



Case No. SCSL-2003-01-T

THE PROSECUTOR OF
THE SPECIAL COURT
V.
CHARLES GHANKAY TAYLOR

TUESDAY, 20 APRIL 2010
9.00 A.M.
TRIAL

TRIAL CHAMBER II

Before the Judges:

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

For Chambers:

Mr Artur Appazov

For the Registry:

Ms Rachel Irura
Ms Zainab Fofanah

For the Prosecution:

Ms Brenda J Hollis
Mr Nicholas Koumjian
Ms Mohamed A Bangura
Ms Maja Dimitrova

For the accused Charles Ghankay
Taylor:

Mr Courtenay Griffiths QC
Mr Terry Munyard
Mr Morris Anyah

1 Tuesday, 20 April 2010

2 [Open session]

3 [The accused not present]

4 [Upon commencing at 9.03 a.m.]

09:03:05 5 PRESIDING JUDGE: Good morning. We'll start with the
6 appearances first, please.

7 MR KOUMJIAN: Good morning, Madam President. Good morning,
8 your Honours, counsel opposite. For the Prosecution this
9 morning, Brenda J Hollis, Mohamed A Bangura, Maja Dimitrova and
09:03:54 10 Nicolas Koumjian.

11 MR GRIFFITHS: Good morning, Madam President, your Honours,
12 counsel opposite. For the Defence today, myself Courtenay
13 Griffiths, with me Mr Terry Munyard and Mr Morris Anyah of
14 counsel.

09:04:11 15 PRESIDING JUDGE: Mr Griffiths, I see Mr Taylor is not
16 behind you. If I could have on the record your submissions on
17 that issue.

18 MR GRIFFITHS: Madam President, as occurred last Tuesday,
19 Mr Taylor is not present. We as counsel are apprised of the
09:04:37 20 situation and he has provided that the proceedings can continue
21 in his absence.

22 PRESIDING JUDGE: Thank you. The Court is satisfied - we
23 are aware of the reasons why Mr Taylor is momentarily absent.
24 The Court is satisfied that the accused has waived his right
09:05:02 25 temporarily to be present. Accordingly, the trial may proceed in
26 the presence of his counsel pursuant to Rule 60(B) of the Rules
27 of Procedure and Evidence.

28 Before I remind the witness of his oath, I just want to
29 consult the parties. I have been reliably informed that the

1 courtroom is available for our use for Wednesday, Thursday and
2 Friday in a normal schedule instead of the afternoon schedules
3 that were initially availed to us. That's Wednesday, Thursday,
4 Friday, full days, normal schedule. Now, I want to hear from the
09:05:49 5 Defence your views. This will entail an adjustment of course in
6 the schedule.

7 MR GRIFFITHS: I appreciate that, Madam President, and I
8 also understand the reason why the courtroom has become
9 available, because Mr Justice Fulford is unable to return from
09:06:11 10 the United Kingdom so the Lubanga trial cannot continue. Now I'm
11 unable to take instructions from Mr Taylor on the matter, but for
12 my part I see no reason why we cannot sit a full day. I don't
13 know whether the Prosecution's view differs, but as far as we're
14 concerned, I can see no difficulty, subject in due course to
09:06:36 15 obtaining direct instructions from Mr Taylor.

16 PRESIDING JUDGE: Fair enough. Mr Koumjian or Ms Hollis,
17 what are your views, either of you, please?

18 MR KOUMJIAN: Full days is our - we have no problem with
19 that.

09:06:54 20 PRESIDING JUDGE: Then subject to the availability of the
21 accused, I will give further directions on this issue in the
22 course of the day.

23 Good morning, Mr Fayia. You continue with your testimony
24 this morning and I remind you, as I normally do, that you are
09:07:15 25 bound by your oath to tell the truth. Mr Koumjian, please
26 proceed.

27 WITNESS: DCT-306 [On former oath]

28 CROSS-EXAMINATION BY MR KOUMJIAN: [Continued]

29 Q. Good morning, sir.

1 A. Good morning, counsel.

2 Q. Sir, you are familiar with the term "civilians have no
3 blood", correct?

4 A. Yes.

09:07:34 5 Q. Where did you hear that term?

6 A. I heard that one in our - in the RUF territory during the
7 conflict.

8 Q. What did it mean to you?

9 A. I did not understand what it meant to me.

09:07:54 10 Q. You didn't understand it?

11 A. Yeah, but they used to say it.

12 Q. And who would say it?

13 A. The commandos used to say it.

14 Q. The RUF commandos?

09:08:02 15 A. Yes.

16 Q. RUF fighters?

17 A. Yes.

18 Q. Sir, the rice that you took to Charles Taylor or you sent
19 to Charles Taylor, the 100 kilograms of rice that was husked, who
09:08:21 20 had farmed that rice? Who had harvested it?

21 A. It was harvested by - from our community farm in Bandajuma
22 Sinneh.

23 Q. Can you just help me, when you say husked rice, what does
24 it mean that rice is husked?

09:08:40 25 A. Seed. Seed rice. The rice with husk.

26 Q. When say it was harvested by your committee, does that mean
27 that the heads of the committee were out in the fields harvesting
28 the rice?

29 A. Yes.

1 Q. You yourself were harvesting the rice?

2 A. I did not need to be there because that was a sub-community
3 of the entire zone I was dealing with.

09:09:08 4 Q. In fact it was the poor people, the farmers, the civilians,
5 that did the work to harvest that rice that you sent to Charles
6 Taylor, correct?

7 A. Yes.

8 PRESIDING JUDGE: What was the location that the witness
9 mentioned?

09:09:22 10 THE WITNESS: Bandajuma Sinnah, B-A-N-D-A-J-U-M-A,
11 S-I-N-N-E-H.

12 MR KOUJIAN:

13 Q. Did they receive anything for the work that they did for
14 sending the rice from their land to Charles Taylor?

09:09:44 15 A. No, they don't receive anything because all of us had
16 agreed to work together. I mean we the civilians had agreed to
17 work together to clear the air concerning the support that was
18 allegedly sent from Charles Taylor to the RUF. So we actually
19 did not need anything from Charles Taylor for that.

09:10:05 20 Q. So this you say was rice - a significant amount of rice,
21 would you agree with that?

22 A. Yes, it was.

23 Q. It could have fed a lot of people, correct?

24 A. Yes. But also it solved - I mean, but also it helped to
09:10:21 25 solve the problem of the wrong information that was going
26 concerning us which was a stronger reason than the eating because
27 the farmers already we had our own food.

28 Q. So you sent the rice to someone who had done nothing for
29 these farmers and nothing for you?

1 A. Yes. I did that one in order to clear the air concerning
2 what people were saying about us because we wanted our conflict
3 to be seen as a civil conflict.

4 Q. Sir, let's look for a moment at what you said on 13 April.

09:10:49 5 If we could look, please, at page 38879. I just want to ask you
6 really about one sentence you said at the very bottom, starting
7 at the bottom of that page. You said at line 27:

8 "We used to listen to the radio. People were saying that
9 the Sierra Leone conflict was a spillover of the Liberian one and
09:11:52 10 that in fact our sustenance was coming from Liberia and from
11 Charles Taylor in particular. So what I did to disprove this to
12 Charles Taylor himself, for him to know that Foday Sankoh lied
13 about him to us, we organised a whole 50 kilogram - sorry, 100
14 kilogram full of rice - husked rice: "

09:12:23 15 My question for you, sir, about what you said here, what I
16 read, is why did you feel it necessary to disprove to Charles
17 Taylor himself what Charles Taylor was doing?

18 A. No, I was not trying to disprove to Charles Taylor himself
19 what he was doing. I was trying to disprove to help him - sorry,
09:12:42 20 I was trying to let him help us disprove the fact that people are
21 alleging that he was supporting us.

22 Q. Then why did you say, "So what I did to disprove this to
23 Charles Taylor himself"?

24 A. Yes, because --

09:13:01 25 Q. Go ahead.

26 A. Yes, I said to disprove it himself means to let himself
27 know that we were not receiving anything from him. For instance,
28 you told me yesterday that Charles Taylor himself said he was
29 receiving - he said he was sending small amounts of support to

1 us. That was what you said yesterday. I did not see any such
2 support at all. So for us to let him know that we're a
3 self-reliant movement and he in his Gbarnga office there, he was
4 there hearing that we were being supported by him. So for him to
09:13:43 5 know clearly that we were a self-reliant movement, we had to send
6 him an evidence of our self-reliance. That was why we sent him
7 the rice.

8 Q. Sir, when someone is being very generous to you, when they
9 are supporting you and you depend on them, it's traditional to
09:13:58 10 show your gratitude by giving a small gift back, correct?

11 A. Yes, but that was not - that was not the reason in that
12 particular case.

13 Q. In fact, that was the reason you sent 100 kilograms --

14 A. Absolutely --

09:14:11 15 Q. Let me finish the question, please. Of the rice farmed by
16 the poor people of Kailahun to Charles Taylor was to show
17 gratitude to the godfather of the RUF?

18 A. Absolutely that was not the reason. The reason behind that
19 one was to - because I told him: Please tell the world that you
09:14:31 20 have received 100 kilograms of rice from us to show you yourself
21 and the international community and Sierra Leoneans that the
22 conflict was not a spillover of the Liberian conflict but that it
23 was a civil conflict.

24 Q. Sir, you don't - you didn't think that Charles Taylor
09:14:51 25 himself had enough motivation to try to respond to all of the
26 accusations that he was supporting this war, had brought war to
27 Sierra Leone, you had to send him rice for him to deny that?

28 A. My brother, I cannot do that at all. Because we were - I,
29 I'm a civilian. We are the ones who were suffering. We were the

1 ones who were working the length and breadth of the Kailahun
2 District. We were the ones who were sleeping on the bare floor.
3 We were the ones who were all sleeping in the bushes. So I
4 cannot - I mean, I cannot encourage Charles Taylor just to deny
09:15:33 5 what he has done for us when in fact he did not do anything.

6 If we had support from anybody, this kind of suffering we
7 went through was not going to happen. Even the time the war took
8 to end, it was going to be shorter, far shorter. Because he told
9 - when Charles - when Foday Sankoh came, he said he don't want
09:15:50 10 the war to last for up to six months. So I'm sure that if we had
11 materials - if we had fighting materials, the war was not going
12 to be as long as it did.

13 PRESIDING JUDGE: Could I ask clarification from this
14 witness. Mr Faya, I don't understand, explain to me, how would
09:16:11 15 the sending of rice, a bag of rice, rice, prove to Charles Taylor
16 that you were self-reliant in terms of fighting materials? How
17 would that prove?

18 THE WITNESS: No, that was not going to prove that we were
19 self-reliant in terms of fighting materials. It was going to
09:16:28 20 prove our self-reliance in terms of food, because we were also
21 hearing that even food, from food to fighting materials, we were
22 getting that from him. So that was the civilians' part of the
23 contribution to prove to the world that we were not relying on
24 Charles Taylor for anything.

09:16:44 25 PRESIDING JUDGE: And how would sending a bag privately to
26 Charles Taylor prove to the world that you were self-reliant?
27 This bag that you sent privately to Mr Taylor, how would that
28 constitute proof to the world that you were self-reliant?

29 THE WITNESS: Your Honour, it was not sent to him

1 privately. It was sent by the community that worked on it. I
2 did not send it to him privately.

3 PRESIDING JUDGE: Surely you didn't send it through DHL.
4 It must have gone straight to his kitchen. How would the
09:17:15 5 international community know about this transaction in order for
6 it to know, the international community, that you were now
7 self-reliant in terms of food?

8 THE WITNESS: Yes. Well, that is why I also included an
9 information concerning a note I wrote. I said, please help us by
09:17:35 10 letting the international community know that you are not
11 supporting us food and that in fact we have sent a bag of rice to
12 proof that one, we the civilians here behind the rebel lines. I
13 sent him that note inside the bag of rice. So that was how he
14 was supposed to let the world know. Because by then we did not
09:17:58 15 have any means of talking to the international community at all.

16 MR KOU MJIAN:

17 Q. Mr Witness, aside from the gift of rice, did the RUF
18 provide other gifts to Charles Taylor or his fighting forces?

19 A. No. That was what I remember we did. Just the rice.

09:18:25 20 MR KOU MJIAN: Could the witness be shown exhibit D-123, a
21 photograph.

22 MS IRURA: Your Honour, D-123 is a series of photographs.
23 Could counsel kindly specify which one of them?

24 MR KOU MJIAN: 123F as in Frank, please. Excuse me, that is
09:20:14 25 not the photograph. I'll have to come back. I misread the
26 transcript. Sorry, 123G as in George:

27 Q. Sir, on the screen before you is what has now been marked
28 as exhibit - I think it's D-123G. Do you recognise this, sir,
29 first of all, as a piece of artillery?

- 1 A. No.
- 2 Q. Can you see the barrel at the very top of the gun - top of
3 the photograph?
- 4 A. Yes, I do.
- 09:22:47 5 Q. Now do you recognise this as artillery?
- 6 A. Uh-huh.
- 7 Q. Have you seen this before?
- 8 A. No.
- 9 Q. Have you seen a gun like this before?
- 09:22:56 10 A. No.
- 11 Q. Thank you. If the witness could be shown the transcript -
12 if we could all see the transcript from 22 July 2009, page 24999,
13 line 6. Mr Taylor was being questioned about this photograph,
14 sir. He was asked at line 6:
- 09:24:09 15 "Q. Right. What do we see in this photograph, DP-7,
16 Mr Taylor?
- 17 A. This is the photograph of an artillery gun, a
18 long-range artillery gun.
- 19 Q. And what is the significance of it?
- 09:24:24 20 A. This artillery gun is a gun that was given to the NPFL.
- 21 Q. By whom?
- 22 A. This was given to the NPFL by Foday Sankoh.
- 23 Q. And where did it come from?
- 24 A. It came from Sierra Leone.
- 09:24:48 25 Q. Yes, but to whom had it - who did it belong to in
26 Sierra Leone before it was given to you?
- 27 A. Well, it must have belonged to the Sierra Leonean armed
28 forces, but he gave us this gun.
- 29 Q. When did you receive this item of artillery from

1 Foday Sankoh?

2 A. We received this, I would say, very, very late in '91
3 or maybe early 1992.

4 Q. So late 1991/early 1992, yes?

09:25:29 5 A. Yes.

6 Q. And help us, why was he giving it to you?

7 A. Well, they had captured this from enemy forces over
8 there and did not really know how to use it or had no one
9 to operate it and they asked us if we might have use for it
10 and we said yes and it was given to us."

09:25:47

11 And, Mr Witness --

12 A. Yes, counsel.

13 Q. -- were you aware, sir, of Foday Sankoh providing
14 long-range artillery for the NPFL to use against its enemies in
15 Liberia?

09:26:06

16 A. No, not at any time.

17 Q. Sir, yesterday you talked about Charles, and you pronounced
18 the name Tingba, and you said he was killed on the attack on Daru
19 Barracks. Is that correct?

09:26:36

20 A. Yes, counsel.

21 Q. If the witness could be shown the testimony from 2 July
22 2008, page 12820. Sir, you said he was a member of the RUF, as
23 far as you knew, correct?

24 A. Yeah, as far as I knew he was a member of the RUF.

09:26:58

25 Q. 2 July, page 12820, line 18. Sir, this is from the
26 testimony of a Prosecution witness, TF1-567, and he said,
27 beginning on line 18:

28 "When we got to the base they called for a formation and
29 someone introduced himself to us who introduced himself as

1 Charles Timber and he said he was the training commandant at the
2 base. He told us that the war was a Sierra Leone war and he
3 further told us that they were NPFL and they have come to help
4 fight the Sierra Leone war, and he even gave an example that we
09:28:34 5 shouldn't fear and they had Sierra Leoneans among them and he
6 made mention of two names. He called Morris Kallon and Kai fa
7 Wai."

8 Mr Witness, you told us yesterday that you know of Morris
9 Kallon and Kai fa Wai as two of the Sierra Leone - of vanguards of
09:28:58 10 Sierra Leone nationality, correct?

11 A. Yes, counsel.

12 Q. Were you aware of Charles Timber being a commandant at a
13 training base in Sierra Leone?

14 A. Absolutely no.

09:29:14 15 Q. Mr Witness, do you know Charles Ngebeh?

16 A. Who?

17 Q. Charles Ngebeh.

18 A. How do you spell it?

19 Q. Do you know the witness who testified before you?

09:29:27 20 A. Yes, Ngebeh.

21 Q. Thank you. Charles Ngebeh. By the way, did you know him
22 during the war?

23 A. Yes, I did know him during the war.

24 Q. And what was he?

09:29:41 25 A. He was - he was a - they used to call him an armourer,
26 someone who mends arms.

27 Q. Was he a vanguard? What was he?

28 A. No, Ngebeh was not a vanguard.

29 Q. Sir, can you tell us are you staying in the same place with

1 him now?

2 A. Yes.

3 Q. Let's look at what Mr Ngebeh said just last week. If we
4 could have the transcript for 12 April, page 38754. I'm going to
09:31:12 5 start reading from line 18 but let me just first point out, sir,
6 that in this, what I'm about to read, the prosecuting counsel was
7 reading from an exhibit P-65 which is a letter from Foday Sankoh
8 to Charles Taylor. She said:

9 "Mr Ngebeh, this letter again is dated 5 May 1992. Let's
09:31:40 10 look at the next sentence in the second paragraph: 'But I have
11 just received a radio message from General Dopoe that our men
12 have encircled the Daru Barracks and they are awaiting materials
13 to do the final assault. I believe that what you have offered is
14 not enough to carry out the Operation Capture Daru'."

09:32:09 15 Sir, you mentioned yesterday that Daru Barracks was a very
16 critical military objective for the RUF in Kailahun, correct?

17 A. Yes.

18 Q. Then Mr Ngebeh was asked:

19 "Q. Now, do you know of any other General Dopoe other than
09:32:27 20 Dopoe Menkarzon?

21 A. It was only Dopoe - Dopoe Menkarzon. That was the only
22 general by that name that I knew.

23 Q. And Foday Sankoh in this letter to Charles Taylor is
24 saying that on 5 May, or close thereabouts, he had just
09:32:54 25 received a radio message from General Dopoe that our men
26 have encircled the Daru Barracks and they are awaiting
27 materials to do the final assault. Now, General Dopoe was
28 involved in this attack on Daru Barracks, isn't that
29 correct?

1 A. It was Charles Timber who attacked Daru Barracks. That
2 is what I knew. Charles Timber.

3 Q. And Charles Timber attacked Daru Barracks, and was
4 he killed in that action?

09:33:25 5 A. Yes.

6 Q. And that was an earlier attack, wasn't it, Mr Ngebeh?

7 A. It's correct. You are correct. No, I cannot actually
8 tell whether it was during the first attack, because Timber
9 was based at Baima. They used to attack the place

09:33:44 10 frequently. They had severally attacked that place. But
11 since his death, nobody was able to ever attempt after that
12 again, and that was the guy they called Rambo.

13 Q. And he was a Liberian NPFL fighter. Isn't that
14 correct?

09:34:04 15 A. Yes, 1991."

16 Now, sir, do you recall yesterday when I read to you from
17 Charles Taylor's testimony where he said Charles Timber was the
18 deputy to Sam Tuah in a unit that he had sent into Sierra Leone?
19 Do you remember that?

09:34:25 20 A. Yes, very well.

21 Q. So, sir, now that you know that Mr Ngebeh says Charles
22 Timber - by the way, was a Liberian NPFL fighter and he was
23 killed in the attack on Daru Barracks, that he was nicknamed
24 sometimes Rambo, is this the Charles Tingba, as you pronounced
09:34:46 25 it, that you knew?

26 A. Well, the Charles Tingba I knew died in August 1991, the
27 one the commandos told us died in August 1991. This is
28 definitely not the Charles Tingba that I know.

29 Q. Sir, the attack on Daru Barracks - there was an attack in

1 August 1991. You told us that, correct?

2 A. Yes.

3 Q. And Charles Tingba, as you pronounce it, was a Liberian,
4 correct?

09:35:22 5 A. Yes, he was a Liberian.

6 Q. Sir, when you were told about Special Forces you said it
7 was Philip Palmer that told you about Special Forces. Is that
8 correct?

9 A. Yes.

09:35:53 10 Q. Did he mention others other than those you've mentioned to
11 us, Rashid Mansaray, Mohamed Tarawalli and Foday Sankoh?

12 A. Yes, they were the ones he mentioned to me.

13 Q. Did he mention other people?

14 A. Special Forces?

09:36:08 15 Q. Yes, sir.

16 A. No, no. To me, no.

17 Q. Did he tell you that others had died fighting in Liberia?

18 A. No, he did not tell me that.

19 Q. Did you ever hear the name James Kanu?

09:36:20 20 A. James Kanu, no. Palmer was not talkative so - he was not a
21 talkative - he talks very, very little and he was the closest
22 person to me, I wanted to get - most of the information I wanted
23 to get, I always asked him. But what he told me is what I'm
24 saying.

09:36:44 25 Q. Sir, after the deaths of Charles Timber, the killing of
26 Rashid Mansaray and the convenient disappearance of Mohamed
27 Tarawalli, who would you say were the strongest battle commanders
28 in the RUF, the strongest battle leaders, fighters, in the RUF?

29 A. After Mohamed Tarawalli?

1 Q. After he conveniently disappeared, yes. Who were the best
2 military front line commanders?

3 A. That one I cannot tell because I was no longer there. I
4 was always in Ivory Coast at that time. But we were always
09:37:32 5 hearing about Mosquito.

6 Q. Sir, did you also here that among the very top battle
7 commanders of the RUF were Isaac, CO Isaac you called Mongru, and
8 Superman?

9 A. Repeat that question, please.

09:37:52 10 Q. Two of the very best front line commanders for the RUF were
11 CO Isaac and Superman, correct?

12 A. From behind the fighting front we were hearing mostly of
13 Superman. As for CO Isaac, he was at one time battle group
14 commander and he was always with us in the rear. So I don't know
09:38:14 15 what he was doing at the front.

16 Q. Then if some Defence witness testified that Isaac was not a
17 battle group commander he would be incorrect, correct? Isn't
18 that true? He was the battle group commander, wasn't he?

19 A. Isaac Mongru was battle group commander.

09:38:32 20 Q. Yes, thank you. You testified on 14 April that before the
21 Top Final, Foday Sankoh was in Gbarnga coming and going. Is that
22 correct?

23 A. Yes, counsel.

24 Q. And you said, "He never took two weeks with us at all." Is
09:38:57 25 that right?

26 A. You say?

27 Q. You said he never stayed in Sierra Leone for even two
28 weeks?

29 A. No. No. No.

1 Q. He would stay a short time and go back to Gbarnga?

2 A. Yes.

3 Q. So he was based in Gbarnga but making trips to Sierra
4 Leone. Is that correct?

09:39:11 5 A. Indeed, yes.

6 Q. Now, did you consider that Foday Sankoh was still in
7 overall command of the RUF when he was based in Gbarnga?

8 A. Oh, yes.

9 Q. How was he communicating with the people in the field?

09:39:28 10 A. Oh, that one, I don't know how he was communicating with
11 them because by then I was not close to him to be able to know
12 how the communications were going.

13 Q. But wouldn't you agree that it was essential for him to be
14 in contact, to have some means of communication, in order to run
09:39:49 15 the war in Sierra Leone from Gbarnga. He had to be able to stay
16 in contact, correct?

17 A. Definitely. Yeah, that was a possibility, definitely.

18 Q. So it was critical for the RUF that Foday Sankoh have a
19 means to communicate from Gbarnga, correct?

09:40:01 20 A. Yes.

21 Q. Now, sir, you talked about a man named, correct me if I say
22 it wrong, but Calum Morray who was captured at Sierra Rutile?

23 A. Who?

24 Q. Calum Morray you said?

09:40:18 25 A. Yes, Calum Morray. A British fellow.

26 Q. And how did you spell the first name?

27 A. I think it's C-A-L-U-M.

28 Q. He was a civilian working at the Sierra Rutile mines,
29 correct?

1 A. Yes, counsel.

2 Q. You were involved in negotiations and the eventual handover
3 to the international community of this man, correct?

4 A. Yes, counsel.

09:40:45 5 Q. And some other captives. Is that right?

6 A. Yes, counsel.

7 Q. Can you tell us about how many captives?

8 A. There were about 16.

9 Q. How long was Calum Morray held before he was - you were
09:41:01 10 able to negotiate for his release?

11 A. I think - I don't really remember now how long he was held.
12 I don't remember that.

13 Q. These other 15 people, you said there were about 16 or - I
14 don't know if you said 16 others or 16 counting Morray, but these
09:41:24 15 - all this group of people, were they all civilians?

16 A. I can't tell whether they were all civilians because - but
17 they were all in civilian clothing when we handed them over to
18 ICRC.

19 Q. Some of those captured in this time, that is before the
09:41:40 20 elections in Sierra Leone, were nuns and different religious
21 people, correct?

22 A. Yeah, I don't remember that. Before the elections I don't
23 remember that at all.

24 Q. Do you remember nuns being held captive by the RUF?

09:41:59 25 A. No, I don't remember. No, no.

26 Q. Sir, these people were being held for what reason?

27 A. Well, I did not actually come to understand that they were
28 held. They said when the place was captured - when the place was
29 captured, they were taken to Foday Sankoh and Foday Sankoh asked

1 the Sierra Leoneans, Dr Mohamed Barrie and Dr Wai, to decide
2 whether they would like to stay or not. Dr Barrie said he wanted
3 to stay. Dr Wai was given a thoroughfare to go back to Freetown.
4 Then he made arrangements for the foreigners to be evacuated.

09:42:57 5 Q. The only people that were turned over to the international
6 community were foreigners, people that were not Sierra Leone
7 citizens, correct?

8 A. Yes, I - yeah.

9 Q. Because the RUF thought - and sadly correctly - that the
09:43:13 10 international community would care more about foreigners being
11 held captive than about Sierra Leoneans being held captive,
12 correct?

13 A. I am - I said that Dr Wai was released. Foday Sankoh left
14 him. He did not come to Giema to us. He gave them passage
09:43:35 15 through the north, according to what they said. He went back to
16 Freetown. Foday Sankoh, at that point we had started talking to
17 him concerning Sierra Leoneans, the need for them to know what
18 the RUF meant and the need for the international community to be
19 on his side. So basically he was - he cared both for the Sierra
09:44:03 20 Leoneans and Liberians - sorry, and foreigners, non-Sierra
21 Leoneans. I remember I told you here that we handed over two
22 seamen, one Jawara, a Sierra Leonean, and one Medvedev, a
23 Russian, to the ICRC. So he did not send the foreigners away
24 because he cared more for foreigners than the Sierra Leoneans.

09:44:38 25 Q. The foreigners were more valuable bargaining chips than the
26 Sierra Leoneans. Isn't that true?

27 A. There was no bargaining at all - at all. There was no
28 bargaining at all. Dr Addai-Sebo simply came. We all sat
29 together and sent these people to the crossing point. The ICRC

1 came and collected them from there. There was no other
2 negotiation.

09:45:10 3 Q. What the RUF gained out of those hostages being held and
4 then released was a form of recognition from the international
5 community and eventually the start of negotiations with the
6 government in Ivory Coast, correct?

7 A. My friend, it was - that - the release of those people was
8 never put as a condition for anything. It was never put as a
9 condition for anything. It was part of the activities of the OSM
09:45:29 10 in the rebel-held territory in conjunction with International
11 Alert. There was no - there was no condition attached to their
12 release at all.

13 Q. Sir, what about the thousands of civilians being held
14 hostage by the RUF in various areas you occupied?

09:45:48 15 A. Which civilians?

16 Q. Those in Kailahun, those in Kenema District.

17 A. At this point I would like to say that the civilians were
18 not held hostage. A lot of things may have gone wrong, but the
19 civilians were not held hostage. They stayed there on their own.

09:46:08 20 Q. Sir, you talked about a pass that you - civilians had to
21 have a pass, correct?

22 A. All of us had to have pass for security reasons purposes.

23 Q. So a person was not free - a civilian - to leave RUF
24 territory, were they?

09:46:24 25 A. RUF territory, what I want to tell you is that whenever
26 people crossed to Guinea - if you left RUF territory, you crossed
27 to Guinea. Information was coming that they were killing our
28 people in Guinea. Those who were associated with the RUF, they
29 were killing them in Guinea. So people actually decided to stay

1 to see how the conflict - sorry, to see how the struggle was
2 going.

3 Q. Sir, I don't believe you've answered my question. My
4 question was: So a person - civilians - were not free to leave
09:47:03 5 RUF territory. Isn't that true?

6 A. No, they were free.

7 Q. So --

8 A. The point I'm making here is, we were at war. Security
9 concerns were there. If you leave - those who left before the
09:47:20 10 war, they were already there. If you leave during the war, you
11 cross maybe to Guinea, people who did not ever see you there are
12 going to see you as somebody coming from the rebel-held territory
13 and they are going to see you as a rebel, so that was the reason
14 why civilians were afraid to go. Information was coming - even
09:47:39 15 my cousin was almost killed in Guinea when he crossed to meet his
16 son there. So the civilians decided to stay. They were not held
17 hostage by the RUF. They were held hostage by the fear of being
18 killed either in Guinea or Freetown. I'm not defending RUF. A
19 lot of things went wrong, but that was with the reality on the
09:47:57 20 ground there.

21 Q. Those who didn't have a pass, what would happen to them
22 when they got to an RUF checkpoint?

23 A. No, everybody had a pass. Nobody decided to go without a
24 pass. That did not happen at all. Before you leave where you
09:48:16 25 are, you go to your MP commander, they prepare a pass for you.
26 Nobody decided to go anywhere without a pass because there was
27 security concerns. We were at war. That was the reality on the
28 ground there.

29 Q. So you couldn't leave without the permission of - a

1 civilian could not leave without the permission of the MP
2 commander, correct?

3 A. Yes. At war it was not wise at all for anyone to leave
4 without an MP commander knowing.

09:48:40 5 Q. Sir, do you remember last week - moving to a different
6 subject - you sang a song for us. Do you remember that?

7 A. I don't remember a song.

8 Q. About carrying loads to Foya.

9 A. Yes, it happened.

09:48:56 10 Q. And you said that that was - you remembered that because
11 it's a song that people, ordinarily civilians in Kailahun, would
12 sing and you remember it now in 2010, correct?

13 A. Yes, I do.

14 Q. And you don't have to sing it, but can you remind us of the
09:49:16 15 words of the song?

16 A. Yes.

17 Q. Please.

18 A. "Please leave me alone. I'm not taking coffee to Foya."

19 Q. Now, sir, was that because civilians were being forced to
09:49:33 20 carry very heavy loads to Foya from Kailahun District?

21 A. Yes. But the explanation to that one is that this was
22 during the Top 20 and the Top 40 times, and I have told you that
23 - or, rather, I've told this Court that this mayhem was carried
24 out by people we did not know who came from Liberia. It was not
09:49:54 25 on the RUF agenda to take coffee and other things to Foya using
26 civilians.

27 Q. Now, sir, Top 20 didn't begin until when?

28 A. Top 20 didn't begin until February.

29 Q. And are you saying before - '92, correct? You're saying

1 February 1992?

2 A. Yeah.

3 Q. Now, are you saying before February 1992 people didn't
4 carry loads to Foya from Kailahun?

09:50:26 5 A. No.

6 Q. Well, I would like the witness to be shown the transcript
7 from 22 March of this year, page 37749. Now, I'll begin reading
8 from line 16. Now, sir, this is again from the testimony of
9 Charles Ngebeh, the witness who testified before you, and he was
10 talking about events in April 1991, approximately, he said. He
11 was asked:

12 "Q. Now, they take you with your parents, your younger
13 sister and family members to Pendembu. Who are these
14 people who took you there?

09:51:50 15 A. The RUF who attacked Ngolahun."

16 He is asked to repeat that and he says again:

17 "The RUF who attack Ngolahun took us to Pendembu together
18 with my family members."

19 Next page. Then Defence counsel asked:

09:52:29 20 "Q. Can I ask you just to help us with a little bit more
21 information about when you were captured by the rebels.
22 What exactly happened when the rebels arrived in your
23 village? How is it that they came to be able to take you
24 and your family to Pendembu?

09:52:48 25 A. Okay. The government sent troops to Ngolahun to
26 protect us, including some Guineans and Sierra Leoneans led
27 by former captain - he has died now but I will call his
28 name later, they came to protect us. They were in
29 Ngolahun. They assured us and told us not to run away,

1 that they will provide security for us. They were well
2 equipped. Everybody was in town. In the morning, we just
3 heard some shooting that was coming from the road towards
4 the Riverside, the Moa river. The soldiers who were in
09:53:25 5 town never responded. All of them ran away.
6 Q. So when the rebels came into the town, was it only
7 civilians who were left or were there any soldiers,
8 Guineans, Sierra Leonean, or any other nationality, there
9 to protect you?
09:53:46 10 A. All of them ran away. Only civilians remained.
11 Q. Mr Ngebeh, you said they took you all to Pendembu, yes?
12 A. Yes.
13 Q. [Microphone not activated] to you all when you got to
14 Pendembu?
09:54:09 15 A. Well, I was taken from amongst my people. They took me
16 to Foya. They took me as manpower.
17 Q. Right. And what do you mean by 'they took me as
18 manpower'? What did you have to do?
19 A. The items that they had looted they gave to me to carry
09:54:31 20 to Foya.
21 Q. Was it only you or was it other people who were taken
22 from Pendembu to Foya as manpower?
23 A. Yes, sir, we were many, sir.
24 Q. What happened when you got to Foya?
09:54:50 25 A. Well, things were difficult for me because Foya was a
26 strange place for me. I had never been there. To get food
27 was difficult. Even my movement was restricted. I found
28 things very difficult. I decided to return to my country.
29 Q. So just so that anybody who is listening understands,

1 in what country is Foya?

2 A. Foya is in Liberia. It has a boundary from Foya to
3 Koindu. Foya is in Liberia but there is a boundary.

09:55:34

4 Q. You have told us that you were taken as manpower to
5 Foya and that life was difficult in Foya. Were any members
6 of your family in Foya at any time while you were there?

7 A. No, sir. Sierra Leoneans were there, but they were not
8 my family members. My father and mother I left in

09:55:52

9 Pendembu. But I met Sierra Leoneans in Foya, but they were
10 not my family members. They did not know me, but we were
11 all Sierra Leoneans who went there.

12 Q. And are you able to help us at all with what month it
13 was or what time of year it was that you had been taken to
14 Foya in the first place?

09:56:10

15 A. It was in 1991 that all this was happening.

16 Q. Are you able to be any more specific?

17 A. Well, approximately it was within April, to me.

18 Q. And for about how long were you in Foya before you
19 decided to return back to your country?

09:56:31

20 A. Well, I did not even spend a month. I can say two
21 weeks or under three weeks. Approximately two weeks.

22 Q. How was it that you were able to get back then to
23 Sierra Leone?

09:56:48

24 A. Well, fortunately for me, I saw a group of RUF members
25 who had come from Gbarnga. One person was among this group
26 was Morris Kallon. He was in a vehicle. Then he spoke
27 Mende. I went closer to the vehicle and I greeted him. I
28 said, 'Good morning, sir,' in Mende. Then he responded.
29 He asked me what I had come to do in Foya and I told him I

1 had been taken as manpower to come there. He asked me how
2 things were getting on with me and I said things were
3 difficult. Then he took out some money and gave it to me.
4 Then he said I should try and go back to Sierra Leone.

09:57:25 5 That was what happened to me in Foya. Then I decide and
6 returned to Pendembu. I travelled to Pendembu."

7 Sir, did the RUF in 1991 have a base in Foya?

8 A. No.

9 Q. Didn't you hear of people being required to carry loads in
09:57:43 10 1991, long before Top 20, to Foya?

11 A. I didn't hear about that at all.

12 Q. Sir, was there a checkpoint between the border of Sierra
13 Leone and the border of Liberia between Koindu and Foya?

14 A. I cannot tell because the time we are talking about, I had
09:58:07 15 not started anything. I had not started moving around to the
16 border area at all, to Koindu, so I can't tell.

17 Q. Did you ever go to Foya?

18 A. No. No. I have never been to Foya before.

19 Q. Did you ever go to Liberia before you went to Ivory Coast
09:58:30 20 in your life?

21 A. No.

22 Q. Now, sir, we saw that Morris Kallon was coming from Gbarnga
23 passing through Foya. Were RUF members going back and forth to
24 Gbarnga, to your knowledge, in 1991? This is April 1991.

09:58:52 25 A. Yes.

26 Q. I want to move to another subject. Do you remember, sir,
27 that on 13 April you talked about an arms factory and that the
28 Liberian G4 commander was not very happy about that; is that
29 right?

1 A. Yes. But the Liberian RUF G4 commander.

2 Q. What was the name of that G4 commander?

3 A. I don't really remember the - his name.

09:59:35 4 Q. This was the man that you said is responsible for Top 20
5 starting, correct?

6 A. No, I did not say he was the one who was responsible for
7 the Top 20 to start.

8 Q. You said he set in motion Top 20, Top 40. Is that right?

09:59:52 9 A. What I said here, probably you did not catch it all. What
10 I said here was when Foday Sankoh gave instructions to C0 Fembeh
11 to organise a small native arms industry in Dodo Kotuma the
12 Liberian RUF commander who was G4 commander was not happy about
13 that. I said that was where the grudge and the misunderstanding
14 started between the RUF - Sierra Leonean RUF commanders and the
10:00:27 15 Liberian RUF commanders. What set the actual Top 20 in motion
16 was I said was the advice Foday Sankoh gave - himself gave to the
17 RUF commanders to behave like men. He told them, "Behave like
18 men. If your friends who have come with you are tormenting you
19 then you have to behave like men." Then Morris Kallon and C0
10:00:54 20 Fembeh, they organised a kind of ritual dance in Mende Bulima.
21 That was where the thing started.

22 Q. Just one quick question. You said - first of all, the G4
23 commander at the RUF you said he was a Liberian. Does it remind
24 you of the name if I say it was Joseph Brown? Was he the G4
10:01:34 25 commander?

26 A. No, I don't remember that. Let me don't mislead you.

27 PRESIDING JUDGE: The location, Mr Witness, that you said
28 the native arms industry was in?

29 THE WITNESS: Dodo Kotuma, D-O-D-O K-O-T-U-M-A.

1 MR KOUMJIAN:

2 Q. We'll move on to another subject, sir, and that is diamonds
3 in the early years of the RUF. If the witness, please, could be
4 shown the transcript from 9 April 2008, page 7116. Sir, you
10:02:58 5 talked about Foday Sankoh having some diamonds and you used some
6 of those diamonds for the activities of the external delegation.
7 Is that correct?

8 A. Yes.

9 Q. And you said those diamonds came from Kono, and from which
10:03:11 10 time period?

11 A. The time the RUF attacked Kono in December 1992 through
12 January 1993.

13 Q. The RUF held Kono for a couple months '92 to '93, correct?

14 A. Mmm.

10:03:29 15 Q. And these diamonds, where did they actually come from? The
16 ground or where did they come from?

17 A. As far as I know, they came from - I mean they are looted
18 materials. They came from the houses of the businessmen they met
19 there. They were not mined from the ground.

10:03:48 20 Q. Now, when an attack is coming in a town, was it your
21 experience that people would take with them the most valuable
22 things they could carry?

23 A. Yes. Especially when they are expecting the attack. But
24 when they are not expecting the attack they normally don't take
10:04:16 25 anything.

26 Q. So were some of these diamonds taken from people's bodies,
27 from their clothing?

28 A. Repeat the question, please.

29 Q. Some of the diamonds, if you know, if you don't know, say

1 so, were they looted from individuals, civilians, trying to flee
2 the fighting?

3 A. I don't know whether they were looted from people trying to
4 flee the fighting. What they told us was they had brought
10:04:36 5 diamonds - they took diamonds from houses. I don't know what
6 happened on the ground there.

7 Q. Because diamonds in the RUF were government property,
8 correct?

9 A. Yes.

10:04:44 10 Q. Which means that they - the RUF asserted the right to take
11 diamonds from anyone, correct?

12 A. No.

13 Q. People could have diamonds on them and the RUF would leave
14 them alone and let them keep them? Is that what you're saying?

10:05:02 15 A. That's not what I am saying. What I'm saying is when they
16 say diamonds are government property, they meant - what they
17 meant by that was that the diamonds were meant to - diamonds
18 being government property was meant to discourage mining among
19 the commandos. According to him if you had allowed mining by
10:05:28 20 commandos their attention was going to be taken away from keeping
21 the security.

22 Q. How was that different from your suggestion to have the
23 commanders do farming? That distracted them from the fighting,
24 didn't it, or no?

10:05:46 25 A. We did not say the commandos themselves did the - the
26 commandos themselves did the - I said they had their own farms.
27 They had their own farms. That doesn't necessarily mean they
28 themselves went to brush.

29 Q. Of course not. People were forced to work the farms of

1 RUF, commanders?

2 A. Not at all. They were not forced. All of us accepted the
3 reality of providing food for ourselves.

4 Q. So the civilians volunteered, according to you, to do the
10:06:15 5 farming. Why wouldn't the people of Kono, who were
6 professionally involved in the mining industry, volunteer for the
7 RUF to do mining?

8 A. The RUF had a policy of don't mine before - don't mine at
9 all before the end of the campaign. No natural resources were
10:06:36 10 supposed to be taken away by extraction before the campaign. The
11 ones that they took from Kono were taken because they met them
12 there and - they met them there. There was no way they would
13 have left them there because there was nothing with us.

14 Q. Sir, the RUF didn't do mining or any significant mining in
10:06:59 15 Kono because it didn't hold the ground long enough. It was
16 constantly under attack and eventually they lost the ground after
17 a couple of months, correct?

18 A. That one is difficult to tell because there are two things
19 involved there. One, they actually don't hold the ground for a
10:07:12 20 long time. Secondly, the sanction was still there; Sankoh said,
21 "Don't mine at all. I don't want to see any of you mining." In
22 fact he put the sanction on the commandos going to the crossing
23 point with any kind of mineral. The time they are taking the
24 cocoa and coffee there. He said the only thing we allowed at the
10:07:30 25 crossing point is coffee and the cocoa, but no minerals at all.

26 Q. Because the minerals he felt all belonged to him, to the
27 RUF, correct?

28 A. Yes, because the minerals belong to the RUF to raise
29 funding. Like when we are going outside, we need funding for our

1 sustenance in Libe - in Cote d'Ivoire.

2 Q. The RUF held some diamond areas in the Kenema District near
3 Tongo from 1993 to 1995, correct?

4 A. Yes, I do remember that.

10:08:03 5 Q. And there, contrary to what you've told us, the RUF
6 organised mining, correct?

7 A. No, they were not mining there. Because like Peyamah,
8 Peyamah is a diamond area where Mosquito was when I met him.
9 They were not mining there at all, but it was a former mining
10 ground. The pits were still there. They don't mine there at
11 all.

12 Q. How much time did you spend in the Peyamah area in 1993 to
13 1995?

14 A. It was when I was going to meet Foday Sankoh that I spent
10:08:36 15 two nights in Peyamah. I was not staying with them there.

16 Q. So you base your opinion, on what you've just told us, on
17 spending two nights in Peyamah?

18 A. I am not basing my opinion on the time I spent there. I'm
19 basing my opinion on the kind of loyalty that Foday Sankoh's
10:08:52 20 fighters had to him and the sanction that was in place not for
21 them to mine - not for them to mine at all.

22 Q. How about Weima, were you there?

23 A. No.

24 Q. You never were there?

10:09:05 25 A. No.

26 MR KOUJIAN: Could the witness be shown the transcript of
27 9 April 2008, page 57116.

28 PRESIDING JUDGE: Mr Koumjian, how do you spell Weima?

29 MR KOUJIAN: W-E-I-M-A.

1 MR GRIFFITHS: Madam President, I think Mr Koumjian has the
2 reference wrong. The transcript of 9 April does not contain that
3 page. It commences at page 6975, so the reference is wrong.

4 MR KOUMJIAN: Thank you, I'll come back to that. We'll
10:10:19 5 find the correct reference. Can we try this one: 10 April 2008,
6 page 7143. I'm going to start to read from line 12:

7 Q. Now, this is from the testimony of a Prosecution witness
8 TF1-516. The witness was asked:

9 "Q. Now, yesterday in talking about mining during the
10:11:45 10 1995/1996 period at Weima, I asked you the following
11 questions and this was your answer. I will just read what
12 you gave us as an answer, the question and then the answer.

13 A. Yes.

14 Q. I asked you about mining generally and you said, 'The
10:12:06 15 AFRC - there was mining going on in Weima, that was in
16 Tongo district around Paema or the Paema axis, yes.'

17 And I said, 'How did you know that there was mining going
18 on in that area.' You said you knew about this, but you
19 did not give any specific response to how you got to know.
10:12:27 20 Do you recall that?

21 A. Yes, sir. In 1995/1996 mining was going on around
22 Weima and that was Paema axis and Sam Bockarie was in
23 control - was in power. But Corporal Sankoh was, I mean,
24 based in Zogoda and Sam Bockarie used to report to Corporal
10:12:50 25 Sankoh, the leader of the RUF at the time.

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

28 A. I monitored this information from the radio and Sam
29 Bockarie used to prepare messages concerning mining and

1 those messages were transmitted to Corporal Sankoh in
2 Zogoda."

3 Now, sir, before I go on, my understanding is that actually
4 the citation I gave before is correct. Let me try it again.

10:13:37 5 Maybe I misstated it. What I have written down is correct. 9
6 April 2008, page 7116. The witness was talking about locations
7 in Kono District and the question was - first he answered:

8 "A. Number 11.

9 Q. Where were these locations that you just mentioned?

10:14:17 10 A. In Kono District and around the township of Koidu
11 itself which is the headquarter town of Kono District.

12 Q. Okay. Now before this time had there been any mining
13 undertaken at all by the RUF?

14 A. In Kono District?

10:14:37 15 Q. Yes.

16 A. AFRC - there was mining going on in Weima, that was in
17 Tongo district around Paema or the Paema axis, yes.

18 Q. Can you spell Weima, please?

19 A. W-E-I-M-A.

10:14:55 20 Q. Thank you. You say there had been mining going on
21 before in Weima near Paema. Is that right?

22 A. Yes, sir.

23 Q. Which district is that?

24 A. It is Kenema.

10:15:06 25 Q. And about what time was this mining going on?

26 A. At the time the RUF was based in Paema.

27 Q. Do you recall the year?

28 A. 1995, '96.

29 Q. Who organised the mining?

1 A. It was Sam Bockarie."

2 Now, sir, since you had never been to Weima, do you have
3 any reason to dispute this information that mining was going on
4 there in 1995, 1996 organised by Sam Bockarie?

10:15:42 5 MR GRIFFITHS: Madam President, I have an objection to this
6 question, and the reason why I have an objection --

7 PRESIDING JUDGE: Mr Griffiths, the question hadn't even
8 been completed. I would like to hear the question first and then
9 I will hear you on your objection.

10:15:57 10 MR GRIFFITHS: Very well.

11 PRESIDING JUDGE: Please complete your question.

12 MR KOUJIAN:

13 Q. Mr Witness, since you have never been to Weima, do you have
14 any reason to dispute the testimony that I just read about mining
10:16:13 15 going on at Weima in 1995/1996?

16 PRESIDING JUDGE: Now I will hear your objection.

17 MR GRIFFITHS: The objection relates to the date and the
18 reason for the objection is this: If one looks at the page to
19 which - well, both pages to which Mr Koumjian directed the
10:16:30 20 witness's answer, you will see, line 10 on page 7116 of 9 April
21 2008, AFRC. When did the AFRC come into existence? 25 May 1997.
22 So the reference then to 1995/96 cannot be accurate in the
23 context of a reference to the AFRC. So, in our submission, it's
24 misleading for Mr Koumjian to put this to the witness as an
10:17:06 25 affirmative truth, because within the evidence of the very
26 witness from whom he is quoting there is reference to the AFRC
27 which cannot be accurate. That is the point.

28 PRESIDING JUDGE: Mr Koumjian?

29 MR KOUJIAN: Counsel is misreading the testimony. This

1 witness did talk about mining in Tongo in Weima during AFRC, but
2 then you see that he is then asked - he also said it happened
3 earlier. In fact, when he says --

4 PRESIDING JUDGE: When you say "this witness", you mean
10:17:41 5 Mr Fayia or the witness --

6 MR KOUMJIAN: No, 516. The reference to AFRC that counsel
7 read is, the witness said AFRC, there was mining going on in
8 Weima. That was in Tongo. And then the next question after some
9 spellings was:

10:18:00 10 "Q. Thank you. You say there had been mining going on
11 before in Weima near Paema?

12 A. Yes, sir.

13 Q. In what district?

14 A. Kenema.

10:18:10 15 Q. About what time was this mining going on?

16 A. 1995, 1996."

17 PRESIDING JUDGE: And the witness also does say at line 20,
18 "At the time the RUF was based in Paema." So that would point to
19 two - perhaps what you could do, Mr Koumjian, in order to allay
10:18:44 20 any misunderstanding on the part of Mr Fayia, is to rephrase your
21 question in such a way that you target that part of the testimony
22 that is factually correct. Because I think what Mr Griffiths is
23 saying has some bearing in that in 1995 the AFRC did not
24 factually exist. So perhaps you could rephrase your question.

10:19:13 25 MR KOUMJIAN:

26 Q. Mr Witness, do you have any reason to dispute that mining
27 was going on by the RUF in Weima in 1995/1996?

28 A. Yes, I do.

29 Q. And how do you dispute that when you've never been to

1 Wei ma?

2 A. My dispute is based on the loyalty that I know, on the fear
3 that I know Foday Sankoh's fighters had for him. And definitely
4 whatever he told them, he told them at that time when he was with
10:19:51 5 them, they did exactly it. So for me to say that there was
6 mining there when I know that he had actually said no mining
7 should take place, I don't want to contribute to a misleading
8 information.

9 Q. Mr Witness, in addition to controlling diamond fields in
10:20:14 10 Kono in '92, '93, in Tongo in 1995, '96, the RUF also attacked
11 again and held diamond mining areas for a short period in Kono in
12 1995, correct?

13 A. I was not given that information because by then we are
14 already in Cote d'Ivoire.

10:20:43 15 Q. Sir, you know that the RUF attacked and took areas of Kono,
16 diamond mining areas, in 1995. You've told us that before,
17 haven't you?

18 A. I think I said 1993.

19 Q. Well, I'll have to come back to that.

10:21:04 20 A. 1993 is what I know. Sorry, February 1990 - December 1992
21 to February 1993. That is what I remember.

22 PRESIDING JUDGE: Did you say to February, March 1993?

23 THE WITNESS: Yes.

24 PRESIDING JUDGE: Please speak clearly. Some of the things
10:21:21 25 you say we imagine we've heard because you speak so fast, your
26 words.

27 THE WITNESS: What I do remember clearly is that the RUF
28 actually attacked Kono December 1992 and we were there up until
29 February, March 1993 when they were driven away.

1 MR KOUMJIAN:

2 Q. I don't want to put this on the overhead. I'm going to
3 read a question that was asked you in private session on
4 16 April, page 39223. And the question was - first of all, let
10:22:16 5 me ask you, sir: Isn't it true that the RUF was in Kono in 1995
6 - areas of Kono?

7 A. I don't remember that.

8 Q. And you've told us before that in the 1992/1993 attack,
9 even though no mining went on, diamonds were seized, correct?

10:22:41 10 A. Yes.

11 Q. This is what you were asked on 16 April, the very bottom of
12 page 39223. The question was:

13 "Q. The RUF was in Kono again in 1995 but for a very, very
14 brief period and no mining was done. Is that true?

10:23:02 15 A. Yes, counsel."

16 So why are you changing your testimony now, sir?

17 A. I forgot.

18 Q. Now, sir, the diamonds that you had - that Foday Sankoh
19 gave you in the external delegation, you said they came from this
10:23:29 20 brief period that the RUF --

21 PRESIDING JUDGE: Mr Koumjian, are you satisfied with the
22 answer the witness has given? He says, "I forgot." Now, I'm not
23 sure which of the two different testimonies is the one we should
24 believe. The two aspects.

10:23:44 25 THE WITNESS: You believe the last one.

26 MR KOUMJIAN:

27 Q. What is the last one, sir?

28 A. That they were there briefly.

29 Q. Sir, so now that you have told us that the RUF was - took

1 Kono in '92/'93 and held it briefly, had diamond mining areas in
2 '95, '96 in Tongo and that the RUF also took briefly Kono in
3 1995, you've mentioned that diamonds were given to the external
4 delegation and you told us when you testified last week that
10:24:25 5 these came from 1992/1993. Do you remember that?

6 A. Yes, I do.

7 Q. Sir, how would you know where the diamonds came from?

8 A. Foday Sankoh himself called us on the - called us when we
9 were taking off. As I was there - because he instructed Issa to
10:24:47 10 hand over the diamonds to Mammy Iye. He said, "This is - these
11 diamonds we're giving you is the only stuff we got from Kono in
12 1993. I've been keeping it since then for a better use. Like
13 now you are going out, we don't have money at all, you go and
14 start sustaining yourselves with that." That was the way I knew.

10:25:10 15 Q. So, sir, you testified that these were the only diamonds
16 that the RUF had, that all the diamonds the RUF had were given to
17 the external delegation. Is that correct?

18 A. You said?

19 Q. Thank you. Let me try to rephrase it. I wasn't clear. I
10:25:23 20 apologise. Your testimony is that all of the diamonds that the
21 RUF had up to 1995 to the time you went out on the external
22 delegation, all of those diamonds were given to the external
23 delegation, correct?

24 A. Yes, according to Foday Sankoh, because the diamonds were
10:25:39 25 in his possession.

26 Q. Well, sir, you know that Foday Sankoh doesn't tell the
27 truth about his finances, correct?

28 A. Yes, I do.

29 Q. Foday Sankoh never shared with you secrets about money he

1 had or money he spent, did he?

2 A. No.

3 Q. So you don't know how many diamonds Foday Sankoh had, do
4 you?

10:26:05 5 A. I did not know how much he had, but I did not have a reason
6 to dispute what he told us.

7 Q. And you don't know who Foday Sankoh had given diamonds to
8 before or sold diamonds to before or traded for other items -
9 diamonds - to before, do you?

10:26:21 10 A. You mean during the conflict?

11 Q. Yes, sir.

12 A. No.

13 Q. You don't know, correct?

14 A. No. No.

10:26:36 15 Q. Sir, I'm going to move to another subject, and that is the
16 Top 20, Top 40, Top Final. Now, you talked about Isaac Mongor
17 and his role in that. Sir, isn't it correct, Isaac Mongor fought
18 with the RUF against the NPFL in Top 20, Top 40?

19 A. No, I don't know about that.

10:27:04 20 Q. He was arrested and taken to Liberia. Did you know that?

21 A. No.

22 Q. Did you hear he was released on the orders of Charles
23 Taylor? Did you hear that?

24 A. No.

10:27:13 25 Q. Isn't it correct that Top Final, Foday Sankoh instructed
26 Isaac Mongor to organise that to drive out the remaining
27 Liberians? It was CO Isaac --

28 A. Yeah.

29 Q. -- that was in charge of organising - leading the RUF in

1 Top Final, correct?

2 A. Please repeat the question.

3 Q. The person who was the commander of the operation in Top
4 Final, which you and I, I think, agree on, Top Final the RUF

10:27:49 5 drove out the remaining Liberian - well, we'll disagree on who
6 those Liberians were, but drove out Liberians, correct?

7 A. Yes, we do.

8 Q. That's correct, they drove out Liberians?

9 A. Yes.

10:28:01 10 Q. And I'm saying that these Liberians were NPFL and you say
11 that they were renegades. Is that correct?

12 A. Yes.

13 Q. Now, sir, it was CO Isaac that was given the command by
14 Foday Sankoh and led that operation, correct?

10:28:17 15 A. You mean operation Top Final?

16 Q. Yes, sir.

17 A. I don't know at all.

18 Q. CO Isaac --

19 A. No, I know CO Isaac, but I don't know who led the operation
10:28:28 20 Top Final.

21 Q. And CO Isaac was a Liberian, correct?

22 A. Yes.

23 Q. Let me read something from the testimony of another Defence
24 witness in this case, DCT-025. If we could have the transcript

10:28:44 25 for 17 March, page 37461. Before it's read, sir, do you recall

26 telling us in your testimony that Isaac was on the Liberian side

27 and started this Top 20, Top 40 fighting for the Liberians

28 against Sierra Leoneans?

29 A. Yes. What I remember telling you here is that he conducted

1 an operation that our people - that earned him the name from our
2 people Tombolo, which was part of the Top 20.

3 Q. Sandiallu was not part of Top 20, was it? The Sandiallu
4 massacre you talked about.

10:29:42 5 A. Sandiallu massacre was part of the Top 20, but we - just
6 like the Kailahun massacre, we can give them different titles for
7 unclear [sic] understanding.

8 Q. The people that Isaac, CO Isaac, killed in Sandiallu
9 village, this was not part of Top 20, was it?

10:30:02 10 A. I am telling you it was part of the Top 20.

11 Q. It was part of the general RUF strategy of punishing
12 civilians who had been in areas controlled by the enemy?

13 A. Absolutely no. Sandiallu was far behind the RUF-controlled
14 territory. Sandiallu was inside the RUF-controlled territory.

10:30:26 15 So what I am saying is absolutely true. CO Isaac conducted that
16 campaign during the Top 20.

17 Q. The people killed in Sandiallu were all civilians, they
18 weren't RUF fighters, were they?

19 A. No. They were all civilians. That was why they called him
10:30:48 20 Tombolo.

21 Q. And Top 20 involved fighting between fighters, didn't it?

22 A. No, civilians also died in it.

23 Q. Sir, so you're saying - your testimony is that Isaac was
24 part of the Liberian side in this Top 20 operation?

10:31:02 25 A. Yes.

26 Q. Against Sierra Leoneans?

27 A. Yes.

28 Q. Let's see what DCT-125 said on 17 March 2010. He said on
29 line 3:

1 "A. But I don't know about a Top Final, nor Top 20, or Top
2 40.

3 Q. Was there a time when you were within Kailahun
4 District, that is within the first year after had you
10:31:28 5 entered Sierra Leone, was there a time when there was some
6 infighting within the RUF?

7 A. Yes. I heard that they had some soldiers at the front
8 line who were disgruntled and that the leader ordered Isaac
9 Mongor to go there and put the situation under control, and
10:31:45 10 that is all I know about that.

11 Q. And when did you hear about this?

12 A. At the time we were in the Kailahun area. That is a
13 long time ago. By then we were in the Kailahun area."

14 So, sir, would Foday Sankoh in your opinion, if Isaac
10:32:10 15 Mongor had been fighting against Sierra Leoneans, put Isaac
16 Mongor in charge of the situation to put the situation under
17 control?

18 A. I don't even remember when that one happened at all. I
19 don't remember. Because we - the information we have is that the
10:32:33 20 Top 20 started in Mende Bulima, I think I have given that name,
21 when C0 Fembeh and Morris Kallon organised that dance there after
22 Foday Sankoh advised them to behave like men if their Liberian
23 friends were tormenting them. But I don't know when ever - when
24 at any time C0 Isaac was sent to the front to put things under
10:33:05 25 control. In the first place Sankoh was not there when Top 20
26 took place. So I don't know how that person got information that
27 C0 Isaac was sent to the front to put anything under control by
28 Sankoh.

29 Q. Sankoh, you told us, was in command of what was going on in

1 Sierra Leone by radio?

2 A. Yes, I did.

3 Q. From Gbarnga?

4 A. Yeah.

10:33:25 5 Q. From whatever radio he was using in Gbarnga he was able to
6 control the situation in Sierra Leone, correct?

7 A. Yes.

8 Q. Did you know that that was Charles Taylor's radio he was
9 using?

10:33:39 10 A. No, I can't - that one I can't tell. I don't want to be
11 emphatic on that.

12 MR GRIFFITHS: Madam President, I hesitate to interrupt and
13 I'm sure it's my fault because I may well have missed something,
14 but the passage to which Mr Koumjian directed the witness's
10:33:56 15 attention from 17 March 2010 at page 37461, is it being suggested
16 that where that passage reads, "Isaac Mongor to go there and put
17 the situation under control," in the context of the prior
18 questions asked - is it being suggested that that was during Top
19 20, Top 40 or Top Final? I don't know and I would like some
10:34:25 20 clarification. It would be of assistance.

21 MR KOUMJIAN: Your Honour, let me clarify our position very
22 clearly, consistent with lots of evidence in this case. Isaac
23 Mongor was put in charge of Top Final. He was given an order by
24 Foday Sankoh to put control of the remaining renegades -
10:34:49 25 Liberians from the NPFL in operation Top Final.

26 MR GRIFFITHS: That being the position, then in our
27 submission the question should be put to the witness directly
28 that during Top Final, where this witness at page 37461 is
29 talking about Isaac Mongor, that the situation that Isaac Mongor

1 was being directed to deal with is Top Final, which is contrary
2 to what the witness actually said. Because if we look at the
3 page, "I don't know about a Top Final, nor Top 20, nor Top 40."
4 Then the witness goes on to deal with what Isaac Mongor was meant
10:35:35 5 to do. So Mr Koumjian is using a witness who is not in a
6 position to say that Mongor was involved in either Top 20, Top 40
7 or Top Final as the foundation for a proposition which is
8 non-existent in the testimony of the witness. So he should put
9 his case quite clearly independent of this transcript reference.

10:36:03 10 PRESIDING JUDGE: Could I say I think as I followed both
11 the question and previous questions and the witness's answer, the
12 point was not so much the name attached to this assignment, Top
13 20, Top 40, Top Final, whatever. That was not the crux of the
14 question. The crux of the question was this: That whilst
10:36:30 15 Mr Fayia Musa was saying that the massacre that was carried out
16 by Isaac Mongor was carried out by Isaac Mongor as part of Top
17 20, the Prosecution was saying that if indeed Mr Fayia was
18 telling the truth, was that consistent with the fact that this
19 other witness in the transcript was saying that Isaac Mongor was
10:37:02 20 so trusted - so trusted by Foday Sankoh that he would be sent to
21 quell an infighting, whatever the title of that infighting was.
22 This in my understanding would be the crux of the question. Let
23 me finish. And to me the two - it's a good question. It's a
24 valid question.

10:37:26 25 If, as Mr Fayia Musa is saying, that Isaac Mongor was so
26 bad and so evil that he had carried out a massacre of Sierra
27 Leonean civilians in place X that has been named, how is it that
28 the same Isaac Mongor would be trusted by the leader of the RUF
29 well enough to be sent to go and quell an infighting somewhere

1 else, whatever the title of the infighting would be, which
2 obviously there's disagreement. And the witness has said, well,
3 he doesn't know that Isaac Mongor was even sent to go and quell
4 such an infighting. He doesn't know where this previous witness
10:38:17 5 even got that information and Mr Fayia Musa stands by his earlier
6 testimony that, as far as he's concerned, Isaac Mongor did carry
7 out this massacre of civilians as part of the Top 20. This is
8 how I understand. Mr Fayia Musa, am I wrong?

9 THE WITNESS: You are perfectly correct.

10:38:39 10 PRESIDING JUDGE: So for me the objection doesn't add or
11 subtract to the evidence.

12 MR GRIFFITHS: Very well.

13 MR KOUMJIAN: Your Honour, briefly in response. If counsel
14 read what's page 47 of my LiveNote, his objection, I clearly put
10:38:56 15 directly to this witness that Isaac Mongor was in charge of Top
16 Final. It's a series of questions.

17 PRESIDING JUDGE: Mr Koumjian, was I wrong in my assessment
18 of your emphasis?

19 MR KOUMJIAN: No, and the witness at that time said he
10:39:11 20 didn't know and then I read this testimony about Foday Sankoh.
21 First I reminded the witness of his testimony that Mongor was on
22 the side of the Liberians and then read the testimony that
23 your Honour referred to.

24 THE WITNESS: Let me take this opportunity to explain
10:39:31 25 something by permission, your Honour. The thing that we were
26 suffering in the bush there, it was all just inconsistency. One
27 thing can happen today, that he sees something happen tomorrow.
28 So when Foday Sankoh came from Gbarnga he was actually informed
29 of what Isaac did. He was informed.

1 PRESIDING JUDGE: Yes, but, Mr Fayia, that doesn't detract
2 from the evidence that we have. We have your evidence, we have
3 evidence from other witnesses and the lawyer's duty is to put
4 these various pieces of evidence to you for your comment.

10:40:10 5 THE WITNESS: Okay, thank you.

6 PRESIDING JUDGE: Please proceed, Mr Koumjian.

7 MR KOUMJIAN:

8 Q. Sir, we're going to move to another subject and that is
9 Mr Addai-Sebo. You know him?

10:40:21 10 A. Very well.

11 Q. And can you remind us of his first name?

12 A. He's Akyaaba, A-K-Y-A-B-B-A [sic].

13 Q. Sir, you said he first appeared on the scene connected to
14 the RUF in late 1993 when he came into RUF territory. Is that
10:40:48 15 correct?

16 A. Yes.

17 Q. But at that time he didn't tell you he was associated with
18 any NGO, correct?

19 A. No, he told us he was a journalist.

10:41:02 20 Q. And it wasn't until months later when he came back that he
21 revealed his real identity to you. Is that right?

22 A. Yes.

23 Q. Now, when he came to the RUF territory in late 1993, what
24 exactly did he say?

10:41:14 25 A. He said he was a journalist, he came to find out what was
26 happening in our territory.

27 Q. You say you know him very well. Can you explain how you
28 know him? Talk now about the contacts you've had with
29 Dr Addai-Sebo.

- 1 A. In the first place Addai -Sebo is a Ghanaian, an Asante by
2 tribe. I don't know whether he is still working there, he was
3 working with International Alert; a London-based NGO that is
4 specialised in conflict prevention, conflict management when they
10:42:00 5 are not prevented, and conflict resolution. When he came the
6 first time in late 1993, he told us he was a journalist and that
7 he had come to see what was happening in the RUF territory. By
8 then I was in the Kangama area, Kissi Teng. I had not come to
9 Giema yet, I and Mr Deen-Jalloh. Then it was he and Madam Isatta
10:42:36 10 Kallon who came. He came with Madam Isatta Kallon.
- 11 Q. Isatta Kallon was the woman you said was living in Liberia
12 for many years. Is that correct?
- 13 A. Yes, counsel.
- 14 Q. And she was supporting the Camp Naama, correct, you said?
- 10:43:01 15 A. Yes, according to the vanguards.
- 16 Q. She actually had been the head of some kind of market
17 association of women. Is that correct?
- 18 A. Yes, counsel.
- 19 Q. In which town was that?
- 10:43:12 20 A. That was in Harbel, they said.
- 21 Q. In Harbel in Liberia?
- 22 A. Yeah.
- 23 Q. And she organised demonstrations in Harbel in support of
24 the NPFL against ECOMOG, correct?
- 10:43:21 25 A. No, I don't know. I don't know.
- 26 Q. So she is the one who came with Addai -Sebo?
- 27 A. Yes, she is the one who came with Addai -Sebo that time.
- 28 Q. Now, when was your last contact with Addai -Sebo?
- 29 A. My last contact with Addai -Sebo was November 30, 1996.

1 Q. That's not correct, is it?

2 A. My last contact with Addai-Sebo was November 30, 1996 when
3 - the day the Abidjan Peace Accord was being signed.

4 Q. And you've had no contact with him since then?

10:44:01 5 A. No.

6 Q. Sir, you talked about a letter you wrote to Charles Taylor.
7 Do you remember that?

8 A. Yes.

9 Q. How did you get the fax number of the Foreign Ministry of
10:44:14 10 Liberia?

11 A. I'm sorry, you know we are discussing if something happened
12 20 years ago, so the dates - so I'm really sorry, I contacted him
13 in 2000.

14 Q. Addai-Sebo?

10:44:31 15 A. Addai-Sebo, yes, in Abidjan.

16 Q. You called him Doctor. What is he a doctor of?

17 A. Really I've been asking myself that question. When Madam
18 Isatta came, he said, "This is Dr Sebo," but I did not ask to
19 say, rather he told us that he's a journalist.

10:44:56 20 Q. Now he was a Ghanaian from Ghana but he wasn't living in
21 Ghana, correct?

22 A. He was living in London. Correct, yeah.

23 Q. Do you know what his politics were? Anything about his
24 politics?

10:45:07 25 A. He told me he is a Pan-Africanist.

26 Q. Did he tell you what his view of Jerry Rawlings was?

27 A. No.

28 Q. Now, is Dr Sebo the man that introduced you to the party
29 leader you met in Belgium?

1 A. No, no, he was not there.

2 Q. How did you - no, we will come to that. Addai-Sebo did not
3 give you the name of Mr Martens?

4 A. No, no, he did not.

10:45:34 5 Q. Who was it that arranged these meetings for you with
6 various officials in Europe?

7 A. The first one - my contact with Mr Ludo Martens was
8 organised by Mr Monguya.

9 Q. And who organised - you said you had a meeting at the Dutch
10:45:56 10 Foreign Ministry --

11 A. Well, it was the - it was he now who did the rest.

12 Q. Sir, we can't talk at the same time. So please - yesterday
13 you may have been talking too slow, but at least pause before you
14 answer. It's easier for the transcribers.

10:46:11 15 A. Okay.

16 PRESIDING JUDGE: Do we have spellings of these names on
17 record already?

18 MR KOUMJIAN: Yes. This is from his direct examination:

19 Q. Sir, I asked you who organised your meeting at the Dutch
10:46:31 20 Foreign Ministry and you said it was he now. Who organised your
21 meeting at the Dutch Foreign Ministry?

22 A. It was the daughter of Mr Monguya on the suggestion of
23 Mr Ludo Martens.

24 Q. And how did you - who gave you the contact with Mr Monguya?

10:46:57 25 A. You mean the man in Belgium?

26 Q. Well, you said everything was organised by Monguya,
27 correct?

28 A. Yes.

29 Q. He is Congolese, correct?

1 A. Yeah, he is a Congo, yeah, Congolese.

2 Q. He was in Europe at the time, correct?

3 A. Yes.

4 Q. How did you know him?

10:47:10 5 A. One day I was in my hotel room in Abidjan when his daughter
6 Clothilde went and said she wanted to see me. They directed her
7 to my room. She went there. She told me she was - she told me
8 her father was Mr Sankoh's friend and that they were trying to
9 organise for us to start the political front in Europe because
10:47:39 10 they are there already.

11 Q. Now, you've met and spent quite a bit of time with
12 Mr Monguya, correct?

13 A. Three months, yes.

14 Q. What did he say about being Sankoh's friend?

10:47:52 15 A. I don't remember the exact thing. He just told me, "He's
16 my friend." "Il est mon ami. Il est mon ami depuis long temp."
17 Those are the things he was saying. He said, "He's a long time
18 friend." That was all he told me.

19 Q. So you don't know how Foday Sankoh was in contact with
10:48:08 20 Monguya?

21 A. No, no, I don't.

22 Q. When you got there, Monguya expected you to have diamonds,
23 correct?

24 A. Yes.

10:48:14 25 Q. And he was a friend - somehow he had contact with
26 Foday Sankoh before you arrived, correct?

27 A. Yes.

28 Q. Let's go back for a moment to Dr Addai-Sebo. He was
29 instrumental in "Footpaths to Democracy", in the writing of that,

1 correct?

2 A. Yes.

3 Q. And also in getting it published. Is that correct?

4 A. It was published - yes, yes, getting it published in

10:48:41 5 Abidjan.

6 Q. In fact, he wrote large parts of it, didn't he,

7 "Footpaths" --

8 A. The "Footpaths to Democracy" is a compendium. It is an

9 assemblage of materials from all of us. He just edited it for

10:49:02 10 us.

11 Q. So he did the final edits?

12 A. Yes.

13 Q. And you say, sir - do you know where he had worked before

14 he showed up in RUF territory? Do you know if he had worked in

10:49:13 15 any other areas of Africa?

16 A. No.

17 Q. Had he worked in Liberia?

18 A. I said I don't know where he had worked, because he came

19 from England when he met us in the bush there.

10:49:28 20 Q. Did he ever tell you he was involved in anything to do with

21 the Liberian conflict?

22 A. No.

23 Q. Did he say he was a friend of Charles Taylor?

24 A. No, he did not tell us that.

10:49:37 25 Q. Now, he also hid his real identity when he first came and

26 told you he was a journalist, correct?

27 A. Yes.

28 Q. Did he say he had been a publicist for Charles Taylor?

29 A. No. He did not tell us anything about Charles Taylor.

1 Q. When the external delegation first went to the Ivory Coast,
2 Addai-Sebo was with you, correct?

3 A. Yes.

10:50:04

4 Q. Who was the person that introduced the external delegation
5 to Musa Cisse, Charles Taylor's chief of protocol?

6 A. He introduced us to Musa Cisse.

7 Q. Addai-Sebo?

8 A. Yes.

9 Q. How did he know Musa Cisse?

10:50:15

10 A. That one I did not know. He did not talk about it. He
11 just said he's a friend. He wants him to be a friend too.

12 Q. Could we distribute some documents now, please. Now, I
13 would like some of these documents to be shown to the witness.

10:52:00

14 I'm going to start with number 9, but it might be useful to bring
15 up at the same time 1, 2, 8, 9 and 10. Sir, I'm going to ask you
16 about some documents and they will appear on the screen in front
17 of you in a moment. If you can't read them and you need to take
18 a closer look, we can make sure you have a copy in front of you.

10:52:44

19 First of all, tab 9, do you recognise the person in the
20 photograph?

21 A. No.

22 PRESIDING JUDGE: Sincerely the picture appearing on the
23 screen, it's probably not as clear as if the witness would see
24 the document itself.

10:53:01

25 THE WITNESS: Yeah, I do.

26 MR KOUJIAN:

27 Q. Who is that, sir?

28 A. Sebo.

29 Q. Thank you. For the record, the name is spelled at the top,

1 his first name, A-K-Y-A-A-B-A, and the Addai-Sebo is hyphenated.
2 A-D-D-A-I, S-E-B-O. Sir, if you can put that back on the screen
3 for a moment. I'll just read from the little bio. It says:

4 "Mr Akyaaba Addai-Sebo is an independent consultant on
10:54:02 5 preventative diplomacy and conflict transformation, formerly
6 special envoy of International Alert. He helped to broker peace
7 negotiations between the fighting groups in Liberia and Sierra
8 Leone."

9 Sir, in all the time that you knew Dr Sebo, did he tell you
10:54:19 10 about his involvement in Liberia?

11 A. No. I'm surprised.

12 Q. Let's go then to number 8. Tab 8. I'm only interested in
13 a couple of sentences in the fifth paragraph.

14 May the last document be marked for identification, tab 9,
10:54:58 15 which has a title "Forum 2000" and then the name "Akyaaba
16 Addai-Sebo" and a brief bio.

17 PRESIDING JUDGE: What is the document? For my purposes of
18 describing it.

19 MR KOUMJIAN: Tab 9. It is a biography of Akyaaba
10:55:15 20 Addai-Sebo for Forum 2000.

21 PRESIDING JUDGE: The document as described by counsel is
22 marked MFI-3.

23 MR KOUMJIAN:

24 Q. Going back to tab 8. I'm just going to read from the first
10:55:39 25 page a couple of sentences in the fifth paragraph. The paragraph
26 begins, "No doubt this is true", but I'm going to start at the
27 end of the second line:

28 "'History is the chronicle of the victor', Akyaaba
29 Addai-Sebo, independent consultant on preventative diplomacy and

1 conflict transformation, and former special envoy of
2 International Alert, told Weekly. He also helped broker peace
3 negotiations between the fighting groups in Liberia and Sierra
4 Leone".

10:56:15 5 So again, sir, we see it's reported that Dr Sebo had worked
6 in negotiations in Liberia. Now if we can go to tab 1.

7 May that document - and I'm only interested in that fifth
8 paragraph on the first page - the document is entitled "Fall From
9 Grace" - be marked for identification.

10:56:36 10 PRESIDING JUDGE: The document as described by counsel
11 entitled "Fall From Grace" is marked MFI-4.

12 MR KOUJIAN: Now if we could have tab 1, please. It is a
13 page from a book. But first let's put the cover page of the book
14 on the screen.

10:57:04 15 Q. Sir, this is a book entitled "A Dirty War in West Africa"
16 by Lansana Gberie, and the next page is the publication date
17 which shows 2005 by Lansana Gberie. Then the page I'm interested
18 is the third in tab 1. I'm starting from the sixth line down,
19 the very last word where it says in italics "Footpaths". We'll
10:57:50 20 see here actually - it says:

21 "Was 'Footpaths to Democracy' hastily put together in
22 London by Addai-Sebo (a Ghanaian and formerly publicist for
23 Charles Taylor) a few months earlier in 1995?"

24 Addai-Sebo, you told us, lived in London, correct?

10:58:32 25 A. Yes, I did.

26 Q. Did he ever tell you that he was a publicist for Charles
27 Taylor?

28 A. No, he did not tell me that.

29 Q. In effect, he was a publicist for the RUF. You would agree

1 with that, correct?

2 A. Well --

3 Q. He worked in the public relations marketing of the RUF,
4 correct?

10:58:50 5 A. No, where in the public relations?

6 Q. The person that helped you market the RUF --

7 A. Yes, he did.

8 Q. -- was Dr Addai-Sebo, correct?

9 A. Yes.

10:59:01 10 Q. And that's the job of a publicist, correct?

11 A. Yes.

12 MR KOU MJIAN: Thank you. Could that document be marked for
13 identification.

14 PRESIDING JUDGE: I would presume that you only want

10:59:12 15 pages --

16 MR KOU MJIAN: The first three pages.

17 PRESIDING JUDGE: The first three pages of the publication
18 entitled "A Dirty War in West Africa" by Lansana Gberie, and it's
19 the first three pages including a page 12, that is marked MFI-5.

10:59:49 20 MR KOU MJIAN: Your Honour, do I have time for another one
21 or have we reached the end?

22 PRESIDING JUDGE: We have a minute. We have two minutes.

23 MR KOU MJIAN: Tab 2, please:

24 Q. Do you see, sir, this is from a book called "Beyond

11:00:15 25 Democracy and Terror, The Sierra Leone Civil War", edited by
26 Ibrahim Abdul Iah?

27 JUDGE LUSSICK: It's "Between Democracy and Terror".

28 MR KOU MJIAN: I don't know what I read. Thank you,
29 your Honour. "Between Democracy and Terror."

1 Q. Sir, on the next page we see the publication. It was
2 published in 2004. Then if we go to page 202, what you actually
3 see here is - the page that you have right now is a rather
4 blurred copy. I'm only going to read from the last paragraph.

11:01:04 5 If you go to the next page in the packet it is clear the only -
6 this page has something highlighted. I'm not interested in the
7 highlighting.

8 PRESIDING JUDGE: Mr Koumjian, unfortunately the tape has
9 run out I'm advised. We'll pick this up after the break. We'll
11:01:23 10 reconvene at 11.30.

11 [Break taken at 11.01 a.m.]

12 [Upon resuming at 11.32 a.m.]

13 MR GRIFFITHS: Madam President, can I announce a change in
14 appearance in that we're joined by Mr Michael Herz, an intern
11:33:06 15 with us. Unfortunately, I was hoping that there'd be another
16 change in appearance in that Mr Taylor would be here, because I
17 was told about five minutes ago that he's actually in the
18 building. So why he's absent from Court, I know not.

19 MS IRURA: Your Honour, I can confirm that Mr Taylor has
11:33:24 20 arrived in the building. He is being conveyed to the Court at
21 this very moment.

22 PRESIDING JUDGE: In any event, thank you, Mr Griffiths,
23 for the information you've just given. Mr Herz is welcome to the
24 Court. I think Mr Taylor will come in momentarily, so that's
11:33:51 25 fine.

26 MR GRIFFITHS: [Microphone not activated].

27 PRESIDING JUDGE: Thank you. Mr Koumjian, please proceed.

28 MR KOUMJIAN: Then if we could have - I believe we were
29 dealing with tab 2 and the third page of that, if that could be

1 put back on the screen. This is from the book "Between Democracy
2 and Terror".

3 Q. Sir, I'm reading from the last paragraph of this book,
4 which talks about RUF peace notions in '95 and '96. It says:

11:34:45 5 "Other peace initiatives involving the Commonwealth, the
6 Organisation of African Unity (OAU) and the UN, proved difficult
7 mainly because Sankoh appeared elusive. This was because he was
8 distrustful of them with the exception of one, International
9 Alert, a London-based conflict resolution non-governmental
11:35:16 10 organisation."

11 First of all, let me stop there. Would you agree, sir,
12 Mr Fayia, that Foday Sankoh was distrustful of these other
13 organisations like the Commonwealth - the British Commonwealth,
14 the Organisation of African Unity and the UN, but willing - but
11:35:41 15 more trustful of International Alert? Would agree with that?

16 A. Yes, I do, given the fact that - if I may continue?

17 Q. Sure.

18 A. Given the fact that International Alert was actually the
19 first organisation that sent an envoy to meet him concerning
11:36:03 20 peace process.

21 Q. Sir, isn't it true that other organisations like the UN had
22 tried to start negotiations but the RUF, Foday Sankoh, had
23 refused to be drawn in before?

24 A. No, I don't remember that at all. Because it was the
11:36:22 25 International Alert who actually sent an envoy to meet him in the
26 bush there. I don't remember at all anybody from the UN or the
27 Commonwealth ever going there.

28 Q. Thank you:

29 "International alert, a London-based conflict resolution

1 non-governmental organisation whose agent Akyaaba Addai-Sebo, a
2 Ghanaian, had once been Charles Taylor's publicist and was known
3 to the Sankoh and the RUF. From early 1995 Addai-Sebo became a
4 close adviser to Sankoh and a frequent visitor to the RUF bases."

11:37:06 5 Would you agree with what I just read, sir?

6 A. Yes, he used to visit Sankoh and give him advice on the
7 need for him to come out and be seen and also to be heard.

8 Q. Thank you. I'll continue to read:

9 "He," referring to Addai-Sebo, "actually warned the RUF
11:37:30 10 against dealing with imperialist organisations like the UN and
11 the Commonwealth which would just ruin their cause and attempted
12 to monopolise access to the RUF."

13 Do you agree with that?

14 A. Read it again, please.

11:37:53 15 Q. "He actually warned the RUF against dealing with
16 imperialist organisations like the UN and the Commonwealth which
17 would just ruin their cause and attempted to monopolise access to
18 the RUF."

19 A. No, I don't agree with that at all. Because Addai-Sebo
11:38:08 20 himself was the one who said you need to be known as RUF, you
21 need to be heard, you need to be known by the international
22 community, knowing pretty well that when you say "international
23 community" you're actually talking about UN and the Commonwealth
24 and others.

11:38:22 25 PRESIDING JUDGE: May I just note that I've seen Mr Taylor
26 walk in.

27 [The accused present]

28 MR KOUMJIAN: Thank you, your Honour.

29 Q. "Far from facilitating the process of bringing peace,

1 International Alert actually made the task more torturous. Much
2 of the hard line posturing and evasive tactics of the RUF in
3 subsequent negotiations may be attributed, at least in part, to
4 the influence and advice of Addai -Sebo who was officially
11:39:02 5 International Alert's special envoy to the Sierra Leone peace
6 talks."

7 Do you agree with that, sir?

8 A. No. Addai -Sebo, he actually deserves some commendation
9 from us, from the RUF, because he was always advising Foday
11:39:18 10 Sankoh to be serious about the peace process. I remember in
11 Yamoussoukro when Foday Sankoh came to have his first meeting
12 with Maada Bio, Addai -Sebo was telling Maada Bio to make sure
13 that he placed seriousness on the peace process. He was always
14 advising him against running away from it, he said because that
11:39:45 15 is the only way he could be marketed. No one can market him
16 other than himself. So he was always advising him against doing
17 what he was doing. I have made it clear in this Court that Foday
18 Sankoh was very unpredictable person. He was somebody who did
19 not take advice from anybody at all.

11:40:04 20 Q. Was Addai -Sebo negotiating with the government in Freetown?
21 Was he in Freetown ever, to your knowledge?

22 A. Yes. I think there was a time he went to Freetown, but I
23 don't remember the date. But there was a time he went to
24 Freetown.

11:40:22 25 MR KOUMJIAN: Your Honour, may this document be marked for
26 identification.

27 PRESIDING JUDGE: In all its pages?

28 MR KOUMJIAN: Well, I believe the third page is just a bad
29 copy of the fourth page. The only difference is it doesn't

1 contain the highlighting. The only matter that I've read that is
2 relevant to this testimony on page 202 is the last paragraph, so
3 I would ask that the cover and publication page and page 202, the
4 last paragraph, be marked for identification.

11:40:59 5 PRESIDING JUDGE: Right. The document entitled "Between
6 Democracy and Terror, the Sierra Leone Civil War", edited by
7 Ibrahim Abdullah, comprising the cover page, the publication page
8 and page 202, be marked MFI-6.

9 MR KOUMJIAN:

11:41:25 10 Q. Sir, I have one more document relevant to Mr Sebo and that
11 is in tab 10. If that could be shown to the witness. Sir, this
12 is from a book entitled, we see on the cover, "Building peace in
13 West Africa. Liberia, Sierra Leone and Guinea-Bissau" Adekeye
14 Adebajo. Then turning to the next page we see it was published
11:42:19 15 in 2002 by the International Peace Academy. Then going to page
16 86, the third page in the tab, I'm just going to read the first
17 paragraph. It's entitled "The Abidjan Accord":

18 "Despite the government's difficulties, the military
19 pressure from the mercenary backed coalition of military and
11:42:46 20 Kamajors, which by October 1996 had expelled the RUF from several
21 key positions in the south-east, including Kailahun, eventually
22 resulted in a peace agreement between Kabbah and the RUF. The
23 Abidjan Accord of 30 November 1996 was brokered by Cote d'Ivoire
24 and called for the establishment of a neutral monitoring group to
11:43:14 25 disarm the factions, the withdrawal of Executive Outcomes and the
26 repatriation of all foreign troops from Sierra Leone."

27 Sir, do you agree with what I've read so far?

28 A. Yes, I do.

29 Q. "Under the accord the RUF was to be transformed into a

1 political party and a general amnesty for war crimes was granted
2 to its members. The negotiations were difficult, and Sankoh
3 often expressed his open distrust of Berhanu Dinka, the UN
4 special envoy who was active in mediation efforts."

11:43:57 5 You would agree with that, wouldn't you, sir?

6 A. Very much.

7 Q. In fact, Foday Sankoh accused you of some kind of betrayal
8 for having lunch with Mr Dinka. Is that correct?

9 A. Yes.

11:44:07 10 Q. And he told you he didn't trust you because of that,
11 correct?

12 A. Yeah.

13 Q. I'll continue to read:

14 "The RUF was encouraged in its recalcitrance by Akyaaba
11:44:20 15 Addai-Sebo, a Ghanaian member of London-based International Alert
16 and a friend of Charles Taylor who did all he could to sabotage
17 the peace talks."

18 Sir, first of all, did you know that Addai-Sebo was a
19 friend of Charles Taylor?

11:44:39 20 A. I did not know that. The comment I would like to make on
21 Addai-Sebo's contribution to delaying the peace process is that
22 Addai-Sebo played with probably somebody he did not understand,
23 he could not quite understand. But as far as I could remember,
24 Addai-Sebo was always behind Foday Sankoh to make sure that that
11:45:04 25 peace process was concluded --

26 Q. Are you finished, sir?

27 A. -- by implementing the peace accord to the letter.
28 Provision by provision.

29 Q. Now, sir, Addai-Sebo introduced you and the delegation to

1 Musa Cisse. Is that correct?

2 A. Yes.

3 Q. Now, did you know who Musa Cisse was?

4 A. He introduced him as a friend. I did not know him before.

11:45:39 5 Q. And what did you learn about who Musa Cisse was when you
6 got to know him?

7 A. I learnt that he was Charles Taylor's protocol in
8 Cote d'Ivoire, chief of protocol in Cote d'Ivoire.

9 Q. When you say chief of protocol, what do you mean?

11:45:55 10 A. That was how they used to call him, by title.

11 Q. Okay.

12 A. In those days if you went to Danane and said chief of
13 protocol, everybody knew his house.

14 Q. Okay. And what else did you know about him? Anything
11:46:12 15 else?

16 A. He's a Mandingo by tribe.

17 Q. Was he an NPFL member?

18 A. Yes, he was an NPFL member.

19 Q. If we could have the transcript for 23 September 2009. I'd
11:46:29 20 like, Mr Witness, to read to you what Charles Taylor said about
21 Musa Cisse and just see if you agree with it or could comment on
22 it.

23 MR GRIFFITHS: I wonder if we could have a page reference,
24 Madam President.

11:47:06 25 MR KOUMJIAN: Page 29529.

26 MS IRURA: Counsel should note this is a private session
27 transcript.

28 MR KOUMJIAN:

29 Q. Okay. I'll simply read this, sir. On page 29529 on 23

1 September 2009 - Madam President, nothing I read will reveal the
2 identity of any witness - beginning on the fifth page,
3 Charles Taylor said, "Musa Cisse is a senior member of the NPFL,
4 senior. Very senior member of the NPFL." He was asked:

11:48:01 5 "Q. At what point in time does he move to La Cote
6 d'Ivoire?

7 A. Musa Cisse moves to La Cote d'Ivoire I would say in the
8 early - I would say '83, '84. Musa Cisse was having a
9 serious problem. He is in exile at the time of

11:48:23 10 recruitment, so he is in La Cote d'Ivoire prior to '86.

11 Q. Prior to '86?

12 A. Definitely he is in exile in La Cote d'Ivoire.

13 Q. After the invasion of Sierra Leone, does he come to
14 Liberia then?

11:48:40 15 A. He comes and he goes. The point I'm trying to make,
16 Musa Cisse is not just in exile. Musa Cisse helps to put
17 together the programme" --

18 MR GRIFFITHS: Madam President, I hesitate to interrupt my
19 learned friend, but the record shows after the invasion of Sierra
11:49:00 20 Leone. In fact, what the witness said on that page at line 14 is
21 after the invasion of Liberia. Line 14.

22 MR KOUJIAN: Well, I don't have the lines, but I
23 certainly --

24 PRESIDING JUDGE: You're saying that Mr Koumjian misread?

11:49:23 25 MR GRIFFITHS: Yes, because if you look at the record at
26 page 74, line 6, it reads, "After the invasion of Sierra Leone,
27 does he come to Liberia then?" But the text from which he's
28 reading actually refers to Liberia.

29 PRESIDING JUDGE: Mr Koumjian, we're depending on you

1 because we don't have this transcript in front of us. Please
2 read accurately what you have.

3 MR KOUMJIAN:

4 Q. "Q. And after the invasion of Liberia, does he come to
11:49:59 5 Liberia then?

6 A. Oh, he comes and he goes. The point I'm trying to
7 make, Musa Cisse is not just an exile. Musa Cisse helps to
8 put together the programme. He goes to Libya while the
9 training is going on; he comes back. That's why I call him
11:50:21 10 a very senior member of the NPFL and he's carried on the
11 list as a Special Force, but he is older man, even though
12 he doesn't take military training, okay.

13 Q. Now, I just want to understand, Mr Taylor, how a Musa
14 Cisse could be in Danane at this stage with a radio in his
11:50:47 15 house which is accessible by the RUF. Do you follow me?
16 So how does he come to be in Danane, given that he is a
17 senior member of the - in setting up the NPFL?

18 A. Musa Cisse, the late Musa Cisse I will say had both
19 Ghanaian [sic] and Liberian background. They were
11:51:14 20 something like business family. When Doe came into power
21 in the early '80s he was one of those businessmen that fell
22 out with the Doe government, so he moved to La Cote
23 d'Ivoire and there he lived and took advantage of his
24 recruitment and helped to put, you know - to help to
11:51:38 25 recruit people to Libya and all. Went through with me
26 Burkina Faso, Libya. Even at the time of my arrest in
27 Ghana, Musa Cisse is still working with the people on the
28 ground. So he is in La Cote d'Ivoire before '86 and he is
29 in exile in La Cote d'Ivoire, okay. That's how he becomes

1 - now, when we start the operation, okay, by the time I
2 move into Liberia around April of 1990 we begin now to
3 establish good relationship with certain elements of the
4 Ivorian government. So he puts up a communication there.
11:52:18 5 Let's say a journalist, other individuals that wanted to
6 come into Liberia will stop at Musa Cisse's house and would
7 inform. He would call the radio stations in Liberia and
8 inform them at X number of foreign journalists - so all
9 contacts coming into Liberia at that particular time, Musa
11:52:45 10 Cisse's radio, that radio was there to inform us and we
11 would send to the border and pick up the person and bring
12 them in. So that radio served a function for the NPFL in
13 our relationship externally. That's what he was posted
14 for."

11:53:07 15 Mr Witness, first, in what I've read, would you agree that
16 Musa Cisse from what you saw had developed a good relationship
17 with certain elements of the Ivorian government?

18 A. Yes. Yes, I will.

19 MR GRIFFITHS: Before we lose sight of it, Madam President,
11:53:26 20 I note that at page 75 at line 14, Musa Cisse is described as
21 being of Ghanaian and Liberian background. In fact, the
22 transcript reads Guinean and Liberian background.

23 MR KOUMJIAN: That is correct. Guinea.

24 PRESIDING JUDGE: That could have been an error by the
11:53:48 25 transcribers. Thank you. I'm sure it will be picked up.

26 MR KOUMJIAN:

27 Q. Now, Mr Witness, you told us that at the time you were
28 introduced to him he was introduced as a protocol - chief of
29 protocol. Is that correct?

1 A. Yes.

2 Q. Continuing on, page 29531, the top of the page, Mr Taylor
3 is asked:

4 "Q. I'm grateful for that. Now, at that time, Mr Taylor,
11:54:35 5 1995, before you moved to Monrovia, was Musa Cisse a
6 protocol of yours?

7 A. No, he was not. He did not carry the title of protocol
8 officer. No."

9 But when you were introduced to him in July 1995,
10 Mr Witness, you're saying that he did carry that title, correct?

11 A. I will remember that very much, yes. That was how he was
12 known all over the place. Whenever you said chief of protocol,
13 they would take you to his house.

14 Q. Now, to your knowledge - now, you talked about using the
11:55:16 15 radio at Musa Cisse's house. Is that correct?

16 A. Yes.

17 Q. How often would that be used?

18 A. We were on a timetable. Our earlier operator was on a
19 timetable, but I don't remember the days now in the week. But at
11:55:35 20 least we used to use it more than once in a week.

21 Q. So you had a regular schedule where the RUF radio operator
22 would be working from Musa Cisse's house. Is that correct?

23 A. Yes, yes.

24 Q. And would the radio operators for Musa Cisse also be there?

11:55:49 25 A. Yes.

26 Q. So they were present during these RUF communications,
27 correct?

28 A. Yes.

29 Q. Now, to your knowledge was this radio - providing this

1 radio to the RUF something that Musa Cisse did with or without
2 the permission of Charles Taylor?

3 A. I cannot really tell that one. I cannot tell that. But I
4 am sure that it was not possible for him to have done that
11:56:21 5 without his permission.

6 Q. Because this went on for how long, sir? How long were you
7 using the radio?

8 A. It went on up until Foday Sankoh came out, 1996.

9 Q. I'm going to have to be careful here, but on 23 September
11:56:57 10 2009, page 29531 - I'm being careful because it's private
11 session - some testimony is read to Mr Taylor about external
12 delegates from the RUF wanting to talk to Sankoh and using the
13 facility at Cisse's house - Musa Cisse's house. And the Defence
14 counsel then asked Mr Taylor:

11:57:19 15 "Q. Were you aware that Musa Cisse was providing such a
16 facility for the RUF external delegation?

17 A. No, I was not aware, he didn't tell me."

18 Mr Witness, do you think that the chief of protocol, Musa
19 Cisse, would provide radio communications to a rebel movement in
11:57:47 20 a neighbouring state for a long period of time without the
21 consent of Charles Taylor?

22 A. This question is rather repeated. I said I don't know. I
23 said it is possible, but I did not know that. When we asked him,
24 simply he just allowed us to use the radio. It is possible, but
11:58:06 25 I don't know.

26 Q. Well, actually, sir, what you said - my LiveNote, page 78,
27 line 5 - first you said, "I cannot tell that one," but then you
28 said, "But I am sure that it was not possible for him to have
29 done that without his permission."

1 A. Yeah.

2 Q. You would not expect someone working for Charles Taylor to
3 provide communications for a rebel movement of a neighbouring
4 state without the permission of Charles Taylor, would you?

11:58:31 5 A. No.

6 Q. Now I want to ask you about something you said on 14 April.
7 If we could have the transcript at page 38953. Sir, do you
8 remember telling us that you believed that Musa Cisse informed
9 Charles Taylor that you had arrived in Danane at the time of the
10 launching of the book?

11:59:51

11 A. I did not say Danane.

12 Q. Okay. Excuse me. Go ahead?

13 A. What I said that day was that after the launch of the book,
14 Addai-Sebo, who was with us, informed Charles Taylor, who
15 happened to be in Abidjan that day.

12:00:12

16 Q. Thank you. I'm confusing things and I appreciate that.
17 Did you tell us that Musa Cisse informed Charles Taylor of your
18 arrival in Danane when you came with the external delegation?
19 Not for the launching of the book. I apologise for the
20 confusion.

12:00:33

21 A. I don't remember saying that.

22 Q. Okay. Well, let's look at the transcript here for 14
23 April. You were asked on your direct examination:

24 "Q. Was that radio provided by Charles Taylor to Musa
25 Cisse for your use?"

12:01:02

26 A. We were not able to establish that. But because he was
27 his chief of protocol, we know that he informed him of our
28 arrival in Danane and that he informed him of the
29 assistance he was giving."

1 So, sir, last week you told us that you knew that Musa
2 Cisse had informed Charles Taylor of the assistance he was giving
3 to the external delegation. Is your recollection refreshed now
4 that that's what you said?

12:01:28 5 A. Yeah, but because of the use of the word because we knew
6 that he was chief of - because he was his chief of protocol we
7 knew, that was an assumption which is [indiscernible]. We
8 assumed on the basis of the fact that he was his chief of
9 protocol he would not have any business with us without informing
12:01:52 10 him, especially with his radio set.

11 Q. So your answer continues:

12 "So when we did not hear any objection we said maybe now we
13 see what Charles Taylor had decided to do for us. If he can
14 allow his chief of protocol to be so hospitable to us it means he
12:02:16 15 was only prepared to give Foday Sankoh political support, not
16 military."

17 Now, Mr Witness, I want to ask you about the logic you use
18 to arrive at that conclusion. Why is it that you believed that
19 if someone is hospitable they're not giving military support?
12:02:37 20 How can you conclude that?

21 A. I concluded at that time because I did not see any evidence
22 of material support from Charles Taylor in our territory at all.

23 Q. What does that have to do with Musa Cisse being so
24 hospitable and providing the RUF with radio communications?

12:02:57 25 A. The radio set there belonged to the NPFL and Musa Cisse was
26 controlling it, it was right in his house. So if Musa Cisse
27 could give it us to for our use for some time, then we - the only
28 conclusion we reasonably went to was that Charles Taylor had
29 actually allowed him to allow us use of the radio set.

1 Q. Sir, someone giving military support, would you expect them
2 to be hospitable to those that they are supporting?

3 A. I don't understand that question.

4 Q. Well, I'm trying to understand your logic. You say because
12:03:45 5 Charles Taylor allowed the RUF to have radio communications and
6 was so hospitable, he was not giving military support. So I'm
7 trying to understand your logic. Are you saying that someone who
8 is giving military support would not be hospitable?

9 A. I did not say because he gave military support. I said
12:04:07 10 that was the time we knew the kind of agenda Charles Taylor
11 actually had for - at the RUF. Charles Taylor did not have
12 military support for RUF, because the evidence of that one was
13 completely absent on the ground. But for us to have come outside
14 and then for his chief of protocol, who was on his radio, to have
12:04:32 15 allowed us to use it for the time period we used it, then that
16 gave us an impression of the difference between military support
17 and political support.

18 Q. Sir, was that useful to the RUF, this assistance in the
19 radio communications?

12:04:49 20 A. It was very much useful.

21 Q. Did Foday Sankoh himself use that radio at Musa Cisse's
22 house?

23 A. That was radio we used to use to talk to him, so in a
24 sense, yes, he did.

12:05:08 25 Q. So this allowed Foday Sankoh to exercise some control over
26 the activities of the external delegation, correct?

27 A. Yes.

28 Q. Now, there were other people in Danane who were more on the
29 military side of things besides the external delegates. Is that

1 correct? Other RUF in Danane. Is that correct?

2 A. Well, let me make an attempt to answer the question.

3 Philip Palmer was with us. What Foday Sankoh did was when the
4 external delegation came out, he always made sure that a military

12:05:41 5 person was there, especially his vanguards. That was why Palmer

6 - that was the reason behind the coming into the external

7 delegation of Philip Palmer and Morris Kallon, because Morris

8 Kallon came briefly and went back.

9 Q. And Morris Kallon was a military commander for the RUF?

12:06:13 10 A. Yes, he was.

11 Q. Was Foday Sankoh himself in Danane at any time?

12 A. Yeah, they said he came to Danane, but I was not there when

13 he came from Togo.

14 Q. Did he use the radio at Musa Cisse's house to your

12:06:29 15 knowledge?

16 A. I said when he came from Togo. By then they had had --

17 Q. You're talking about after Lome?

18 A. Yeah.

19 Q. Okay. How about Mike Lamin, to your knowledge he was using

12:06:41 20 the radio at any time?

21 A. Mike Lamin, no. Mike Lamin, no. When I took Mike Lamin

22 back to Zogoda in 1996, he never came back until February 1997

23 when we saw him in Abidjan.

24 Q. Was Lamin in Danane when Sankoh was still in Sierra Leone?

12:07:18 25 A. Yes.

26 Q. When was that?

27 A. That was the very week I took him to Zogoda in 1996.

28 Q. Did he use the radio in Musa Cisse's house?

29 A. Yes, I sent the message to Foday Sankoh to tell him that

1 Mike Lamin was around and we were - I would take him to him.

2 Q. Did you see any SLAs, government soldiers from Sierra
3 Leone, using Musa Cisse's radio?

4 A. No.

12:07:41 5 Q. Did you see any government officials from the Kabbah
6 government or from - excuse me, from the Strasser or Bio
7 governments using the radio?

8 A. No, I don't remember that.

9 Q. So the only party to Sierra Leone that was using Musa
12:07:57 10 Cisse's radio was the RUF, correct?

11 A. Yes.

12 Q. Now, sir, I want to move to a different topic, and that is
13 the trip you told us you took to Gbarnga and Accra in July 1995.
14 Sir, how did you - what made you go to Gbarnga in July 1995?

12:08:26 15 A. We went there on the invitation of Charles Taylor.

16 Q. And what was Gbarnga at that time in July 1995?

17 A. Charles Taylor was in Gbarnga. It was his headquarter.

18 Q. How did you get this invitation from Charles Taylor?

19 A. He sent a message to his radio operator Cassell for Cassell
12:08:55 20 to tell us.

21 Q. Is Cassell known by a nickname?

22 A. No.

23 Q. Was he called Action Man? Does that refresh his
24 recollection?

12:09:04 25 A. No, that is his name that I knew, Cassell.

26 Q. What was the message that you saw, if you - did you see the
27 message sent to Cassell?

28 A. No, he did not give us the message. It was discreet.

29 Q. How were you informed of the invitation?

1 A. It was Palmer he called and told that Charles Taylor says
2 he wants to see us, so we should get Foday Sankoh informed.

3 Q. What was it that Palmer told you that Charles Taylor had
4 said?

12:09:30 5 A. Palmer said Charles Taylor said he wanted to - he wanted us
6 to visit him.

7 Q. Why?

8 A. He was - he would not given me reason, that is why when I
9 was testifying here the other time I said we were waiting to hear
12:09:43 10 from him for a long time before he called us. Before the first
11 day Palmer met him for food when our food got finished, it was
12 the day we were supposed to go to Accra that he called us to his
13 office. One day he just told us that he wanted to take us to
14 Accra, to Ghana, for us to go, he said, because the peace process
12:10:05 15 is on course. He said he wanted us to see the atmosphere.

16 Q. In Gbarnga?

17 A. No. In Ghana.

18 Q. Excuse me a moment. Sir, the invitation that you got when
19 you were in Danane - you were in Danane when you received it,
12:10:26 20 correct?

21 A. Yes, counsel.

22 Q. Did you know at that time you were going to Accra?

23 A. No, no, we did not know. We did not know at all.

24 Q. So the invitation was to go to Gbarnga.

12:10:34 25 A. Yes, first.

26 Q. For what purpose?

27 A. That is what I am saying. He wanted to take us to Accra
28 when he was- because he had a trip to go to Accra.

29 Q. Sir, my question is not what you later learned. My

1 question: Is the information you got through Palmer as to the
2 purpose of the invitation, when you were in Danane you said at
3 that time you didn't you were going to Accra, what was the
4 purpose of the invitation that Palmer told you?

12:10:59 5 A. He told us Charles says we should visit him.

6 Q. That's all?

7 A. That's all, yeah.

8 Q. Now, was that - you then communicated that to Foday Sankoh,
9 correct?

12:11:10 10 A. Yes. Palmer did.

11 Q. And Foday Sankoh gave his permission, correct?

12 A. Foday Sankoh, he almost refused. We had to coerce him into
13 accepting the invitation. He almost refused. I think I made
14 mention of that here the other time. He almost refused to allow
15 us to go there.

12:11:28

16 Q. Now, sir, you went there --

17 PRESIDING JUDGE: I'd like to know a little bit about this
18 coercing. How did you coerce Foday Sankoh into permitting you?
19 What did you say to him?

12:11:43

20 THE WITNESS: Maybe that word is too harsh. We persuaded
21 him to allow us to go there.

22 PRESIDING JUDGE: Why?

23 THE WITNESS: We were out at that time to meet people in
24 the sub-region and he was the first person to invite us.

12:11:59

25 PRESIDING JUDGE: Yes, but you didn't even know the reason
26 why Taylor had invited you. Why were you bending over backwards
27 to go against the will of your leader to visit someone that
28 hadn't stated a purpose?

29 THE WITNESS: Well, we knew that he was - we knew that he

1 would not invite us into security problem at all. We also knew
2 that he was his friend. He told us he was his friend, although
3 that friendship did not translate into anything on the ground
4 while we were there. So for him to have invited us, we were
12:12:45 5 anxious to know why he was inviting us. That was why we had to
6 go. It may have been a risk, but that was why we went.

7 MR KOUMJIAN:

8 Q. Sir, when you said "he told us he was his friend", explain
9 that, please.

12:13:01 10 A. I said from day one that when Foday Sankoh met us in Sierra
11 Leone, he said he had a friend by the name of Charles Taylor.

12 Q. Okay. And you knew that - you went to Gbarnga even though
13 you were in regular communication with the chief of protocol Musa
14 Cisse in Danane, correct?

12:13:23 15 A. Yes.

16 Q. What did you hope to gain out of going to Gbarnga?

17 A. We did not know what we were going to get. First of all,
18 we never knew Charles Taylor before. We really never knew him
19 before. So one of the reasons, particularly I - the other reason
12:13:42 20 why I wanted to go there was to see him, that is one, for the
21 first time in my life. Secondly, I wanted to see what actually
22 he called us for, come what may.

23 Q. Were you hoping for military support?

24 A. No, no, we were not hoping for military support at all. In
12:13:57 25 fact, if I knew that it was for military support I would not go.

26 Q. But, sir, you told us the RUF needed military support.

27 A. The RUF needed military support not at that time at all.

28 Q. They did not in July 1995. Why not?

29 A. Because we had sent out a delegation. Because we were out

1 as a delegation, as a peace envoy, as a peace group to sell the
2 movement to the international community and to talk to Sierra
3 Leoneans to understand what the RUF was all about. So, as far as
4 we were concerned, military support was not part of our agenda
12:14:32 5 outside there.

6 Q. Now, sir, you arrived in Gbarnga in July 1995, correct?

7 A. Yes.

8 Q. The first week, correct?

9 A. Yeah.

12:14:41 10 Q. Who escorted you to Gbarnga?

11 A. I don't remember. I said the other time I don't remember
12 the colonel's name, but one NPFL colonel came to collect us.

13 Q. Can you describe him?

14 A. He was a Mandingo fellow. He was a mechanic, vehicle
12:15:01 15 mechanic, but I don't remember his name at all.

16 Q. When you were taken to Gbarnga, where were you - where
17 exactly did you go?

18 A. It was the same - the same man who went for us was the one
19 who gave us sleeping place.

12:15:23 20 Q. So you were in a house?

21 A. Yes, we were.

22 Q. Was it this person's house?

23 A. Yes.

24 Q. And how long did you stay in Gbarnga?

12:15:33 25 A. We were in Gbarnga from that first week in July up until
26 the first week in August when we left for Accra.

27 Q. So about one month?

28 A. About one month.

29 Q. And how many times did you meet Charles Taylor during that

1 one month?

2 A. I and Palmer met him once. Then Palmer alone met him once.

3 Q. So you met him one time?

4 A. Palmer alone met him once when our food got finished.

12:16:08 5 Q. So the second meeting was just Palmer asking him for more
6 food scripts, correct?

7 A. No.

8 Q. The second meeting, Palmer's meeting.

9 A. No. The first meeting was when Palmer went to - when
12:16:18 10 Palmer met him alone for the food, when our food got finished.
11 Then the second meeting was when I and Palmer went to meet him.
12 In fact, he invited us that day. We did not even know that that
13 was the day we were supposed to leave for Accra.

14 Q. So the second meeting was the day you left for Accra?

12:16:34 15 A. Yes, counsel.

16 Q. So this was in August?

17 A. Yes, this was in the same August.

18 Q. So, sir, you had been in Gbarnga for about a month?

19 A. Yes.

12:16:42 20 Q. Doing what?

21 A. We were just there. That is what I'm saying. We were
22 confused. So Foday Sankoh even got annoyed. He said, "Try to
23 leave that place."

24 Q. Why didn't you leave?

12:16:52 25 A. We wouldn't leave.

26 Q. Then why were you there in August?

27 A. We still wanted to find out why we were invited, and he had
28 to provide a vehicle for us to go back. We wouldn't walk to go
29 back to Danane.

1 Q. So you were dependent on Charles Taylor to get back to
2 Danane?

3 A. Indeed, because we went there on his invitation.

4 Q. You couldn't have hired a car to take you back?

12:17:13 5 A. There was no car to hire at that time in Gbarnga.

6 Q. So you spent a month in the headquarters of the NPFL in
7 Gbarnga, correct?

8 A. Yes, we did.

9 Q. Doing nothing, correct?

12:17:25 10 A. Absolutely nothing.

11 Q. But you did have that one short meeting the day you were
12 leaving, you said, with Charles Taylor, correct?

13 A. Yes.

14 Q. It was less than ten minutes.

12:17:34 15 A. Indeed, it was less than ten minutes.

16 Q. And what was the first and only thing that Charles Taylor
17 said to you?

18 A. The first thing he said to us, "Gentlemen, how are you?"

19 Then, "How is the brother doing?" We said, "He's okay."

12:17:48 20 Q. And who did you understand to be the brother?

21 A. Foday Sankoh.

22 Q. And when you told him that his brother, Foday Sankoh, was
23 okay, Charles Taylor smiled, correct?

24 A. Yes, he did. He did smile.

12:18:02 25 Q. So did that indicate to you that Charles Taylor did have a
26 good relationship with Foday Sankoh?

27 A. Well, I cannot comment on that one because what we were
28 supposed to see on the ground out there for us to actually prove
29 a good relationship was not there. But when we came and he

1 smiled, my thinking was that he had love for him in his heart, so
2 he was smiling.

3 Q. Besides food scripts, what else did the NPFL or
4 Charles Taylor provide you for the month you were spending in
12:18:38 5 Gbarnga?

6 A. It was just food.

7 Q. Did Charles Taylor give you some money, spending money?

8 A. No. It was when we went to Accra that he gave us \$600 to
9 buy clothes for our families.

12:18:52 10 Q. He gave you \$600 in Accra?

11 A. Yeah.

12 Q. United States dollars?

13 A. Yeah. It was one of his senior officers who gave it to us.

14 It was the allowances he was distributing to his boys. He gave

12:19:08 15 us \$600.

16 Q. Who was the senior officer?

17 A. I don't remember his name, but he was a slim fellow.

18 PRESIDING JUDGE: Was that 600 per person?

19 THE WITNESS: No, no, \$300 each.

12:19:20 20 MR KOUMJIAN:

21 Q. To you and the other person that you went with?

22 A. Mike Lamin - sorry, Palmer was the other person I went
23 with.

24 Q. Was it Palmer?

12:19:28 25 A. Yes, Palmer. Philip Palmer.

26 Q. Or was it Jonathan Kposowa?

27 A. No, no, no, no. Mr Jonathan Kposowa I came with Belgium.

28 It is Palmer that I went with to Gbarnga.

29 Q. Now, sir, why did you go - you were there in Gbarnga to see

1 Taylor, why did you go to Accra with Taylor?

2 A. Taylor said he wanted to take us to Accra because their
3 peace process was on course. He wanted to go see the atmosphere.

4 Q. What did you see when you got to Accra?

12:20:00 5 A. Indeed, when we went there, we saw people moving around and
6 so on.

7 Q. People moving around. Like in this courtroom people are
8 moving around. What did you see?

9 A. I saw people. I saw his people moving around talking about
12:20:15 10 peace. Basically he told us, "I'm taking you to Accra so that
11 you will see - because our peace process is on. You will see - I
12 mean, you will get familiar with the outside world."

13 Q. Sir, all you saw in Accra was people walking around the
14 hotel, correct?

12:20:31 15 A. Yeah.

16 Q. You heard no peace talks, you saw no negotiations, correct?

17 A. No, we were not taken to a negotiation.

18 Q. In fact, sir, there were no peace talks involving Liberia
19 in Accra in August 1995, were there?

12:20:50 20 A. What he told us is exactly what I am saying and what we saw
21 is exactly what I am saying.

22 Q. Well, who was the other party? Were there any other
23 parties besides NPFL that you saw in Accra?

24 A. No, I did not see any other party. But what he told us and
12:21:05 25 what we saw there is exactly what I have said.

26 Q. So what you saw is a lot of people meeting with Taylor?

27 A. Yes, yes.

28 Q. And were some of them speaking Arabic?

29 A. No.

1 Q. Why do you laugh?

2 A. Well, I don't know why you are talking about Arabic when we
3 are talking about English speaking person.

4 Q. Well, who was in Accra? Who was based in Accra, sir? You
12:21:27 5 know. Mohamed Talibi --

6 A. Yeah, Mohamed Talibi was based in Accra.

7 Q. -- who was the regional ambassador for Muammar Gaddafi.

8 A. Okay.

9 Q. He was based in Accra, correct?

12:21:38 10 A. Yes.

11 Q. And you saw no evidence of peace talks going on when you
12 were in Accra, did you?

13 A. No.

14 Q. Where did Charles Taylor get the money that he handed out
12:21:50 15 to you and all the others that were there, do you know?

16 A. No, I don't know.

17 Q. How many people did he hand out this \$300 each to?

18 A. No. I don't know whether it was \$300 each he gave
19 everybody, but what he gave us was \$300 each.

12:22:04 20 Q. How many people were there in his entourage?

21 A. I did not count.

22 Q. Well, can you give us an approximation?

23 A. We were more than 20.

24 Q. Were you very grateful for this support that Charles Taylor
12:22:18 25 gave you personally?

26 A. Yeah, because that was the first money - the first money I
27 actually handled for a long time.

28 Q. He's been very generous to you personally, correct?

29 A. Yes. In that particular sense, yes.

1 Q. In fact, the time you spent in Accra was really nothing
2 more than a sightseeing trip at the end of the day, wouldn't you
3 agree?

4 A. I have said that one before, yes.

12:22:44 5 Q. Yes, those are your words. "At the end of the day he took
6 us only on a sightseeing," correct?

7 A. You say?

8 Q. What you said is, "It was like he only took us on
9 sightseeing at the end of the day," correct?

12:22:58 10 A. Yes. That was really my conclusion.

11 Q. So what was his purpose in taking you to Accra, do you
12 know?

13 A. We did not know.

14 Q. Sir, did Charles Taylor attempt to establish contacts and
12:23:09 15 good relations, not just with Foday Sankoh, but with those below
16 Foday Sankoh in the RUF?

17 A. I don't remember that one. We were the first - we were the
18 only people we invited.

19 Q. That you know of, correct?

12:23:23 20 A. Yeah.

21 Q. Now, sir, another person shows up in the peace talks and
22 causes some problem in the talks brought with the RUF. Isn't
23 that true? Do you know who I'm speaking of?

24 A. No, I don't know.

12:23:40 25 Q. Omrie Golley. How does Omrie Golley happen to insert
26 himself into the negotiations in Abidjan?

27 A. Omrie Golley contacted Addai-Sebo in London.

28 Q. So actually it was Addai-Sebo that brought Omrie Golley to
29 Abidjan, correct?

1 A. Yes. Omrie Golley and Ambrose Ganda told Addai-Sebo that
2 they wanted to see us.

3 Q. Now, who was this Omrie Golley? Was he a rich man? Was he
4 a wealthy man, to your knowledge?

12:24:16 5 A. I don't know. He is a businessman and a lawyer.

6 Q. Well, did he appear to be wealthy?

7 A. Well, I don't know how to assess wealthy people's
8 appearance.

9 Q. Was anyone paying him for his involvement?

12:24:27 10 A. No.

11 Q. How do you know that? Do you know that or you're just
12 saying not to your knowledge?

13 A. Not to my knowledge. Because when he and Ambrose came,
14 they told us that they had contacted International Alert through
15 Addai-Sebo so they can see us. They said they wanted to see us.
16 They said they wanted to hear from us so that they can also go
17 and represent us to the other Sierra Leoneans outside.

12:24:44 18 Q. So when Omrie Golley, through the efforts of - contacts of
19 Addai-Sebo, shows up, he tries to get himself seated at the peace
12:25:01 20 talks, correct?

21 A. Yes, I remember that.

22 Q. As an independent party, correct?

23 A. As an independent Sierra Leonean, yes.

24 Q. Brought by Addai-Sebo, the man that helped publish
12:25:11 25 "Footpaths to Democracy", correct?

26 A. Yeah.

27 Q. He wasn't really independent; he was tied with in
28 Addai-Sebo and the RUF, correct?

29 A. I remember when he was - when he came he was - in fact,

1 that was where the problem started. When he came, they asked him
2 - I mean the government side. The representatives of the
3 government side on the negotiations, Momodu Koroma and others,
4 they asked him to tell them where he belonged. He said he is an
12:25:42 5 independent Sierra Leonean, he had paid for himself to come to
6 witness this peace process. So he was not tied to Addai-Sebo at
7 all, because I remember very well - thank you, you have reminded
8 me. I remember very well when they came the next time - Ambrose
9 and Dr Sebo came the next time - I don't remember the date
12:26:10 10 exactly - they wanted to have more talks with us. Dr Sebo did
11 not allow that. He said what had happened was enough and that he
12 was going to continue to take care. What was happening out there
13 was that when we came out, a lot of people wanted to champion the
14 peace process for the credit. When International Alert sent
12:26:40 15 Addai-Sebo, International Alert wanted to take the credit for the
16 peace process. So they were not easily allowing other people to
17 - although they don't have the - they did not have the money to
18 continue with the programme.

19 Q. Now, you testified that Omrie Golley brought a satellite
12:26:58 20 phone for Sam Bockarie. Is that correct?

21 A. I did not say Sam Bockarie. I said Foday Sankoh.

22 Q. Excuse me. Who paid for that phone, do you know?

23 A. No, I don't. That man is a businessman. When he comes and
24 says, This is my own contribution to the peace process, I don't
12:27:23 25 need to ask him how he got the money. He's a businessman.

26 Q. Did he bring the phone from London?

27 A. Yes, he brought it from London.

28 Q. Sir, can you describe the kind of satellite phone he
29 brought at that time? Was it the kind at that time rather big

1 that looked like it was in a briefcase?

2 A. Yes.

3 Q. Do you know the price of those satellite phones at that
4 time?

12:27:48 5 A. No, no.

6 Q. They cost thousands of dollars, didn't they?

7 A. I said I don't know.

8 Q. Okay. Sir, in December of 1995 - by the way, when Omrie
9 Golley said he wanted to sit in the peace talks as an independent
10 person, that caused a breakdown in the talks, correct?

12:28:07

11 A. Yes.

12 Q. Did the RUF support him that he could sit at the peace
13 talks?

14 A. Yes, we supported him.

12:28:19 15 Q. And the government refused, correct?

16 A. Yeah, the government refused.

17 Q. And the result was that there was no negotiations for a
18 period of time, correct?

19 A. No, the negotiations had gone very far. In fact, that was
12:28:30 20 where - there was just a stall in the talks. So the broker said,
21 Okay, then let us take a break. That was Amara Essy.

22 Q. So how long was the break caused by Omrie Golley?

23 A. Because during the break - it was during the break that I
24 travelled to Europe. It was during that break. But in my
12:28:56 25 absence it took place. They continued.

26 Q. So that was in 1996?

27 A. Yeah.

28 Q. Sir, before we move on to that let's talk about "Footpaths
29 to Democracy". You've told us that - about the role of

1 Addai-Sebo in that document. Now, when you actually launched the
2 document, can you tell us where was that?

3 A. The document was launched in December 1995.

4 Q. And was that in Abidjan?

12:29:41 5 A. Yes, counsel.

6 Q. Now, in Abidjan the day you launched "Footpaths to
7 Democracy" Charles Taylor was present. Is that right?

8 A. Yeah, Charles Taylor was in Abidjan.

9 Q. And you went to see Charles Taylor that day, correct?

12:30:01 10 A. Yes.

11 Q. Why did you go to see Charles Taylor that day?

12 A. I have said that when we launched that document that day,
13 where we met Charles Taylor, that we were in Abidjan, that we had
14 launched our book the "Footpaths to Democracy" and he said he -

12:30:18 15 he sent word for us to meet him in Hotel Ivoire.

16 PRESIDING JUDGE: You said something met Charles Taylor
17 which we didn't pick it up. What did you say met Charles Taylor?
18 Mr Witness, I'm asking you.

19 THE WITNESS: Yes, I said we met Charles Taylor.

12:30:42 20 MR KOUMJIAN:

21 Q. Sir, who informed Charles Taylor - who informed you that
22 Charles Taylor was in town?

23 A. Addai-Sebo.

24 Q. And Addai-Sebo told you that Charles Taylor wanted to see
12:30:53 25 you. Is that correct?

26 A. Yes.

27 Q. So you met - you went immediately to see him. Is that
28 correct?

29 A. It was not immediately. It was after the launch. It was

1 in the evening we went there.

2 Q. Who went to see Charles Taylor?

3 A. I was there, Dr Mohamed Barrie was there, Mrs Deen-Jalloh
4 was there, Mr Ibrahim Deen-Jalloh was there.

12:31:25 5 Q. So just the five of you?

6 A. Yes.

7 Q. Palmer was not there?

8 A. No, Palmer was not.

9 Q. Addai-Sebo was with you?

12:31:35 10 A. Yes, he was with us.

11 Q. And when you met Charles Taylor, what did he say to you
12 that day after launching "Footpaths to Democracy"?

13 A. When we met him that day, it was a very brief session. He
14 said, Gentlemen, this is the kind of thing I have been expecting
12:31:57 15 you to do. I have been expecting you to market yourselves to the
16 international community; to market yourself to your fellow Sierra
17 Leoneans. So I have been informed that you did very well at the
18 launch and your document is very good. So he told Jackson to
19 give us 10 million francs CFA. He said, This money is for your
12:32:16 20 support here in Cote d'Ivoire.

21 Q. He congratulated you for a job well done, correct?

22 A. Yes.

23 Q. That you had done what he expected you to do, correct?

24 A. Yes.

12:32:24 25 Q. And he gave you 10 million - what is it, the CFA?

26 A. Yeah, CFA.

27 Q. Who did he actually hand that money to?

28 A. He handed it to Mr Barrie - sorry, Mr Deen-Jalloh.

29 Mr Deen-Jalloh was actually our leader outside.

1 Q. Sir, the satellite phone that you said Omrie Golley brought
2 was taken to Mosquito, wasn't it?

3 A. Yes, it was taken to Mosquito.

4 Q. And who took it to Mosquito?

12:33:34 5 A. One of the radio operators, either Zedman - I don't
6 remember the name now. Either Zedman or one of the radio
7 operators took it to Mosquito to go teach Mosquito how to use it.

8 Q. With that phone Sam Bockarie then had access to the
9 international media, correct?

12:33:56 10 A. The purpose of it was to call - was to be calling Foday -
11 was to be talking to Foday Sankoh.

12 Q. Well, where was Foday Sankoh?

13 A. Foday Sankoh was in Abidjan.

14 Q. In Abidjan Foday Sankoh had a radio operator with him,
12:34:11 15 didn't he?

16 A. Yes.

17 Q. He had a radio, didn't he?

18 A. Uh-huh.

19 Q. So he could have communicated with Bockarie by radio,
12:34:21 20 correct?

21 A. Yes.

22 Q. Does that satellite phone also reach Liberia?

23 A. You said?

24 Q. Can you call Liberia with that satellite phone that he sent
12:34:29 25 to Sam Bockarie?

26 A. If you had the Liberian number, yes.

27 Q. The person who took the phone, you said, was Jungle. Do
28 you remember saying that before?

29 A. I remember saying that Jungle and one radio operator took

1 the US\$7,000 plus the radio operator to Sam Bockarie. I did not
2 say Jungle alone because --

3 Q. And the satellite phone, correct?

4 A. Yes. Because Zedman was taught how to use the satellite
12:34:54 5 phone, so he was required to take it to him.

6 Q. You mentioned that there was a person present in the Ivory
7 Coast with you called Martin Moinama, correct?

8 A. Yes, Martin Moinama, he went together with Foday Sankoh.

9 Q. He was a radio operator with Sankoh, correct?

12:35:13 10 A. Yes.

11 Q. So was he in Abidjan, or Danane, or both?

12 A. He was in Abidjan.

13 Q. And what happened to him later as far as you know?

14 A. What we understood - by then we were in incarceration with
12:35:32 15 them in the bush. What we heard was that he and Foday Sankoh
16 actually went to Nigeria, where Foday Sankoh was arrested. That
17 was what we heard.

18 Q. And he was known as the Cat, correct?

19 A. No, for him I did not know his nickname.

12:35:53 20 Q. Do you know about the role he played in the trial of Foday
21 Sankoh in Freetown?

22 A. No, no.

23 Q. Do you know what his fate was after the attack on Freetown?

24 A. No, I don't know.

12:36:05 25 Q. Sir, when you were negotiating in Abidjan or when you were
26 the RUF spokesperson, is it correct that was the time that the
27 RUF was taking a position before February 1996 no elections
28 before peace; is that correct?

29 A. Yes.

1 Q. The RUF did not want to participate in elections; they
2 wanted to negotiate a position in the government first, correct?

3 A. That was what Foday Sankoh pretended to want, but it was
4 actually not the desire of everybody.

12:36:51 5 Q. You're saying he only wanted war and to gain power through
6 war, correct?

7 A. That is correct, yeah.

8 Q. But Foday Sankoh and the RUF realised that in a fair
9 election he would have no chance of reaching power, correct?

12:37:04 10 A. That was not - we did not realise that one. What we behind
11 him were saying was we need first of all to transform ourselves
12 into a political party, then we will take our case to the voters.
13 We never thought that we would not get - we will not get the
14 power at all. We never thought of that. Probably he was

12:37:25 15 thinking of that, but we did not. We were behind him.

16 Q. Because the RUF, sir, was never a popular movement among
17 the civilian population. The civilian population never wanted
18 the RUF in government. Would you agree?

19 A. I don't agree with that at all. Because I remember when I
12:37:45 20 was part of - when we were part of the CCP we went to Freetown.

21 We were given the opportunity and the ICRC provided a helicopter
22 for us to go to Bo to meet the Sierra Leonean community there.

23 The first - that day our first port of call was at Bo. We went
24 to Bo Town. All the paramount chiefs and other leaders in the

12:38:12 25 local - traditional leaders in the Bo District assembled at the
26 coronation field - no, at the - they assembled at the district
27 council office. We went there. When we went there, the crowd
28 that was there was overwhelming and what they told us - when all
29 the speeches were delivered, the response - the spokesperson for

1 the traditional leaders said that they were expecting the RUF to
2 come up. They also wanted change in the country. All of us
3 cried for a change in the country and that all they wanted today
4 Sankoh to do was to be serious with the peace process, he has
12:39:01 5 their support and everything. And I know that they were not
6 making fun of us. They were not being hypocritical at all,
7 because they saw no arms with us and they saw the government
8 officials representing the government of President Kabbah. When
9 we went to Kenema, it was the same message that we received for
12:39:19 10 him. We went to Segbwema. It was the same message up until we
11 got to Daru.

12 Q. What the people of Sierra Leone desperately wanted, and the
13 reason you were greeted as you just stated, was they desperately
14 wanted peace and an end to the war brought from Liberia in 1991.

12:39:38 15 Isn't that true?

16 A. It is not true. They never said the war that was brought -
17 they wanted an end to the war that was brought from Liberia.
18 They said, "All we want, we want the conflict to end. We wanted
19 changes in this country. All of us cried for change. The
12:39:57 20 change, we think, if RUF can bring it for us, then all we are
21 advising your leader to do is for him to be serious with the
22 peace process."

23 Q. Sir, you were out of custody in May 2002 when the RUF for
24 the first time participated in elections, correct?

12:40:16 25 A. Repeat the question again, please.

26 Q. May 2002, you'd been released by then, you were in exile,
27 correct? You were in Cote d'Ivoire?

28 A. Yes, yes, I was there.

29 Q. You were following events in your home country, I presume,

1 in Sierra Leone, correct?

2 A. Yes, I was.

3 Q. And in May - 14 May 2002 there were elections, presidential
4 and parliamentary elections, correct?

12:40:42 5 A. Yes, I do.

6 Q. And the RUF at that time, because of the Lome Accord which
7 had been signed almost three years earlier, was participating in
8 that election, correct?

9 A. Yes.

12:40:50 10 Q. And how did they do with the voters of Sierra Leone?

11 A. They did not get any vote at all because they had failed
12 the people. The people were expecting the 1996 Abidjan Peace
13 Accord to become something that would give us peace, permanent
14 peace in the country. But after the 1996 peace accord, Foday
15 Sankoh's attitude made the whole movement very unpopular.

16 In fact, when we were in the incarceration with them, they
17 were talking about the peace - sorry, about the party. I told
18 them, one Mr Eldred Collins and Issa Sesay, they came. They said
19 they wanted to - they said they were doing their political party.
12:41:41 20 I told them, "If you are doing a political party, my own advice

21 is, don't say RUF party, because the RUF, you have made the - the
22 movement has been made very, very unpopular. Don't use the word
23 'RUF party'." I said, "I will help you with an acronym." I
24 said, "You would rather use AFFORD for your political party." I
12:42:07 25 said, "The acronym alone has a lot of message to send to the
26 Sierra Leoneans about the RUF." They asked me what RUF means -
27 sorry, what afford means. I told them, "AFFORD, the first letter
28 A is for alliance. The second letter is freedom. The third
29 letter is fairness. Then the O there is orderliness. Then the R

1 there is reconciliation. Then the D for development. And then
2 you use a dove for your symbol."

3 Q. Sir, freedom and fairness were not things that the RUF was
4 known for, were they?

12:43:23 5 A. That is what I am saying.

6 Q. What? You correctly stated that the RUF was very unpopular
7 with the civilian population, correct?

8 A. After the 1996 peace accord, that is what I'm saying.

9 Q. Thank you. And that was reflected when they didn't follow
12:43:38 10 your advice and ran as the RUF party, RUF, in the presidential
11 and parliamentary elections in 2002, correct?

12 A. Yes, and a Lion for their symbol.

13 Q. They got - they didn't win a single seat in the parliament,
14 correct?

12:43:53 15 A. I don't know whether the - that one I don't remember
16 whether they won a single seat.

17 Q. They got less than 2 per cent of the vote in the
18 presidential election. Would you agree with that?

19 A. All right. Yes.

12:44:04 20 Q. Even in Kailahun District, which had been the base of the
21 RUF for so long and where there were so many RUF, they got a
22 very, very small percentage of the vote, correct?

23 A. Yes. The experience of what happened between - from 1997
24 to the time they did that election would not earn them any credit
12:44:28 25 at all, so I was not surprised that they lost the election the
26 way they did.

27 Q. Now, sir, you told us - going back to the Abidjan
28 negotiations and accord - that you understand now that Foday
29 Sankoh never intended peace, correct?

1 A. Yes.

2 Q. But he signed the accord because it gave him, would you
3 agree, some breathing space to prepare for further military
4 operations. Is that correct?

12:44:52 5 A. According to the documents that were displayed here, yes,
6 that is correct, because that is why, according to him, he told
7 his men. I was not there when he spoke to them.

8 Q. Well, you heard of that later, didn't you, that he had told
9 the combatants, "This accord is just a chance for us to prepare
12:45:10 10 for war"?

11 A. No. No, I did not hear that. It is possible that that's
12 what he told them, but I don't hear it. I don't doubt him at
13 all.

14 Q. Because you were not present when he briefed the
12:45:24 15 combatants, correct?

16 A. Yeah.

17 Q. Foday Sankoh specifically made sure to have one - that
18 there was one conversation with civilians and a separate
19 conversation with combatants, correct?

12:45:31 20 A. That is what he did, yes.

21 Q. But also you know about this comment that Foday Sankoh
22 made. You told us he said at one time, "Gentlemen, we have now
23 signed Abidjan 1. We are waiting to sign Abidjan 2." Do you
24 remember that?

12:45:46 25 A. I know that very well. That one was at the very day he
26 signed the Abidjan Peace Accord 1996. It was said in the
27 presence of Adjoa Coleman. Then I said, "Mr Sankoh, how can you
28 devastate all of us like this? After all these ups and downs,
29 you made this kind of statement. So you did not actually mean

1 anything?" That was what he said, "Yes."

2 Q. Now, sir, have you heard of the four Yamoussoukro Peace
3 Accords in Liberia in 1994? Yamoussoukro 1, 2, 3, Yamoussoukro
4 4, have you heard of those?

5 A. Yes.

6 Q. And none of those accords held, correct?

7 A. No.

8 Q. All of those accords allowed the NPFL some space, breathing
9 space, to gain a tactical advantage to prepare for military
10 operations, correct?

12:46:36

11 A. Well, I cannot say that one. I cannot say that they did
12 not hold because they were looking for breathing space. What I
13 know is they did not hold.

14 Q. Well, Foday Sankoh, at the time he signed the accord, was
15 in a situation where he was under military pressure. Would you
16 agree with that?

12:46:49

17 A. Very well.

18 Q. Executive Outcomes --

19 A. Excuse me, he was under both military and diplomatic
20 pressure, because we were also on his back pressing him hard to
21 make sure that he signed something. We were thinking that with
22 his signature on an accord he would respect it.

12:47:01

23 Q. And there was - the military pressure was a combination of
24 Kamajors, government soldiers and this Executive Outcomes,
25 correct?

12:47:19

26 A. Yeah.

27 Q. The RUF had lost all its towns and was based in the jungle,
28 correct?

29 A. Yes.

1 Q. The accord ended up being a good deal for Foday Sankoh,
2 correct?

3 A. You say?

12:47:39

4 Q. The peace accord was a good deal then for Foday Sankoh in a
5 military sense, would you agree with that?

6 A. Well, in the sense - with the benefits he got from the
7 peace accord, he did not translate in the military - in military
8 materials at all.

12:47:59

9 Q. Well, what it first accomplished is it good rid of
10 Executive Outcomes, didn't it?

11 A. Yes.

12 Q. Because the accord said specifically that all foreign
13 troops would leave, correct?

14 A. Yeah.

12:48:05

15 Q. The government honoured that and Executive Outcomes left,
16 correct?

17 A. Executive Outcomes did not leave immediately. It was we in
18 the CCP who were supposed to organise that one.

12:48:19

19 Q. And, sir, what about all the Liberian nationals who were
20 fighting with the RUF like Superman and Isaac Mongor, did the RUF
21 make any attempt to have them leave Sierra Leone?

22 A. These guys were trained for the RUF. They came as RUF.

23 Q. They were foreigners, correct?

12:48:37

24 A. Yes, they were, but they trained as RUF. And I have told
25 you that in Sierra Leone, the boundary between Liberia and Sierra
26 Leone on the east and south in Pujehun District and Kailahun
27 District is such that we have relatives on either sides. Like my
28 tribe, there is a Kissi community in Liberia on the other side
29 and a Kissi community where I am in Sierra Leone.

1 Q. Now, sir, having spent about six weeks with Charles Taylor
2 in Gbarnga and Accra and his men, and also being in contact
3 regularly with Musa Cisse, you had some familiarity with the
4 situation in Liberia at the time you were negotiating the Abidjan
12:49:24 5 Accord. Would you agree with that?

6 A. No, because I did not see any of their own peace processes.
7 I told you that I just went on sightseeing. If I had actually
8 been in the hall where the negotiation was taking place and the
9 various comments that are normally made when people are
12:49:44 10 negotiating, I would have said, yes, I am familiar with that.
11 But we did not gain anything from that.

12 Q. Did you understand at that time that the NPFL and
13 Charles Taylor were the strongest military faction in the
14 Liberian civil war?

12:49:57 15 A. Yes, I did.

16 Q. And did you understand that about this time Charles Taylor
17 had reached some accommodation with Abacha from Nigeria?

18 A. No, no.

19 Q. No?

12:50:12 20 A. No.

21 Q. Were you aware of disarmament taking place around the time
22 of the Abidjan negotiations, disarmament in Liberia?

23 A. That is too much of a detail for me. I don't remember.

24 Q. Okay. Was it the case that Charles Taylor at that time,
12:50:32 25 being in a strong position, having reached an accommodation with
26 the Nigerians, was lying low and waiting for the presidential
27 elections that he was planning on maintaining this peace treaty
28 that he had reached until he could be elected President of
29 Liberia; is that true?

1 A. I have no idea on that question.

2 Q. Well, let me ask you this --

3 A. Maybe you can break it down.

4 Q. Sure. Would Charles Taylor have been in a stronger
12:51:03 5 position to help you in the RUF if he was a faction leader in a
6 civil war where ECOMOG was present or when he was President of a
7 country and ECOMOG had left Liberia? Under which situation would
8 he be in a better situation to help the RUF?

9 A. That question should be - he should be the one to ask that
12:51:23 10 question, if he ever admits that he helped us. I don't know.

11 Q. The Abidjan Accord gave the RUF some political recognition.
12 The government recognised certain rights on the part of the RUF,
13 would you agree?

14 A. In fact, the government recognised a lot of rights.

12:51:50 15 Q. And another provision that you won in that accord was an
16 amnesty?

17 A. Yeah.

18 Q. So crimes like Operation Stop Election or the atrocities
19 you told us occurred in Luawa Yiehun, none of these - no one
12:52:05 20 would be held accountable for these atrocities, correct?

21 A. Yes.

22 Q. Now, sir, did you have any knowledge of the situation at
23 the time of the Lome Accords, when they were being negotiated?

24 A. Not much. By then we were not even allowed to step
12:52:21 25 outside.

26 Q. Sir, would you agree, based on what knowledge you do have,
27 that at the time the RUF went to negotiate at Lome, they were in
28 the best military situation, holding more territory than at any
29 time other than the junta when they were with the AFRC in

1 Freetown? In other words, the time of Lome, is it correct, the
2 RUF not only held Kailahun, they held Kono, they held Kenema,
3 they held Makeni? Is that true?

12:52:56 4 A. That is what they were saying. I said we were under lock
5 and key. That's what they were saying. They were all over the
6 place, according to them.

7 Q. And they were controlling the diamond fields of Sierra
8 Leone, correct?

9 A. I cannot say correct or wrong because I said we were behind
12:53:09 10 closed - sorry, we were under lock and key with them.

11 Q. Thank you. Let me move on to another topic.

12 Excuse me, your Honours, the last document I believe I
13 showed, tab 10, I did not ask for an MFI. May that receive an
14 MFI number, please?

12:53:46 15 PRESIDING JUDGE: Certainly. This is the document entitled
16 "Building peace in West Africa" by Adebajo and consisting of the
17 cover page, publication page and page 86, that is marked MFI-7.

18 MR KOUMJIAN:

19 Q. Sir, I want to talk to you briefly about the money you
12:54:17 20 received from Talibi.

21 A. Yeah.

22 Q. Where did that take place?

23 A. In Abidjan.

24 Q. Now, Talibi was based in Accra --

12:54:24 25 A. Excuse me. I did not receive the money. It was Foday
26 Sankoh himself who received the money on his own behalf.

27 Q. Thank you. I meant "you" in the plural, but thank you for
28 that clarification. Now, you said it was on his own behalf. It
29 was directly meant for Foday Sankoh?

- 1 A. No.
- 2 Q. He received it on behalf of the RUF?
- 3 A. Yeah.
- 4 Q. Now, in Abidjan there are a lot of banks, right?
- 12:54:48 5 A. Yes.
- 6 Q. But the money was given to Foday Sankoh in what form?
- 7 A. The money was in cash.
- 8 Q. And how was that - in what kind of container?
- 9 A. Carton.
- 12:55:00 10 Q. A cardboard carton?
- 11 A. Yeah.
- 12 Q. Now, do you know why it was in cash?
- 13 A. No, I don't know why it was in cash.
- 14 Q. And, sir, what was the agreement, if any, that the RUF had
- 12:55:15 15 made about how the money would be spent?
- 16 A. There was no agreement. It was a note. A note was
- 17 inserted in the carton telling him that the money was meant for
- 18 humanitarian purposes. Now that he come out to talk peace, he
- 19 should be taking care of his civilians back in the bush, to
- 12:55:43 20 provide food and medicines for them.
- 21 Q. Sir, you've worked, you've told us now, for several years
- 22 for different NGOs, correct?
- 23 A. Yeah.
- 24 Q. You have some familiarity with how grants are given and
- 12:55:53 25 administered in the NGO world, correct?
- 26 A. Yes, I do.
- 27 Q. And they're given with control, correct?
- 28 A. Yes.
- 29 Q. And there is some kind of agreement specifying exactly how

1 the money will be spent, correct?

2 A. Yes.

3 Q. Requiring some kind of report on how the money is spent,
4 correct?

12:56:07 5 A. Yes.

6 Q. Was there any such agreement in the \$500,000 that Talibi
7 gave to Foday Sankoh?

8 A. No, there was no agreement at all. Only that there was a
9 letter telling him that that was their own contribution to the
12:56:22 10 peace process now that we are out; telling him that he needs that
11 money for his civilians back in the bush to get food and drugs
12 for them. Because by then these were the real problems inside
13 there: Food and medicines.

14 Q. Sir, giving money to the civilian population for food and
12:56:42 15 medicine is something that all countries should be proud of,
16 correct?

17 A. Yes.

18 Q. And in fact when grants are given, it's typical that
19 they're publicised, correct? That the government of the United
12:56:57 20 Kingdom is giving, for example - or the government of the kingdom
21 of the Netherlands is giving money to the people of Sierra Leone
22 for this project; that's publicised, correct?

23 A. Yes.

24 Q. You know from your work with NGOs that when grants are
12:57:10 25 given there's a press release, correct?

26 A. Yes, indeed.

27 Q. There was no press release with this money, was there?

28 A. No.

29 Q. So what was the hidden purpose that the money was given

1 for?

12:57:30 2 A. No, we did not have a hidden purpose. We who were behind
3 it did not have a hidden purpose, and I'm sure that those who
4 sent him the money also don't have a hidden purpose, because they
5 indicated the reason why the money was sent to him. It was his
6 place to have told us - because, yeah, it was his place to have
7 told us, Go to RFI. Go to Ivoire Soir and let them know. or
8 inform the Foreign Ministry that this is what we have received.
9 But you may know again that Foday Sankoh loved money so much so
12:57:48 10 that he did not want the Ivorians to know that he received that
11 money because he wanted more from them. So for him to say go
12 make publicity of this one at Ivoire Soir, he - that was
13 impossible. He wouldn't do it.

14 Q. Sir, I'm not asking about whether the RUF publicised it,
12:58:08 15 but the generous donors who had given \$500,000 for humanitarian
16 reasons. Why didn't the Libyans publicise their gift for
17 humanitarian reasons?

18 A. I don't know. That, I don't know.

19 Q. Some quick questions. We have little time left. Sir, do
12:58:23 20 you know someone named Base Marine? I have half an hour left,
21 excuse me. Do you know someone named Base Marine?

22 A. Yes, I remember the name, Base Marine.

23 Q. Do you remember the face?

24 A. No, I don't remember the face again, but I remember the
12:58:39 25 name.

26 Q. Do you remember anything about him?

27 A. He was a radio operator too.

28 Q. How old was he when you met him?

29 A. I don't know. I don't know his age. I did not know his

1 age at that time.

2 Q. Did you know Fatou Brown?

3 A. Yes, I knew Fatou Brown.

4 Q. Who was she?

12:58:59 5 A. Fatou Brown was Joseph Brown's - she was Joseph Brown's
6 girl friend.

7 Q. Joseph Brown's girl friend?

8 A. Yeah. It's Fatou Gbembo we used to call - I used to call
9 Fatou Brown.

12:59:19 10 Q. Was she involved with the RUF?

11 A. She was a vanguard too.

12 PRESIDING JUDGE: What was the first surname you named?

13 THE WITNESS: Gbembo. I gave it yesterday on the list.

14 G-B-E-M-B-O.

12:59:35 15 MR KOUMJIAN:

16 Q. Sir, did the RUF arm children?

17 A. You said?

18 Q. Did the RUF give weapons to children?

19 A. Yes, they did. They gave them weapons.

12:59:50 20 Q. How old were the children that were armed by the RUF?

21 A. They were children. Children. Children of child age.

22 Q. So from ten up; would you agree with that?

23 A. Yes, I do. They were arming them.

24 Q. Or would you say some were even below ten? Were any below
13:00:10 25 ten, do you think?

26 A. I cannot - that one I can't tell, because we had our small
27 small children with us who were not armed below ten.

28 Q. In fact, in "Footpaths to Democracy" you even state that
29 the RUF gave arms to children, correct?

1 A. Yes.

2 Q. And that was part of the document that Charles Taylor
3 congratulated you for publishing, correct?

13:00:44

4 A. Well, Charles Taylor did not know the contents of the
5 document. That was the document.

6 Q. Didn't you give Charles Taylor a copy of your document?

7 A. No, I don't remember.

13:00:56

8 Q. Sir, you wouldn't go - after you're being invited to see
9 the President because you launched a new book, you wouldn't go
10 and bring a copy of that book - excuse me, invited to see
11 Charles Taylor. He was not President. When you launched your
12 book, you didn't go and give a copy of your book to
13 Charles Taylor?

14 A. No, I don't remember that, counsel.

13:01:08

15 Q. Even when he gave you 10 million CFA, you didn't send him a
16 copy of the book?

17 A. I don't remember that, counsel.

13:01:23

18 Q. In fact, even in the anthem of the RUF - I don't know if
19 you're in the mood to sing again today, but you don't have to -
20 the chorus of that song, it goes: "Go and tell the President
21 Sierra Leone is my home. Go and tell my parents they may see me
22 no more." Correct?

23 A. Yes.

13:01:39

24 Q. Because that was the situation: Children were taken from
25 their homes, taken from their families and put into the RUF army,
26 correct?

27 A. Yes.

28 Q. In Buedu you testified on direct examination Sam Bockarie
29 ordered you beaten, and you were beaten by young combatants,

- 1 correct?
- 2 A. No, we were beaten by his bodyguards. They were not very
3 small boys.
- 4 Q. Okay. Sir, do you know the term "SBU"?
- 13:02:05 5 A. Yes.
- 6 Q. Where did that term come from?
- 7 A. Where it came from?
- 8 Q. Yeah, do you know?
- 9 A. No, I just heard it - I heard it in the RUF.
- 13:02:16 10 Q. And what did it mean?
- 11 A. Small Boys Unit.
- 12 Q. And what was a Small Boys Unit?
- 13 A. The children.
- 14 Q. That were part of the RUF army?
- 13:02:25 15 A. Yeah.
- 16 Q. Sir, do you know - talking about Foday Sankoh's
17 relationship with Charles Taylor, do you know where he went
18 immediately - excuse me, before he went to - after he was
19 released following the Lome Accord, where did he go before he
13:02:51 20 went to Sierra Leone?
- 21 A. That time I was in prison with them in Buedu. I don't know
22 where he went. We just saw him in Buedu.
- 23 Q. Well, after your release from prison - which you said was
24 when?
- 13:03:03 25 A. 13 August.
- 26 Q. After August 1999, Foday Sankoh still had not returned to
27 Sierra Leone, correct?
- 28 A. After August 1999 when we were taken to Freetown, Foday
29 Sankoh - we were taken to Foday Sankoh's house first and

1 foremost.

2 Q. And Foday Sankoh didn't arrive in Freetown until October
3 1999, correct?

4 A. I said when we were taken to Freetown in August. When we
13:03:39 5 were released and taken to Freetown in August 1999, we were taken
6 from the heliport - from the military base in Freetown to his
7 house.

8 Q. Was Foday Sankoh there?

9 A. Yes, he was there.

13:03:49 10 Q. In August 1999?

11 A. Yeah.

12 Q. Sir, I put it to you that you're wrong. Foday Sankoh
13 didn't return to Sierra Leone until October 1999. Do you want to
14 reconsider that, or are you certain of that?

13:04:01 15 A. I am certain that when we were taken to Freetown --

16 Q. Are you certain that that was August?

17 A. Very certain. Very certain that when we reached in
18 Freetown - in fact, we left in September 1999. That was before
19 October. And I and Mr Victor Foh visited him in the house there
13:04:22 20 at the time when we were almost told not to leave. We visited
21 him in the house there before we left, I and Victor Foh, the
22 present Secretary-General for APC.

23 Q. You visited Foday Sankoh in the house on Spur Road?

24 A. Yes.

13:04:39 25 Q. And that was immediately after you were released from
26 Kailahun - from Buedu. Is that correct?

27 A. Yeah.

28 Q. And now you're saying - is it correct you're now saying
29 that was September 1999?

1 A. No.

2 Q. When was it?

3 A. I am not saying so.

4 Q. When was it?

13:04:58 5 A. I said when we were flown from to Freetown from Kenema in
6 August 1999, the ECOMOG helicopter picked us from the military
7 base in Freetown straight to his house that day. I said during
8 our stay in Freetown before we left in September - September
9 28-29, 1999, I and Victor Foh, the present Secretary-General of
10 APC, visited Foday Sankoh in his house.

11 Q. And you went as a representative of what?

12 A. No, he just told me, Let us go visit him. I and Victor
13 Foh. Victor Foh is not part of anything. He was not in the RUF.

14 Q. Why were you visiting Foday Sankoh?

13:05:36 15 A. It was he who told me - it was he who told me to go with
16 him.

17 Q. Victor Foh?

18 A. Victor Foh, yeah. Victor Foh.

19 Q. What did Foday Sankoh say when you saw him?

13:05:44 20 A. He did not see us. When we went to the place there, we
21 told the boys that we wanted to - we came to see Foday Sankoh.
22 Somebody went inside and came out, told us that we should wait.
23 We waited for one hour. We did not see them - we did not see
24 him. When we told them we want to go, they said, No, you will
13:06:03 25 not go until you see Foday Sankoh. I said, But what kind of
26 thing is this again? If Foday Sankoh doesn't want to see us,
27 that one is very clear because we are here one hour. If he
28 wanted to see us, he would have come out. If he wanted to see
29 us, he would have come out. So please allow us to go back where

1 we came from.

2 Q. But you're certain that Foday Sankoh was in the house,
3 although you didn't see him?

4 A. They told us he was in the house, but we did not see him.

13:06:28 5 We had to go back.

6 Q. Sir, I want to ask you about a man you mentioned in your
7 testimony - actually, I'll come back to this in a moment. Let me
8 move forward. I want to talk to you now about the fundraising
9 trip that you made around Africa in April 1996. Is that correct?

13:07:02 10 A. Yes, counsel.

11 Q. You said you went to Burkina Faso, correct?

12 A. Yes.

13 Q. Who did you go to Burkina Faso with?

14 A. We went there with - in Burkina Faso I was there,

13:07:27 15 Mr Deen-Jalloh was there, Mr Kallon was there - Daniel Kallon was
16 there, Palmer was there, and he went - Foday Sankoh went with one
17 of his concubines, a girl by the name of Amie. I don't remember
18 all those who were there. Fullah Mon Ami was there too. Sorry,
19 Fullah Mon Ami was there too. Peter Vandi was there.

13:08:01 20 Q. And all of them came --

21 A. And then - excuse me, sir.

22 Q. Sure.

23 A. And then the Ivorians gave us a security by the name of
24 John Baptist. He was with us throughout.

13:08:13 25 Q. How did you actually get to Burkina Faso? Was it by air?

26 A. Yeah, it was by air.

27 Q. Flying from where?

28 A. From Abidjan.

29 Q. Was it a private plane, or was it a commercial flight?

1 A. It was an Air Ivoire. It was the Ivorians who made the
2 arrangements for us.

3 Q. Was it a regular flight with other passengers, or was it a
4 special flight?

13:08:36 5 A. It was a special flight.

6 Q. There in Burkina Faso which people, first of all, from the
7 Burkina Faso government or military did you or Foday Sankoh or
8 anyone in your delegation meet with?

9 A. I did not appear in any meeting where he met the
13:08:51 10 delegation. He - there was a day he went to see the President
11 himself, but I was not in the delegation.

12 Q. Foday Sankoh met - went to see Blaise Compaore?

13 A. Yeah.

14 Q. Who did Foday Sankoh take with him for that meeting?

13:09:06 15 A. He went with Pa Kallon. Daniel Kallon.

16 Q. What about Ibrahim Balde; was he present?

17 A. Yes, Ibrahim - yes, Ibrahim Balde. That was the place we
18 saw - we met Ibrahim Balde. He introduced him to us as a friend.

19 Q. Did he say how he was friends with Ibrahim Balde?

13:09:24 20 A. No, no, he did not go beyond that at all. The only
21 advantage we saw in that one later was the fact that he's
22 multilingual. He speaks French, Arabic and English. So he said
23 Balde should go with us - with him, rather.

24 Q. And you met the first commander there, correct?

13:09:44 25 A. The first commander, he went to the hotel where we were at
26 Quartier du Bois.

27 Q. His name is Diendere?

28 A. Yes.

29 Q. Now, sir, did you meet any time during that trip somebody

- 1 by the name of Kukoi Samba Sanyang?
- 2 A. Who?
- 3 Q. Kukoi Samba Sanyang.
- 4 A. No.
- 13:10:04 5 Q. A Gambian.
- 6 A. No.
- 7 Q. Did you ever meet a General Samba?
- 8 A. General Samba, no.
- 9 Q. Do you know anyone named Samba?
- 13:10:17 10 A. Samba, no.
- 11 Q. Did you meet a Dr Manneh?
- 12 A. In that meeting?
- 13 Q. Does that name mean anything to you, Dr Manneh?
- 14 A. Yes, I knew Dr Manneh in Danane, not in Burkina Faso.
- 13:10:29 15 Q. How did you know him in Danane?
- 16 A. I went to a meeting in one hotel in - there's a hotel going
17 to Jigleu. I have forgotten the name. There's a refugee camp
18 called Jigleu in Cote d'Ivoire. We went to a meeting there, the
19 Sierra Leonean refugee community meeting. We went to a meeting
13:10:52 20 there with them. That was where I met him.
- 21 Q. This Dr Manneh that you know, what's his nationality?
- 22 A. He's a Gambian.
- 23 Q. Okay. And what was his role in this meeting?
- 24 A. No, he did not take part in the meeting. I just saw him
13:11:07 25 and he went - he came over to me and said - he told me his name
26 and he said he is a Gambian.
- 27 Q. And that was it?
- 28 A. Yeah, that was it.
- 29 Q. Did anyone tell you who he was?

1 A. No.

2 Q. Well, this was about 14 years ago. How do you remember
3 this man just coming up and giving you his name?

4 A. It is not impossible. In fact, it is not possible for me
13:11:34 5 to - because I saw him, he came up to me and told me he is
6 Dr Manneh and he said he was also a revolutionary brother. That
7 was what he said.

8 Q. A revolutionary brother of the RUF? He knew you were RUF,
9 correct?

13:11:55 10 A. Yes, he knew that one. He knew that one.

11 Q. Did he introduce himself to anyone else who was with?

12 A. No.

13 Q. Was it just you at that meeting?

14 A. Yeah. Because I was organising the project for the
13:12:12 15 civilians. I did a proposal for them, so I was organising them,
16 that was why we met him in the hotel there.

17 Q. Now, after this trip around Africa in July 1996 you go to
18 Europe, correct?

19 A. Yes.

13:12:28 20 Q. And you stay until when?

21 A. Until September 1996.

22 Q. What date in September, the beginning or the end?

23 A. End. End of September.

24 Q. So you were gone for three months, correct?

13:12:43 25 A. Yeah.

26 Q. Who was it that gave you instructions to go on this trip?

27 A. Foday Sankoh gave me the instructions.

28 Q. And what were your instructions?

29 A. He said if there is a friend - I think I said that here

1 yesterday. When Mr Monguya's daughter Clothilde met me in the
2 hotel, she told me that she was Mr Monguya's daughter, Foday
3 Sankoh's friend who is in Belgium, and that her father wants us
4 to come to Europe to open the diplomatic front prior to the peace
13:13:29 5 process.

6 Q. Okay, that explains maybe how it first came up, but my
7 question is: What were your instructions from Foday Sankoh?
8 What were you supposed to do?

9 A. My instructions from Foday Sankoh were to meet Mr Monguya.

13:13:46 10 He said Mr Monguya was here to receive us to organise meetings
11 with us with the European politicians. And when we came, that
12 was exactly what Mr Monguya did. He took us to Mr Ludo Martens,
13 the former President of the Belgian Labor Party. It was Mr Ludo
14 Martens who - Mr Ludo Martens then went ahead to introduce me to
13:14:19 15 some leaders in the European parliament. I don't really remember
16 their names. So he said Foday Sankoh - make arrangements with
17 Foday Sankoh to come and talk to the European parliament here.
18 He said, "When he comes he will sleep in my house here. I will
19 have a place for him to sleep here. I will not allow him to go
13:14:39 20 any other where but in my house." He showed me the room he was
21 preparing for Foday Sankoh.

22 The reason why Foday Sankoh did not make the trip was, he
23 wanted to behave the same way he behaved when he went to Nigeria
24 and got arrested. He did not want the Ivorians to get involved.
13:14:56 25 So the people said, "No, we will not allow you to go at all, if
26 you don't get us involved."

27 Q. Sir, my question for you was what were you supposed to do,
28 what were your instructions from Foday Sankoh. You explained that
29 your instructions were to meet Mr Monguya. He said Monguya was

1 here to receive us, you said, to organise meetings. Besides
2 Foday Sankoh telling you, "Go meet Monguya. He'll organise
3 meetings," did he give you any other instructions about the
4 purpose?

13:15:25 5 A. Absolutely no.

6 Q. So he just said, "Go to Europe, meet Monguya and go to
7 meetings." That was it?

8 A. He said, "He will organise meetings for you."

9 Q. And what were you supposed to do at those meetings?

13:15:36 10 A. Political meetings.

11 Q. What was the agenda for the RUF at those meetings?

12 A. The agenda for the RUF was to actually market the RUF, to
13 look for political support from Europe. That was the agenda.

14 That is why he introduced us to politicians. I met the Belgian
13:15:53 15 Foreign Minister.

16 Q. Now, a three month trip to Europe for two people - there
17 was two of you that went, correct?

18 A. Yes, two of us went.

19 Q. And the other one was?

13:16:04 20 A. Kposowa.

21 Q. You and Jonathan Kposowa, a trip for two people for three
22 months in Europe was quite expensive in terms of the RUF's
23 resources, correct?

24 A. He did not spend the entire three months there. He was
13:16:18 25 there for two months.

26 Q. Kposowa?

27 A. Yeah.

28 Q. And then where did he go?

29 A. He went back to Abidjan.

1 Q. So what money were you given by Foday Sankoh to make this
2 trip?

3 A. Foday Sankoh did not give us money. I think I have
4 mentioned that when we came out, the money that we received from
13:16:39 5 Charles Taylor, the 10 million franc CFA we received from
6 Charles Taylor, was the amount we used to buy the tickets. The
7 extra money that we had on us, \$2,000 US traveller's cheques, was
8 the money that we received from Abacha.

9 Q. Sir, the 10 million CFA that Charles Taylor gave you, you
13:17:05 10 said he actually gave it to Deen-Jalloh, correct? He handed it
11 to Deen-Jalloh.

12 A. Deen-Jalloh was our leader.

13 Q. Okay. And that was in December 1995, correct?

14 A. Yeah.

13:17:12 15 Q. Didn't Deen-Jalloh distribute that to the various members
16 of the delegation?

17 A. No. What he used to do was - he kept all the money and
18 every month he would take 45,000 each and give to every family.
19 That was how he did it. He did not distribute the money
13:17:32 20 together.

21 Q. And, sir, what money did you take with you to use that
22 money to buy - what was left of the 10 million to buy your
23 tickets, correct?

24 A. Yeah.

13:17:52 25 Q. Why didn't you ask Foday Sankoh for money if he was sending
26 you to Europe?

27 A. Well, that's a very good question. I would also ask him
28 that question. We told him to pay for us. He said he did not
29 have money. That's a very good question. Thank you.

1 Q. Well, then why didn't you say, "I cannot go without money"?

2 A. No. We were not in position to say that, because if we had
3 said we were not going, he would have said, "Okay, if you're not
4 going, sit down." And we wanted the peace process to succeed.

13:18:21 5 So we managed to go by all means that were available.

6 Q. And what was the party that Ludo Martens was the head of?

7 A. PTB, Parti du Travail de Belgique. The Belgian Labor
8 Party.

9 Q. Would you be more correctly translated as the Belgian
13:18:43 10 Workers' Party?

11 A. Yes, yes.

12 Q. And who was this? What was the politics of this man, do
13 you know?

14 A. His politics?

13:18:58 15 Q. Yes. Well, let me ask you this: Was he in the government
16 of Belgium?

17 A. No, he was not in the government. He was just the
18 president.

19 Q. President of a party?

13:19:05 20 A. Yeah.

21 Q. Did he have a connection to Mr Monguya?

22 A. Yeah. It was Monguya who took us to him.

23 Q. Could we have the witness shown - if two documents can be
24 brought up, tabs 6 and 7. I think I can deal with these before
13:19:19 25 the end of the day. Okay, starting with tab 6, the document is a
26 web page, as we can see, and it says "Economic expert.com" and
27 then it has an entry for Ludo Martens. It has a short
28 biographical information. It states:

29 "Ludo Martens, born about 1945-48, is a Belgian historian

1 noted for his work on Francophone Africa and the Soviet Union.
2 He is also the chairman of the Workers' Party of Belgium. In
3 1968 he founded the group All Power to the Workers which in 1979
4 became the Workers' Party of Belgium. Martens is a recognised
13:21:00 5 authority on the political history of the Democratic Republic of
6 the Congo where he has lived and travelled extensively. In 1994
7 Martens published 'Another view of Stalin', a history of the
8 Soviet Union under Stalin that challenges in particular the
9 orthodox western view of the collectivisation in the USSR and the
13:21:28 10 Great Purge. "

11 Do you believe that that's the person that you met, Ludo
12 Martens?

13 A. Yeah. In fact, he gave me some books. He gave this book
14 "Another view of Stalin" and then he gave me a book by Kwame
13:21:40 15 Nkrumah.

16 Q. Did you read that book about "Another view of Stalin"?

17 A. No, I did not read it.

18 Q. Did you read the cover where - does the book defend Joseph
19 Stalin as somebody who was a correct communist?

13:21:53 20 A. I did not read it.

21 MR KOUMJIAN: Can that document be marked for
22 identification, please.

23 PRESIDING JUDGE: This is a web page from "Economic
24 expert.com" containing a small biography on Ludo Martens, that is
13:22:16 25 a one-page document, that's MFI-8.

26 MR KOUMJIAN:

27 Q. The next document, tab 7, is another web page. It appears
28 to be "Revleft, www.revleft.com" and then it has an entry for
29 Workers' Party of Belgium and reading it, it says, the second

1 paragraph:

2 "The Workers' Party of Belgium is a Belgian communist
3 party. It is one of the few parties that operates as a single
4 Belgian party. Most other Belgian parties are either Flemish or
13:23:07 5 Francophone. The WPB has no seats in the Belgium parliament,
6 having usually won 2 per cent in elections. The WPB hosts the
7 international communist seminar which in recent years has become
8 one of the main worldwide gatherings of communist parties.

9 The Workers' Party of Belgium originated in the student
13:23:33 10 movement at the end of 1960s. Radical students (organised in the
11 student union SVB) mainly from the Catholic University of Leuven
12 turned towards the working class movement. They considered the
13 politics of the existing communist party of Belgium revisionist,
14 i.e. too much turned toward the social democratic politics
13:24:02 15 (represented in Belgium by the Belgian Socialist Party). They
16 were influenced by the ideas of the communist party of China,
17 guerilla movements in Latin America, the movement against the
18 Vietnam war, and the Leuven-Vlaams movement, all perceived as
19 aspects of a worldwide struggle against colonial or neo-colonial
13:24:29 20 oppression and for civil or workers' rights.

21 "In 1979 the first congress was held which adopted a Maoist
22 programme and changed the name if into PVDA-PTB. Ludo Martens
23 became the first President and is still considered the most
24 important ideologist of the party."

13:25:07 25 Sir, does this again appear to be the Ludo Martens you
26 dealt with?

27 A. Yes.

28 MR KOUMJIAN: May this also please marked for
29 identification.

1 PRESIDING JUDGE: This also is a web page on the Workers'
2 Party of Belgium consisting of one page. That's marked MFI-9.

3 MR KOUMJIAN:

4 Q. Sir, this Jonathan Kposowa who went with you to Europe, he
13:25:38 5 was RUF, correct?

6 A. Yes.

7 Q. What was his nationality?

8 A. Sierra Leonean.

9 Q. And what was his role in the RUF? Was he a combatant?

13:25:49 10 A. I did not see Kposowa go to the war front at any time.

11 Q. Was he someone close to Foday Sankoh?

12 A. Yes, he was his adjutant.

13 Q. He was the adjutant for Foday Sankoh?

14 A. Yes.

13:26:06 15 Q. And did the adjutant, also sometimes called --

16 A. Secretary.

17 Q. But did he have one of the G numbers? Was it a G --

18 A. G3.

19 Q. G3?

13:26:26 20 A. I think so.

21 Q. Yes. Sir, I'd like to read some testimony to you from 12
22 November 2008, page 20113. Sir, did you know Augustine Mallah in
23 the RUF?

24 A. Augustine who?

13:26:46 25 Q. Augustine Mallah.

26 A. Mallah?

27 Q. Yes.

28 A. M-A-L-L-A-H?

29 Q. Yes, sir.

1 A. No. Mr Augustine Gbao I knew.

2 Q. Sir, Augustine Mallah testified in this Court in open
3 session, and he said - I'm just going to read from the top of the
4 page:

13:27:39 5 "We heard - we always saw Mike Lamin talking to Foday
6 Sankoh in the Ivory Coast and Foday Sankoh was telling him that
7 he had sent Major Kposowa through Gbarnga to Monrovia for him to
8 try so that we can get ammunition at the border by Liberia,
9 Sierra Leone by Liberian border."

13:28:08 10 He was then asked to stop for a minute and they spelled
11 Kposowa. And he was then asked who he was, and he said:

12 "Well, CO Kposowa was a vanguard and he was the secretary
13 to Foday Sankoh at the time he was in Zogoda.

14 Q. How was it that Mike Lamin was communicating with Foday
13:28:27 15 Sankoh?

16 A. Mike Lamin too had a communication set by himself as a
17 commander and he spoke directly to Foday Sankoh in the
18 Ivory Coast.

19 Q. How did you know about these communications?

13:28:38 20 A. Every hour whenever Mike Lamin was ready to contact
21 Foday Sankoh or Foday Sankoh wanted to contact Mike Lamin I
22 would be there, I was with him. In fact when I am standing
23 there and they are talking it was about just a yard that I
24 would give to them. That's like six feet or four feet. I
13:29:00 25 was there whilst they were talking and I would hear.

26 Q. Did Foday Sankoh explain where Kposowa was to get this
27 ammunition?

28 A. Yes, he said he was passing through Gbarnga to get
29 ammunition from there. He said he had sent Kposowa to

1 Charles Taylor in Gbarnga for him to help him so that we
2 can get ammunition at the border line. He said so we
3 should try and resist the enemies, that is the Kamajors and
4 the Sierra Leone soldiers, so that we can receive that
13:29:43 5 consignment."

6 Sir, were you aware of this mission of Major Kposowa to go
7 to Monrovia to seek ammunition from Charles Taylor?

8 A. No, not at all. Charles - at that time, that was the
9 moment of bitterness. That was the moment when Foday Sankoh did
13:30:06 10 not want to see Charles. Even when he came - I've said it here
11 before. When he came to Abidjan he never saw Charles at all. At
12 least, not to my knowledge.

13 Q. This is the same time you said Charles Taylor invited you
14 to Gbarnga, and the first thing he asked you was, "How's the
13:30:24 15 brother?" and smiled, correct?

16 A. Yes, he did.

17 MR KOUMJIAN: Thank you. Your Honour, I believe this is a
18 convenient time.

19 PRESIDING JUDGE: Okay. It is a convenient time to break.
13:30:33 20 Mr Griffiths, may I revisit the issue that I raised first thing
21 today about changing the sitting schedule?

22 MR GRIFFITHS: Yes, could I have a moment to take some
23 instructions, please?

24 PRESIDING JUDGE: Mr Fayia, I do caution you, as I normally
13:30:51 25 do, not to discuss your evidence, which you will continue with
26 tomorrow, because we are not sitting this afternoon.

27 MR GRIFFITHS: I've spoken to Mr Taylor, Madam President,
28 and unfortunately he has made certain arrangements which would be
29 severely disrupted were the programme to be changed at this

1 stage. He having anticipated - having been informed in good time
2 as to what the sitting hours would be this week, he has made
3 other arrangements. So it would cause him difficulties.

4 PRESIDING JUDGE: Do those arrangements have to do with
13:32:05 5 this trial?

6 MR GRIFFITHS: No, they don't have to do with the trial,
7 but in our submission that is immaterial. If one is given a
8 timetable --

9 PRESIDING JUDGE: It is not immaterial in this regard,
13:32:18 10 Mr Griffiths: Time is of the essence in this trial. Everybody
11 is trying their best to adjust and work within very difficult
12 circumstances, circumstances being that we are tenants in this
13 building and the schedules are changed at whim, often beyond our
14 control. This is a matter that the judges have made known at the
13:32:43 15 beginning and asked the parties to be prepared at any time to
16 change the schedule - the sitting schedule.

17 Now, whilst I accept your submissions that Mr Taylor may
18 have made other arrangements - which I'm sure other people may
19 have had also and have had to adjust - I would like to know if
13:33:05 20 it's permissible with you to proceed without him, in his absence,
21 pursuant to Rule 60(B) tomorrow.

22 MR GRIFFITHS: Well, I'll make inquiries. Madam President,
23 whilst we accept the need to be flexible in this regard, and
24 whilst we appreciate the pressure on this Court, not only from
13:34:34 25 the ICC but, indeed, also from the Management Committee in New
26 York that we press on with this trial as quickly as possible
27 because of the extraordinary funding arrangements which were put
28 in place for this Court, nonetheless, quite reasonably the
29 accused has made arrangements based on a timetable notified to

1 him by this Court. And tomorrow it may well be that a new
2 witness will be called, depending on how long Mr Koumjian will be
3 cross-examining the current witness, and in those circumstances,
4 in our submission, it would be totally unreasonable for Mr Taylor
13:35:21 5 not to be present in Court, subject to the rule that your Honour
6 quoted, for the start of that new testimony.

7 Consequently, we would invite the Court, with all due
8 respect, to stick to the timetable which we were all notified
9 about.

13:35:42 10 PRESIDING JUDGE: I'm just being told that the tape is
11 about to run out, but this is important to put on the record.

12 I want to reiterate the fact that the Court schedule that
13 we announce on a week-by-week basis is always subject to change,
14 and the parties and the judges have been urged to be able and
13:36:05 15 ready to adjust to the changes in the interest of an expedited
16 trial.

17 Now, this is not a schedule that's always cast in stone, as
18 you've seen, obviously. It's not a schedule that is convenient
19 to anybody. Now, the submissions - these latter submissions that
13:36:25 20 you've made, you are saying that - if I understand you
21 correctly - Mr Taylor would want to be present for the next
22 witness.

23 MR GRIFFITHS: Yes, please.

24 PRESIDING JUDGE: Is it okay if we continued the testimony
13:36:41 25 of Mr Faya Musa in Mr Taylor's absence, that is tomorrow of
26 course, and incidentally tomorrow we were scheduled to sit
27 afternoons. So in other words we are only talking about tomorrow
28 morning, Wednesday morning, Thursday morning, Friday morning.
29 That's the only adjustment. We were scheduled to sit afternoons

1 on those days. Now I don't know if Mr Fayia will still be
2 testifying tomorrow morning or not.

3 MR GRIFFITHS: Neither do I, Madam President, and absent
4 any clear indication from the Prosecution as to how long they
13:37:29 5 propose to be with Mr Musa Fayia it's difficult to see how I
6 could, on behalf of the accused, give a guarantee to the Court
7 that Mr Taylor would only be absent for the currency of the
8 current witness's evidence. That's the difficulty.

9 MS IRURA: Your Honour, the tape has ended.

13:37:56 10 PRESIDING JUDGE: Could another tape be put in because this
11 is important. I want it on the record.

12 MS IRURA: Your Honour, a new tape is in place.

13 PRESIDING JUDGE: Thank you. I've consulted my colleagues
14 on the Bench in this regard and we are of the view that we ought
13:40:57 15 to maximise the sitting time afforded to us in this building.
16 Therefore my ruling is that we shall sit tomorrow, Wednesday,
17 Thursday and Friday a full normal day's sitting schedule from
18 9.30 until 4.30 with the usual breaks. Court is adjourned
19 accordingly to tomorrow at 9.30.

13:41:27 20 [Whereupon the hearing adjourned at 1.41 p.m.
21 to be reconvened on Wednesday, 21 April 2010 at
22 9.30 a.m.]

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I N D E X

WITNESSES FOR THE DEFENCE:

DCT-306 39356

CROSS-EXAMINATION BY MR KOUMJIAN 39356