Q. And you met with them in Miami, Florida?

12:22:27 10 A. That's correct, sir.

11 Q. The next date is 17 May of this year when you meet with
12 Mr Bangura again, is that right?

13 A. That's correct, sir.

14 Q. Where was that?

12:22:49 15 A. In the country I am residing in.

16 Q. In the country where you currently reside?

17 A. That's correct, sir.

18 Q. And in that same month, in May, you again met with the
19 assistant US attorney, didn't you?

12:23:12 20 A. That's correct, sir.

21 Q. Was it before that meeting with Mr Bangura on the 17th, or
22 was it after that meeting?

23 A. It was after, sir.

24 Q. So just so that we understand it, on 17 May you meet with
12:23:28 25 Mr Bangura in the country where you live. Thereafter, you meet
26 with the assistant US attorney also in the country where you
27 live?

28 A. That's correct, sir.

29 Q. Yes? Then on 9 June you arrived in The Hague, on or about

1 9 June, is that right?

2 A. That's correct, sir.

3 Q. And you spent two days, 9 June and 10 June, with
4 Mr Bangura?

12:24:00 5 A. That's correct, sir.

6 Q. Now, is there a meeting with the Americans which you
7 haven't told us about?

8 A. I don't remember, sir. I don't remember that.

9 Q. No, no, I want you to take your time because you're a very
12:24:17 10 careful witness of course. Think about it carefully and tell us
11 is there a meeting with the Americans you have not told us about?

12 A. No, I don't think so.

13 Q. So, have we got the full picture now?

14 A. That's correct.

12:24:35 15 Q. Thank you. And are you saying that even on 9 June and 10
16 June when you spent time with Mr Bangura you did not once mention
17 to him, "Guess what, Mohamed. I have met with the Americans on
18 three occasions"? Are you telling us you did not mention that to
19 him once?

12:25:03 20 A. Me and Mr Mohamed have been having --

21 Q. Let's try the question, please. Are you saying you did not
22 mention it to him once?

23 A. I could not remember that, sir.

24 Q. So all the way through your contact with Mr Bangura from
12:25:18 25 November last year you've constantly failed to mention to him,
26 "Guess what, I also might be giving evidence against Chucky
27 Taylor in Florida"? You've not once mentioned that to them, is
28 that the truth?

29 A. That is the truth.

1 Q. That's a lie, isn't it, and you know it's a lie?

2 A. No.

3 Q. Tell me, have you been present at any conversations between
4 your lawyer and the Office of the Prosecution?

12:26:14 5 A. That's correct, sir.

6 Q. In your presence did your lawyer tell the Office of the
7 Prosecution about the contact with the US authorities?

8 A. I'm sorry, sir, how could I?

9 Q. Were you ever present when your lawyer said to Mr Bangura,
10 "Mr Bangura, my client is also in contact with the Americans"?
11 Has that ever occurred?

12 A. No.

13 Q. As far as you're aware, has your lawyer ever told
14 Mr Bangura that you're also in contact with the Americans?

12:27:01 15 A. I'm not aware of that, sir.

16 Q. Are you honestly trying to help us here and tell the truth?

17 A. I'm under oath, sir.

18 Q. And you're telling us the truth about all of this, are you?

19 A. I'm saying the truth here.

12:27:20 20 Q. Now on those occasions when you met with the Americans in
21 July, December and May of this year, was what you told them
22 either taped or written down?

23 A. It was written down, sir.

24 Q. So there is a record, is there, of all three meetings
12:27:48 25 you've had with them?

26 A. That's correct, sir.

27 Q. Were you on any of those three occasions asked to read
28 through a document and sign it?

29 A. To read through documents?

1 Q. Like a statement and sign it?

2 A. I was asked to identify some pictures, I did and --

3 Q. I think it may well - it may well be my fault. I am only
4 talking about your contact with the Americans now.

12:28:31 5 A. This is what I'm saying, sir.

6 Q. On those three occasions, were you asked to read through a
7 statement and sign it?

8 A. After our discussion --

9 PRESIDING JUDGE: Just pause a moment. A point of
12:28:44 10 clarification. This is the witness's own statement?

11 MR GRIFFITHS: Your Honour, yes.

12 PRESIDING JUDGE: Yes, because he appears a little
13 confused.

14 MR GRIFFITHS: Yes, my fault entirely. Let me be clear
12:28:56 15 about this:

16 Q. Were you on any occasion asked to read through an account
17 of your experience which you had given to the American
18 authorities and then asked to sign it as to its accuracy and
19 truthfulness?

12:29:12 20 A. That's correct, sir.

21 Q. On how many occasions have you been required to do that by
22 the Americans?

23 A. After every meeting, sir.

24 Q. So, can I take it then that there is in existence three
12:29:28 25 signed statements by you given to the Americans in which you give
26 an account of your experience in Liberia which you have signed as
27 being accurate?

28 A. No, this is not what I understood from your question. I
29 have signed different - I've printed different signatures on

1 different things and one could be, for example, the document or
2 pictures that were shown to me to be identified.

3 Q. All right, let me try again. How many statements have you
4 provided to the Americans which you have read through and signed?

12:30:23 5 A. One, sir.

6 Q. When did you sign that document?

7 A. Our first meeting.

8 Q. And in the subsequent meetings in November, December and
9 May did you provide further statements to the Americans?

12:30:49 10 A. That's correct, sir.

11 Q. Did you read through and sign those statements as well?

12 A. After giving the statement they could reread it and then I
13 could say "Yes" or "No".

14 Q. No, no, no. Let's just - please try and listen to the
12:31:10 15 question, Mr Witness.

16 A. I am.

17 Q. You accept that you gave a statement and signed it in July
18 2007 to the Americans, is that right?

19 A. I've given oral statement.

12:31:21 20 Q. No, no, no. Did you in July 2007 provide - was a written
21 statement given to you in July 2007, a record of what you had
22 told the Americans which you then signed?

23 A. That's correct, sir.

24 Q. So, that's one statement. When you met with them in
12:31:49 25 November/December 2007, was another statement - a record of what
26 you had told them - read back to you which you signed?

27 A. I did not sign it, sir. It was oral statement I gave and
28 after that they could read - reread a statement I have given to
29 them and then I could clarify if they are my words or not, or if

1 they are words I have been saying to them.

2 Q. So, did you sign a further document in November/December
3 2007 when you were in Miami?

12:32:39

4 A. Pictures were shown to me and I signed them as I did here
5 before.

6 Q. In May 2008, when you again met with the Americans, was a
7 statement taken from you which you signed?

8 A. No, sir.

9 Q. What took place on that occasion?

12:32:59

10 A. They asked me questions, sir.

11 Q. And were the answers written down?

12 A. They were taking notes, of course, sir.

13 Q. Yes. At the end of your meeting with them, were you asked
14 to sign those notes?

12:33:17

15 A. No, I was not, sir.

16 Q. But in any event was it a lengthy interview you had with
17 them in May?

18 A. That's correct, sir.

19 Q. How long did it last?

12:33:28

20 A. About two hours, sir.

21 Q. So there should be in existence records of three quite
22 lengthy conversations you had with the Americans, is that right?

23 A. That's correct, sir.

24 Q. And on each of those occasions were you talking about the
25 events which you've told this Court about?

12:33:49

26 A. I was talking about my general experience in Liberia, sir.

27 Q. Which is what you've told us about, is that right?

28 A. It could be, sir.

29 Q. No, no, no, I'm not interested in "could be"s. You've told

1 us - and it was one of the first questions I asked you this
2 morning - that your experience in Liberia was from February 1998
3 until 20 May 1999. Now, were those events the very same matters
4 that you spoke to the Americans about?

12:34:31 5 A. I could not distinguish between what my experience in
6 Liberia in any form. What happens to me in Liberia is what I
7 could tell anybody about, my experience in Liberia, sir.

8 Q. Let me try my question again. Was that same period of just
9 over a year the same events that you spoke to the Americans
10 about, yes or no?

12:34:58 11 A. I spoke with the Americans about the treatment I received
12 by Mr Chucky Taylor, sir.

13 Q. I'm going to try once more. Were the events that you spoke
14 to the Americans about the same events that you've told us about
15 occurring between February 1998 and May 1999?

12:35:14 16 A. That's correct, sir.

17 Q. Thank you, at last. So it follows, does it, that you were
18 asked about Charles Taylor?

19 A. By whom, sir?

12:35:42 20 Q. By the Americans.

21 A. They were interested in Charles Taylor - Chucky Taylor,
22 sir.

23 Q. So did you talk to them about Charles Taylor, yes or no?

24 A. Of course, yes, sir.

12:35:59 25 Q. And did you speak to them about Charles Taylor on all three
26 occasions that you spoke to them?

27 A. No, sir.

28 JUDGE SEBUTINDE: Mr Griffiths, the witness says, "They
29 were interested in Charles Taylor - Chucky Taylor, sir."

1 THE WITNESS: Charles Taylor junior, Madam President.

2 MR GRIFFITHS: Let me clarify that:

3 Q. Did they ask you questions about Charles Taylor senior, the
4 former president?

12:36:36 5 A. No, sir.

6 Q. The man in the blue and black shirt?

7 A. No, sir. No, sir.

8 Q. Did they ask you questions about him?

9 A. No, sir, not direct questions, sir.

12:36:51 10 Q. Well, let's start with indirect and work up from there,
11 shall we? Did they ask you indirect questions about the former
12 president, Charles Taylor?

13 A. I explained to them about where I was taken to when I was
14 in - from Gbatata to Monrovia to Mr Taylor's residence, from
12:37:16 15 there to BTC.

16 Q. So you told them that?

17 A. That's correct, sir.

18 Q. Did you also tell the Americans about the Arabs being
19 Mr Taylor's diamond merchants? Did you tell them about that?

12:37:36 20 A. That's correct, sir.

21 Q. Thank you. Did you also tell them that you were aware of
22 arms shipments going through Voinjama from Charles Taylor to
23 Sierra Leone? Did you tell them about that?

24 A. I told them on one occasion Mr Chucky Taylor, Mosquito and
12:37:57 25 CO Victor and the Arabs guys I've been talking about here, I
26 explained that to them, sir.

27 Q. So you spoke to them quite a bit about the former President
28 of Liberia, didn't you? Don't be coy, Mr Witness. Please try
29 and help us and tell us the truth. You spoke to them quite a bit

1 about the former president, didn't you?

2 A. This was about my general knowledge, sir, in Liberia.

3 Q. Right and you spoke to them quite a bit about the former
4 president, didn't you? Why is that such a difficult question?

12:38:39 5 A. I think you are trying to confuse me, sir.

6 Q. No, I'm not.

7 A. This is the reason. Yes, sir, you do.

8 Q. I'm trying to ask you very simple questions. Now help
9 me --

12:38:48 10 MR BANGURA: Your Honours, if I may, I believe in essence
11 the question has been asked and answered. The witness has, in
12 different answers given to questions posed by counsel, stated
13 matters dealing with Charles Taylor and in essence the witness
14 has really answered the question. I believe that may be
12:39:08 15 responsible for the witness's inability to respond further.

16 MR GRIFFITHS: Well, I can't understand what's difficult
17 about the question, "So you spoke to them quite a bit about the
18 former president?"

19 PRESIDING JUDGE: Are you saying over and above the
12:39:23 20 previous two examples given by the witness?

21 MR GRIFFITHS: Your Honour, yes.

22 PRESIDING JUDGE: Mr Witness, you have heard what I asked,
23 you've heard the answer. That is what counsel means, so can you
24 answer that question now, please.

12:39:41 25 MR GRIFFITHS:

26 Q. Apart from the particular matters that I just asked you
27 about, your suggestion that you met with Mr Taylor in his
28 compound, diamonds and Arabs, arms, you spoke about other things
29 in relation to the former President of Liberia, didn't you?

1 A. I spoke with the Americans about my general knowledge in
2 Liberia, sir, and if you --

3 PRESIDING JUDGE: Mr Witness, you must answer the question
4 put. The question put relates to Mr Taylor, not the general
12:40:23 5 events in Liberia.

6 THE WITNESS: I did not talk directly about Mr Taylor with
7 them, sir.

8 MR GRIFFITHS:

9 Q. Did they ask you about Mr Taylor?

12:40:41 10 A. Yes, they did ask me about Mr Taylor junior, Chucky Taylor.

11 Q. Did they ask you about Mr Taylor, my client who sits behind
12 me? You know the former president, the one in the blue/black
13 shirt? Did they ask you about him?

14 A. Not directly, sir. This is what I have said here.

12:41:04 15 Q. All right. Tell me how they asked you indirectly about
16 him?

17 A. It was like after I was taken from Gbatala, or after we
18 were taken from Gbatala, or when we were arrested, the treatment
19 we underwent, that story, that history, was what I explained to
12:41:24 20 them and if you could ask me to explain that journey, absolutely
21 I have to include Mr Taylor there because I was taken to his
22 compound and --

23 Q. So can I put it this way: Basically you told them what
24 you've told us.

12:41:48 25 A. A lot of what I've said here, sir, yes.

26 Q. So there are differences between what you told them and
27 what you told us, are there?

28 A. There might be, yes, sir.

29 Q. That's why I'd like to see whatever statements you made to

1 them. Would you have any difficulty in the American authorities
2 providing us with copies of statements that you've given to them?

3 A. Yes, I would.

4 Q. Why?

12:42:19 5 A. Because I cannot tell how they deal with the administration
6 or --

7 Q. No, no, no, all I'm asking is this, quite simply: Would
8 you be happy for us to be shown copies of the statements you made
9 and notes taken at meetings you had with the Americans?

12:42:39 10 MR BANGURA: Your Honours, I wonder whether it's within the
11 competence of this witness at this time to avail counsel with
12 material which he has provided with those authorities
13 [overlapping speakers].

14 PRESIDING JUDGE: Mr Bangura, as I understand the question,
12:42:55 15 the question is not directed at the rights and privileges of the
16 American authorities to retain or disseminate material within
17 their control. My understanding of the question is whether the
18 witness himself would be prepared, regardless of the Americans'
19 attitude, to have his statement made available to the Defence.
12:43:22 20 Is that a correct situation?

21 MR GRIFFITHS: Your Honour has it exactly right.

22 MR BANGURA: If the question is being put as whether the
23 witness in principle might agree to it, yes, I - whether in
24 principle he --

12:43:38 25 PRESIDING JUDGE: Yes. After that the American authorities
26 - they're big enough and old enough to look after themselves.

27 MR BANGURA: I understand the context, thank you.

28 MR GRIFFITHS:

29 Q. So let me try once more. Do you have any objections to us

1 being shown copies of the statements you've made to the
2 Americans?

3 A. I do, sir.

4 Q. Why do you object to that?

12:44:04 5 A. It's for my security reasons, sir.

6 Q. How would it affect your security for us to be shown the
7 accounts you've given to the Americans?

8 A. I don't think that could be - that should be my own
9 responsibility, sir.

12:44:24 10 Q. No, I'm merely asking you this --

11 A. No, it's not my responsibility.

12 Q. Is there something in those statements, which you've told
13 the Americans, which you want to hide from this Court?

14 A. No, of course not.

12:44:36 15 Q. Well, if you've got nothing to hide do you have any
16 objection to us seeing those statements?

17 A. Do I have the authority, sir?

18 Q. No, I'm just asking if you personally have any problems
19 with us seeing the accounts you've given.

12:44:53 20 A. I'm not - I don't have - I don't think I have that
21 authority, sir.

22 Q. No, I'm not interested in whether you have the authority or
23 not.

24 A. Then it means no, sir.

12:45:03 25 Q. I'm just asking you is there anything in those statements
26 you don't want us to see?

27 A. I'm sorry, that could not be my own problem. Probably you
28 could ask the American. Probably they will tell you their reason
29 of giving it to you or not. But I could give that authority,

1 sir.

2 Q. Well, let me put it this way then: You know that your
3 lawyer is sitting in the public gallery behind you. If he has
4 copies of your American statements in his possession, do you mind
12:45:37 5 him giving us copies of them?

6 A. This is ridiculous. How could I --

7 Q. There's nothing ridiculous about this at all.

8 A. Yes, sir, it is.

9 Q. I'd like to know if your lawyer, who is here to protect
12:45:51 10 your interest, has copies of your American statements, do you
11 mind us going to him at lunch time and saying, "Please give us
12 copies of the same"? Do you mind that?

13 JUDGE SEBUTINDE: Mr Witness, in other words, do you have
14 any objections?

12:46:17 15 THE WITNESS: Yes, ma'am, I do.

16 MR GRIFFITHS:

17 Q. What? What objections?

18 A. I object to that. I could not give any authority of that.

19 Q. Why not?

12:46:24 20 A. Because I could not just --

21 Q. So you've got something to hide, have you?

22 A. I've got nothing to hide. I'm here on oath.

23 Q. Right, so why don't you want us to see those statements?

24 A. Because this is different. It's about different issues,
12:46:43 25 sir, and you cannot --

26 Q. You're talking about the same period in your life, so why
27 are you objecting to us seeing those statements?

28 A. We are talking about different judicial system in this
29 case.

1 Q. I'm not interested in that. In both systems you're under a
2 duty to tell the truth. That's all I'm interested in. So why
3 don't you want us to see them?

4 MR BANGURA: Your Honour, I believe the position has been
12:47:17 5 not one of the witness not wanting Defence to see the statements,
6 because I believe a question was put earlier to the witness
7 whether there was anything in those statements which he would not
8 like the Court to see and the witness said there was nothing in
9 them, but what he, the witness, as I understood him, emphasised
12:47:36 10 was that he did not have the authority to let those statements be
11 made available to Defence. I think that's the position. It's
12 not that the witness has said he does not want the Court to see
13 these statements.

14 PRESIDING JUDGE: I think you may be right. I will clarify
12:47:52 15 with the witness. Mr Witness, there are possibly two, if not
16 three, steps involved. There's: Will you give permission, step
17 one; step two, will the American authorities give permission. I
18 think counsel is directing his questions at the first step.

19 MR GRIFFITHS: Yes:

12:48:17 20 Q. Let me put it differently. Do you have in your possession
21 here in The Hague copies of your American statements?

22 A. No, sir.

23 Q. Your lawyer who you met over the weekend, does he have
24 copies of your American statements in his possession now in The
12:48:39 25 Hague?

26 A. He was not taking the statement from me, sir.

27 Q. No, does he have them physically in his possession here in
28 The Hague?

29 A. I cannot tell, sir.

1 MR BANGURA: May it please your Honours, may it please your
2 Honours, my learned friend is again getting very deeply in the
3 area of privilege. To a very large extent the witness is not in
4 a position to - even if he was in a position to waive, the
12:49:06 5 witness would perhaps need to be advised. We're talking about
6 matters to do with his contacts and his relationship with his
7 lawyer and perhaps that poses the sort of difficulty --

8 PRESIDING JUDGE: In actual fact you may have a valid point
9 there, Mr Bangura, but in fact the witness has answered the
12:49:25 10 question. He says, "I cannot tell." The answer is on record.

11 MR BANGURA: Thank you.

12 PRESIDING JUDGE: But if the issue arises again, please
13 address it again.

14 MR GRIFFITHS:

12:49:39 15 Q. Talking about your lawyer, who is paying for him? Is it
16 the Americans?

17 A. No, sir.

18 Q. Who is paying for him?

19 A. The country I'm residing. I have that privilege. In the
12:49:57 20 country where I'm residing, sir, both victims and perpetrators
21 have right to an attorney and he's one of mine.

22 Q. So, it's the country where you're currently residing who
23 are paying for him to be present here in this Court?

24 A. That's correct, sir.

12:50:15 25 Q. Not the Americans?

26 A. No, sir.

27 Q. Is that true?

28 A. That's true.

29 Q. Will you be giving evidence in the trial of Chucky Taylor?

1 MR BANGURA: Your Honours, I object. This is a question of
2 relevance. I don't think that's relevant to these proceedings.

3 PRESIDING JUDGE: Mr Griffiths, you've heard the objection.

4 MR GRIFFITHS: Your Honour, it is relevant. This witness,
12:50:54 5 based on what he's told us to date, it would appear has given
6 evidence regarding - the same evidence as to his movements and
7 treatment during that one year period to the American
8 authorities. If he is to give evidence to that effect then it
9 seems to us that it's highly relevant, particularly in light of
12:51:19 10 further questions that I will be asking him regarding the giving
11 of evidence in those proceedings, and maybe if my learned friend
12 allows a couple of uninterrupted questions then the relevance of
13 what I'm asking might become clear.

14 [Trial Chamber conferred]

12:52:04 15 PRESIDING JUDGE: We allow the question as relevant.

16 MR GRIFFITHS: I'm grateful:

17 Q. Will you be giving evidence against Chucky Taylor in the
18 United States?

19 A. Should I answer that question, sir?

12:52:24 20 Q. That's why I asked it.

21 A. But please, sir, I think you are trying to expose my
22 security here - my identity.

23 Q. No, no.

24 MR BANGURA: Your Honours, I believe the witness genuinely
12:52:44 25 has some concern. Assuming that the witness had to answer this
26 question one way or the other, I mean this session is being
27 conducted - the public hears what's going on now and to some
28 extent the witness he's testifying under a pseudonym, but it
29 might just simply expose the fact that he is going to be a

1 witness in a different trial. We do not know what measures are
2 there in terms of protection for the witness, but the answer,
3 whatever it might be, could lead to the witness's identity being
4 exposed.

12:53:27 5 JUDGE SEBUTINDE: How? How might his identity be exposed
6 in these proceedings?

7 MR BANGURA: Your Honours, the proceedings presently are
8 being streamed publicly.

9 JUDGE SEBUTINDE: Yes, but his identity is protected
12:53:42 10 because of the measures in place. That's why he's behind a
11 screen.

12 MR BANGURA: It is, your Honour, but your Honour it's very
13 clear that whoever this person that is testifying before the
14 Court now, what - assuming he said "Yes", whatever he said - he
12:54:01 15 says is then clearly made out by the public that this person is
16 going to be a witness in the trial --

17 JUDGE SEBUTINDE: Yes, but it's the identity, Mr Bangura.
18 Who knows who this person is so far?

19 MR BANGURA: Your Honour, I believe we are actually edging
12:54:20 20 in very unsafe territory at this stage as far as the security of
21 this witness is concerned.

22 JUDGE LUSSICK: I must confirm what my colleague has said.
23 Do you know, Mr Bangura, if any protective measures have been put
24 in place for this witness's testimony in the United States case?

12:54:44 25 MR BANGURA: I know nothing, your Honour. I am merely
26 being --

27 JUDGE LUSSICK: Well, the chances are he'll probably be
28 giving evidence in public over there. I just can't see how to
29 answer the question here can expose him to any lapse of security

1 at all.

2 JUDGE SEBUTINDE: Furthermore, Mr Bangura, this Court is
3 primarily concerned with the publicity of its trial here and the
4 protection of witnesses here than in other proceedings that may
12:55:24 5 ensue that we know very little about. Our duty is first and
6 foremost to this Court and the witnesses that testify before it.

7 Now, I believe that we've done everything in our power to
8 protect the identity of this witness and so far I think it is all
9 good. I do not see in any way how this witness can be identified
10 even if he were to answer this particular question.

11 MR BANGURA: Your Honour makes a fine point about a matter
12 in another jurisdiction, another country, which may ensue in
13 future and which we have no connection with and, your Honour,
14 that is the basis of the objection that I raised earlier about
12:56:12 15 relevance. If counsel is seeking to link whatever this witness
16 has got to say in these proceedings with what he might say in
17 another proceedings which have not taken place yet and we do not
18 know in what position this witness stands in relation to those
19 proceedings, I make the point that this line of cross-examination
12:56:40 20 borders on irrelevance, your Honour.

21 JUDGE SEBUTINDE: Are you worried about the safety of this
22 witness in these proceedings, or in some other proceedings?

23 MR BANGURA: Your Honours, it is about his safety in these
24 proceedings, but I go beyond the safety question and go more
12:56:58 25 fundamentally to say that the question of relevance arises from
26 this line of cross-examination, your Honours.

27 JUDGE SEBUTINDE: But that's been ruled on already. The
28 Presiding Judge said five minutes ago that the question was
29 relevant.

1 MR BANGURA: I abide by the Court's ruling --

2 JUDGE SEBUTINDE: Why are we revisiting it?

3 MR BANGURA: -- but I make that point that we again find
4 ourselves in these positions because matters which we ought not
12:57:23 5 to be delving into are besetting us with these problems, your
6 Honours.

7 JUDGE SEBUTINDE: What matters might those be?

8 MR BANGURA: Your Honours, I make the point that the
9 matters to do with the trial whatever will be going on, or is
12:57:41 10 likely to go on in the US, has nothing to do with the witness's
11 testimony here.

12 JUDGE SEBUTINDE: How do you know it has nothing to do with
13 the Defence case?

14 MR BANGURA: Your Honours, I abide by your Lordships'
12:57:51 15 ruling, but that's our position.

16 PRESIDING JUDGE: Mr Witness, you've heard the exchange.
17 We're allowing the question. Please put the question again.

18 MR GRIFFITHS: I'm grateful, Madam President:

19 Q. Will you be giving evidence against Chucky Taylor in the
12:58:15 20 United States?

21 A. If I was asked to, sir, yes, sir.

22 Q. Have you been offered any incentive to give evidence
23 against him in the United States?

24 A. I'm sorry?

12:58:34 25 Q. Do you understand what I mean by incentive? Do you
26 understand what I mean by that?

27 A. Yes, sir.

28 Q. Have you been offered any incentive to give evidence
29 against Chucky Taylor in the United States?

1 A. They've interviewed me and I've got no final information
2 from them, sir.

3 Q. Let me try once more.

12:59:03

4 PRESIDING JUDGE: Mr Witness, do you understand what the
5 question is about?

6 THE WITNESS: Yes, ma'am.

7 MR GRIFFITHS:

8 Q. Have you been offered any incentive to give evidence
9 against Chucky Taylor in the United States?

12:59:15

10 A. They are still on investigation, sir. They've not
11 clarified that to me.

12 Q. Have you, for example, been offered the possibility of
13 relocation to the United States if you give evidence?

14 A. No, sir, I'm very comfortable where I'm living.

12:59:32

15 Q. So, it has not been offered to you?

16 A. I have never - we've never discussed anything about that.

17 Q. And you have been offered no other incentive?

18 A. No, sir.

12:59:55

19 Q. Have you been - are you here on a dry run? Do you
20 understand what I mean by a dry run?

21 A. No, sir.

22 Q. Are you here as like a practice session before you give
23 evidence against Chucky Taylor? Is that why you're here?

13:00:14

24 A. I think this Court is a very serious matter, sir, so I'm
25 not here on practice. I'm here to give evidence of what has
26 happened to me. It is a court on itself.

27 Q. What I mean is this. Are you here so that the American
28 authorities can assess how you stand up to cross-examination? Is
29 that why you're here?

1 A. I don't think anybody could think so.

2 MR BANGURA: Your Honours, the witness has answered the
3 question very appropriately, I submit.

4 PRESIDING JUDGE: He is being asked a particular point on
13:00:51 5 it. I will allow the question.

6 MR GRIFFITHS:

7 Q. Are you here to see how you will stand up under
8 cross-examination before giving evidence against Chucky Taylor on
9 a later date?

13:01:07 10 A. No, sir.

11 Q. You're now aged 36, aren't you?

12 A. Yes, I am.

13 Q. So in 1998 when you fled from Sierra Leone you would have
14 been 26 years old?

13:01:28 15 A. That's correct, sir.

16 Q. When in 1991 the war broke out in Sierra Leone, where were
17 you living?

18 A. I was living in Sierra Leone, sir.

19 Q. Yes, where in Sierra Leone?

13:01:43 20 A. In Kenema, sir.

21 Q. And when the war entered Sierra Leone in 1991, did it
22 spread to Kenema?

23 A. No, sir.

24 Q. When in 1998 you fled from Kenema, why was that?

13:02:10 25 A. It was because Kenema Town was about to be attacked, sir.

26 Q. By whom?

27 A. By the Nigerian-led forces.

28 Q. And?

29 A. And the Kamajors.

- 1 Q. And who were in occupation of Kenema at that time?
- 2 A. It was RUF and the AFRC, sir.
- 3 Q. When had the RUF first occupied Kenema?
- 4 A. It was in 1997, sir.
- 13:02:49 5 Q. Between 1991 and 1997, were you living in Kenema?
- 6 A. Kenema is my town, sir.
- 7 Q. Let's try my question again. Between 1991 and 1997, were
- 8 you living in Kenema?
- 9 A. Yes, sir.
- 13:03:13 10 Q. Thank you. And during that time are you saying that you
- 11 were not affected at all by the war?
- 12 A. I was, but not directly.
- 13 Q. Did the war come to Kenema at all between '91 and '97?
- 14 A. Yes, sir, at the later stage of 1997.
- 13:03:44 15 Q. No, no, no - in the later stage, but prior to that had the
- 16 RUF not occupied Kenema?
- 17 A. Not before then, sir.
- 18 Q. So, on your account the RUF first occupied Kenema in 1997?
- 19 A. That's correct, sir, after the overthrowing of the Tejan
- 13:04:09 20 Kabbah regime.
- 21 Q. So, in what month in '97?
- 22 A. RUF came to Kenema, sir?
- 23 Q. Yes, please.
- 24 A. It was just after RUF came to town all over Sierra Leone.
- 13:04:24 25 It was during that time, sir.
- 26 Q. Tell me, please. Give me a month when they came to Kenema?
- 27 A. It was in May.
- 28 Q. May 1997, yes? So can we take your account to be this:
- 29 That up until May 1997 you did not live under RUF rule?

1 A. I was a civilian in Sierra Leone, sir, and I have any
2 differences - any different I could make, I was in the town
3 before and before RUF could come to town, so I could not do
4 anything against that except take care of my life.

13:05:12 5 Q. Let's try my question again. Prior to May 1997 are you
6 telling us that you had never lived under RUF rule?

7 A. I did.

8 Q. When?

9 A. In '97, sir?

13:05:43 10 Q. No, let me try once more. Before May 1997, bearing in mind
11 the war started in 1991 --

12 A. That's correct.

13 Q. -- did you at any time live under RUF rule?

14 A. No, sir.

13:06:05 15 Q. So the very first time you lived under RUF rule was in May
16 1997?

17 A. Was when RUF and AFRC joined forces and were in control of
18 the country.

19 Q. And that was in May 1997?

13:06:23 20 A. That was in '97, just after the coup in Sierra Leone, in
21 Freetown.

22 Q. So before May 1997 you had never had any contact with the
23 rebels?

24 A. That's correct, sir.

13:06:39 25 Q. You had never had any contact with the RUF?

26 A. That's correct, sir.

27 Q. The war had not touched you in any way, shape, or form?

28 A. Of course.

29 Q. How?

- 1 A. I was in Sierra Leone and there was war and they were
2 killing people. I was going to school at the beginning. I could
3 not continue my education because of the war. I started doing
4 business and sometimes my business - I have to forfeit my
13:07:15 5 business because of the war and if you live in a country where
6 there is war, you have absolutely that - you are part of that
7 problem.
8 Q. So was there any gunfire, shelling, fighting, or anything
9 in Kenema before February 1998 when you left?
- 13:07:36 10 A. Yes, sir, that's correct.
11 Q. There never was. Are you saying the very first fighting
12 you experienced in Kenema was February 1998?
- 13 A. No, sir.
14 Q. When, prior to that, had you experienced fighting in
13:07:51 15 Kenema?
- 16 A. There has been fighting in Kenema and it was horrible being
17 where --
18 Q. When?
- 19 A. Before I could run away from Kenema, sir.
13:08:03 20 Q. When? Give me a year.
- 21 A. In 1997, sir, for example. In 1995 there was fighting too
22 around Kenema area.
23 Q. Who was fighting in 1995 around the Kenema area?
- 24 A. It was RUF who were fighting against the government forces.
13:08:26 25 Q. And did that fighting come into Kenema itself?
- 26 A. Sometimes, sir.
27 Q. And were you living in Kenema at the time?
- 28 A. That's correct, sir.
29 Q. So in 1995 did you come in contact with rebels?

1 A. No, sir.

2 Q. They didn't affect you in any way, shape, or form?

3 A. They did, sir.

4 Q. How?

13:08:51 5 A. As I've said, in 1995, for example, all major roads in
6 Sierra Leone was cut off by rebels. There were ambushes and we
7 suffered from their activities, sir.

8 Q. Now, even on what you've told us, you lived under RUF rule
9 from May 1997 until February 1998, is that right?

13:09:29 10 A. That's correct, sir.

11 Q. Because the RUF, on your account, were in control of Kenema
12 between those dates?

13 A. That's correct, sir.

14 Q. Until they were driven from Kenema by ECOMOG forces,
13:09:44 15 assisted by the Kamajors.

16 A. I could not say - I could not say that. I said it was then
17 I ran away with my family.

18 Q. Very well. But, in any event, for something like 10 months
19 you lived under RUF rule, is that right?

13:10:11 20 A. I could say, sir - I could say that, sir.

21 Q. Now, at that time you would have been about 25 years old.

22 A. That's correct, sir, I was.

23 Q. You would have been at your prime fighting age to be
24 recruited into the RUF, wouldn't you?

13:10:34 25 A. If I would be?

26 Q. At a prime age to be recruited into the RUF?

27 A. There were people younger than me that were member of RUF,
28 sir, of course, yes.

29 Q. Now, tell me, during that 10 month period did the RUF at

1 any time attempt to recruit you, forcibly or otherwise?

2 A. No, sir.

3 Q. They only tried to recruit you once you went to Liberia, is
4 that right?

13:11:04 5 A. That's correct, sir.

6 Q. And so for the 10 month period whilst you lived under RUF
7 rule, no attempt was made forcibly to make you join the RUF, is
8 that right?

9 A. There have been intimidations, not only by me but the whole
13:11:24 10 of Sierra Leone. Every Sierra Leonean inside Sierra Leone by
11 then could say he or she has suffered some form of intimidation
12 by the RUF, sir.

13 Q. That's understandable. I'm asking you about being
14 recruited. No attempt was made to do that between May 1997 and
13:11:48 15 February 1998, even though you were living under RUF rule, is
16 that right?

17 A. Not in Sierra Leone, sir.

18 Q. And during that period, what were you working doing?

19 A. I was doing business.

13:12:06 20 Q. What business?

21 A. I used to buy rice. Sometimes I used to do mining.

22 Q. What kind of mining?

23 A. Diamond mining, sir.

24 Q. Yes.

13:12:20 25 A. Very common.

26 Q. And pause there. When you were involved during that period
27 in the rice business, did the RUF ever forcibly take your stocks
28 away?

29 A. No, sir.

1 Q. When you were mining during that period, were you being
2 forced to mine by the RUF?

3 A. No, sir.

13:12:56

4 Q. When you were mining during that period, were the diamonds
5 you found forcibly taken from you by the RUF?

6 A. No, sir. I've never experienced that.

7 Q. So during that 10 month period, life for you continued, in
8 terms of your business, uninterrupted?

9 A. My business was interrupted, sir, but --

13:13:24

10 Q. Yes, but your stocks weren't taken from you, you were
11 allowed to mine and go about your business. Would that be fair?

12 A. I was doing business. For example, sometimes to take my
13 goods from Kenema to the village, I could have problem at the
14 checkpoint, I could pay money to the checkpoint to go across, I

13:13:50

15 could take my goods to my village. Where I was doing mining I
16 had my brothers, or my people who mined for me and nobody could
17 come and harass me, or get my diamonds from me. It was legal,
18 sir, and I had no problem with that.

13:14:10

19 Q. And did you see any evidence of the RUF forcing people to
20 mine in and around Kenema during that time? Did you see that?

21 A. There used to be, sir.

22 Q. Where?

23 A. In some area of Tongo, or Kono, or this.

24 Q. And you saw that?

13:14:26

25 A. It used to happen.

26 Q. No, no, did you see it?

27 A. I heard people saying so and I was mining at a different
28 place, sir. I have my village where I was doing my minings.

29 Q. Did you see it?

1 A. In my village?

2 Q. Yes.

3 A. No, sir.

4 Q. And in your village you were mining quite lawfully without
13:14:52 5 any intervention by the RUF and allowed to keep the product of
6 your efforts, yes?

7 A. That's correct. Yes, sir.

8 Q. And where you were mining you didn't see any forced labour.
9 Where you were mining you did not see any forced labour, is that
13:15:12 10 right?

11 A. Please, sir, this is something I have to explain and I'm
12 talking about my mining. There used to be harassment of course,
13 but when I was doing my mining in my village, of course there
14 used to be some RUF or AFRC soldiers who were around that
13:15:31 15 surrounding and they could go and say, "This is government
16 mining", so people could go and mine for them. But my own
17 personal mining, I never had somebody coming in and disturb my
18 mining. They used to do. For example, they used to take your
19 implements. If you are going to work, they see your men, they
13:15:50 20 will stop you. Then they could take money from you, or they
21 could take your implement from you. But I never personally was
22 taken away to do forced mining, but I saw people who they did
23 that to of course, yes, sir.

24 Q. And were they relatives of yours?

13:16:10 25 A. Yes, sir, that's correct.

26 Q. Like who?

27 A. Like my village brothers, my extended family members.

28 Q. Like who?

29 MR BANGURA: Your Honours, just before the witness answers,

1 may he be cautioned about naming names.

2 MR GRIFFITHS: I'm not interested in names.

3 PRESIDING JUDGE: Don't be giving any names when you answer
4 the question, Mr Witness.

13:16:27 5 MR GRIFFITHS:

6 Q. Were they like cousins of yours?

7 A. That's correct, sir.

8 Q. Cousins, nephews, what?

9 A. Extended family members at the village. We believe in that
13:16:38 10 too much. It could be my - a son of my grandfather. My
11 grandfather was having many wives, for example, he was a chief in
12 the village and I had lot of cousins. So in that village - it
13 was my village, the village of my mother, the village of my
14 father, my grandparents were from there, so I had a lot of
13:17:01 15 cousins from there. So if somebody go and do anything to them in
16 that village it means he has done this to my people in my
17 village.

18 Q. And help me, who was the RUF commander in Kenema during
19 those 10 months?

13:17:17 20 A. There were different, different commanders, sir.

21 Q. Give us a few names.

22 A. For example, General Mosquito was there.

23 Q. So Mosquito was a commander in Kenema during that period,
24 was he?

13:17:27 25 A. He was there. He was a commander. I don't know anything
26 about RUF's administration. What I know is there were different,
27 different types of RUF commanders. You could not know them.
28 They could just come and say, "I'm CO this", "I am this", they
29 could come and do anything to you. RUF were very, very

1 aggressive people.

2 Q. Tell me, did you see Mosquito in Kenema between May 1997
3 and February 1998?

4 A. Yes, sir, that's correct.

13:17:58 5 Q. Where?

6 A. In Kenema I saw him there. He was having his office at
7 Hangha Road, there was a place called secretariat, or NRC,
8 something opposite the bank, by the bank.

9 Q. Right and what vehicle was he driving?

13:18:19 10 A. This is - Mosquito was a chief for RUF. He could drive any
11 type of vehicle. He usually drive the best cars in Sierra Leone
12 by then.

13 Q. What kind of car?

14 A. You could see him with jeeps, whatsoever.

13:18:34 15 Q. What kind of jeep?

16 A. Four wheel drive, sir.

17 Q. Yes, what make?

18 A. I could not tell. I think you could not force me to say
19 something about that.

13:18:46 20 Q. I'm not trying to force you to do anything. I'm only
21 interested in the truth. Now help me with this: Apart from
22 Mosquito, which other commanders did you know of in Kenema who
23 were in charge of Kenema during that period?

24 A. I don't know the particular commander that was in charge.

13:19:04 25 All I knew was that RUF were in Kenema Town. We used to see them
26 going up and down with their guns, and the AFRC soldiers, they
27 were many. You could not tell which is this, or today you could
28 see this commander, tomorrow you could see this. Everybody was
29 like a commander and they could come and do anything to you

1 without you - what would you do?

2 Q. Can you give me any other name apart from Mosquito --

3 A. Who was RUF?

4 Q. -- in Kenema during that time?

13:19:38 5 A. There was another commander they used to call CO Manawa,
6 there was Denis, there were lots of them, sir.

7 Q. Denis who?

8 A. I don't know, but there were lots of RUFs. If you see I am
9 not even involved in RUF and so I don't know RUF. I was not
13:20:02 10 interested with them. They were there. They were very, very
11 frightening. You could not just go around them like if they are
12 your friends. These guys were rebels --

13 Q. So, help me with --

14 A. -- and they were dangerous people.

13:20:13 15 Q. So, help me. Why didn't you leave?

16 A. Why did I leave?

17 Q. If they're so aggressive and so on, why did it take you 10
18 months to leave?

19 A. Sierra Leone was my country and by then there were people
13:20:30 20 living there. You could not just go. I have my parent there. I
21 had my wife. I had my children. I have my brothers. I have my
22 family. It is my country. I had the right like any other person
23 to be there.

24 Q. I totally agree with you, but why suddenly then decide to
13:20:50 25 leave when ECOMOG attacked?

26 A. Because we have seen - before ECOMOG could come to Kenema
27 there have been rumours that ECOMOG are coming and they were
28 fighting. You could not just get up and go. I could say it was
29 - that day I ran away from Kenema I saw thousands of people doing

1 the same thing, and you could not sit because you could hear
2 firings, bombings, all these terrible things. You could hear it
3 and they have been killing people in Kenema Town. RUF were
4 killing people. Prominent people. So, if you sit at the corner
13:21:34 5 then you will be killed probably.

6 Q. Well, let me see if I can summarise what you've told us so
7 far. For 10 months you lived under RUF rule and were able to
8 continue with your business. Am I right so far?

9 A. I was trying, yes, sir.

13:21:52 10 Q. And eventually what caused you to leave was the attack by
11 ECOMOG and the Kamajors on Kenema, am I right?

12 A. Not just the attack by ECOMOG and Kamajors. RUF were
13 killing people in Kenema indiscriminately. There were dead
14 bodies. You could see prominent people. Like, for example, I
13:22:14 15 was in Kenema and there was a man called BS Massaquoi. He was a
16 very, very prominent person in Kenema. He was brutally killed in
17 Kenema. And other people, there were kidnappings. They used to
18 kill people on the street.

19 Q. That is why I am asking. I asked you earlier, you see, why
13:22:32 20 didn't you leave?

21 A. So if I had that opportunity as I did, while thousands of
22 people were fleeing, it was my right as a civilian to leave the
23 town where I know there is coming to be war.

24 Q. But what I'm saying is that, if the RUF were behaving in
13:22:51 25 such a despicable manner, why did it take you until February 1998
26 to leave?

27 A. It was a very critical decision, sir, and you could not
28 make any immediate decision of that. You could not sit down or
29 make any plan to say, "I'm leaving", or, "I'm not leaving". It

1 was my first time ever to move out of Sierra Leone and so it was
2 difficult for me. Even though I left Kenema I found it very,
3 very painful.

4 Q. Your brother was a policeman in Tongo, wasn't he?

13:23:36 5 A. Yes, sir, he was.

6 Q. Was he involved in the mining business as well?

7 A. He was a police officer, sir.

8 Q. He was a police officer?

9 A. That's correct.

13:23:44 10 Q. And did he provide you with protection for your mining
11 business?

12 A. He was a police officer. His duty was not to protect me
13 from mining.

14 Q. Yes, and did he remain as a police officer in Tongo when
13:23:56 15 you left?

16 A. He was not in Tongo when I left, sir.

17 Q. Where was he?

18 A. He was in Kenema. All over us that particular day we
19 scattered. I could not know - I could not tell where any of my
13:24:06 20 family members were. We were lucky, me and my younger brothers
21 and my wife. We were together and so we made that journey
22 together.

23 Q. The policeman brother, did he leave?

24 A. My police brother?

13:24:17 25 Q. Yes.

26 A. Yes, sir.

27 Q. He went to Liberia with you, did he?

28 A. No.

29 Q. Where did he go?

1 A. As I said in Kenema, when Kenema was attacked, that day
2 everybody scattered home.

3 Q. Where did he go?

4 A. I never knew.

13:24:38 5 Q. And you've not seen him since?

6 A. He is in Sierra Leone.

7 Q. He's in Sierra Leone?

8 A. Yes, that's correct.

9 Q. So, where did he go? It's a simple question.

13:24:47 10 A. Everybody went anywhere.

11 MR BANGURA: Your Honours, the witness has answered the
12 question. The witness has been asked where did his brother go.
13 Initially the witness was asked and he said that everybody
14 scattered.

13:24:57 15 THE WITNESS: Everybody scattered.

16 MR BANGURA: And then the witness was specifically asked
17 where did his brother go and he said he did not know.

18 MR GRIFFITHS:

19 Q. Did you subsequently find out where he went?

13:25:13 20 A. Please, sir, have you ever been any place where there is
21 war?

22 Q. No.

23 PRESIDING JUDGE: Mr Witness, did you find out where your
24 brother went - where this policeman brother went?

13:25:23 25 THE WITNESS: No, ma'am, I had no time to find out.

26 MR GRIFFITHS:

27 Q. So, you've had no contact with him since 1998?

28 A. Until now?

29 Q. Yes.

1 A. Yeah, of course I have.

2 Q. And did you not say to him for example, "Guess what,
3 brother. You know when I left and went to Liberia and we all had
4 to scatter, where did you go?" You've never asked him that?

13:25:50 5 You've never asked him that?

6 A. I don't think I have asked him this particular question,
7 but there are a lot of stories. For example, the first day we
8 talk after years they could not believe I am where I am. They
9 thought I was dead; all of us were killed. You see, myself, this
10 was the same idea I got, because we heard thousands of people
11 have been killed in Kenema and this was the case in the rest of
12 the country.

13:26:09

13 Q. So, the answer to my question is you never asked him?

14 A. No.

13:26:20

15 Q. Thank you. Now you tell us that when you left - and this
16 was on Friday last week - that you were arrested and detained on
17 27 February 1998 in Vahun, is that right?

18 A. That's correct, sir.

19 Q. Who arrested you?

13:26:43

20 A. It was the SOD, sir, and some members of the RUF and the
21 Liberian security forces including the RUF, sir.

22 Q. And where were you detained?

23 A. At the centre of the town. They were calling people, then
24 you have to sit there and then after that they asked us to go on
25 the meeting. They were forcing us to go on the meeting. So, I
26 never went for that meeting. I was lucky I could able to - I
27 could able not to follow them.

13:27:12

28 Q. When you say you were arrested and detained, were you put
29 for example under armed guard?

1 A. I was - they took us to their office where they were and we
2 were there, so after some time they said we should be on a
3 meeting. And we've already understand what usually happened to
4 people when they bring you to their places, so I was lucky I
13:27:56 5 could move from there.

6 Q. Where was your wife - your pregnant wife - at the time when
7 you were arrested and detained?

8 A. She was worried going around.

9 Q. Where was she?

13:28:10 10 A. In Vahun, sir.

11 Q. Yes. Was she also detained?

12 A. No, she was not.

13 Q. So, you were the only one detained?

14 A. Me and many other refugees.

13:28:23 15 Q. Were you brothers also detained with you in Vahun?

16 A. No, sir, my brothers were already hiding.

17 Q. So, you were the only person in your party - your family
18 party - to be detained in Vahun?

19 A. That's correct, sir.

13:28:36 20 Q. And for how long were you detained?

21 A. Well it was around 30 minutes to one hour, sir. We were
22 still trying to talk why we could not understand. We were
23 plenty. Many people were there.

24 Q. And you were under arrest for those 30 minutes or so?

13:28:55 25 A. Yes, sir, it was an arrest.

26 Q. And you managed to escape?

27 A. Yes, sir.

28 Q. How?

29 A. Because there were many people, more than hundred, they

1 were asking us to go, so within that crowd other people were
2 walking outside the road. It was on the road and so I could
3 manage to not follow up them - not follow them, sir.

4 Q. And you slipped away?

13:29:18 5 A. That's correct, sir.

6 Q. And where did you find our wife and the rest of your party?

7 A. I came home. I saw my brothers. All of them were inside
8 the room, but my wife was outside. Nobody could arrest her
9 because she was pregnant, and the house where we were living the
10 owner was the chief in Vahun at least.

13:29:32

11 Q. And just before we break for lunch, when you fled from
12 Kenema there were thousands of Sierra Leoneans fleeing alongside
13 you?

14 A. That's correct.

13:29:46

15 Q. And when you arrived in Liberia you met there further
16 thousands of Sierra Leonean refugees?

17 A. That's correct, sir.

18 Q. Some of whom had already been gathered into camps run by
19 NGOs?

13:30:01

20 A. That's correct.

21 Q. Like the International Red Cross, is that right? Is that
22 right?

23 A. People were coming and they were just finding open space to
24 live. People were living on - outside shops that were closed, by
25 the side of the road.

13:30:24

26 Q. But there were also organised refugee camps?

27 A. No, it was not that much organised, sir. I could not tell
28 about Kolahun by then, but for example in Vahun people were
29 occupying the verandas, kitchen, everywhere, on the road, under

1 trees.

2 PRESIDING JUDGE: Mr Griffiths, I note the time. We are
3 just over the normal lunch time and we will adjourn now until
4 2.30.

13:30:50 5 Mr Witness, as you know, we have our lunch break at this
6 time. We are adjourning court until half past 2. Please adjourn
7 court.

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

9 [Upon resuming at 2.30 p.m.]

14:23:34 10 PRESIDING JUDGE: Mr Griffiths?

11 MR GRIFFITHS: Your Honour, the representation remains the
12 same, but, your Honour, I came back into court about five minutes
13 ago and a matter came to my attention which I think it prudent
14 that I bring to the attention of the Court at this point. I
14:31:55 15 think it might be best, your Honour, if I were to hand up to you
16 - and also ask for a copy to be passed to my learned friend - an
17 e-mail which I received this afternoon at 14.28.

18 PRESIDING JUDGE: I gather from what you are saying that
19 Mr Bangura has not had notice of this yet.

14:32:24 20 MR GRIFFITHS: Your Honour, I am deliberately being vague
21 about this.

22 PRESIDING JUDGE: I note how you are wording it.

23 MR GRIFFITHS: I think once you see the e-mail everything
24 will become clear.

14:36:03 25 PRESIDING JUDGE: Yes, we have had an opportunity to read
26 that message, Mr Griffiths.

27 MR GRIFFITHS: I am grateful, Madam President. I am
28 deliberately being quite elliptical about this, your Honour, for
29 obvious reasons, but I think that document raises a number of

1 issues which perhaps we ought to ventilate in the absence of the
2 witness.

3 PRESIDING JUDGE: Mr Bangura, have you any comment to make
4 on that proposal?

14:36:40 5 MR BANGURA: Your Honours, I will agree with the suggestion
6 by my learned friend. There are issues here which certainly
7 ought to be discussed in the absence of the witness.

8 PRESIDING JUDGE: Mr Witness, I am going to ask that you be
9 assisted to leave the court - first of all the curtains will have
14:36:58 10 to be closed to allow you to walk out - as certain procedural
11 issues have arisen which will be discussed among the lawyers and
12 the Bench. We will inform you. I am not sure how long it will
13 take, but as soon as we have completed those matters you will be
14 recalled.

14:37:20 15 THE WITNESS: Thank you, your Honour.

16 PRESIDING JUDGE: Please close the blinds so the witness
17 may be assisted to leave the well of the court.

18 [In the absence of the witness]

19 PRESIDING JUDGE: We are waiting for the curtains to be
14:38:37 20 opened, Mr Griffiths.

21 MR GRIFFITHS: I am just wondering whether or not we ought
22 to have this discussion in private session.

23 PRESIDING JUDGE: Yes. Perhaps you can indicate your
24 reasons so that I can invite a response and consider it more
14:39:10 25 fully.

26 MR GRIFFITHS: [Microphone not activated] perhaps we can
27 get away with dealing with it without going into private session,
28 your Honour, if I exercise some discretion in terms of the
29 content of the document.

1 Your Honours will note the time and date of this e-mail in
2 the top left, 14.28. Now, I first became aware of the existence
3 of this when I returned to court at or about that time. Now,
4 what is interesting is that despite the fact that protective
14:40:05 5 measures are in place in these proceedings, the timing suggests
6 that others outside of this courtroom are aware of the identity
7 of the witness currently giving evidence. Your Honours will see
8 the wording of the last sentence.

9 JUDGE SEBUTINDE: Mr Griffiths, could I suggest that this
14:40:30 10 be in private session.

11 MR GRIFFITHS: Very well.

12 JUDGE SEBUTINDE: For the very reason that whoever wrote
13 this sooner or later, 30 minutes from now, will hear you talk
14 about his e-mail in further confirmation of the identity of this
14:40:45 15 witness.

16 MR GRIFFITHS: Very well, your Honour.

17 PRESIDING JUDGE: Could you please put the court in private
18 session. Mr Griffiths, do you wish to have a seat while that is
19 being done?

14:41:00 20 MR GRIFFITHS: Very well.

21 [At this point in the proceedings, a portion of
22 the transcript, pages 11927 to 11932, was
23 extracted and sealed under separate cover, as
24 the proceeding was heard in private session.]
25
26
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28
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1 [Open session]

2 [In the presence of the witness]

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

15:04:23

4 PRESIDING JUDGE: Thank you. Sorry, Mr Griffiths, I didn't
5 invite you to proceed. I have should have done.

6 MR GRIFFITHS: I'm grateful:

7 Q. Can I go back slightly and ask you this question, please:

8 You appreciate, don't you, that there are certain measures in
9 place to protect your identity from the public?

15:04:47

10 A. That's correct.

11 Q. And did you request such measures in this case?

12 A. Yes, sir, I do.

13 Q. Are you intending to give evidence in any other proceedings
14 without such protection?

15:05:12

15 A. I am here, sir.

16 Q. Let me try my question again. Are you intending to give
17 evidence in any other proceedings without the benefit of
18 protective measures?

19 A. I hope so.

15:05:31

20 Q. So do I take it that you will be giving evidence in the
21 United States without protective measures?

22 A. They have their own witness protection programme, sir. I
23 don't know which one.

24 Q. Will you be giving evidence in the United States in
15:05:57 25 circumstances whereby your name and identity will not be
26 disguised?

27 A. I don't know, sir. I have discussed with them about my
28 security.

29 Q. Have you told them in the United States that you will not

1 give evidence unless your identity is protected?

2 A. I said my security.

3 Q. No, have you told them in the United States - listen
4 carefully, please - that, "I will not give evidence unless my
15:06:41 5 identity is kept anonymous"? Have you told them that?

6 A. We have not gone in that direction yet, sir. I just told
7 them that I need my security. I need for security reasons.

8 Q. Help us, please. Why have you not raised that with them
9 given your concerns?

15:07:13 10 A. I have discussed with them several times that my
11 security --

12 MR BANGURA: Your Honours --

13 THE WITNESS: That's the general --

14 PRESIDING JUDGE: Just a moment, Mr Witness.

15:07:24 15 MR BANGURA: Your Honours, I would not have interrupted,
16 but it would appear that the witness said he raised matters
17 regarding his security with the people in the United States and I
18 take security to be very broad to cover matters to do with his
19 protection if he was called as a witness.

15:07:43 20 PRESIDING JUDGE: Well, I personally do not feel that it
21 clearly answers the question. Security is very wide and I would
22 wish to get a clear answer to this question, Mr Bangura.

23 MR GRIFFITHS: I am grateful, your Honour:

24 Q. Can we just take things slowly, please. Have you said to
15:08:07 25 the authorities in the United States, "I will not give evidence
26 if my name is made public"? Have you said that to them?

27 A. No, sir.

28 Q. Have you said to them in the United States, "I will not
29 give evidence if my face is shown to the public"?

1 A. I have emphasised on my security reasons, sir, for my
2 security, sir.

3 Q. No, no, I am being very specific and I apologise for
4 interrupting, but I am anxious for us to get on. Have you said
15:08:48 5 to the authorities in the United States, "I will not give
6 evidence if my face is shown to the public"?

7 A. They have not explained to me how.

8 Q. No, no, let me start again. Have you said to the
9 authorities in the United States, "I will not give evidence if my
15:09:08 10 face is shown to the public"?

11 A. I have not said that precisely.

12 Q. Thank you. So help us, please, did you say to the
13 Prosecution in this case, "I will not give evidence if my name is
14 made public"? Did you?

15:09:27 15 A. Yes, sir.

16 Q. Did you say to the Prosecution in this case, "I will not
17 give evidence if my face is made public"?

18 A. I also emphasised on my security.

19 Q. Let's try my question, please. Did you say to the
15:09:42 20 Prosecution in this case, "I will not give evidence if my face is
21 made public"?

22 A. These are hypothetical questions, sir. I can't answer
23 directly.

24 Q. No, it is not.

15:09:54 25 PRESIDING JUDGE: This is for the case in front of us
26 today, Mr Witness.

27 MR GRIFFITHS:

28 Q. Did you say to the Prosecution in this case, "I will not
29 give evidence if my face is made public"?

1 A. Yes, sir.

2 Q. So help us, please, why did you say that to the Prosecution
3 in this case, but you haven't said it to the Prosecution in
4 America?

15:10:18 5 A. I asked about the security reasons and they explained to me
6 the alternatives so --

7 Q. But why have you not made that a stipulation in the United
8 States? Why haven't you said to them, "Look, I am so concerned
9 for my personal security that I am not going to give evidence if
10 my name and my face is made public"? Why haven't you said that
11 to them, but you are saying that here?

12 A. I have expressed my security situation, sir, and they are
13 working on it. I have got no answer from them about it and the
14 court is not yet started over there.

15:10:59 15 Q. As far as you are aware, is your identity currently
16 anonymous in the United States as far as you are aware?

17 A. Yes, sir.

18 Q. Is it?

19 A. Yes, sir.

15:11:09 20 Q. Who told you that?

21 A. The people I talk with, sir.

22 Q. So the American authorities told you that you would remain
23 anonymous, did they?

24 A. This is what I understood, sir.

15:11:24 25 Q. Did they tell you that?

26 A. Yes, sir, for now.

27 Q. When did they tell you that?

28 A. Since our last meeting, sir.

29 Q. In May, yes, is that right?

1 A. That is correct.

2 Q. And in what circumstances did that arise?

3 A. About my security concerns, sir?

4 Q. Yes, but you still didn't say to them, "I am not going to
15:11:53 5 give evidence", did you?

6 A. Please, sir, this is a question that is very, very critical
7 and I am learning different things from you today and they have
8 not told me - they have told me that my identity is secure and
9 until I don't know yet. I have got no answer from them about
15:12:19 10 that.

11 Q. So you don't know whether or not your name has already been
12 made public in the United States, do you?

13 A. I understand my name has not been made public.

14 Q. Have you been specifically told that, yes or no?

15:12:34 15 A. Yes, sir.

16 Q. You were specifically told that, were you?

17 A. That is correct.

18 Q. Very well. Let's move on. You told us that you had met
19 with thousands of other Sierra Leonean refugees when you crossed
15:12:54 20 into Liberia, is that right?

21 A. That is correct.

22 Q. And you were aware of the presence of a large refugee camp
23 just across the border near Vahun, is that right?

24 A. There was no camp there - established camp, sir, but there
15:13:18 25 were thousands of refugees.

26 Q. Was there a camp near Kolahun?

27 A. That is correct.

28 Q. Were you aware of the existence of that camp when you
29 crossed into Liberia?

1 A. No, sir.

2 Q. When did you first become aware of the existence of that
3 camp?

4 A. During the time I was in Voinjama, sir.

15:13:47 5 Q. And in due course it is right, is it not, that you took
6 refuge in that camp when Voinjama was attacked by rebels?

7 A. Before Voinjama was attacked, sir.

8 Q. You took refuge there?

9 A. That is correct.

15:14:11 10 Q. Now, it is right, is it not, that that camp was being run
11 by NGOs?

12 A. That is correct.

13 Q. And it is also right, isn't it, that those camps afforded a
14 degree of security which was not available outside of the camp?

15:14:36 15 That is right, isn't it?

16 A. That is correct.

17 Q. So that, for example, Liberian security personnel, RUF
18 personnel, could not enter that camp carrying arms. That is
19 right, isn't it?

15:14:56 20 A. That is correct.

21 Q. And within that camp free medical assistance and food was
22 provided by those international aid organisations, is that right?

23 A. That is correct.

24 Q. When you fled from Voinjama you went to that camp, didn't
15:15:15 25 you?

26 A. That is correct.

27 Q. How long did you stay there?

28 A. A month or two, sir.

29 Q. So you stayed in the camp for a couple of months and whilst

1 there you received identification papers denoting you as a
2 refugee, didn't you?

3 A. That is correct.

15:15:46

4 Q. The grant of such identification papers would have allowed
5 you to remain in that camp?

6 A. That is correct, but --

7 Q. Indeed you could have stayed in the camp indefinitely.

8 A. I was allowed to move around, sir.

15:16:09

9 Q. Yes, but you could have stayed in the camp indefinitely had
10 you so wished.

11 A. Yes, sir.

12 Q. And that camp, as you have agreed, afforded a degree of
13 security not available outside the boundaries of the camp. That
14 is right, isn't it?

15:16:26

15 A. There was security, sir, and there were --

16 Q. Yes, but you were afforded a measure of security within the
17 camp which was unavailable outside, is that right? Is it right?

18 A. Please, sir, being identified as a refugee in Liberia we
19 have collective identity, but that doesn't mean we could not move
20 out.

15:16:54

21 Q. I am not asking you about that, because we know in due
22 course you did and we will get there I assure you. My question
23 is very simple: You could have stayed in the camp indefinitely
24 and it afforded a measure of security unavailable outside, do you
25 agree?

15:17:15

26 A. In some cases, sir.

27 Q. So help us, please, and this is the question: Why did you
28 leave to travel to Monrovia?

29 A. Because my family was in Voinjama, sir. I was living in

1 Voinjama before I could move to Kolahun refugee camp and it was
2 because of the harassment I was facing in Voinjama, so when
3 Voinjama was attacked I came to see my family, if they were okay.
4 So from there we could not go back to Kolahun.

15:17:55 5 Q. Why not?

6 A. Because we were afraid. There was war and we were running
7 away from war. So where we were residing, if there is another
8 war there it was better for us to go where we could find good
9 security. That was our thought.

15:18:14 10 Q. So help us, who were you running from when you left
11 Voinjama?

12 A. I was running from the intimidation in Voinjama, sir.

13 Q. Intimidation from who?

14 A. From the security forces.

15:18:34 15 Q. Which security forces?

16 A. The SODs, the RUF, the AFL.

17 Q. Right, which brings me back to my question. If you are
18 running away from them, why are you running to Monrovia not to
19 the refugee camp?

15:18:58 20 A. Thousands of people were running away, sir.

21 Q. No, no, try my question, please. If they are the ones who
22 are harassing you, why are you running into their arms rather
23 than away from them? Do you understand?

24 A. Yes, sir, I am getting you well, but you don't want to
15:19:18 25 understand my own situation then. When we were in Voinjama we
26 were oppressed and especially when Voinjama was attacked it was
27 good for us to leave that particular environment or else we could
28 have been between the two fighting forces and that was what we
29 were avoiding, and it was our right to move from that particular

1 place, because if you stayed there then you would be subjected to
2 any crime, or any violence.

3 Q. Understand this: The reason I am asking you these
4 questions is because I am trying to test the veracity, that is
15:20:03 5 the truthfulness, of your account. Do you understand me?

6 A. Yes.

7 Q. And I am asking you a very logical question. You knew
8 there was relative safety to be had in that refugee camp and I am
9 simply asking, if you are telling us the truth, why not head for
15:20:25 10 the camp, why instead head for Monrovia? Do you see what I am
11 asking?

12 A. Yes, sir.

13 Q. Now, can I get an answer now?

14 A. Of course, yes, sir. Before Voinjama was attacked we had
15:20:40 15 been subjected to intimidations, raids, looting, et cetera, and
16 the situation became worse after Voinjama was attacked. We could
17 sense that and so it was very, very important for us to leave
18 that particular area, or else a lot of people who stayed there
19 were arrested, were killed. All these things happened there, so
15:21:09 20 it was the best idea for us to move from that place, sir.

21 Q. I am going to move on. Help us, please. Those who
22 attacked Voinjama, which caused you to flee, were they
23 anti-President Charles Taylor forces?

24 A. I don't know, sir. They were unknown gunmen. I never knew
15:21:34 25 who they were. I never saw them. I was not in Voinjama when
26 Voinjama was attacked. I was in Kolahun and when I came I met my
27 family. They said there were attack and people were killed
28 there, so thousands of people were fleeing the area, so it was
29 good for us to move from that place, sir.

1 Q. I am asking you, you see, because you tell us that you were
2 someone with your ear to the ground and you got to find out
3 everything that was going on. So help us, were the attackers
4 members of ULIMO?

15:22:11 5 A. I could not tell, because when Voinjama was attacked there
6 was no name for the attackers. They were just called dissidents
7 and so that was the only name we knew.

8 Q. Were they LURD?

9 A. I don't know. I never knew any name.

15:22:31 10 Q. Are you familiar with the name LURD?

11 A. When I came to the country where I am living now I had to
12 know about that name.

13 Q. But you did not know about that name whilst in Liberia?

14 A. No, sir.

15:22:45 15 Q. Did you know the name ULIMO whilst you were in Liberia?

16 A. That's correct.

17 Q. Who are ULIMO?

18 A. ULIMO were the anti-Taylor forces, sir.

19 Q. And you were aware, given where you were living in Kenema,
15:23:02 20 that for a long time ULIMO forces controlled Lofa County in
21 Liberia, didn't they?

22 A. By then I was not in Liberia. I never --

23 Q. No, no, no, I'm not asking if you were there, but given
24 that you were in Kenema, so close to the border, were you aware
15:23:19 25 that ULIMO for much of the mid-1990s had control of Lofa County?
26 Did you know that?

27 A. When I was in Liberia, yes, sir.

28 PRESIDING JUDGE: Mr Griffiths, you asked the witness a
29 couple of questions about did you not know about that name whilst

1 in Liberia. Now you are saying to him when you were living in
2 Kenema. Did you mean in Sierra Leone?

3 MR GRIFFITHS: Yes, my fault, your Honour. Your Honour is
4 perfectly right:

15:23:47 5 Q. When you were living in Sierra Leone in Kenema, were you
6 aware of the name ULIMO?

7 A. Yes, sir, that's correct.

8 Q. Were you aware that ULIMO were anti-Taylor forces?

9 A. Yes, sir, that's correct.

15:24:01 10 Q. Were you further aware that they were for the most part
11 composed of Mandingos?

12 A. Yes, sir, that's correct.

13 Q. Did you also know that their ranks also included many
14 Sierra Leoneans?

15:24:21 15 A. I knew ULIMO was in Sierra Leone.

16 Q. And you knew that within the ranks of ULIMO there were many
17 Sierra Leoneans fighting for ULIMO? You knew that, didn't you?

18 A. I cannot tell directly, sir, according to how you want me
19 to explain this. I only knew ULIMO was in Sierra Leone and was

15:24:42 20 in Liberia. I never knew ULIMO was - I don't know anything about
21 ULIMO.

22 Q. Where in Sierra Leone were ULIMO?

23 A. I used to see ULIMO in Kenema.

24 Q. Right, when?

15:25:01 25 A. During the early 90s.

26 Q. Yes. And how long did they stay there?

27 A. Please, sir, by then I was not - I was not too familiar
28 with ULIMO, but ULIMO was in Sierra Leone. Everybody knew ULIMOs
29 were in Sierra Leone.

1 Q. But is your evidence that ULIMO controlled Kenema for a
2 while in the mid-1990s?

3 A. I don't know, but ULIMO were in Kenema. I don't know if
4 they were in control of Kenema.

15:25:37 5 Q. But they were in Kenema?

6 A. Yes, sir, they were.

7 Q. Very well. And you also knew, did you, that they
8 controlled Lofa County for a while?

9 A. Yes, sir, that's correct.

15:25:52 10 Q. You also knew, did you not, that there were elections in
11 Liberia in July of 1997?

12 A. Yes, sir, that's correct.

13 Q. So when you left Kenema and fled to Liberia in February
14 1998 you knew that Charles Taylor was the President of that

15:26:11 15 sovereign country?

16 A. Yes, sir, that's correct.

17 Q. And you knew, did you not, that Liberia at that time was in
18 the process of disarming the former ULIMO forces in Lofa County?
19 You knew that, didn't you?

15:26:31 20 A. I came in Liberia, there was no war there, sir, and there
21 was positive peace.

22 Q. But you knew also that efforts were being made to disarm
23 former ULIMO fighters?

24 A. I knew disarmament has happened there.

15:26:47 25 Q. And it was still going on?

26 A. No, the time I was in Liberia there was no - there was
27 positive peace. It was after the election. President Taylor was
28 the President and there was no war until when Voinjama was
29 attacked.

1 Q. Very well. Now you also mentioned to us - and I am still
2 on the topic of ULIMO - a man called Varuma Sherif, yes?

3 A. That's correct.

4 Q. He was a former ULIMO commander, wasn't he?

15:27:24 5 A. So I heard.

6 Q. Who told you that?

7 A. People in Voinjama and Varmuna Sherif, that was the first
8 time I saw him and that was the last time I saw him.

9 Q. And he you knew to be a former strongman within ULIMO,
15:27:38 10 didn't you?

11 A. Yes, sir.

12 Q. And because of that status within ULIMO he was
13 well-respected in Voinjama, wasn't he?

14 A. Yes, sir, that's correct.

15:27:52 15 Q. Particularly amongst former ULIMO combatants?

16 A. Yes, sir.

17 Q. Do you agree?

18 A. Yes, sir, that's correct.

19 Q. Now, Voinjama is one of the main towns in Lofa County,
15:28:08 20 isn't it?

21 A. Yes, sir, that's correct.

22 Q. And, as you have explained to us, it's situated in a very
23 strategic position, is it not?

24 A. Yes, sir, that's correct.

15:28:15 25 Q. Because it commands transport routes to both Guinea and
26 Sierra Leone?

27 A. Yes, sir, that's correct.

28 Q. And in the opposite direction onwards to Gbarnga, Cote
29 d'Ivoire and Monrovia, would you agree?

1 A. I don't know about that, sir.

2 Q. Very well. But, in any event, it's walking distance from
3 the Guinea border, isn't it?

4 A. Yes, sir, that's correct.

15:28:43 5 Q. How long would it take to walk from Voinjama to the Guinea
6 border?

7 A. I never take that road. I never made any --

8 Q. But it's not - what kind of distance are we talking about?

9 A. It's a very short distance, sir.

15:28:59 10 Q. A couple of hours walk?

11 A. That is correct, sir.

12 Q. And how long would it take to walk from Voinjama to the
13 Sierra Leonean border?

14 A. It could take more than - by foot, sir?

15:29:17 15 Q. By foot. Let's stick with by foot.

16 A. I never walked from Voinjama to the Sierra Leonean border,
17 but by vehicle it could take like eight hours.

18 Q. Eight hours. That's good enough for me. So in effect
19 would you agree that Voinjama you could describe as something of
15:29:40 20 a frontier town? It's very near two frontiers, would you agree?

21 A. That's correct.

22 Q. Would you agree?

23 A. Yes, sir.

24 Q. And one consequence of its proximity to those two frontiers
15:30:00 25 was that it could be quite a lawless place, couldn't it?

26 A. In principle, no, sir.

27 Q. By that I mean this: It was a major trading and
28 marketplace for looted goods from Sierra Leone and elsewhere,
29 wasn't it?

1 A. I don't know.

2 Q. No, help us. You were a businessman there so you are in a
3 position to help us, please. Because of its location it was a
4 very important trading point for looted goods and other

15:30:45 5 contraband, wasn't it?

6 A. It could be, sir.

7 Q. No, no, no, I am not interested in could be. You know.
8 Help us. Was it?

9 A. I don't want to give any answer that could not be fair,
15:31:07 10 sir. What I want to say here is that Voinjama, while I was
11 living there, there was relative peace in Liberia and there were
12 security forces who were enforcing the law in Liberia as it was
13 supposed to be, but unfortunately we were harassed, intimidated
14 by the same security forces we thought could give us security.

15:31:29 15 Q. I am just talking for the moment generally in terms of this
16 geographical space called Voinjama. For example, were you aware
17 of arms being sold in and around Voinjama by former ULIMO
18 fighters, selling off the weapons that they had when they had
19 been fighting for ULIMO? Were you aware of that?

15:31:56 20 A. No, sir.

21 Q. Were you aware of Varuma Sherif being involved in any kind
22 of business like that?

23 A. No, sir.

24 Q. Did you speak to any former ULIMO fighters?

15:32:15 25 A. I was in Voinjama, sir. There were a lot of people in
26 Voinjama and it was very, very common to see somebody who has had
27 experience of war. So that was not my interest.

28 Q. But during that period when you were in Voinjama beginning
29 in February 1998 ULIMO still exercised a great deal of power in

1 Voi nj ama, di dn' t they?

2 A. No, there was no ULIMO in Voi nj ama when I was there, sir.

3 There was SOD, AFL, RUF, some SSS and sometimes the ATUs.

4 Q. So when you told us on Friday that ULIMO' s influence

15:33:08 5 amongst the Mandingos in Voi nj ama was strong, what did you mean?

6 A. I said Varmuya Sheri f, si r, he was very, very respected in

7 Voi nj ama. And Voi nj ama - there are two ethnic groups in

8 Voi nj ama. On the one side are the Mandingo people. On the other

9 side are the Loma people. The Mandingo people respect Mr Varmuya

15:33:36 10 Sheri f very, very well. That was what I observed there, sir.

11 Q. No, no, no, what you told us was that there was a split in

12 Voi nj ama, that the Mandingo communi ty, there was a strong ULIMO

13 influence amongst them and that the Loma people were pro-Charles

14 Taylor. Do you want to change that now?

15:33:56 15 A. I said the Mandingo people were supporters of the Al haji

16 Kromah and they respected Mr Varmuya Sheri f and I said Voi nj ama

17 was separated by - in two di fferent posi ti ons with two di fferent

18 ethni c and ethni c groups with di fferent poli ti cal ideas, si r.

19 Q. Yes, and the strong poli ti cal influence amongst the

15:34:28 20 Mandingos was ULIMO, is that right?

21 A. This is how you could i denti fy the people, si r.

22 Q. Yes. And they were anti -Taylor, is that right?

23 A. Not all of them. Varmuya Sheri f was former ULIMO officer

24 and he was working with the Charles Taylor government. He was

15:34:52 25 holding the very seni or posi ti on in the Charles Taylor' s

26 government, so there were ULIMOs in the - there were members -

27 former ULIMO members in the Liberian police, Liberian army, the

28 SOD, the SSS, et cetera. So I don' t know how I could say about

29 them, but they were people who would stand and say, "I love

1 Al haji Kromah" or, "Varmuya Sherif is my brother", or my boss or
2 whatsoever the thing.

3 Q. I won't labour the point. Let's move on. When you left -
4 fled from Kenema, how much money did you and your family have?
15:35:37 5 What's so funny?

6 A. The money you are saying, sir. I was having some money, of
7 course.

8 Q. How much?

9 A. I was having more than a million leones by then.

15:35:50 10 Q. So when you left Sierra Leone you had in your possession
11 over a million leones, yes?

12 A. That's correct, sir.

13 Q. Where did you get it from?

14 A. I was doing business in Kenema. I used to have money for
15:36:04 15 myself.

16 Q. Yes, what business were you doing in Kenema to get that
17 kind of money?

18 A. I have mentioned the business I was doing here, sir. I was
19 doing - I was mining, I was buying and selling other commodities.

15:36:19 20 Me and my wife. My wife too was doing business, so we had access
21 to money.

22 Q. Who were you selling diamonds to?

23 A. I could buy and sell anywhere. In Sierra Leone you could
24 buy diamonds anywhere and sell it.

15:36:31 25 Q. Who were you selling to?

26 A. To people who would buy, people who had offices, diamond
27 offices.

28 Q. Like who?

29 A. Like anybody. I had my bush, my father has a bush, where I

1 could just go. I got licence from the government. I could go
2 and mine my diamonds. If I got diamonds I could go and sell it
3 to anybody. Even you could buy my diamonds. I could sell it to
4 you, for example.

15:37:01 5 Q. I wish I had the money to afford it, but let me ask you
6 this: How did you manage to take that money out of Sierra Leone
7 without these rapacious RUF soldiers taking it from you?

8 A. When we were travelling my wife was pregnant, so we had a
9 very small bag, this wrist bag, a bag you could tie on your side,
10 15:37:28 so she had that bag and if you could see her you could just think
11 she is just pregnant, but the money was with her.

12 Q. Okay. Then, as we know, you had to pay a bribe in order to
13 cross into Liberia, didn't you?

14 A. Yes, sir.

15:37:52 15 Q. How much?

16 A. I could not remember exactly how much money we gave,
17 because if you never do that you would never go across the
18 border.

19 Q. No, no, I have good reason for asking you about these
15:38:08 20 things. Help us, please, how much did it cost in terms of the
21 bribe to enter Liberia?

22 A. There was no specific amount of money you could give
23 people. For example, if you have a nice shoe, they would take it
24 from you and if you don't grumble then that is a bribe probably,
15:38:28 25 or they will force it from you. You were not asked - we were not
26 asked to give specific amount of money, but they could see
27 anything from you and grab it from you. So with that thing then
28 you could go across, because there were thousand of people.
29 There were thousands of people wanting to go across and the

1 security were not like as many as the refugees were. We were
2 desperate. We were desperate. We were going somewhere we could
3 be safe.

15:39:07 4 Q. It is my fault for trying to go too quickly. Let me ask
5 you this: How many people were travelling in your party fleeing
6 from Kenema? There was yourself, yes?

7 A. That is correct.

8 Q. Your pregnant wife?

9 A. That is correct.

15:39:22 10 Q. Two brothers?

11 A. That is - three brothers.

12 Q. Three brothers?

13 A. That is correct.

14 Q. Anybody else?

15:39:30 15 A. Yes, sir.

16 Q. Who else?

17 A. With a lady we used to call Auntie and her husband.

18 Q. Yes. So on my calculations there were something like seven
19 people in your party for whom you had responsibility, would you
15:39:48 20 agree?

21 A. No, sir.

22 Q. What is it that you disagree with?

23 A. We were not seven. I was not responsible for seven people.

24 Q. How many people were you responsible for?

15:40:05 25 A. I was responsible for me, my wife and my three brothers.

26 Q. Right, so five of you?

27 A. Yes, sir.

28 Q. Okay, so consequently, when you got to the Liberian border,
29 you had to pay bribes in respect of five people. Would that be

1 fair?

2 A. For us to go across we were not - they were not looking at
3 kids to pay. If you come around and you are a family member then
4 you will go and try to beg the people to let you go across.

15:40:40 5 Q. In any event, did you have to pay any money to cross into
6 Liberia?

7 A. They took property from me.

8 Q. What?

9 A. My stereo tape.

15:41:05 10 Q. What stereo tape?

11 A. I was having stereo tape.

12 Q. Yes?

13 A. And some money of course. I could not just --

14 Q. How much money? A stereo tape, your Honour.

15:41:24 15 A. I could not remember how much money I was having, sir, when
16 they took from me.

17 Q. Let's just step back a moment, please. What is a stereo
18 tape? Could you explain it for us?

19 A. Yes, sir.

15:41:37 20 Q. What is it?

21 A. It is an instrument to play music.

22 Q. Is it a tape player, or a CD player, or what?

23 A. A tape player.

24 Q. A tape player?

15:41:52 25 A. That is correct.

26 Q. Was it a big one?

27 A. Yes, sir, about six batteries.

28 Q. Okay, so they took that and they took some money as well.

29 How much?

1 A. I could not remember exactly how much money it was.

2 Q. A few thousand leones?

3 A. Yes, sir.

4 Q. Thank you. So when you finally arrived - and remember, of
15:42:15 5 course, you had to pay for transport at some stage because your
6 wife was unable to walk, is that right?

7 A. That is correct.

8 Q. And also, of course, no doubt you would have had to pay for
9 food and shelter on the way to Voinjama, yes?

15:42:36 10 A. No, sir.

11 Q. Did you not, very well. In any event, help us with this:
12 When you arrived in Voinjama, how much money did you have left?

13 A. I said I was having about a million some hundred leones,
14 sir.

15:42:51 15 Q. So you still had that money intact when you arrived in
16 Voinjama, did you?

17 A. Yes, sir, that is correct.

18 Q. Now, on Friday you told us that you arrived in Voinjama on
19 27 February 1998.

15:43:15 20 A. That is correct.

21 Q. Is that true?

22 A. That is correct.

23 Q. And you went on to say that within a couple of months you
24 had built up a business in the centre of Voinjama, a kiosk
15:43:28 25 selling various items with tables and chairs outside, is that
26 right?

27 A. That is correct.

28 Q. Now help us, please, I want to understand this business,
29 how many people did you employ within two months?

1 A. Me, my brothers and my wife. It was like a family
2 business.

3 Q. A family business. And what were you selling?

15:44:04

4 A. We were selling cigarettes, palm wine, beer, stout,
5 lighter, et cetera.

6 Q. And where were you getting your stocks from?

15:44:22

7 A. In Voinjama every Friday, sir, there used to be a market
8 day. People would come from all over the country, from Guinea,
9 everywhere, so when they bring these goods you could go to the
10 market and buy the goods from the market. Then you could come
11 and keep your business at home.

12 Q. So you would buy your stocks locally, is that right?

13 A. That is correct.

15:44:42

14 Q. And you told us that you sold cold beer. Did you have a
15 refrigerator?

16 A. I had ice box.

17 Q. Yes, and did that involve you going to buy ice on a daily
18 basis?

19 A. That is correct.

15:44:56

20 Q. And how many tables had adorned your premises?

21 A. There were long benches. People would sit on the benches,
22 then with another local table like that people would put their
23 drinks on and enjoy themselves.

24 Q. And how many people could you cater for at these premises?

15:45:24

25 A. There used to be a lot of people, sir.

26 Q. How many? Give us a number, please.

27 A. It could be more than 20/30 people at the same time, but
28 people were coming and going.

29 Q. And from the kind of people who were coming and going and

1 frequenting your premises, would it be fair to say that in many
2 ways your place, within a couple of months, became the favourite
3 watering hole in Voinjama?

4 A. I could say that, sir.

15:45:56 5 Q. Which brings me to this, you see, witness: How is it that
6 you, a refugee, arrive in Voinjama and within two months you are
7 able to reach such a prominent position? How?

8 A. I was very much smart, sir. I was smart. I had a bit of
9 money that I could develop and I saw that opportunity. There
15:46:25 10 were people there, some of the refugees were working, so people
11 were having money. So if I have the idea to do business, then I
12 think it was a smart idea, sir.

13 Q. So what we are to understand is that within a couple of
14 months of your arriving you became the Rockefeller of Voinjama in
15:46:49 15 terms of having the best watering hole in the whole city, yes?

16 A. No, sir, I was not the best, sir. There were other people
17 who were doing businesses like mine, sir.

18 Q. But yours became the favourite place for everyone?

19 A. Yes, sir, people used to come to me. There were a lot of
15:47:08 20 Sierra Leoneans there and I was selling palm wine. This palm
21 wine people are very attracted to it, so when palm wine comes in
22 the morning and in the evening, so people will come there and
23 drink palm wine.

24 Q. Did you have a generator?

15:47:23 25 A. No, sir.

26 Q. No?

27 A. No.

28 Q. Did you serve food?

29 A. My wife used to make this banana cake and cassava, so

1 people used to buy it.

2 Q. So it wasn't just drink, it was food as well.

3 A. Yes, sir.

4 Q. Available on the premises.

15:47:49 5 A. Exactly.

6 Q. Right. Of course this was a place, if I understand your
7 evidence, frequented by the big wigs, the Mosquitos of the world
8 and the Varmuya Sherif. They were amongst your customers, were
9 they?

15:48:04 10 A. I never said I had Mosquito or Varmuya Sherif as my
11 customer. I said some of the securities that comes with these
12 guys reached to my place, sir. That was what I said.

13 Q. And it was during the course of them imbibing on your
14 premises that drink, causing loose lips, caused you to garner all
15 of this information, is that right?

15:48:34 16 A. I am sorry, sir?

17 Q. Your knowledge of what was going on came about as a result
18 of gossip between your customers whilst on your premises?

19 A. That is correct, sir.

15:48:56 20 Q. So what you came to know about arms shipments you heard
21 through gossip, yes, is that right?

22 A. Sir, I believe some of these security were not disciplined
23 and so sometimes - because when they come to my place I sell
24 drinks there, I encourage people to come and buy drink, I cared
15:49:25 25 for them, so if they come they started talking. I had no
26 authority over them. I could just sit and listen to what they
27 are saying.

28 Q. No, no, I accept that is your case. I am testing it, which
29 is why I am asking, you see, so help us. Your knowledge about

1 arms movements, that knowledge you arrived at through gossip from
2 these securities, is that right?

3 A. If you could say goship - godship?

4 Q. Gossip.

15:49:56 5 A. Godship, or gossip, I don't know, but what I knew was that,
6 please, sir, as I have said here before is that I had this kiosk
7 and I was making my living out of there. So people who come
8 there, the securities, we were still under them. They could come
9 and do anything to us. But if they come and buy drink, or sit
10 and drink, I used to appreciate that.

11 Q. Yes. Let me put the question differently. Taking it
12 slowly, how long did you spend in Voinjama, bearing in mind that
13 you arrived on 27 February 1998?

14 A. I was there for about a year and probably one and some
15:50:56 15 months.

16 Q. Right. So between February 1998 and about March 1999 you
17 were running this business in Voinjama, yes?

18 A. That is correct.

19 Q. Thank you. During that period of just over a year, did you
15:51:28 20 personally see any arms shipments?

21 A. I saw - yes, sir, that is correct.

22 Q. Did you see any? Did you physically see a box open with
23 firearms, for example, in it? Did you ever see that?

24 A. I saw in one occasion I saw the aeroplane.

15:52:02 25 Q. No, no. I know you saw an aeroplane land. My question is
26 very simple: Were you present beside the aeroplane unpacking the
27 boxes to know what was inside?

28 A. I never knew - I never see what was inside.

29 MR BANGURA: May it please your Honour, it is just to allow

1 the witness to complete his answer. He was answering the
2 question when my learned friend interrupted.

3 PRESIDING JUDGE: Please give your answer, Mr Witness.

4 THE WITNESS: I saw - in one occasion when the aircraft was
15:52:37 5 in Voinjama at the Voinjama airport and the RUF, the AFL and some
6 other, the SODs, they were off-loading goods, but I never saw an
7 open box with arms inside. But I heard an aeroplane would be
8 coming with ammunition for Sierra Leone some days before that
9 happened and I saw it. I saw it on different occasions when the
15:53:08 10 RUF guys would come and collect weapons or ammunition or supplies
11 for Sierra Leone and took it back to Sierra Leone. I saw that.

12 MR GRIFFITHS:

13 Q. All right. Now, let's start again. Have you ever been
14 physically present when individuals have come and you have seen
15:53:36 15 boxes with ammunition being picked up by them? Have you seen
16 that?

17 A. I heard.

18 Q. No, no, listen to the question. Have you seen that?

19 A. I saw boxes but --

15:53:56 20 Q. We will come to what you heard in a minute.

21 A. I saw boxes. I saw boxes inside trucks or jeeps, but I did
22 not saw or open the box and see what was inside. I never had
23 that opportunity or that authority to do that.

24 Q. Thank you. And help us with this: Those boxes that you
15:54:25 25 saw, did you have any knowledge as to where they came from?

26 A. No, sir, I'm sorry.

27 Q. Those boxes that you say you saw, have you got any idea
28 where they ended up?

29 A. Yes, sir, that's correct.

1 Q. You don't, do you?

2 A. Yeah, I do.

3 Q. Where?

4 A. They were taking them to Sierra Leone.

15:54:53 5 Q. How do you know?

6 A. I knew because before they could come and collect the boxes
7 the same guys who will take the boxes to Sierra Leone, they have
8 been in Voinjama for some days, a day or two, then they will come
9 to my kiosk. While drinking, they will explain about this and
10 then they could get the boxes and go back.

11 Q. Did grow back with them?

12 A. No, I never did.

13 Q. Exactly. So do you have any idea where the boxes went?

14 A. They take the boxes to Sierra Leone. They went with the
15 same road they came with so it's absolutely they were taking the
16 boxes to Sierra Leone.

17 Q. So can we put it this way: Your belief was that they were
18 going to Sierra Leone, but you cannot say for certain because you
19 did not travel with them. Would that be fair?

15:55:29 20 A. No, sir, it was not my belief, sir. This was not my
21 belief. It was something that was - that was in reality. These
22 RUF guys, they come from Sierra Leone to collect these items and
23 after they have received it they go back to Sierra Leone with it.
24 So it was.

15:55:47 25 Q. Did you ever see any diamonds in Voinjama?

26 A. If I saw diamonds in Voinjama?

27 Q. Yes, please.

28 A. No, sir.

29 Q. Did you ever see any diamond dealers in Voinjama?

1 A. I saw people who they said were diamond dealers.

2 Q. Who said they were diamond dealers?

3 A. The - for example, the SOD guys, the soldiers, or the AFL,
4 the ATU.

15:56:42 5 Q. And what nationality were these diamond dealers?

6 A. I saw two Arab guys. The other one was - one of them was
7 Lebanese and he was, according to the same SOD police, the same
8 security, they said these guys are from Sierra Leone, with the
9 Saad Group and the Saad Group, I know them from Sierra Leone.

15:57:20 10 They are engaged in diamonds and coffee or cacao business. So
11 hence they said they were Saad. I knew the Saad Group. They
12 were in Kenema Town, for example, and their business was diamond
13 and coffee and cacao.

14 Q. Right, thank you. So did you see any RUF soldiers with
15 diamonds?

15:57:48

16 A. No, sir, diamonds were very secret there. You could not
17 see it. If somebody could have bring it to me I could have said
18 no, because it was dangerous.

19 Q. Also on Friday you told us that you recall an occasion when
20 General Mosquito came from Sierra Leone, yes?

15:58:14

21 A. When he came from Sierra Leone and went to Voinjama and
22 when he came from Voinjama it was the time I saw him two - I saw
23 him two times. The first time he was coming from Sierra Leone to
24 Monrovia and when he was coming from Monrovia together with
25 Chucky Taylor, Campare and Victor and others including these Arab
26 guys, these Arab like guys.

15:58:38

27 Q. Yes, now let's just deal with that slowly, shall we?
28 During that 12 to 13 month period whilst you're in Voinjama you
29 saw General Mosquito on two occasions, yes?

1 A. That is correct.

2 Q. In what month was that?

3 A. It was in - I said it was in September, sir.

4 Q. September 2007. Sorry, September 1998?

15:59:21 5 A. That's correct, sir.

6 Q. And can I just understand what you are telling us. You had
7 not travelled with Mosquito to Voinjama?

8 A. No, sir.

9 Q. You did not travel with Mosquito from Voinjama?

15:59:42 10 A. No, sir.

11 Q. All you can say is you were told by someone that Mosquito
12 was on his way to Monrovia?

13 A. That's correct.

14 Q. But you can't say for certain whether he went to Monrovia
15 or not?

15:59:58 16 A. If I saw Mosquito's bodyguards to my kiosk, they come there
17 and have a drink, they explain about Sierra Leone. Sometimes
18 when in Liberia we had radio we could listen to news. So if they
19 come and explain something that we have heard over news then it's
16:00:20 20 true. If Mosquito is in Voinjama, for example, his bodyguards

21 come to my place and explain Mosquito - about Sierra Leone, about
22 what they are here doing, then that's true. When they went to
23 Monrovia after a week or something and when they come back they
24 were in Voinjama for about two weeks and they used to come to my

16:00:45 25 place. So I saw people who went and made and signed this
26 contract, they were having money, they brought the money to my
27 kiosk, they bought drinks, they enjoyed themselves with the
28 money. I saw cigarettes, I saw wine, foreign cigarettes, foreign
29 wines that were not in Voinjama at that time for sale. I saw it.

- 1 So there were a lot of evidence that they were saying the
2 truth and I have been confronted by Victor who had promised us
3 that if somebody - if somebody signed the contract for this
4 training in Gbarnga then when Chucky Taylor comes to Voinjama
16:01:26 5 then it was the time the person - the people were going to
6 receive some money and sign the contract. I saw that. I saw
7 people who did that and I saw the money and the evidence proved
8 it. So what I am saying is true.
- 9 Q. Yes, mine was a very simple question and I am going to try
16:01:44 10 it once more. You cannot say for certain that Mosquito went to
11 Monrovia, can you?
- 12 A. Of course I can say that, sir.
- 13 Q. Based on what you were told, yes?
- 14 A. I saw him in Voinjama and he went to Monrovia.
- 16:02:02 15 Q. And you can only say that based on what you were told, is
16 that right?
- 17 A. And what I saw, sir.
- 18 Q. Very well. Let's move on. There came a time when you
19 decided to flee from Voinjama to Monrovia, is that right?
- 16:02:21 20 A. Yes, sir, that's correct.
- 21 Q. You were still in company with your wife and three
22 brothers, is that right?
- 23 A. No, sir.
- 24 Q. Who was with you when you began to flee towards Monrovia?
- 16:02:31 25 A. My wife, my daughter, my wife's sister, her boyfriend and
26 my younger brothers.
- 27 Q. And your three younger brothers?
- 28 A. Not three of them, sir.
- 29 Q. How many of them?

1 A. It was one of them. The two were already in Monrovia.

2 Q. Very well. You got as far as St Paul's bridge on your
3 account?

4 A. That's correct.

16:03:03 5 Q. Where you met up with the ATU, is that right?

6 A. That's correct, sir.

7 Q. You were separated from your wife, is that right?

8 A. That's correct.

9 Q. And whilst so separated Chucky Taylor in your presence
16:03:26 10 executed how many men?

11 A. Four men, sir, including my sister-in-law's boyfriend.

12 Q. And, in addition, cut off their heads, yes?

13 A. That's correct.

14 Q. You were thereafter detained by the dreaded ATU and taken
16:03:55 15 to Gbatata, yes?

16 A. To Gbarnga. From Gbarnga to Gbatata, sir.

17 Q. But you ended up in a detention centre in Gbatata, yes?

18 A. That's correct.

19 Q. From your description of it Gbatata was in effect a torture
16:04:17 20 camp?

21 A. That's correct.

22 Q. It was purpose built for the purpose of torture, on your
23 account?

24 A. That's correct.

16:04:26 25 Q. There were holes dug in the ground which had been cemented,
26 filled with water, in which people were detained?

27 A. That's correct.

28 Q. And just help us, when you were explaining the dimensions
29 of these holes last week I was somewhat confused, so can you help

1 me, please. Are we talking about a coffin like structure?

2 A. That is correct, sir.

3 Q. How deep was it? Can you indicate using your arms or any
4 object in this courtroom. Was it as deep, for example, as the

16:05:06 5 Bench before their Honours?

6 A. That one is too high, sir.

7 Q. Which one then?

8 A. The table. It could be like, for example, the height of
9 these two papers.

16:05:23 10 Q. So it was about two feet deep?

11 A. That's correct, sir.

12 Q. Was it long enough for a human being to lay out flat inside
13 it?

14 A. No, sir.

16:05:37 15 Q. So, a human being, their knees would be up, would they?

16 A. It depends to your height, sir.

17 Q. Yes, but, for example, taking you, was it possible for you
18 to stretch out flat in the particular hole in which you were
19 detained?

16:05:52 20 A. No, sir.

21 Q. You couldn't?

22 A. No.

23 Q. In any event, you escaped from that purgatory on the first
24 night you went there?

16:06:08 25 A. Not the first night, sir.

26 Q. Sorry. You spent a day in purgatory and escaped the
27 following night, yes?

28 A. They took us there the night, we spent the day, the
29 following night.

1 Q. When you escaped?

2 A. That's correct.

3 Q. Now, of the group of men who had been separated away from
4 the others at St Paul's bridge, how many were taken to Gbatala?

16:06:39 5 A. At that night before they could take us to Gbatala we were
6 about ten to 15, sir.

7 Q. So at St Paul's bridge how many men were separated out by
8 the ATU?

9 A. We were many, sir.

16:06:53 10 Q. How many?

11 A. There were a lot of people at the bridge, sir, and we that
12 was - that was seated behind the MP office, sir, we were more
13 than 50 I could say.

14 Q. All right. And of that 50 how many were taken to Gbatala?

16:07:14 15 A. I don't know, sir.

16 Q. Well, you went. Did you go with a group?

17 A. They tied me and some other people, sir.

18 Q. How many others?

19 A. We were more than 10. We were more than 10. We were about
16:07:32 20 10 to 15.

21 Q. Right. So out of the 50 at St Paul's bridge, about 15 were
22 selected to go to Gbatala, yes?

23 A. There were just three jeeps, sir, and they loaded us inside
24 that jeep, or probably they took others - I don't know, but I was
16:07:57 25 within that first batch that they took to Gbarnga and when we
26 were in Gbarnga there were other - there were many people in the
27 cells there, sir.

28 Q. Yes, but when you finally end up in the pit in Gbatala, how
29 many were in the group, including you, who were taken to that

1 place?

2 A. We were about 10 to 15 and, as I said, I don't know if I
3 mentioned this the last time, but I believe I have discussed that
4 with my - with Mr Bangura, that especially that night we - the
16:08:41 5 first night we escaped, me and the person named against number 3,
6 so that morning after Chucky told the ATU boys to go and collect
7 the others from there, we were not in the same number that they
8 took to the pit that particular night we went there and I could
9 understand - I could realise then that some people were absent,
16:09:09 10 especially like, for example, there was another Mandingo former
11 combatant fellow who was there, but I could not remember his
12 name. And people - there were a few people this time. So the
13 next time again we made another escape, when Chucky got the
14 message that Papay wanted to see these men, it was just three of
16:09:37 15 us. It was just only one person that they took from the pit, or
16 the cave.

17 Q. The point I am coming to is this: If I understand what you
18 are telling us, when you are at St Paul's bridge there are
19 thousands of refugees, is that right?

16:10:01 20 A. There were plenty refugees.

21 Q. Are we talking about thousands?

22 A. I don't know, sir, but there were a lot of people. People
23 were walking, people were inside trucks.

24 Q. Are we talking about hundreds?

16:10:13 25 A. Hundreds.

26 Q. Very well. Out of those hundreds the men are separated
27 out, is that right?

28 A. That is correct, sir.

29 Q. Then out of that group a smaller number is taken to

1 Gbarnga, is that right?

2 A. I was among those that were taken to Gbarnga, sir.

3 Q. And then of the group who were taken to Gbarnga, an even
4 smaller group is taken to Gbatala?

16:10:41 5 A. Yes, sir, that is correct, sir.

6 Q. What I would like your assistance with, please, is why were
7 you in particular targeted for that treatment? What had you done
8 more than anybody else, any of the other group who were left
9 behind? Why you?

16:11:02 10 A. They were forcing people to go back to Voinjama. I had
11 been in Voinjama. They have confronted me several times to go
12 and fight in Sierra Leone. They have asked me to go and get
13 trained in Gbarnga and it was these same people. In Liberia by
14 then, if you refused the order of the security it means you are
16:11:26 15 against them and being against them you will be subjected to
16 killing, torture, anything they could do to you.

17 Q. Let me try my question. Can you give us an explanation as
18 to why it was, out of the hundreds of people you told us were
19 stopped at St Paul's bridge, you in particular was one of the 10
16:11:49 20 to 15 selected for this specific treatment? Why you?

21 A. Well, it was not just me alone, sir. There were a lot of
22 people, but what I could realise is that with my own personal
23 thought was that because I was - I have persistently refused
24 being a member of this particular idea, or ideology. I had the
16:12:25 25 right to be a civilian, I was a civilian and I had my families
26 and I refused all the effort they have made. So I believe it was
27 part of that and this same group, these same people, these same
28 people were the same people who were still behind us, who were
29 still intimidating us.

1 Q. Let's just trace your history in this regard and see if we
2 can come up with an answer. You had spent some almost a year
3 under RUF rule in Kenema and they hadn't tried to recruit you,
4 even though you were a younger man then, is that right? That is
16:13:14 5 right, isn't it? You have told me that already.

6 A. Yes, sir, of course.

7 Q. Thank you.

8 A. I was in Kenema.

9 Q. Thank you. You are then one of thousands who flee to
16:13:21 10 Sierra Leone [sic], yes?

11 A. But you are comparing two different situations.

12 PRESIDING JUDGE: [Microphone not activated].

13 MR GRIFFITHS:

14 Q. To Liberia, my fault.

16:13:31 15 A. You are comparing two different situations, sir. When I
16 was in Kenema, sir, there was war, but the RUF were like in
17 control of this particular society, so they were not that very
18 much anxious, or in need of too many people. They could have a
19 lot of people that could come and join them willingly and when I
16:13:52 20 was in Liberia, by then RUF had lost the ground they used to
21 command, so they were trying to recapture those grounds and that
22 means they needed manpower. They could use civilians for
23 different purposes. They could use people to reinforce their
24 forces and so as a young man by then - and I was popular, of
16:14:13 25 course, I had people who usually come to my place, get drinks, so
26 I command that respect in somehow. So it was very, very
27 possible, because I have refused to be part of them, that I could
28 be punished. So that was --

29 Q. So are we to understand that you were singled out to be

1 punished because you were a prominent critic of forced
2 recruitment? I am just trying to put my finger on it, you see,
3 why you?

16:14:53 4 A. No, that could be very dangerous for me. I could never do
5 that openly. If even I had different thoughts about the system,
6 I could not openly criticise their ideologies, their movement.
7 All we used to do was, as a civilian, if this person come I pay
8 my respect to him, but if he wants me to be part of something
9 that could not fit me - I had my wife, I had my brothers, I never
16:15:19 10 knew my parents were alive, I never knew my other brothers were
11 alive, so I had that responsibility to take care of my brothers,
12 to take care of my family, to take care of ourselves. We were
13 our keepers.

14 Q. Yes, I understand all of that, but the point I am getting
16:15:37 15 at is this: For several months whilst you are running your
16 business, a very good business in Voinjama, they never decide to
17 pick you up, arrest you, torture you. Can you help us as to why
18 it is that all of a sudden when you get to St Paul's bridge
19 Chucky Taylor, who had seen you before in Voinjama, suddenly
16:16:06 20 decides, "I want to torture this man." Can you help us as to why
21 you got singled out for that?

22 A. When I was in Voinjama, sir, I hope you could remember my
23 brother was arrested.

24 Q. Yes.

16:16:19 25 A. And before --

26 Q. And you told us that you were the target.

27 A. Yes, sir, precisely, so before I could hear this story my
28 wife came to me and explained to me and she told me I should not
29 go there because the town is hot today and this was part of the

1 activities that was going on there. So we, the refugees, in that
2 particular region we were like if - so in case anything happened,
3 we will grab these guys and then we go. This was exactly what
4 was happening. I know you could find it difficult to understand
16:16:53 5 what I am trying to say, but I was in Voinjama. I usually see
6 this thing, I suffered from it. I have been - my kiosk has been
7 raided several times. They went there and arrested people from
8 there who could not see. There were people who were in their
9 houses, they were arrested, nobody could see them. So if there
16:17:14 10 was war in Voinjama I think I had that right if I had - when I
11 had the opportunity to move away from Voinjama and that was what
12 I did. I was going to somewhere I could find peace and
13 civilisation.

14 Q. Can you give me an answer to my question: Why you? Apart
16:17:43 15 from the fact that you refused to go to Sierra Leone to fight and
16 no doubt there were thousands who did the same, why is it that
17 you were the one picked on to be tortured in this way? Can you
18 help us?

19 A. I have explained. I have explained my thoughts, that
16:18:02 20 probably it might be because I was a young man and there were -
21 at the bridge among we, the men, that were separated from the
22 women there were other guys who volunteered to go back and we
23 refused, you see? In some - the day we went to Gbatala, Chucky,
24 before they could take us to the pit, he said, "Take these guys
16:18:30 25 to the camp so that they will know what will happen to them when
26 they refuse to do what I asked them to do", and they asked us
27 this, to go back to Voinjama, and we were not going to go to
28 Voinjama to make cakes for them, or do anything. We were to go
29 there to be used and I refused going where I could suffer, or

1 become somebody else.

2 Q. I will move on. In any event, on the second night you are
3 placed in the pit of water with a grill holding you in. Have I
4 described it correctly so far? There is a grill over you, a

16:19:21 5 metal grill.

6 A. Yes, sir, that is correct.

7 Q. Which effectively is keeping you in this coffin like
8 structure.

9 A. That is correct.

16:19:29 10 Q. You are having difficulty breathing because the water is
11 coming up just below your chin, yes?

12 A. I was uncomfortable inside, but --

13 Q. And the water came up just below your chin?

14 A. Yes, if I am lying down like this then the water could come
16:19:45 15 this way. So my face was up and I could breathe and --

16 Q. So you are having to keep your neck like that all day to
17 stop from drinking this water, which contained parts of
18 decomposing dead bodies.

19 A. Precisely, sir, exactly.

16:20:02 20 PRESIDING JUDGE: Just before you proceed, I haven't
21 recorded the demonstration the witness gave. He lay back with
22 his chin on his chest in a supine position.

23 MR GRIFFITHS: Your Honour, yes:

24 Q. I have described it correctly, have I?

16:20:16 25 A. Yes, sir, that is perfect.

26 Q. In any event, you managed to escape.

27 A. Yes, sir.

28 Q. You managed to remain free until the morning of that day,
29 yes?

1 A. Yes, sir.

2 Q. When you were once again recaptured by the notorious ATU.

3 A. Yes, sir.

16:20:40 4 Q. Now, pausing there for a moment, if we add up all that you
5 have told us, you had already escaped from Liberian security in
6 Vahun when you had first entered Liberia, remember?

7 A. Yes, sir, that is correct.

8 Q. You had now escaped from the pit in Gbatala, yes?

9 A. That is correct.

16:20:59 10 Q. And been recaptured?

11 A. Yes, sir, that is correct.

12 Q. You were put back in the pit, yes?

13 A. Yes, sir.

14 Q. And you escaped again.

16:21:08 15 A. For the second time, yes, sir.

16 Q. How soon after the second escape did you manage to escape
17 the third time? How many days later?

18 MR BANGURA: Your Honour, I am not so clear. We have
19 talked about first and second. I understand counsel is asking
16:21:30 20 second and third and I hope I --

21 MR GRIFFITHS:

22 Q. Well, let me clarify it with you, since you are the one who
23 is telling us about this. You escaped from Vahun after a 30
24 minute detention. Do you remember telling us that?

16:21:45 25 A. Yes, sir.

26 Q. You are then put in the pit and on the second night, once
27 again, you escape.

28 A. It was not in Vahun.

29 Q. No, I know it wasn't in Vahun. It was in Gbatala.

- 1 A. Yes, that is correct.
- 2 Q. Okay, and you managed to escape a second time.
- 3 A. Yes, sir, that is correct.
- 4 Q. On the second night that you were there, yes?
- 16:22:02 5 A. Yes, sir.
- 6 Q. You were recaptured and placed back in the pit.
- 7 A. That is correct.
- 8 Q. How long did you stay in the pit on this second occasion
- 9 before you managed to escape?
- 16:22:19 10 A. It was about the second day, the third day.
- 11 Q. So three days after that second escape you escape yet
- 12 again, yes? And let us just examine, please, the account you
- 13 have given this Court as to how you came to escape on this third
- 14 occasion. You were placed in a pit with another man, yes?
- 16:22:43 15 A. That was after my first escape, sir.
- 16 Q. Yes, I know. The third time I'm talking - let's call it
- 17 the second pit escape, shall we?
- 18 A. Yes, sir.
- 19 Q. And on this second pit escape you are placed in a pit with
- 16:22:58 20 another man, is that right?
- 21 A. That is correct.
- 22 Q. Your hands are tied with PlastiCuffs, is that right?
- 23 A. That's correct.
- 24 Q. During the course of the day one of your captors in the
- 16:23:20 25 course of feeding you, whilst you are still in that supine
- 26 position, manages to drop the metal spoon into the pit, yes?
- 27 A. That's correct.
- 28 Q. You and your colleague in the pit with you manage to break
- 29 the metal spoon in half, sharpen it into a knife and cut your

1 bonds, yes? Is that right?

2 A. That's correct.

3 Q. So this is the third time that you're escaping?

4 A. No, it was the second time.

16:23:55 5 Q. Very well. The second time from the pit, the third time
6 overall, yes?

7 A. Technically, yes, sir.

8 Q. Tell me something. Are you how Houdini in disguise? How
9 is it that you managed to escape on so many occasions?

16:24:16 10 A. That was human instinct, sir.

11 Q. And on none of the occasions when you were recaptured were
12 you executed by this notorious man Chucky Taylor?

13 A. That was the blessing I had, sir, and that's why I'm very
14 happy being here, sir.

16:24:33 15 Q. Tell me something: Are you hiding something from us as to
16 the reason why you were arrested and detained? Are you hiding
17 something?

18 A. I have nothing to hide, sir.

19 Q. Because I am trying to understand why it is you have been
16:24:50 20 singled out for this and yet, despite all these repeated escapes,
21 happily you are still amongst us. Were you arrested for a
22 particular reason? Did you do something?

23 A. After I was separated from my wife and my family I don't
24 think I did anything just what I could say was being - having
16:25:24 25 this collective identity as a Sierra Leonean refugee and because
26 I have been forced several occasions to go and do what they want
27 me to do and that simply means to be recruited, I have refused
28 this and by then, please, sir, we are talking about war
29 situation.

1 It is not like you go down Den Haag and try to get into the
2 train where security will come and say, "No, get out of this
3 place". No, this was not the case. It was war. You could be
4 spotted. In Liberia men were very, very valued during these
16:26:06 5 wartimes, you see, so they could grab you, hence you are
6 physically fit, they see you, you get that type of - I mean, he
7 looks so good. So this was possible. It was not only me. There
8 were thousands of people who have been subjected to this type of
9 maltreatment, punishment or whatsoever.

16:26:25 10 Q. But help me: Were you, for example, fighting with the
11 Kamajors and were captured?

12 A. If I was, I shouldn't have come to Liberia.

13 Q. Were you --

14 PRESIDING JUDGE: Answer the question, Mr Witness.

16:26:40 15 THE WITNESS: No, ma'am. No.

16 MR GRIFFITHS:

17 Q. Were you a member of some kind of armed militia?

18 A. No.

19 Q. I mean were you fighting, for example, with ULIMO or LURD
16:26:49 20 when you were captured?

21 A. No.

22 Q. Because let me be quite clear with you. I, on behalf of
23 the former President of Liberia, am not in a position to
24 challenge what you say occurred at Gbatala, because you accept he
16:27:05 25 wasn't there, was he?

26 A. He wasn't in Gbatala.

27 Q. You didn't see him in Gbatala, did you?

28 A. No.

29 Q. So I am not in a position to challenge anything that you

1 say happened at St Paul's bridge or in Gbatalla. I am just
2 looking at your account in the plain black and white of the
3 transcript and seeking to understand whether it makes sense. Do
4 you understand me? And I am simply asking you is there a reason
16:27:37 5 for your arrest which you are hiding from us?

6 A. I have no reason to - I have nothing to hide from this
7 Court and what I am saying here is this was part of the general -
8 the general things that used to happen and I became a victim of
9 that particular system.

16:28:04 10 Q. Yes, let me complete the point because we only have a
11 couple of minutes left. In any event, there is a further level
12 at which you were selected for special treatment because, having
13 been one of the ten to 15 taken to Gbatalla, you were one of three
14 driven all the way from Gbatalla to Monrovia to meet with Charles
16:28:31 15 Taylor whilst he was in his pyjamas, right?

16 A. That's correct and that was what saved my life.

17 Q. So you arrived late at night at his compound and you, out
18 of the thousands of Sierra Leoneans who entered Liberia, are
19 lucky enough to be given an audience with the President in the
16:28:56 20 early hours of the morning in his own house with him wearing just
21 his pyjamas, yes? Is that right?

22 A. Please, sir, we have escaped from Gbatalla for the second
23 time and, for example, the second time when we escape, they took
24 us to one town, I don't know the town's name, and we were inside
16:29:21 25 this car, people were coming around, shouting, and we made this
26 escape, they have killed people and we were desperate. It was
27 better for us to be killed than receiving this type of
28 punishments.

29 Q. But --

1 A. I am coming, sir. I am coming. And when we came to
2 Gbatala for the - after the second escape then Chucky, one of his
3 men came and said, "Message". So I was happy. Could I have
4 said, "No, kill me. I am not going to Monrovia"?

16:29:52 5 Q. That's not what I'm saying. I am just trying to understand
6 why you?

7 PRESIDING JUDGE: Mr Griffiths, I am sorry, answer the
8 question, Mr Witness, and [overlapping speakers].

9 THE WITNESS: I don't know. Probably you may ask
16:30:06 10 Mr Charles Taylor.

11 PRESIDING JUDGE: We are up to our time limit. In fact, I
12 apologise but I think we are over it and there is a problem of
13 recording.

14 MR GRIFFITHS: Very well, your Honour.

16:30:15 15 PRESIDING JUDGE: Mr Witness, as you know we adjourn at
16 this time.

17 THE WITNESS: Yes, ma'am.

18 PRESIDING JUDGE: The time limits are strict. I remind you
19 as I have reminded you before of your obligation whilst under
16:30:28 20 oath not to discuss your evidence with anyone else.

21 THE WITNESS: Yes, ma'am, I do.

22 PRESIDING JUDGE: Very good. We will adjourn until 9.30
23 tomorrow morning. Please adjourn court.

24 [Whereupon the hearing adjourned at 4.30 p.m.
16:30:47 25 to be reconvened on Tuesday, 17 June 2008 at
26 9.30 a.m.]

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28
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I N D E X

WITNESSES FOR THE PROSECUTION:

TF1-590	11829
EXAMINATION-IN-CHIEF BY MR BANGURA	11829
CROSS-EXAMINATION BY MR GRIFFITHS	11864